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of Ontario
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de l'Ontario
Deuxième session, 38^e législature

**Official Report
of Debates
(Hansard)**

**Journal
des débats
(Hansard)**

Monday 28 November 2005

Lundi 28 novembre 2005

Speaker
Honourable Michael A. Brown

Président
L'honorable Michael A. Brown

Clerk
Claude L. DesRosiers

Greffier
Claude L. DesRosiers

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LEGISLATIVE ASSEMBLY OF ONTARIO

Monday 28 November 2005

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Lundi 28 novembre 2005

*The House met at 1330.
Prayers.*

MEMBERS' STATEMENTS

SCHOOL FACILITIES

Mr. John O'Toole (Durham): I rise in the House today to draw again to the government's attention the need for a new secondary school in north Oshawa. Durham region is among the fastest-growing areas in Canada. Many communities in my riding of Durham are among the fastest-growing in Durham region. However, this growth may force students in north Oshawa to travel outside local neighbourhoods in order to attend high school.

The area north of Taunton Road is hard hit by a lack of accommodation. The Durham District School Board is considering a proposal whereby some students will travel to Donevan Collegiate in south Oshawa, even though they live in the north portion of Oshawa. Donevan is the only high school with some available capacity at the moment. Other schools are also bursting at the seams.

One point that has been raised at public meetings is the need for a Liberal funding policy that would build the schools we need in the communities where they are needed. I urge this government to take action on the policy, or lack of it, for building new schools. I would especially like to urge this government to look into high school accommodation in north Durham so that students have the advantage of attending high school close to their neighbourhoods.

The McGuinty government school accommodation plan is falling apart. I urge the Premier to recognize that the high-growth areas, as well as the small rural schools like the one I mentioned last week, Hampton Junior, are not ignored at the expense of students' futures. Premier, your government's school accommodation plan is failing students. I ask you to respond as soon as possible.

AFFORDABLE HOUSING

Mr. John Milloy (Kitchener Centre): As a society, I believe we have a responsibility to recognize the importance of a decent, affordable place to live as a starting point in establishing the dignity of a human being. That's why I was honoured this morning to represent the McGuinty government at an historic official opening of six affordable housing projects in my community. The

six projects, jointly funded by the provincial, federal and regional governments, provide 244 units of affordable housing for the region of Waterloo.

Joining me in this morning's announcement were the federal housing minister, the Honourable Joe Fontana, local MPs and regional chair Ken Seiling. All spoke with great enthusiasm about our joint vision for affordable housing that is producing real results.

Last April, Kitchener Centre was chosen as one of the places to announce the new \$602-million Canada-Ontario affordable housing agreement under which Waterloo region has already been allocated over \$10 million in funding to create 300 additional units of rental and supportive housing, as well as \$2.2 million to fund 160 housing allowances.

Today's celebration, however, was about the work that has already been completed, and I want to congratulate everyone involved: our federal partners, regional chair Ken Seiling and members of his council, director of housing Rob Horne and his dedicated staff at the region, and the individual project proponents: the House of Friendship of Kitchener, Cook Homes, Cypriot Homes, Menno Homes and the Old Firehall Lofts. By creating homes for individuals within our community in need, they have done their part to recognize their dignity as human beings.

SERVICES FOR THE DEVELOPMENTALLY DISABLED

Mr. John R. Baird (Nepean-Carleton): This past Thursday evening, I had the great privilege to attend a retirement celebration in honour of Agnes Samler. For the past 12 years, Agnes has provided extraordinary leadership to the Toronto Association for Community Living. Under her leadership, the association has grown and expanded, providing a long list of services and supports to both people with developmental disabilities and their families. She has also provided provincial leadership in advocating for policies and funding for those with an intellectual disability. From closing institutions to repealing the Homes for Retarded Persons Act to a groundbreaking five-year plan that began in 2001, she has truly made a difference.

In 2001, the Harris government announced a five-year plan to expand services and supports for people in the community, from day programs to special services at home to places to live. I was pleased to see the current government complete the final two years of that program.

It is essential that the Minister of Community and Social Services get the support from her colleagues on all sides of the House, particularly the Minister of Finance, to build on the success of this initiative.

Groups in my riding such as the Tamir Foundation, the Ottawa Carleton Association for People with Developmental Disabilities, and Ottawa Carleton Lifeskills are all counting on new support. Their staff need fair wages, aging parents need the confidence to know that their adult children will be cared for when they no longer can do so, and capital money is urgently needed to repair and build new supportive housing.

Let's ensure that these quiet voices are heard. They are counting on our support. I hope our new Minister of Finance is as generous with people with developmental disabilities as the former Minister of Finance, Jim Flaherty.

UNIVERSITY SETTLEMENT RECREATION CENTRE

Mr. Rosario Marchese (Trinity–Spadina): I want to do two things with my statement: first, to congratulate the grades 5 and 6 students from Hawthorne who are here in my office watching today's statements and question period. I welcome them to witness what happens here in this Legislature. Thank you for coming.

Secondly, the University Settlement Recreation Centre, which is located in my riding, recently celebrated its 95th anniversary. The University Settlement Recreation Centre was originally called the University Settlement House. It was part of the settlement house movement that had its origins in 19th-century England, where Toynbee Hall, the first settlement house, was established in 1884. The movement spread to North America, where one of the most famous settlement houses, Hull House, was founded in 1889 by Jane Addams, remembered today as "the mother of social work." By the time the University Settlement House was established in 1910, the movement was well established in North America.

Settlement houses played a crucial role in helping new immigrants adapt to Canadian society. They offered adult education classes, worked with the children of immigrants, offered after-school recreation and initiated public health services. Many of their volunteers were university students, and social work evolved as a profession along with the settlement houses.

Today, 95 years after its founding, the University Settlement Recreation Centre continues its tradition of serving immigrants and helping them settle in this new country. Today it is a multiservice agency offering day-care, recreation and wellness programs, ESL programs—

The Speaker (Hon. Michael A. Brown): Thank you.

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SENIOR CITIZENS

Mr. Tony C. Wong (Markham): I rise in the House today to share some good news for seniors and caregivers

in my riding of Markham. Community Home Assistance to Seniors, or CHATS, and Carefirst Seniors will now be able to deliver enhanced services to seniors through the sharing of an annual \$500,000 grant from the Minister of Health and Long-Term Care.

The McGuinty government grant will fund core community services, including caregiver relief, home house-keeping, transportation, escort and interpretation, group dining and wellness programs.

What does this grant and partnership between CHATS and Carefirst Seniors mean for Markham residents? It will mean better health care and dignity for seniors from all communities, including 35% of Chinese Canadians in my riding. For the estimated 500 additional seniors expected to benefit from this alliance, it will also mean greater freedom to shop for groceries, do banking or pursue hobbies.

While the Tories chose to show a continual disregard for our seniors by hiking long-term-care facility fees without warning and removing core minimum standards of care for LTC facilities, the McGuinty government is choosing to elevate the quality of life our seniors need and deserve.

This government's grant to community-based health and social service providers such as CHATS and Carefirst demonstrates a commitment to quality care and to meeting the needs of Ontario seniors throughout our diverse cultural communities.

HEALTH CARE FUNDING

Mr. Jim Flaherty (Whitby–Ajax): I'm honoured to speak today on a critical issue; that is, the state of health care in Durham region.

First, my friend the member from Durham, the member for Oshawa and I had this driven home to us on Friday when we met at 8 o'clock in the morning to hear the report of the advisory panel to the board of trustees of Lakeridge Health Corp. making it clear to us that in one of the most rapidly growing areas in North America, Durham region, it's being ignored by the Liberal government that patient services—basic patient services—will have to be cut unless there is a renegotiation with the Minister of Health and Long-Term Care recognizing the needs of Lakeridge Health: five sites in one, not to mention the rural-urban aspects. It's a very serious issue for a district in Ontario that now has more than 500,000 people.

Secondly, the perilous situation with respect to the delayed expansion at the Ajax-Pickering hospital: There is a meeting in Whitby tomorrow night about it, because that hospital also serves part of Whitby.

Thirdly, the sad situation of access to care in Durham, which is supposed to be rolled in to this LHIN which is going to stretch from Victoria Park Avenue in Scarborough to Algonquin Park in eastern Ontario, a ridiculous situation failing to recognize the rapid urban growth in Durham region. This needs to be urgently recognized by the government of Ontario.

COMMUNITY HEALTH CENTRES

Mr. Mario G. Racco (Thornhill): Certainly the Minister of Health has responded to the city of Vaughan. My riding of Thornhill shares a portion of Vaughan and Markham. Vaughan, where I was on city council for 18 years, is Canada's 10th-largest city, with a population of 250,000 people, and is growing steadily. Needless to say, when the Minister of Health announced that Vaughan would have a community health centre by 2008, my community was very pleased.

Vaughan CHC is one of 22 new community health centres and 17 satellites across the province to help reduce wait times and provide better access to primary health care. These not-for-profit organizations have the potential to meet the specific needs of their communities with specially designed programs and specialized services. CHC teams include physicians, nurse practitioners, nurses, social workers, pharmacists and nutritionists.

There are currently 54 CHCs and 10 satellites across Ontario, serving over 300,000 Ontarians. It's expected that these 22 new CHCs and 17 satellites will serve an additional 220,000 Ontarians.

I would like to thank the Minister of Health and Long-Term Care for staying focused on our commitment to keeping Ontarians healthy. I look forward to more investments in health care in the city of Vaughan and the region of York, where growth needs additional funding.

VIOLENT CRIME

Mr. Shafiq Qaadri (Etobicoke North): I rise today on behalf of all members of this Legislature to extend my condolences to the Beckles family. Minister Gerry Phillips and I had the unfortunate duty and heavy responsibility of attending this young gentleman's funeral this Saturday. He was gunned down on the doorstep of a church, attending the funeral of a young individual who had been gunned down in the prime of his life just a couple of weeks earlier.

It was in this regard that this morning I was able to host a meeting of the Etobicoke strategy group here at Queen's Park. I'm pleased to report that in attendance with me were Ministers Kwinter, Kennedy, Cansfield and Bryant, representing community safety, education, energy and the Ministry of the Attorney General. Recommendations came forward with regard to the involvement of the school communities, corporations, faith-based communities, homework clubs and youth sports clubs—recommendations that we are acting upon, yet recommendations that leave considerable challenges. I am pleased to recognize Minister Kwinter for his announcement of 1,000 new police officers, 250 of whom will be hired here in the city of Toronto.

It's this collective action and leadership that will lead to a solution to this present problem.

Mr. Brad Duguid (Scarborough Centre): I rise in the House today to talk about the need to keep Ontario streets safe and, by extension, the need for strong law

enforcement in our communities. Our government is committed to ensuring that our province has the law enforcement it needs to ensure the highest level of community safety. That's why I couldn't be prouder that last Friday we announced the funding allocation that will enable the hiring of 1,000 new police officers across this province.

As we're all too aware, the city of Toronto in recent months has seen a rash of gun and gang violence in some of its communities. In order to help address these gun and gang activities as well as other crimes, the Toronto police department said that it needed 250 new police officers on their force. I was pleased to hear our government on Friday confirm that, indeed, Toronto will receive those 250 additional officers.

While Chief Blair has welcomed our announcement, the Leader of the Opposition, John Tory, clearly has not. This is surprising because, as we all know, Mr. Tory ran for mayor of Toronto and was once upon a time an advocate for this city. But I must say, times have changed. Instead of championing Toronto and supporting this new, bolstered police service, Mr. Tory last Friday complained that Toronto received too many officers in relation to the rest of the province. He tried to play off Toronto's allocation against the rest of the province, all but ignoring the great need for more officers to address the proliferation of gun and gang activity in the Toronto area.

Mr. Tory also complained about Ottawa's allocation of 95 additional officers, refusing to acknowledge how elated the Ottawa police and municipal representatives were with this announcement.

The Speaker (Hon. Michael A. Brown): Thank you.

VISITORS

The Speaker (Hon. Michael A. Brown): We have with us today in the Speaker's gallery a delegation from Italy, led by the president of the province of Pordenone, Dr. Elio De Anna. Welcome.

REPORTS BY COMMITTEES

STANDING COMMITTEE ON PUBLIC ACCOUNTS

Mr. Norman W. Sterling (Lanark-Carleton): I beg leave to present a report on long-term-care facilities activity from the standing committee on public accounts and move the adoption of its recommendations.

The Speaker (Hon. Michael A. Brown): Mr. Sterling presents the committee's report and moves the adoption of its recommendations.

Does the member wish to make a brief statement?

Mr. Sterling: This report follows, actually, two auditor's reports: the 2002 auditor's report and the 2004 auditor's report. In the 2004 auditor's report, the auditor

reported on the progress that the Ministry of Health was making with regard to health and long-term care in the province and, in particular, on monitoring quality-of-care issues.

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I think the committee would like to stress that notwithstanding the Ministry of Health's desire and their investigation into the status of its examination of the minimum data set—MDS—as a consistent assessment and quality indicator, the committee is still in a quandary as to how fast the ministry is really dealing with that issue.

Therefore, of the several recommendations that we made in the report, I think it would be fair for me as Chair to say that the committee would like the Ministry of Health to get on or get off the whole notion of minimum data set. This has been used by 20 other jurisdictions as a measure of the quality and quantity of service, and we feel the ministry is perhaps dragging its feet on determining and implementing this very important method of measuring the success or failure of our long-term-health-care facilities.

I move adjournment of the debate.

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

All in favour will say "aye."

All opposed will say "nay."

In my opinion, the ayes have it. Carried.

REPORT OF CHIEF ELECTION OFFICER

The Speaker (Hon. Michael A. Brown): I beg to inform the House that I have laid upon the table the 2004 annual report of the Chief Election Officer of Ontario.

INTRODUCTION OF BILLS

RESPECT FOR MUNICIPALITIES ACT, 2005

LOI DE 2005

SUR LE RESPECT DES MUNICIPALITÉS

Mr. Gerretsen moved first reading of the following bill:

Bill 37, An Act to amend the Taxpayer Protection Act, 1999 in relation to municipalities / Projet de loi 37, Loi modifiant la Loi de 1999 sur la protection des contribuables en ce qui concerne les municipalités.

The Speaker (Hon. Michael A. Brown): Is it the pleasure of the House that the motion carry? Carried.

Does the minister wish to make a brief statement?

Hon. John Gerretsen (Minister of Municipal Affairs and Housing): Thank you, Speaker. I'll wait until ministerial statements.

MOTIONS

HOUSE SITTINGS

Hon. James J. Bradley (Minister of Tourism, minister responsible for seniors, Government House Leader): I move that, pursuant to standing order 9(c)(i), the House shall meet from 6:45 p.m. to 9:30 p.m. on Monday, November 28, 2005, for the purpose of considering government business.

The Speaker (Hon. Michael A. Brown): Is it the pleasure of the House that the motion carry?

All in favour will say "aye."

All opposed will say "nay."

In my opinion, the ayes have it.

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

The division bells rang from 1354 to 1359.

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

Ayes

| | | |
|-----------------------|---------------------|---------------------|
| Arnott, Ted | Hardeman, Ernie | Phillips, Gerry |
| Arthurs, Wayne | Hoy, Pat | Pupatello, Sandra |
| Bentley, Christopher | Jackson, Cameron | Qaadri, Shafiq |
| Berardinetti, Lorenzo | Jeffrey, Linda | Racco, Mario G. |
| Bradley, James J. | Kular, Kuldeep | Ramal, Khalil |
| Brotten, Laurel C. | Kwinter, Monte | Rinaldi, Lou |
| Brownell, Jim | Lalonde, Jean-Marc | Ruprecht, Tony |
| Bryant, Michael | Leal, Jeff | Sandals, Liz |
| Cansfield, Donna H. | Levac, Dave | Scott, Laurie |
| Caplan, David | Marsales, Judy | Smith, Monique |
| Chudleigh, Ted | McMeekin, Ted | Smitherman, George |
| Colle, Mike | McNeely, Phil | Sorbara, Gregory S. |
| Crozier, Bruce | Meilleur, Madeleine | Sterling, Norman W. |
| Delaney, Bob | Milloy, John | Takhar, Harinder S. |
| Dhillon, Vic | Mitchell, Carol | Van Bommel, Maria |
| Di Cocco, Caroline | Mossop, Jennifer F. | Watson, Jim |
| Dombrowsky, Leona | Munro, Julia | Wilkinson, John |
| Duguid, Brad | O'Toole, John | Wong, Tony C. |
| Flaherty, Jim | Ouellette, Jerry J. | Wynne, Kathleen O. |
| Flynn, Kevin Daniel | Parsons, Ernie | Zimmer, David |
| Fonseca, Peter | Patten, Richard | |
| Gerretsen, John | Peters, Steve | |

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

Nays

| | | |
|------------------|-------------------|---------------|
| Baird, John R. | Kormos, Peter | Prue, Michael |
| Churley, Marilyn | Marchese, Rosario | |

The Clerk of the Assembly (Mr. Claude L. DesRosiers): The ayes are 64; the nays are 5.

The Speaker: I declare the motion carried.

VISITORS

The Speaker (Hon. Michael A. Brown): I would draw members' attention to the members' west gallery and recognize our former colleague, Doug Galt of Northumberland, who represented those fine people in the 36th and 37th Parliaments.

I would also like to draw members' attention to the Speaker's gallery and introduce to you players and offi-

cials from the Canadian national cricket team. Welcome, gentlemen.

Hon. Gerry Phillips (Minister of Government Services): On a brief point of order, Mr. Speaker, if I might, and I hope this is in order: He will more formally be introduced next week, but our member-elect from Scarborough, Bas Balkissoon, is in the east gallery.

The Speaker: Welcome. That of course was not a point of order.

STATEMENTS BY THE MINISTRY AND RESPONSES

COMMUNITY SAFETY

Hon. Monte Kwinter (Minister of Community Safety and Correctional Services): I rise today to update members on one of our government's most important community safety initiatives. The Safer Communities-1,000 Officers partnership program represents a significant investment in crime prevention and law enforcement and in making our communities safer and stronger. Together with our municipal and police partners, we are investing in the safety and security of our families and our communities.

The program provides more than \$37 million every year in perpetuity to help municipalities and police services hire 1,000 new police officers. In addition, we've extended funding for those officers hired under the previous government's program, the community policing partnership, in perpetuity. This means that every year the McGuinty government will provide over \$67 million to fund over 2,000 police officers.

Under the Safer Communities-1,000 Officers partnership program, 500 new officers are being assigned to community-based policing, such as street patrols, working with schools and traffic enforcement. The other 500 are being assigned duties related to six priority areas of serious crime, including youth crime, guns and gangs, organized crime, domestic violence, dangerous offenders, and protecting children against Internet luring and child pornography.

We will fund 400 new officer positions hired between October 23, 2003, and March 31, 2006. All 1,000 officers funded under our program will be hired and on duty by October 2007.

Our police partners responded in great numbers to this program. We based our equitable allocation formula on factors such as population, size of the police service and number of requests received. I'm glad to say that every eligible police service that applied to our program is getting funding. No one was turned down.

Last week, we informed police services of their allocations. Mr. Speaker, 940 positions under our program will receive funding of up to \$35,000 per officer per year. That's \$5,000 more per officer than they received from the previous government.

The McGuinty government recognizes the needs of the Ottawa Police Service, which provides policing for a city that last year grew by 14,000 people. Under our program, the city of Ottawa will receive 95 new officers on the streets of our nation's capital during our mandate. Ottawa Police Chief Vince Bevan said, "We could not be more delighted with this announcement by the provincial government. For years, our service did not receive its fair share of provincial funding. This announcement rights those past wrongs. Today we can all say that the city of Ottawa received its fair share." Mayor Bob Chiarelli of Ottawa said the funding will have "a positive impact on every community in the city of Ottawa."

Toronto in particular has experienced a record-high number of gun-related murders this year. This program will help the Toronto Police Service fight guns and gangs by providing funding for an additional 250 officers; 61 of those officers will be dedicated to the targeted areas of youth crime, guns and gangs, and organized crime. Toronto Police Chief Bill Blair lauded the announcement, saying, "These officers will improve my service's ability to combat guns and gangs and violent crime in the city of Toronto." The McGuinty government is pleased that more police officers will be patrolling our neighbourhoods, which is "key to public safety and building positive relationships with our diverse communities."

The McGuinty government recognizes the unique policing challenges in the greater Toronto area. To that end, police services in the GTA will be able to hire a total of 531 new officers by 2007.

Furthermore, our program responds to the special needs of our northern Ontario and First Nations communities, many of which could not afford to participate in the previous government's programs. For too many years, the voices of northerners have been ignored. It was time for a government at Queen's Park to recognize the challenges these communities faced. We are committed to growing vibrant, strong communities in the north. We brought our northern partners to the table during the design of this program and together we tailored it to ensure that it would meet their policing and economic needs. Northern and First Nations communities will receive enhanced funding of up to \$70,000 per officer per year. That's \$40,000 more per officer than they received from the previous government.

In Thunder Bay, Chief of Police Robert Herman acknowledged the McGuinty government's full support to boost their ranks. He said, "The government listened to the concerns of northern police chiefs by setting an appropriate funding formula that addresses the economic reality of our area." Commissioner Gwen Boniface of the OPP said that the Ontario Provincial Police is pleased with the increased allocation of officers to rural and northern communities: "This initiative will help achieve safe communities and a secure Ontario." Chief Wesley Luloff of the Nishnawbe-Aski Police Service thanked our government on behalf of the Ontario First Nations Police Services. He said this initiative "will allow us to put officers in dedicated positions such as community service and drug enforcement."

In closing, I would like to thank Ontario's police officers, each and every one of them, for the important job they do every day. They help keep our communities safe, and we are grateful for what they do.

Ontarians deserve to be safe and feel safe. One thousand new police officers will help make Ontario a safer, stronger province for years to come.

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MUNICIPAL LEGISLATION

Hon. John Gerretsen (Minister of Municipal Affairs and Housing): I am pleased today to introduce the Respect for Municipalities Act, 2005.

Our government strongly believes that the municipal leaders of this province lead mature governments and are our partners in public service. We have already taken many steps that reflect this belief. Recently this House passed legislation that requires Queen's Park to consult the Association of Municipalities of Ontario on matters that affect them in accordance with the memorandum of understanding that we have with AMO. We have been following through on our commitment to consult AMO with monthly meetings with the association, and the process is working well. Last year, we added a protocol to the memorandum of understanding to ensure that AMO is consulted when the federal and provincial governments are negotiating agreements that have a direct municipal impact.

Our government, for example, took an historic approach to recent discussions with the federal government on its gas tax. We enabled municipalities and the federal government to work together directly to decide the best way to share federal gas tax revenues. As a result, the city of Toronto and the Association of Municipalities of Ontario are full signatories to the agreement we reached.

The Respect for Municipalities Act is yet another way we propose to treat municipalities with the respect they deserve.

Let me give you a brief overview of the proposed legislation. The proposed Respect for Municipalities Act would, if passed, allow the province to give municipalities a new fiscal authority. It would also allow the government to move forward with the proposed legislation to give new fiscal tools to the city of Toronto.

The recently released final report of the joint task force to review the City of Toronto Act recommended that new fiscal tools be provided for the city. The report says, "Just as Toronto requires broader scope to make laws, so too does it require new tools for raising revenue and managing its financial and physical assets. Without these new tools, Toronto's ability to shape development patterns, accommodate population growth and maintain necessary social and physical infrastructure will be compromised."

In its report, the Governing Toronto Advisory Panel speaks to the city of Toronto's need for new fiscal tools as well. "It is extraordinarily difficult to realign resources and begin new initiatives, even of a very modest nature,

in an environment of severe fiscal limitations," the report says.

The proposed act would pave the way for decisions about new fiscal tools within a community to be made by that community, through the actions of their locally elected representatives.

Our proposed act is about respect for municipalities. It recognizes that Torontonians—indeed, residents of any Ontario municipality—can make decisions and hold their councillors and councils accountable, just as Ontarians do across the province on provincial measures through the House.

On a CBC Radio program earlier this month, Toronto's mayor, David Miller, said, "I have to say on the taxing front the most important part of this is we have new revenue tools that can help us meet our responsibilities properly."

In a May news release, the Association of Municipalities of Ontario called on our government to "grant municipalities access to new revenue tools to fund key services." The release goes on to say that "progress must be measured by the extent to which municipalities receive revenue sources and authority commensurate with their growing responsibilities."

The Association of Municipalities of Ontario has been of great assistance to our government as we have set out to reform municipal affairs in this province and to rebuild the trust that is so essential between the province and its municipalities for the benefit of all our residents. We are looking to AMO and the city of Toronto for valuable advice as we continue to work together to build a stronger, more competitive, more prosperous Ontario.

Our goal with this legislation is to remove one of the obstacles to giving municipalities more tools to raise revenue. Our government recognizes that Ontario's municipalities are accountable, mature governments that can ably understand, represent and address their needs for the benefit of their residents.

The Respect for Municipalities Act, 2005, is a bill that, if passed, would be a groundbreaking demonstration of how our government is committed to treating municipalities with respect. Working with our municipal partners, we can maintain a quality of life in Ontario that is second to none.

ENVIRONMENT INDUSTRY

INDUSTRIE DE L'ENVIRONNEMENT

Hon. Laurel C. Broten (Minister of the Environment): Today is Environment Industry Day at Queen's Park, an opportunity for my colleagues to meet with some of Ontario's boldest entrepreneurs and environmental visionaries and learn about this vital industry in our great province.

What an industry it is. The provincial environment sector now includes more than 2,300 companies, with more than 60,000 jobs and revenues of almost \$7 billion. They are companies like Trojan UV, which uses ultra-

violet light to treat drinking water. This technology has been adopted all over the world. Another company here today is Hybridyne Power Systems, which is improving the efficiency of wind turbines so they capture more wind energy. The potential for continued growth of companies like these is almost unlimited.

I want to thank the Ontario Environment Industry Association for organizing this day. In particular, I want to thank Mark Vanderheyden, the chair of ONEIA, and Ellen McGregor, chair of Environment Industry Day. ONEIA is a valued partner in our mission of raising awareness about the incredible potential of made-in-Ontario products and services.

In the 19th century, Ralph Waldo Emerson wrote, "Steam is no stronger now than it was a hundred years ago; but it is put to better use." There is still vast potential in the elements, it seems. Today, the same statement is true for sunlight and wind power, which indeed we are putting to better use. It is true of new fuels that will let us power our cars with a bushel of corn or heat our houses with energy from methane from an old landfill.

New environmental technologies promote the values that business loves most: They are efficient, they create markets where none existed before, they create value, and perhaps most importantly, they are sustainable. Ontario businesses understand implicitly that we have huge opportunities for growth in this sector.

Les entreprises de notre province comprennent d'emblée que les possibilités de croissance sont considérables dans ce secteur.

If government sets an example, business will rise to the challenge. Industry will find innovative solutions and technologies to meet our society's needs in this most complex and fascinating time. Of course, there's still more we can do to give Ontarians the choices they deserve—the necessary options for life in the 21st century—for our good health, the health of our communities and our province's economy.

We must continue to harness and use our expertise and experience here at home to make Ontario's economy as productive and competitive as possible. We need to share our accomplishments with others who can benefit from them by marketing Ontario's environment know-how around the world.

We all recognize the vital role of research and innovation. Of course, the Premier knows this best. He has made this a priority by establishing a ministry for this very reason, and I am proud to follow his lead and work with our partners to build and grow a culture of innovation within the environmental industry.

If Ontario is to have and keep the best and brightest minds and the highest quality of life in the world, we need to embrace innovation in every way.

Si nous souhaitons avoir et conserver les plus brillants cerveaux et la meilleure qualité de vie au monde, nous devons acquérir l'innovation sur tous ses aspects.

What's good for the environment is good for business. Companies that reduce their energy consumption help reduce air pollution and greenhouse gases while saving

millions in electricity costs. Companies that reduce packaging can cut costs by producing less waste. More and more, companies are finding that sustainability and social responsibility give them a competitive advantage.

This week in Montreal, delegates from all over the world are gathering to address the enormous challenge of climate change. I will join them next week and, as Ontario's new Minister of the Environment, I look forward to working alongside my colleague the Honourable Minister of Energy, Donna Cansfield, in bringing Ontario's message to the world.

1420

This government has undertaken a number of initiatives that will not only help to improve Ontario's air quality but will make a major contribution to Canada's meeting its greenhouse gas reduction commitments under the Kyoto Protocol.

If we have the world's best environmental industry in Ontario but we don't have the will to use it to its greatest potential, our potential is wasted. Similarly, if people want to make environmental choices but technology hasn't caught up to their dream, they will be disillusioned.

Today, on Environment Industry Day, we need to spread the word that in Ontario there is both the will and the way. We have the spirit for change and the ability to enable it.

New, cleaner technology is allowing us to make hundreds of environmentally conscientious decisions. It could be as small as buying an energy-efficient appliance or as great as replacing our coal-fired electricity with newer, greener technology. Every step is made possible by the continuous advances of the environmental industry.

I am proud to partner with the Ontario Environment Industry Association today and every day. I am proud to be part of a forward-thinking government, and I am proud to look ahead to a cleaner, greener 21st century. I want to encourage my colleagues, if they have not already done so, to find an opportunity to hear how vital the association's members are to the future of our economy and how they have and will continue to contribute to a cleaner, greener and healthier Ontario.

COMMUNITY SAFETY

Mr. Jim Wilson (Simcoe-Grey): I just want to respond briefly to the announcement made today about the 1,000 police officers by the Minister of Community Safety and Correctional Services. I just note that last Friday the minister had his eighth photo-op in two years about this announcement. Today is the ninth time he has announced that, and he falls short.

I remember sitting through seven all-candidates meetings in my riding in the 2003 provincial election, and it was pretty clear that the Liberals were going to pay 100% of 1,000 new police officers in this province. Today and last Friday, when we finally get the final details, we learn they're paying \$35,000 per police offi-

cer. Everyone knows that a police officer, fully equipped, costs over \$100,000—in fact \$109,000. So you're paying one third of what you promised the people of Ontario.

Municipalities have not seen a penny to date, including the 400 retroactive officers that this government has bragged about. I'll note that there are disappointed detachments today. In the GTA alone, York region had asked for 291 officers, and they're going to get only 100. Peel region asked for 168 officers, and they're going to get only 97. Durham region asked for 77, and they're going to get only 50. Halton region asked for 64, and they're going to get only 34. This is another broken promise by the McGuinty government. You're paying for one third of police officers rather than 100% like you promised.

MUNICIPAL LEGISLATION

Mr. Ernie Hardeman (Oxford): I just wanted to reply to the Minister of Municipal Affairs and the no respect for taxpayers act that he introduced in the House today. As we look at the bill—and this is a compendium to the bill, which says the bill proposes to “allow the province to give municipalities new fiscal authority.” The bill does not propose to directly extend any new revenue tools to municipalities. Minister, the municipalities already can administer the money they're getting. The problem is that they want more taxation ability.

Now, I just wanted to read the line from the statement that's slightly reversed. The minister read this into the record, and I'd like to read it again: “The Respect for Municipalities Act, 2005, is a bill that, if passed, would be a groundbreaking demonstration of how our government is committed to” tax and spend and now allow the municipalities to help them do it.

I think it's very important to recognize that on November 15, our leader, John Tory, asked the minister about holding a referendum if they forced municipalities to increase taxes that were not allowed under the Taxpayer Protection Act. The minister was unable at the time to answer it, but now, all of a sudden, he has realized that our leader was right: It requires a referendum. So he has decided to change the legislation so they can tax on the provincial government's behalf. I think this is wrong, Mr. Minister.

ENVIRONMENT INDUSTRY

Ms. Laurie Scott (Haliburton–Victoria–Brock): I'm pleased to stand today in response to Environment Industry Day, and also to welcome the Minister of the Environment back to Queen's Park and congratulate her on the birth of her twin boys.

I'm also pleased, on behalf of our leader John Tory and our PC caucus, to welcome the Ontario Environment Industry Association to Queen's Park today. Tonight they are holding their sixth reception at Queen's Park.

The Ontario Environment Industry Association represents almost 2,400 companies, with revenues of almost \$7 billion. Overall, our environment sector in Ontario

employs almost 65,000 people. This is a growing business sector and there are many innovative and creative solutions being put into practice in Ontario, and we, as lawmakers, should be learning more about them.

ONEIA members are at the forefront of working for a cleaner and greener Ontario. Their members are concerned with everything affecting our air, our land and our water. The member companies are concerned with pollution and waste management, renewable energy, water use and soil remediation, among other things. They provide evidence that what's good for the environment is good for business and good for the province of Ontario.

This is a government that talks about the importance of the environment, but they are often hollow words. There is a lack of real and practical solutions that help businesses to succeed. There are still regulatory hurdles and barriers to the introduction of new technology in this field. There are no incentive programs in place for businesses to adopt more environmentally sensitive solutions.

I welcome the ONEIA members who are here today and encourage MPPs to meet with members of ONEIA and attend the reception tonight. I also want to welcome Doug Galt to the gallery.

Ms. Marilyn Churley (Toronto–Danforth): I want to respond to the Minister of the Environment. I too would like to welcome her back to the Legislature and congratulate her on the birth of her twins. I'm looking forward to seeing them.

Hon. Mike Colle (Minister of Citizenship and Immigration): Be gentle, Marilyn.

Ms. Churley: I will. In fact, this is your first day back and it looks like my last day here, so I'm not going to have much opportunity to go at you; I was looking forward to it.

Ontario's environmental industries play an important role in helping us reach our desire of truly sustainable development. We have some of the best right here in Ontario, and we're very proud of the innovation they are showing us. We have numerous environmental challenges today, but perhaps none as great as those associated with climate change, as well as other environmental problems. We need our environmental industries to provide the know-how and innovation to allow us to build an environmentally sustainable and prosperous future in Ontario. We also need to have in place the kind of rigorous environmental law and policy framework that will not just see polluters meet best practices but drive polluting industries to work with our environmental industries to innovate new environmental technologies for marketing on the global level, and we know they can do that; they have proven it.

For example, it is incredible that Ontario does not have a toxic use reduction act that would make pollution prevention plans mandatory and require companies to reduce their use and emissions of toxic chemicals. More progressive American jurisdictions are doing this. Setting high standards actually drives innovation, and we must keep the bar moving to create the space for Ontario's environmental industries to prosper and grow and to take their Ontario-developed technologies to the entire world.

MUNICIPAL LEGISLATION

Mr. Michael Prue (Beaches–East York): I'm responding to the Minister of Municipal Affairs. As I listened to him today, I was reminded of the old saying attributed to Socrates. It went something like this: I would gladly be persuaded by you, sir, but not against my better judgment.

I was listening to what you had to say. This is a bill to remove a provision of a municipal referendum. That's all this bill does. It doesn't give any powers to municipalities; it just means they don't have to go out and ask for a referendum. It's a good thing they don't have to go out and ask for a referendum. I know that the City of Kawartha Lakes came out and asked for a referendum and held the referendum, and the minister said he would be bound by it. But what does he do? He ignores it. So I don't think there's much here for a municipality at all, if that is the experience they are to live under.

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What is here is not going to assist municipalities. It's not going to help them gain extra tax monies. These municipal corporations, the mayor and the councillors are going to be given very limited tools, but they're going to take a lot of flak and a lot of heat if they try to use them. The minister knows full well the difficulty of trying to raise taxes. Where the minister should be going with all of this, if he were to do it right, would be to let the municipalities not be bound by your rapacious instincts when it comes to their taxes. Minister, you know full well that the province of Ontario each and every year takes some \$9 billion to \$10 billion directly out of municipal coffers, from property taxes. You take the money for education, welfare and ODSP. You take the money for public housing and the money for child care. You take \$9 billion to \$10 billion, which municipalities had heretofore relied upon, and you use it for yourself.

Rather than your saying, "We should upload some of these services and give you a tax break," which is really what they need to have happen, you take the totally easy way out by saying to them, "You can raise taxes. You can get the public flak. We don't have to do it. We'll continue here to take the money from the side that people don't really understand is going to the province."

I think what is here is really much ado about nothing. Here is an opportunity for the minister to say that he's trying to help municipalities, AMO and all of those people who are elected to public office in the regions and municipalities, but what he's really doing is hiding behind the fact that he has the easy way out. If this government has the easy way out, they continue the download, they continue to take money from municipal coffers and in reality are doing very little to give it back.

TRIBUTE TO MEMBERS

Hon. James J. Bradley (Minister of Tourism, minister responsible for seniors, Government House Leader): I believe we have unanimous consent from all parties to speak for up to five minutes to recognize the

members for Toronto–Danforth, Nepean–Carleton and Whitby–Ajax, and for each of these three members to have a short response.

The Speaker (Hon. Michael A. Brown): Mr. Bradley asked for unanimous consent for up to five minutes for each party in respect of the three members he outlined. Agreed? Agreed.

Hon. Mr. Bradley: Mr. Speaker, if I may begin, the first thing I want to say is that none of this can be used in any election pamphlet. Second, to be fair, none can be used by any opponent. When we speak in this House, we have a certain immunity from things that happen outside this House, so we'll ask that.

The first question I ask is, why on earth would these three people—Jim Flaherty, John Baird and Marilyn Churley—want to leave a House such as this and all the good friends here? They've had a long and distinguished career. When you look at politics today and how quickly people move in and out of elected bodies, these three individuals have actually been here now for a lengthy period of time. Norm Sterling and I, probably Bob Runciman—Tony Ruprecht may not agree that it's as long as some others, but it's a long period of time and each one has made a contribution to this House.

One of the ways you judge the contribution is by how annoyed people have become with them over the years. Using that criterion, all three have distinguished themselves in this House. But we debate and we disagree in this House. I think it's because each one of these individuals has put forward a position, and put it forth very forcefully and vehemently, not only for the members of this House but to the people of Ontario. Each one of these three people has not been afraid to be labelled as "ideological." In a time when people want to be in the mushy middle, as we always say, suffice to say Jim Flaherty and John Baird would not at all be taken aback by being called "right-wing" and "ultra-Conservative." They're proud of that label and have lived that label since they entered this House. Marilyn Churley is not afraid to be called "left-wing"; I wouldn't say "socialist," but "socially democratic." That is something that's different in many Houses of assembly today: the fact that people don't want to have those labels put on. But each one of these individuals has spoken from a position of principle. Some in the society, some in this House, may disagree with what they've had to say, but all three of them have been individuals who have been outspoken on the issues which mean so very much to them and, of course, on behalf of their constituencies.

All have also served in both government and opposition, and so have a good perspective on how a legislative body works. They're an indication of the high quality of members that we have in this House. I know everybody thinks that if you make it to the federal House, somehow that's the best place in the world, but our provincial Legislatures have people who are distinguished in many ways themselves.

All three have been cabinet ministers. I notice that Marilyn Churley was Minister of Consumer and Com-

mercial Relations from 1991 to 1995. I'm trying to remember who was minister before you. I think it was—

Interjection: Peter Kormos.

Hon. Mr. Bradley: Oh, it was Peter Kormos. I know Jim Flaherty has been the Attorney General of the province; he's been Minister of Labour; he's been Minister of Innovation, Enterprise and—

Interjection: Finance.

Hon. Mr. Bradley: He's been Minister of Finance, and he's been the Deputy Premier of the province of Ontario.

John Baird has been the chief government whip; he's been the government House leader; he's been an opposition House leader; he's been a minister in several different portfolios. Both of these gentlemen have a breadth of knowledge of the provincial government. All three, again, in the debates that have taken place publicly in our society in Ontario, have made a major contribution. The issues have been advanced because they've been prepared to put them before the public in a very frank and forthright manner.

I appreciate the fact that they have taken time out of their personal lives to serve in public life. It isn't easy to do. Each of these people, as I look at them, are individuals who, outside of a legislative body, outside of the body politic, could have been very successful if they had chosen another occupation rather than being an elected representative. But each has had the public good first and foremost in mind and has made a decision to serve in this Legislature, and I'm sure each one now goes forward hoping to serve in yet another elective body. We wish them well in their personal lives.

Mr. Norman W. Sterling (Lanark-Carleton): I notice that the former speaker didn't say anything that anybody can use in any election campaign.

It's a great honour for me to say a few words about three individuals who are energetic, who have participated in the process and who represent their constituents so well. I believe that each one of them has a very good chance of victory in the upcoming federal election.

Marilyn Churley came here in 1990, and I've known her as a minister and in opposition over that period of time. No one in this House can say that she doesn't do her job. She does her job with emotion, with great energy and with a lot of drive, and works very hard at what she does. Her only mistake was that she passed up her chance at immortality, because in 1994, when she was the Minister of Consumer and Commercial Relations, I went to her on behalf of a number of golf course owners and asked her if she would consider putting beer on the golf course. She didn't go through with that, and if she had, she would have been immortal; she would have been known forever in this province. Now, she also allowed me a great opportunity to become immortal when I became the minister of that particular portfolio.

Interjection: I think the wrong member's leaving.

Mr. Sterling: John Baird is with us, and his mom Marianne Baird is with us in the gallery. Marianne, maybe you could stand up, and everybody would acknowledge you.

Applause.

Mr. Sterling: Many of us in this Legislature wish you had been here watching over your son more frequently.

I first learned about John Baird when Marianne submitted her application for his birth certificate. John always claimed that I signed his birth certificate. Actually, when I was first elected, John was eight years of age. I have got to know the family; Marianne has lived in my constituency before.

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John has been a tremendous, tremendous young star, not only for the Conservative Party but for the Legislature of Ontario. John served as president of the YPC some time ago. I can never forget Mike Harris and I going down to London, Ontario, and participating in the conference when he was first elected. He participated in campaigns and then, of course, his own campaign in 1995.

Since that time, John has occupied the riding adjacent to mine, and in 1999, when there was redistribution, John took over part of the area that I represented. I always claimed that the reason he got such a plurality was that the people thought they were still voting for me in that constituency. Not so; they were voting for John, and John has just done a tremendous job and will offer, no doubt, to the Parliament of Canada tremendous strength both as a member and perhaps as a cabinet minister in the next government.

Jim Flaherty came to me in 1995, after winning his first election, as my parliamentary assistant at the Ministry of Consumer and Commercial Relations. I immediately knew that Jim was going to be a rising star. He was going to succeed as a parliamentarian, and he was going to succeed and become a cabinet minister and perhaps the leader of our party at some future date. We know of his great success during that period of time.

Jim is blessed with a wonderful wife, Christine, who is a member of the law society as well, a lawyer, and three sons—triplets. So during his period of time here, he's not only shown his energy in what he has done here but has also shown his energy back home in taking care of his three boys: John, Galen and Quinn.

Jim, you've done a tremendous job for our party. John, you've done a tremendous job for our party here. I know you're going to do a tremendous job in the Parliament of Canada. The great part about it is that the next sojourn for all three of you will be pensionable time.

Mr. Howard Hampton (Kenora-Rainy River): It's been said our political institutions work remarkably well. They are designed to clang against each other; the noise is democracy at work. It's my honour and privilege today on behalf of New Democrats to pay tribute to three MPPs who have certainly clashed and certainly clanged on just about all the issues, but at the end of the day have made democracy work better here in the province of Ontario. I'd like to say a few words about each of them.

I remember when a certain guy named Jim Flaherty was first elected. I remember that he, as a result of a certain event that happened, where we sat all night and

the Legislature couldn't vote, and it had something to do with a member who's no longer a member, something about a bottle—anyway, Mr. Flaherty was quite upset. So he brought in a private member's bill that said that particular member and his bottle were kicked out of the House. I remember that part.

Mr. Flaherty was so upset about the procedures being stalled, delayed because, under the rules, someone refused to vote and they so equipped themselves that they didn't have to leave the chamber to go to the bathroom in the middle of the night. Mr. Flaherty brought a private member's bill that said that if you were kicked out of the House, you were docked your pay.

He was quite proud of this private member's bill, but like a lot of new members, he hadn't bothered to read the rules. So he brought his private member's bill here. He had all of the newly elected Conservative caucus vote for it and thought he was going to have this passed into law, when a bunch of New Democrats stood and denied a final vote. He was furious. He was absolutely furious. I remember he was cursing at some of us. Our response to him was, "Mr. Flaherty, read the rules." Of course, he read the rules, and he found that in terms of a private member's bill, if a certain number of members stood and denied the vote, that could happen. He was very angry that day, but let me say this about the member for Whitby-Ajax: He obviously went home that night and read the rules backwards and forwards. I don't think anyone ever caught him on the rules in this Legislature after that event.

It's unusual that somebody who was elected in 1995 would very quickly be Minister of Labour; go on from that to be Minister of Finance; go on from that to be Deputy Premier; and go on from that and run very quickly in a leadership campaign. Jim Flaherty accomplished all of those things. I think we need to recognize that in a very short time here, Mr. Flaherty has certainly made his mark.

I will never be accused of having shared many views with Mr. Flaherty, and no one would ever accuse me of having a shared political philosophy with him, but I just discovered I did have one thing in common with him: We both love to play hockey. Mr. Flaherty played at Princeton; I played at Dartmouth. I must say, I got to recognize his method of playing hockey: head up, elbows out and always charge the net. If I can say, in a parting commendation of Mr. Flaherty, I think now, with Mr. Flaherty playing right wing on the Conservative line in Ottawa, Stephen Harper may at last be able to say that he skates closer to centre ice.

Jim, we wish you all the best. You've indeed left your mark here in the 10 years that you were elected to the Ontario Legislature.

I want to say a few words about John Baird. John is another one of those people who was here, relatively speaking, for a short time. There are many of us who have been here a lot longer, yet John Baird is someone else who has left his mark. The two single events that I remember about John the most are, again, when the

Conservative government tried to force through their legislation to amalgamate the city of Toronto. Some of us dreamed up the idea of presenting 10,000 amendments—

Mr. John R. Baird (Nepean-Carleton): Fourteen.

Mr. Hampton: Eventually, it came to be about 14,000 amendments. Of course, we sat here night and day, night and day, night and day, for I think it was 10 days.

John Baird was one of those people who I think read every book on parliamentary procedure. If I remember correctly, about every hour or so Mr. Baird would be on his feet, "Point of order," pointing out why this process should be terminated and why the legislation should be allowed to proceed. John is another one who learned the rules, and learned them very quickly. As a result, he became Minister of Community and Social Services, and then finally the job that I liked most for him, Minister of Energy. I remember the day he was appointed Minister of Energy, I said to him, "Does Ernie Eves hate you?" John wasn't sure.

Mr. Baird: Oh, I was sure.

Mr. Hampton: The part that I liked the best, when he was Minister of Energy, was when the government that was going to deregulate and privatize our electricity system suddenly, on November 11, 2002, decided, "Oops. This is not going very well. We're going to completely re-regulate the electricity system." Then, in a furtherance of that activity on November 13, the Minister of Energy, John Baird, proceeded to hold a press conference in Oakville talking about energy conservation. On that particular day, that press conference—and I'll just read the coverage from the press: "A giant lizard dubbed 'Hydrozilla' taunted Ontario's energy minister today, derailing the Conservative government's stage-managed campaign to ease consumer concerns about high electricity prices and limited power supply.

"The rubber-suited monster—a creation of the New Democrats—hovered behind John Baird as he unveiled a series of initiatives to promote conservation.

"It's never too late to shut off that light," said the energy minister."

John, as you turn the lights out on this part of your political career, we again thank you for your spirited, dedicated service in this place. We wish you well, and we mean that most sincerely. You've left your mark here, and I suspect you're going to leave your mark federally as well.

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Finally, I want to pay tribute to the member from Toronto-Danforth, the NDP environment critic, women's issues critic and deputy leader, Marilyn Churley.

Energy, skill and integrity distinguish Marilyn's respected and accomplished political achievements. Over her 15-year career in this place, Marilyn has rightly earned a reputation for getting things done and has been recognized by both community and political leaders and the general public as a knowledgeable critic and advocate on a wide range of issues.

She was the first woman to be Minister of Consumer and Commercial Relations and the first woman to be

Deputy Speaker of the Ontario Legislature. She's been a strong voice for women. She's been a strong voice for health care. She's been a strong voice for arts and culture. She's been a strong voice for families. Just weeks ago, Marilyn's hard work and advocacy paid off when Ontario passed into law new adoption disclosure laws.

Most of all, Marilyn is a strong voice for the environment. She's been at the forefront of some of the most important and influential environmental legislation in the history of our province. Her Safe Drinking Water Act, designed to prevent another Walkerton tragedy, was so popular that the previous Conservative government brought in a similar bill based on her work.

New Democrats and all Ontarians who believe in what we do here and what happens in this place will miss Marilyn Churley. We will miss her commitment to the community, her dogged determination and her passion for doing right for people and the environment.

I think I can speak for other parties when I say with great confidence and conviction that I sincerely hope our loss will be a gain for all Canadians.

Marilyn, thank you for your years of service and your hard work. I say to you: Farewell, and give Paul Martin hell.

The Speaker: I am going to give each of the members—I guess “rebuttal” would be the right word.

Mr. Jim Flaherty (Whitby–Ajax): I would like to thank everyone for their kind remarks today. It almost makes me want to stay, but I won't. Don't worry about that. I will make sure I go.

It's been 10 and a half years since I was elected to this place, which still means I'm kind of a rookie compared to Bradley, Sterling and Runciman. John Baird and I have done our best to represent the caring, compassionate part of the Tory caucus here, and we're now pleased to pass the torch to Bill Murdoch and Bob Runciman, who can carry that forward for us.

I've tried to bring forward policies that would of course promote inclusion and optimism. I helped promote Canadian unity. Some of you will remember the fairness is a two-way street legislation, encouraging Ontario workers to work in Quebec back in about 1990—it helped get John Baird elected in Ottawa—privatizing the LCBO, making unions more democratic and my proposals to help the homeless. These were so popular that I would go from place to place in those days and there would be throngs, crowds of people screaming, I thought in adulation, in support of the policies. That's what my staff told me, but I understand it was not all true.

I did get calls from time to time when I was Attorney General from hardware store people, the chain stores and so on, complaints about the decline in sales of buckets and squeegees but, at another time, compliments from the food business for an increase in sales of waffles. Caplan remembers that waffle thing. I still have it in the garage if you want to use it. I should offer it to the press gallery for

the auction on Wednesday night. I still have that big waffle there.

I get asked from time to time why I ran for leader of our party, and now that I'm leaving I can be frank and open about that, I guess. I ran for the leadership because I was assured—in fact, Norm Sterling assured me—that it would heighten my stature, and I thought I could use all the help I could get. The reward I got for that leadership race was being named to a ministry that I still don't understand: MEIO or MEOI or whatever. It had something to do with travel and maybe a bit to do with exile at that time in my political career.

I have been honoured to serve in a lot of cabinet jobs, as Deputy Premier, Minister of Finance, Attorney General, Minister of Labour and other things, demonstrating my inability to hold a job for more than about 18 or 19 months during my time here. But I have strived to represent the people of Whitby always, and sometimes part of Oshawa and sometimes part of Ajax. I'm proud of our new university in Durham region, of the Durham skills centre in Whitby, the expansion to GO and the 401, the Durham Regional Cancer Centre that is under construction and the environmental protection of the Lynde Marsh—all of those good things that happened when Durham region, east of Toronto, got some attention when we were in government.

Now I'm doing probably the best thing I could do for my constituents; that is, I've figured out, watching the federal Liberals, that what you need is an election to get a lot of stuff for your riding. So I am going to resign, causing a by-election in Whitby–Ajax, which I'm sure will result in provincial Liberal largesse in the riding for the Ajax-Pickering hospital, for Lakeridge Health, get the cancer centre completed, and even, Mr. Caplan, the Durham consolidated courthouse. I'm doing all this to help my constituents.

Interjections.

Mr. Flaherty: I will accomplish more by leaving. Yes, you're right.

Obviously, I thank Christine, my wife, who was named Whitby Citizen of the Year last Thursday night, which is a great honour for her. I thank her.

As we all know, politics is wearing on the family. Our triplet sons, John, Galen and Quinn, have been terrific. They asked me whether I was taller when I went into politics. I said, “Yes, I was six feet, four inches, but it wears you down over time in this place.”

I thank the Liberal government and Dalton McGuinty for raising the issue of fiscal imbalance and convincing people that it's important to the people of Ontario, because we're certainly going to run on that in the next six weeks or so.

I will say, finally, that I recall debate in this place in 1996 or 1997, in the afternoon. I was on the government backbench and talking about something or other and I heard the usual stage whisper from the member for St. Catharines, Mr. Bradley, to Mr. Conway, who was here at that time. It was something like, “He really believes that stuff.” I can assure you that I did believe those Conservative principles then, I believe them now and I look

forward to advancing them in another place. Thank you, Speaker.

Mr. Baird: I first want to thank the member for St. Catharines, the leader of the third party, and my good friend the member for Lanark–Carleton, especially for recognizing my mother who came for a surprise visit at Queen's Park today. Norm did sign my birth certificate. Norm was elected when I was eight years old. He doesn't tell people that he first ran for this place when I was two years old. He has certainly been at this for many, many years.

It is with mixed feelings that I rise to make some comments today. A part of me is tremendously excited by a new opportunity to make a difference for my home town in the federal government, although another part of me has a certain degree of sadness on leaving this place. This job has been far more rewarding than I could ever have expected.

In government, my proudest accomplishment was working with Mike Harris, who changed politics, who did what he said he would do. That is something that I am tremendously proud of.

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I'm proud to have advocated for new schools in my riding. We will be opening the 11th new school in Nepean–Carleton on Wednesday, which is very exciting for families in my area.

I'm proud to have worked with my good friend Norm Sterling in advancing the cause of Highway 416, which was one of the only major capital projects that went forward anywhere in the province in our first term.

I'm tremendously proud to have worked very hard to see the Queensway Carleton Hospital expanded and its budget dramatically increased.

I'm also proud of our success as a government in reducing the welfare rolls, which really empowered hundreds of thousands to move from welfare to work. That is indeed something I'm tremendously proud to have worked on.

I'm very pleased to have worked on advancing the cause of people with developmental disabilities: supports for them and their families. This probably has been the most rewarding part of my professional life. I was pleased to have attended an event with that community with the Minister of Community and Social Services just the other day.

I'm looking forward to going to Ottawa with my friend Flaherty, though I hope the sojourn we're on together is less of a career-limiting move than the last sojourn that we undertook. The member for Whitby–Ajax always likes to remind me that I am, in the history of the Commonwealth, the first associate minister where there was no minister or ministry. People would say, "Who is the minister?" and I would say, "Well, there isn't one." They would say, "Who is the former minister?" "That would be me." And never call the party leader a serial waffler. A good lesson.

I wish my leader all the very the best in the months ahead. He continues to have my respect and admiration. I look forward to working with him in the years to come.

A special word to the Premier, who represents the riding beside me: I genuinely look forward to working with you in the months ahead for the benefit of the people of Ontario. A new government in Ottawa won't be the solution to every problem, but I think it will bring a constructive approach to begin to address some of the many challenges you have rightly campaigned on throughout the province.

I look forward to working with my colleague Ms. Churley, the member for Toronto–Danforth. I look forward to working where I'm going to be spending a lot of time, with the junior member for Ottawa West–Nepean. I've been stalking him at community events in his riding throughout the last six months. I look forward to working with him.

I want to thank all my colleagues in caucus, who have been a tremendous privilege to work with. I want to thank everyone at the table whom I've had a growing relationship with over the last 10 years, all those around Queen's Park who make this such a tremendously privileged place to work, and I thank those in the public service for their support over the years. I've been blessed by having a very supportive riding association and executive, now led by Rich McDonald.

I want to give special thanks to my staff over the years. I've been very fortunate to have an outstanding group of men and women in support, especially my good friends Chris Froggatt and Cara Salci, who will embark on this new journey tomorrow. I'm also pleased that Matt Gibson, one of my former staff, is with us here in the House today.

Most importantly, I want to thank tremendously the people of Nepean and the people of Nepean–Carleton for the great privilege they have given me to serve them. I will be eternally grateful. Thank you.

Ms. Marilyn Churley (Toronto–Danforth): I just have to rebut or say something in response to the member for Nepean–Carleton. Because of his government, I was able to save 11 schools in the east end of Toronto from closure that you guys were trying to close down. Because of you guys, I don't have to go out and buy especially warm clothes for a winter campaign, because of the warm boots and warm jacket and scarf and mitts and everything I bought for all the winter protests and strikes and everything that went on under his government. So I'm well prepared for this winter election.

I want to make sure I don't forget to acknowledge some people who are here today who are very special. The first person I want to introduce to you is Bill Boertjes, who is sitting here and who is my birth son, who inspired the years of bringing adoption disclosure bills before this House. I'm glad that he's here today, and I do want to take this opportunity to thank the minister for bringing forward the bill. I want to thank the delay in the election in Ottawa for keeping us here so I had the opportunity to stand on my feet and vote for it. I want to thank all of you who supported me over the years, and particularly to the government for making it a reality. It's a nice legacy for me to leave. Thank you for that.

I also want to introduce Louise Moran, who is sitting there, and has been with me for a number of years in my constituency office; Jasmyn Singh, who is my executive assistant; Manna Wong, who has worked with me since I was elected, is in China—her father is ill; and Christine Kemp—all incredible staff. We all know in this place that it's our staff who make us look good every single day. I want to thank them for all of their hard—except for George Smitherman, of course. It's always about George. But I think we would all agree that it's our staff who make us seem as smart as we are—some days. Even they, on other days, just can't do it for us.

I want to also mention my daughter, Astra Crosby, who could not be with us today, and my grandchildren, her son James and my stepgrandchildren, Savana and Kiern, who do not get to see me nearly enough, because we all know how hard we work in this place and in our communities. My family, I'm sure, like everybody here, are very special to me, and without them we could not do what we're doing. I owe my family a lot of thanks for putting up with me and being there for me whenever I need them; and to my partner, Richard, as well.

I'm not going to say too much. I just want to take this opportunity, first of all, to thank all of the staff in the Legislative Assembly: the table officers; the Clerk's office; Mr. Speaker, all the staff who work under you; the media; the broadcasting people; the cleaning staff; the cafeteria staff; all of the parking attendants—and I could go on and on. They're all tremendous. I've been able to form warm, personal relationships with many people in this place from all walks of life over the years. We all appreciate what you do for us on a day-to-day basis. I am going to miss you very much, and I want to thank you for all of your support over the years and always being there whenever I had a question. Sometimes I didn't like the answer from the table, but thank you, all of you.

I also want to thank all of my colleagues here. Some of you are newer to me, some older, and I mean that in both senses with some of you. Again, we are on different sides of the House. Something that people don't know, usually, when they see us sparring every day—and I admit, I can be as good as the best of them for being partisan and sparring, and I'm sure you're glad to see the back of me; admit it. But I will miss you. I've learned a lot in this place; I've learned from each and every one of you. We all bring something to this place, and even though we differ in our approaches and our politics, I can say about every single person here that we're all here for the same reason, and that is to serve our constituents.

That leads me finally to my constituents in Toronto–Danforth. When I first was elected here, it was called Riverdale, then the name was changed to Broadview–Greenwood and now it's Toronto Danforth. I do want to say to them that it's been an absolute honour to be elected handily for four elections in that riding. The faith that people have put in me has been truly appreciated, and I'm honoured by it. I want to say to those constituents, I will be just on the other side of Coxwell; I won't be that far away. All of the accomplishments I have achieved that you hear people talking about, I did

not achieve alone, as none of us do; it was through working in partnership with my constituents in Toronto–Danforth, just a tremendous community that is welcoming to all. Although we haven't always agreed on approaches to everything, we've always been up front and honest with each other, and have always been able to work together to achieve what is best for our communities. So I say to them in particular, thank you for putting your faith in me. It's been a real honour to have worked with you for 15 years as your MPP.

With that, I say that I'm very excited about the next journey of my life, and I'm hoping to have dinner with Jim Watson in Ottawa; he's already invited me. And maybe we can go for a run together or something, or a skate.

Mr. Speaker, it has been an honour and a privilege to have served in this place for 15 years. Thank you very much.

Hon. Mr. Bradley: On a point of order, Mr. Speaker: I would seek unanimous consent to have question period last its full one hour.

The Speaker: Mr. Bradley has asked for unanimous consent for question period to run the full one hour. Agreed? Agreed.

1510

ORAL QUESTIONS

PUBLIC HEALTH

Mr. Robert W. Runciman (Leeds–Grenville): In 15 minutes, you may want a motion for reconsideration.

My question is to the Premier. Premier, do you think it's appropriate that taxpayer dollars are being spent to distribute crack cocaine kits in Toronto, given that half of all homicides in the city, according to Toronto police, are due to gangs fighting over this illegal drug?

Hon. Dalton McGuinty (Premier, Minister of Research and Innovation): I know that members of Mr. Runciman's party have raised this issue in the past, and we've been very clear that that is fundamentally an issue to be decided by the municipal government of Toronto.

The member will know that we are making tremendous efforts to help grapple with the crime issue as it presents itself, especially in the city of Toronto. But again, that particular issue falls within the purview of the city of Toronto itself.

Mr. Runciman: Premier, we've obtained a so-called harm reduction kit that's being handed out now by the Queen West Community Health Centre in downtown Toronto. These are the very centres to which you gave a \$14-million funding increase in your first budget. This kit is a step-by-step guide for crack cocaine addicts, complete with a crack pipe and detailed instructions on how to smoke crack; condoms; and a list of helpful hints, which include

“Pay your bills before you score.

“When doing sex work, try to make your money before you get high, and

“Clean your crack plate regularly.”

Premier, why are Ontario taxpayers being stuck with the bill for enabling illegal drug use?

Hon. Mr. McGuinty: To the Minister of Health, Speaker.

Hon. George Smitherman (Minister of Health and Long-Term Care): Before the honourable member comes to the conclusion that community health resources are involved in that, I believe we need to take a good, hard look at public health dollars and their application.

Long-standing debates have taken shape in the city of Toronto and, more recently, in Ottawa related to the reduction of transmission related to drug use. This is a challenging discussion. It's a discussion that occurs very regularly in the neighbourhoods where I live, and it is where we attempt to strike the balance between those circumstances related to drug use and the impact on communities, which we know is very, very severe; and the recognition as well that drug addiction is not simply a matter of criminal justice and application in community, but it's about health needs and health risks of individuals who are engaged in those risky pursuits. Accordingly, we attempt to strike a balance, and harm reduction has been part and parcel of that.

Mr. Runciman: The minister's response seems to be supportive of the Toronto drug strategy advisory committee to have the city of Toronto "expand ... harm reduction outreach strategies including the provision of equipment to support safer use of substances ... in particular, people who use crack cocaine."

Minister, if this report is adopted by the city, the money would come from Toronto Public Health, which is funded 65% by your government. Already, at least one community health centre in Toronto is using taxpayer-funded budgets to help distribute crack pipe kits to addicts.

Can you guarantee to us today that not one more cent of taxpayer dollars will be spent on distributing these kits, and further rule out any taxpayer dollars funding any initiative by the city to fund these kits? Will you give taxpayers that commitment today?

Hon. Mr. Smitherman: As the honourable member himself has concluded, by the nature of the way that he asked the question, we have no certainty that there are any provincial dollars involved in those things. I've said before that Public Health has been an important provider of those services and, of course, the city of Toronto contributes quite a lot of additional resources to Public Health capacity.

I could tell the honourable member that we follow very, very closely the discussions that go on in a variety of jurisdictions. We've seen that in Ottawa, and we've seen that in Toronto. In this Legislature, twice in the last number of weeks I've been able to be very clear to you and to your colleague the opposition critic for health that, with respect to the city of Toronto's drug strategy, this is designed to generate a conversation that is taking place at the city of Toronto. Of course, like all of the discussions related to public health, we're following it very, very carefully.

COMMUNITY SAFETY

Mr. Robert W. Runciman (Leeds-Grenville): Again, to the Premier: The Toronto Police Service says that half of all homicides in the city are related to gang warfare over crack cocaine. Now we see that taxpayer dollars are being spent to distribute crack pipes to addicts. Police in our cities have been stretched to the limit this year with a record number of gun-related murders, many of which are tied to fights over crack.

What is the sum total of your response? Eight photo ops announcing new police officers that won't be fully hired until the fall of 2007. Premier, why haven't you moved with urgency to get more officers on our streets? Why has it taken over two years to get to this point?

Hon. Dalton McGuinty (Premier, Minister of Research and Innovation): I know that the member will be very much aware of the multiplicity of initiatives that we've taken that will enhance enforcement-related issues within the city of Toronto itself. He will know that we've also invested in programs designed to attack some of the causes of crime. So our support for the city of Toronto, in particular, when it comes to addressing criminality, goes far beyond just putting more police on the streets, but we are very proud of that initiative.

We have made a very significant announcement. The city of Toronto itself will now benefit from a tremendous number of new police officers, because we believe in front-line enforcement, and we think that the people of Toronto are entitled to see more police patrolling their streets.

But again, our initiatives, when it comes to addressing crime issues within the city of Toronto, are much more, as the member himself well knows, and they've been underway for a great deal of time now. They extend far beyond the issue of putting more police on the streets themselves.

Mr. Runciman: There have been 71 homicides in Toronto this year. The majority of those homicides involve a gun. On Friday, we saw your minister make a long overdue announcement about the 1,000 new police officers, which you promised over two years ago, but now they're not going to be fully hired until October 2007.

Between 2000 and 2003, the former government increased the number of training spots for new police recruits by 100%. Now, if you are truly serious about getting these police officers on the streets today to help fight the violent crime which our communities are experiencing, why haven't you moved to immediately increase the number of training spots at the Ontario Police College to get the officers on the streets now?

Hon. Mr. McGuinty: To the minister.

Hon. Monte Kwinter (Minister of Community Safety and Correctional Services): I'd like to respond to the member's question. He should know that, as part of our program, we have provided funding for 400 officers that have been hired since October 23, 2003, going forward to March 31, 2006. Many of those 400 officers have already gone through the police college. Others are

already in the process of going through that police college. That is why we've provided this funding in that manner: to make sure that we have the ability to provide the training for those officers so that by the end of our mandate in 2007 we will have had all of those officers go through the police college, and they will be on the streets, serving the people of Ontario in the way that they should.

Mr. Runciman: We know it has been two years, and there's another two years to go. While you've been dithering, criminals have been acting, and people, especially young people, have been dying. You and your justice ministers were missing in action during a summer of death in Toronto, and now, over two years late, you announce 1,000 cops. But just wait: They won't be in place for another two years.

The reality is that you've been reducing recruit numbers at the Ontario Police College over the past two years, and if you'd kept your promise from day one, you could have had 1,300 new officers on the streets today.

Premier, communities have waited through eight press conferences over two years to see action on your policing promise. Why do they have to wait another two years?

Hon. Mr. Kwinter: You should know that this program was a campaign promise. Then we had to do something that you didn't do; that is, get it right. We consulted with our police partners. We consulted with municipalities. We came up with a program that addresses the real concerns of policing in Ontario. We've provided 400 officers who have been hired since October 23, 2003. We provided funding of \$70,000 per officer for 60 spots in the north.

1520

We've also made sure that we redressed some of your inequities. To give you a perfect example, in your community policing partnership, you provided 22 officers to the city of Ottawa—22. We have provided 95. The reason for that is that your program somehow or other suited your purposes and didn't suit the purposes of the people of Ontario and the police services in Ontario.

SCHOOL SAFETY

Mr. Howard Hampton (Kenora–Rainy River): Premier, last night, Citytv held a town hall meeting to raise the issue: What has gone wrong in our schools? Community activists, parents and youth all say that the Safe Schools Act should be scrapped, that it disproportionately affects minority youth, that it is unfair to special-needs students and that it throws at-risk students out of school and into the streets, where they really get into trouble. Even your own Ontario Human Rights Commission has found that the Safe Schools Act is unfair and discriminatory. My question is, why hasn't the McGuinty government scrapped the Safe Schools Act?

Hon. Dalton McGuinty (Premier, Minister of Research and Innovation): I'm very pleased with the announcement recently made by the Minister of Education which, for the first time, puts some reliable data before all of us with respect to actual numbers and the

actual impact of the safe schools legislation. Now that we have that information before us, we can take the time to properly consider the best way to move forward.

But there are a couple of principles that are really important that guide us as we move forward. The first principle is quite simply this: We believe that Ontario students have the right to a learning environment that is safe and free from unreasonable interruption. At the same time, we believe we've got a responsibility to ensure that those students who are removed from the classroom because they constitute some compromise to the safety of the other students or constitute an unreasonable interruption to the learning experience of other students have continuing learning opportunities.

Yes, we've got new information, we've got reliable data, but those are the principles that will guide us as we move forward.

Mr. Hampton: The Premier talks about information as if it's new. The Human Rights Commission had that information available over a year ago. The Human Rights Commission pointed out that expulsions and suspensions have gone through the roof since the Safe Schools Act. The Human Rights Commission pointed out that black youth, for example, were being unfairly targeted, that special-needs students were being unfairly targeted. That information has all been there.

In fact, I want to quote someone who said: "We find out that this bill is one of the thinnest pieces of legislation that could possibly be there, a fundamental exercise in disrespect for the education system, for parents, for students, for anyone truly concerned with safe schools." Do you know who said that? Your own Minister of Education said that over two years ago.

So the information has been there. The studies have been there. Why haven't you scrapped the Safe Schools Act?

Hon. Mr. McGuinty: To lend some accuracy to the information supplied by my friend opposite, there was some data collected relating to the city of Toronto alone, but this new information related to data from across the province that is brand new. The information related to the impact it has had on some of our students suffering from learning disabilities is also brand new.

I say to the leader of the NDP, we understand that there are some real issues connected with this legislation. Hearings are taking place as we speak. We want to collect the appropriate information. We now have reliable data. The only issue is, what is the best way to move forward? If there are specific recommendations that the member wishes to table with us, I say with the utmost sincerity that we'll be more than pleased to receive that advice.

Mr. Hampton: There too the Human Rights Commission and other bodies have come forward with lots of recommendations: First of all, scrap the Safe Schools Act and set up fully funded alternative programs for all suspended and expelled students: second, restore the youth outreach workers who were cut, the guidance councillors who were cut, the attendance councillors who were cut,

the social worker positions that were cut. Those have all been taken out of the school system. You've had advocates from Toronto's black communities come to you and say these things need to happen.

I'm left to ask the Premier, when the Human Rights Commission has told you this is wrong, when your own information tells you this is wrong, when you've got people coming forward saying, "This is the way to move," what's left to consult on, Premier, other than to dither and delay?

Hon. Mr. McGuinty: Again, you won't be surprised that I take issue with what is offered by my friend opposite. We have been doing a few things along the way. In fact, we've been accused by some of being much too activist in the field of public education since we earned the privilege of serving Ontarians as their government. For example, in our high schools alone we have now hired another 1,300 new teachers, including guidance councillors, and a very big part of their responsibility is to help kids stay in school. It's to ensure that they find success within the traditional school environment. So we are not sitting on our hands; we are working hard. We've made investments, and now we're taking the time to ensure that we get the next step right, as we protect the rights of students in school and the rights of students to ensure that they continue their learning opportunities.

NUCLEAR WASTE

Mr. Howard Hampton (Kenora-Rainy River): Premier, last month you announced a \$6.5-billion deal with Bruce Power to refurbish an unreliable and very expensive fixer-upper nuclear plant. You must know that nuclear plants create lots of high-level toxic nuclear waste, and the waste remains a potential health hazard, safety hazard and security hazard for many thousands of years. Premier, since you want to generate more nuclear waste, can you tell ordinary families across Ontario how much more highly toxic nuclear waste your Bruce deal will generate and where you are going to store it?

Hon. Dalton McGuinty (Premier, Minister of Research and Innovation): To the Minister of Energy, Speaker.

Hon. Donna H. Cansfield (Minister of Energy): Thank you for the question. As you know, the issue for waste management belongs within the federal government and the nuclear stations have been providing the dollars that are appropriate for the storage of that. There is now a detailed analysis that has been done by the waste committee, and that report has gone forward to the federal government.

Mr. Hampton: It's interesting how the McGuinty government, when it wants to blame the federal government, always finds them a handy target, and when it wants the federal government to take responsibility, they're always a handy target.

We know, however, that according to reports, Darlington may also be generating a lot more nuclear waste. In

its recent report, "Choosing a Way Forward," the Nuclear Waste Management Organization said there are basically two possible nuclear waste storage sites in Ontario: the Canadian Shield in northern Ontario or a swath of non-shield areas in southern Ontario like London, Hamilton-Niagara, Windsor-Sarnia and land that stretches from Kitchener-Waterloo to Barrie. So before the McGuinty government generates more nuclear waste, will you be straight with ordinary families across the province and tell them where you are going to store the nuclear waste? Will it be in the north, or will it be in the south?

Hon. Mrs. Cansfield: It is my understanding that each option was found to have distinct advantages, but none perfectly met all of the objectives that the citizens said were actually important. This again has gone on to the federal government and it is under their jurisdiction. Those decisions will be made in the near future.

Mr. Hampton: It's interesting that the McGuinty government now wants to say this is all federal, but just a short while ago the Minister of Natural Resources, your colleague, was in the Globe and Mail, where he said, "We don't like the idea of nuclear waste coming to northern Ontario." So far, Saskatchewan, Manitoba and Quebec have already said no to nuclear waste. So, since you're quite willing to comment, or some of your ministers are quite willing to comment, I'm going to ask the McGuinty government again: Tell ordinary families where the nuclear waste will end up. Will it be Atikokan, Terrace Bay, Chapleau, Kenora? Or will it be London, Hamilton-Niagara, Windsor-Sarnia or Kitchener-Waterloo? It seems to me that before you start going down the road of generating more nuclear waste, you should tell the people who are going to look after the nuclear waste for thousands of years.

1530

Hon. Mrs. Cansfield: It would be helpful if the member would identify that the Nuclear Fuel Waste Act actually requested that the committee examine three options. Those three options were deep geological disposal in the Canadian Shield, storage at nuclear reaction sites and centralized storage. That was their mandate. They came back and indicated that none of these options perfectly fits all of the requirements of the criteria of the act. They have now gone forward and sent that report to the federal government, and it may be that the member is not particularly pleased with the fact, but it is a federal jurisdiction. There is a mandate, there is an act and there have been consultations that have been taking place right across this province.

HOSPITAL FUNDING

Mr. Jim Flaherty (Whitby-Ajax): My question is for the Premier, and it concerns the critical state of health care in Durham region, part of which I represent. Premier, what we did in the Conservative government was bring together the five hospitals in Durham region, which was done not without difficulty. We brought them together primarily into Lakeridge Health. Lakeridge

Health is unique in the province of Ontario because it has a rural component that is substantial and an urban component that is substantial. It is also a multi-site hospital. There is no other hospital in this province that has that description.

They caused a report to be done that was released on Friday, a report of the advisory panel to the board of trustees of Lakeridge Health by independent people. It paints a rather startling story. What it says is that, unless there is a renegotiation between your Ministry of Health and the hospital, patient services—basic patient services—must be reduced. Surely, this is not acceptable, Premier. I ask you to read the report and commit to a response to the report, within a reasonable—

The Speaker (Hon. Michael A. Brown): The question has been asked, Premier?

Hon. Dalton McGuinty (Premier, Minister of Research and Innovation): The Minister of Health.

Hon. George Smitherman (Minister of Health and Long-Term Care): I appreciate the honourable member's question. I would say a couple of things that I think are important. We have lots of work to do there, no doubt, but I think it's important to note a couple of things. Firstly, Lakeridge Health has received more than \$24 million in base budget adjustment, in a positive sense, since our government came to life. I'd like to remind the honourable member that when he was part of a government, Lakeridge actually saw a significant reduction in their budget. That hasn't occurred under our government. In fact, we've also offered stable, multi-year funding.

With respect to his assertion that Lakeridge is an anomaly in terms of its blend of hospitals, this is not entirely accurate. There are many multi-site hospitals that are serving both urbanized and rural areas. Associated with that is the JPPC work that I'd like to comment on in the supplementary.

Mr. Flaherty: I had asked for at least a commitment to read the report and respond. You'd think that the minister or the Premier would at least have the decency toward the people of Durham region to say, "Yes, we'll read the report, and yes, we'll respond to it within a reasonable time." Instead, do you know what they're doing? They have this idea of a LHIN. Do you know where a LHIN for central eastern Ontario is going to go from? From Victoria Park Avenue to Algonquin Park. They can't even get organizational meetings together because of the huge distances involved.

Let me say this: There's going to be a by-election in Whitby–Ajax after I resign. The Ajax–Pickering hospital has been waiting for their expansion money from this government. The community has raised the money. There's a public meeting in Whitby tomorrow night, because that hospital serves Whitby as well. My question is: When will we see the money from the provincial government to match the money raised by the good people of Ajax, Pickering and Whitby? Where's the money?

Interjections.

The Speaker: Minister.

Hon. Mr. Smitherman: Oh, and we ask, when will the members of that party stand in their place and, for once, represent accurately the circumstances? The circumstances represented accurately are clear: In the dying days of your government, that honourable member and others, many of whom are no longer here, ran across the province of Ontario with their great big rubber cheques and promised the people of Ontario, in community after community, resources that they knew could not be available. We have made an unprecedented \$5-billion investment in expanding hospital capacity in this province.

With respect to the issues mentioned and the multi-site capacity, our government is working through the JPPC to make sure that the smaller hospitals in these multi-site organizations that this government introduced to the province's health care are appropriately considered so that we can define core services to give confidence to the people of Ontario that those small sites will live on and will prosper.

GREENHOUSE GAS EMISSIONS

Ms. Marilyn Churley (Toronto–Danforth): I have a question for the Premier. While the UN conference on climate change began today in Montreal, Canada's international climate change file is cluttered with the train wrecks of failed federal Liberal policy. In their infamous red book in the 1993 election, the Liberals promised to reduce CO₂ emissions to 5% below 1990 levels by 2000. But under their watch, CO₂ emissions have increased by over 20%. Your government too is failing Ontarians in similar fashion to your federal cousins. Last month, the David Suzuki Foundation said that Ontario does not have a climate change plan. The question is, when are you going to get it together and introduce a climate change plan for debate in this Legislature?

Hon. Dalton McGuinty (Premier, Minister of Research and Innovation): To the Minister of the Environment.

Hon. Laurel C. Broten (Minister of the Environment): As I indicated in my earlier remarks, the Minister of Energy and I very much look forward to attending that conference next week. Climate change is a real threat to the environment and to human health, and it certainly knows no boundaries. Our government has been, and continues to be, supportive of the federal government's decision to ratify the Kyoto accord, and we have signed an agreement with the federal government to address climate change. We have contributed our ministry's expertise to the federal government and are working along with other provinces to ensure that we develop a system to report greenhouse gas emissions. Most significantly of all, the commitment by this government to close our coal-fired generating facilities is one of the most significant contributions being made with respect to emissions of greenhouse gases in the country.

Ms. Churley: With all due respect, I asked the Premier a question about a climate change plan, not an

air quality plan. The David Suzuki Foundation knows that you broke your promise on closing the coal plants by 2007. But closing coal plants is different: It doesn't mean you have a plan for climate change.

Manitoba does have a plan. They have set targets beyond the federal targets aiming to reduce their greenhouse gas emissions by up to 18% by 2010 and up to 23% by 2012. Manitoba is boldly setting targets and introducing energy efficiency programs like the Power Smart residential loan program, while Ontario has no plan whatsoever. Minister, I want to ask you again, will you introduce a plan, a real plan, for debate, including emissions reduction targets?

Hon. Ms. Broten: Certainly, the issues with respect to climate change are being specifically met as we close our coal-fired plants. It is somewhat surprising that the member indicates that there is no effect with respect to greenhouse gases, when closing our coal-fired plants will reduce the emissions of greenhouse gases by 30 million tonnes a year. That's a significant commitment with respect to the effect of greenhouse gases.

Other steps that our province has taken with respect to clean air in this province: Air quality is intrinsically linked to greenhouse gases. They both affect the quality of life here in our province. Our government has worked very hard to ensure that we will continue to have a healthy life in Ontario, and the Minister of Energy and I very much look forward to being part of the discussion and debate next week.

1540

COMMUNITY SAFETY

Mr. Jim Brownell (Stormont–Dundas–Charlottenburgh): My question is to the Minister of Community Safety and Correctional Services. In the recent by-election in Scarborough–Rouge River, one of the issues raised by constituents as being of paramount importance was community safety. This is also a concern for the people in my riding of Stormont–Dundas–Charlottenburgh. Although the problems we face, taken as a whole, aren't nearly as severe as those in other jurisdictions, they are real and weigh heavily on those who live in communities like Cornwall and Akwesasne.

On Friday, you announced the details of our government's Safer Communities-1,000 Officers Partnership program. This program will, as the name implies, see 1,000 more police officers patrolling our streets. For this, I commend you. The people of this province have indicated that security is one of their top concerns, and you have addressed this.

Having more officers on the street is beneficial, but that does not address some of the specific concerns afflicting the communities of this province. Minister, can you tell me how this announcement will affect our organized response to specific issues like domestic abuse and dangerous offenders?

Hon. Monte Kwinter (Minister of Community Safety and Correctional Services): I thank the member

from Stormont–Dundas–Charlottenburgh for his question. Not only are we funding 1,000 officers, but there were criteria for how those 1,000 officers were to be allotted. What we did was make sure that 500 of them would go to community safety. That's looking after street patrols, working with schools and looking after other areas like traffic enforcement. The other 500 addressed six key areas that we had identified, and that was important. When the police services across Ontario submitted their applications, they had to indicate how they were going to address those concerns that are important to us and, more importantly, important to the people of Ontario. I can tell you that when it comes to domestic violence, when it comes to dangerous offenders, those are two of the criteria that we have. It isn't just the—

The Speaker (Hon. Michael A. Brown): Supplementary.

Hon. Mr. Kwinter: I'll wait till your supplementary.

Mr. Brownell: Knowing that there will be more police officers on our streets will certainly make people feel safer as they walk those streets, and knowing that some of these officers will be directly focusing on concerns such as guns, violence and domestic abuse will certainly make citizens sleep better as well.

Crime prevention is an issue we all agree must take precedence. People want to feel that their government is protecting them. Unfortunately, due to perception, circumstances and the occasional negative portrayal of police in popular culture, specific groups often feel they are singled out by our officers. In my community, as in many others across Ontario, this is often youth. It is essential that our police forces dialogue with our youth, making them aware of the responsibilities of police officers while simultaneously learning the concerns of our young people. Minister, can you explain to us how this program will address this issue?

Hon. Mr. Kwinter: Again, when we designated how we wanted these officers placed, of the six target areas, two of them had to do with youth crime. The other one is guns and gangs. I can tell you that police services across Ontario have taken this to heart.

I was at a meeting this morning with our member from Etobicoke North, where we had an incredible group of people—the police, the religious community, the faith-based community and community workers. We took a look and said, "We have to interact with our youth. We have to get to the issues, not only to be tough on crime, but to be tough on the causes of crime." That is something that we are working on with our police partners and our community partners to make sure that we deal with this problem, which everybody acknowledges is very serious and which we have to make a concerted effort to solve.

LOCAL HEALTH INTEGRATION NETWORKS

Mr. Cameron Jackson (Burlington): My question is to the Minister of Health. Last Thursday's announcement about the future of LHINs and CCACs has raised sig-

nificantly more questions than you were able to answer last week. The media have reported concerns about the downloading of health care costs to these new entities.

In a management board document, management board actually expressed similar concerns about your plans. In fact, the document confirms that unaccounted-for in your year two costs were \$25 million to \$50 million in severance costs; \$7 million to \$14 million in additional legal costs; \$15 million to \$24 million in wage harmonization costs; and, perhaps the most stinging indictment, questions about the request not including a realignment of funding for ministry regional offices whose functions will now be taken over by LHINs.

Minister, we in this House would simply ask you if you would please come forward with a more detailed costing of what this plan is going to cost. Clearly, there are hundreds of millions of dollars over the next two years that are unaccounted for in any of your public statements or correspondence. When will we, the media and the public get those answers?

Interjection.

Hon. George Smitherman (Minister of Health and Long-Term Care): Oh, I thought you were going to answer the question for me. Those answers—

Mr. John Yakabuski (Renfrew–Nipissing–Pembroke): At least he'd answer it.

Hon. Mr. Smitherman: You're not even in your seat. You're not supposed to heckle at me like that.

I think the answer is pretty clear, because the answer was provided last week. Local health integration networks are coming to life, and of course there are costs associated with the construction of that structure, but we've already been achieving offsets against them. The best example I can point to is that more than \$20 million in costs related to district health councils are not being borne this year. Accordingly, those dollars are a beginning point of the contribution toward the cost of the local health integration network structure.

It's crucial that we deliver on the award system in our province by creating more capacity for community engagement in health care decision-making. Last week, I answered to the honourable member's leader that all of the costs associated with local health integration networks will be dealt with from within our government's current allocation. The allocation for the cost of local health integration networks can be found in this year's estimates. I believe we've answered quite on the point on all of those questions that were raised.

Mr. Jackson: I was very clear to indicate that there are only a few months left in this year, and we know about the \$10 million to \$20 million that you've allocated just for the LHIN conversion. I'm talking about the \$100 million that you've left unaccounted for next year.

The media are also expressing concern about your downloading of accountability for health delivery in this province because of your preference for non-elected, appointed persons, in particular as it relates to CCACs. Here's what your own documents that you tabled in this House on Friday say: "That CCACs would select their

own members and directors under the provisions of the Corporations Act"; "The Corporations Information Act would not apply to the CCAC..."; "... the requirement for a community advisory council would be repealed." It goes on: "CCACs would no longer have to provide audit and annual reports..."; "The minister would have the power to order the specific transfer of assets"; and you "would not be entitled to compensation," at the discretion of the minister.

Minister, these are serious questions. How is it that you can move the delivery of community-based care from—

The Speaker (Hon. Michael A. Brown): Thank you. There must have been a question there.

Mr. Jackson: How can you justify that as community service?

The Speaker: Minister.

Hon. Mr. Smitherman: You sure are confused.

In the year 2000, that member was part of a government that robbed the community of community care access centres, that took away from the community the right to appoint people who were involved in the coordination of delivery of some of those most essential community-based services.

The legislation, Bill 36, that is before this House, if passed—and I recommend it to members—will restore community responsibility for community care access centres. This is fulfilling an important commitment to drive health care to the community level, where people from the community are much better able to help make decisions about which local priorities must be supported.

Accordingly, this is not about debt. The member used the phrase "downloaded accountability."

Interjection.

Hon. Mr. Smitherman: Yes. Actually, Leah Casselman did. It's nice to see that you're using a phrase that they use.

No one around here pretends that we're not responsible for health care. We're very, very keen to do our job well. Accordingly, we want people from the local community to exercise important decisions so that at the ministry, at the head office, we can exercise our more strategic objectives better than they have been so far.

SECURITIES INDUSTRY

Mr. Michael Prue (Beaches–East York): My question is to the Minister of Government Services. On Wednesday, just before the Paul Martin government announced that it would not tax trusts and would cut the tax on stocks that pay dividends, trading in many income trusts and dividend-paying stocks became much heavier than usual. Experts say there's only one possible explanation for this increase in trading, and that is that investors clearly knew about the government plan. Al Rosen, a respected forensic accountant, said, "Clearly, there was a leak."

The Ontario Securities Commission is responsible for investigating corporate malfeasance; in turn, they report

to you. Can you tell us, is the OSC investigating this apparent case of insider trading?

Hon. Gerry Phillips (Minister of Government Services): First, I'd say that I have complete confidence in the Ontario Securities Commission. It's an organization with an impeccable reputation and with a new chair of the OSC in whom I have an awful lot of confidence.

The member will know that they are clearly an arm's-length organization. You would know that, clearly, a minister would not be in any way involved in whether or not they are conducting an investigation. I have complete confidence in them. They properly monitor their markets on an ongoing basis, and I will leave that decision, frankly, in their hands.

1550

Mr. Prue: Mr. Minister, this is the same OSC that cleared Conrad Black. But the Americans seemed to find out a great deal of information to lay charges.

The people out there in Ontario, the people out there in Canada, have seen huge amounts of money exchange hands just before a government financial announcement, and it looks bad. They are asking themselves the questions—and this is not my question to you—“Was there a leak? Did insiders profit? Did well-connected Liberals' friends benefit in any way?” Canadians need to know what happened. The minister won't say if the Ontario Securities Commission is investigating. You won't say that today.

Can you at least tell the House, and this is my question, did anyone in Ontario's finance ministry at least notice the suspicious surge in income trust trading, and if so, did they pass that information on to you and to the OSC?

Hon. Mr. Phillips: The member, I think, should know, and if he doesn't I'll just make it clear again, that I do not get involved in any direction of the OSC. They are an independent organization.

I would say to all of us that the Ontario Securities Commission is well regarded. They monitor the markets on ongoing basis, and I have complete confidence in them that they will take whatever steps are appropriate. If there are any steps necessary, they will take them. The securities commission is well regarded, well respected in monitoring the markets, operating at arm's length from government interference, and would I hope that the members of the Legislature would not want it any other way. I hope the member is not suggesting that there should be political interference in the Ontario Securities Commission.

TRUCKING INDUSTRY

Mr. Peter Fonseca (Mississauga East): My question is to the Minister of Training, Colleges and Universities. You recently announced a new trucking apprenticeship program for the province of Ontario. This being such an important industry for Ontario, and vital to my great riding of Mississauga East, where we have many logistic

companies, we want to ensure that we have highly skilled and well-trained people operating these trucks. Apprenticeships are an excellent way to learn from an experienced person who knows the skills that these apprentices will want to gain. I'm glad the McGuinty government is dedicated to increasing apprenticeships across the province and raising the profile of apprenticeships to show how important they are to the prosperity of our province.

Minister, can you please tell my constituents and the rest of the people of Ontario how this program will work and how it will improve the trucking industry and enhance apprenticeships throughout our great province?

Hon. Christopher Bentley (Minister of Training, Colleges and Universities): I'd like to thank the member from Mississauga East for his advocacy on behalf of the trucking industry, of which I know a substantial part is located in his very riding. In fact, just the other week, I was pleased to announce the new tractor-trailer commercial driver apprenticeship, a voluntary apprenticeship program that provides 52 weeks of training—12 weeks of mentored training and 40 weeks of on-the-job training. In what areas? It will be in the areas of trip planning and equipment safety. It will be in the area of safe planning of the trip itself. It will be in the areas of the customs and other regulations that truckers have to face day in and day out.

The fact of the matter is that driving a large tractor-trailer is a profession, and we finally recognized that it is a profession with this great apprenticeship. It will ensure more drivers who are better trained, and that's good for the industry and good for Ontario.

Mr. Fonseca: Minister, as we all know, trucking has become of vital importance to Ontario's economy. The Minister of Training, Colleges and Universities has just outlined to all of us the new government initiative on voluntary apprenticeship programs to teach novice truck drivers not only the rules of the road but also the requirements of shipping goods across the border. With an increase in just-in-time shipping, we need to make sure that truck drivers have those essential skills.

Minister, can you tell us about the importance of keeping our trucking industry going?

Hon. Mr. Bentley: I think I should refer this to the Minister of Transportation.

Hon. Harinder S. Takhar (Minister of Transportation): I would like to thank the member from Mississauga East, my colleague from Mississauga. I want to also thank Minister Bentley for taking the leadership role in developing the truck apprenticeship programs.

Roughly about \$1.2 trillion worth of goods moves on our highways, and \$700 million worth of goods crosses the borders every year, so this program is really important for the trucking industry, which plays a very important role in our province.

How can it help? Let me just say, (1) it will give new people who want to enter this industry exposure to the industry; and (2) it will help us improve the skills of the people. There is already a shortage of those people in the trucking industry. So I think this is a vital step in the right

direction, and we look forward to working with training, colleges and universities to promote this great initiative.

NURSE PRACTITIONERS

Mr. Norm Miller (Parry Sound–Muskoka): My question is for the Minister of Health. Minister, we have some very effective nursing stations in the Parry Sound–Muskoka area. In fact, at the present time, there are some five nursing stations operating. They are providing quality primary health care close to home for the small communities they serve.

My question is regarding sustainability. Will you ensure that the nursing stations in the Parry Sound–Muskoka area are funded at a sustainable level to ensure their continued successful operation?

Hon. George Smitherman (Minister of Health and Long-Term Care): What I will undertake to do, with some assistance from the honourable member, is take a closer look at their current circumstances and try to assess what it is that leads to the question. I don't have more information at hand, but I'd be very happy to work with the honourable member to try to come to such a conclusion.

Mr. Miller: I appreciate the minister's willingness to work me.

Minister, I raise the question because of concerns with the current funding, particularly with the Whitestone and Rosseau nursing stations. In fact, the municipality of Whitestone has recently passed a resolution in support of sustainable funding.

I'd like to point out that these are very successful. In fact, Whitestone and Rosseau each serve about 3,000 residents year-round, tripling to some 9,000 residents in the busy summer season. Most people have their needs looked after right in the nursing station, which helps lower demands on the rest of the health system.

But they currently have an unsustainable situation. The danger is that we will either lose nurse practitioners—the nurse practitioners will quit—or we'll face reduction in services. I know they are facing some deficits, and I would appreciate the minister looking into this situation which is very important to the residents of Parry Sound–Muskoka.

Hon. Mr. Smitherman: I think the honourable member presents these as a very viable option in smaller communities. We're proud of the investments that we've been able to make to sustain more of that kind of community-based primary care resource, and accordingly we'll work to take a look at it.

The honourable member did mention funding with respect to nurse practitioners, and I thought it would be helpful to apprise the House of a change that we recently made. Over a period of time, different programs were put in place to assist in funding nurse practitioners, and we have ended up in a situation where provincial programs were supporting nurse practitioners at three different salary levels. I just want to confirm for the House that in the last few weeks we've been able to make progress, and

we've levelled out those salaries in a fashion that makes less competition among roles for nurse practitioners, at an additional cost of about \$2.4 million but addressing an irritant that had been there for the Nurse Practitioners Association of Ontario.

So I will, as I said in my earlier answer, seek to work with the honourable member to get an answer that is satisfactory to him and to the local community.

CHILD POVERTY

Mr. Michael Prue (Beaches–East York): My question is for the Minister of Community and Social Services. The National Child Poverty Report Card for 2005 quotes our Governor General, Michaëlle Jean, who said, and I'd like to quote her because it's an important quote: "While all children are born equal, they don't have all the same opportunities to flourish.... Nothing in today's society is more disgraceful than the marginalization of some young people who are driven to isolation and despair."

Minister, the 164,000 children whose federal baby bonus you continue to claw back are the same children at risk of violence and poverty as they grow up. The Governor General said, "We must not tolerate such disparities." My question to you is, why do you tolerate that disparity?

Hon. Sandra Pupatello (Minister of Community and Social Services, minister responsible for women's issues): I appreciate once again the opportunity to state on the record the amount of work our government has done to, in fact, help children who are in poverty. Very specifically, from the first budget of this government and on, we have moved that yardstick forward every time.

1600

As I've said in the House previously, I think the member opposite is genuinely concerned about the plight of children who live in poverty in this province. I also think that because of that, he should be voting with the government on every one of these initiatives. In fact, his history has been exactly the opposite. So while I appreciate that you have an opportunity to ask these questions, when you see that the government is moving in a positive direction, like releasing every new increase for the NCB since we took government—to date, that's a \$37-million investment in families for these children, for the very children that you speak of, but you voted against that measure. In so many ways, like the increasing of all of the agencies that assist children—in particular, children in poverty—you again voted against that measure. So while I appreciate your asking these questions, I insist that you, on behalf of these same people, vote with the government on these items.

Mr. Prue: I will vote with your government when you have the good grace to do what Manitoba has done, what New Brunswick has done, and end the clawback. If those have-not provinces can do it, surely Ontario can do it, and when you ask for my vote then, you'll get my vote then.

Minister, the report goes on to say that provincial governments have “a critical role to play by ending clawbacks.” Their recommendation is clear: Stop provincial clawbacks for social assistance recipients.

Madam Minister, another question—and I want you to talk about the clawback: When are you going to keep your pre-election promise to end the unjust clawback, as the Premier said in the days and weeks leading up to the election?

Hon. Ms. Papatello: Once again I'd like to take this opportunity to welcome this member who asks these questions to join us as we speak to our federal colleagues about closing the gap between what often will go from Ontario to support our colleague provinces. Our position is yes, to help our colleague provinces, but in the area of federal government assistance to social services, unfortunately we have fallen behind. For that very reason, we don't have the same opportunities that New Brunswick or Manitoba—some of the examples you use—have to continue to do more and grow by leaps and bounds. We do struggle with that.

The member opposite is fully aware of the kinds of increases this ministry has seen in just the last two years. The member has to understand how remarkable that is. Despite a deficit that we walked into, which was a surprise to all of us, we have still managed it to help the vulnerable on virtually every front—

The Speaker (Hon. Michael A. Brown): Thank you. New question.

HEALTH SERVICES

Mr. Bob Delaney (Mississauga West): My question is to the Minister of Health. People in Mississauga know all about wait times for health care, and that's why we're so encouraged about the new MRI facility in Mississauga. We in Ontario have gone from being laggards to being leaders in addressing the wait time for key medical procedures. For about a decade and a half, Ontario's wait times got longer and longer, and finally people are seeing how the end of an era of confrontation and a long-term investment in people and facilities are making a real difference.

Ten years ago, the Tory election platform said the fact that cancer patients can be trapped on waiting lists for months at a time is a crime. The real crime was the lack of fortitude and the lack of will to move forward by the previous government.

Minister, our government recently helped to announce the new MRI machine at Trillium Health Centre. Can you tell me how this and similar announcements will reduce wait times for my constituents in Mississauga West?

Hon. George Smitherman (Minister of Health and Long-Term Care): I appreciate so much the chance to answer the question from the hard-working member from Mississauga West. His concern for health care is deeply noted. It relates to the people of Mississauga, not just to the most local of his hospitals at Credit Valley, but also at Trillium Health Centre.

I think it's well known by now that our government's investment of about a quarter of a million additional procedures is resulting in reduced wait times in a variety of areas, and MRI really stood as one of those most necessary opportunities. Our government's increase of 42% is meaning less waits for people. At Trillium, in addition to the installation of a new MRI, which will give them an efficiency boost of about 1,200 additional scans per year for the same operating dollars we had, we've been able to make an investment in more hours at Trillium Health Centre, which has resulted over the last couple years in almost 2,000 additional MRI and CT scans. These things, taken together, mean lower wait times for the people of Mississauga who depend on Trillium Health Centre.

Mr. Delaney: That's the kind of action that my western Mississauga constituents have been waiting for for far too long. It's the kind of progress that my constituents in Mississauga West want to hear about from me when I'm in their living rooms and at their doors and at their kitchen tables.

I'd like to ask you about another aspect of our government's wait time strategy. As a former Web developer, I was intrigued when you announced our government's new wait times Web site. I was impressed when I went on the site and I could see for myself, for the first time, what wait times are really like at hospitals across the province. The type of disorganization and mystery that my constituents were dealing with before, when they were just trying to get access to key medical procedures, was simply not acceptable.

Minister, could you tell me more about how this Web site fits into the broader plan of our government's new wait time strategy?

Hon. Mr. Smitherman: At the heart of our initiatives and our desire to renew medicare in this province is a fundamental recommitment to accountability. Romanow said it was the missing sixth principle. You can't claim to have a well-functioning public health care system if people are not given access to information in a fashion that is easy for them to digest, and health care is sometimes presented in a very complex manner.

I know that Ontarians have benefited, because we've had close to half a million hits on this Web site in the short period since the Premier brought it to life, and it will be updated every two months. But at the heart of it is the fundamental principle that we must do a better job of informing people about what's actually going on in their health care system. It is, after all, a system that belongs to the people. Accordingly, making information available to them in a timely way and in an easier way to access will help to make people more informed and will enhance the quality of the public debate as relates to health care in this province.

HYDRO RATES

Mr. John O'Toole (Durham): My question is to the Minister of Energy. An article entitled “Seniors Left in the Cold” was recently published in the Sun, on Novem-

ber 25. It says, "There is a little house in this little town a few clicks down the road from Port Perry where the lights were out for over a month, where the furnace no longer ran and where the old couple" were living in the cold and in the dark.

I was certainly disappointed when I looked into it. Our constituency office has been working with this family. The Pedzikowskis are both in their 80s. He's a former prisoner of war in Germany. She'd been a seamstress for many years. He was a volunteer fireman for 35 years.

Minister, is your energy policy for seniors and people on a fixed income one where we're going to leave them in the cold and in the dark?

Hon. Donna H. Cansfield (Minister of Energy): I thank the member for the question. I would have appreciated it if the member had given me a call, and I would have personally helped him with this particular situation. However, having not heard it until now, I would still welcome the opportunity to work with you to resolve this.

I can tell you that both the local distribution companies or utilities and the gas companies have policies in place to help people with low income or modest income. They certainly have policies where they do not shut off hydro or gas. They have opportunities, either self-identified or working with utilities, to resolve these types of issues. As I indicated, I would be more than happy to work with the member on this particular issue.

Mr. O'Toole: Thank you very much. I will avail myself of your assistance on this file.

I'll just report to you that "Hydro One spokesman Daffyd Roderick, speaking generically, said it is a 'long and slow process' that leads to the eventuality of a consumer's power being turned off, but he would not talk specifics" without release of privacy information.

I am very interested. What their dilemma came down to was that charges and late charges on a bill were initially \$4,000 outstanding, but after some negotiations, it turned out to be \$1,700.

Minister, I'm pleased that you've agreed to work with me on this file. But the clear message here is that each of us as members have serious concerns during the winter and the cold weather to work with you, Minister. I appreciate the co-operative nature, and I will be calling you on these files as they are brought to my attention.

1610

Hon. Mrs. Cansfield: I say to the member and to all the members in the House that if you do have an issue of this nature, I would welcome the opportunity to work with you, and I encourage you to phone my office immediately so that we can work with the local utilities or gas companies to resolve these types of issues.

I can say that this was a Hydro One issue; it was resolved and it was restored. However, having said that, I should also inform you that Hydro One has a program where they've been working with Canada Mortgage and Housing to look at low-income and modest-income folks, where they have been replacing windows and doors and

doing the ceiling and furnaces for up to \$3,000 to \$4,000 on a qualifying home.

I repeat to all of the members: If you do have an issue, I encourage you, please, to get hold of my office as soon as possible.

AFFORDABLE HOUSING

Mr. Michael Prue (Beaches-East York): My question is to the Minister of Municipal Affairs and Housing—I squeezed this one right under the wire. As you know, I spent a couple of nights in Jane-Finch, as you have spent a night in Moss Park. What I witnessed there, I think you also witnessed: poverty, despair, mice and cockroaches, 40-year-old appliances and leaky roofs.

You make announcement after announcement. There was even one today for Kitchener, which we welcome. But what about the people who live in the pre-existing houses? Parkdale has put you down as a nominee for the slum landlord of the year. I have to ask you, what about the properties for which you are responsible? Will you commit to finding the \$224 million necessary to do the fundamental repairs that the city of Toronto is asking for for the existing housing stock?

Hon. John Gerretsen (Minister of Municipal Affairs and Housing): Let me first of all say that I welcome the question from the member, because I know much work has been done and much more work needs to be done. Certainly, the condition of the existing public housing stock is an issue for all of us. That is precisely why we have already started the discussions some time ago with the federal Minister of Housing to make sure that as the mortgages get paid down, as the debentures get paid down on the public housing stock that was built 30, 40, 50 years ago, the additional amount of money that isn't required any more for those mortgages will be reinvested in the repair and upgrading of those housing units.

We are working with the federal government on that. I agree with the member that it needs to be done, because everyone in Ontario deserves to live in good, adequate housing. That's something we're aiming toward. We've done an awful lot already, but there's a lot more work to be done.

Hon. George Smitherman (Minister of Health and Long-Term Care): On a point of order, Speaker, let me correct an impression that may have been left during questioning from the honourable member from Leeds-Grenville.

The Speaker (Hon. Michael A. Brown): Are you going to correct the record?

Hon. Mr. Smitherman: Yes. With reference to the discussion which went on related to the distribution of safe crack kits, I confirm that those have been available for six years.

Interjections.

The Speaker: Order. Order. Pursuant to standing order 30(b), it being past four of the clock, I'm now required to call for orders of the day.

ORDERS OF THE DAY

FAMILY STATUTE LAW AMENDMENT ACT, 2005

LOI DE 2005 MODIFIANT DES LOIS EN CE QUI CONCERNE DES QUESTIONS FAMILIALES

Resuming the debate adjourned on November 23, 2005, on the motion for second reading of Bill 27, Bill 27, An Act to amend the Arbitration Act, 1991, the Child and Family Services Act and the Family Law Act in connection with family arbitration and related matters, and to amend the Children's Law Reform Act in connection with the matters to be considered by the court in dealing with applications for custody and access / *Projet de loi 27, Loi modifiant la Loi de 1991 sur l'arbitrage, la Loi sur les services à l'enfance et à la famille et la Loi sur le droit de la famille en ce qui concerne l'arbitrage familial et des questions connexes et modifiant la Loi portant réforme du droit de l'enfance en ce qui concerne les questions que doit prendre en considération le tribunal qui traite des requêtes en vue d'obtenir la garde et le droit de visite.*

The Speaker (Hon. Michael A. Brown): The member for Niagara Centre.

Mr. Peter Kormos (Niagara Centre): I'm pleased to have the opportunity to complete my comments on second reading of this bill. I regret that there is some real time pressure, and I similarly regret that the government is inclined to want to see this bill passed with haste when, in fact, the bill is very problematic. New Democrats are very clear in that regard.

I know the cheap political shots that, from time to time, the Attorney General has made, along with other government members, with respect to the Arbitration Act, 1991, an arbitration act that was supported by all three political parties in this Legislature and that had its origins, as we know, in a national effort to basically harmonize arbitration legislation from province to province. It's far from the first arbitration act that this province witnessed or experienced.

Indeed, as I had occasion to explain to you last time I spoke to this, we had, like so many other jurisdictions, utilized the 1889 British Arbitration Act as the standard, as the legislative source—not of arbitrations, because understand that you don't need legislation to have an arbitration. In fact, the very language of the Arbitration Act confirms that. You can have arbitrations without any government legislation, and quite frankly, to the extent that this bill is an effort to control or eliminate faith-based arbitrations, I tell you that the bill does nothing to eliminate faith-based arbitrations. There will be faith-based arbitrations whether this bill passes or not; make no mistake about it. The Arbitration Act, of course, is about the enforceability, by the public courts, of an arbitrator's decision.

Perhaps we should revisit the comment that was made about the Arbitration Act of 1991 by author Robert M. Nelson in *Nelson on ADR*. The Arbitration Act, 1991—that's the Howard Hampton bill which is the law now—an act about which all of us should be very proud, those of us who were here in the Legislature, of all three political parties who supported that bill. Nelson says, at page 148:

"The Arbitration Act, 1991 is a marked improvement over the previous act which had been in force in Ontario for almost 100 years. Its enactment, coupled with the International Commercial Arbitration Act of Ontario, means that the province of Ontario has implemented legislation which enables it to take its place as a jurisdiction friendly to domestic and international arbitrations. The act has many important features, and arbitral tribunals are given many important powers. The act codifies many common law principles and in doing so clarifies the role of the court in overseeing the arbitral process."

There's Nelson, an expert in the area of alternative dispute resolution, saying that. What did the courts say about it? Mr. Justice Blair, in the decision of Ontario Hydro and Denison Mines Ltd. had this to say, and that's the 1992 decision in the Ontario Court (General Division). Mr. Justice Blair said:

"The Arbitration Act, 1991 came into effect on January 1, 1992. It repealed the former Arbitrations Act, RSO 1980, c. 25, and enacted a new regime for the conduct of arbitrations in Ontario. This new regime is more sophisticated than that of the former act and more consistent with international commercial arbitration practices. It is designed, in my view, to encourage parties to resort to arbitration as a method of resolving their disputes in commercial and other matters, and to require them to hold to that course once they have agreed to do so."

This bill creates a new regime that is, as I've indicated, neither fish nor fowl. The Arbitration Act, 1991—the act in effect now, the act which is amended by this bill—in section 2 very clearly anticipates areas of law which may not be suitable for arbitration: binding arbitration, arbitration that's enforceable by the public courts. Take note of what Nelson says in his book, *Nelson on ADR*, on page 143: "The public interest requires that the ability of the parties to agree on arbitration be limited. Some matters are not suitable for arbitration, e.g., criminal charges, marriage and divorce, public health and environmental rights, constitutional guarantees, etc."

Here's an expert on arbitration, along with other forms of dispute resolution, stating the obvious: that some areas of disputes are not suitable for arbitration. That's what New Democrats say. New Democrats say that the fair, the just, the meaningful response to concerns around faith-based arbitration of family law matters is to simply utilize section 2 of the Arbitration Act, as Quebec did, and exclude family law matters from the Arbitration Act. This government doesn't do that. Rather, this government, I say to you and firmly believe, has made a bad situation worse.

1620

Those with a libertarian perspective, those who are concerned about the intrusion of the state in matters which should be purely private, should be very concerned about this bill. Those who are concerned about justice when it comes to family law adjudication should be very concerned about this bill.

Last time we spoke about this bill I read to you comments by Owen Fiss on the reality that you don't get justice in a private dispute mechanism; you get justice in a public court applying public law. That court is pre-occupied, however imperfect it might be from time to time—I mean, that's why Nelson talks about the unsuitability of certain areas for arbitration, like constitutional matters, like environmental matters, like marriage and divorce, like criminal charges.

It was fascinating, a fantastic discovery for me, to learn that an author, Derek Roebuck, has written a book on ancient Greek arbitration. He also wrote one on ancient Roman arbitration, for that matter. He's talking about arbitration in Greece before Christ, BC. This is a summary of what ancient Greek arbitration consisted of. I'm quoting from Roebuck and his book *Ancient Greek Arbitration*—Oxford, The Arbitration Press, 2001. This is Greece, over 2,000 years ago:

"If the parties chose to submit their dispute to private arbitration, then throughout the arbitration they had almost unlimited freedom of choice. By their agreement, they controlled the subject matter in dispute, the selection of arbitrators, the limits of their jurisdiction, the rules of procedure, and even whether they should decide the issue according to the law or should determine it according to their sense of fairness, or more likely expediency, of whatever they thought was best for the parties. The Greeks took it for granted that the parties had control over their own private process of dispute resolution. That is one conclusion that appears to be universal throughout the period.

"That has two elements. First, the community did not compel the parties to a private dispute to bring it to its attention, so that the community could concern itself with how the dispute was resolved. Secondly, the community would enforce the agreement to submit to private arbitration and the award of the private arbitrator. In classical Athens, at least, the law forbade a party to a dispute which had been resolved by arbitration from bringing it before a dikasterion."

"Dikasterion" is the singular of "dikasteria." The dikasteria were the jury courts of ancient Greece. Interestingly—and this is just a little bit of trivia that I encountered; I mean, it's good information, but here you go—they utilized an initial jurors' list of 6,000 drawn from volunteers over the age of 30. The typical number of jurors in a dikasterion, a single jury court, was 500, so 500 jurors would sit. There were no lawyers. Perhaps they, long before Shakespeare, adopted that Shakespearean recommendation. There were no lawyers, no state prosecutors, no judges. Each litigant was allowed two speeches, each timed by water clock. There was no

cross-examination of witnesses, and the jurors voted immediately, without discussion, and any majority of votes was sufficient for conviction or acquittal—no further appeal.

Roebuck's observations about what constituted arbitration in ancient Greece over 2,000 years ago is strikingly bang on with what constituted arbitration in the 18th and 19th centuries. It's strikingly bang on with what constituted arbitration pursuant to the British Arbitration Act of 1889, which served as the model for the Canadian law until 1991 with the Arbitration Act, and indeed is, oh, so bang on with what arbitration consists of today.

Why do people choose arbitration? One is the privacy element. The parties have the opportunity to resolve a dispute outside of public view and scrutiny. Again, arbitration has as its primary origins the dispute resolution between commercial parties, businesspeople—commercial disputes—who have no interest in having a public record or an audience in a public court hearing evidence about things that constitute what they want to keep or maintain as trade secrets: information about profits, information about production costs, information about design, about business plans. So one of the attractions of arbitration, whether it was in ancient Greece over 2,000 years ago or whether it's in Canada or Britain or the United States or any other place in the world in 2005, is the fact that it's private.

The other, often referred to as a key consideration, is the ability of the parties to choose their arbitrator. To choose their arbitrator—well, one, there is agreement. Take the distinction, look at the distinction, between that and a public court, where litigants, other than the occasional case of judge-shopping—which is being discouraged, increasingly—don't get to choose their judge in a public adjudication. Indeed, they don't even get to know their judge. A judge would be disinclined to adjudicate between litigants if he or she had a relationship with either of them, either current or past, or if there was any sort of suggestion of that matter. But in a private arbitration and in arbitration, it's private; it's secret. Nobody has to know about the fact that it's going on. Nobody has to know what the result is. Nobody has to know any of the evidence that's presented, and the parties get to choose their arbitrator. So they agree, clearly; it's by agreement, subject to certain exceptions that can flow under peculiar circumstances, depending upon what gives rise to the arbitration, what sort of contractual relationship gives rise to the arbitration.

One of the interests in being able to pick your own arbitrator is, one, it's somebody that both parties feel comfortable with, feel satisfied with, to the extent that you're more likely to have voluntary compliance, because both parties agree that this is the right woman or man, or women or men, to decide and resolve their dispute. They also get to choose somebody who has expertise in that particular area. Illustrations are manifold, but let's say you're talking about the aerospace industry, and some detailed minutia that laypeople would certainly not understand, and let's say most judges, without a great deal of assistance, wouldn't understand.

The litigants in that type of arbitration—the adversaries, the parties—can choose somebody who has experience and background in that particular industry, where they can, as has so often been stated, apply the customs of the trade.

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The litigants also get to choose the procedure, subject to certain bare-bones requirements in the Arbitration Act like natural justice. That way, they can expedite the matter.

They get to decide how evidence is presented, whether it's presented by live witnesses speaking—

Mr. Garfield Dunlop (Simcoe North): On a point of order, Mr. Speaker: Do we have a quorum?

The Deputy Speaker (Mr. Bruce Crozier): Can we check to see if there is a quorum present?

The Deputy Clerk (Ms. Deborah Deller): A quorum is not present, Speaker.

The Deputy Speaker ordered the bells rung.

The Deputy Clerk: A quorum is now present, Speaker.

The Deputy Speaker: The member for Niagara Centre, you have the floor.

Mr. Kormos: Thank you, Mr. Levac, for getting your folks in here. You're the whip of a caucus that's got, what, 60 or 70 members. Heck, it should be easy to get a dozen of them in here.

We were talking about why people choose arbitration:

- (1) Privacy.
- (2) The ability to choose the adjudicator, the arbitrator, for any number of good reasons.
- (3) The ability to determine the process. It may not be necessary to hear evidence from witnesses giving their evidence vocally; you can do it by affidavit, you can do it by agreed statement, by summaries.
- (4) There's no need to make a record, to have a court reporter there transcribing everything that's said.
- (5) It's binding. One of the most appealing things about arbitration and reasons why people utilize arbitration is because they can agree that it's to be binding—no further appeals. They want a final resolution of this dispute. They don't want to see it go on and on and on into appellate court after appellate court etc.

There was a time when decreased cost and increased speed was a consideration, but as Julie Macfarlane, in her book *Dispute Resolution: Readings and Case Studies*, points out in the commentary on page 533, "Other stated reasons for preferring arbitration include decreased costs and increased speed, but the process has recently come under criticism for being increasingly slow, expensive, and formal."

Arbitration is an important tool that should be made available to willing parties in a free and democratic society, people who determine to resolve their differences in a private way and according to a process that they agree on. But as has been pointed out by Nelson, as has been pointed out by thinkers and writers like Owen Fiss, it's not always the suitable tool, the suitable mechanism, for all disputes. New Democrats agree. There is

an overwhelming societal interest in how family disputes are resolved, especially as they apply to children, that it should only be the public law applied by public courts.

I say that advocates of arbitration should be concerned about this legislation, because it constitutes a major intrusion on the part of the state in a historic dispute resolution process, one that goes back, as we see from Roebuck's study, literally thousands of years with very little substantive change.

I would also say that those people who are concerned about arbitration adjudication of family matters—the Premier said there would be no religious arbitration. That's what he promised. Dalton McGuinty said, "There will be no more religious arbitration." I tell you that under this legislation, there not only will be religious arbitration, but it will have the seal of approval of the state. It's one thing to tell an arbitrator that he or she can't allow the litigants to choose the law to be applied, although, quite frankly—look, let's take the case of a real-life example of two French citizens, a husband and wife, who are living in Canada and who want to divorce and want to have French law prevail in their divorce because their assets are in France. They want a speedy, effective resolution. This government has told them with this bill that they can't go to an arbitrator and say, "Please apply the law of France in a speedy and efficient manner and resolve the disputes around our marriage breakup." The bill very clearly says "the laws of Ontario or the laws of any other jurisdiction in Canada," and I presume that means other provinces and territories; I'm not sure whether that means the law of Canada as well.

That is an illustration of where this government once again has taken a bad situation and made it worse, has impacted on classic arbitration when in fact the Arbitration Act, 1991, itself contemplates, by virtue of section 2, certain areas of law that should and would not be suitable for arbitration that's enforceable by the public courts.

Will there still be religious arbitration? You bet your boots. We have public judges who are impartial, neutral in every respect, who don't bring ethnic biases and religious biases into the courtroom. Mark my words: There will be rabbis, there may well be pastors of any number of Christian faiths, there could be priests from the Catholic faith or the Anglican church, religious leaders from Sikh communities and imams from Muslim communities who will do what's required to register as arbitrators and who will be conducting arbitrations, who will be purporting to enforce and apply the law of Ontario but will be doing it with the inherent bias of their faith.

I say "bias" in a perfectly neutral way. I am not about to tell anybody what to believe. It's their business. Nor should the state be telling people what to believe. But if this government is pretending—because that's all it can be—that it is responding to the concern around faith-based arbitration by creating this legislation, then it is deluding itself along with a whole lot of folks out there. Not only will there be the inherent bias of faith leaders,

the bias of their faith penetrating the arbitration—you see, Fiss says you go to a public court, with publicly appointed judges, if you want justice. You have those incredibly rigid standards. In a private adjudication, you don't.

One of the reasons for arbitration is so that the parties can pick the arbitrator. If we're talking about two parties perhaps litigating in the context of the aerospace industry, they want someone who has a particular bias; in other words, someone who is familiar with the traditions and customs and standards in the aerospace industry. In family litigation and applying the law of Ontario and the law of the land with respect to the rights, among other things, of children, I say no.

So I cannot support this legislation. I cannot. I tell you that when people out there—whether it's from the arbitration community, whether it's lawyers, advocates for women and children, people concerned around faith-based arbitration—increasingly understand that when Dalton McGuinty said there will be no religious arbitration, he certainly didn't come through with respect to this bill, I suspect that there's going to be even greater concern. It's imperative that this bill go to public hearings. I urge Liberal caucus members to remind their Premier that it's a simple matter of utilizing section 2 and saying that the Arbitration Act will not apply to anything other than, or to anything that involves family law litigation.

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The Deputy Speaker: Questions and comments?

Hon. Jim Watson (Minister of Health Promotion):

In the brief time I have, I'd like to commend both the Attorney General and the Premier for their decision. It was very decisive and clear-cut when the Premier said that there's going to be one law for all Ontarians. I know the reaction in my own riding of Ottawa West—Nepean from Muslim men and women and other faith-based organizations was that they were very pleased with that decision, because people did have legitimate concerns about shariah law.

I'm quite proud to stand and support the legislation that's before the House. I'd encourage members on all sides of the House to support this particular piece of legislation for the simple reason that it's the fair thing to do. Under the legislation, resolutions based on other laws and principles, including religious principles—shariah, Christianity, Judaism etc.—would have no legal effect and would only amount to advice. There was tremendous outpouring of support when the Premier a few weeks ago indicated that that was going to be the position of the government.

Just in the last moment, on a bit of a side issue, while I have the floor, I also want to take this opportunity to congratulate Carleton University's student newspaper, the Charlatan, which turned 60 years old today. It's a newspaper that I actually used to write for when I was a student at Carleton University. It's a great publication that has served the Carleton community and the broader Ottawa community for many years. It has generated

dozens and dozens of wonderful journalists who have gone on to work for major publications and networks across the province. I congratulate Mark Masters, the editor-in-chief, who is presiding over the 60th anniversary of this fine publication.

Mr. Dunlop: I'm pleased to stand today and respond to some of the comments made by the member from Niagara Centre. I can tell you that with this bill, Bill 27, An Act to amend the Arbitration Act, 1991, the Child and Family Services Act and the Family Law Act, right today there's a lot of confusion around what's happening down here. There's a tremendous amount of confusion. Maybe there's a great deal of knowledge in the GTA or in some of the areas that the Attorney General represents, but I've had numerous letters, first of all prior to the Premier's announcement on a Sunday afternoon a few months ago, when he mentioned in a press conference that he would bring forward this legislation. There does appear to be secrecy involved around it, or there seems to be a lot of confusion.

One of the things that the government is going to have to do in order to sell this, in order to get support across the province, is to really publicize this one and have a lot of hearings. Hearings will be very important to make sure that everybody who can possibly ask for deputation is allowed to do so.

I can tell you that even since this law was introduced, in the last three weeks I've had 30 pieces of correspondence, and a similar number of e-mails, asking for the position of the government and the position of members of this House in relation to this bill.

I look forward to a lot of public input on this bill. To the government: If they're going to pass this as it is, we're going to have to make sure that the public is aware of exactly what we're passing in this Legislature, in this Bill 27.

Mr. Michael Prue (Beaches—East York): I have had an opportunity to listen to all of the speakers so far, having sat in the chair on the first night, having listened to my colleague from Niagara Centre here today. I want to commend him for the speech he made. It was learned. It quoted excellent sources. It talked about the pitfalls of the legislation. It talked about the conundrum that I believe the government has probably got itself into. It was learned and thoughtful in every way, as his speeches often are. But what really intrigued me was that he stayed on point throughout the entire hour—not that he doesn't always—and argued, I think quite successfully, the flaws of this particular bill.

I was somewhat disturbed, I have to say, to listen to the Minister of Health Promotion, although I went to Carleton University, and that was a good rag of a paper even then. I'm sure it still is.

Interjection.

Mr. Prue: Well, I didn't write for them.

Mr. Kormos: He did.

Mr. Prue: But he did; OK.

I do have to tell you that I was taken aback somewhat. He did not refer at all to the member from Niagara Centre

or what he had to say, just in terms of a general reaction. I think that perhaps the people out there do not understand what this is, and that there is arbitration going on today and every day and will continue to go on every day, whether that be by rabbis, pastors, priests or imams.

The only thing this bill will do is impose the rigid standards of the court—I think the member from Niagara Centre said that right—but it will not stop arbitration in any of the many forms it takes in this province. I agree with the member that we do desperately need public hearings to clear the air around what this bill will actually do.

Mr. John Milloy (Kitchener Centre): I listened with great interest to the comments from the member from Niagara Centre. I have to take issue with the fact that in many ways he's complicating what at its core is a very simple bill. We're talking about, in the case of family law, one law for everyone in Ontario, and that's Canadian law.

Several weeks ago I had a chance to appear on a television show in my hometown of Kitchener with a prominent member of the Muslim community, who was there to argue in favour of shariah law in terms of that arbitration. What concerned me the most was that in his presentation he seemed to place Canadian law on one side and put it in a sort of juxtaposition against the Muslim law that he followed. What concerned me, and what I pointed out on the TV show, was that in my opinion we are a mosaic. We are a country that has many different faiths and many different traditions. The laws that are passed either here at Queen's Park or in Ottawa, in my view, reflect all these traditions.

So in a sense, Canadian law is reflective of Muslim law; it is reflective of Christian law or Christian traditions; Sikh law or Sikh traditions. It serves as a neutral benchmark. What this bill says is that in cases of family law, we have to use this neutral benchmark. That has to be paramount. It doesn't prevent individuals of a particular faith or tradition from seeking help, seeking advice or seeking guidance through religious figures, but at the end of the day it's Canadian law which is going to be paramount. I think it's wrong to try to juxtapose these different traditions with Canadian law. Canadian law, in my opinion, assumes or subsumes all of these.

At the same time, I agree with those speakers who have talked about education. If we go forward with this bill, I was very pleased to see that we will have a program of education and outreach to ensure that everyone is aware of what their different rights and responsibilities will be, so that if they do enter into arbitration, they'll know how the law stands.

The Deputy Speaker: The member for Niagara Centre, you have up to two minutes to reply.

Mr. Kormos: Look, the government is creating two very distinct judicial systems for people who have family law disputes. It's very much like the two-tiered health system that they advocate. One is the public one, which we know is underfunded. People are lined up in the hallways of musty, dank, damp, cold-in-the-winter, hot-

in-the-summer courtrooms with huge backlogs. That's where this government is prepared to assign the vast majority of Ontarians: to use the public courts to adjudicate public law.

Make no mistake about it: The proposal you have here is not going to be cheap. The party is going to have to pay for the arbitrator, pay for the setting and pay for the court reporter. Because you've got appeals—there's no binding arbitration—there are going to have to be transcripts made—thousands of dollars. The litigants are going to have to pay for all of those things that a public system is supposed to provide people in disputes, and clearly, all the more so, in disputes around family matters. So this is not going to be cheap.

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What's the appeal court? The first level of the appeal is to the Superior Court of Justice, those very courts with the huge backlogs. Since there is no binding arbitration, an unhappy litigant with the means is going to appeal it. It takes two and three years for matters to be heard in our Superior Courts of Justice.

Motions courts do the day-to-day stuff. You've got some jurisdictions that don't have motions court judges for weeks at a time. There are no motions courts for the interim, interim, interim, interim orders.

This is not a solution to anything. This is problematic and, quite frankly, can be dealt with so easily by utilization of section 2 of the Arbitration Act.

The Deputy Speaker: Further debate?

Mrs. Carol Mitchell (Huron-Bruce): It's certainly my pleasure to rise to support Bill 27. But before I go on and talk about the specifics of the proposed bill, what I do want to talk about is how we got to where we are today and read some of the letters that I received at my office so that the people who have the opportunity to view this tonight have a sense of where we were a few scant months ago.

This is a newspaper article that was published in Southampton. It's about a doctor who lives in Southampton. She lost her son through shariah law and she chose to move to Ontario.

"After fleeing from a violent husband in Iran, a former doctor now living in Saugeen Shores was forced by Muslim law called shariah to leave her son behind. He begged her to save him; now she is begging Canadians not to allow shariah law into the Ontario Arbitration Act.

"Debate is ongoing if shariah should be included in Ontario's Arbitration Act. Ontario is looking for ways to ease the burden of a backlogged court system. Its Arbitration Act allows for faith-based arbitration, a system where faiths can use the guiding principles of their religions to settle family disputes such as divorce, child custody, spousal assistance and inheritance outside the court system.

"When I came to Canada, I was happy to be away from shariah," Dr. X said.... "Ninety per cent of Iranians don't believe in it, but it is used to control women."

"In the event of divorce Muslim women must give full custody of children to the father as prescribed in shariah,

a code of living Muslims adopt as a part of their faith.... However, the way shariah law is applied to women can vary widely, such as acceptance of wife beating to surgical removal of the genitalia.... In court, a woman's word is worth only half as much as that of a man's.

"As stated in article 32 of the Arbitration Act, 1991, in deciding a dispute an arbitral tribunal shall apply the rules of law designated by the parties. For example in an inheritance dispute, under shariah law sons would receive larger inheritances than daughters.

"To some Muslims shariah law represents a culturally appropriate way to settle family disputes. But to others, it represents a set of rules that discriminate against women. In an open letter to Premier Dalton McGuinty, the Canadian Council of Muslim Women wrote that shariah is a vast and complex system ... and should not be applied in Canada.

"According to Alia Hogben, executive director of the Canadian Council of Muslim Women, it is up to the Attorney General on behalf of the McGuinty government to make a decision as to whether the use of religious laws in family matters will be allowed under the Arbitration Act.

"We have not heard anything official from the government," she wrote in an e-mail, "but (we) have heard rumours that they will respond" by the end of summer.

"Dr. X's son is being raised by her ex-husband's family. When she visited Iran recently the family barred her from seeing her son. Her ex-husband told the boy his mother didn't want him, but Dr. X was determined to find her son and tell him that she didn't abandon him, it was the law that forced her to leave him behind.

"For days, she searched for information about his whereabouts and finally discovered" where he was going to school. It had been five years since she had seen her son. Dr. X now lives in Saugeen Shores. She took the time not only to talk to the papers but also to bring her concerns forward.

Numerous letters were received in my riding, so I wanted to set the context of where we came from and how we got here today in the presentation of Bill 27. Let's not be confused: This bill, if passed, will ensure that there is one law for all Ontarians, and that is Canadian law.

One of the concerns that I heard repeatedly throughout the discussion was with regard to the arbitration and the arbitrators. Through Bill 27, the government will regulate family law arbitrators for the very first time. If this legislation is passed, family law arbitrators would be required by regulation to be members of a recognized professional dispute resolution organization and to undergo training, including training in screening parties separately for power imbalances and domestic violence. They must inquire into matters such as keeping proper records and submit reports that are to be tracked by the Ministry of the Attorney General. This is long overdue. In the arbitration system that was proposed and accepted, there are not checks and balances in place to ensure that one law is established and upheld in the dispute system.

Another letter was sent to the Honourable Dalton McGuinty by the Canadian Federation of University Women, from the Southport organization. This was after the Premier had made the announcement.

"Dear Mr. McGuinty,

"The members of the Canadian Federation of University Women ... Southport would like to thank and congratulate you for the strong statement you made yesterday in support of equal legal rights for all women"—

Interjection.

The Deputy Speaker: Would the member please take her seat?

Now you may resume.

Mrs. Mitchell: "We strongly support your decision to ban all faith-based arbitration of family law matters.

"At the 2005 CFUW National AGM," which was in Oakville from August 12 to 19, "... members from across Canada voted to adopt the following policy: to exclude family law disputes from arbitration legislation so that the rights of an individual under the Canadian Charter of Rights and Freedoms are respected; and to ensure that all residents of Canada are made cognizant of their rights and responsibilities under family law legislation and the Canadian Charter of Rights and Freedoms.

"Multiculturalism and religious tolerance" are so important to people in Ontario, "but, as you have affirmed, this does not translate into the establishment of separate legal systems for individuals of different faiths.

"We can and must make our provincial court systems accessible and fair to our multicultural communities by ensuring adequate government funding for the provision of:

—"translators ...

—"education of judges" who can "appreciate the social, cultural and religious" backgrounds ...

—"education of members of different ethnic communities in their own language—especially those new to Canada and Ontario ...

—"access to legal aid....

"You and your government have taken an important first step. Thank you, and especially thanks to the members of the women's caucus for listening, and for hearing the voices of all who value equality before the law in Ontario."

The Southport organization has 72 members in Saugeen Shores, located in the beautiful riding of Huron-Bruce. They are part of the Ontario council, which has 6,000 members. That's part of the university women's organization.

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Bill 27 will put into place the tools that are needed to ensure that we have one law practice for families. Under the current system, participants of family arbitration can waive their right to the decision for the arbitrator's decision in court. This is a very important point, as this new bill will give that the right of appeal cannot be waived, so that anyone who is not satisfied with the result can go before an Ontario court for review. That is a very

important point that we must bring forward and add emphasis to.

Another very important fact, too, is that the minister, Sandra Papatello, who has done so much work on women's issues and understands the commitment, is also going to develop new community outreach and education programs so that all Ontarians will better understand their rights under Canadian and Ontario family law and family law arbitration. These are the tools that must be in place for Ontario law and Canadian law to be upheld, to ensure that all rights of all people are upheld for the people of Ontario.

The Deputy Speaker: Questions and comments?

Mr. Ted Chudleigh (Halton): This is an interesting bill. I think I'm supportive of this bill, in general. I was a little disappointed in the way it came to fruition, in that the debate on this shariah law had been going on in Ontario for some period of time, some months, and, lo and behold, I believe it was on a Sunday afternoon, the Premier felt it necessary to make an announcement. All of a sudden there was a huge rush to get this out, such a rush that the announcement had to take place on Sunday afternoon—not in this House, not in this place, but somewhere else. That I found very strange. I think the fact that the debate had been going on for so long and that the final decision was rushed calls into question perhaps some of the motives behind it.

Also, that decision was brought out without any consultation whatsoever with the three lobbies who were impacted by it. There was no consultation with the Muslim community, there was no consultation with the Jewish community and there was no consultation that I'm aware of with any of the Christian communities. That was too bad, too, since this decision was rushed so much, that the various communities weren't consulted and some of their points of view taken into consideration when this bill was drafted. I think that might have made a better piece of legislation, as the member from Welland-Thorold talked about earlier. There are perhaps certain flaws in this legislation and we may have had a better piece of legislation had the consultation started earlier and perhaps the decision been taken in a more formal manner.

Mr. Prue: I often get invited to events in the Muslim community. I get invited to Shia events, to Sunni events or Ahmadi events, or occasionally even to others, because there are many branches of Islam. When I go there, very often I tell them that in Canada, in the West and in North America, people do not understand Islam, and with the greatest of deference and respect to my colleague across the floor, I don't think she understands it either. Islam is not a monolithic faith any more than Christianity is a monolithic faith. Just as in Christianity we have Catholics and we have a hundred branches of Protestantism and you might have the Unitarian Church and the United Church, and they all espouse slightly different things, you will find in Islam that there are even more sects and even more people who are different.

I will tell you that just as all of those sects differ from each other in how they view the faith and how the Koran

is read and how they trust the words purported to be from Muhammad, just as that is all very different, so is the shariah law from the countries from which many of them came.

The shariah law is not a monolithic law; it is not set down in the Koran; it was not set down by Muhammad; it is not set down by any of the major institutions in the various countries. It is, and remains, a set of cultural principles that are from each and every one of the countries and/or the subsets of the countries. When people are talking about shariah law, you need to talk about it not as one institution. It is simply, quite frankly, not one institution; it is a codified set of laws that is hundreds and perhaps thousands of different laws from various parts of the world. I'll speak more to that when it's my turn.

Ms. Caroline Di Cocco (Sarnia-Lambton): I'm pleased to rise and have a couple of minutes to speak to this. I want to thank the member from Huron-Bruce, because she laid out a number of very salient points and examples of the type of communication that we've had with a number of groups over the last year. I have to say that I want to also thank the Premier, because he certainly came down very clearly on the side of the common values that we have in Ontario, and that is based on Ontario law.

Having said that, I also want to say that I know Alia Hogben and others have for a long time been making us, and everyone else, strongly aware of the impact religious arbitration has when it comes to discussions in family law.

I have to say that this law is certainly the right direction, and it is very clear that this is about our values of equality. Family arbitration tends to impact particularly when we put the religious aspect into it. There's much evidence that it does impact women in a negative way, and they are the ones who end up feeling the brunt of the, if you want, imbalance that tends to be in family arbitration if and when, many times, religious arbitration is used and has the effect of law.

So I say that I am pleased, and I want to thank the Attorney General for bringing down this legislation and doing it in a way that is going to protect the values that are common to us as Ontarians and as Canadians.

Mr. Dunlop: I am pleased as well to rise to make a few comments on the member from Huron-Bruce and her speech on Bill 27. I heard her bring up the fact that she had met with the Canadian Federation of University Women, who were asking her to support this piece of legislation, and I think they have looked into this fairly clearly. I've had the same request from the chapter in my riding. I met with them last Friday. That was one of the topics on their agenda as they introduced themselves to the new executive and brought a few other issues forward that they want to see the provincial Parliament follow in next the few months.

However, as I said earlier, and I can pass this on once again to the member, there are also other members in your community who may or may not support the legislation who I feel at this time are finding it very con-

fusing. They keep thinking of the shariah law and the comments that were made throughout the winter months last year leading up to the Premier's announcement on that Sunday afternoon. That's the challenge we all, as parliamentarians, have ahead of us today as we debate this piece of legislation and as we take it to committee: We have to make sure that there is not a misunderstanding around it, because I can tell you right now, today there's confusion around it. They think we're passing shariah law. A lot of people feel that way because of the name of the bill and because there was some confusion around the Premier's announcement. I'll tell the members of this House that it's very important as we move forward. Whether the bill is amended or is not amended, we have to make sure that there's not confusion around it. In rural Ontario there is definitely confusion around this bill, as we speak.

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The Deputy Speaker: Member from Huron–Bruce, you have up to two minutes to reply.

Mrs. Mitchell: I just want to thank the speakers from Beaches–East York, Halton and Simcoe North and the member from Sarnia–Lambton, the chair of the women's caucus, as well. I want to thank the Attorney General for all the work he has done. I know this has been a very difficult journey.

The member from Simcoe made reference to some confusion out in the rural communities. I don't know that we would concur on what the confusion is, but I would concur that there is some confusion. I believe that it is a bill that has had some difficulties, and that the more we can get out and explain so that people understand in a manner they find acceptable—but I will say that the support for Bill 27 in my riding is overwhelming.

We can debate the finer points of the law, and it is our job to do that, but at the end of the day we need and must have one law that covers all law within this province. I know that many things have been thrown into the mix, but at the end of the day that is the consistent message we have heard from our constituents in the riding and clearly that is what I have heard. Bill 27 reflects that. It puts regulation in place to ensure that arbitration remains solid. It is an option—

The Deputy Speaker: Thank you. Further debate?

Mr. Jim Flaherty (Whitby–Ajax): It's a privilege to speak to Bill 27. I have a couple of comments at the outset, if I may, about the realities here. The member for Sarnia–Lambton just said that there's evidence about family law arbitrations and bad results and so on. The Attorney General said this in this place the other day: "We have no evidence that family law arbitrations are rendering injustice; no evidence at all. There's nothing in the Boyd report and no one has come forward and said, 'Here are the injustices being visited upon people as a result of family law arbitration.'"

That's at page 1095. I ask the member from Sarnia–Lambton, what are you talking about? If you try to see where this bill is going, what this bill is trying to remedy, you see confusion. It's like Alice in Wonderland. If you

don't know where you're going, it's easy to get lost along the way. They're lost.

They're not sure where they want to go. They like Marion Boyd's report. The former Attorney General of Ontario looked closely at this matter at their request. They said nice things about the report and then there was silence. Then, all of a sudden on the Sunday afternoon, the Premier came out and said, "One law for all," as if that's an answer to the issue. Of course it's not, because we have one law in Canada; we have the Constitution. We're a constitutional democracy in Canada, which includes the Charter of Rights, which includes freedom of religion, which includes the freedom to assemble, and which means that people of faith have certain constitutional charter rights in this country. So to say that one law for all is the answer to everything is actually to say very little. It doesn't answer the question.

The question is, what should the law be? Should faith-based arbitrations be allowed in Ontario? I look now in this bill and I can't tell. Different people, reasonable people, might have different views on the subject. What I see is, regrettably, a huge regulatory power contained in section 58 of Bill 27 about "prescribing standard provisions and requiring that every family arbitration agreement contain those provisions" and so on. This is the sort of dangerous bill that regrettably comes too often before the Legislative Assembly, where the substance of the bill can be determined in regulation, behind closed doors, by the Lieutenant Governor in Council, by the cabinet, and not here in this place.

I can't tell what they're trying to accomplish here, and I suggest that if I can't tell, lots of people can't tell. As the member for Simcoe North just said in this place: the confusion that's out there about what they are trying to do. If they would be clear about it, if they would say, "We are going to outlaw faith-based arbitrations in family law matters," or "We're not," then, fine; stand up before the people of Ontario, and some will like it and some won't. Fine; let the people determine. But to say, "One law for all, and everything is going to be subject to the courts"—it always was subject to the courts. If you had an arbitration decision in Ontario that was contrary to fundamental justice, you had access to the courts like everybody else in Ontario. As I said, this bill is much ado about nothing right now. We can't tell, the people can't tell, what the government is trying to do, and there is a choice to be made.

The practical issues that the member for Niagara Centre talked about: I want to speak to that for a moment, based on my own time in court as a litigator over 25 years or so in this province, with clients in the practice of law and as Attorney General for a time here. The reason that arbitrations and mediations in the non-criminal areas of law became so common in Ontario is because of the failure of our court system and the administration of justice to provide timely, cost-effective resolutions of private disputes.

This is a failure of governments over the years. We saw it most dramatically in civil litigation, where delays

started to accrue in the 1980s and the 1990s, to the point where corporations and individuals with disputes between themselves who wanted to see them resolved walked with their feet. They walked with their feet to mediators and arbitrators and said, "Please resolve these disputes for us. We'll go into our own pocket. We'll pay you for it." Despite the fact that they'd already paid all their taxes to support the court system in the province of Ontario, they paid, out of their own pockets, thousands of dollars to get access to justice on a timely and cost-effective basis. To have an average civil litigation case in Ontario take years, which it does, and take tens of thousands of dollars to resolve, is a failure of government.

Similarly, in family law matters, people started going to private mediators and private arbitrators for some of the reasons expressed by the member for Niagara Centre about being able to choose the person who would resolve a dispute or counsel on a dispute or mediate or arbitrate the dispute, but also because of timeliness. So often matrimonial matters are not simply matters between two adults but rather matters that involve children, and time is vital to the well-being, to the best interests of the children, which is the test that we all agree applies when determining these types of family law matters. So time is important, and timing is important, which is why mediation and arbitration are desirable features of this system in Ontario.

Again, you can actually trust people to make decisions like this. They can figure out for themselves that the court system is too slow, that it's too expensive. All of us as MPPs—I know I've had the experience over 10 years. I wonder if there's a member in this place who has not had people come to them in their constituency offices and say, "My family law dispute, my matrimonial dispute, has dragged on two or three years. I've paid lawyers \$10,000 or \$20,000. I've put a mortgage on the house. I haven't seen my kids in" a period of time. There's this acrimony that's persisting over a long period of time even after the adult relationship is clearly over. The court system prolongs the antipathy between people because of the length of time it takes. What's the alternative? The alternative for lots of these folks has been to go to private mediation and private arbitration.

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I say to the government that in Bill 27, and we anticipate that there'll be public hearings, a decision has to be made—are you for it or against it?—that you should be for it, and then you have to get at this issue of law. "One law for all," says the Premier. Well, I guess that means the Charter of Rights applies, because that's part of the Constitution of our country.

We have faith communities in this country, and they have the right to practise their faiths in this country. And if they choose to have their faith rules apply to an arbitration, then the government should say, "We're not going to accept that," or "We are going to accept that." I can't tell from this bill. The standards are going to be in the regulations. Who knows? Make a choice. You're the government; it's up to you to say, "We are going to allow

faith-based groups to arbitrate using their rules," or "We're not." It's all subject to law at the end of the day, in any event, for fundamental denial of justice or due process in the course of the mediation or the arbitration.

So I think the government should come clean about that and decide, deal with Marion Boyd's report, and deal with the issues that have been raised by faith-based communities, including the Canadian Jewish Congress and some of the Muslim groups as well.

It's also an issue of basic freedoms. I know this government, the nanny government, thinks that it knows best for people. It knows best about what kinds of dogs people should have; it knows best about whether people should drink soda pop in schools or they shouldn't drink soda pop—

Mr. Chudleigh: What about fresh sushi?

Mr. Flaherty: Yes, it knows about sushi. The member for Halton Hills reminds me of something about sushi.

For goodness' sake, I've been here 10 years and I would hope—this may be the last time I speak in this Legislature—you'd focus on the big things, on the big picture. Remember people's freedom. Remember that this is a free society. Remember that, and don't start telling people what kind of soda pop to drink, and also don't say to people, "Your faith does not have rules that we will respect."

You say you believe in diversity. If you believe in diversity, then act like you believe in diversity. Don't just talk about it. Don't just show up at the community events and get introduced. When you deal with substantive issues in the province of Ontario like this issue, actually think about it. Think about the person's right to practise their religion in our country of Canada, which makes Canada different from most countries in the world.

It isn't freedom from religion; it is freedom to practise one's faith in this country, whether one has faith or not. It's also freedom not to practise one's faith. I know the member for Sarnia-Lambton doesn't understand this; I can tell. But you have to realize that there's a choice to be made, a balance to be reached, as the Supreme Court of Canada likes to say, between the competing rights in our Charter of Rights. You as a government have to make the choice and be clear about it so you don't mislead the faith groups in Ontario. They're very upset; you have upset them very much. I can understand why they'd be upset, because they weren't consulted about something that is fundamental to their lives together and their lives in our diverse multicultural society.

You who say you care about diversity, why didn't you consult? Why didn't you go to the people whose lives are directly affected by this? Why didn't you ask them for their input and ask them for their thoughts? And why do you now come before this place and bring forward a bill where all of the substance is going to be tucked away in regulations that we don't get to review publicly and the public doesn't get to review in this Legislative Assembly? These are all fundamental concerns.

Religious communities in this province also have rights. They would like the opportunity to speak. They

have certainly told me that. They want to be heard on this, and many consider the way this has been handled “as a slap in the face to faith communities in the province of Ontario.” Why did you do this to them? Because you don’t know what you’re trying to accomplish, and the Premier had a knee-jerk reaction and decided that he would just do this, thinking that he had a solution, that one law fits all, and that was the answer to the question.

Well, if one law fits all, let’s talk about the equity-in-education tax credit. If one law fits all, why does the government of Ontario, with our taxes pooled, support faith-based education for only one faith group? How do you justify that?

I see that the member for Sarnia–Lambton is going, “Oh, my goodness, that’s right.” Yes, it is right. You think about it for a moment and you say, “One law fits all. OK. That means that Mr. McGuinty must mean he’s not going to prefer one religious group over another.” In my view, in a diverse society—you know my view—we ought to support lots of faith-based groups. It’s their tax money, after all. If they choose to educate people in this way or that way, in this faith-based way or another way, or Montessori schools, whatever, OK, let them do it. That’s why we brought in the equity-in-education tax credit. That’s why people were getting some of their own tax dollars back. That’s why the United Nations said that Ontario was wrong not to have equal support for various types of denominational education in Ontario.

If you believe in diversity, my Liberal friends, act like it. Don’t just talk about it, don’t show up just for the ribbon cuttings at the community centres; actually act on it, bearing in mind the Charter of Rights, bearing in mind the balance that has to be struck between religious rights and other rights that are in the charter.

Mr. John Yakabuski (Renfrew–Nipissing–Pembroke): What about Newfoundland?

Mr. Flaherty: What about Newfoundland?

The other way, of course—

Interjections.

Mr. Flaherty: The Minister of Health Promotion I’m sure is going to reflect on these issues and consider them further and participate, I hope, or have his government participate, in the public consultations. This is a serious issue, if you think about the most important things to people in their lives and to the constituents who come to our offices. Sure, there are concerns about car insurance from time to time, and other issues, but there are very few issues that touch people more closely than their families and their faith. This bill—or at least the regulations somehow—is going to address fundamental family issues involving spouses and children in the province of Ontario and also their faith concerns.

I urge the members opposite, when some substance is being proposed for this bill, that the substance be disclosed and that it be disclosed before the bill is pushed through by the Liberal majority here; that it be disclosed to committees, so that committees will be able to publicly have input about what exactly the idea is here, what it is that the government is actually proposing for family law, for faith-based communities in the province of Ontario. If

it is simply what it was before, that is, that you can have faith-based arbitrations but they are always subject, ultimately, to appeal to the courts for violations, if that’s what it is—and I see the member for Sarnia–Lambton shaking her head. If it isn’t that, say so and say it up front. Be honest with the people of Ontario so that when they come to committee hearings, wherever they live, and have broad-based committee hearings, they can have fair notice about what it is you’re actually trying to do.

This is important, because you’re going to get asked about other issues of fairness when you advance the simplistic notion of one law for all, and forget that we have a guaranteed right of religion and religious faith participation and belief and action in our great country called Canada. So I encourage you to be clear in what it is you’re trying to do, and more importantly, bring the substance forward, bring the regulations forward in draft, so that the people of Ontario and the members of this Legislative Assembly will have a chance to review it before the matter becomes law and you bring in the regulations, as I say, behind closed doors.

I have a few minutes left and I’ll just say a couple of things, because this is likely the last time I’ll speak in this place. It has been an honour to serve my constituents here from Whitby, and for a time from Oshawa and then for a time from Ajax, but always from Whitby, which is our home. I am pleased that the Minister of Health Promotion is here, because I learned on the weekend that an infrastructure project that is near and dear to my heart has actually been transferred to his ministry. It used to be at SCTP or something, some acronym—the Ministry of Tourism, I think—and it’s over at the minister’s health promotion ministry now. It’s called the Abilities Centre Durham and I’m going to take the liberty to speak about it just for a moment, if I may. The concept is a centre for persons with disabilities that will emphasize their abilities, that will serve Whitby and Durham regions, Northumberland county and Victoria county, and probably as far east as the county of Frontenac and so on. It has had funding commitments made by the government of the province of Ontario and the government of Canada, and also by local municipal governments and, I’m pleased to say, substantially supported by the town of Whitby, which has donated the land at Iroquois Park near Lake Ontario. It’s a fabulous location, right on Lake Ontario, right on Whitby harbour, which is a beautiful, natural harbour on the north shore of Lake Ontario where persons with disabilities, particularly young people, will have the opportunity to sail, canoe, kayak, swim and do all those great things. There’s already a beautiful pool at Iroquois Park so it will not be necessary to build one, which is a substantial expense, as people involved in these projects constantly remind me. The town of Whitby has offered to make the pool accessible to all, which will be a wonderful step forward.

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The other thing that’s wonderful, of course, is that Iroquois Park is the largest municipally operated recreation centre in Canada; it has lots of persons without disabilities using it. So when we talk together, I think we all

sincerely believe in being inclusive with respect to persons with disabilities. This is a great location because persons with different kinds of abilities, if I might put it that way, will be with each other in the common areas involving food, walking through the place, the sports museum that we have there and that kind of thing.

I'm pleased that the minister is here. Just as a final farewell—I can raise this because it is something that is proposed to go ahead—there's more work to be done and more money to be raised, but it's a wonderful idea, and I hope the minister will give it his particular attention as we go forward. There would be nothing more significant to me, leaving the Legislature, than to look forward to some day seeing that project completed here.

It has been a pleasure to serve here for more than 10 years. I'm looking forward to being troublesome somewhere else for the next five or 10 years. We'll see. I'm not sure if I will have to change my wardrobe. I see that the member from Ottawa has a pink shirt on today. I'm not sure if I should get more stylish as we move forward to the Ottawa scene.

Mr. John Wilkinson (Perth–Middlesex): Not necessary.

Mr. Flaherty: Not necessary, I hear? That's great.

Mr. David Zimmer (Willowdale): It depends on where you move within the caucus.

Mr. Flaherty: It depends where I move in the caucus. I thank you. It's been a pleasure.

Applause.

The Deputy Speaker: Questions and comments?

Mr. Prue: I think a minute 50 is all I really need, anyway.

It's a real pleasure to stand up here and comment on the very last statement that the honourable member has made or will be making in this House. As always, he says what he needs to say in a very forceful manner. I don't know that there's anyone else in this House who has quite the same conviction or quite the same world view that he does. What he said here today was vintage Jim Flaherty. We are going to miss him.

Having said that, he did say one thing that I think is going to cause a great deal of difficulty to this government if you proceed forward with this bill, because you have not put the same kind of thought process—to say there should be one law for all when it comes to family law—nor do I believe you intend to, toward the very thorny issue of religious education.

In the last week or 10 days, as he so correctly pointed out, we had busloads and busloads of kids and people come from across the province to say that the law in Ontario was unfair, that it was not being uniformly applied across this province to people of faiths other than Catholic. I have to tell you that if what you are saying here today is where you truly believe we should go as a society, then you also have to and, I expect at some stage, will be making that next quantum leap to question the whole separate school issue. I don't know whether you're going to, but this is the kind of debate in the statements you have made which inevitably and invariably will lead to that conclusion.

Ms. Di Cocco: It's a pleasure to again respond to the member for Whitby–Ajax. I have to say that I certainly want to wish him well in his journey to a bigger place than the Ontario Legislature.

I guess the member for Whitby–Ajax is saying that he supports religious arbitration in family law. I have to say that all the people who live in this province have the right to practise their religion and seek advice from whatever religious leaders they choose. No one is saying otherwise, even though the member from Whitby–Ajax is suggesting that somehow this legislation is diminishing their rights to practise their religion. No one is saying that.

We did speak to many women's groups. I think the member from Whitby–Ajax would remember that in the last election, their government put immigration under the heading of crime. When you talk about diversity, what I have to say is that religious faith participation is alive and well. There is freedom of religion in this province, and in no way does this legislation change that.

I'm disappointed with the extreme disregard for what the impact of religious arbitration in family law may have with extreme—such as shariah law. We heard from groups for LEAF, the Canadian Council of Muslim Women, the YWCA and the University Women's Club and they all agree.

Mr. John O'Toole (Durham): It's a pleasure on this auspicious occasion to recognize the member from Whitby–Ajax. We've just witnessed a definitive demonstration of his passion as well as his professionalism in addressing this issue, which I believe he summed up when he said that the whole issue of diversity is such a contradiction to what this legislation is actually doing. It's walking away from the difficult decision of the whole issue of diversity and the right to integrate people into the society while retaining their own values and perceptions of the world we all share.

I'm convinced that he's a serious loss for this opposition party, certainly. During his time in government, I had the privilege of working with Mr. Flaherty. I have a great deal of respect for the work he's done and have great hope for the work he'll do in the future.

But I think it's doing what you say and acting out in real terms of—the whole issue of diversity is the point he made and where his passion became ignited. That's where he is at his best and that's why we will miss him, because of his commitment to doing what he says.

This is what is such a contradiction in not just this legislation, but it's kind of edging into a lot of the issues, skating around, off-loading a lot of the responsibility or accountability mechanisms, as we've seen in health care, as we're seeing now in the Bill 27 discussion on mediation-arbitration.

If you look at the explanatory notes in the bill itself, you'll see that it's almost a contradiction. It says, "A number of additional rules are provided for family arbitrations." What they're saying is that there's one rule, but under the Child and Family Services Act, it's "amended to add mediators and arbitrators to the list of persons who perform professional or official duties with respect to children and are required to report that a child may be in

need of protection.” Then they’re going back and saying that the dispute mechanism is going to be resolved by the one-size-fits-all issue, that the Liberal government is refusing to recognize the differences in Ontario society.

Mrs. Liz Sandals (Guelph–Wellington): I’m quite pleased to respond to this. This is an issue on which in my community we received perhaps more calls than on any other issue. The calls were unanimously in favour of taking the direction that our government has taken, which is to say that if arbitrations are to be enforced by the courts, then they must follow the law of Ontario.

I’d like to talk about the reaction we had at my constituency office, because that was interesting. We heard from a variety of people from a variety of religions, because I do live in a diverse community. We heard from people who were young; we heard from people who were old. We heard from people who were professionals; we heard from people who weren’t professionals. We heard from men; we heard from women. In particular, we heard from the Muslim community. With total unanimity, they all said, “We do not want the application of shariah law to be enforceable by Ontario courts.” If in fact an arbitration on the subject of family law is to be enforceable in Ontario courts, then it should be based on the family law of the province of Ontario; in other words, one law for all Ontarians when it comes before the courts of Ontario. Now, clearly, if people are not having a dispute, if people are just taking advice from whomever, people are perfectly free to choose who they’re going to take advice from and can work out a mutually acceptable agreement based on the advice of whomever they want to speak with. But when it comes to court, there is one law.

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The Deputy Speaker: Member for Whitby–Ajax, you have up to two minutes to reply.

Mr. Flaherty: I thank the member for Guelph–Wellington. First of all, this is a process bill, not a substantive bill, and if you look for the principle in the bill, you won’t find it. I challenge the member to find it in the bill. We’re all subject to the law in Canada, we’re all subject to the Constitution of Canada, we’re all subject to the Charter of Rights, and this bill doesn’t change that. We all were before the bill; we all will be after the bill. So it’s specious—fatuous, actually—to say that this is some kind of change. It’s not a change at all. That’s the way it is in a constitutional democracy, as we have now.

I thank the member for Durham. We’ve served together for a long time and worked hard on issues for Durham region. I can say that we didn’t do too badly in our time, I think, when I look at something like the Durham Regional Cancer Centre, that is now up in the air and is starting to be fixed inside and getting equipment in it. It’s something we can be proud of, and the member for Durham had a lot to do with that.

The member for Sarnia–Lambton, to me, with the greatest respect, clearly does not understand the bill and thinks there’s something in there that isn’t there.

I thank the member for Beaches–East York for his comments with respect to the question of fairness of education funding in the province of Ontario. At some

point, if we’re going address that issue as an issue of fairness, there will have to be some steps taken to make that system equal in its treatment of people of various faiths in the province of Ontario.

The Progressive Conservative Party supports this bill in principle, as our critic, Bob Runciman, has said. The devil is in the details of the bill, where the substance will be. As I said in my remarks, I am hopeful that the government of Ontario will choose to disclose the proposed regulations before the matter goes to committee so that the people of Ontario will have an open, transparent and full opportunity to assess exactly what it is the government is trying to do and in what direction they’re intending to go.

The Deputy Speaker: Further debate?

Mr. Prue: There’s been some good quality debate here in the last few minutes.

I’d like to talk first of all about the comments that I have heard from some members opposite. As I said in a two-minute question and comment within the last half hour, in our society and in North America, it is my firm belief that people do not understand Islam. They do not understand the tenets of the faith; they do not understand the people who practise the faith. In many cases—I don’t know whether it’s because of television; I don’t know if it’s because of the news—they are mistrustful of people who have a deep and abiding and worldwide faith, to a rationale that I fail to understand.

There was some talk about the shariah. The shariah is a codified set of laws. The shariah is in a hundred or a thousand different forms, depending on the countries from whence it originated, the people who wrote it and the societies over which it is the law or code of conduct. All shariah means is, “The good way forward.” My Arabic is not good, but that’s what shariah is. It is to tell people how to live a good life within the four corners and the tenets of Islam. It is culturally very different in Indonesia, as it is in India, as it is in the Arabian Peninsula, as it is in Africa, as it is wherever Islam has taken root and taken hold. Shariah is very different, I would beg to say, in Canada than it is anywhere else because shariah is a type of codified law that changes with the country to which it goes, and that is what is not being understood here. I think when people talk about some monolithic set of laws that degrades women and treats children badly, they do a disservice to that faith and all of those who are practitioners of that faith.

I am not going to say that we should have shariah law; I’m going to leave that for later in the debate. But what I want people to do is just take a good, long breath before you stand up and talk, as some of the members have, because so many groups in Canada don’t understand it, and therefore you cling to the fact that because they do not want shariah law, somehow it must be inherently bad and inherently evil.

I will tell you, there are far more people in the world who live under some form of shariah law than there are Canadians—far, far more. Most of those people find that it is acceptable within the tenets of their faith and what they do and how they react to others.

As I said before, and I think it bears repeating, there are many branches of Islam. I would invite all of you to go out and see the differences in the communities that exist right here in our province and in our various cities and towns. You can go out to a Sunni gathering and you will see people who are traditionally conservative in their dress. You will often see women who wear the *habib*. You go out to the Sunni faiths and you will see that they are very much, if I can draw the parallel, like born-again Christians. They hold that fervour in their faith and what they believe. They are very strong in it and they don't want to deviate from it. They are suspicious, on occasions, of others who do not share their faith.

You have Shia Muslims, who have a tradition that goes back to the time of the murder of the nephew of Muhammad. They still wail and beat themselves in sadness over what has happened and how their country and their society and their form of religion is not the predominant one, how they are being marginalized and how they need to fight back and protect themselves.

You will find, if you go into their institutions and their mosques, that they are a little bit more western in style. The women, although they may wear head scarves, will very definitely sit in the same room with the men and interact with them after the religious service is over. You will go in and you will see the Ahmadis. The Ahmadis are a persecuted group, even in Pakistan. They are persecuted because Ahmadiyya, who was their spiritual leader at the turn of the 19th century into the 20th century, did the unthinkable: He set himself up as being a prophet after Muhammad, that he had to bring Islam back to where it was supposed to be going and that the tenet of the faith had to be restrengthened.

Those who are Ahmadis you will find very different again. They're often dressed in Pakistani or Indian-type clothing. The women are often in the mosque, although they may be in a separate room from time to time, but all of the parties and things involve all of the people together.

Last but not least, you have the Ismailis. Many of you will have Ismailis in your community. If you go to the Ismailis, they are people who originated mostly from East Africa and follow the teachings and the sayings of the Aga Khan. You will find among the Ismaili people a very western culture. You will find that the people will dress in exactly the clothes from whatever country they are in. They believe very strongly in being involved in the community. In fact, many of them would pay what we used to call a tithe of 10% of the monies they make toward the church and community. You will see the Ismailis out in front of this Legislature each and every year raising funds for research, raising funds for the poor in Africa, for women's institutions and a great many other things.

These are all people who believe in a form of Islam. They are as different as night and day. If you go into their mosque, if you go into the Jamaat Khana, if you go into where they practise their faith, you will know that they are very different. This is the problem I have when members of this Legislature stand up and talk about shariah

law as if it's some monolithic thing that is equally doing rotten things to women and to children. The fact of the matter is that each one of these groups has a different form of shariah, each one of them has a different form of faith, and each one of them interacts with Canadian society in a very different way.

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Back to the faith: I'd just like the talk about Muhammad, peace be upon Him, for a couple of minutes, because people don't understand where this faith came from. You know, I am not a Muslim, but I have great, great admiration for that faith and for the people who practise it. If you go back to its founder, if you go back to Muhammad, what Muhammad did was stark and wonderful in terms of the 7th and 8th centuries. He liberated women. He didn't hold them in some kind of feudal thing. When there were Dark Ages in Europe, he allowed women to attend university. No woman in Europe was allowed to attend university, but Muhammad made sure that women had equal access with men. Muhammad allowed women, for the first time in the history of the world, to sue for divorce, because before that only men could sue for divorce in most societies, and it was Muhammad who said that women had to be equal. Muhammad was the first person, the first religious leader on earth, who allowed women to own property, so that if a husband died it didn't go back to some other relative, but the actual widow—or the daughter, if there was only one person to leave the property to—could actually own and control property. So he was a great liberator of women.

He also was a huge humanitarian and a statesman of unbelievable proportions. He established universities in a time in the Dark Ages, when there were no universities in Europe. He allowed the arts to flourish, and mathematics. If you wonder today where the symbol zero came from, it is algebraic; it is Arabian. If you look at numbers, you had Roman numerals, which people in Europe were using in those days, which were no good; today you learn Arabic numerals. You wonder where the name comes from? It came from then, because of the universities and the enlightenment that that society and that religion brought forward.

He was a believer in the freedom of worship for all of the peoples; what he said, the peoples of the book. He allowed them to worship as they were. He did not force them under the sword or the pain of death to become Muslims. He said that Christians could remain Christians and Jews could remain Jews, which was remarkable for those days, 700 AD. Nobody else did that kind of thing.

Last but not least, he allowed for the freedom of worship of all of those people, but he also allowed them to have their own courts and to arbitrate themselves, something that we are talking about today. As far back as the 7th and 8th centuries, Muhammad was there; he was doing things that showed that he was an enlightened man. When people talk about Islam, when people talk about the history of that faith, remember what it was, for the genius that it was. When we were all in the Dark Ages of Europe, when we had no education and no hope, when

the kings and feudal lords ranged the way they were, there was an enlightened place on this earth and it was there. It was around Mecca; it was in Arabia. It was in the lands where the Muslims went out, where they established all of those universities and places of faith in India and in Europe and in the Alhambra in Spain. If you ever have a chance to go there, look at the glory of what that was and what that society was.

So when people stand up here and talk about the shariah and when they talk, I think, in very cloaked but dangerous phrases about Islam, I have to tell you, it pains me greatly.

I want to get to the bill, though. I've still got eight minutes left. You know, I have no real difficulty in saying that there should be one law for everyone, and I have no real difficulty that we all submit to that one law, but I am not naive, nor do I think the members opposite should be naive to the same extent that that one law will magically and somehow really come about. Because it begs the question, and it was brought up by the member from Whitby–Ajax, that if we think that everybody is subject to Canadian law and that there can be no differences in our society, then why do we have two school boards in Ontario? Why do we have that? I heard the minister say it's historical, and yes, it is. We have the Manitoba school question. We have the whole question at the time of Confederation. We have the whole thing in our past saying that "there shall be," in order at that time, I think, to protect the minority, but the reality is that today the largest single religious group in Ontario is the Catholics. They are the largest single group. They are the majority, not the minority. They have their own school system, and there is a public education system for everyone else.

Now I'm not here advocating at this time, because that's not the topic before us, whether or not we should have this. But I am telling you that when a debate like this is opened up and says, "There shall be only one jurisdiction for all Ontarians; there shall be only one law for all Canadians," then you have to ask, is this going to come under attack next? I would think that if this law passes, then there are going to be more busloads of children and more busloads of teachers and principals and parents like were here in the last couple of weeks talking about this selfsame issue.

If we are to say, as Ontarians, that there can be no deviation, then why do we permit deviation when it comes to education? If we are say, as Ontarians, that everybody has to be the same, then we should be prepared in all of our communities and in all of our public institutions to expect people to be the same.

There are alternatives. I've seen what Newfoundland did. We've seen what Quebec has done, used the notwithstanding clause when it came to religion, and I suppose what we could use in circumstances like this. I don't know whether Ontario is ready for that debate, and I want to leave that for another date.

I have six minutes left, Mr. Speaker. I'd just like to say that this action of this government appears to have bludgeoned faith-based arbitration, at least as it openly

existed. People go to these faith-based arbiters because they have faith in them, and I mean faith in the true sense, that they look upon this as being a respected person in their community who will treat both sides fairly. They do not go to faith-based arbiters or indeed to any other arbiter because they think that that person, male or female, will be biased. Surely, one side or the other will not go to a biased arbitrator. You would not go, and I would not go.

But the reality is that some people in our society have more faith in their religious institutions and their religious teachers than they have in lawyers and courts—is that a surprising thing?—probably more faith than they have in some politicians. They go there because they have that kind of faith that they will be treated fairly. They believe they will be treated fairly, not necessarily within the four walls of what the Bible says or what the rabbinical codes say or what you can read in the Upanishads. They find it because they believe in the person from whom they are seeking the arbitration.

I looked at what the minister had to say, or listened to what the minister had to say, and I'd just like to quote him very briefly for the record, because if this is what the intent is, then maybe this is a good intent. Maybe you should just let the faith-based arbitrators continue if this is what the minister intends. I'm quoting from his speech which opened this debate:

"It also authorizes the regulation of Ontario family law arbitrators for the first time. If this legislation is passed, we will have the authority to, and will, require Ontario family law arbitrators to be members of a recognized professional dispute resolution organization, and to undergo training, including training in screening parties separately for power imbalances and domestic violence. We will require, in addition to the training, that they inquire into such matters of power imbalances and domestic violence. Lastly, we're requiring that family law arbitrators keep proper records and submit reports, to be tracked by the Ministry of the Attorney General."

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Now the minister did not go on and say what that means. Does that mean someone who is a rabbi, who is presently doing family law and conducting himself or herself in an exemplary fashion, will be allowed to take this kind of course, submit reports and continue what they are doing? I don't know, because we are not clear yet on what this law is going to mean. Does it mean that someone who is an imam can do the same—

Interjection.

Mr. Prue: I am being told that I'm running out—it's 6 o'clock.

Mr. Kormos: Just keep going, Michael.

Mr. Prue: Keep going. OK. I'm being told to keep going.

Does that mean that someone who is an imam cannot continue to do what he has been doing in terms of the arbitration process? Does it mean that someone who belongs to a Christian fundamental movement or the Catholics, who has up until this time run small arbitration seminars and tried to help people in their daily lives, will

be allowed to continue if they submit to the course? I don't know.

Those are the kinds of things we're going to have to find out.

Interjection: Keep going.

Mr. Prue: Yes, keep going. I've got lots of stuff to say.

An arbitrator has a difficult job. I don't know if any of you have ever tried to do it. I certainly had no formal training, but I was called upon many times as the mayor of East York to arbitrate matters. I remember one arbitration in particular which involved family disputes of two neighbours. There was some mischief and vandalism done to one house; in turn, mischief and vandalism done to another. There were threats of legal actions and of courts. The police were called in. A young lad was charged. There was a great deal of difficulty. As the mayor, I had to sit down with the two sides, who agreed to my arbitrating. The thing was solved in about half an hour. The charges were withdrawn against the young boy. The damages were paid for, and those two people are still neighbours and I think, even to this day, they talk to each other. It was resolved.

Had that gone to the courts, we would have had a young man possibly with a criminal record. We would have had very many entrenched feelings around the neighbourhood on one side or the other, and certainly those two neighbours would have been unlikely to have ever talked to each other again. More than likely, one or the other or both of them would have moved away in order not to be near them.

This government—and I've got 53 seconds—is talking about protecting women, a very laudable goal. I'm not sure that this act is going to do it. If you truly intend to protect women, might I suggest that you implement the entire Hadley report, and do it with dispatch; might I suggest that you staff up and run homeless shelters in much greater numbers than you have; might I suggest that you put in money for assisted housing so that women have somewhere to go if they're being abused; might I suggest that the majority of people on welfare are single women with children and that the pittance you give and the 3% you gave in the last budget are simply not enough. You need to speed up the courts hugely in order that they can get the kind of protection they need so that we don't have the violence and death that visited a young nurse in Sarnia.

Mr. Speaker, I think my time is up. I wish I had more, but thank you very much for the opportunity to speak.

Mr. Kormos: On a point of order, Mr. Speaker: Am I correct that upon the completion of the 20-minute discourse by my colleague, there is then 10 minutes allocated to questions and comments, two minutes of which are reserved for the member for Beaches—East York? I simply wanted the Chair's direction in that regard to find out—Mr. Bradley is probably—

The Deputy Speaker: At least give me a chance to answer it. Yes, you're correct, under normal circumstances. But we're being pressured by time this evening.

Hon. James J. Bradley (Minister of Tourism, minister responsible for seniors, Government House Leader): On a point of order, Mr. Speaker: I seek unanimous consent to move a motion respecting this evening's sitting and that, notwithstanding this motion, today be considered a full sessional day of debate on Bill 27.

The Deputy Speaker: You heard the motion. Do I have unanimous consent? Agreed.

Hon. Mr. Bradley: I move that, notwithstanding the order of the House earlier today, the House sit beyond 6 p.m. for the purpose of completing consideration of Bill 16, An Act respecting the Duffins Rouge Agricultural Preserve, following which the Speaker shall adjourn the House until tomorrow at 1:30.

Interjection: Carried.

The Deputy Speaker: Does the Speaker get a vote in this?

You've heard the motion. Agreed? Agreed.

DUFFINS ROUGE AGRICULTURAL PRESERVE ACT, 2005

LOI DE 2005 SUR LA RÉSERVE AGRICOLE DE DUFFINS-ROUGE

Resuming the debate adjourned on November 16, 2005, on the motion for second reading of Bill 16, An Act respecting the Duffins Rouge Agricultural Preserve / Projet de loi 16, Loi concernant la Réserve agricole de Duffins-Rouge.

The Deputy Speaker (Mr. Bruce Crozier): Further debate?

Mr. Cameron Jackson (Burlington): My caucus feels very strongly and passionately about this legislation. We feel that there has been precious little consultation on quite a bit of legislation, and therefore we really would like to see this go to committee. I know we have the nodding and concurrence of my colleague from St. Catharines, who has agreed to that, and we are very pleased at that. So we'd like to reserve any further debate until such time as we can go to committee.

The Deputy Speaker: Questions and comments? Further debate? No more members wish to speak.

Mr. Ramsay has moved second reading of Bill 16, An Act respecting the Duffins Rouge Agricultural Preserve. Is it the pleasure of the House that the motion carry?

All those in favour, say "aye."

All those opposed, say "nay."

In my opinion, the ayes have it. Carried.

Shall the bill be ordered for third reading?

Hon. James J. Bradley (Minister of Tourism, minister responsible for seniors, Government House Leader): I believe the consensus developed, and I will move this, that it go to the standing committee on general government.

The Deputy Speaker: So ordered.

It being past 6 of the clock, this House is adjourned until tomorrow at 1:30 of the clock.

The House adjourned at 1808.

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