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**Official Report
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(Hansard)**

**Journal
des débats
(Hansard)**

Tuesday 31 May 2005

Mardi 31 mai 2005

Speaker
Honourable Alvin Curling

Président
L'honorable Alvin Curling

Clerk
Claude L. DesRosiers

Greffier
Claude L. DesRosiers

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LEGISLATIVE ASSEMBLY OF ONTARIO

Tuesday 31 May 2005

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Mardi 31 mai 2005

*The House met at 1330.
Prayers.*

MEMBERS' STATEMENTS

HIGHWAY 406

Mr. Jim Wilson (Simcoe-Grey): Amy Ball of the Thorold Chamber of Commerce has informed me that they have launched their Click for the 406 campaign to demand that the McGuinty government put their money where their mouth is and expand Highway 406. The chamber and the Niagara Economic Development Corp. have launched an on-line petition at www.build406now.com to encourage Niagara residents to raise their voices and demand that the Liberal government get to work on the 406.

This major transportation and trade corridor carries 27,000 vehicles per day and is the busiest two-lane highway in southern Ontario. It links St. Catharines, Thorold, Welland, Pelham and Port Colborne, and is badly needed for the safety of area residents and those travelling the highway. In fact, the accident and fatality rate doubles on the two-lane stretch of the 406 compared to the four-laned portion, and the McGuinty government promised to put this project in their 2005 capital plan.

There are 12 days left in the local campaign. I'm encouraging everyone in the Niagara region to go on-line at www.build406now.com and sign the petition and show your support for this vital transportation corridor.

This Liberal government has let the people of Niagara down again. I'm calling upon the government to stand up for Niagara, ease congestion, improve safety, promote economic development and, for Pete's sake, for once, keep a promise over there.

BETTER SPEECH, LANGUAGE AND HEARING MONTH

Ms. Laurel C. Brotin (Etobicoke-Lakeshore): Today I rise in support and recognition of Better Speech, Language and Hearing Month. Many residents and organizations across Ontario are devoted to and enthusiastic about raising awareness for those who suffer from communication disorders.

In fact, in my own community of Etobicoke-Lakeshore, we too have concerned citizens. Mr. James Toccacelli of Etobicoke-Lakeshore was the first to write

to me about better speech, language and hearing in May, and I want to thank James for his concern and interest. I am sure he is working hard in our community on this front.

Increasing knowledge and understanding about the issues that affect persons with communication disorders is essential. There are many professional services across Ontario—our hospitals, our hearing clinics, our language and speech schools and our community organizations—that are working hard to improve a better quality of life through a variety of treatments, classes and services.

My community is no different. Whether my constituents are using services offered by speech and language pathologists at Trillium Health Centre or making use of the programs offered at Evans Hearing Clinic, the residents in my community are benefiting.

Our government recognizes the importance of getting help early on, which is why the Ministry of Children and Youth Services has information both on the infant hearing program and a preschool speech and language program to provide assistance to our children.

I want to once again thank James and also add my own support to encouraging recognition of and, most importantly, responsiveness to better speech, language and hearing, not just in May but all year round.

EASTERN ONTARIO

Mr. Jim Brownell (Stormont-Dundas-Charlottenburgh): There is an old saying here in Ontario that the province, to the east, ends at Kingston. This is simply not true. Beyond Kingston lies some of the most significant land in Canadian history, rich in tradition, culture, resources and natural beauty.

Due to long-standing external factors, however, eastern Ontario finds itself in an unenviable economic state. My own riding of Stormont-Dundas-Charlottenburgh has recently witnessed the closure of several key industries, meaning the loss of hundreds of jobs. While the situation being faced by my riding was ignored by the last government, the McGuinty government has shown its leadership and commitment to the people of eastern Ontario.

Last Friday, I had the pleasure of hosting the Minister of Economic Development and Trade at a round table discussion with leaders of local businesses and communities. Minister Cordiano was not only receptive to the concerns and suggestions of those assembled, but had suggestions himself. It was clear to all present that the

minister was aware of what is happening in the region and is committed to doing what he can to help.

Eastern Ontario has a great deal to offer in terms of development, industry, tourism—in every sector. As representatives of the people, we must do all we can to ensure that the rest of Ontario and indeed the world is aware of this. It fills me with great confidence that the Minister of Economic Development and Trade feels the same way. Through words and actions, the minister and the McGuinty government have shown their commitment to all Ontarians. It is clear to all that this government's Ontario includes the east and my riding of Stormont—Dundas—Charlottenburgh.

ADOPTION DISCLOSURE

Mr. Norman W. Sterling (Lanark—Carleton): I want to read a letter on Bill 183, the Adoption Information Disclosure Act, from a parent who has adopted children.

"I was wondering if anyone looked at how this bill would affect children that have already suffered horribly at the hands of the very people this bill would allow access to the child's identity and location. I understand that the child would be 19, but that still is a very vulnerable age to force them into meeting the person responsible for their earlier pain and terror. This would have far-reaching effects on the child/young adult for the rest of their lives.

"As much as I wish that all children in need of adoption were merely the blessings of young people's mistakes, this is not the reality. Unfortunately, the reality is that many are children with horrifying pasts that this bill would endanger.

"If we look at the recent case in the news of the man who beat his own six-year-old child into critical care at the hospital, this Bill 183 would allow that same individual to find his victim again.

"Time does not heal all wounds. The child/young adult should have the choice of when and if they wish to deal with meeting their biological parents. The adopted child should not be forced into dealing with situations they may or may not be able to handle."

This person is outraged at the inability to come forward and have their say on this bill because this bill was truncated to one day of hearings for all of Ontario, some 250,000 files that that represents. This is awful, Mr. Speaker.

NORTHERN ONTARIO SCHOOL OF MEDICINE

Mr. David Orazietti (Sault Ste. Marie): Residents in my riding of Sault Ste. Marie are very pleased about the opening of the Northern Ontario School of Medicine. In fact, northern Ontario, as well as the entire province, will benefit from the increase in physician supply. This coming fall, we will be opening the first medical school

in Ontario in more than 30 years, and we will be doing it in northern Ontario.

Our government provided over \$95 million to make the newest school of medicine a reality despite the fiscal challenges left to us by the past government. We provided \$32.9 million for the school's capital construction on two sites, and we provided \$62.4 million for the first three years of operating, with additional funding to come.

1340

On Monday, May 16, Dean Roger Strasser of the medical school was in Sault Ste. Marie, and together with Jerome Quenneville, CEO of the Sault Area Hospital, they signed a landmark agreement. This agreement reaffirms our city's role in the success of the medical school program. Dr. Strasser said, "Sault Ste. Marie is and will be a major part of the school and the school will be a major part of Sault Ste. Marie."

A medical school office is scheduled to be opened in the community to provide services for students during their third year of clinical training.

By signing a new OMA contract, by more than doubling the number of foreign-trained medical graduates, by increasing physician enrolment by 15% and by building the Northern Ontario School of Medicine, we are reversing some very poor decisions made by our predecessors when it comes to physician supply. Premier McGuinty, Minister Smitherman and our government are following through on our commitment to improve Ontarians' access to physicians.

ADOPTION DISCLOSURE

Mr. Jim Flaherty (Whitby—Ajax): The Adoption Information Disclosure Act, Bill 183, before this House fails to protect the privacy rights of birth parents and adopted persons who wish to have their private, personal information remain private. The basic principle is that if the natural mother doesn't want to reveal her personal information, that's her right to the privacy of her very private, personal information.

Within the past hour, I've had yet another phone call from an adopting parent concerned about the absence of anonymity promised by the government of Ontario when the adoption took place, now being proposed to be breached in this new legislation retroactively.

The government of Ontario gave its word to adopting parents and birth parents over these many years. Now, retroactively, this Liberal government wants to strip those privacy rights away.

I've heard comments from constituents in Whitby and from people across the province to the same effect as Information and Privacy Commissioner Cavoukian put it yesterday in her quote: "How can people ever trust government again?"

That Information and Privacy Commissioner is our commissioner in this Legislature. I urge members to respond to her warnings to us and even to listen to the Toronto Star when it quoted the Information and Privacy

Commissioner and concluded that she is right and to bring in the appropriate veto amendment to the bill.

Mr. Gilles Bisson (Timmins–James Bay): I'm going to take a totally opposite view than that of my colleagues within the Tory party, and I'm going to speak about it in a personal sense.

I was contacted by somebody from my family that I didn't know about. I got a phone call about four or five years ago from Collette, my sister who lives in British Columbia, who had been trying for years and years to get in contact with our family. She was blocked. Why? Because we didn't have adoption disclosure legislation. For 20 years, she tried to find her family and was not able to. The only reason she did was because—guess what?—her brother happened to be an elected official in the province of Ontario, and she knew that her mother had eventually married a person by the name of Bisson. So here I am: somebody who was contacted by his adopted sister. I have nothing bad to say about the experience.

I've got to tell you a story. It's kind of funny. My sister and I had an opportunity to meet a number of times, but the neatest was last summer. We all went to the family cottage. There we were: my sister Louise, my brother Claude, my sister Collette from British Columbia, and my mother. Even though we had not been raised together—my sister is now over 50 years old—it was as if we had lived together all of our lives. A connection was there.

So I say to those birth mothers and children who are trying to get in touch with each other that it's a great experience, a wonderful experience, and one that I'm certainly glad we had the opportunity to have in my family, because I not only have Collette as a sister but I have three wonderful nephews and nieces and their children as part of my extended family.

I look forward to other people being able to be successful in their encounters in the future.

NORTHUMBERLAND

Mr. Lou Rinaldi (Northumberland): Before I begin, I'd like to welcome a number of co-op students from my riding, my staff member Karen, and Mayor Forrest Rowden from Hamilton township.

Last week, John Tory visited my riding of Northumberland. However, while Mr. Tory portrayed himself as an expert to our local media, his statements revealed that he had not learned a lot about the riding while he was there. Perhaps this is because Mr. Tory failed to hold discussions with Warden Delaney, Mayor McMillan, Mayor Rowden, Mayor Herrington, Mayor Dekeyser, Mayor Finley and Mayor Campney.

Had Mr. Tory taken the time to meet with the mayors in the riding, he would have learned that we are the benefactors of over \$3 million from the new Ontario municipal partnership fund. Mayor Forrest Rowden, right here today, could testify that his municipality got an increase of over \$405,000.

We also provided funding for two new family health teams, \$350 million for long-term-care facilities, over \$1.3 million to improve our rural schools, \$500,000 of provincial funding for our First Nations, \$440,000 in new gas tax funding for our municipalities, and the list goes on and on.

Mr. Tory should spend more time meeting with these people before speaking to the media, because he still doesn't know what Northumberland riding is all about.

CHEVALIERS DE LA PLÉIADE

M. Jean-Marc Lalonde (Glengarry–Prescott–Russell): Chers collègues, c'est avec honneur et fierté que je viens partager avec vous que cet après-midi à 16 h, en présence de l'honorable James Bartleman, lieutenant-gouverneur de la province, la section ontarienne de l'Assemblée parlementaire de la Francophonie procédera à la décoration de sept Ontariens et Ontariennes qui se sont particulièrement distingués en servant les idéaux de coopération et d'amitié de la francophonie.

Les récipiendaires se méritant le grade de Chevalier de la Pléiade, ordre de la Francophonie et du dialogue des cultures, sont :

M. Sylvain Charlebois de Casselman, qui a été l'un des grands artisans de l'Écho d'un peuple, spectacle qui raconte 400 ans d'histoire du Canada;

M. Robert Dickson de Sudbury, auteur, professeur et créateur qui participe depuis plus de 30 ans à l'enrichissement de la vie culturelle et artistique au Canada français;

Le sergent d'état-major Yves Dupuis de la Sûreté provinciale de l'Ontario, du détachement de Russell, qui a pour but d'embaucher des agents bilingues et dont le détachement comprend actuellement 47 agents bilingues;

M. Gaétan Gervais de Sudbury, qui en 1975 a conceptualisé le drapeau franco-ontarien avec un groupe d'étudiants de l'Université Laurentienne;

M. André Rhéaume de Hearst, qui s'assure que la population franco-ontarienne ait accès aux services gouvernementaux dans la langue française et qui en revendique les droits avec grande conviction;

Mme Léonie Tchatat, qui, de par ses actions socio-politiques, ne rate jamais l'occasion de promouvoir la francophonie ontarienne et la diversité culturelle;

M. Marcel Beaubien, ancien député de la circonscription de Lambton–Kent–Middlesex et ancien vice-président de l'APF.

Chers récipiendaires, mes plus sincères félicitations.

VISITORS

The Speaker (Hon. Alvin Curling): Just following up on that statement, we have in the Speaker's gallery today Ontario's recipients of the internationally recognized medal of la francophonie, l'Ordre de la Pléiade, for their outstanding contributions to French-speaking communities in the province.

Please join me in welcoming our honoured guests.

LEGISLATIVE PAGES

The Speaker (Hon. Alvin Curling): I would like to ask all members to join me in welcoming this group of legislative pages serving in the first session of the 38th Parliament:

Paige Allerton, Bruce-Grey-Owen Sound; Luke Andary, Chatham-Kent-Essex; Alecia Blackman, Hamilton East; Alexander Debski, Mississauga Centre; Kyra Droog, Perth-Middlesex; Alexandra Edgar, Oakville; John Griffiths, Waterloo-Wellington; Benjamin Head, Oshawa; Emma Mew, Trinity-Spadina; Sarah Osman, Scarborough Centre; Nicholas Palombo, Vaughan-King-Aurora; Patrick Quinton-Brown, Whitby-Ajax; Misha Schwartz, Beaches-East York; Devon Sweetnam, Dufferin-Peel-Wellington-Grey; Graeme Tyrrell, Windsor West; Meredith Williams, Scarborough Southwest; Courtney Young, Lanark-Carleton; and Kai Zhao, Brampton Centre.

Let me welcome them to our session here today.

REPORTS BY COMMITTEES

STANDING COMMITTEE ON THE LEGISLATIVE ASSEMBLY

Mr. Bob Delaney (Mississauga West): I beg leave to present a report from the standing committee on the Legislative Assembly and move its adoption.

The Acting Clerk-at-the-Table (Ms. Tonia Grannum): Your committee begs to report the following bill as amended:

Bill 133, An Act to amend the Environmental Protection Act and the Ontario Water Resources Act in respect of enforcement and other matters / Projet de loi 133, Loi modifiant la Loi sur la protection de l'environnement et la Loi sur les ressources en eau de l'Ontario en ce qui a trait à l'exécution et à d'autres questions.

The Speaker (Hon. Alvin Curling): Shall the report be received and adopted? Agreed.

Pursuant to standing order 72(b), the bill is therefore ordered for second reading.

INTRODUCTION OF BILLS

INSTITUTE FOR CHRISTIAN STUDIES ACT, 2005

Mr. Marchese moved first reading of the following bill:

Bill Pr14, An Act respecting the Institute for Christian Studies

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

Pursuant to standing order 84, the bill stands referred to the standing committee on regulations and private bills.

MOTIONS

HOUSE SITTINGS

Hon. James J. Bradley (Minister of Tourism and Recreation): I move that pursuant to standing order 9(c)(ii), the House shall meet from 6:45 p.m. to 12 midnight on Tuesday, May 31, 2005, for the purpose of considering government business.

I want to work.

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

All those in favour, please say "aye."

All against, say please "nay."

I think the ayes have it.

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

The division bells rang from 1353 to 1358.

The Speaker: Order. Would all members please take their seats.

Mr. Bradley has moved government notice of motion 383.

All those in favour, please rise one at a time and be recognized by the Clerk.

Ayes		
Arnott, Ted	Hardeman, Ernie	Peters, Steve
Arthurs, Wayne	Hoy, Pat	Peterson, Tim
Baird, John R.	Hudak, Tim	Phillips, Gerry
Barrett, Toby	Jackson, Cameron	Pupatello, Sandra
Bartolucci, Rick	Jeffrey, Linda	Qaadri, Shafiq
Bentley, Christopher	Klees, Frank	Racco, Mario G.
Berardinetti, Lorenzo	Kular, Kuldip	Ramal, Khalil
Bradley, James J.	Kwinter, Monte	Rinaldi, Lou
Broten, Laurel C.	Lalonde, Jean-Marc	Runciman, Robert W.
Brownell, Jim	Levac, Dave	Sandals, Liz
Cansfield, Donna H.	Marsales, Judy	Smith, Monique
Chambers, Mary Anne V.	Martiniuk, Gerry	Smitherman, George
Chudleigh, Ted	Matthews, Deborah	Sterling, Norman W.
Colle, Mike	Mauro, Bill	Tascona, Joseph N.
Cordiano, Joseph	McMeekin, Ted	Tory, John
Craitor, Kim	McNeely, Phil	Van Bommel, Maria
Crozier, Bruce	Meilleur, Madeleine	Wilkinson, John
Delaney, Bob	Miller, Norm	Wilson, Jim
Dhillon, Vic	Milloy, John	Witmer, Elizabeth
Di Cocco, Caroline	Mitchell, Carol	Wong, Tony C.
Duguid, Brad	Mossop, Jennifer F.	Wynne, Kathleen O.
Flaherty, Jim	O'Toole, John	Yakabuski, John
Flynn, Kevin Daniel	Orazietti, David	Zimmer, David
Fonseca, Peter	Parsons, Ernie	
Gravelle, Michael	Patten, Richard	

The Speaker: All those against, please rise one at a time.

Nays
Bisson, Gilles
Churley, Marilyn
Horwath, Andrea
Kormos, Peter
Martel, Shelley
Prue, Michael

The Clerk of the Assembly (Mr. Claude L. DesRosiers): The ayes are 73; the nays are 6.

The Speaker: I declare the motion carried.

STATEMENTS BY THE MINISTRY AND RESPONSES

TOBACCO CONTROL

Hon. George Smitherman (Minister of Health and Long-Term Care): As I am sure many of my colleagues are aware, today is World No Tobacco Day.

This is an event that, if I had my way, we would not be observing. That is because if I had my way, there would be no smoking. Sadly, the fact is that smoking is too entrenched a habit in our society for it to disappear any time soon.

That does not mean, however, that there is nothing we can do. That does not mean that we shouldn't make it an absolute priority to protect people from second-hand smoke, to help prevent young people from starting and to help those who want to quit.

I am so very proud, therefore, to stand in my place today to inform this House that we are stepping up our battle against smoking with a historic \$50-million investment to support our Smoke-Free Ontario campaign, the toughest, most comprehensive, far-reaching anti-smoking strategy in North America. This \$50 million represents a 66% increase from last year, and it is the largest single amount ever spent in this province to protect Ontarians from what is truly a deadly killer.

I know that my colleagues have heard these statistics many times before: smoking is the number one preventable cause of death and illness in Ontario; 16,000 premature and preventable deaths in Ontario every year—that's 44 Ontarians killed by tobacco every day—\$1.7 billion in health care costs and 500,000 hospital days per year. These aren't just numbers, they're lives: lives lost, lives shortened, lives made painful and sad, wasted lives.

The \$50 million will be invested in 2005-06 to support the three main goals of the Smoke-Free Ontario campaign: protection, prevention and cessation. It will focus on youth prevention programs, public education and cessation, and contains specific initiatives geared to help high-risk populations like gay and lesbian communities and the aboriginal communities, where there may be linguistic, cultural or economic barriers that are more difficult to overcome.

The \$50 million includes \$5.6 million on youth prevention programs in communities, schools, universities and colleges; \$13.8 million on innovative cessation programs, including, as I mentioned, specific initiatives for high-risk populations. We will be announcing details of the province's largest ever cessation program later this year.

There's \$2 million specifically for aboriginal programs: funding for prevention, education and cessation activities, as well as increasing tobacco control resources in aboriginal communities; \$4.6 million on evaluation, surveillance and administration; \$2.7 million on provincial support programs: funding for province-wide programs to provide training and technical assistance to

tobacco control personnel, and resources and educational materials for health care organizations, communities and the public; \$7.7 million to public health units to increase resources for health protection and enforcement; \$13.6 million on public education.

These programs are a vital part of our strategy. They are also accompanied by an extremely tough piece of anti-smoking legislation, which is being debated for the final time here in this House today.

I'd like to take this opportunity to urge all my colleagues on both sides of this chamber to support the Smoke-Free Ontario Act. If passed, the bill will protect Ontarians from second-hand smoke by banning smoking in all enclosed public places and workplaces as of May 31, 2006. It will ban smoking on school grounds, it will outlaw the large cigarette power walls that our kids see every time they step into a convenience store, and it will increase penalties for those who sell cigarettes to our kids.

If it passes, one year from today Ontario will be a healthier place to live and to work. We have a chance to do the right thing and protect this and future generations of Ontarians from the perils of tobacco smoke. To my colleagues, I'd just like to say, let's get this thing passed. This isn't a battle we're going to win overnight but we are, as a government, absolutely committed to fighting it and winning it over the long haul.

That's why we've brought together what we're calling our campaign cabinet: 12 concerned Ontarians from various walks of life who will bring expertise, skill, passion and commitment to the job of providing our government with advice and guidance on how best to wage this battle, and wage it we will. We share a vision of health care with the people of Ontario. It's a vision of a system that helps keep Ontarians healthier, gets them good care when they are sick and will be there for their children and for their grandchildren.

On this World No Tobacco Day, I want to say that there is nothing better we can do to help keep Ontarians healthier than to protect them from second-hand smoke, convince our young people not to start smoking, and to help our smokers quit. That's our mission, and by working together I'm confident we can have success.

DOMESTIC VIOLENCE

VIOLENCE FAMILIALE

Hon. Sandra Pupatello (Minister of Community and Social Services, minister responsible for women's issues): It is my great pleasure to inform the House that earlier today our government took important steps toward reducing domestic violence in Ontario. Our actions respond directly to recommendations put forth earlier this month by the domestic violence death review committee to the chief coroner. They advance the government's commitment, through our domestic violence action plan, to better protect women and children now, and reduce domestic violence in the future.

They recognize that May is Sexual Assault Prevention Month. In fact, today is the last day and we wear this daisy proudly as a symbol. It's up to all of us to help stop all forms of violent behaviour against women and girls. They build upon our firm belief that all women deserve to live free of fear in their homes and in their communities.

To do this most effectively, we must take domestic violence out of the shadows and bring the full force of public censure to bear. Our \$66-million action plan launched last December and developed through extraordinary commitment, partnership and co-operation has provided the visionary blueprint to build awareness, to support women and to prevent and reduce domestic violence.

Let me remind the House of the plan's four fundamental components:

(1) Our government is notably enhancing and improving vital community supports such as counselling and housing.

(2) We are strengthening Ontario's justice system. The McGuinty government will absolutely not tolerate domestic abuse and our strengthened justice system will better support women who have been victimized, and we will hold their abusers strictly accountable for their violent behaviour.

(3) We are placing greater emphasis on training to enable early identification and intervention by professionals of abused women.

(4) We recognize that in order to reduce domestic violence, it is critical to break the destructive cycle of attitudes and behaviours that make it possible for women to be victimized in the first place. Our government is committed to changing attitudes and preventing violence before it occurs.

It's up to all of us—individuals, communities, the province—to work together to prevent and reduce domestic violence. This morning we took one giant step forward. I was pleased to announce that our government is investing \$4.6 million in 28 pioneering new initiatives. Fourteen of these initiatives are specific to our commitment to early intervention and to strengthen justice, and they address the domestic violence death review committee's recommendations on risk identification and to ensure improved ability to identify abuse early on.

Our government will support training that is targeted to a broad range of professionals working in a wide range of sectors. We are supporting a great initiative, for example, by Legal Aid Ontario, together with their partner, the Barbra Schlifer Commemorative Clinic, to train legal aid service deliverers to identify abuse and on guidelines for providing services to abused women.

1410

We are funding the National Judicial Institute's proposal to provide skills-based education to assist Ontario's judges in court cases involving violence against women. Shelternet for abused women will, with this grant, provide training, host conferences and conduct research to enhance service delivery of shelters.

These people and others are often in the best position to spot cases of abuse before the abuse has a chance to escalate. Our goal is to provide them with appropriate training so they can intervene earlier and provide abused women or women at risk with the proper response, advice, information and support to rebuild their lives.

Fourteen additional programs focus on our government's commitment to mobilize communities to stop the abuse from happening in the first place.

D'après la recherche, les attitudes touchant l'égalité et le comportement approprié au sexe se forment en principe dans l'enfance. Ces initiatives ciblent tant les enfants que les jeunes, ainsi que les adultes qui les influencent.

They are focused on helping young Ontarians develop positive attitudes now so they can develop healthy, equal relationships in the future. They particularly target at-risk communities such as Aboriginal women and girls, new Canadians, northern, rural and francophone women.

Let me give you a few examples of these innovative programs. The Mujer will train young Latin American women and men as peer educators to deliver violence prevention and healthy relationship programs to children and youth in the greater Toronto area's Latin American community. Le Centre ontarien de prévention des agressions reçoit des fonds pour apprendre et pour partager les approches en français destinées à prévenir la violence faite aux femmes et aux filles, ainsi qu'aux enfants et aux jeunes âgés de huit à 16 ans. Minwaashin Lodge, an Aboriginal women's support centre, will deliver a symposium for service providers working with Aboriginal youth and will develop a peer education tool kit to be distributed province-wide.

These announcements we made today continue to build on the announcements of our action plan over the past five months. Each advance reflects the balanced response of this government in supporting victims of domestic abuse and in reducing domestic violence. They include: a \$2-million investment to strengthen 98 women's shelters; second-stage housing providers as key points of refuge for women fleeing abusive situations; investing \$3.5 million in training programs to help disadvantaged and abused women succeed in the workplace and gain economic independence; piloting a risk assessment tool to help police and prosecutors determine quickly whether an accused seeking bail is likely to commit another domestic assault; investing \$3.5 million annually in additional funding to create housing supports for abused women and their children; investing \$2.1 million in interpretation services for victims of domestic violence with a limited proficiency in English; and launching the new \$734-million affordable housing program with our federal and municipal partners. This program will build 15,000 new affordable housing units in Ontario, with vulnerable groups, including victims of domestic violence, receiving priority.

Our government is committed to building strong communities. We know a community is only as safe as the support it offers its most vulnerable members. We all

have an obligation to work together to prevent and reduce the terrible reality of domestic violence. I am proud to chair an interministerial taskforce where all hands are on deck. And we will make a difference.

The Speaker (Hon. Alvin Curling): Responses?

TOBACCO CONTROL

Mrs. Elizabeth Witmer (Kitchener-Waterloo): I'm pleased to respond to the announcement that has been made today by the Minister of Health in recognition of World No Tobacco Day. This particular day has as its theme this year the role of health professionals in helping individuals quit smoking, and I think we must recognize that it is a role that most health professionals do take very seriously.

There is an article here today by Dr. Albert Schumacher, president of the Canadian Medical Association, which speaks to the fact that "in an average week, physicians will deliver a diagnosis of lung cancer to 427 people and in 85% of cases the source of the disease can be traced to tobacco use." If you multiply that, you will see that the message of lung cancer is going to be delivered to people 22,000 times each year.

In this article, Dr. Schumacher also goes on to say that as a result of people working together—governments and obviously health professionals—"Canadians are quitting smoking at a remarkable rate.

"Even though tobacco-related disease still claims 47,500 Canadian lives annually, with smoking accounting for about 30% of all cancers reported, recent data indicate that only 21% of Canadians still smoke, down from 29% a decade ago."

If we take a look here, we see that all the provinces in Canada are taking action to eliminate smoking from their workplaces and public places. "Manitoba and New Brunswick ... have been 100% smoke-free since last October, and Saskatchewan's public places joined the list January 1." Of course, it is the hope that legislation banning smoking in Ontario's workplaces and public places will pass this year. However, it will not take effect until next year, 2006. It should also be pointed out that some parts of the legislation will not actually take effect until 2008.

I think it is important to acknowledge the fact that tobacco is a leading cause of death and disease in Canada. We have been observing this day since 1988. Obviously it's important that the government continues to build on the initiatives we have put forward. In fact, if I take a look, we actually provided \$57 million between 2000 and 2003 on tobacco control initiatives. At that time, that was by far the most extensive tobacco control commitment of any province in the history of Canada.

Again today, we see that this government continues in the fight against smoking. We obviously need to continue to work together to ensure that all Ontarians have the opportunity to live longer and healthier lives.

DOMESTIC VIOLENCE

Mrs. Elizabeth Witmer (Kitchener-Waterloo): Putting on my other hat, I want to respond to the statement today from the minister responsible for women's issues and her announcement that the government is going to continue to put forward initiatives to address violence against women and girls. That, of course, is very important. It's a very non-partisan issue. We certainly support the initiatives of the government today and we all recognize that there is a need for much more to be done.

I hope the government will also continue to move forward with other election promises, such as amending the Employment Standards Act to allow victims to take unpaid time off from work so they can attend court proceedings involving the crimes committed against them. I hope we will see increased support to the provincial network of sexual assault centres so they can continue to expand awareness campaigns in our high schools, universities and colleges. I hope we can expand access to testing for date rape drugs so that women who have been assaulted can go to their sexual assault centre, their doctor or their hospital and get the information they need.

Most importantly, the government did commit to pass within the first year strong victims' rights legislation that will ensure victims have access to information and services. I hope the government will definitely move forward on that commitment.

1420

TOBACCO CONTROL

Ms. Shelley Martel (Nickel Belt): I'm pleased to respond, on behalf of New Democrats, to the statement made by the Minister of Health.

I want to say to him and to this government: Look, if you really want to convince young people not to start smoking, then you would be banning all tobacco advertising in retail stores and you would be doing that by May 31, 2006.

The fact is that under the amendments that were put forward by the Liberals at the Bill 164 hearings, cigarette packages will continue to be on display in retail stores behind the counter, row upon row upon row of cigarette packages behind the counter for all young people to see.

I asked the question of the parliamentary assistant very clearly: "Is there going to be any restriction on the number, any restriction on where they can be displayed?" No. Any number of cigarette packages will continue to be displayed and will continue to really form an attraction for those young people who are coming into convenience stores on a regular basis, who think it's normal to smoke and who will start smoking merely because of that advertising influence.

It is why, on May 4, the Ontario Convenience Stores Association said they had no trouble taking down any of their lights or the colours on the so-called power walls because those are the least of the attraction to young

people. It's the row upon row upon row of cigarettes that give them the impression it's normal to smoke, that so many adults smoke, that so many young people smoke and it's OK for them to start smoking.

The Liberal election platform said this, and I'm quoting: "We will ban countertop and behind-the-counter retail displays of tobacco products." I don't think most people thought that meant the government wouldn't ban behind-the-counter retail displays until 2008, but that is what Bill 164 now says.

The fact is that during the public hearings, we heard from every health-care-related organization, public health unit and every group of young people who made a presentation that the government should ban tobacco advertising in retail stores. Why? Because 60% of tobacco purchases are impulse purchases. Someone's in the convenience store, they buy something else, and they pick up cigarettes. They are placed in a prominent way to attract young people and to attract people who are picking up stuff and going through the cash register. The behind-the-counter displays add to the normalization of tobacco. It encourages former smokers to start smoking again, and it really does influence young people to start smoking in the first place. We heard that again and again, from young people in particular, who came to the public hearings.

I say to the government again: You have missed a golden opportunity. The fact of the matter is, having those displays of cigarettes, individual packages in the dozens, in the hundreds, behind the counter is going to continue to influence young people to smoke. Between 2006 and 2008, thousands and thousands more young people will start to smoke, and they will be the cancer statistics 20 years from now.

DOMESTIC VIOLENCE

Ms. Marilyn Churley (Toronto—Danforth): I am responding to the minister responsible for women's issues. You've all heard me repeatedly bring up the issue of the Ontario domestic violence risk assessment tool as a way to save lives. One prominent recommendation repeated in the succession of coroners' reports has been to use these risk assessments to determine bail conditions.

Minister Monte Kwinter stated in this House, in response to my questions, that the government has in its hands such an assessment tool that has been proven to work, but that has been implemented only on a pilot project basis. Why in the world would you pilot project something that you know works, that can save lives? I fear that one of the main reasons, if not the reason, is to save money, and that is unacceptable. You know it works; get on with it.

The minister's announcement today also comes at the end of Sexual Assault Prevention Month. The minister chose to mark it with what is in essence a re-announcement. What Ontario women have been waiting for throughout this month is finally an announcement of a

plan to combat sexual violence. The McGuinty Liberals, despite repeated requests from myself and sexual assault centres and victims' advocates, has yet to develop a plan to address sexual violence. When pressed, the minister said the domestic violence strategy, despite its name, would target all forms of violence against women, including sexual violence, but it does not do that, with the exception of a preventive education campaign which is limited to students aged eight to 10. That is it.

What we need to hear is a comprehensive plan to measure and resolve the shortcomings toward sexual violence on every front. As a result, it would review and improve procedures that police, crowns and judges currently follow in sexual assault cases, followed with appropriate training and education, plus other components. I'm hoping to hear this announcement from the minister very soon.

VISITORS

The Speaker (Hon. Alvin Curling): I want to specially mention that in the Speaker's gallery is former member Mr. Marcel Beaubien from Lambton—Kent—Middlesex in the 36th and 37th Parliaments.

Ms. Andrea Horwath (Hamilton East): On a point of order, Mr. Speaker: I want to acknowledge Michele Blackman who is here, the mum of our page from Hamilton East, Alecia Blackman.

The Speaker: That is not a point of order, but—

Ms. Marilyn Churley (Toronto—Danforth): But we welcome them anyway.

DEFERRED VOTES

MANDATORY GUNSHOT WOUNDS REPORTING ACT, 2005

LOI DE 2005 SUR LA DÉCLARATION OBLIGATOIRE DES BLESSURES PAR BALLE

Deferred vote on the motion for third reading of Bill 110, An Act to require the disclosure of information to police respecting persons being treated for gunshot wounds / Projet de loi 110, Loi exigeant la divulgation à la police de renseignements en ce qui concerne les personnes traitées pour blessure par balle.

The Speaker (Hon. Alvin Curling): Call in the members. This will be a five-minute bell.

The division bells rang from 1426 to 1431.

The Speaker: Order. Would all members please take their seats.

Mr. Kwinter has moved third reading of Bill 110, An Act to require the disclosure of information to police respecting persons being treated for gunshot wounds.

All those in favour, please rise one at a time and be recognized by the Clerk.

Ayes

Arnott, Ted	Fonseca, Peter
Arthurs, Wayne	Gerretsen, John
Baird, John R.	Gravelle, Michael
Barrett, Toby	Hardeman, Ernie
Bartolucci, Rick	Hoy, Pat
Bentley, Christopher	Hudak, Tim
Berardinetti, Lorenzo	Jackson, Cameron
Bountrogianni, Marie	Jeffrey, Linda
Bradley, James J.	Kennedy, Gerard
Broten, Laurel C.	Klees, Frank
Brownell, Jim	Kular, Kuldeep
Bryant, Michael	Kwinter, Monte
Cansfield, Donna H.	Lalonde, Jean-Marc
Caplan, David	Levac, Dave
Chambers, Mary Anne V.	Marsales, Judy
Chudleigh, Ted	Martiniuk, Gerry
Colle, Mike	Matthews, Deborah
Cordiano, Joseph	Mauro, Bill
Craitor, Kim	McGuinty, Dalton
Crozier, Bruce	McMeekin, Ted
Delaney, Bob	McNeely, Phil
Dhillon, Vic	Meilleur, Madeleine
Di Cocco, Caroline	Miller, Norm
Duguid, Brad	Milloy, John
Duncan, Dwight	Mitchell, Carol
Flaherty, Jim	Mossop, Jennifer F.
Flynn, Kevin Daniel	O'Toole, John
	Oraziotti, David
	Parsons, Ernie
	Patten, Richard
	Peters, Steve
	Phillips, Gerry
	Pupatello, Sandra
	Qaadri, Shafiq
	Racco, Mario G.
	Ramal, Khalil
	Rinaldi, Lou
	Runciman, Robert W.
	Sandals, Liz
	Scott, Laurie
	Smith, Monique
	Smitherman, George
	Sterling, Norman W.
	Takhar, Harinder S.
	Tascona, Joseph N.
	Tory, John
	Van Bommel, Maria
	Wilkinson, John
	Wilson, Jim
	Wong, Tony C.
	Wynne, Kathleen O.
	Zimmer, David

The Speaker: All those against, please rise one at a time and be recognized by the Clerk.

Nays

Bisson, Gilles	Horwath, Andrea
Churley, Marilyn	Kormos, Peter

The Clerk of the Assembly (Mr. Claude L. DesRosiers): The ayes are 79; the nays are 6.

The Speaker: I declare the motion carried. Be it resolved that the bill do now pass and be entitled as in the motion.

ORAL QUESTIONS

ADOPTION DISCLOSURE

Mr. John Tory (Leader of the Opposition): My question is for the Premier. Few would argue with the desirability of making the process easier for people involved with adoptions to learn more about their identities, including medical information. Having said that, does the Premier agree with me that many of those who would have given up a child for adoption in past years would have had reason to believe, based on what they were told and whatever the exact words were, that their identity, for example as a birth mother, would never be disclosed?

Hon. Dalton McGuinty (Premier, Minister of Inter-governmental Affairs): I know the minister would like to speak to this, but let me take this first one here.

I know this can be a challenging issue. The call we have made is that we believe the highest priority must be attached to the right of children to acquire information about their background: where they come from, who their parents are. We think that is very important.

We recognize, however, that there may be some exceptional circumstances where the rights of the birth parent ought to prevail. The amendment we have proposed takes that into account, so that in those exceptional circumstances the birth parent may make an application to override what we think is a very important right that we should recognize attaches to children to gain better understanding of their background.

That's the call that we've made. We think it serves the greater public interest, and we think it gives primacy to the most important right of all here, which is the right of the child to know something of their background.

Mr. Tory: Again, to the Premier: In the past, you've held up the privacy commissioner as the ultimate arbiter on questions of privacy. As recently as last December you referred a matter involving a privacy breach by the government to the privacy commissioner for her views. Now the privacy commissioner, who, as you know, is an officer of the Legislature, says that we are reversing the onus on these people—meaning the parents—forcing them to argue as to why their identity should not be disclosed and making them appear in front of a tribunal to plead their cases, when they had been given an assurance of one kind or another by a government official many years ago.

Does the Premier think that the legislation, which will be seen by these people as a breach of trust based on what they always thought they were told and that reverses the privacy onus on to them, strikes the right balance in terms of making it easier on one hand and respecting privacy rights on the other?

Hon. Mr. McGuinty: First of all, the Information and Privacy Commissioner phoned me yesterday afternoon. I was pleased to take her call. I thanked her for her interventions. I thanked her for the advice she offered. The Information and Privacy Commissioner does not technically have jurisdiction over adoption issues, but she does obviously have some very important advice to offer whenever she seeks to offer it.

Having said that, we have made a call and it is found in the legislation.

Mr. Jim Flaherty (Whitby–Ajax): You're wrong.

Hon. Mr. McGuinty: Someone opposite says that we're wrong. I'm prepared to ultimately stand in judgment before the people of Ontario.

But we have made a call. We think we have struck the right balance, as I say, between the right of a child to know something of their background—where they come from and who their parents are—and that we recognize there may be exceptional cases where a parent's right to privacy ought to prevail over that. Again, I believe we've struck the right balance.

Mr. Tory: Again to the Premier: I've said to many people in the short time that I've been here—and you've mentioned this—how difficult some of these issues are.

Would the Premier agree with me that given the fact that even his own government's position is evolving in recent days—given the amendments that were filed on this legislation, I think just yesterday—that some additional discussion may be necessary, perhaps involving all of the parties, to try to address the broader public interest and to try to ensure that we have that delicate and important balance between the right to know and the right to privacy just right? Would you agree with that?

1440

Hon. Mr. McGuinty: It has been important for all of us of late to address issues of reuniting families. Minister Bountrogianni is very concerned about moving forward in that particular area at this point in time.

This is another instance of what it is that we need to do to reunite families. There have been families who, by virtue of our laws, have been separated since the 1960s, have been unable to acquire information about a child or a parent. We think it is high time that we move forward on this issue.

I've had the privilege of serving in this Legislature for some 15 years now. I can't recall how many bills have been put forward.

Interjection.

Hon. Mr. McGuinty: Five bills, Ms. Churley tells me, over that period of time. This is not an easy thing to do, but I can tell you, I believe in my heart of hearts that it is the right thing to do. I think that we have struck the right balance. I think it's time to move forward on behalf of the people of Ontario, but especially on behalf of those families that deserve the right to be reunited.

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

Mr. Tory: I'd like to continue with this. Many people inside and outside of this House support the principle, as I said, that we need to make it easier for people to obtain this information, parents and children, but it does have to be balanced against the impact on the privacy rights of other people involved. Many of us, including me, have heard moving stories from people on all sides of this, and I assume, in response to that, that the government did introduce some amendments to the legislation yesterday to deal with some of the difficult circumstances that citizens have raised with us.

These amendments introduced yesterday would require, for example, a woman who's been a victim of sexual assault and had a child as a result to appear in front of a tribunal and plead her case for non-disclosure. Can the Premier confirm that this is the process intended by these amendments, and does he think that is an appropriate requirement to place on someone in that particular circumstance?

Hon. Mr. McGuinty: I would like the Minister of Community and Social Services to speak to this.

Hon. Sandra Pupatello (Minister of Community and Social Services, minister responsible for women's issues): I think it's important to know—and let me start by saying that what I do appreciate is the support of this bill by the Leader of the Opposition. We supported him taking a stand and voting for this bill. What was

important in this process is that we said we would listen when we got to the hearing stage, which we have done. We prepared, as a government, several amendments in order to strengthen the bill. Many are just technical in nature, but several are from things that we heard at that committee. A significant piece that came from your seatmate, in fact, on the other side of the House was a review of the legislation in five years, and we've added that as an amendment. We think that is a critical piece to make the legislation stronger, and we've added that.

The idea that people would go before a Child and Family Services Review Board is critical to this, because there may be extreme circumstances that none of us in this House has encountered, and we don't know what they are. The detail of how that works, who comes before it and in what way is what we're going to deal with in regulation once this bill is passed, and we hope it will be passed. We plan to address all of that so that it will be the easiest way, so that it is easy for people. We don't want to make things difficult for people. Once again, I do appreciate this member's support of the bill.

Mr. Tory: That is part of the problem here. The purpose of second reading and input from the public, limited though it was in terms of how long it lasted, is to have people come and put their concerns forward, and then we all have the opportunity to vote again on third reading, beyond the principle of the bill, which is to make more open this kind of information.

You didn't really address my question, and I'll add another example to it. Beyond someone who's been the victim of sexual assault and had a child, there could be a child who's been adopted and who has been the victim of abuse in the past. Upon reaching their 19th birthday, I think these amendments provide for them to have to appear in front of the same government board to plead their case as to why their personal information should not be revealed. I'd like to ask the Premier to confirm that this is the process that would have to be followed pursuant to the amendments tabled by the government this week. Does he think that is an appropriate requirement to place on someone in that circumstance?

Hon. Ms. Pupatello: Let me say that it is important that included in the law itself is the notion that adoptees and birth parents can both appear before the board. The detail of how people come to appear there, or the regulations that would cover who appears, comes in regulation. That is a standard format of law here. We will get to that serious discussion when the law is passed.

I do want to say, in the number of cases that this member is choosing to put forward, I hope he'll also speak about the many, many, many young women who were promised information many years ago. They were promised that when the child that they chose to give up for adoption turned 18, they would be able to know how that child fared. They were promised this, and today they are furious. They have been incredibly frustrated because they have not been given this information. So equally, when you hear of those who were promised confidentiality—depending on the circumstances, this member

knows—others were promised guaranteed information. The reality is, none of them has been satisfied.

We believe that this bill is balanced, that it accounts for those extreme circumstances, and I would encourage his support on its next reading.

Mr. Tory: Again to the Premier: I've referred over and over again today to the need to strike a balance. I think it's not very comforting to people around the province to think that a lot of the final discussions as to the circumstances in which these people in exceptional circumstances will find themselves will be decided in a closed-door room, with no input from the public at all.

I want to make reference to one more example, because the minister herself made reference the other day to some very difficult family and cultural issues which could result from the disclosure of adoption-related information where other family members may not have known about the birth of a child outside of marriage. I would ask the Premier how this bill and the amendments offered thus far help people who might find themselves in exactly this situation, especially in light of the minister's own statement, carried in the newspaper today, that a birth mother's desire to keep her past secret would not likely be sufficient to keep the records closed. That's what you said. How is that going to comfort anybody in the very circumstances you referred to or in any of these other extraordinary circumstances, and why are you deciding these things in secret? Let's do it together, out in the open, so everybody can see.

Hon. Ms. Pupatello: I think it's very important to go back to the fundamental piece of this bill, which is the no-contact veto, and contrast that with what is currently the case. Currently in Ontario there is no structure, there is no protection, and in this modern age of technology, people are being found—the fateful phone call out of the blue, the knock on the door—with no ability to say, "I don't want to be contacted."

The first time the bill was introduced in this House, we were very clear: We are here because we believe there is a right to information, not a right to a relationship. In this bill, when and if it becomes law, it will also have the proviso to include a no-contact notice, which today does not exist. People in every other jurisdiction where it is used place a no-contact. It still allows the passage of vital information, like medical, like the circumstances surrounding the adoption, on forms that we would develop, again, after the bill becomes law. This is important. Today there is no protection. After our bill, there will be significant protection that has worked in every jurisdiction where it's been employed.

SERVICES FOR DISABLED CHILDREN

Mr. Howard Hampton (Kenora–Rainy River): My question is for the Premier. Yesterday I asked your Minister of Children and Youth Services about the Ombudsman's report that calls your government's treatment of disabled children with severe special needs unjust, oppressive and unfair. Your minister said, "I understand

the parents' frustrations. It has taken far too long. But we are taking action." A little bit of hope was offered to these parents. But then late yesterday, your government filed court documents that state your intention to fight the class action lawsuit launched by these parents. Is this what the McGuinty government calls taking action to help these parents: forcing them into court and fighting them every step of the way?

Hon. Dalton McGuinty (Premier, Minister of Inter-governmental Affairs): I'm going to deal with this and then provide the Attorney General with an opportunity to speak to it.

Let me reassure the member opposite of our intent and our earnest desire to move forward as quickly as we reasonably and responsibly can to reunite these families. The Ombudsman has raised the profile of this issue, as he should, and we welcome his recommendations. The minister has indicated it's our intention to move forward as quickly as we can, but there has been a development that has thrown a bit of a wrench into the works, and I'm going to allow the Attorney General to speak to that. I know he would like to speak to this in response to the member's supplementaries.

Mr. Hampton: Premier, let me tell you the response of one of the parents who has to look after one of these disabled children. This is her response. This is Anne Larcade, and in her press release she notes that Liberals were supportive of her case when they were in opposition: "When we were suing the Harris government, the Liberals could not wait to welcome us into their offices. They attended all our press conferences. Now, they won't acknowledge we exist. They won't even talk to us. I wrote to the minister almost two weeks ago asking for a meeting to try and resolve all of this to end any further suffering for the families. She has not even had the decency to respond."

Premier, before the election you were the best friends of these parents and their unfortunate children. After the election, you forced them into court and you fought them every step of the way. Is this what you call helping these very disabled children and their parents?

1450

Hon. Mr. McGuinty: To the Attorney General.

Hon. Michael Bryant (Attorney General, minister responsible for native affairs, minister responsible for democratic renewal): I say to the member, as the minister said earlier on this week and many times thereafter, we are, as a government, trying to do everything we can—everything possible—to reunite families. At the same time as this action is taking place, we have to comply with concerns raised by counsel. I'm very optimistic that in fact we're going to be able to do that.

I say to the members opposite, if they have specific questions about that, I can assure them that we are doing everything we can to work with counsel for the plaintiffs, because counsel for the plaintiffs have expressed some concern about our directly contacting these families. We are trying to work that out and we intend to work it out between now and Friday. We remain on track and optimistic that we will get there.

Mr. Hampton: We checked with counsel for the plaintiffs, Premier; all they're asking you to do is abide by the law, something your government seems to have a lot of trouble doing when it comes to disabled kids. But this is a pattern, because the Ombudsman says that over the past two years, instead of helping children and parents, your government has accused them of milking the system and jumping the queue. Your minister even suggested that they were unethical, "... those who have the political astuteness to come to this gallery. That's unfair, that's unethical...."

Premier, I want you to know what I think is unethical. I think it's unethical that you pretend to be the best friend of these parents and these kids before the election, that you can't stop yourself from attending all of the press conferences, but now, for two years, you've done everything to frustrate them and throw them off. This even continues after the so-solemn statements of your minister yesterday. When are you going to stop fighting them? When are you going to settle the court case? When are you going to keep your promises?

Hon. Mr. Bryant: Again I say to the member opposite, who I'm sure does understand this, as a former Attorney General, that counsel representing the plaintiffs have expressed some concern about the government directly contacting these families to try and ensure that we get them together again. So we are trying to comply with and work with counsel for the plaintiffs, and I'm optimistic we will do that. Discussions are ongoing. I understand you've spoken with plaintiffs' counsel, and so are we, literally having ongoing discussions right now with counsel for the plaintiffs, and we will continue to do that.

The point is that we, as a government, are committed to moving forward. We're committed to making this happen. We are trying to comply with counsel's requests and also ensure that we're doing everything in accordance with the court's wishes. As we have updates, we'll provide them, but we continue to be optimistic that we will in fact be able to reunite these families.

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

Mr. Hampton: To the Premier again: Anne Larcade is clear. In her press release she says the government should announce today that they will drop the appeal, "implement all four recommendations of the Ombudsman's report with a schedule by June 30." Instead, we have the minister saying one thing here yesterday and doing something later on that day.

But I want to go back to the Ombudsman's report, because the Ombudsman says that your government's so-called progress reports of the past two years on this issue are "jargon-laden missives designed to create the illusion of progress while nothing concrete was being done." He said, "I am concerned from the response that I am getting that nothing will be done and this will be justified in the name of avoiding an ad hoc response so that a long-term solution can be crafted." But nothing gets done.

Premier, for two years you could have addressed this. The parents called and pleaded, "Please, meet with us

now after the election, the way you used to meet with us before the election." Why are you still fighting them in court and why are you still giving them the hands off?

Hon. Mr. McGuinty: To the Attorney General.

Hon. Mr. Bryant: I said I would provide updates as we get them, and I'll give you an update.

We will bring a motion before the court to get direction from the court to permit us to move as quickly as possible to achieve the goals that have been announced by the minister. We feel that is in the public interest. We feel that is in the kids' interests. We are trying to do exactly what the members opposite are calling for.

I'm happy to provide this update, and if I have another one, I'll provide another one.

Mr. Hampton: I want to go back to the Premier, because these are his promises.

Premier, this is what you said during the election: "We will ensure that all our children get what they need to succeed." But for two years, these parents have been stonewalled. For two years, they've been told, "If you want your children to get the services they need, then you must give up your children." When they tried to contact your minister, she pretended they didn't exist. This is the same minister who used to fawn over them before the election.

Premier, I don't understand why it has taken a court challenge and an Ombudsman's report to get your government to do the right thing, and still you can't manage to do the right thing. What's the problem over there?

Hon. Mr. Bryant: I just want to say again that we are proceeding as aggressively as possible to in fact reunite these families. If the former Attorney General is suggesting to me that we simply settle a half-billion-dollar class action right here on the legislative floor, I say to you that I am more interested in empowering the minister and the government to be able to reunite these families.

Ms. Shelley Martel (Nickel Belt): Tell the truth, Michael.

The Speaker: Order. Member from Nickel Belt, would you like to withdraw your comment?

Ms. Martel: I withdraw.

The Speaker: Attorney General?

Hon. Mr. Bryant: As I say, we are bringing a motion to get the authority from the court and direction from the court to ensure that our government is doing what previous governments did not do and reuniting those families.

Mr. Hampton: Here's the position of these desperate parents and their kids. The Ombudsman says these parents are in crisis. Many of their families are breaking up. Many of them are under a doctor's care themselves. For two years, they've been trying to get your government to do the right thing.

You said, "Oh, it's finances." The Ombudsman said, "It's not finances. This is not a financial floodgates argument." Then you offered up all these missives that the Ombudsman calls nothing but an effort to delay, nothing but an effort to put these parents off.

They came here yesterday, and as is so typical of the McGuinty government, you get up and give a speech and

say, "Oh, everything is going to be fine," and then they go home and they find out that you're filing documents to fight them in court.

Tell me something: Is this strategy over there, or are you people really this inept and uncaring?

Hon. Mr. Bryant: The government is doing the right thing here. The minister asked children's aid societies to identify children with complex, multiple special needs who enter their care for the sole purpose of receiving services. At this point, counsel for the plaintiffs has indicated that they do not want children's aid societies to contact those families. Well, we need some direction from the court, because we want to contact those families, because we want to reunite those families. That's what we're trying to do, and that's what we will do.

ADOPTION DISCLOSURE

Mr. Cameron Jackson (Burlington): My question is for the Premier. Premier, in the Sunday Sun there was an exclusive, dealing with Jane Doe and Stef Doe, whose identities, as you can tell, are not known for very good reasons. These women were sexually assaulted and nearly murdered by Bernardo and Homolka. What's important here as well is that these two individuals have their identities protected under laws that were created in this very chamber.

Premier, how is it that you refuse to protect the identity of young women in this province who are sexually assaulted and victims of incest, yet you refuse to provide the protection that they have requested and that Ann Cavoukian, the commissioner, has requested for this unique group of victims in this province? Nowhere in the world has anybody exposed these victims, predominantly young women, to this kind of risk.

1500

I ask you, Premier: Will you not consider the amendments that respond to this very unique group of individuals so that their lives are not put at risk? We fought for years to win these concessions in our court system and to protect victims. Will you not consider these today?

Hon. Dalton McGuinty (Premier, Minister of Inter-governmental Affairs): To the Minister of Community and Social Services.

Hon. Sandra Pupatello (Minister of Community and Social Services, minister responsible for women's issues): We had been working on this side of the House for many months before a bill on adoption was introduced. Serious meetings occurred with the children's advocate, with the Attorney General's office, with the minister for children—a whole series internally before we went outside of government. These are the people we consulted with, especially the advocate for the child, who came to us with serious concerns much like the description the member opposite poses today.

The result of that was the crafting of a bill that would have protections for these people. We had to make sure of that. We talked to adoptees, and adoptees told us very clearly that they are adults. Adults want to have adult

choices, and adults want information available to them. We went to these people with the absolute worst-case scenario about what they might find if they were to have that access. They simply want to know, and that's exactly what they told us.

Mr. Jackson: Premier, your minister earlier today announced funding for sexual abuse victims, for incest survivors, for a whole host of women and others in this province whose rights are being protected and upheld, and yet we have legislation in front of us that even New South Wales, the model we're led by your government to believe is the model you're using in Ontario, doesn't go so far as to put these individuals at risk.

Premier, I remind you, your legislation eliminates the registrar of adoption information and adoption disclosure registration. It means that court records of children who were sexually abused, victims of incest, will disappear under this legislation, and there will be deemed no crime ever to have been committed against these children, because those records will not be accessible for their own defence. So a person who perpetrated that and received leniency from not being able to have the full force and effect of the law brought against them—those children were simply removed from that abusive situation and they were put up for adoption. We ask that you give those children the right of a veto, which is in three other provinces. Just this group of individuals, Premier: We ask you for their protection.

Hon. Ms. Pupatello: I have to say that I don't know what bill that member is speaking about, because that is not the bill that is before our House today. I will say once again for this member that before we presented the bill, we had a number of months of serious deliberation to present the bill that was tabled in the House. We spoke with the child advocate's office and the Attorney General's office, all of whom knew what the serious concerns would be and what had to be addressed in the bill. That bill went forward to internal committee in this House, and once again it was put to rigorous testing by the members of our own committee. All of us on our side of the House will remember those days. We went again and said that when the bill was tabled, we would listen.

We have listened to the privacy commissioner. We have listened to people who have come forward. Once again we've introduced amendments for further protections. When we have extreme circumstances in these cases, we need to be sure, and we've submitted those amendments. But I can tell you this: There is nowhere in the world where we have no-contact vetoes that have not worked.

We have good legislation before the House today. We have, in those extreme cases, safeguards put in place; even more so now with our amendment. I am comfortable that this is good legislation and I look forward—

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

SERVICES FOR DISABLED CHILDREN

Ms. Andrea Horwath (Hamilton East): In the absence of the Minister of Children and Youth Services,

my question will go to the Premier. Yesterday your minister promised to return children with special needs to the custody of their parents, parents who were forced by that very minister to give up custody of their children in order to get the services they require from children's aid. But no commitment was made to the hundreds of children whose families are at the breaking point right now because they still can't access the services they so desperately need. You said nothing at all about actually getting care for the children who are currently languishing on waiting lists because their families are working so hard to try to cope with their needs at home. When are you going to give these disabled children the services they need?

Hon. Dalton McGuinty (Premier, Minister of Inter-governmental Affairs): Let me say that we are proud of what we've been able to do thus far with respect to helping our most vulnerable children in the province of Ontario. In fact, I would argue that no government has done as much in such a short time as our government has.

Interjection.

Hon. Mr. McGuinty: It is never enough for the NDP, but that's not our concern; our concern is the greater public interest and the people of Ontario. We have made some dramatic increases, for example, to children's mental health. The NDP, when they had the privilege of serving Ontarians as government, cut children's mental health programs. We've increased funding for children's mental health programs.

Ms. Horwath: Notwithstanding the comments of the Premier, the Ombudsman was quite clear on the inaction of this government on this particular file. In fact, he said in his report, "If we wait for a perfect systemic solution before acting we ignore those families who are in crisis and who could be helped now."

The Ombudsman confirmed that you still have the legal authority at this moment to sign those special-needs agreements. So will you immediately reactivate the special-needs agreements as temporary measures so these families don't have to wait any longer for the services that their children so desperately need, or do you choose to continue to ignore them?

Hon. Mr. McGuinty: To the Attorney General, Speaker.

Hon. Michael Bryant (Attorney General, minister responsible for native affairs, minister responsible for democratic renewal): Again, I say the Ombudsman has made a recommendation and the government has said that in fact we need to move immediately to implement his number one recommendation.

Interjection.

Hon. Mr. Bryant: I'm sure that the former Attorney General wouldn't want to confuse people as to what the government is doing. I'm sure he wouldn't want to do that. And I'm sure he would want people to know, as they should know and as the public deserves to know, that we are bringing a motion to try to enable the minister to reunite the families. That's what we are trying to do. I'm sure that the former Attorney General, Mr. Hampton, when he has an opportunity, would want to clarify that

whereas he cut the funding, we are attempting to reunite families like never before.

TOBACCO CONTROL

Mr. Brad Duguid (Scarborough Centre): My question is to the Minister of Health and Long-Term Care. I was pleased to hear the minister's statement today that our government is moving forward and fulfilling our goal of making Ontarians healthier by urging them to quit smoking or not smoke in the first place. There's no question that the McGuinty government is moving forward in an unprecedented way to protect the health of Ontarians.

Today you outlined an initiative that demonstrates that our government is moving forward like no government ever has to make Ontarians healthier. I'm particularly interested in finding out how we're going to be able to help prevent young people from smoking. As the father of a young son soon to be nine years old and the uncle of a 14-year-old, I recognize the importance of achieving this goal. Can the minister outline what is being done to prevent young people from smoking?

Hon. George Smitherman (Minister of Health and Long-Term Care): As we seek to further stimulate our efforts to help people to quit smoking, we must recognize of course that our first and foremost challenge should be to prevent people from taking up this habit in the first place. The statistics are pretty clear: If a young person doesn't start smoking by the time they're 20, the chances that they will take that up are very, very low indeed. So we're working with youth and involving them very dramatically, as we did in our stupid.ca campaign, where youth activists like Michelle Tham helped to guide that campaign.

Further, through the investments that we're making today, our Youth Action Alliance will allow youth leaders to build coalitions to combat smoking in their communities, there will be education programs aimed at reducing illegal sale of tobacco to minors, funding for six regional youth events, an annual province-wide youth anti-smoking conference and grants to high schools for student-driven anti-smoking projects that are linked to local and provincial programs.

We believe fundamentally that we need young people to help guide this campaign, and that's why I'm very pleased that we'll have a young person, Michelle Tham, sitting on our campaign cabinet helping to make sure that our efforts to assist youth in not taking up this initiative are very, very strong.

1510

Mr. Duguid: I'm proud to be part of a government that not only recognizes that young people are our future but that we have a responsibility as a government to ensure that they have the opportunity to excel and succeed. Whether it be investing in their elementary, secondary or post-secondary education or encouraging healthy lifestyle choices, the future of this province is being made brighter because of the McGuinty government.

There's been some media about smokers' rights. While many smokers welcome our smoke-free strategy,

they're also looking for help in their efforts to quit smoking. We all know that's a very difficult thing to do. Do we have any plans in place or do we plan to put any plans in place to assist smokers in overcoming their addiction?

Hon. Mr. Smitherman: We will have more to say as we go forward on the largest-ever cessation initiative in Ontario's history. We begin immediately by investing in programs targeting all smokers, including youth, as I mentioned, and focusing resources in particular on high-risk communities. There will be \$1.5 million in innovative programs targeted at high-risk communities, because we know that in some communities—aboriginal communities, gay and lesbian communities, low-income earners and some ethnocultural groups—there is a higher proportion of those individuals who smoke. That means we need a higher degree of effort involved in helping to give people the tools they need to quit smoking.

We're going to expand the intervention program delivered by our partners—the Ontario Medical Association, the Ontario Pharmacists' Association and the Ontario Dental Association—to get all of these health care professionals aligned behind this very significant challenge, and we're going to strengthen the smokers' hotline so that people who need support and are ready to move can get the support they need in a timely way.

These efforts, together, will help us to make Ontario a much healthier place.

ADOPTION DISCLOSURE

Mr. Norman W. Sterling (Lanark–Carleton): This is a question, again, to the Premier. In Alberta and BC they have a bill similar to ours, but they allow a veto to disclosure, and only 3% to 5% of the people are taking that up.

I want to talk about one of the persons who would take it up here in Ontario who has written to me. This is a 70-year-old woman who was raped 55 years ago by her father. Cases of incest are not uncommon in the CAS, the children's aid society. She gave up her child for adoption. She has spent her entire life forgetting about this tragic event. She hasn't told her husband, her children or her grandchildren. Now you expect her to come forward under this legislation, in front of a bunch of strangers, a government board, behind closed doors, a government that has changed its promise to her that she would have her records sealed forever. Do you expect this woman to come forward and appear before this board? Do you think it's fair to a 70-year-old woman who was raped by her father to come in front of a board and reveal this secret, which she has held close to her heart for all of her life? Do you think that's fair, Mr. Premier?

Hon. Dalton McGuinty (Premier, Minister of Inter-governmental Affairs): To the Minister of Community and Social Services.

Hon. Sandra Pupatello (Minister of Community and Social Services, minister responsible for women's issues): Directly to the point of this question, the way we

have the laws today in Ontario, the woman that this member is bringing forward has no protection, and in this era of modern technology, she is being found, with no protections in place. People are Googling the Web sites; people are employing agencies whose express purpose is to find people. So today, people are being found—I will in a supplementary give you just such an example—but with our bill, this woman will have the opportunity to place a "no contact" on her file.

There is no community like the adoption community that understands the need for privacy; those who have had to suffer under the shame of the word "adoption," the secrecy that has always surrounded adoption. They understand privacy more than anyone else. They understand that if there is a "no contact" on that file, then they in fact do not contact. That has been the experience of all of the jurisdictions that have employed this, including New South Wales, which is the example that was just brought forward in the other question. In our legislation, the proposal is based on that New South Wales example. Even after a five-year review of their legislation, they have elected not to change it at all, because it has worked so well.

Mr. Sterling: This bill, as presented, with a disclosure veto, could provide tremendous happiness for a whole number of people across Ontario. There are 250,000 files, and 95% to 98% of those would be opened, and people could make contact. But we're talking about a small but significant minority here. This 70-year-old woman would be required, in order to protect her anonymity—which she has been promised—to prove to the board that because of exceptional circumstances the order is inappropriate, in order to prevent significant harm to the birth parent.

Well, it depends on her luck of the draw when she walks into that room, because the board will be given nothing more than those parameters to make the decision as to whether or not she can protect disclosure of her information. Why should she, I ask the Premier, trust the appointed members of the board, when you've broken such a sacred trust with her to keep her record confidential? That promise was made to her 55 years ago, and you're breaking that promise now. You're going to put her up in front of a kangaroo court. Why should she trust your government now, after you've broken this sacred promise—

The Speaker (Hon. Alvin Curling): Minister?

Hon. Ms. Pupatello: Let me say again that in today's world of modern technology, people are being found—people like Graig Stott. This individual wrote to us and appeared before the committee: "My own search and reunion has not been without its painful hurdles for my mother, for my adoptive family and for myself ... My mother was a victim of a rape that resulted in my birth. My mother was terrified about letting me into her life and opening up those secret wounds, but, at the age of 75, and in her own time, she eventually did, and in her own time and in her own way, she chooses to share more and more of herself and her story."

This woman was found. He was a late-find. He said that he was 31. "I'm a late-discovery adoptee ... brought up much grief, unfinished business and other unresolved issues between myself and my adoptive family." He has come to speak in favour of our bill because he believes that he shouldn't have gone through the hurdles that he did to find her. This woman deserved to have the protections if she didn't want to be contacted, but she had none. That's why she was found. I think it's only reasonable that when you do hear and read the bill, there are protections in it that currently do not exist. We have been careful and we intend to continue to be careful on this very important issue.

DUFFINS-ROUGE AGRICULTURAL PRESERVE

Ms. Marilyn Churley (Toronto—Danforth): I have a question for the Chair of Management Board, who's waiting patiently for a question. Minister, in 1999, five parties, including the province, the city of Pickering and the region of Durham, signed an agreement to preserve the Duffins-Rouge Agricultural Preserve. Last week, Durham region announced its support of Pickering's decision to breach this agreement. Clearly, Minister, your letter-writing campaign has failed. Will you announce today that you're going to take court action to uphold the Duffins-Rouge Agricultural Preserve agreement?

Hon. Gerry Phillips (Chair of the Management Board of Cabinet): I think the public's aware that we, the McGuinty government, have made it very clear that we'll do everything we can to protect the agricultural preserve. It's called the Duffins-Rouge Agricultural Preserve. The member will know that we have our greenbelt legislation; we have the minister's order on the agricultural preserve, which we believe will protect the agricultural preserve. So we're quite confident that we have the tools in place to ensure that that important property stays as an agricultural preserve.

We are looking at whether we should take any additional steps, which might involve additional legal action. But I would just say to the member and to the public that we are quite confident the tools we have in place—the greenbelt legislation and the minister's order—will provide adequate and sound protection for that preserve. So I hope the member can rest relatively comfortably.

Ms. Churley: I don't think so, Minister, no. This situation demonstrates that developers recognize, contrary to government claims, that the greenbelt plan can be amended at any time. Why else do you think they're doing this, Minister? Look, Ontario sold the Duffins-Rouge land at rock-bottom prices because of the development veto provided by these easements. By his own admission, developer Silvio DeGasperis will make \$240 million developing his lands within this preserve—millions of dollars that rightfully belong to the people of Ontario. Diplomatic attempts with Pickering and Durham region have failed.

Minister, you have no problem taking the parents of disabled children to court. I'm asking you again now—

this is important. The greenbelt is not permanent; it's a floating greenbelt.

1520

Interjection: Yes, it is.

Ms. Churley: No, it isn't, and the developers know it. I'm going to ask you again: Will you go to court to uphold the protection of the Duffins-Rouge Agricultural Preserve?

Hon. Mr. Phillips: Perhaps I'm repeating. We will do whatever it takes to ensure that that is preserved as an agricultural preserve. We have taken the greenbelt legislation step. We have the minister's zoning order on it. We are convinced that this will provide and does provide adequate protection to ensure it stays as an agricultural preserve.

The member will know that we are looking at whether we should take any additional steps, if there are any other legal steps that we might take to provide even further assurance. But I would just say to the public that we are determined to preserve that as an agricultural preserve. We have these two devices in place right now—the greenbelt legislation and the minister's zoning order—that we believe protect the agricultural preserve. We're looking at whether we should or need to take any further additional legal steps, and we'll continue to look at that, and not rule that out.

But I say again to the member, based on the advice that we've got, you should rest comfortable that we have the necessary steps in place to preserve it as an agricultural preserve.

EDUCATION FUNDING

Mr. Kevin Daniel Flynn (Oakville): I have a question today for the Minister of Education.

Minister, we all know the importance of a well-funded public education system. We know that can't be overstated. We know by investing in children today, we're securing a prosperous future for Ontario. I know your ministry has worked long and hard to try to resolve funding disparities left over from the previous government. I know that you've sat down in consultations with representatives of the educational field, and today Ontario gets to reap the fruits of that process. However, we all know funding for our public education system needs to be both fair and equitable for all students, wherever they live in Ontario. Minister, can you tell this House today what you have done to ensure that today's historic funding announcement will reach students throughout the entire province of Ontario?

Hon. Gerard Kennedy (Minister of Education): I appreciate the opportunity the member is providing to be able to alert the parents and others in the province that there is indeed a tremendous commitment made by this government. One expression of that is funding; another expression is simply finding the ways to help our schools to work better. The funding coming forward today amounts to now \$900 more per student that our government has provided overall. As important as that com-

mitment is, it is being delivered in a way that allows the funding formula to change according to the needs of students, rather than the other way around. In the past, rural students, students in urban areas, students who had extra challenges, had to lose out, were being missed in terms of their potential in schools, and we have improved the learning opportunities grant with our announcement today. We are improving, in fact, support for people with special needs; we are improving support for people who live in rural areas and have to use rural schools that have been desperately underfunded by the previous administration. In sum, we believe the commitment of this government has to be that every student has the same chance to do well, and that is a much greater possibility because of the commitment this government has made clear to school boards today.

Mr. Flynn: Thank you, Minister. I'm sure it's the hope of everyone in this House that record investments will result in record achievements. Mordechai Rozanski issued a comprehensive report in 2002, and it analyzed the needs of Ontario's publicly funded education system. It was Rozanski's task force on education that issued a scathing report on the state of education in Ontario after years of Tory mismanagement. It was clear in 2003 that Ontarians flat-out rejected the acrimonious style that the Conservatives took toward education. We're working hard to clean up that mess, and it now looks to me like we've started to achieve that result. Children are now being given the opportunity to reach their full potential in their schools.

Minister, do you intend to implement the full value of funding recommendations made in the Rozanski report and, if so, when do you expect to achieve these results?

Hon. Mr. Kennedy: People in this House became aware that even the last government finally had to concede that it had been taking away from students' futures in this province. It had been deducting, through their cutbacks, from the ability of students to progress. An independent review commissioned by that government identified that this deduction, this taking away, had taken place because of the lack of priorities that previous governments were prepared to provide.

I am very glad to let you know that the amount of investment that's above the cost required to keep the system running will now, this year, exceed the amount requested by Dr. Rozanski. In particular areas, we have been able to put forward dollars to help, for example, children living in rural areas, at double the amount: \$100 million, not \$50 million, as requested by Dr. Rozanski.

We've been able to provide support for low-income families and students arising from that, from recent immigration and from single-parent families at a rate that is almost two and a half times as much as what Dr. Rozanski put forward. We're doing that because each one of the investments is reaching specific students who need to be helped, because then they can help themselves. And the education system is—

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

ADOPTION DISCLOSURE

Mr. Norman W. Sterling (Lanark-Carleton): My question is to the Premier. We know, because through happenstance we received the constitutional opinion of the Attorney General on this piece of legislation, that there is jeopardy with regard to the Charter of Rights with regard to this particular bill. We also know there is constitutional jeopardy with the status quo.

Mr. Premier, you are a lawyer. We also know that the bill in Alberta, which has a veto to the disclosure, is constitutional. Why would you not include in this bill a veto disclosure, which would affect 3% to 5% of the records and would fall within our Charter of Rights?

Hon. Dalton McGuinty (Premier, Minister of Inter-governmental Affairs): To the Attorney General, Speaker.

Hon. Michael Bryant (Attorney General, minister responsible for native affairs, minister responsible for democratic renewal): I want to assure the member, and all members of this House, that the bill introduced to this Legislature is consistent with the Charter of Rights and Freedoms, and I don't think the member is taking issue with that. It is one of those issues where, in fact, there are rights and responsibilities on both sides, no matter what a government does, whether it be to withhold information or keep information withheld or whether it be to provide information. I can assure all members of this House that this bill is consistent with the Charter of Rights and Freedoms, and if you have further questions about the specifics of that, I'm happy to answer them.

The particular document that the member is referring to was a December document, I'd remind the member, and this bill was introduced, of course, subsequent to that time. I'll leave it at that.

Mr. Cameron Jackson (Burlington): Premier, your Attorney General is leading you to believe that he has legal opinions that say you are not going to have problems with a charter challenge, when in fact the December document which he refers to is in my possession, and it clearly sets out there are risk factors associated with it.

Earlier in my question, Premier, I raised the question of victims and their rights in this province. The Victims' Bill of Rights clearly indicates that a victim does not have to prove revictimization in any court or tribunal in this province, and yet your legislation clearly sets out that these individuals have to go in and prove that they suffered emotional harm in order to protect their privacy rights if they're a victim of incest, rape or sexual assault.

So, Premier, I ask you once again: Will you not examine more clearly these amendments, which Cavoukian and the Conservative Party have indicated would not offend the charter and would protect the rights of this unique class of victims in this province from your bill?

Hon. Mr. Bryant: I say to the member, I believe that the Premier and the minister have answered your question as to the substance of the bill. I believe the Premier and the minister have responded to your questions with respect to the privacy commissioner's comments.

You're asking a question about the Constitution, and I'm giving you an answer. This is a bill that was reviewed closely by the constitutional law branch and myself. I am saying to the member that you are debating the merits of it and this is the place to debate that, but if you're asking us for the constitutional status of this bill, this bill is consistent with the Charter of Rights and Freedoms—period.

1530

REGIONAL CENTRES FOR THE DEVELOPMENTALLY DISABLED

Mr. Michael Prue (Beaches-East York): My question is to the Minister of Community and Social Services. Randy Mogridge drowned last October after wandering away from his home. He was the 10th resident of the Oaklands Regional Centre to die in the past four years. Ontario's chief coroner conducted a review. The findings, released last week, point to a tragic history of provincial underfunding that compromised his care, and patient care in that facility. They also pointed to an uncertain future for the residents, families and staff of that centre.

Madam Minister, the coroner released 11 recommendations on how to prevent these unwarranted deaths in the future. Are you prepared to implement these recommendations immediately? Or do others, particularly vulnerable people, have to die?

Hon. Sandra Pupatello (Minister of Community and Social Services, minister responsible for women's issues): We were very happy to receive the report the coroner tabled. He took an extra eight weeks or so, in fact, to do even further investigation on the historical deaths at Oaklands. I'm also very pleased to see that the recommendations he tabled were very consistent with the internal reviews we had done as a ministry immediately last fall and, as well, by our third party which we sent into Oaklands. We still have a supervisor on site there, as this member may know. We tabled a number of recommendations, most of which are completed, including the training and retraining of all the staff on site.

The member opposite knows that this is a serious issue when it's dealing with the safety and security of our most vulnerable citizens in Ontario. We are very aware of the recommendations the coroner has tabled. We are looking at those now. This House is probably very aware that we will be moving forward to implement all of them.

Mr. Prue: Madam Minister, I am very aware, as you are, but the question is one of funding. Last week's coroner's review commends the Oaklands staff as "a group of dedicated professionals who provide care for the residents." But it slams your ministry for underfunding and understaffing at that very facility. Among other things, the report recommends full-time, on-site medical care for the vulnerable population. Currently, if you know, Madam Minister, you are doing just the opposite by closing down the three regional centres that offer on-site medical care: Huronia, Rideau and Southwestern.

Quite frankly, you need to make a decision. What is your plan for the Oaklands Regional Centre and what is your plan for the other three regional centres? Will you implement the coroner's 11 recommendations, or do more vulnerable people need to die?

Hon. Ms. Pupatello: Number one, I hope this member might recall last week's announcement in this House where we announced a \$41-million investment in specialized services for people of especially high needs who are living in our communities. Number two, he is probably also aware that we have already announced our responses to our third-party reviews at Oaklands, where we've invested an additional \$1.5 million at this site. Much of that money went for ongoing staffing. Some of it was for one-time upgrades to a new security system. We brought in a training expert on security. We're training right across the board. We have also done a safety audit across all our developmental residential services across the province so that we can be certain of exactly the scenarios out there.

I'm happy to report that out of 211 residential facilities, 206 have protocols in place and we are working on the remaining five. We continue to work on this area and we continue to invest in this—

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

STRATFORD FESTIVAL

FESTIVAL DE STRATFORD

Mr. John Wilkinson (Perth-Middlesex): My question today is for the Minister of Tourism and Recreation. Yesterday I had the pleasure of attending in my riding of Perth-Middlesex the opening night production of Stratford's 53rd season, along with you and the Minister of Cultural and francophone affairs.

Ce festival est très important pour la ville de Stratford et ses environs. Cet investissement de notre gouvernement aidera le festival à fleurir et à fournir des bénéfices économiques à ma circonscription. Il est important de reconnaître la contribution du théâtre et des arts à la vie sociale et économique des communautés de l'Ontario. Pouvez-vous nous dire ce que cet investissement de 200 000 \$ représente pour ma communauté?

Hon. James J. Bradley (Minister of Tourism and Recreation): Merci pour votre question.

I'd like to thank the member for Perth-Middlesex for the question, for those who didn't understand my first statement. The member has really been a tireless advocate for the Stratford Festival and has pointed out on many occasions the tremendous effect it has on not only his local economy but the provincial economy.

Last night's production of *The Tempest* was truly spectacular. To ensure that many more people get to see this performance and other wonderful Stratford presentations, my ministry will be providing \$200,000 to assist in marketing the festival's ticket sales campaign, aimed at increasing visitors from the United States and from other parts of Canada. This investment is just

another example of this government's commitment to our cultural tourism attractions and this wonderful province. I want to say that cultural tourism in this province represents over \$4 billion in economic activity.

I recommend to all the people who are watching today, Mr. Speaker, including you, that you visit Stratford and see all the wonderful productions that are going to be on. This is top-notch, good for the economy and good for the culture of this province. I say, "Vive Stratford."

PETITIONS

RIGHT TO LIFE

Mr. Frank Klees (Oak Ridges): This petition is to the Legislature of Ontario.

"Whereas the right to life is guaranteed unless limits to it are prescribed by law (Canadian Charter of Rights and Freedoms, sections 7 and 1);

"Whereas the Canadian Charter of Rights and Freedoms applies to the government of Ontario, the Legislature of Ontario and all matters within the authority of the Legislature of Ontario, (section 32.1), including law enforcement and policing;

"Whereas the right to live is limitless in that neither case law nor statute law prescribes limits to the right of life;

"Whereas on August 25, 2004, an emergency task force officer from the Toronto Police Service was authorized to shoot, shot and killed Mr. Brookes on Front Street, in front of Union Station, in Toronto, Ontario;

"Whereas honouring the guarantee of the rights and freedoms of the Canadian Charter of Rights and Freedoms is in the public interest;

"We, the undersigned, petition the Legislature of Ontario as follows:

"To call on the government of Ontario to instruct police services in the province of Ontario not to authorize shoot-to-kill instructions until and unless suitable limitations to the right to life are prescribed by law."

LANDFILL

Mr. Ernie Parsons (Prince Edward–Hastings): "To the Legislative Assembly of Ontario:

"Whereas Waste Management of Canada Corp., formerly Canadian Waste Services, has proposed a 25-year, 18-million-tonne expansion of the existing Richmond landfill site in the town of greater Napanee to receive waste from all Ontario service areas;

"Whereas the town of Greater Napanee has passed a resolution opposing the proposed expansion;

"Whereas the scoped environmental assessment (EA) being undertaken by the proponent does not examine whether there is a demonstrable need for the expansion, does not consider reasonable alternatives to the

expansion (e.g. reduce, reuse or recycle) and does not require the proponent to provide participant funding to local residents to facilitate their involvement in the EA process;

"Whereas the Ontario government has recently proposed a provincial target of diverting 60% of waste from disposal by 2008;

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

"To immediately reform Ontario's EA process to ensure that:

"(a) proposals to establish or expand landfills are subject to full and rigorous EA studies that examine need and alternatives;

"(b) unwilling host communities are not forced to accept locally unwanted landfill proposals; and

"(c) proponents are required to provide sufficient monetary resources to citizens to facilitate meaningful public participation in the EA process."

I'm pleased to add my signature to this petition.

1540

REGIONAL CENTRES FOR THE DEVELOPMENTALLY DISABLED

Mr. Garfield Dunlop (Simcoe North): "Whereas Dalton McGuinty and his Liberal government were elected based on their promise to rebuild public services in Ontario; and

"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; and

"Whereas closing HRC 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 HRC 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 this and present it to Paige to present to the table.

TEACHER QUALIFICATION

Mr. Rosario Marchese (Trinity–Spadina): "Whereas the 2005 graduates of publicly funded faculties of education in the province of Ontario will have met all the requirements of the individual faculties; and

"Whereas these same publicly funded faculties of education in the province of Ontario have all met the stringent standards as outlined and controlled by the Ontario College of Teachers; and

"Whereas the 2005 graduates of the publicly funded faculties of education in the province of Ontario will be placed at a severe disadvantage if they are given a provisional certificate of qualification by the Ontario College of Teachers;

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

"To make the changes necessary to the Education Act and/or its regulations in order to grant the 2005 graduates of the publicly funded faculties of education in the province of Ontario a permanent certificate of qualification, or

"To deem that the bachelor of education degree granted to the 2005 graduates of the publicly funded faculties of education in the province of Ontario deems them to have completed the equivalent of the Ontario teacher qualification test, thus allowing the Ontario College of Teachers to grant these same graduates a permanent certificate of qualification."

There are thousands of names on these petitions. I agree with them, and I will sign my name to them.

WEARING OF HELMETS

Mrs. Carol Mitchell (Huron–Bruce): I'm pleased to present a petition to swiftly pass Bill 129 to make it mandatory for all individuals to wear a certified helmet when cycling, inline skating, skateboarding or using any other type of muscular-powered vehicle on Ontario roadways. I'm pleased to affix my signature to this petition.

RIGHT TO LIFE

Mr. Frank Klees (Oak Ridges): This petition is to the Legislature of Ontario:

"Whereas the right to life is guaranteed unless limits to it are prescribed by law (Canadian Charter of Rights and Freedoms, sections 7 and 1);

"Whereas the Canadian Charter of Rights and Freedoms applies to the government of Ontario, the Legislature of Ontario and all matters within the authority of the Legislature of Ontario, (section 32.1), including public education;

"Whereas the right to live is limitless in that neither case law nor statute law prescribes limits to the right to life;

"Whereas school boards in Ontario present educational materials to their students that purposely advocate use of services that limit the right the life (e.g. audiovisual material prompting abortion);

"Whereas honouring the guarantee of the rights and freedoms of the Canadian Charter of Rights and Freedoms is in the public interest;

"We, the undersigned, petition the Legislature of Ontario as follows:

"To call on the government of Ontario to require, in the public interest, the school boards in Ontario to present materials on the life issues which respect the state of the law and to cease promoting practices that limit the right to life when no limits to the right to life are prescribed by law."

CREDIT VALLEY HOSPITAL

Mr. Bob Delaney (Mississauga West): I have a petition here from Eleanor Stoch of Pheasant Run in Erin Mills, Aurelia Chiru of Dalebrook Crescent in the Middlebury area and the Straumers family on Williams Street in Streetsville in Mississauga. It pertains to the Credit Valley Hospital capital improvements campaign, and 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 that 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 and the community in Halton and Peel regions by reducing severe overcrowding in the labour and delivery suite."

This is my home hospital. I wholeheartedly support this petition. I affix my signature on it and I'll ask Alecia to carry it for me.

FREDERICK BANTING HOMESTEAD

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

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

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

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

Interjection.

Mr. Wilson: No, it's Alliston, but thank you. That's the first Liberal to take any interest in this bloody issue, every time I raise it.

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

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

Obviously, I endorse that petition and I've signed it.

ANTI-SMOKING LEGISLATION

Mr. Dave Levac (Brant): I'm definitely interested in Sir Banting's house. It's good.

A petition to the Ontario Legislative Assembly regarding a ban on smoking in public places in Ontario:

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

"Whereas some 16,000 Ontarians each year die of tobacco-related causes; and

"Whereas the inhalation of direct and second-hand tobacco smoke both lead to health hazards that can and do cause preventable death; and

"Whereas more than four out of every five Ontarians do not smoke, and this large majority desires that enclosed public places in Ontario be smoke-free at all times; and

"Whereas preventing the sale of tobacco products, especially to young people, and banning the use of tobacco products in public and gathering places of all types will lower the incidence of smoking among Ontarians and decrease preventable deaths;

"Be it therefore resolved that the Ontario Legislative Assembly enact Bill 164, and that the Ontario Ministry of Health and Long-Term Care aggressively implement measures to restrict the sale and supply of tobacco to those under 25; that the display of tobacco products in retail settings be banned; that smoking be banned in enclosed public places or in workplaces, and banned on or near the grounds of public and private schools, hospitals and day nurseries; that designated smoking areas or rooms in public places be banned, and that penalties for violations of smoking laws be substantially increased."

I sign my name to this petition and hand it over to Sarah.

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 this.

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ANTI-SMOKING LEGISLATION

Mr. Bob Delaney (Mississauga West): I have a petition here from Kevin Marr of Miller's Grove in Meadowvale and Jan Gerrard of Ladyburn Crescent in Lisgar. It's a petition to the Ontario Legislative Assembly to ban smoking in public places in Ontario, and it reads as follows:

"Whereas some 16,000 Ontarians each year die of tobacco-related causes; and

"Whereas the inhalation of direct and second-hand tobacco smoke both lead to health hazards that can and do cause preventable death; and

"Whereas more than four out of every five Ontarians do not smoke, and this large majority desires that enclosed public places in Ontario be smoke-free at all times; and

"Whereas preventing the sale of tobacco products, especially to young people, and banning the use of tobacco products in public and gathering places of all types will lower the incidence of smoking among Ontarians, and decrease preventable deaths;

"Be it therefore resolved that the Ontario Legislative Assembly enact Bill 164, and that the Ontario Ministry of Health and Long-Term Care aggressively implement measures to restrict the sale and supply of tobacco to those under 25; that the display of tobacco products in

retail settings be banned; that smoking be banned in enclosed public places or in workplaces, and banned on or near the grounds of public and private schools, hospitals and day nurseries; that designated smoking areas or rooms in public places be banned, and that penalties for violations of smoking laws be substantially increased.”

I wholeheartedly endorse this petition, and I’m going to ask page Paige to carry it for me.

REGIONAL CENTRES FOR THE DEVELOPMENTALLY DISABLED

Ms. Laurie Scott (Haliburton–Victoria–Brock): “Save Huronia Regional Centre, Home to People with Developmental Disabilities!

“To the Legislative Assembly of Ontario:

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

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

“Whereas closing Huronia Regional Centre will have a devastating impact on residents with developmental disabilities, their families, the developmental services sector and 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.”

It’s signed by many people in my riding who have children within that centre.

ORDERS OF THE DAY

REGIONAL MUNICIPALITY OF PEEL ACT, 2005

LOI DE 2005 SUR LA MUNICIPALITÉ RÉGIONALE DE PEEL

Mr. Gerretsen moved third reading of the following bill:

Bill 186, An Act respecting the composition of the council of The Regional Municipality of Peel / Projet de loi 186, Loi traitant de la composition du conseil de la municipalité régionale de Peel.

The Acting Speaker (Mr. Ted Arnott): I recognize the Minister of Municipal Affairs and Housing for the leadoff speech for the government.

Hon. John Gerretsen (Minister of Municipal Affairs and Housing, minister responsible for seniors): I will be sharing my time with my parliamentary assistant, the member from Scarborough Centre.

I’m very pleased this afternoon to speak about Bill 186, legislation which, if passed, will bring stability and fair representation to the region of Peel. If passed, the Regional Municipality of Peel Act will provide for a fairer and more balanced approach to the composition of Peel council. It will address concerns about council representation and more realistically reflect the current population distribution of the region of Peel. It will move the province of Ontario forward in our government’s firm commitment to strong and prosperous communities in every corner of this province.

Our aim is to foster local governments that are responsive, responsible, self-reliant, and accountable. We have taken an unprecedented number of steps in order to fulfill this legacy, and Bill 186 will help Peel region become an even stronger and more efficient form of government than it has historically been.

If passed, this legislation will provide Peel regional council with more balanced representation of the current population distribution of the region while ensuring at the same time that no single lower-tier municipality has voting control of council. Under the proposed legislation, the city of Brampton will gain one additional seat on the regional council for a total of seven, the city of Mississauga will gain two additional seats for a total of 12, and Caledon will continue to have five seats, so let me state once again that no one municipal council will have the majority of the votes at the regional level. There has been much debate about whether or not one municipality will, in fact, have a majority of votes or seats at the council table. That is simply not correct. Mississauga will have 12 seats, Brampton will have seven seats, and Caledon will have five seats, for a total of 24 seats. The chair of the regional council would also have one vote, after having been selected by the other 24 members, for a total of 25 votes.

This proposed change would adjust the representation on the regional council in a fair and balanced manner, and it takes into account the current population rather than being based on future population growth, which is simply not the case anywhere in Ontario at this time, and it is critical to the continuing strength and prosperity of Peel region. The bill will provide certainty and resolution on governance issues that the lower-tier municipalities in Peel region require. Resolving this matter will allow the Peel regional council to resume its leadership role in providing regional services, and it will allow the region to turn its full attention to providing effective services to the citizens of Peel.

Through the standing committee process, certain amendments have been made to Bill 186 that I would like to relay to the House. We have consulted, we have listened, we have made meaningful amendments, and by

the introduction of this bill, we have acted. The standing committee supported the opposition motion that the clerk preside at the first meeting until a new chair is chosen.

Interjections.

Hon. Mr. Gerretsen: Well, it shows you that we have listened to the very meaningful suggestions that have been made by the opposition. I know that the opposition party, when they were in power, couldn't possibly have conceived of ever having granted an opposition motion that made sense and that, in effect, enhanced a piece of legislation, but we have done that in this case, and we're proud of having done so. We thank the opposition for bringing forward this very meaningful amendment to strengthen the legislation.

Government motions were also approved at the standing committee level to clarify, one, that the authority to appoint the chair of Peel region will rest solely with the locally elected members of the regional council; in other words, that the current chair cannot vote to appoint the successor chair, and that the chair is the head of council, and that the term of the chair is three years and will continue until a successor is appointed. The second change we made is that following the 2006 regular election that will take place in November next year, Peel region will have the same flexibility that is available to other upper-tier councils to change the term of the head of council to either a one-year or a three-year term.

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Third, another change we have made is that the Minister of Municipal Affairs and Housing will have the authority to make regulations that affect the conduct of the regular election in 2006. This includes elections to a school board that extends to an area outside of Peel; for instance, the Dufferin-Peel Catholic District School Board. This last amendment is in response to input that the standing committee heard on May 6, 2005, at its hearings in Brampton and Mississauga. The Dufferin-Peel Catholic District School Board sought clarification that the 2006 school board elections would be harmonized between areas inside and outside of Peel region. In this amendment, we are addressing that particular issue and concern.

With the support of this Legislature, Bill 186 will provide a fair solution to the challenges that Peel faces on an ongoing basis.

Our government firmly believes that local issues are best resolved locally.

The Acting Speaker: Would the minister please take his seat for a second.

I would ask the members of the opposition who are having such a good time over there to please quieten down a bit. I can't hear the minister.

Interjection.

The Acting Speaker: Some of government members as well.

I return to the Minister of Municipal Affairs and Housing.

Hon. Mr. Gerretsen: Thank you, Speaker. This is a very important bill and I appreciate your calling the

members to order so they can all listen to this very important bill and the consequences it has for all of us.

We have demonstrated this commitment time after time and have proved that we respect municipalities and value their input. From our greenbelt plan to our current review of the Municipal Act and to our relationship with the Association of Municipalities of Ontario as well as the city of Toronto, we have illustrated that municipal perspectives are very important to this government. We have worked together in partnership with municipalities across this province to ensure local efficiency and accountability, local strength and prosperity.

Interjection.

Hon. Mr. Gerretsen: I know the member opposite is very much interested in this because it's something that we simply didn't experience with the last government for the eight years they were in office. They did everything they could to damage the relationship that existed between the province and its municipalities at that time.

In this particular case, and given the challenges that local representatives had in reaching agreement, our government became involved in a difficult local issue in the interest of helping Peel region move forward. We worked to facilitate agreement in many ways. We held numerous discussions with representatives from across Peel region, including the mayors, who are very well known to me, and I am very well known to them. We appointed a facilitator to try to help parties reach agreement. We made every effort to develop a solution at the local level. When it became clear that consensus could not be reached, we introduced Bill 186 to help ensure Peel region could continue to effectively grow and prosper.

I am confident that this bill represents an excellent solution to Peel's challenges. I am also confident that it will not only bring stability and certainty to Peel region, but will enable regional council to resume its leadership role in providing services for the benefit of all the citizens of Peel.

Mr. Speaker, you and I know that Peel region has for many decades been one of Ontario's most effective and efficient regions. It was the first municipality in Canada to achieve the silver level in the National Quality Institute's award for excellence, recognizing Peel as an outstanding public sector organization. It has always embraced continuous improvement that adds value to the community. Our government is proud to support Peel region as it continues to deliver these excellent services in the years to come.

I want to thank all of the local representatives for their commitment to moving forward, from the three mayors to their councils and all of the staff people involved. Our government knows that each of these individuals is highly dedicated to serving their community. We acknowledge their hard work in addressing the challenges in Peel region, and we look forward to continuing to work with them and with all Ontario municipalities in our commitment to building stronger, more prosperous communities across this province. To support stability

and strong communities in Peel region, I ask members to join me in voting for Bill 186.

Let me finish my part of this discussion by quoting the Leader of the Opposition, John Tory himself, when he said the following at an all-candidates meeting on March 8, 2005: "There is a need to redefine these governments as time goes on, as populations change and communities change." We couldn't agree more with the Leader of the Opposition. That's why we ask the members of this House to support this bill in a unanimous way so that we can support the people and the councils of Peel in the tremendous work they have done and will do in the future.

Mr. Brad Duguid (Scarborough Centre): I want to begin by thanking my colleagues from Brampton and Mississauga who have been very much a part of the discussions around this bill. I want to thank as well the councillors from Caledon, Mississauga and Brampton and the three strong mayors from those cities for their input and participation in this decision and in the debate that's gone on over the last year or so.

We have three strong mayors from those areas. They've expressed their views very clearly to us. We've listened very carefully to all who have expressed their views in this debate, and we have come forward with legislation that is fair and balanced, that ensures a fair level of representation by population, and, as the minister said, also ensures a fair balance on Peel regional council. It ensures that no one city will be able to dominate the workings of Peel regional council. It's very important that we strike that balance so that they can work together. It will ensure that all regional councillors will take into consideration the views of the people of Peel and place that ahead of the perhaps parochial views of those from Mississauga, Caledon or Brampton independently. I think that's very important.

Unfortunately, the Leader of the Opposition, John Tory, just simply didn't get it. Leadership is about taking a stand and defining what you would do. It's about leading rather than fence-sitting. Mr. Tory and the opposition have refused to define what they would do. The Leader of the Opposition showed up for a little while at the hearings in Brampton, put on a bit of a show and left, but he didn't have the courage to show up in Mississauga. That was disappointing, I think, to all of us, and certainly was taken as insult by people of Mississauga who felt their views were just as important to be heard as the views of the people of Brampton and Caledon. Unfortunately, the Leader of Opposition didn't feel that way.

I look to Hazel McCallion, and I agree with her in the statement she made when she said that the Leader of the Opposition did not do his homework when it comes to this particular issue. I agree with that. I'm hoping he's done his homework since. I'm hoping the opposition will get up and agree and support this bill, which does provide balance, which does provide fairness. I have a feeling that won't be the case. They have been trying to have it both ways throughout this process. The critic moved a motion during the hearings that would have thrown off

the balance of Peel regional council—they were entitled to take that position—in favour of Brampton and Caledon. That motion wasn't supported, thankfully, so the balance was maintained, but then they also supported a motion at committee that would have effectively taken Caledon from the five representatives they have now down to one or two, which I thought was trying to play both sides. I have some difficulties with that. Clearly the Leader of the Opposition has to do his homework on this one.

We have taken a stand in favour of balance and fairness, and we want to know now where the opposition stands. Do they stand in favour of balance and fairness, or are they trying to sit on the fence and have it both ways? We will find out soon. I hope they have been able to see, through the hearings, that the legislation before them represents balance and fairness and is something worthy of support.

1610

The Acting Speaker: Questions and comments?

Mr. Garfield Dunlop (Simcoe North): I'm glad to stand this afternoon and speak for a few moments on the comments by the minister and the member from Scarborough Centre in their 15-minute leadoff speech on third reading. Again, this is how interested this government is in debate in this House. When you think that on third reading of a bill that is so important to the folks in the city of Brampton, the city of Mississauga and the town of Caledon that they're going to guarantee them 15 minutes of debate on third reading—I think that's pathetic. Why are we not debating bills in this House, actually taking some time and getting all the reasons?

What I would really like to know from the minister is—and they can wrap up in their comments—are the council members, the staff and the mayors of the town of Caledon and the city of Brampton happy with this bill in its current form? I'd like the minister or the member from Scarborough Centre to answer that in their comments when they sum up. Are they happy with the bill in its current form?

My understanding is—and maybe when my colleague, the critic, stands up in a few moments—that there's not a lot of happiness with this particular piece of legislation and those two bills. If the minister can guarantee that those councils are all happy with this piece of legislation, then I'd be happy to support it. But if they're not, and if he's not willing to stand and say that, then I'm not going to support this bill. I don't think it's fair.

I come from a municipal background. I've seen enough interference from the provincial government in the past, and I think that's what we've seen in this particular case. It's a bill that lacks consultation with the major players who are affected. I won't be supporting it unless I can be guaranteed that that consultation has taken place and that the minister is going to stand in this House and say so.

Mr. Michael Prue (Beaches-East York): I listened to both the minister and the member from Scarborough Centre, and I have to tell you that I have just a little bit of

a problem because both of them talked about balance and fairness. Yet the balance and fairness, if it exists at all in this very sorry situation, isn't what the minister or his staff have invented. The balance and fairness were handed to them on a platter by Justice George Adams, who came down with a very balanced and fair approach. After having talked to the ministers, after having talked to the people of the regions, after having listened to all of the cogent arguments that were presented, he came out with recommendations which you have supported in part, but you've left out the main recommendation that has caused all of the consternation, all of the hurt, all of the anxiety, all of the problems that exist now between those three wonderful municipalities.

Justice Adams told you what you had to do. You had to increase the membership in a way that you chose not to. You had to increase the membership of Brampton to recognize what is going to happen to that municipality in the very short and near future. Justice Adams looked at the same reports you looked at. He looked at the reports showing that Brampton is the fastest-growing municipality in Canada. He knows, and you know, that within a very short period of time—a year or two or three years—the population is going to outstrip the measly one member you're giving them today. He knows, and you know, that the solution you are proffering to us today is not a solution that's good for the long term. He knew, and you should know, that what you're suggesting here in this bill is totally wrong. Certainly your members from Brampton, the three of them who are going to vote against this legislation, know that you have no clue about what's taking place here and they are going to do the right thing, even though you won't.

Mr. Bob Delaney (Mississauga West): With Bill 186 getting closer—one hopes—to final passage and proclamation, as a resident of Lisgar, I'm going to get myself a new city councillor. In anticipation that Bill 186 will go forward, the city of Mississauga has shown the proposed new ward 10 and ward 11 boundaries.

Mississauga continues to grow by some 20,000 people each year. By the pace at which the foundations are being excavated in new subdivisions, especially in neighbourhoods like Churchill South, it seems like all of them are moving into the riding that I represent of Mississauga West, and I welcome them. So much for unfounded assertions about Mississauga being "built out."

Bill 186 recognizes this continuing vigorous growth in our city of Mississauga with its population of 680,000, which is some 62% of Peel region's total population, contributing about 66% of Peel region's total revenue, and now going from 48% to 50% of Peel region's total representation on Peel council.

Last week, I hosted my half-hour Politically Speaking segment on Rogers Cable 10. Ward 9 councillor Pat Saito and I discussed the implications of the change in representation on Peel regional council. Was there a fire-storm Peel-wide? Did the phone lines light up? No, not a call. Bill 186 makes good sense. It's about good government. People know that. When we changed topics, the calls came in quickly.

This is a good bill. This makes a governance structure that serves three great communities. It makes it work better. I say, let's get on with it.

Mr. Rosario Marchese (Trinity-Spadina): Judge Adams evidently made a report and I suspect Judge Adams's report cost a few bucks. He is a bright individual, and that's why you chose him. My assumption is that you chose him on the basis that he would produce a recommendation and a conclusion you would want to support.

Malheureusement, you didn't accept his compromise recommendation, and I find it interesting that you would then say you got involved to achieve balance. This, on the basis that Mayor Susan Fennell of Brampton said the following: "This Premier gave me his word there would be no restructuring in Peel.... This Premier gave me his word that governance was not on his government's agenda. I want to believe that this Premier's word is gold, not coal." But clearly that's not the case. You got involved after paying Judge Adams a fair amount of money—

Mr. Shafiq Qaadri (Etobicoke North): Pecunia.

Mr. Marchese: —pecunia—to come up with a reasonable conclusion, one that you presumably trusted him to do, and in the end you decide to change the recommendation and produce your own, to in effect interfere politically in ways that have caused a structure, in my opinion, to become very dysfunctional. In fact, you're going to appoint somebody who will have tremendous power to decide right or wrong on the basis of what and who knows who. You are giving that individual a whole heap of power, more power than the mayor of Toronto, one of the bigger—

Hon. Mr. Gerretsen: No, that's impossible.

Mr. Marchese: Oh, yes. This one individual is going to break the tie on so many issues. This individual is going to have a whole lot of power to decide the future of municipal governance in that municipality. You have interfered in ways that are going to create problems and dysfunctionalism.

The Acting Speaker The government has two minutes to reply.

Hon. Mr. Gerretsen: I thank all the members for their comments; I understand where they're coming from. But let's get a couple of things straight. Eight out of the nine recommendations included in Judge Adams's report we totally accepted and endorsed.

The only one we cannot agree with is this notion that he recommended that, in effect, council seats be opened up for the city of Brampton for projected population growth. In no Ontario municipality do we provide for future population growth in members of council now. It may very well be that if Brampton grows by 60,000 people over the next couple of years, they will need an additional member or that there has to be some further redefining or rearranging of the number of seats on the council.

Secondly, there is no restructuring taking place. The same structure of government that has been there since

Peel region started is still there today. The only thing we did was add two seats for Mississauga and one for Brampton, but the structure itself stays in place.

We have consulted. We asked the parties to get together, and they did over a three-month period of time, to work things out. When that became impossible, as a result of a number of meetings I had on an individual basis with the mayor, we then decided to appoint a facilitator in Judge Adams. We appreciate his report. We accepted his report, except for the one recommendation that we simply felt was not right: to basically give extra seats for a population base that didn't exist as yet.

Peel is a great region. It will remain a great region and become an even greater region, we believe, with the implementation of Bill 186.

The Acting Speaker: Further debate?

1620

Mr. Tim Hudak (Erie-Lincoln): I'm pleased to rise in the chamber to respond on third reading of Bill 186, to discuss my personal viewpoints on the bill and the procedure with which it was brought forward in the assembly for first reading, to committee and then here for third reading today, and to offer up some constructive criticism on behalf of the official opposition.

Sadly, a number of very constructive and helpful amendments—in fact, really all but one relatively minor amendment—were voted down by the government members of the committee, but I do hope the minister, who is here listening raptly to my words, will hear from the official opposition and from my colleague the hard-working critic from Beaches—East York some very solid proposals on the bill, and we do hope that you'll withdraw it from third reading and go back to committee and fix up this bill.

If you're truly committed to ensuring that Peel region functions effectively, can continue to provide good services of the tax dollar for local roads, for police or public health services, for example, then you will withdraw this misguided bill that, in fact, is going to be harmful to Peel region and harmful to services that taxpayers who live in Mississauga, Brampton or Caledon depend upon.

We just heard from the minister and his parliamentary assistant, and we had a round of discussion from members of the assembly on those comments. The minister made a number of arguments in his two-minute summation that reflected the general arguments that he has made through this bill. First he says that—I think he used the term “endorsed—you've endorsed eight out of the nine recommendations of Justice Adams's report. Well, the fact of the matter is, aside from additional seats for Mississauga—I don't even think that's directly the same. Maybe maintaining Caledon's seats is the only thing in this Bill 186 that you've effectively taken from Justice Adams's report.

You'll have a chance to respond to my comments, but I challenge you to show me where the other seven out of eight that you mentioned that you've endorsed are contained in the bill. I'll say to my colleague, the munici-

pal affairs critic, who followed the bill very, very closely—he has a better understanding of this bill than I do, I'm sure—do you recall the other seven or eight?

Interjection.

Mr. Hudak: No, I do not believe—if you're making the point that Justice Adams made nine recommendations and you've said that you've accepted or in fact endorsed—that was the word you used; very strong language—eight out of the nine, but seven of them aren't in the bill. If I'm wrong, please rise and point out where those other seven items are in the bill, but they're not there. Nowhere have you given any direction that they be embraced or endorsed. There has been no government funding put toward the enactment of those other seven recommendations. There has been no action whatsoever on any of those recommendations from Justice Adams's report.

We hear the argument that the government has enacted eight out of nine of Justice Adams's report. Well, that simply doesn't meet with the facts. It's not contained in the bill, nor have we seen any action transpire since Justice Adams brought his report forward. I challenge the members opposite to show me if that is the case. If I'm wrong, I'll stand corrected, but I have not seen action on the other recommendations that the minister says they have endorsed.

I think they've actually used some very soft language to say, “We'll ask municipalities to work together to resolve a number of these issues,” which is interesting, but I wonder why they didn't ask municipalities to work together to resolve the issue of the number of seats on Peel regional council.

Hon. Mr. Gerretsen: We did.

Mr. Hudak: No. You brought forward Bill 186. You didn't ask them.

Hon. Mr. Gerretsen: We did, for three months last year.

Mr. Hudak: The minister says that there was a three-month period where the three mayors and the regional chair were supposed to work together to find a solution, but my recollection is that there was not even a minute of debate at Peel regional council regarding the structure of Peel region. In fact, the solution—I don't know whether to call it the John Gerretsen solution, the Dalton McGuinty solution or the Gerald Butts solution. I am not sure where it all came from.

I am not sure who came up with two seats for Mississauga and one for Brampton, because as far as I know, that was not brought forward by any of the three constituent municipalities. It was never mentioned for debate at Peel regional council. I suspect it was the minister, the Premier himself or one of their backroom advisers who came up with the solution, which was alien to the debate to date and certainly far from what Justice Adams had brought forward. If you can show me where this solution was brought forward by somebody from the area, then I will stand corrected, but I have yet to see any evidence that this solution of two seats for Mississauga and one for Brampton came from Peel region. It was imposed by the

Dalton McGuinty government, I suggest, probably by one of their backroom advisers, as some sort of grand compromise, to try to make political appeasement instead of making good policy for a change in regional council.

Again, I would really like to see if the government, as the minister just said, is endorsing eight out of nine of Justice Adams's recommendations, to see how they have actually been carried forward since Justice Adams made that report and submitted it to the minister I think as far back as December. I bet there has been no progress whatsoever. In fact, as I said, it's sort of soft language that will ask them to work together, instead of actually giving support or really endorsing it, as the minister claims. I think that saying eight out of nine is simply a public relations exercise, and I challenge the government that they have no commitment whatever to fulfilling any of the recommendations remaining from Justice Adams's report. So we will see, but we have seen no action.

In this ministry, the Ministry of Municipal Affairs and Housing, there was some commitment to bring forward the greenbelt advisory committee. It's now been a number of months since that bill was debated. We've talked about the greenbelt advisory committee—

Hon. Mr. Gerretsen: Don't hold your breath.

Mr. Hudak: He said don't hold my breath. You mean hold my breath, I think. I'm not sure what you mean. The minister gives an indication that the greenbelt advisory committee hopefully will be coming forward shortly, and I'm encouraged to hear that, but you can see why we have some skepticism. It has taken a long time to bring forward an important part of Bill 135, and while the minister says he endorses Justice Adams's report, I'm skeptical that we'll actually see action on what Justice Adams has brought forward. I think it will be yet another broken promise in the pantheon of broken promises by the Dalton McGuinty government.

While the minister is here—he made a comment on the greenbelt advisory committee—I hope he will incorporate aspects of Bill 200, which I brought forward, that said that at least half of the members on the greenbelt advisory committee would come from the agricultural community. I hope the minister will carry through and have at least half of the members on the greenbelt advisory committee, as recommended by the OFA, and other farming groups, because of the significant impact on the agricultural sector caused by the greenbelt bill.

We will see if they are as good as their word on following through on Justice Adams. I suspect they won't be—I'll be glad to be proven wrong—just as we have not seen action on the greenbelt advisory committee. It's terrible that it hasn't already come forward and it will be an even greater crime if we have further delays.

We just have to look at the case of Mr. Kugler in Niagara-on-the-Lake, who wants to put 22 acres of fallow land into grape production and is prevented by aspects of the Greenbelt Act from actually doing so. The greenbelt advisory committee, I would suggest, could help to solve those problems and help to do what the government says this bill is supposed to do and support agriculture.

On that topic, there are two other amendments that I brought forward to Bill 135—I know the parliamentary assistant is here, among others who care about this bill, and my friend from Pickering–Ajax–Uxbridge will want to participate in the debate as well—to have a Holland Marsh Greenbelt Advisory Committee and one for the Niagara Peninsula as well. It came forward quite strongly through the committee process to have these committees, at least half of which should come from the agricultural community. In fact, Niagara is setting up its own committee. Kudos to Chair Peter Partington and those involved in the agricultural task force for doing so. It seems very sensible to me that the minister would use the same committee that Niagara is as its advisory committee. But I digress.

1630

I was on the point of Justice Adams's report and why I am skeptical that they will not actually come forward and endorse the other points of Adams that are not in the legislation, as the minister claims. I think it will be another one on that list of broken promises. Honestly, it's extremely hard to remember how many are on that list of broken promises, but I think it now enumerates somewhere in the 40s.

The Minister of Municipal Affairs and Housing also said in his defence of his statement that they could rearrange the seats if Brampton grows. Well, that's a bit of a fallacious argument, because nothing in the bill allows it to be reopened if Brampton grows. Instead, it depends on the classical aspect of the Municipal Act—I forget the section—that would need a triple majority to reopen the act and examine the number of seats in Mississauga, Brampton and Caledon.

It seems a strange argument and a false argument for the minister to make, because if it's good for the goose, it's good for the gander. If the minister felt that the Municipal Act and the triple majority were appropriate for examining Peel's seats based on population, then you'd think it would be good and Bill 186 would not be necessary. The triple majority, in the Municipal Act, currently exists. So if the minister believed that that was the best vehicle to solve seat distribution, then the minister would use it and would have no reason to bring forward Bill 186. Instead—and I would charge for very capital-P political reasons, not good policy reasons—they brought in Bill 186, and then they say to Brampton or to Caledon that if their growth changes and they need more seats, "Well, you can rely on the old saw, the triple majority, under the Municipal Act."

So what's good for the goose ain't good for the gander any more, according to Minister Gerretsen and Dalton McGuinty's world, on Peel restructuring. I think people find it very difficult to understand those inconsistencies: Why did you get involved with Bill 186, and on the other hand you'll leave it up to the Municipal Act to solve the issue if the population changes?

To her credit, even Mississauga Mayor McCallion, when she made her presentation on Bill 186, noted that she did not want Brampton to get into the same situation

that she perceived Mississauga has been in for a long period of time. I think the mayor would say that if Brampton's population grew quickly relative to Mississauga's, then they too should have the right to additional seats on council. So even one of the strong proponents of the bill made the argument that there should be some way for seats to be changed if Brampton's population grows relative to Mississauga's.

This notion in which the minister says that there is a possibility to change the seats if Brampton grows is belied by his action on this bill and the fact that the parliamentary assistant and the members of the committee voted down every one of our amendments and those amendments of the third party to actually allow for some reopening clause if the populations change significantly. So it's really an argument that does not meet with the facts or with the minister's actions.

The minister also says that this is not restructuring. I guess this is their strange way of walking a line to say that it's not a broken campaign promise. Certainly, the language used throughout the debate has been that this restructures the council at Peel. I think because Premier Dalton McGuinty, the Minister of Municipal Affairs and Housing, Mr. Gerretsen, and the Minister of Finance, Mr. Sorbara, among others, all said, "We will not restructure Peel council," and Bill 186 restructures Peel council, now they can say, "Well, we're not really restructuring. That's not really what we meant. Therefore, it's not a broken promise." They walk a strange line by saying that this bill is substantive and that it brings some sort of needed balance to Peel council that they would argue is off-kilter today.

On one hand, they argue that the bill is substantive and makes a major change and will be the saviour of Peel region. I'm exaggerating somewhat, but that's basically the premise they use in arguments: that this is a major change that will bring balance to Peel region and is therefore a very, very important bill. On the other hand, the minister just moments ago argued, "This bill is very minor. It makes some very minor changes by adding a couple of seats here and a seat there and it is very, very minor fiddling with a number of seats." I know the Liberals want to have it both ways, but you can't really have it both ways. Either this is a significant change that impacts Peel region dramatically, as you argue one day, or it's a minor change that results in a slight change in a seat or two. It must be difficult to argue out of both sides of your mouth all the time on the issue. It's one or the other.

What we argue in opposition is that this is a significant change, because we believe that it's going to paralyze Peel regional council, that it will shift it from being what's been considered for some time a model regional council in its operations into a model of Dalton McGuinty himself: deadlocked, dithering and unable to make a difficult decision.

Therefore, we see this as a significant change, if this bill passes three readings. I think we've been clear in voting against this bill, and I anticipate my colleagues,

and I certainly will, will be rising against Bill 186 upon third reading, because we object to the changes and we're very disappointed that some very well-thought-out, constructive amendments brought forward by some of the municipalities and by both opposition parties were cavalierly rejected by the government members.

The minister made a few arguments. He said eight out of nine recommendations have been endorsed. We've seen no action on seven of those and I suspect we will not. He said they could simply rearrange seats if Brampton grows. That doesn't meet with the facts, and there's hardly anything simple about a triple majority through the Municipal Act. It shows that the government argues on two sides of the issue, with Bill 186 being completely inconsistent with the notion of Brampton using the traditional method of the triple majority through the Municipal Act. The third argument the minister makes is that this is not really restructuring, that it's a minor change, but on the other hand, he says it's a major change that will bring balance to the region of Peel and save all those poor people in Peel. I guess the minister would view Peel as dysfunctional currently and somehow would think this would then improve things from his point of view. You can't argue on both sides of the issue. Either it's a minor change or a significant change. The minister in his comments argues both sides of the issue, which I think reinforces the cynicism people in Peel will be holding about this bill and the government's approach to it.

The last point: The government's only real remaining point that they've made relatively consistently on Bill 186 is that they argue it's population based and that the seats at Peel region should reflect the population differences, Mississauga being the largest municipality, followed by Brampton, and Caledon being much smaller. Therefore, they say it's justified that Mississauga would have half the seats at Peel region because of their population. But one wonders, if they truly believe that upper-tier councils, be they regions or counties, should be based on population, the proportional representation argument that the PA and the member for Mississauga West make over and over again, that proportional representation is the be-all and end-all of upper-tier governments, if that were the case, then when can we expect a restructuring bill for Durham region, Niagara, Halton, Simcoe county? If you truly believe in the principle of proportional representation, if that's the be-all and end-all of seats on an upper-tier level of government, then why are you not bringing forward legislation in these areas? St. Catharines and Niagara Falls in my own region of Niagara make up half or slightly more than half of the population. Their combined seats on the region of Niagara are far below half of the population. If the government were being consistent, they would soon be bringing forward legislation to restructure the region of Niagara and change the seats.

Mr. Richard Patten (Ottawa Centre): OK, we'll do that.

Mr. Hudak: I hear some of them say maybe that's a good idea. I would strongly object to that principle. I

know that the municipalities I proudly represent, Lincoln and West Lincoln, Wainfleet, Port Colborne and Fort Erie, and other small communities like Pelham, Grimsby, Thorold and Niagara-on-the-Lake, would strongly object to giving St. Catharines and Niagara Falls half the seats on the council of the region of Niagara. In fact, when regions were constructed under the Bill Davis government, careful consideration was given at the time to how many seats were put on at the regional level of government to balance out population, with a balance between the rural communities and the special needs of rural communities, so that you could look at a region as a whole when addressing issues, both urban and rural, and not base it strictly on population. Certainly the small communities in Niagara would object very strongly if the large cities had the power to force anything they wanted through the region.

1640

I think it's Bill 176, your redistribution bill, that rejects proportional representation, representation by population; it does. Let me be clear. It rejects representation by population. You do.

In fact, I think in probably the first example of a government setting the boundaries in decades, as opposed to using an arm's-length commission, the Dalton McGuinty government has chosen to specify the 11 northern ridings and their boundaries through a piece of legislation. Southern Ontario would be done matching the federal boundaries, which was done by a boundary commission. For some time, certainly before my time in this place and likely the Speaker's time and all the members here today, riding boundaries have been determined by an arm's-length commission to make sure that we stay away from the dangers of gerrymandering, where the government of the day would set the boundaries to best suit themselves and their electoral opportunities. For fairness and balance and trust in the political system, we've always had a boundary commission.

For the first time in who knows how long—in decades—the Dalton McGuinty government has chosen to throw out that principle and to set the ridings in northern Ontario, and by doing so, they reject the notion of representation by population. The ridings in southern Ontario would have significantly more, especially under the changes according to the most recent federal boundaries commission, a substantially greater population than those in northern Ontario, and if this legislation were to pass, I believe the change would become even more dramatic than it is today.

So you wonder why on one hand the government members say that they support representation by population and therefore Peel region should be based on representation by population, but on the other hand, Bill 176 is the complete opposite, and I think it's not because of any embracing of the principles. If they truly embraced the principle, if this were truly all about representation by population, then you would see two things: First, they would withdraw Bill 176, because Bill 176 clearly runs against that principle; and secondly, they would bring in

legislation to change the structure of all of the counties and regions in the province to reflect populations. If this were truly the principle they were wedded to, then we would see those two changes. But we don't see those things happening. I suspect we will not see those things happening.

So I am left with the only conclusion, that this notion of rep by pop they put forward to defend Bill 186 is simply window dressing. They're not committed to that principle. If they were, their other bills would not be at variance. They're inconsistent because, quite frankly, Bill 186 is borne completely out of political opportunism, a strict political decision no doubt, maybe by cabinet, probably by Dalton McGuinty and his back-room advisers, and also because Dalton McGuinty got caught up in a whole bunch of broken promises. I've used this: I think with the political gymnastics Dalton McGuinty has gone through on this bill, with so many twists and turns and bends and back flips and broken promises and different decisions, he would make Nadia Comaneci jealous. He would, I say to my colleague from Ottawa. Now I feel bad for Hansard. Maybe you don't know how to spell the last name of the Romanian gymnast, the gold-medal winner. But Dalton McGuinty would win the gold medal when it comes to broken promises, particularly on this bill, his changing in positions that would make Nadia Comaneci envious.

So there were four arguments. I heard the minister say that they took eight or nine of Justice Adams's recommendation. That's not true. Brampton could easily rearrange the seats as its population grew. That's at variance with the facts. This is not restructuring. Well, you say it is restructuring sometimes, other times you say it is not. We can dismiss that argument. And then their last piece of clothing, their last mask for this bill, that it's representation by population, is completely at variance with reality. There are other pieces of legislation and other actions on governance issues for other regions or counties that take the opposite direction and don't embrace that principle.

As I said, I think when it comes to upper tiers—counties and regions—you need that balance to ensure that rural communities, as well as large urban centres, have reasons to co-operate and work together and that the decisions are made by the region, or the county for the region, or the county as a whole, are not strict votes based on their population and based on seats on council assigned to their population.

The other thing is, I think we need to note for the record that we find ourselves debating Bill 186 at third reading today with about three hours' maximum notice. There was another bill entirely that was scheduled for debate today.

Interjection.

Mr. Hudak: There was. Then we got word the government had changed its mind at around 1 o'clock or so—noon, 1 o'clock, somewhere around there—and they said that Bill 186 was going to be debated instead. I'm the critic for municipal affairs and housing. I'm very

willing to change my schedule in order to speak on this bill, but I find it highly regrettable that we were only given a few hours' notice to debate this bill. Maybe you guys knew before us. I suspect not. They're shrugging their shoulders. They're keeping a poker face on that one.

Interjection.

Mr. Hudak: Mr. McNeely knew? Well, I saw him in the hallway; he should have told me. We only had a few hours' notice on this bill coming forward, which is highly regrettable. In turn, my hard-working staff, Adam McDonald and John Clancy, tried to contact the mayor of Brampton and the mayor of Caledon, two very strong opponents of Bill 186. I would say to the parliamentary assistant, did the mayors know this was coming forward for third reading debate today? I suspect not.

Mr. Jim Wilson (Simcoe-Grey): Silence.

Mr. Hudak: The parliamentary assistant's silence on this issue, I think, reinforces my opinion that they didn't tell Brampton, they didn't tell Caledon and they didn't tell Mississauga.

Mr. Wilson: Restructuring by stealth.

Mr. Hudak: My colleague from Simcoe-Grey says it's restructuring by stealth.

The reality is, it does show an arrogance about this bill—there are very strong feelings about throughout Peel region—that the government gave only a couple of hours of notice that this bill was coming forward for third and—hopefully not, but usually—final reading.

During the second reading debate and during question period, the gallery was full of councillors, taxpayers and mayors from Peel region, mostly opposed to the bill—some on the positive side: most of them opposed to the bill—who were here to listen to debate, to see where their members from those municipalities stood on the issues, to give their own input. But I look over at the galleries today and, aside from the hard-working staff of the Legislature—there are no municipal councillors from Peel; there are no taxpayers; there's no representative of the Brampton Board of Trade or the chamber of commerce from Mississauga. The reason for that is not that they suddenly don't care about the bill. Quite the opposite—they weren't told.

This bill, if debate collapses, could be voted upon today. I suspect the Liberal members, with the exception of some from Brampton who are opposing the bill—the bill would likely pass and the mayor of Brampton, the mayor of Mississauga, the mayor of Caledon, the regional chair of Peel and any of those taxpayers who came forward or filled the halls during the public hearings a couple of weeks ago would not know about it because at the last minute the government brought this bill forward, I suggest, because they know it's controversial. They know there's strong opposition to it in the Peel region and they thought they would try to sneak it through tonight.

I guess I shouldn't be surprised, because it's consistent with the lack of notice that was given for those who wanted to come before the committee after second reading. I'm trying to think what it was. We heard it

pretty loud and clear when we were at the Peel hearings in Brampton and also the hearings in Mississauga. There was a great deal of upset, a great deal of anger. The only way they really could have found out about it—there was no advertising done that the hearings were coming. I guess if you watched the legislative channel, if you are such a big fan—

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Hon. Christopher Bentley (Minister of Labour): Don't you?

Mr. Hudak: I knew about it because I was the critic, so it's not really fair to ask if I knew, because I was there—maybe my mum, who may be watching today. She usually says I looked tired, my voice was too hoarse, my tie was crooked or something like that. She may have known, but she lives in Fort Erie.

For the vast majority of taxpayers who felt very strongly—or municipal councillors, or mayors or regional chairs—the only way, via advertising, they would have known that Bill 186 hearings were coming to Peel region I think was if they watched the legislative channel. If they were so desperate that they had the clicker out, saying, "This is where I learn most of my information about when hearings take place," and they watched the legislative channel around the clock, then they may have seen notice.

I think they only had about 12 hours. If they did catch the notice or if they did get a call from somebody in the assembly to say, "Hey, you'd better put on the TV, see the notice and call the clerk," if that did work itself out to the million-plus taxpayers in the region of Peel—I would bet you a very small number happened to be watching the legislative channel and reviewing the notices in the 12-hour period that was required. Then they had to actually call in to the clerk. I believe the cut-off was noon that day.

I don't believe the government members were truly interested in hearing feedback on Bill 186. They gave almost the shortest possible notice on the bill and ensured that people only really had less than 12 hours, most of which was between the hours of 9 p.m. and 6 a.m. or something like that. It's not a heck of a lot of time, and pretty late at night. I know the clerks work very hard, but I don't know if they're answering the phone at 3 or 4 in the morning, if somebody gave notice at that point in time.

At any rate, the point is that while it's very disappointing we only had about three hours' notice that we would be debating this bill today, it's even worse that the taxpayers and municipal leaders in Caledon, Mississauga and Brampton had next to no notice about their opportunity to participate in the hearings on Bill 186. It's not surprising. It's consistent, unfortunately, with the way Bill 186 has been handled by the government, but all the same it's very disappointing.

I know I'm dwelling on process, and I'll get to more of the substantive amendments, although I spoke to it quite a bit at second reading, Mr. Speaker, as you will recall. The Speaker was kind enough to attend as well at

the committee hearings that day. What was also very disappointing about the way this bill was brought forward, and reflected that the government really didn't care what they heard—they weren't really going to make any amendments; they went through the show—was that when we arrived and took our seats in Brampton for the first few hours—my colleague from Beaches—East York and the leader of the official opposition, the members from Dufferin—Peel—Wellington—Grey—we looked at the members opposite, and it wasn't the regular committee members who were attending on behalf of the government. In fact, they had substituted in three members from Mississauga and two from Scarborough, the parliamentary assistant and the member from Scarborough Southwest.

Three members from Mississauga were substituted on the committee. I think it's great they were there. I commend them for being there and for listening to what was being said. They've made their points clear: They believe this is in the best interests of Mississauga and therefore they're supporting it. But the three members for Brampton were not substituted in to sit on the committee, two of whom are here. Hopefully we'll hear from those two members shortly. I'm glad they're here. They have spoken out against the bill, have said they were going to vote against it, and followed through on their commitment and voted against it. They were not substituted in to the committee.

The member from Brampton Centre has been particularly eloquent and consistent about this bill in her opposition to it from the beginning. In fact, I think she had the word of the finance minister, had assured the taxpayers in Brampton that no changes would take place without a consensus, and the carpet was pulled out from under her. She was there. She was there for every minute to listen to the mayor and councillors and others who brought forward their feelings in Brampton, but she was not permitted to be substituted in to the committee to have a voice and to have a vote at those committee hearings.

The member for Bramalea—Gore—Malton—Springdale also joined us there at the committee. He was not there as long as the member for Brampton Centre, but he was there and was listening, similarly. So obviously in his schedule he was available to be at the committee, but similarly was not substituted in to participate in the debate or to vote or to bring forward amendments or motions.

It's a powerful whip, certainly, that they have on the government side. There's no doubt about it. Whether it was the whip or the Premier himself, no doubt he was flexing his muscles that day, because they had made the decision to substitute in three Mississauga members and not allow the Brampton members to substitute in and participate in the debate. So the die was cast. Your minds were made up. The strong crack of the whip ensured that the Brampton members would not be there to support opposition motions, to bring forward their own motions, to stand up, to speak out for their constituents and to vote against parts of the bill that they disagreed with.

It's true: Three Mississauga members were substituted in, and no members from Brampton were allowed to be there on the committee. It shows that the Premier had made up his mind. He didn't care what was being said there at the committee and had his Mississauga members vote with the parliamentary assistant and not cause any disruptions or inconveniences of good suggestions from the people of Brampton, Peel and Mississauga who were there that day.

So I guess it's unsurprising that we only had a couple of hours' notice, because we only had a couple of hours' notice on committee hearings, and we saw that the die was cast by substituting only Mississauga members into the committee, with no balance of the Brampton members who were opposed to the bill. It was a strange move, I tell you. I don't know why you guys did that. If you really wanted to say that your members were there and participating, that it was democratic, then you would have had an equal number of Mississauga and Brampton members—or none at all. Then there would be some balance. Instead, the Brampton Centre member had to sit in the audience, while only the Mississauga members were permitted to vote, substituted into the committee that day. It's true.

Interjection.

Mr. Hudak: I suspect it was the Premier's office that had made these decisions more so than the whip. I think that's probably the way it is, because Dalton McGuinty had made up his mind. Even he must get tired of breaking promises. It has to be exhausting for him, because he's always at it. I think it comes naturally. He wanted the bill rammed through, he didn't want any changes, so he put in the Mississauga members to do what the whip told them, and told the Brampton members, "Too bad; you can't sit at the table."

While the member for Bramalea—Gore—Malton—Springdale was allowed to sit there for a short period of time, he wasn't allowed to vote; was not allowed to move a motion. So it was like he was invited to dinner but he wasn't allowed to eat. He sat at the table, but they didn't put a plate in front of him to fully participate in the hearing. It's highly regrettable.

Let me give you some of the Hansard that day on this particular topic. Mayor Fennell, at the hearings in Brampton—this is from Hansard—said she wanted to begin her address by reading a letter that her office had sent to Premier McGuinty the day before:

"Dear Premier,

"The purpose of this letter is to express, on behalf of all citizens of Brampton, my deepest disappointment with the public notification provided today by your government for standing committee hearings on Bill 186."

It's not just me saying this. This is the mayor of Brampton, who states clearly in her letter that she was given next to no notice, very little notification that the hearings were taking place.

1700

She goes on to say, "My council was just advised hours ago, by your clerk's office for the standing com-

mittee on finance and economic affairs, that hearings for Bill 186 would be held” on Friday. She states the times and when they are in Mississauga. “Further, we were advised that anyone wishing to appear before the committee would need to formally register with the legislative committee clerk by noon today.” That, it says in Hansard, “was yesterday’s letter.”

She goes on to say, “Providing less than 24 hours’ notice of the hearings, and barely three hours’ notice....” So when I said they had 12 hours’ notice, I guess I was being far too generous. According to Mayor Fennell, “barely three hours’ notice to register, demonstrates your government’s total disregard for the 412,500 residents of Brampton.” Let me reinforce that: “demonstrates your government’s total disregard for the 412,500 residents of Brampton.”

Hon. Mr. Bentley: How many in Mississauga?

Mr. Hudak: The Minister of Labour says, “How many in Mississauga?” Did Mississauga get better notice than Brampton?

Hon. Mr. Bentley: How many residents in Mississauga?

Mr. Hudak: He asks the same question rhetorically again. I don’t know the exact number, but I hope the Minister of Labour’s point is not that Mississauga had more members, more residents, and therefore had better notice. Surely that’s not true. Surely it’s not true that you gave one group of citizens more notice than other members. I hope the Minister of Labour will rise, maybe in the two-minute rebuttals, and tell us that he surely did not mean that because this bill favours Mississauga more than the other communities, they should have received more notice. I suspect that Mississauga likewise had only three hours’ notice to register.

Mayor Fennell goes on to say in Hansard, “And, to give general notice, primarily, if not exclusively, by means of the Legislative Assembly Web site offends the principles of your government and is contrary to the following quote from your election platform.”

At this point she has some interesting comments for the member for Mississauga West, but I won’t read those. You remember those. Brampton Centre is laughing. She was there. She remembers that Mississauga West had particular comments from the mayor of Brampton, but I won’t read them into the record.

Mayor Fennell goes on to quote Dalton McGuinty’s own platform. She must have had an original copy, because you never hear about it any more. I think they buried it underneath one of those houses on the Oak Ridges moraine that they promised to stop. I see the member for Niagara Falls is here. Maybe they put it in a barrel and sent it over the falls; I don’t know. It seems to have disappeared, because all the promises have disappeared. But she quoted the Liberal platform saying, “The public should be given the opportunity to comment on any legislation of significance.... Public input is essential to good government. We will ensure that you have the opportunity to offer comments on all major bills.” End of quote. She says that that was section 5,

page 7, and it has a picture of Premier McGuinty on that particular page.

That was the campaign promise. That is what they said in the platform.

Mr. John O’Toole (Durham): That doesn’t mean anything.

Mr. Hudak: My colleague from Durham says, “That doesn’t mean anything.” Well, I think that has been borne out to be true. The member for Durham is right. What was written in the Dalton McGuinty campaign platform is clearly not worth the paper it was written on, because of yet again a broken promise.

Mayor Fennell, the mayor of Brampton, goes on to say, “The city of Brampton will participate in the Brampton hearing tomorrow morning in a manner that continues to put forward our strong case for properly balanced and fair representation in the regional municipality of Peel.”

She says that the Premier should keep his promise: “The residents of Brampton and Ontario deserve and expect what you promised.”

She goes on in Hansard to say, “That doesn’t give confidence to the residents behind me,” meaning the Brampton residents, and I think some from Caledon who were there that day, “that their remarks will be listened to, if we can’t even go a little bit into the lunch hour” to ensure that they would have about a 24-hour notice period.

Similar comments came forward from Marolyn Morrison, the mayor of the town of Caledon, decrying the farce of the committee process that the government put Bill 186 through.

Let me just go back to a little bit of background on this issue. I have yet to hear a logical and consistent argument from the government on why Bill 186 should pass. I responded to the arguments of the minister. I don’t think his arguments hold an ounce of water. My colleague from Durham says it is an issue of competence. I suspect there is a lot of truth to that, that this bill was brought forward incompetently because of so many broken promises and of broken trust, particularly because the word of the Premier was broken so many times.

In January 2004—what was this now, a year and a half ago or so; not that long ago—Premier McGuinty says Peel restructuring is not on his agenda. He had more important bills to focus on, like banning pit bulls and taking gummy bears out of the hallways of our schools. In January 2004, as I said, you’ll remember that Dalton McGuinty, Premier of Ontario, said clearly—no ambiguity here—that Peel restructuring is not on his agenda. In June 2004, Premier McGuinty says that his government will not be making any restructuring changes in Peel, so he was actually consistent for a few months there—strange, probably accidental.

Mr. John R. Baird (Nepean–Carleton): That’s a first.

Mr. Hudak: It’s a first. It was probably an accident, but he was consistent from January until June. But here it comes: July 2004, the Orangeville Banner and the To-

ronto Sun report that Finance Minister Greg Sorbara, who some people say is the real Premier—so you have both Premiers on the record here—confirmed that municipal restructuring is not on the government's agenda. In fact, he said, “It is not part of our agenda to become involved in municipal restructuring.”

Mr. Duguid: He was right.

Mr. Hudak: The parliamentary assistant said, “He was right,” but then a few months later, he did the opposite. So I don’t know if he was right in his policy or if he was right to set up the flip-flop and the broken promise. I don’t know where the values are. Was he right in the principle or was he right to break a promise? It’s hard to tell right from wrong when you look at the government’s decisions.

The Toronto Star reported in August 2004 that Finance Minister Greg Sorbara, the second Premier, “has offered to provide a facilitator” to work with Peel. The Star also reports that this is an about-face for the government. “About-face” is kind of a nicer way of saying that they broke their promise, they broke their word, they broke faith, they did the opposite of what they said they were going to do.

So we saw a couple of months of consistency, and then suddenly things turned and they said, “Heck, we’re tired of being consistent; we’ve got some promises to break here.” Dalton McGuinty and the second Premier, Greg Sorbara, decided to break the promise when it came to restructuring in Peel.

In October 2004, the Toronto Star reports that Minister Sorbara hired Justice George Adams to mediate a resolution to Peel restructuring. The Star added that Adams would try to find an in-house solution and that he would provide his report to the government. So now they’ve decided to wade in with a facilitator to address Peel restructuring, which only months before they said was not on their agenda.

In December 2004, the Globe and Mail reports that Justice Adams delivers a report recommending two more Mississauga councillors and five more for Brampton.

Justice Adams, the esteemed, respected facilitator, brings forward his report, commissioned by the finance minister, the second Premier, Greg Sorbara, and the government, in a fit of momentum and energy, sits on it for three more months, I guess to decide whether they’re going to proceed, flip-flop, break a promise. Three months later, Premier McGuinty promises to abide by Justice Adams’s report. They said they wouldn’t get involved in restructuring. They do, and then they say, “We’ll use a facilitator, but we promise”—it’s always with fingers crossed—“that we’ll abide by Justice Adams’s report,” Dalton McGuinty says.

In March 2005, Brampton Centre MPP Ms. Jeffrey reaffirms—because I’m sure she was told directly—that the Liberal cabinet position is to do nothing unless all three mayors agree. That was in the Brampton Guardian. I have no doubt that’s what she was told and she reported accurately what she was told. But the thing is, if Dalton McGuinty says one thing one day, you really can’t bet that it’s going to come true the next.

The member for Brampton Centre, other members from Brampton and members of the assembly learned that the hard way on Bill 186, when in April 2005 the Toronto Star reported that Minister Gerretsen was going to throw out Justice Adams’s report—basically crumple it up, throw it in the trash bin and impose his own Queen’s Park-based solution out of those offices at the Ministry of Municipal Affairs. He had his own idea that had not had one minute, one second, of debate at Peel regional council.

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It’s highly regrettable that we saw so many broken promises by Premier McGuinty as this bill was brought forward. That’s why, quite frankly, I think people in Peel region just can’t trust Dalton McGuinty. They can’t trust the Premier of the province of Ontario, because he has broken his promises to them so many times, even though Mississauga will be happy with aspects of Bill 186. Although Mississauga’s goal was very clear—Mississauga’s goal was to have a single-tier municipality and to exit Peel region—they saw this as a first step toward that. They were very clear, straightforward and consistent, and you can respect the fact that they were clear and consistent. But even Mississauga municipal leaders are going to have to think twice if Dalton McGuinty makes them any promises in the future, because he has broken his promises to them so many times in the past.

We have a number of letters, which we have read into the record. My colleague from Beaches—East York has read into the record direct conversations that the Premier or his staff or the minister had with municipal leaders in Peel region that assured them that they would be either abiding by Justice Adams’s report or not entering the restructuring debate at all. The promises are not worth the paper they’re written on, because they were tossed out, tossed right out at their political convenience, tossed out because, I bet you, Premier McGuinty made promises to everybody and he knew he couldn’t keep them. I don’t think he’s up to the job. This is evidence that Dalton McGuinty is not up to the job, because he has botched the Peel restructuring issue.

And it’s not just Peel. It’s not just Peel municipal councillors and municipal leaders who are going to feel this way. Other municipal leaders will follow this. They will read about it, they will talk to their colleagues from Peel, and it’s going to undermine the credibility of the Premier and the Minister of Municipal Affairs with any of these municipal leaders because they have broken their word. They intervened in this when they said they would not; they ignored a facilitator’s report when they said they would accept it; and they brought in their own solution and then rammed it through with some hearings, but next to no notice and limited hearings. They rammed it through. As the mayor of Brampton said, they had only about three hours’ notice to get on the register.

So it does undermine the credibility of the Premier and the credibility of the Minister of Municipal Affairs with any municipal leaders. And that’s reinforced by the new Dalton McGuinty funding model for municipalities,

which cuts some \$47 million from municipalities across the province, despite the fact that they said they would improve the funding situation of municipalities. In fact, they've done the opposite. We and the Leader of the Opposition brought forward case after case of municipalities that have had all of their funding removed by the new Dalton McGuinty funding model—but I digress.

We voted against this bill on second reading. We brought forward constructive amendments to do a number of things; for example, to allow the bill to be reopened if Brampton's or even Caledon's—in all likelihood Brampton's—population increased rapidly compared to Mississauga's. The minister said he was interested in that concept but they shot down every one of the opposition amendments and even those that were brought forward by Brampton itself—

Mr. Baird: Who wrote this speech?

Mr. Hudak: Me. You don't like it?—and those brought forward by the official opposition to allow the bill to be reopened. So if Brampton does grow—as your own Places to Grow document says, you are predicting a significant increase in growth for Brampton—they don't allow for a change in the seats at council when that population growth does occur. A number of ideas were brought forward through amendments, including one from Brampton itself, others from the official opposition, and each and every one of them was shot down.

We also brought forward a number of amendments to ensure that the election of the regional chair was done fairly and that there was a way to determine, if a deadlock had occurred, how that regional chair would be determined. In fact, this was an important point of contention at the committee hearings. But again, every amendment of substance brought forward by the opposition, including those from the municipalities themselves, the constituents of Peel region, were shot down by the government members. I believe that there is a risk that the election of the next regional chair in Peel will be split strictly on municipal boundaries, that Mississauga with half the numbers and Brampton and Caledon with the other half of the numbers will actually split on the next regional chair and there will be a divided council. We thought it sensible to bring forward some mechanism to determine how that would be split.

You have to wonder too about a government that would have seen right here in the gallery the deep divide that they've exacerbated on Peel council, having one mayor on one side of the gallery and two mayors on the other. Clearly this issue isn't going away. In fact, Bill 186 is going to fan those flames. So how they thought it sensible, when they see that kind of division, to divide up the council seats so it could evolve into a continued tied and deadlocked situation is beyond me. An even number of councillors, half Mississauga and half Brampton and Caledon combined, is a recipe for deadlock. You've seen the divisions that you've exacerbated in Peel, and yet you're bringing forward legislation and a distribution of council seats that's going to create a deadlocked council. It is a bizarre situation.

We also brought forward amendments—

Interjection.

Mr. Hudak: My colleague from Nepean–Carleton says he'd rather be a uniter than a divider.

We brought forward amendments that would charge the mayors with the responsibility of finding ways to balance representation by population and those needs of the rural communities like Caledon to ensure a Peel-wide solution, to forge that kind of consensus. We brought those things forward, an amendment to do just that at committee, but again it was voted down by the government members.

We also brought forward some measures to say when it would be appropriate to reopen this bill, based on the census. My colleague from the third party brought forward some recommendations to reopen the bill in a more prompt fashion, to examine the population changes and to see what happens after the 2006 election. They were sensible principles that we heard at the committee, but each and every one of them were voted down by the government members.

Mr. Duguid: Not all of them.

Mr. Hudak: There was one relatively minor amendment, part of my amendment, that was adopted. I do appreciate that. The parliamentary assistant sought me out and talked to me about that and we found the language.

Mr. Baird: He should be put in cabinet. I was embarrassed for him today, that question he had to ask.

Mr. Hudak: Nepean–Carleton says he may be put in cabinet, and that may very well be true.

I do appreciate that we did have the one amendment, however relatively minor. It didn't change the bill substantially. I do appreciate that at least that one amendment went through, but the substantive amendments that would address this issue of the election of the regional chair as opposed to an appointment, that would address the issue of a deadlocked council, that would ensure the bill would be reopened if you saw a significant population change, in the interest of fairness and the interest of consistency with your own arguments, all the major, substantive amendments were, sadly, tossed aside by the government members.

In the interests of time, I won't go through each of the individual amendments that were voted down, but they did get at these principles of reopening the act when populations change and the direct election of the chair as opposed to an appointment. Ensuring there would be no appointment of the chair of the region of Peel by an order of cabinet was an important issue that we brought forward and, of course, making sure that the council would not be deadlocked and indecisive in the future.

The Brampton Guardian and the Toronto Star, among other newspapers, are just filled with good quotes about the anger in that municipality and the disappointment in Dalton McGuinty's poor leadership.

Mr. Dunlop: And broken promises.

Mr. Hudak: And broken promises on this issue—in fact, probably so many I won't be able to get through them.

The Brampton Guardian headline: "Our Mayor Upset with the Premier." "Mayor So Upset About Regional Decision." "Fennell Wants Clarification from Premier." "Let's tell the Premier How We're Feeling." Another headline, the Brampton Guardian: "Hazel Getting Her Way at the Region." The Toronto Star had similar headlines: "Region Will Grind to a Halt"; "Mayor Fennell Worried Province may Cherry-pick Recommendations." That turned out to be true.

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In the interests of time, I won't be able to get to all of those newspaper clippings that I think have the right principle: that this was a bad decision, born out of broken promises and completely inconsistent with other legislation this government has brought forward. I think it was done to try to appease, political decisions rather than based on good policy. That has been evidenced in the fact that they rammed through the committee hearings without notice for Peel taxpayers and really only gave us a couple of hours' notice tonight.

I do hope members across will vote against this bill on third reading.

The Acting Speaker: Questions and comments?

Mr. Prue: It is a privilege to pass on a few comments. But the comments that I really want to hear are the comments from the members from Brampton Centre and Bramalea—Gore—Malton—Springdale. The people on the government side are going to have two opportunities to comment on this speech, and if I were to hear two comments, those are the two I would most like to hear. I think if we were to hear from them, you would find that they were very much in accord with what the member from Erie—Lincoln had to say here today.

I listened to everything he said. Although I often disagree with him in terms of his own party's policies, he has a pretty good grasp of the history of this issue and of the factual context surrounding this issue. He outlined what was a very sorry history on behalf of this government of promises made not only by the Premier and by the minister but promises made by members of the Liberal Party to the people of Mississauga, Brampton and Caledon, those promises that were not kept.

He talked a great deal about the rushed legislation that brought us here today. This is probably the fastest bill that has gone through this House in this particular session or in this particular government. I don't know of any other bill that has been pushed through this fast. Even those that were far more important to the government and to the people of this province have taken weeks or months longer to push through. This has been done in a huge rush for reasons that I cannot fathom or understand.

I think he has also outlined that this government has chosen to ignore the facts and the opinions of their own expert, Judge Adams, who they called, who they paid, who wrote a substantive report, and who in fact was not listened to. I don't know what is going on over there, but I'm hoping that the member from Bramalea—Gore—Malton—Springdale and the member from Brampton Centre can elucidate on it.

Mr. Duguid: I want to thank the member for Erie—Lincoln for his work on this bill. I have to admit, he showed up at all the hearings. He showed up at the hearing in Brampton and he showed up at the hearing in Mississauga. Unfortunately, his leader only showed up at the one, which I still have some difficulty with. I really think it was a slight to the people of Mississauga that his leader only showed up in Brampton and didn't have the courage to show up in Mississauga. But the member for Erie—Lincoln worked very hard on this file and he listened, I think, to all sides because he was at all the committee meetings. I give him credit for that.

The only problem is, not only did he listen to all sides, he's trying to take all sides, and on an issue like that it's very difficult to do. On the one hand, he moved a motion that would have given Brampton more seats at the expense of Mississauga, which would have made a bad situation with regard to representation by population even worse. On the other hand, he supported a motion that would have had the effect of taking seats from Caledon. You can't have it all ways; you can't have it both ways.

The member talked about political opportunism. He suggested that somehow we are engaging in political opportunism here, and I don't see how that's even possible. Frankly, political opportunism is riding the fence on an issue like this and trying to take all sides. I think the members opposite should be trying to take a position on this—take a position that stands for fairness, that stands for balance.

Finally, the member talked about being pessimistic that Peel region would be able to work in the future. I'm confident that all three of those mayors and all the regional councillors will work together and will find consensus. As a harbinger of change that I think is taking place as a result of the consensus we're trying to build, finally, after years of debate, a new \$63.5-million headquarters has just recently been approved by Peel regional council. Delays have pushed this up by \$4.5 million. This is the kind of consensus that we're trying to build and that we're going to build with this legislation.

Mr. Baird: I don't know what the heck that had to do with this bill, Speaker.

I'll talk about the speech from the member for Erie—Lincoln—as usual, well prepared and well researched. The member for Erie—Lincoln, I know, did a lot of hard work, even acknowledged by government members, on this bill. The member for Erie—Lincoln works hard on everything.

I too share his concern about the process that has allowed us to get to this bill. I agree with his comments, particularly about Dalton McGuinty flip-flopping, saying one day he wasn't going to do it, the next day he would do it, the next day he wouldn't do it. I can't keep the chain of events in order in my mind because they keep changing their minds over there. They call this caucus the cavemen caucus. I call that cabinet the cave-in cabinet because they keep changing their minds. They caved in on the adoption bill. They caved in to concerns in one municipality here. They caved in to the environmental in-

dustries on their environment bill. They just keep caving in. They caved in on the doctors, and they're caving in on the teachers. They're the cave-in cabinet. They can't take a position and stick with it because they keep caving in.

The cave-in cabinet's going to get a shuffle. It's going to be coming in a few weeks and there's good news for some of the members opposite. The member for Scarborough Centre is a good member. If the Premier's office is watching, you should put him in cabinet because he would be an excellent minister. He certainly couldn't do worse than some of the folks you've got around there.

The chief government whip has always been a minister. He should be a minister. Even Ernie Eves, after I called him a serial waffler, put me in cabinet as chief government whip. This guy works hard for you, Premier McGuinty. You should put him in cabinet too.

Mr. Bruce Crozier (Essex): It's a pleasure for me to get up for a couple of minutes on this. It's a bit odd, and we run into this in the Legislature from time to time in our responsibilities as legislators, that we're called to vote on issues that are significantly removed from us, but then that doesn't stop us from listening to the debate and determining what the decision in our mind might be.

The one thing I find strange about this is that the member for Erie-Lincoln and others have argued against representation by population. I don't know why the arbitrator, the judge, the person in this, came up with this decision that we were going to give seats to somebody in the future. That was a bit unique. I happen not to agree with that. I think you should have representation by population.

The Acting Speaker: The member for Erie-Lincoln has two minutes to respond.

Mr. Hudak: I appreciate the remarks of all my colleagues. The member for Essex says he supports representation by population, but then would he support the restructuring of Essex county based strictly on population lines? Would he support Simcoe county?

Mr. Crozier: Sure.

Mr. Hudak: He says, "Sure."

Mr. Crozier: But that's not the question.

Mr. Hudak: He says he would. Maybe they will be bringing in or he will bring in a private member's bill because he says he bases it on representation by population and says Essex county should be restructured along those lines.

I don't think Niagara region, which I represent, should be restructured on population lines because I believe you need that balance—representation by population, as well as the rural communities. You need some balance to help make decisions as a whole. My colleague from Niagara Falls here, I suspect, would not like to see representation by population. Maybe he would, but I know his constituents in Niagara-on-the-Lake would strongly object to that principle, being the sole arbiter of seats at the region of Niagara.

My colleague the parliamentary assistant likes to take these cheap shots at the leader from time to time. I guess he feels he needs to do that in order to earn points for the

next cabinet shuffle. He works hard. He's an intelligent fellow. He's been on council in Scarborough for some time. I think he's got a lot to recommend him. I don't think he needs to take these cheap shots, but if he wants to engage in the fact that the Leader of the Opposition, Dufferin-Peel-Wellington-Grey, attended the hearings in Brampton—he changed his schedule.

Mr. Dunlop: Was John Gerretsen there?

1730

Mr. Hudak: He needed to get to Renfrew, which is quite a drive, for an afternoon committee. So he was there, but I don't remember the Minister of Municipal Affairs spending one single second—

Mr. Dunlop: He must have.

Mr. Hudak: —not one single second, at the hearings. The Minister of Municipal Affairs did not sit down for one single second with the mayor of Mississauga, the mayor of Brampton, the mayor of Caledon or Chair Kolb to discuss this bill before it was brought forward; not one second. The Minister of Municipal Affairs prances out of the House before he even hears what the opposition has to say about this bill today, and the Premier, Dalton McGuinty—my God, he'll never show his face in Brampton again. I bet you that when he goes north on the 410 he hides in the back seat because he knows they don't trust him and his broken promises.

The Acting Speaker: Further debate?

Mr. Prue: I've listened to this debate with great interest. Do you know, I too was at those meetings in Mississauga and in Brampton and at all of the meetings that took place here; I listened intently over the nights of debate; I was here when the mayors were; I think I've been to absolutely everything.

I have to tell you, I've had some time to reflect on what this was all about, and the only thing that I could come up with in all my years of political life and political science was all those times back nearly 40 years ago in my first year of political science at the University of Toronto. We were handed a book and we had to read the book, as we all had to read books in those days. They weren't on computers; they handed us a book. The book itself was print, it was lovely, and it was a great book by Hugh MacLennan called *Two Solitudes*. It was printed in the early 1960s, and it was about Canada and about a family and about two brothers. They were diametrically opposed and apart. One of them was able in the end to be successful and the other one, unfortunately, who chose an alternate path, was not.

It seems to me that what we have here is that great Canadian divide being instituted between Brampton and Caledon on the one side and Mississauga on the other, one of whom is being successful because they have the ear of the minister, and the other two who are not being successful in spite of the fact that they are doing almost everything correctly.

I stopped to think about that. It's really kind of sad, what has happened to the great municipality of Peel. The two solitudes have come out in ways that must be evident to everyone. As has been said by other speakers, we sat

in this Legislature and saw over there on the government side in the members' gallery the mayor of Mississauga and her entourage, and we sat the same night and on subsequent nights and we looked in the opposition gallery and we saw the mayor of Brampton and the mayor of Caledon and their entourage. They didn't talk out in the hall, either. We had a great regional municipality of Peel that has won awards, that has done a tremendous job in terms of the people of their community, and in fact has done a tremendous job and should be emulated across this entire province. And what are we doing? We are sowing the seeds of discord. You have mayors who no longer talk to each other, communities who are up in arms and people who are saying horrible things. I have to tell you, the most gut-wrenching speech of all of the people who came before us in Mississauga and in Brampton was by the regional chairman, Emil Kolb.

Mr. Patten: Hazel McCallion.

Mr. Prue: No, Hazel gave a good speech but Emil Kolb gave the best gut-wrenching speech. He looked us in the eye and talked about the regional municipality and about what they had attempted to do over all the years that he had been involved there.

Mr. Baird: A good man.

Mr. Prue: Yes, he's a very good man. He talked about how this was causing irreparable harm to the region of Peel, and all he wanted from this government, all he wanted from the committee that was hearing him, was to do something to bring it back together, to have a fully functioning Peel government that worked as it had worked in the past, with all of its warts and all of its blemishes and all of its problems. He wanted something that continued to work. He told us, and he told us quite bluntly, that he didn't think that what you're proposing was going to work because what it was going to do, in the end, was feed into and fan the flames of those people—in Mississauga, particularly—who wanted to break up the regional municipality of Peel.

Emil Kolb is a very honest man. I had an opportunity to question him as to the veracity of a letter which he had sent out not only to the mayors but to all the members of the regional municipality of Peel. I read it into the record, and I'd like to read it into the record again, because it sets out what has gone so terribly wrong with this entire process. It's dated July 6, 2004. It was sent to the mayors and members of the regional council from chair Emil Kolb, carbon-copied to Roger Maloney, CAO, on the subject of governance. I'll quote it in its entirety, if I may be allowed to do so, because it's only one page and it sets it right out. It states:

"On Wednesday, June 30 at 6:30 p.m. I received a phone call from Ontario Premier Dalton McGuinty directly regarding the city of Mississauga's recommendations around governance restructuring.

"His message to me was clear and straightforward: The Premier and his government will not be making any restructuring changes in Peel. Premier McGuinty stated that his government had not run on an agenda of

municipal governance restructuring, and his energies are focused elsewhere—primarily on dealing with the \$6-billion provincial deficit and delivering on campaign commitments to enhance education, reduce waiting times for health care and champion clean power generation.

"The Premier stated that he had already told the mayor of Mississauga this message directly on Wednesday. Any further inquiries to the province on this or related matters will be referred to the office of Finance Minister Greg Sorbara.

"In my view, the province of Ontario has sent a clear signal to all local governments that it is committed to seeking partners who can deliver the best possible services and programs at the best value to the community. I am proud that the region of Peel is highly regarded by the Premier and his government as a valued partner.

"It is my hope that we can move forward from this point progressively to accomplish the many positive initiatives outlined in our strategic plan on behalf of Peel citizens."

It is signed by E.V.K.—Emil Kolb.

That is what the people, through their government, in the region of Peel, expected from this government. That's what they expected a year ago.

All of a sudden, things changed. I asked Emil Kolb, "Were you consulted further on this?" He was not. I asked the mayors whether they were consulted on this. They were not. I asked the regional municipal members that I could find, both in the committee and outside the committee, whether they were consulted on this. They were not.

Here we have a regional municipality that worked and continues to work and struggles to work brilliantly. But what have they been handed? They have been handed an impossible situation by a government which does not, in my respectful submission, understand this issue or what they are doing to the people of that region.

We heard a lot of people. We heard people in both of those municipalities. They were given only 10 or 15 minutes each and we were given an opportunity to listen to them and to ask a few truncated and very short questions, because there wasn't a lot of time. We ran off from one to the other. We heard as many people as you could hear in one day, because this government determined that there would be one day of hearings: half a day, the morning, in Brampton, and half a day, in the afternoon, in Mississauga, and there was a bus ride and a lunch in between. So I have to tell you that there were not a lot heard.

In Brampton, whom did we hear? In Brampton, we heard from the mayor of Brampton, we heard from the mayor of Caledon, we heard from their lawyers, we heard from some of the locals, we heard from MPPs and we heard from people, ordinary citizens. Every single person who spoke to us in Brampton—the chamber of commerce as well—every single one of them was opposed to this bill. Every single one of them. Then in the afternoon we went to Mississauga and we heard from the mayor, the locals and the board of trade, and every single one of them was in favour of the bill.

1740

This is what I'm talking to you about: the two solitudes. This is what brings me back to the book by Hugh MacLennan all those many years ago. There are two solitudes where there used to be a united region of Peel. There is now one group firmly entrenched on the side of being in favour of the government and this bill and then there is another group on the other side that is just as firmly entrenched in opposition. It is the sadness of which Emil Kolb spoke; it is the sadness of what you have done. You have isolated them just as clearly as you isolated the mayors of two municipalities in this House, one on that side and one on that side. You have isolated two communities.

Even where interests might have been identical—because what was fascinating to me were the boards of trade. You would think the boards of trade would be looking out for the best business interest and probably would sing from the same songbook and to the same tune.

Mr. Marchese: You would think.

Mr. Prue: You would think. But in these two municipalities, they had diametrically opposed views on the impact of this particular bill.

When I asked—and I asked whenever I got an opportunity and my turn came around in the convoluted structure that we have in committee as to who gets to ask a question. It would only be one person, or maybe you might get a minute. But when I asked questions of those who were able to answer them, when I directly asked the Mississauga Chinese Business Association, business people, a youth group and the mayor why they were in favour of this particular bill in Mississauga, the answer was always the same—

Mr. Marchese: Hazel.

Mr. Prue: No, no. And this should cause the government some huge grief. Think about this. Read the transcripts of why the people in Mississauga are in favour of this particular bill. It's quite clear. They all said the same thing, and it was backed up by the mayor: This is a prelude; this is a condition of separation, of secession of Mississauga from the region of Peel. They support your bill because they want to secede. They support your bill because they don't want to be part of the region of Peel. They support your bill because the extra two members it will give them will swing the balance of power and allow them to secede from the region of Peel.

I don't know whether that's what the government over there wants. If you want Mississauga to secede, you should have granted what Hazel McCallion asked for in the first place, and that's the option to go—just go and separate. But you have all said that isn't what you want. So I am at a complete loss when you recommend a bill that plays right into the mayor's hands, right into Mississauga's hands, when they blatantly and forthrightly can look me and the entire committee in the eye and state on the record—and please go out and read it—that this is a good bill because it will allow them the extra members so they can secede. How can anybody over there on the gov-

ernment side think you're doing the right thing? You talk about representation by population, but that is not what this is about. This is the prelude to secession.

I have to tell you, as a person who worked for many years in a regional government—it was Metro Toronto in those days—I think that was one of the finest forms of government that existed in this country. In fact, so many good things were done by people coming from various municipalities—in Toronto's case, it was six municipalities and the regional municipality; in Peel's case, it's three and the regional municipality—by reason of compromise. So many people came together with varying views. So many people had something to contribute. So many people used that as a forum to get things done in their community that it actually worked. It was not like this House, where you stand up and make a good speech or give out some good ideas and nobody listens. It's not like when you go to committee and make amendments and everybody nods their head that it's a good amendment and then they all vote against it. This is precise. This form of government works and has continued to work because it is a form of government that has compromise.

How can you over there think that your action is going to end up in compromise for the people of the region of Peel? It is going to end up in the complete abandonment of what we have fought for all these years in this Legislature: for regional governments that work for the people.

I have to think about Emil Kolb. I have to think about the two solitudes. But I also have to think about the arguments that were made and what we in opposition tried to do. Now, you have heard from the member from Erie-Lincoln, and his historical analysis is quite correct. He outlined what happened when we came back after listening to these people—these very well-intentioned people, these people who had an agenda, these people who had a historical process they wanted to follow.

I do not agree that the regional municipality of Peel no longer serves a purpose. I believe that it serves a good purpose in one of the fastest-growing areas of this province and of this country. They have proven that by the awards they have won; they have proven over the years that they are a government that needs to be listened to. But you know, even those who want to secede had something they wanted to say. We went into committee, quite sadly, and I tried to take some of the ideas that we heard from all of those people, no matter whether they were on one side or the other, and to put those ideas into amendments to this bill. There would have been one amendment that would have, in my view, saved this bill. All the people of Brampton and Caledon were asking for was a mechanism that, as they expand—and it won't be Caledon, it'll be Brampton—that as Brampton expands, there will be an opportunity for a periodic or yearly review. So that as Brampton goes up 30,000 or 40,000 or 50,000 people a year, as the planners are telling us is happening, as the census is telling us is happening, there is a mechanism that the people of Brampton are not under-represented on the regional municipality of Peel.

This is precisely what the learned justice had to say. It's precisely what the justice had to say. He recommended that we move the number of people on the regional municipality in a way that went from seven to eight to nine to 10 as the population increased. It was a very good recommendation, it was a sensible recommendation, and the government has refused to do what that learned judge said they should.

Mr. Marchese: Why do you think they would do that? That's the question.

Mr. Prue: No, no, no. I had to stop and think. This government and the minister and the parliamentary assistant said again today that you are following most of the recommendations of the learned judge. I have to disagree. I have his report right here. Let's just go through what some of these recommendations are. What are you following? He made these recommendations:

The first one is that Mississauga's regional representatives be increased from 10 to 12. And yes, you did that. That one you did. I give you that. Boy, you did that. That's number one.

Number two, that, "In time for the 2006 election, Brampton's regional representatives be increased from six to 11." This you did not do. He set out the entire process, how it was to be done and how the votes were to be weighted and how it was going to end up helping the region of Peel. You didn't; you chose not to do that one. That's the one you say you didn't do, but let's look at the rest of them, because they're really quite amazing.

The next one is that, "Caledon will retain its five regional representatives"—OK, which they have—but then it says, "but will commit to reduce its area council by 2009 to five representatives to create equivalent political relationships between all three area municipalities and the regional council." There is absolutely nothing in your bill that speaks to this. I don't know how you're following the learned judge. I don't know how the minister can say that. If there is something in the bill, please point it out to me, because it is not there.

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Then we go on to see, "Recommendation: The three mayors will cause and manage reviews of (1) planning, construction, operation" etc. Really, come on. The three mayors won't even speak to each other any more because of what you've done.

How do you expect to mandate them to do this and you haven't put it in the bill, nor can you force them to do it? You had three mayors who were on the best of personal terms. You had three mayors who worked together day to day, week to week, month to month within the regional council, who are now in two solitudes, one on this side and two on that side, and they cannot work together any more. So instead of doing what the learned judge says—I don't know where you think your bill is doing this, but it's not.

Then, "The reviews will be aimed at real change and guided by an acceptance of the following principles," and then it enunciates a whole bunch of principles to people who don't even talk to each other.

Then it goes on to say, "These reviews will commence within 90 days; be completed by June 2005...." We're in June 2005 tomorrow. They haven't sat down to talk at all, nor are they likely to sit down and talk if this bill is passed.

Here's another thing you're not doing that the learned judge said you are supposed to do. It says, "This timing is to ensure implementation by the 2006 budget."

Then he goes on to talk about some more recommendations, and I fail to see how this bill is going to do any of it, since you agree with all of them. The next one is, "A standing review committee should be established at the regional level to review concerns over the cost, funding and/or the quality of particular regional services." How is that going to happen when Mississauga, the new largest partner, about to become an even larger partner, has the sole goal of secession? How is this going to work? How is your bill going to help what this learned justice said you needed to do?

It goes on, "The standing review committee will have assigned to it senior officials committed to problem-solving...." I will tell you that there will be no senior officials there from either Brampton or Caledon. They must be dreaming in Technicolor if they think that Brampton and Caledon are sending their senior officials to fix a situation in which they have just been done. I can't imagine that the judge's recommendation is going to take place. I don't know how the parliamentary assistant or the minister can say that you are in agreement with these and you're getting things done. You have done everything to make sure this can never happen—never, never, never happen.

Then it goes on to say, "The standing review committee will be immediately tasked to review police services, ambulance services, the administration of the region, conservation" etc., and that it will have a similar schedule to finish in June. This is not happening because it will not happen ever, because you have poisoned the atmosphere of a region that has won countless awards for what they have done.

What are we left with? We are left with a bill that has poisoned a regional municipality. We have been left with a bill that has mayors who won't talk to each other, regional councillors who will not talk to each other and, I have to tell you, a very honest but disappointed regional chair, a man who has spent his entire life working for the region of Peel. He now sees before him an impossible situation of your creation.

I have to ask myself, why did they create this? Was this the only option that was available to them? Surely, when the mayor of Brampton and the mayor of Caledon sat down and said that they, you know—they didn't want to sit down but they agreed to. The mayor of Mississauga was talking from the outset continually, and even until today, about separation. You had the guts at one point to tell Mayor McCallion, for whom I have the greatest respect, that you weren't going to allow the separation. But then you went ahead with this bill, which actually facilitates what she wants. That's why she supports it; that's why her council supports it; that's why the people

of Mississauga support it. They told you. The member from Scarborough Centre was there. The member from Scarborough Centre was one of the five people. You heard everyone from Mississauga talk about this as a prelude to separation. You heard what they said. You cannot deny that that's what they want it for. That's what they want it for.

So then I looked back and thought, what has the minister done in similar circumstances? Then I found a letter from Fort Erie, because the people of Fort Erie want to secede from their regional municipality. I got this letter, and I couldn't believe what the minister wrote. This was received by the mayor of Fort Erie on April 1, 2005. If I could again, Mr. Speaker, and I am mindful of the time, I'd like to read what the minister wrote to the mayor and to the town clerk of Fort Erie.

"Dear Ms. Kett," the town clerk.

"Thank you for the opportunity to consider the proposal by the council of the town of Fort Erie to place a question on the next municipal election ballot pertaining to Fort Erie opting out of regional government. I have carefully reviewed the proposal.

"The provincial government's priorities are to strengthen the economy while improving health care for all Ontarians and outcomes for our students. Municipal restructuring is not one of our priorities. We do not support unilateral action on restructuring; we encourage the development of solutions that reflect the input of all affected municipalities.

"The government believes that the best decisions are those made locally and that a local solution can be found to make Niagara region work better for all constituents. I am confident that your local leadership can have constructive discussions with others at regional council leading to positive solutions on local governance and service delivery system issues within the current governance structure."

Signed "John Gerretsen."

A copy was sent not only to Mr. Hudak but also to Mr. Craitor, who is here today. You must have seen that, and you must know, Mr. Craitor, member for Niagara Falls, that this is diametrically opposed to the bill that you're standing here supporting and your government is supporting here today. You are telling the good people of Fort Erie that they cannot do what they want to break up the regional municipality, and you are assisting the people of Mississauga to do exactly that. I do not understand where this government is coming from. I don't think you understand where this government is coming from.

Mr. Speaker, is it the appropriate time? If you think so, I'm stuck, because—

The Acting Speaker: You may take your seat.

It being 6 of the clock, this House stands adjourned until tonight at 6:45.

The House adjourned at 1757.

Evening meeting reported in volume B.

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