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of Ontario
Second Session, 38th Parliament

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**Official Report
of Debates
(Hansard)**

**Journal
des débats
(Hansard)**

Monday 12 December 2005

Lundi 12 décembre 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 12 December 2005

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Lundi 12 décembre 2005

*The House met at 1330.
Prayers.*

MEMBERS' STATEMENTS

HYDRO GENERATION

Mr. John Yakabuski (Renfrew–Nipissing–Pembroke):

This past Friday, December 9, the Minister of Energy released the much-ballyhooed and somewhat delayed Supply Mix Advice Report, as submitted by the Ontario Power Authority. The report contained little in the way of surprises for me and most of those who have followed the energy scene. Therefore, it should have been of little surprise to the minister herself, as it was the McGuinty government that dictated entirely the terms of reference the OPA had to work with.

To no one's surprise, there is a recommendation to build new nuclear facilities in Ontario. After two years of delay, it is time to make some decisions. Our leader, John Tory, recommended some time ago that a process determining sites, desirable technologies and an environmental assessment process should have been considered and acted upon months ago. This is precisely what the report recommends, but again this government has let valuable time slip by while doing nothing.

With this government's wrong decision to refuse to consider new coal technologies, it is absolutely imperative that the nuclear decision be made as quickly as possible. The report's recommendation with regard to renewables, primarily wind, is on the optimistic side. It clearly states that with no ability to dispatch wind power, another source must be simultaneously available.

The report assumes natural gas prices at \$8, when today they are in the \$14 range. It leaves little conclusion other than that the price of power under this government's wrong coal policy is about to skyrocket.

I urge the minister to act quickly on this report. Don't leave this province in the dark because of your government's blind ideology.

ST. PETER KNIGHTS

Mr. Phil McNeely (Ottawa–Orléans): I rise in the House today to commend the St. Peter Knights of my community of Fallingbrook on their triumphant win at the Rogers Centre this past Thursday. The high school football team from Ottawa–Orléans defeated the Sydenham Golden Eagles 24-10 to become the first team from

the national capital region to win the bowl since the Ontario Federation of School Athletic Associations introduced the bowl series in the year 2000. The game was part of four regional bowl games that all took place at the Rogers Centre involving the top teams in Ontario. The Knights boast a great defensive line and a strong running game, which were instrumental in overcoming a great passing team.

I had the pleasure of meeting with the grade 12 class from St. Peter's this past Friday. Mr. John Ferguson's political science class was very enthusiastic and participated in heated discussions about the issues concerning our government today and the Legislature. There were members of the Knights team in the class. I was happy to be able to congratulate them personally on their success. I would also like to take the time to congratulate two students I know personally from St. Peter's school on their exemplary performance on the playing field last week. Running back Matt Nooyen scored an impressive five-yard touchdown, and kicker Eric Lucktenberg wowed us with an 11-yard field goal and three converts.

I commend Coach Mick and all of the St. Peter Knights for their hard work and determination which led to their victory this past Thursday. We are proud of all of our teams for the sportsmanship and team spirit that they demonstrate at every game.

VIOLENT CRIME

Mr. Garfield Dunlop (Simcoe North): Today I was honoured to be present at the Flemingdon Resource Centre here in Toronto when our leader, John Tory, released *Time for Action: A Report on Violence Affecting Youth*.

After more than two years of inaction, Liberal photo ops, broken promises and reacting without any consultation to media reports, our leader has put before the citizens of Ontario a very detailed and comprehensive report outlining 22 key recommendations. The 22 recommendations focus on three broad categories: policing, fixing the justice system, and providing youth and their families with programs to prevent crime.

Almost one year ago, John Tory called on Dalton McGuinty to convene a summit on violence affecting youth. The Premier refused. John Tory took action. John Tory provided the leadership Ontarians deserve. John Tory considers the guns and gang violence issue to be a top priority and has worked tirelessly meeting with stakeholders for the past year to compile the information

necessary to draft this report. The full report is available on www.ontariopc.net.

Today our leader is calling on Dalton McGuinty to accept the report and act on its recommendations. We have to get tough on the criminals and get serious about helping kids stay out of trouble. We have to start saving their lives. It's time for action.

VISITORS

Mr. Kim Craitor (Niagara Falls): Let me start out by saying I'm pleased to let you know that joining us in the gallery today is a good friend of mine, the president of OPSEU Local 270, Brother Dan McKnight, with his lovely wife, Cora.

Thank you for coming out.

PILLITTERI ESTATES WINERY

Mr. Kim Craitor (Niagara Falls): There's good news from France about Niagara wines. I'm proud to announce that Pillitteri Estates Winery was awarded a rare Grand Gold Medal for its 2004 Vidal sparkling icewine at this year's Effervescents du Monde international wine competition. This competition recognizes the best sparkling wines in the world. The Grand Gold Medal is the highest honour the competition can award. Pillitteri Estates was the only North American winery to win one of the three Grand Gold Medals. Sparkling icewine is a new style of icewine pioneered in Ontario. The result is a decadent, rich sparkling wine.

This leading Niagara winery has experienced tremendous growth in the last 10 years, winning over 400 major awards.

Many in this assembly will personally know the owner of this great family winery, former Niagara Falls federal Liberal MP Gary Pillitteri. I'm sure everyone in the House will join me in congratulating the Pillitteri family and their staff, headed by winemaker Sue-Ann Staff, for this exceptional honour. It's a great recognition for our community.

LAYOFFS

Mr. Ted Chudleigh (Halton): I stand in my place today to express my disappointment in recent statements made by government members with respect to plant closings and layoffs that have occurred under their watch. The degree of insensitivity and lack of forethought found in the comments made by some of the members is appalling to me, as it should be to the rest of the members in this Legislature and all Ontarians.

We have heard that the closure of Imperial Tobacco in Guelph was an indication that Liberal policies are working. If the goal of their policies is to put people out of work, then she is correct: Liberal taxation and energy policies have gone a long way to putting a lot of people out of work in this province.

We have even heard this government say that a layoff of 3,900 workers at GM was a small contraction for those

who were affected by it—a small contraction. I would love for this government to sit down and listen to the 52,000 people in this province who have lost their jobs as a result of a crumbling manufacturing sector. Maybe the Premier needs to hear just how much of an effect a contraction, even a small one, has on someone losing their job right before the holiday season. Last Thursday, we heard a member of the government side insist that communities in which plant closings have occurred are apt to “just sit there and cry and do nothing.”

I have come to believe that the insensitive remarks made by the Liberal members of this Legislature are condoned and accepted, as not one of the members has been demoted or reprimanded in any way.

More than 52,000 Ontarians have lost their manufacturing-based jobs, and thousands more in the forestry sector. What has this government done? They've responded with, “Our plan is working.” They're calling the recently unemployed “crybabies” or referring to it as “a small contraction.” Ontarians deserve better—

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

1340

HOPEWELL PLAYSSENSE ACTIVITY CENTRE

Mrs. Liz Sandals (Guelph-Wellington): I'm delighted to speak today about the grand opening of Hopewell Playsense Activity Centre in Guelph last Thursday. Hopewell Children's Home provides residential care for children and adults with severe developmental and physical disabilities.

Playsense Activity Centre, administered by Hopewell, is a fully accessible sensory play centre for children with developmental disabilities. It is primarily an after-school centre, offering respite to parents and caregivers of children with disabilities. Specialized equipment and unique exploratory spaces designed to stimulate the senses let children explore and play at their own pace.

Playsense is located in the newly expanded Shelldale Community Centre, which houses numerous agencies and community groups. Hosted by Family and Children's Services, Shelldale demonstrates the creative conversion of a former elementary school into a community service hub. The Playsense Activity Centre has become a reality thanks to the extraordinary spirit of Guelph and areas four Rotary clubs. The Rotary 4 Hopewell project involved the year-long fundraising efforts of the Rotary clubs of Guelph, Guelph-Wellington, Guelph Trillium and Wellington South. The overwhelming generosity of the people of Guelph-Wellington in assisting with this project is truly inspiring.

TOWN AND COUNTRY SUPPORT SERVICES

Mrs. Carol Mitchell (Huron-Bruce): I rise today to share with this House all the good things that are happening in the riding of Huron-Bruce. The list is long, but I want to talk about one specifically: This is the

official opening of Town and Country Support Services' new senior fitness centre at the Betty Cardno Centre in Clinton. This centre features fitness equipment, a resource library and a social area. Classes will also be held in Exeter, Zurich, Brussels, Wingham and Blyth.

This project was made possible by a grant from the province and funding from the municipality of Central Huron. I just want to quote Polly Powell, who is a fitness instructor at the centre: "An active lifestyle makes a healthy aging process. It's so important as we age that we help ourselves stay fit." This is an excellent way for seniors to use physical activity to promote health.

The centre is the final portion of Town and Country's new LIFE—living independently through fitness and exercise—initiative. Congratulations to Town and Country Support Services for all of their hard work. We in Huron—Bruce look forward to receiving further community in action grant funds that will help all of the riding to meet the initiatives of staying fit.

AFFORDABLE HOUSING

Mr. Rosario Marchese (Trinity–Spadina): I just want to say that last week I had an opportunity to meet with members of the Toronto Community Housing Corp., those who are reluctant in their own buildings to represent the people living in their units. We talked about a campaign that some of the members of the Toronto Community Housing Corp. have. That is, they want to convince the provincial government to give them \$225 million so that they can fix their buildings.

I think it's an important campaign because often the Toronto Community Housing Corp. is expected to be a police station or behave as if they were police. They're expected to behave as if they were the Ministry of Community and Social Services. They're expected to behave as if they were the minister of post-secondary education, where they're supposed to be providing the training and apprenticeship programs. They are not obligated or obliged to do any of those things, simply because they don't have a mandate or the money to do that. The government gives them no support to do that. They need \$225 million that cannot come from the city, because they're broke, and can only come from the provincial government. With that \$225 million there is so much that they could do, but primarily, they could fix those buildings so that young people and the older people who live in those places don't have to live in squalor. It's about time that the provincial government, through the Ministry of Municipal Affairs, delivered on that promise. We can't wait; nor can they.

PROCTER AND GAMBLE PLANT

Mr. Ernie Parsons (Prince Edward–Hastings): I'm sure that everyone in this Legislature joins with me in welcoming the decision by Procter and Gamble to construct a new \$40-million production facility next to the current plant in Belleville. This expansion will provide for 100 new manufacturing jobs in our community.

Why Quinte? Obviously, a skilled workforce that is world-renowned; the extremely high work ethic among our population; the proximity to markets—on the pathway between Toronto and Montreal and within 500 miles of literally millions of US citizens; and transportation availability—rail, the 401 and ships—an ideal spot to manufacture.

Why Ontario? Clearly, this province is open for business, whether from our local Trenval office, which, by the way, has created over 3,000 jobs, right through to our government. Our government has a strong and clear commitment to education and jobs. This was demonstrated last Friday, when I was with Minister Dombrowsky as she announced \$2 million being provided by our government for the training of new employees. I might add that this training is an indication of the faith we have in the effectiveness of Loyalist College in Belleville.

This announcement reaffirms what we already know: Ontario is a great place to live and a great place to work.

VISITORS

The Speaker (Hon. Michael A. Brown): I would ask members to assist me in welcoming a former member, Harry Pelissero, the member from Lincoln in the 34th Parliament, who is in the members' east gallery.

REPORTS BY COMMITTEES

STANDING COMMITTEE ON THE LEGISLATIVE ASSEMBLY

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

The Clerk-at-the-Table (Ms. Lisa Freedman): Your committee begs to report the following bill without amendment:

Bill 16, An Act respecting the Duffins Rouge Agricultural Preserve / Projet de loi 16, loi concernant la Réserve agricole de Duffins-Rouge.

The Speaker (Hon. Michael A. Brown): Shall the report be received and adopted? Agreed.

The bill is therefore ordered for third reading.

INTRODUCTION OF BILLS

PLANNING AND CONSERVATION LAND STATUTE LAW AMENDMENT ACT, 2005

LOI DE 2005 MODIFIANT DES LOIS EN CE QUI A TRAIT À L'AMÉNAGEMENT DU TERRITOIRE ET AUX TERRES PROTÉGÉES

Mr. Gerretsen moved first reading of the following bill:

Bill 51, An Act to amend the Planning Act and the Conservation Land Act and to make related amendments to other Acts / Projet de loi 51, Loi modifiant la Loi sur l'aménagement du territoire et la Loi sur les terres protégées et apportant des modifications connexes à d'autres lois.

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

Does the minister have a brief statement?

Hon. John Gerretsen (Minister of Municipal Affairs and Housing): 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, pursuant to standing order 9(c)(i), that the House shall meet from 6:45 p.m. to 9:30 p.m. on Monday, December 12, 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 1349 to 1354.

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

Ayes

Arnott, Ted	Hardeman, Ernie	Patten, Richard
Balkissoon, Bas	Jeffrey, Linda	Phillips, Gerry
Barrett, Toby	Kular, Kuldip	Pupatello, Sandra
Bartolucci, Rick	Kwinter, Monte	Qaadri, Shafiq
Bentley, Christopher	Lalonde, Jean-Marc	Racco, Mario G.
Berardinetti, Lorenzo	Levac, Dave	Ramal, Khalil
Bradley, James J.	Marsales, Judy	Rinaldi, Lou
Broten, Laurel C.	Martiniuk, Gerry	Runciman, Robert W.
Brownell, Jim	Matthews, Deborah	Ruprecht, Tony
Bryant, Michael	Mauro, Bill	Sandals, Liz
Cansfield, Donna H.	McMeekin, Ted	Smith, Monique
Caplan, David	McNeely, Phil	Smitherman, George
Chudleigh, Ted	Meilleur, Madeleine	Sterling, Norman W.
Colle, Mike	Miller, Norm	Watson, Jim
Craitor, Kim	Milloy, John	Wilkinson, John
Delaney, Bob	Mitchell, Carol	Wilson, Jim
Dhillon, Vic	Munro, Julia	Wong, Tony C.
Dombrowsky, Leona	O'Toole, John	Wynne, Kathleen O.
Duguid, Brad	Ouellette, Jerry J.	Yakabuski, John
Gerretsen, John	Parsons, Ernie	Zimmer, David

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

Nays

Bisson, Gilles	Marchese, Rosario	Prue, Michael
Horwath, Andrea	Martel, Shelley	

The Clerk of the Assembly (Mr. Claude L. DesRosiers): The ayes are 60; the nays are 5.

The Speaker: I declare the motion carried.

GLOBAL SUPPLY MANAGEMENT

Hon. James J. Bradley (Minister of Tourism, minister responsible for seniors, Government House Leader): Mr. Speaker, I seek unanimous consent to move a motion without notice respecting global supply management and for each party to be allowed to speak to the motion for up to five minutes, following which the Speaker shall put every question necessary to dispose of the motion.

The Speaker (Hon. Michael A. Brown): Mr. Bradley has asked for unanimous consent—dispense?

Interjection: No.

The Speaker: Mr. Bradley has asked for unanimous consent to move a motion without notice respecting global supply management and for each party to be allowed to speak to the motion for up to five minutes, following which the Speaker shall put every question necessary to dispose of the motion. Agreed? Agreed.

Hon. Leona Dombrowsky (Minister of Agriculture, Food and Rural Affairs): I move that,

Whereas the clear demonstration of the Canadian commitment to maintaining strong and effective supply management worldwide has received the unanimous support of all MPPs in this Legislative Assembly,

Therefore, let it be resolved:

That the Legislative Assembly, within the framework of the World Trade Organization negotiations, reiterate its stalwart support for supply management, an agricultural products marketing model that is equitable for consumers, taxpayers, processors and producers who live thereon;

That it ascertain that the federal government maintain its support of the current supply management system; and

That the Legislative Assembly ask the federal government to mandate its negotiators to obtain, at the conclusion of the present round of negotiations, results that will enable supply management sectors to avoid a decrease in tariffs and an increase in tariff quotas.

The Speaker: Mrs. Dombrowsky has moved that,

"Whereas the clear demonstration of the Canadian commitment to maintaining strong and"—dispense? OK.

The Minister of Agriculture.

Hon. Mrs. Dombrowsky: I rise today in defence of this province's agriculture industry.

Applause.

Hon. Mrs. Dombrowsky: Absolutely.

Faced with falling world commodity prices, Ontario's farmers need and deserve the assurance of everyone in this Legislature that we will continue to fight for their interests.

1400

As we approach this week's ministerial meetings of the World Trade Organization in Hong Kong, it is vital that this House reiterate our deep and solid commitment

to our agriculture sector. Ontario has a thriving agri-food sector, one of the most dynamic in the country. It is an important and essential part of Ontario's successful economy. I'm very proud of the significant contributions that Ontario's producers and food manufacturers lend to Canada's healthy trade surplus and I know their continued success depends on establishing a fair trading environment for agriculture.

Ontario producers are seeking a level playing field in which to conduct their business. With literally tonnes of subsidized corn or wheat stockpiled in the United States and Europe, those world prices upon which our farmers rely are driven downward. Those world prices, depressed by heavily subsidized American and European products flooding the market, are descending to levels where our farmers can no longer meet their cost of production.

In the face of these challenges, the virtues of supply management are clear and they bear repeating. Four decades ago, Ontario's poultry farmers were struggling. They were losing their farms. At the same time, their product was increasing in value. The introduction of supply management in 1965 marked a turning point for the poultry industry. Today, that industry provides more than 5,000 full-time jobs, with related jobs employing more than 1,000 people. Under supply management, Ontario's dairy producers have thrived as well. Dairy now represents the largest sector in this province's agriculture industry, with clear and crucial benefits to our economy. The story is the same for our egg producers and pullet growers. That is why Ontario is not prepared to sacrifice the regulated marketing structures used by dairy, poultry and egg producers.

It is not simply that these farmers represent a significant contribution to a healthy rural economy and strong rural communities in Ontario, but rather, the point is that these farmers are able to ensure that Ontario consumers and food manufacturers receive some of the highest-quality, safest food in the world at affordable and stable prices.

In this context, Ontario urges the federal government to vigorously defend the interests of those sectors dependent on supply management. A successful conclusion to the Doha negotiations in Hong Kong requires real constraints on American and European support spending, which so brazenly distorts trade in agricultural goods worldwide and must include sufficient flexibility to accommodate our supply-managed producers. We can settle for no less.

I ask this assembly to send a loud, unanimous message to our federal government as its negotiators prepare for the talks in Hong Kong. I want us to say clearly that our supply management system should not be a bargaining chip. It must not be negotiated away. Whatever the outcome of this federal election, I repeat my challenge to our colleagues in Ottawa: Defend our agriculture sector internationally. In the face of unprecedented subsidies in the United States and Europe, Canada's federal government must be vigilant in bringing our farmers' interests to the table. I call on this House to reaffirm that message today.

I also want to take this opportunity on behalf of the government to thank Ontario's agriculture producers, and we have some people joining us in the government gallery today: Bill Emmott from Dairy Farmers of Ontario; Harry Pelissero, general manager of Ontario Egg Producers; Tom Fleming, vice-chair of the Ontario Broiler Hatching Egg and Chick Commission; and Adrian Rehorst, a member of the board of the Chicken Farmers of Ontario. We're delighted that they're here today as well.

Their hard work, their commitment to excellence and the contributions they make to their communities are a source of pride for all of us in Ontario.

Mr. Toby Barrett (Haldimand-Norfolk-Brant): On behalf of John Tory and the PC opposition caucus, just let me start out by declaring that our support for supply management is 100%, and I say 100% without equivocation. For example, 100% of our sitting members have affixed their signatures in support of FarmGate5.

As opposition ag critic, I have attended many farm meetings across the province and I do hear reason for alarm. Frankly, with the WTO talks this week, I am worried about supply management. I'm also worried about farm families involved in cash crop, involved in beef, tobacco, and fruit and vegetable. Every commodity seems to be either in a full-blown crisis or anticipating one in the near future. At times like these, it's vital to ensure that government and society at large understand the nature of the crisis that's knocking at our doors. A perfect storm, if you will, exists this week with the WTO negotiations, the corn countervail decision coming up and the pre-Christmas run-up to the federal election. Clearly, for farm and rural Ontario, the time is now to get out there and to take action.

As members would know, supply management has long been the strength of poultry, egg and dairy farming in Canada, and any threat to that system must be seen as a threat to the well-being of rural Canada. I do raise the question, what would rural Ontario look like without supply management? I know what it was like before supply management. We had dairy, we had broilers, we had laying hens, we had hatching eggs; this was all before supply management. It was great work, but we were losing money. We were losing too much money, way too much money. At the time, we got big, and then, on the advice of the bank, we got out. That was the reality for my family farming operation, and that's the reality for much of Ontario without supply management. We do not want to go there again.

For these reasons, I am proud to report our support for supply management, 100% support, as I indicated. Again, 100% of our members affixed their signature to the document. It's a document being circulated by a collective effort described as FarmGate5, made up of the supply-managed sectors, who are seeking nothing more than a balanced trade deal that benefits all farmers. FarmGate5, as we would know, includes the Dairy Farmers of Ontario, the Chicken Farmers of Ontario, the Ontario Egg Producers, the Ontario Turkey Producers'

Marketing Board and the Ontario Broiler Hatching Egg and Chick Commission.

As you've heard, supply management works on the basis of three very important pillars: import control, producer pricing and production discipline. Like any three-legged stool, if one pillar is weakened, the entire system is compromised. For example, without import controls, production discipline becomes impossible, and without production discipline, pricing becomes impossible. Supply management, as the name suggests, balances supply and demand and prevents overproduction, flooded markets and depressed prices for farmers.

We must, together in this House, stand strong and continue to do all we can to lend our unequivocal support for supply management in the face of the reality that some trading partners have not lived up to the last WTO agreement in terms of market access or subsidy reductions.

As opposition leader John Tory noted last week, support for our farmers, supply-managed or not, becomes even more essential when you consider the fact that farm incomes in Ontario during this government's first year in office were 72% below the average for the past five years. Compare that to Canada, where we saw a reduction of 3.5%.

Clearly, government must stand firm. We all must stand firm for values like fairness, our ability to choose made-in-Canada food, and a stable income for our farmers without expensive taxpayer-funded initiatives. We need leaders to secure a fair trading environment that lets Canadians determine the type of agriculture we want: the type of agriculture we want today and the kind we want in the future.

1410

Mr. Howard Hampton (Kenora–Rainy River): New Democrats firmly support the unequivocal protection and expansion of our five supply-managed products, as represented by the Dairy Farmers of Ontario, the Ontario Egg Producers, the Chicken Farmers of Ontario, the Ontario Turkey Producers' Marketing Board and the Ontario Broiler Hatching Egg and Chick Commission.

Canada must ensure that all of our supply management sectors are sustained and protected as sensitive products at the World Trade Organization meetings this week in Hong Kong. Anything less is simply unacceptable. We know that the United States and the European Union want to significantly reduce the percentage of Canadian products categorized as sensitive, and this must be vigorously and successfully opposed.

Farmers in our supply-managed sectors are legitimately concerned. They are concerned because the Martin Liberals have given signals that our supply-managed commodities may not all survive the current round of WTO negotiations and agreements. The federal Liberals are sending out mixed messages as to whether they will unequivocally protect our supply management programs. The United States wants 1% under the sensitive product category. We currently need 11% included under the

sensitive product category to cover our entire supply management sector. Yet the federal government's chief trade negotiator has said that the federal government is prepared to compromise on supply management to get an agreement. A compromise on the 11% means sacrificing some of our supply-managed sectors. There can be no compromise in this regard.

If I may, one of the things we need to be wary of is that we have gone to great lengths in the past in order to get agreements with our American neighbours, only to find that on softwood lumber, on pork, with respect to the Canadian Wheat Board and also with respect to beef, they will look for any excuse to ignore the agreements and any excuse to impose trade embargoes or other trade sanctions. In the complex trade negotiations this week in Hong Kong, our trade negotiators need very clear instructions that our supply-managed agricultural products are not on the table to be traded away. We should not allow and we cannot allow Canadian trade negotiators to trade away our supply management sector and its crucial economic importance to our economy and rural way of life in attempts to gain other trade concessions in other sectors. As I remarked earlier, trying to entertain that strategy has not worked for Canada before. We have come away from too many trade negotiation processes believing that we've achieved something that we can enforce in terms of international trade tribunals or something that our American neighbours will live with, only to discover after the fact that their interpretation of the agreement means to them that they can do whatever they wish.

It is important to maintain supply management for at least three critical reasons: (1) because it provides Canadian consumers with reasonable, fair and predictable prices for the commodities that are subject to supply management; (2) it provides a predictable market overall—we do not have shortages, nor do we have overproduction; and (3) for farmers, it ensures that their costs of production are covered and it ensures that they can make a fair living.

It seems to me that we ought to be applying or seeking to apply those kinds of outcomes to other areas of agricultural production, not looking for opportunities to give away some of what we've successfully included under supply management categories. So New Democrats are unanimous in our support for this resolution. We must sustain supply management. We should not put Canadian farmers at risk of international market conditions which lead to lower prices, to unpredictable markets and to farmers not being able to stay on the land and continue to produce.

The Speaker: Ms. Dombrowsky has moved:

"That whereas the clear demonstration of the Canadian commitment to maintaining strong and effective supply management worldwide has received the unanimous support of all MPPs in this Legislative Assembly, therefore, let it be resolved:

"That the Legislative Assembly, within the framework of the World Trade Organization negotiations, reiterate its stalwart support for supply management, an agri-

cultural products marketing model that is equitable for consumers, taxpayers, processors and producers who live thereon;

“That it ascertain that the federal government maintain its support of the current supply management system; and

“That the Legislative Assembly ask the federal government to mandate its negotiators to obtain, at the conclusion of the present round of negotiations, results that will enable supply management sectors to avoid a decrease in tariffs and an increase in tariff quotas.”

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

STATEMENTS BY THE MINISTRY AND RESPONSES

LAND USE PLANNING

Hon. John Gerretsen (Minister of Municipal Affairs and Housing): Today, I'm proud to introduce the Planning and Conservation Land Statute Law Amendment Act, 2005. If passed by the Legislature, this bill would bring Ontario's land use planning system and the Ontario Municipal Board into the 21st century.

Reforming Ontario's land use planning system is a cornerstone of our government's commitment to build strong, healthy and liveable communities. It is crucial to our plan to reduce urban sprawl, preserve green space and protect our natural resources.

Over the next 25 years, our province is expected to grow by four million people. Current patterns of growth place a heavy strain on our infrastructure, contribute to shifting gridlock, negatively affect our air quality and threaten to reduce the province's economic competitiveness and quality of life.

Better planning will lead to better development: the more compact, energy-efficient, green, transit-friendly developments that Ontario will need if we are to maintain our economic prosperity and quality of life in the 21st century.

Our proposed legislation would support this kind of sustainable growth across the province by giving municipalities the tools they need to ensure good development in their communities.

What does good development mean? It means communities where new buildings fit in with the character of the rest of the neighbourhood; where old, abandoned industrial sites are redeveloped and rejuvenated into vibrant, multi-use neighbourhoods; and where people can move around freely and not always be stuck in endless traffic.

Our proposed legislation would mean that municipalities would have new authority to set conditions for how new subdivisions are designed in ways that maximize energy efficiency and include transit- and pedestrian-friendly design elements along streets and highways.

We're proposing to give municipalities more powers to shape the look and feel of their communities through new authority to consider external design details when they approve site plans.

Good development is also the product of thoughtful decision-making and an engaged citizenry. The proposed reforms would support these goals by shifting requirements for complete information about planning and development, public consultation and overall decision-making to the front end of the planning process. This means a more central role for residents and local councils in the planning process.

These reforms would, if passed, make municipalities and local councils more accountable for planning matters and help reduce the number of appeals to the Ontario Municipal Board as well as the duration of hearings.

For example, hearings before the OMB would generally be limited to material that had already been provided to municipal councils and the public. The OMB would also be specifically directed to have regard to decisions made at the municipal level. Municipalities would also be able to establish local appeal bodies whose members would include local residents to deal with matters of purely local significance.

1420

Under the proposed reforms, the OMB would continue to provide Ontario citizens with a mechanism to appeal land use planning decisions. It will continue to have an important role, but we are proposing to modify that role to focus more on matters that have the greatest impact on the broader public interest.

We are also suggesting a number of administrative reforms to the OMB to the Public Appointments Secretariat, which is conducting a review of Ontario's agencies, boards and commissions. For example, we want to ensure that persons named to the OMB are the best-qualified people to hear appeals of planning decisions that affect our Ontario municipalities. We also want to establish a citizen liaison function to help members of the public navigate the OMB process, making it more accessible.

Our proposed reforms would provide clearer rules and a more transparent process for the public, municipalities and all parties involved in planning our communities. In the long term, they would help minimize lengthy delays and confusion about how the planning process operates, while supporting important goals of important sustainable growth and development.

Over the last two years, the province has consulted extensively on planning reform issues. During these consultations, we heard from thousands of people and organizations, including municipalities, planners, developers, ratepayers, environmental groups and many other members of the public on what changes we needed to make to Ontario's planning system. The proposed legislation is the result of that lengthy consultation process, and we will continue to work with our municipal partners, the public and all the stakeholders to ensure that we plan for the kinds of communities that Ontarians want and deserve.

Our proposed legislation is one part of our broader vision for shaping Ontario's future. So are the new provincial policy statement; our greenbelt plan; the Strong Communities (Planning Amendment) Act and the Places to Grow Act; the proposed growth plan for the greater Golden Horseshoe; and most recently, our proposed Clean Water Act. Taken together, all of these initiatives will help make the vision real. And with the bill that I've proposed today, we are again delivering on our commitment to build stronger, more vibrant and more sustainable communities.

FAMILY HEALTH TEAMS

Hon. George Smitherman (Minister of Health and Long-Term Care): I rise today to advise you and this House of the latest development in our government's plan to deliver on three key health care priorities. The priorities we identified earlier in our mandate are healthier Ontarians, reduced wait times and better access to nurses and doctors. As all members of this chamber will know, we're delivering on all three, and family health teams are a big part of the reason why.

Family health teams are exactly the kind of interdisciplinary team model experts like Roy Romanow for years have been calling for, bringing doctors, nurses, nutritionists and other health care professionals together under one roof to offer a complete package of care. We've already established 69 family health teams across Ontario. Last Friday, we announced the creation of 31 more, to be located in the following communities: London, St. Marys, Stratford, Listowel, Sauble Beach, Erin, Palmerston, Beamsville, Paris, Niagara Falls, Smithville, Oshweken, Mississauga/Etobicoke, Toronto, Markham, Fenelon Falls, Bancroft, Athens, Rockland, Carp, Penetanguishene, Iroquois Falls, Kirkland Lake, Little Current, Vermilion Bay, Schreiber and Atikokan.

These 31 new family health teams will include more than 250 doctors and approximately 225 other health care practitioners. This second wave also brings us to two thirds of the way toward our commitment of 150 family health teams by 2007-08. More importantly, they will provide thousands of Ontarians with access to nurses and doctors, many of whom today do not have that access. And let me point out that our fundamental commitment to accountability dictates that we will be reporting progress, including progress on the number of previously orphaned patients who will now have access, who will no longer be orphaned.

Doctors working in a family health team model can provide more care to more patients than doctors working in a solo practice. Access is also enhanced because teams offer after-hours and weekend coverage, and the patients have access to a telephone health advisory service after hours. These teams don't just help those who are sick. They work at keeping people healthy, providing one-stop shopping for a wide range of health care services based on the needs of the community.

Patients aren't the only ones who benefit. Family health teams are also a very attractive model for doctors and other health care professionals, allowing them to share their workload with colleagues and providing them with greater flexibility and balance in their work and in their home lives. They're a model of primary care reform that truly works, a model that previous governments have tried to introduce with only limited success. We have been determined to make this model a reality, and I'm proud to report that we are succeeding.

When we made the announcement on Friday, one of the speakers was Dr. Geordie Fallis, who is the chief of the department of family practice at Toronto East General Hospital. He'll be working in the new family health team at Toronto East General, and he had this to say: "There is no heavier burden than a great potential." Then he thanked this government "for providing us with this opportunity to develop our potential."

Today's second wave of family health teams is a big step forward. We're developing a great deal of potential, but our work is by no means complete. I'm pleased to announce that we are launching a second call for applications. The ministry is now accepting applications for groups wanting to be chosen as one of the final 50 family health teams. This second call opens today and will close on February 15, 2006, and the process is open to repeat and new applicants alike.

Let me tell you a little bit more about how family health teams fit into our bigger plan for health care. They stress health promotion and disease prevention, because these efforts are just as important as treating minor ailments and managing chronic diseases in the overall health care scheme of things. This is true health care, as opposed to illness care, and it saves lives as well as health care dollars. By providing comprehensive care closer to home, and thereby reducing the need for emergency room visits, family health teams will ease the strain on our hospitals and reduce wait times. That means our hospitals can deliver the acute care they were designed to deliver and they can deliver it faster. Above all else, family health teams will improve access to nurses and doctors. They represent the future of health care, and it's a future this government is very proud to be shaping.

INTERNATIONAL HUMAN RIGHTS DAY

JOURNÉE INTERNATIONALE DES DROITS DE L'HOMME

Hon. Michael Bryant (Attorney General): I rise in the House today to mark International Human Rights Day, which was recognized around the world this past Saturday, December 10. It was on that day in 1948 that the Universal Declaration of Human Rights was adopted by the General Assembly of the United Nations in the shadow of the horrors of the Second World War, and the Holocaust in particular.

Cette oppression était la preuve que le monde avait besoin d'une déclaration universelle des droits fondamentaux de la personne.

The declaration was adopted by a world community determined to define a set of minimum standards to which all could be held to account. Canada has always played an important role in the advancement of human rights around the world. The current United Nations High Commissioner for Human Rights is Louise Arbour, a former judge of the Ontario Court of Appeal and the Supreme Court of Canada. It was a Canadian lawyer, John Humphrey, who spearheaded the drafting of the universal declaration.

Ontario has a proud record of leadership in protecting human rights. It was in 1962 that our province introduced the Ontario Human Rights Code, the first comprehensive human rights code in the nation. This past November, at the justice ministers' meeting in Whitehorse, provincial and federal justice ministers agreed to hold a gathering of justice ministers and ministers responsible for human rights in 2006. It is the first such meeting that will take place in some 17 years. It is long overdue and I'm looking forward to it.

Ontario's strength comes from the diversity of its people. The citizens of Toronto, for example, speak more than 100 different languages, and the city has the highest proportion of foreign-born residents—44%—in the world.

Discrimination and racism in any form is a violation of human rights and human dignity. It weakens humankind and must be fought wherever it is found. This is particularly true when it comes to hate crimes.

1430

The need for responsive policies and programs that aim to prevent hate crimes in Ontario is clear. The McGuinty government has established a Hate Crimes Community Working Group to provide expert advice and proposals for solutions to combat hate crimes in Ontario. This past Friday, Minister Kwinter and I announced the appointment of the chair and members of the working group. This group will make recommendations on ways to improve services for victims of hate crimes and prevent such crimes and victimization.

Three members of the working group are with us here today in the gallery: The chair, Karen Mock, and members Ijaz Qamar and Howard Shulman. I know the Legislature welcomes them all.

Protecting human rights is everyone's responsibility. We all have an obligation to respect each other's rights, to speak out and act out against discrimination. On this International Human Rights Day, let us celebrate the achievements that have been made toward universal human rights. Let us all take a moment to think how each and every one of us can contribute to a better and more humane world.

And may I say, on this December 12, which happens to be my mother's birthday—Mom being someone who certainly would affirm International Human Rights Day—happy birthday, Mom.

RURAL STUDENT SUCCESS PROGRAM PROGRAMME AXÉ SUR LA RÉUSSITE DES ÉLÈVES EN MILIEU RURAL

Hon. Gerard Kennedy (Minister of Education):

Our government is committed to seeing that all Ontario students get the best education possible. Giving our students a good educational foundation leads to a better future, not just for them, and a more prosperous Ontario for all of us.

Students in Ontario's rural schools are no exception. That's why this morning I visited Lord Dorchester Secondary School, near London, along with a number of my colleagues, including the Minister of Agriculture, Food and Rural Affairs and the Minister of Labour, to announce the rural student success program to improve the viability of rural schools, increase graduation rates for rural students and encourage more students to pursue post-secondary education. This program includes a \$10-million lighthouse program, a new rural-experience emphasis in the curriculum and new e-learning pilots. I know the members opposite are interested in the kinds of things that are finally happening through the rural student success program, putting rural schools on an equal footing with their urban counterparts and making sure that there is equal success for the 75,000 rural high school students in this province.

Le programme axé sur la réussite des élèves en milieu rural mettra les écoles secondaires rurales sur le même pied que celles des régions urbaines afin d'améliorer les chances de réussite des 75 000 élèves qui les fréquentent.

We know that when young people have access to good education in local schools, our communities can grow stronger. The government is committed to supporting the role schools play as hubs and indeed hearts of our thriving rural communities.

We are very well aware of the challenges that rural high schools face. This program recognizes the uniqueness of these schools, helps to enhance the learning experience for students and encourages students to stay in rural high schools instead of electing for larger urban ones.

Let me give a bit more detail on the rural student success program. The lighthouse program will provide 25 to 50 of our 144 high schools with \$100,000 to \$200,000 of additional annual funding in each of the two years. This is the latest instalment in what is now a rural funding formula, which has been asked for for a long time and is only now available to support rural students; \$20 million was provided earlier this year. Since 2002-03, over \$200 million in new annual funding targeting the needs of rural students has taken place. That is a separate fund of \$230 million in one-time capital funding—funding for libraries, energy retrofits and trying to catch up some of the issues. It includes money for transportation. Some of the members opposite, I think, will want to applaud that component.

The rural student success program will adapt the high school curriculum to provide more options to rural

students. It will include for the first time a rural and farming major as part of the recently announced specialist skills diploma. Students will have the option to bundle six to 12 farming and related courses to get a specialist designation for their diploma, new rural and agricultural related co-operative courses and, for the first time, ministry-recognized external programs will be eligible to count for credit, such as the 4H program.

An extensive e-learning pilot project will increase the diversity of courses available at rural schools by providing for the first time a provincial platform that will enable students to take the same course from a variety of locations.

The rural student success program is another component in this government's student success strategy to ensure that all students will receive a good outcome from their high school education. This strategy announced by Premier Dalton McGuinty includes a government target to increase the graduation rate to 85% by 2010, up from 68% when the government took office and 71% in 2004. This is a bold target, but we must be bold because that is what Ontario students deserve. It is why our government is committed to strengthening rural education; it is a key to improving the quality of life in the communities and boosting the economic development potential of rural Ontario and our province's prosperity. I look forward to working closely with the Minister of Agriculture, Food and Rural Affairs on that exact issue.

Cette initiative essentielle permettra d'améliorer la qualité de vie dans ces collectivités et de renforcer le potentiel de développement économique de l'Ontario rural de même que la prospérité de la province.

The Speaker (Hon. Michael A. Brown): Responses?

LAND USE PLANNING

Mr. Ernie Hardeman (Oxford): A couple of quick words to the Minister of Municipal Affairs and Housing on introducing the reforms to the Planning Act and the Ontario Municipal Board. I guess I should start off by saying I would share the opinion expressed by Ann Mulvale in her response to the minister's statement: "Our shared desire to reform the Planning Act, and more specifically the Ontario Municipal Board, is a good example of where our interests align. I cannot imagine that you would find a single municipality that would endorse the OMB in its present structure or a single municipality which would not support the government's commitment to changing it." I think we all share that commitment. For two years we've been waiting for the minister to come forward with the proposal to reform the Ontario Municipal Board.

I just want to point out that what the government says and what they do is not always the same thing. We get a lot of promises, but then they don't come through on what they're promising to do. One of the things in the statement that the minister was speaking about was that the Municipal Board will now have to "have regard to" the municipal bylaws and the municipal official plans. I want to point out that it wasn't good enough for the

minister when the municipalities must "have regard to" the provincial policy statements. He changed those words to "be consistent with" in order to make sure that municipalities did exactly what the province wanted done. Obviously, he's not willing to give the municipalities that same respect that he wanted for the province when it comes to the Ontario Municipal Board.

The other thing I want to point out very quickly is that when we talk about giving respect to the municipalities and suggesting that the Planning Act is going to allow them more authority to develop communities as they see fit, there are 16 new conditions that they must meet where they must be consistent with provincial policy statements in order to deal with their local planning. This isn't downloading responsibilities to municipalities, this is uploading to the province. They're going to develop our province.

FAMILY HEALTH TEAMS

Mrs. Elizabeth Witmer (Kitchener-Waterloo): I'm pleased to respond to the statement by the Minister of Health regarding the family health teams. This government loves to make announcements. They have very little substance, however, behind them. This is a lot more rhetoric. We know that of all the family health teams that have been announced, only one is fully operational; the rest are not near.

The minister also did not mention that this primary care reform was introduced by our government, beginning in 1997 with seven pilot projects. What we're seeing is an evolution of family health teams.

The other thing the minister didn't mention, and I heard from my colleague here, is that as he goes around to communities to announce these family health teams, the family health teams say, "Listen, we don't need the minister to come and tell us we're a family health team. We've already been operating in that way."

So, do you know what? A lot of hot air, a lot of noise, very little in the way of improving access for people in the province to doctors and nurses.

RURAL STUDENT SUCCESS PROGRAM

Mr. Toby Barrett (Haldimand-Norfolk-Brant): To the Minister of Education: For two and a half years, various citizens groups, coalitions across the province, have been writing letters to you as education minister, pleading with you to keep high schools open. The question remains, is this all for naught? There are 144 rural high schools across Ontario. This course program helps 25 or so high schools. The question remains, what about the others? What about those schools that are threatened with closure? I sincerely hope they will remain open in the future.

I will say, however, I am pleased to see there is a promise here—I hope it's more than a promise—for a farming and a rural major in high school. I used to teach high school agriculture and that course in the province of Ontario was eliminated 30 or 35 years ago. I do hope you

keep your promise and bring back high school agriculture.

1440

You know, this Ontario government continues with periodic announcements and promises of support for rural schools, but when it comes to action, the Minister of Education has yet to step up to the plate. We're still waiting for the long-promised funding formula, the changes, for our rural schools; we're still wondering when the school closure moratorium will have some teeth; and we're still looking for some hard details on that \$20-million announcement. What school has reached that funding? What board has achieved that funding? In my riding, for example, Communities Advocating Rural Education, a member of the Coalition for Small Schools, has been questioning the continued waiting game faced by our rural schools. They've put this in writing, and they would like to see a transfer of funds directly to boards and to schools.

Mr. Rosario Marchese (Trinity-Spadina): The Minister of Education says that one-size-fits-all doesn't work. We agree with that. Unfortunately, we don't see a new funding announcement here. This is the same Mike Harris formula with a few frills. The announcement will not keep small schools open and doesn't fix the transportation problems the Tories created, which this government is continuing with.

Rural communities need real solutions. On the transportation front, what we've seen is this minister taking money from 33 boards to give to 40 other boards. We think that was not a real solution. The government is proud of that, but taking money from one board to give to another doesn't solve the transportation problems. We have been looking, and rural communities are waiting, for real transportation policies from this minister and this government. We have yet to hear one.

On small school closures, you'll remember that mon ami Monsieur Kennedy at least introduced a moratorium in 2004, and while we had a moratorium, small schools were closing. People for Education said that 15,000 students will be displaced by school closings within the next two years, bringing to over 23,000 the total number of students whose schools have closed since 2004. Forty-four schools closed in 2004, 36 in 2005, and school boards are saying that 19 are slated to close in 2006. The average size of secondary and elementary schools continues to decline at a rate that will make further school closings inevitable. Mr. Kennedy is telling school boards to hold on closings while at the same time underfunding small rural schools. Making announcements such as this does nothing to solve those main problems. Those who are expecting real solutions to the problems I have identified will be severely disappointed with this announcement.

LAND USE PLANNING

Mr. Michael Prue (Beaches-East York): The Minister of Municipal Affairs and Housing likes to stand

in this House so often and talk about municipalities being an equal order of government, and yet today we see that he continues with the archaic and arcane policies of the Ontario Municipal Board. This is the only province in Canada that has such a board.

In opposition, the Minister of Citizenship used to call for the abolition of that body. He used to say it was archaic, antiquated and unelected. But what do we see today? We see only minor tinkering at the edges. In the minister's own words, "It will continue to have an important role, but we" will "modify that role." That's all that's happening here today: a little bit of modifying. If you look at the actual words here, instead of using the words, "be consistent with" or "be bound by" what municipalities have to say, you say "have regard to," the weakest possible judicial instruction there can be. That's what you're doing. When you look at the optional local appeal bodies, I cannot imagine something that would be more weak or more useless. It's only available to some municipalities, they have to find the funding for it and they have to go through a whole process to make it different. They're not likely to ever do it. And all that's involved are tiny, little decisions that are made by committees of adjustment on minor variances of such things as the length of a building, the width of a lot or the floor space index. That's all it's going to do. What a small, small piece of legislation.

FAMILY HEALTH TEAMS

Ms. Shelley Martel (Nickel Belt): With respect to the statement made by the Minister of Health, the minister previously announced 69 family health teams. It would be interesting to know how many have actually been established, and that's the question of the day. We know that half of those that were previously announced were already existing group practices which were converted to a new model. Many went from family health networks to family health teams. So there was no net gain of new doctors and no net gain of people being served. It'll be interesting to see how many in this new round are in a similar situation.

Secondly, in the last round of announcements and in this one, over half of the ones announced were not for underserved areas. I thought the point of the exercise was to make sure we had primary health care going to those communities most in need. There are 102 communities in the south and 37 in the north that are on the underserved area list. I don't know why the vast majority of family health teams aren't in underserved areas.

Finally, with respect to nurses, they are critical to health care. I wonder why they don't have a primary role in family health teams. When I asked the minister in estimates how many new nurses were being hired in family health teams, he said, "Family health teams are reporting zero"—

Interjections.

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

DEFERRED VOTES

BUDGET MEASURES ACT, 2005 (NO. 2)

LOI DE 2005

SUR LES MESURES BUDGÉTAIRES (N^o 2)

Deferred vote on the motion for second reading of Bill 18, An Act to implement 2005 Budget measures and amend various Acts / Projet de loi 18, Loi mettant en oeuvre certaines mesures énoncées dans le Budget de 2005 et modifiant diverses lois.

The Speaker (Hon. Michael A. Brown): Call in the members. This will be a five-minute bell.

The division bells rang from 1447 to 1452.

The Speaker: Mr. Duncan has moved second reading of Bill 18, An Act to implement 2005 Budget measures and amend various Acts. All those in favour will please rise one at a time and be recognized by the Clerk.

Ayes

Arthurs, Wayne	Duncan, Dwight	Patten, Richard
Balkissoon, Bas	Gerretsen, John	Peters, Steve
Bartolucci, Rick	Hoy, Pat	Phillips, Gerry
Bentley, Christopher	Jeffrey, Linda	Pupatello, Sandra
Berardinetti, Lorenzo	Kennedy, Gerard	Qaadri, Shafiq
Bradley, James J.	Kular, Kuldip	Racco, Mario G.
Broten, Laurel C.	Kwinter, Monte	Ramal, Khalil
Brownell, Jim	Lalonde, Jean-Marc	Ramsay, David
Bryant, Michael	Leal, Jeff	Rinaldi, Lou
Cansfield, Donna H.	Levac, Dave	Ruprecht, Tony
Caplan, David	Marsales, Judy	Sandals, Liz
Colle, Mike	Matthews, Deborah	Smith, Monique
Cordiano, Joseph	Mauro, Bill	Smitherman, George
Craiton, Kim	McMeekin, Ted	Takhar, Harinder S.
Crozier, Bruce	McNeely, Phil	Watson, Jim
Delaney, Bob	Meilleur, Madeleine	Wilkinson, John
Dhillon, Vic	Milloy, John	Wong, Tony C.
Dombrowsky, Leona	Mitchell, Carol	Wynne, Kathleen O.
Duguid, Brad	Parsons, Ernie	Zimmer, David

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

Nays

Arnott, Ted	Jackson, Cameron	Prue, Michael
Barrett, Toby	Klees, Frank	Runciman, Robert W.
Bisson, Gilles	Marchese, Rosario	Sterling, Norman W.
Chudleigh, Ted	Martel, Shelley	Wilson, Jim
Dunlop, Garfield	Miller, Norm	Witmer, Elizabeth
Hampton, Howard	Munro, Julia	Yakabuski, John
Hardeman, Ernie	O'Toole, John	
Horwath, Andrea	Ouellette, Jerry J.	

The Clerk of the Assembly (Mr. Claude L. DesRosiers): The ayes are 57; the nays are 22.

The Speaker: I declare the motion carried.

Shall the bill be ordered for third reading? Agreed? So ordered.

ORAL QUESTIONS

HEALTH SERVICES

Mrs. Elizabeth Witmer (Kitchener–Waterloo): My question is for the Minister of Health. When you made your long-awaited announcement about Ontario's wait

times in October, you said, "We all know that if there is one yardstick by which everyone measures health care, it is wait times." When you announced the wait times Web site, you said that this was data that was going to be updated on a bi-monthly basis. Can you tell us today whether the wait times have decreased since July?

Hon. George Smitherman (Minister of Health and Long-Term Care): As the information is being posted and made available to Ontarians on a bi-monthly basis includes wait times over a wide variety of procedures in dozens of different hospitals, it would be very challenging to answer in a yes or no case to the honourable member's question. I can tell the honourable member that the investments that our government has made, including the development of a wait times Web site that for the first time gives Ontarians the opportunity to take a look, are an important point of transparency.

Today we celebrated a very significant milestone in the journey to reduce wait times, and that is that a pan-Canadian approach, for all jurisdictions, with respect to wait time benchmarks was brought forward, and that is something that has been heralded by many as a significant turning point for health care in our country.

Mrs. Witmer: I didn't hear an answer; I heard a lot of fluff. I would say again that, according to numbers that we have obtained directly from your ministry, wait times for the latest months available, August and September, have increased in all five of your so-called priority areas. Minister, according to your own leaked wait times data, wait times for cancer surgery in Ontario are up 9% since you started publishing data on how long people are waiting for care.

You said you were increasing the number of cancer surgeries performed. Can you explain why Ontarians are now starting to wait even longer for cancer surgery?

Hon. Mr. Smitherman: The first thing we need to remind the honourable member of is the deplorable state of circumstances—

Interjections.

Hon. Mr. Smitherman: Wait for it.

Interjections.

The Speaker (Hon. Michael A. Brown): Order. Minister of Health?

Hon. Mr. Smitherman: The point that my honourable friends were very desirous of not hearing was that the circumstances that they left to the people of the province of Ontario were such that we didn't even have the capacity to measure the number of cancer surgeries being provided. This honourable member who asked the question today was the longest-serving health minister in a government that was largely exited from office on the basis of its performance in health care.

We committed to the people of the province of Ontario that we would work with them to reduce wait times in five key areas by the time of the next election. We've begun to capture that information with a registry, wait times data available to people, and it will be posted every couple of months. People will take the opportunity

to follow that and to judge us on our performance, and I think they will be very positive about it.

Mrs. Witmer: This minister was full of huff and puff this morning about wait times, and when we ask him for an answer, he doesn't have one. It doesn't matter how you cut it, wait times for angiography and angioplasty are up. Again, according to your own leaked wait time figures, patients waiting in Ontario for cardiac care are facing a 22% increase in wait times for both angiography and angioplasty procedures. In July of this year, the average wait from referral by a specialist to treatment for an angiography was 18 days; it was 22 in September. In July, angioplasty procedures was nine days; by September, that number had jumped to 11 days.

Minister, these are part of what you boasted were your priority areas. Why should Ontarians have any confidence in anything you say about meeting wait times?

1500

Hon. Mr. Smitherman: I'm not going to follow the tone of the honourable member because that would have the effect of disparaging the fact that across the province of Ontario today, as we speak, hundreds and hundreds of experts—doctors and nurses and those working on the front lines—are diligently deploying their best skills with a view toward helping the people of Ontario access health services more quickly.

Part and parcel of this is that we've begun to capture data and update it and make it available every couple of months. As you introduce new measurement capacities, it takes some time for the reliability of the data to become more reliable. This is, of course, part and parcel of it. The reality cannot change. The reality is that we've made significant new investments, new services. The honourable member has her record to rely upon, and that is the one that got her party exited from office.

Mrs. Witmer: Under the watch of this government, wait times are going in the wrong direction. Minister, according to your own leaked figures, median wait times for cataract surgery in Ontario are up 16% since July. As of July 2005, patients needing cataract surgery were waiting on average 139 days from referral by a specialist to receiving treatment. The number went up to 142 days by September.

Again, I ask you, Minister: Why, under your watch and despite all the rhetoric, are Ontarians waiting longer for cataract surgery?

Hon. Mr. Smitherman: The protestations from the honourable member aside, she presents no evidence for this circumstance. What Ontarians will be able to determine on their own very soon is to look on a Web site and to measure this, not just on the basis of the honourable member's desire to do so, but on the basis of a person able to measure for themselves what the circumstances are, as an example, in their local health integration network or at their local hospital.

We're at the beginning stages of this. We've had one set of numbers put up there. There's a broader number of hospitals that are complying with the number in the second go-round and there will be, as we build a new

system, the capacity for Ontarians to properly judge it. They will be able to judge it much more fairly because they will know that they can look at information about their local hospital and they will know and they should gain some confidence from the fact that it isn't about the government doing this. Here in Ontario, we have everybody working together. The changes that we seek in terms of wait times are being led on the front line by health care providers.

Mrs. Witmer: Minister, today you said in your announcement that Canadians are "the big winners." But if we take a look at the leaked figures that we received from your ministry, Ontarians who are waiting for hip and knee replacements have no cause for celebration today. The median wait time for hip replacements increased by 14%. We know from your leaked document that the wait time for knee replacements is also up.

Minister, I ask you: Why are Ontarians, under your watch, waiting longer for hip and knee replacements?

Hon. Mr. Smitherman: The honourable member offers up some suggestion about hips and knees, and this is one of those areas where we will be very much challenged to address it.

Mr. Gilles Bisson (Timmins—James Bay): Just watch your knees when you skate with Liberals.

Hon. Mr. Smitherman: He's not even in his seat. It's unbelievable, the conduct of that honourable member today.

The increase that we can speak about with a lot of certainty is that we've increased by 28% access for Ontarians to hips and knees, but it is one of those areas that will challenge us to find new approaches because we've pretty much maximized the capacity of our health human resources. That goes back to another matter that the honourable member doesn't like to acknowledge: It is her DNA and that of her party that is associated with the challenge that we have with too few doctors in our province.

Mrs. Witmer: I notice that he's not denying the fact that under the watch of this government wait times in the province of Ontario are actually decreasing—or increasing. Wait times are increasing. We have your leaked wait times chart to tell us that, on average, Ontarians are also being forced to wait longer for MRI and CT scans than when you first published the information in July. For an MRI, patients now have to wait 55 days, up from 53 in July. For a CT scan, patients now have to wait 30 days, up from 28 days in July. Minister, in every one of your five key areas, wait times are increasing. They're not getting shorter, as you promised.

The Speaker: Question.

Mrs. Witmer: It's like every Liberal promise that you have made; you break your promises. I ask you today, why are you breaking your promise? Why are wait times not getting shorter—

The Speaker: The question has been asked. Minister?

Hon. Mr. Smitherman: This time, the honourable member likes to talk about MRI and CT. The circumstances are clear, and that is that under our government

we've increased by 42% access for Ontarians to MRIs. Under that party, MRI machines were shut all night. But in Barrie, as one very, very good example, at Royal Victoria Hospital, where wait lists of almost a year were being allowed under that government, we've sought to make investments with considerable new resources that allow those to be open over the night.

The honourable member has said very often, "What are you going to do about the Wait Time Alliance and their work on wait times?" Today, here's what they said: "The Wait Time Alliance welcomes the benchmarks announced today, calling them a turning point for Canadian patients."

The point is that Canadian governments and ours, in a leadership role, are investing considerable new resources and new energy into practices that, without any doubt, will reduce wait times in our province.

HYDRO GENERATION

Mr. Howard Hampton (Kenora-Rainy River): I have a question for the Minister of Energy. This summer the Premier said the McGuinty government would build more nuclear power plants if that's what the Ontario Power Authority recommended. Well, on Friday, to no one's surprise, the Ontario Power Authority, stacked with Liberal cronies, recommended building between 9,400 and 12,400 megawatts of new and refurbished nuclear power plants. My question, Minister: Can you tell ordinary families across Ontario, does the McGuinty government support the recommendations of the Ontario Power Authority to build 9,400 to 12,400 megawatts of new nuclear power supply, yes or no?

Hon. Donna H. Cansfield (Minister of Energy): I'd like to thank the member for the question. Personally, I'd like to thank Mr. Carr and the board and the Ontario Power Authority for the work they did. It's five volumes, 1,100 pages, with a 250-page summary. They did an extensive job, looking at the mixed fuel supply on behalf of the government. It's another step forward that this government is taking to build a safe, reliable, affordable supply for the people of Ontario.

What we have done is that we've posted the report on the Environmental Bill of Rights. Normally, it would be 30 days; instead, we've put it up for 60 days, so everybody will have an opportunity to reply. We will take everybody's comments into that process. I think the Premier has also indicated that we will all follow the process.

Mr. Hampton: The Premier had no problem stating the government's view in September, so I don't understand why he'd have a problem now.

What's clear is this: Building more nukes is a massive undertaking, with a massive price tag. Conservative estimates put it at \$40 billion. We know from the Darlington principle that it could easily be three times that.

What I believe is that the people of Ontario deserve to know, finally, where does the McGuinty government stand? They know where New Democrats stand. We think nuclear power is expensive and unreliable. They

know where Conservatives stand. Conservatives support more nuclear power. The Premier said in September he was in favour of more nuclear power. What's your position today: Yes or no?

Hon. Mrs. Cansfield: We certainly do know where the member of the third party stands: He doesn't like anything. He doesn't like wind, he doesn't like biomass, he doesn't like nuclear, he doesn't like gas, he doesn't like—anyway.

1510

Our plan involves major components. We are going to build new generation, and we have 10,000 megawatts—the wheels are in motion. We are going to maximize our existing assets, in addition to our existing transmission, and we are going to build a conservation culture in this province. We are moving forward; nothing has changed. We have a plan. This is the next step in the plan. And if the member was aware during the Bill 100 proceedings, it very clearly articulates the plan.

Mr. Hampton: Minister, your energy plan is in shambles. The rolling brownouts we saw this summer and the 52,000 lost manufacturing jobs demonstrate that.

We also know that nuclear power is expensive. Virtually every nuclear plant that's been built in this province had significant cost overruns, plus the annual cost of maintaining them and refurbishing them runs into hundreds of millions of dollars as well. The Premier stated one position in September. Now that the issue is before us, you seem to want to run and hide.

I say again, what's the position of the McGuinty government? Is it that the Premier endorsed nuclear power in September, but now he's not so sure? Is this another Dalton McGuinty, "I say one thing one day, and something else the next day"? What's your position? Do you support the recommendation of the Ontario Power Authority or not?

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

Hon. Mrs. Cansfield: I will tell the member that the NDP have no vision at all, and haven't had for some time. They virtually cancelled everything that was put in place. This government does. We take this report very seriously. It will be given consideration. It will be analyzed. We will wait for public input, and then we will move forward. So we do have a plan and a process, and it will be followed.

The Speaker: New question.

Mr. Hampton: To the Minister of Energy: I think the people of Ontario simply deserve to know, what is your plan? The Ontario Power Authority, stacked with Liberal cronies, set clear and big targets for more expensive, unreliable nuclear power, but at the same time they paid lip service to energy efficiency and energy conservation, which is clearly the cleanest and quickest alternative. There are no long-term targets and no plan for energy efficiency and energy conservation.

Minister, why does the McGuinty government offer only lip service and superficial photo ops when it comes to energy efficiency and conservation, yet the Premier is ready to endorse lots of expensive nuclear?

Hon. Mrs. Cansfield: It's amusing, to say the least, to listen to the pontificating going on over there. This is the party that cancelled the \$2,000 incentive program for buyers of the R20 homes. They cancelled the reduced prices on energy-efficient products. They cancelled the \$50 rebate on energy-efficient refrigerators. They cancelled any cash rebates for upgrading on inefficient street lighting—300,000, by the way—and they cancelled energy-efficient lighting incentives for renovation retrofit and for new construction.

As I said earlier, we do have a plan. It is going to maximize what we have, build what we need and create a conservation culture in this province. We are going to take the report seriously. We are going to analyze it. We'll go through the process of public input, and then we will make our decisions.

Mr. Hampton: Minister, you need to read Hansard to see that the most vociferous opponent to energy efficiency was the Liberal energy critic, someone named Dalton McGuinty. But this is about your plan, or your failure to state a plan.

What's clear, from what the Premier said, is that the McGuinty government is prepared to spend more than \$40 million on expensive and unreliable new nuclear power plants, replete with safety and security concerns. You will almost double the use of very expensive electricity generation from natural gas, from 16% of capacity to 27% of capacity, but you're not prepared to set aggressive energy efficiency and energy conservation targets even though we could reasonably reduce electricity consumption by 20%.

Minister, what is your position? How many more jobs have to disappear before you say no to nukes and yes to affordable and reliable energy efficiency and energy conservation?

Hon. Mrs. Cansfield: After 12 years of nothing being done in this province toward developing a strategy for energy, this member has the audacity to stand up and say anything about what our plan is? It's here; it's articulated; it's clear. This is the same government that actually cancelled the Ontario Hydro 25-year plan, the class EA environmental scan.

We have a plan in place. It is quite clear. We are going to maximize our existing facilities and our transmission. We are going to build new generation, of which for 10,000 megawatts the wheels are set in motion, which is bringing \$3 billion into this province and a significant number of jobs, and we will create a culture of conservation in this province. This is our plan.

We will, unlike the member, take this seriously. We will listen to the public for their input. We have expanded from 30 days to 60 days on the Environmental Bill of Rights. I will meet with whoever would like to meet with me. We will move forward only after we have had that kind of significant input, and that's the process we will follow.

Mr. Hampton: This plan that you talked about was cancelled. This wouldn't have been the plan that called for four more nuclear sites, 16 more nuclear units and

lots of coal plants? It wouldn't be that plan that you're complaining was cancelled?

But, Minister, this is about your plan. Dalton McGuinty said in September he was all set to endorse nuclear. What's clear from his comments is that you're prepared to saddle Ontarians with the 1950s-style dream of more nuclear plants and a conservation plan that is so weak, only George Bush and his sidekicks would support it. And you think that posting the Ontario Power Authority report on a Web site for 60 days is proper public consultation.

Premier Dalton McGuinty promised proper public consultation. Will you commit to a full environmental assessment of the OPA report with public hearings across the province to test the report's assumptions and the public mood—

The Speaker: The question's been asked. Minister?

Hon. Mrs. Cansfield: I will tell you what I do agree with. Mr. Hampton indicated, and let me quote, "We will live, we will continue to live with the effect of the coal mistakes for decades to come. Some of us will die before our time, victims of coal-generated air pollution."

We agree, and we have a plan in place to replace coal. Our plan is to maximize our existing, to build new and to create a culture. If in fact this member thinks that one of 25 projects in place, which deals with over 5,000 folks in social housing and 150 of the people who participate in over 20 communities, is minimizing, then you have some idea of what he thinks of how to move forward in terms of conservation initiatives. Obviously we differ, and we will continue to differ. We have a plan, we have a process, and we will follow through.

HEALTH SERVICES

Mr. Jim Wilson (Simcoe-Grey): My question is to the Minister of Health. In your first Liberal budget of last year, you actually cut OHIP-paid health services. As your government likes to say, for the first time in Ontario's history, physiotherapy services were cut. Chiropractic services were eliminated. Optometry services were cut, and only under intense pressure did you agree that seniors would still receive OHIP-funded optometry care. Today we see the Ontario Association of Optometrists warning that wait times for those OHIP-covered seniors are increasing on your government's watch.

Minister, aside from calling the hard-working men and women who provide eye care in this province "terrorists," as you did last month, what are you doing immediately to ensure that wait times for our seniors don't get longer?

1520

Hon. George Smitherman (Minister of Health and Long-Term Care): It's a day of tremendous audacity on the part of the opposition on matters of health. This honourable member stands in his place and talks about circumstances as they relate to health care. You were the Minister of Health in Ontario that cut, over two suc-

cessive years, \$557 million from Ontario hospitals. But even worse than that, over all the time that you were the Minister of Health and over all the time that the member from Kitchener was the Minister of Health, optometrists in the province of Ontario—in fact, for 10 or 12 years, including on the watch of the NDP—saw not one penny of increase in the amount that they were provided, creating a very serious circumstance. When we came to office, optometrists were expecting \$100 million in fee increases because you didn't address it—not one year, not one penny.

We're going to work with optometrists—I have a meeting with them on Wednesday—with a view toward what we can do to enhance the amount they are paid to provide services in our public health care system, something—

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

Mr. Wilson: I'm glad this is a place for—

Interjections.

The Speaker: Stop the clock. Order, Minister of Community and Social Services.

Member for Simcoe–Grey.

Mr. Wilson: Again, we hear the absolutely unfactual approach from this Minister of Health. You people went around during the many years of the Mike Harris government saying we cut health care. You know in your conscience, and you know the facts speak, that we never cut one penny of health care. The budget grew each and every year, and you still say this. You live in mythology. It's like the 28 hospitals you say we closed: Name them.

With respect to seniors' eye care, this minister created this problem.

Interjections.

The Speaker: Stop the clock. Order. I just cannot hear the member from Simcoe–Grey. I need to be able to hear his question. Member?

Mr. Wilson: This health minister created this problem by creating two-tier medicine in optometry care. People now have to pay \$79 out of pocket. Those seniors are covered by OHIP, and the optometrists are only getting \$39.15, so they're seeing fewer seniors. One third of 1,300 optometrists admits they're seeing fewer seniors because of your policy. Now, rather than calling them terrorists, what are you going to do about this for the seniors in our province?

Hon. Mr. Smitherman: The member asks two good questions. Firstly, what he says is not factual. A 3.5% reduction in 1996-97 and a 4.4% reduction in 1997-98 were very genuine cuts felt in Ontario hospitals. If you've been pretending your way through it so far, get real, buddy. Honestly.

Secondly, the honourable member asked for a list of hospitals closed. Brantford, St. Joseph's Health Care: closed. Northumberland Hills Hospital, Port Hope: closed. St. Mary's hospital: closed. Perley Hospital, Ottawa: closed. Ottawa Salvation Army Grace: closed. Royal Ottawa rehab centre site: closed. Pembroke Civic Hospital: closed. Peterborough St. Jo's: closed. Toronto, Central—

Interjections: Closed.

Hon. Mr. Smitherman: Toronto, Doctors.

Interjections: Closed.

Hon. Mr. Smitherman: Toronto, Wellesley central.

Interjections: Closed.

Hon. Mr. Smitherman: Sarnia, St. Joseph's Health Care Centre.

Interjections: Closed.

Hon. Mr. Smitherman: Were any of those committed to? Did you ever stand up and say, "It is our intention to close hospitals"? No. You said it wasn't, and you did it anyway.

HYDRO GENERATION

Mr. Howard Hampton (Kenora–Rainy River): My question is to the Minister of Energy. Environmentalists say the McGuinty endorsement of more nuclear power is the wrong plan for Ontario's future. Greenpeace says of the McGuinty endorsement, "We need green power, not nuclear power." The Canadian Environmental Law Association says of the McGuinty endorsement for more nuclear power, "It misses the mark." The Sierra Club calls the McGuinty endorsement of nuclear power "insanity."

Nuclear power generates highly toxic waste that remains a potential health, safety and security hazard for thousands of years. Instead of endorsing nuclear power as the Premier has, why isn't the McGuinty government listening to the green community? How can you possibly justify more nuclear power when there is no plan to store the nuclear waste?

Hon. Donna H. Cansfield (Minister of Energy): I want to restate that in fact the report will be posted on the Environmental Bill of Rights Web site not for only 30 days but for 60 days, and that I am prepared to meet with whoever chooses to meet with me. We're going to meet with everyone, not just some folks. That's the whole idea. We take this report very seriously. We are going to wait for the analysis of the report, we're going to wait for the public input on the report, and then we will move forward and make a decision. There is a process in place that allows people to take some time to look at and analyze a document that's 1,100 pages long—there are five volumes—and a 250-page executive summary, and then be able to come to us with their impressions of that report.

I'm quite prepared; the door is open. I'm happy to meet with whoever would like to meet with me on that report, as well as have it posted not only on the Environmental Bill of Rights Web site but also on the Ministry of Energy Web site.

Mr. Hampton: Green advocates are already telling the McGuinty government what they think of Dalton McGuinty's endorsement of more nuclear power. You say that you want to hear from the public. How does holding a 60-day Web site consultation over Christmas and the holiday season constitute any kind of consultation? What environmentalists want is full public hearings. They want the opportunity to have an environ-

mental assessment of the Ontario Power Authority report. They want the opportunity to look at whatever schemes are out there in terms of nuclear waste disposal.

The Premier promised a full public consultation. Will you provide that kind of full public consultation, rather than 60 days on the Web site over the holiday season?

Interjections.

The Speaker (Hon. Michael A. Brown): Stop the clock. Minister of Community and Social Services, we need you to come to order.

The Minister of Energy.

Hon. Mrs. Cansfield: The Ontario Power Authority—if I may, I'll read this into the record—called for public submissions on supply mix in July 2005. It was not only solicited through their Web site but also through local, regional and national newspaper advertisements. They received 185 submissions and more than 200 documents from a wide range of groups and individuals. In addition to that, they addressed the gaps in the industry, environmental and academic, with experts from those areas who were actually asked to prepare briefings. All told, they heard an additional 30 formal presentations. They also met with stakeholders and groups on a consistent basis throughout the entire process. In addition to that, they did interviews with 27 industrial stakeholders and 35 non-industrial stakeholders. In addition to that, they did some public opinion polling, where they contacted almost 800 Ontarians. They did a very exhaustive process in their consultation, and that will continue. We will work with the—

The Speaker: Thank you. New question.

AGRICULTURAL TRADE

Mr. John Wilkinson (Perth–Middlesex): Not to be outdone by the Attorney General, Happy birthday to my mother as well today.

My question is for the Minister of Agriculture, Food and Rural affairs. As you know, the supply-managed sector of our agricultural industry has proven itself an effective way of ensuring farmers earn a stable, profitable income. For years, FarmGate5 has proven its ability to provide the high-quality products Ontario consumers demand at a fair price for farmers.

On Friday, November 25, I met with local representatives in my riding from the Perth County Federation of Agriculture. During our meeting, my local farm leadership repeated the call for both the provincial and federal levels of government to continue defending the interests of those farmers dependent on supply management. Minister, can you please tell this House today what our government is doing to protect the interests of supply-managed farmers?

1530

Hon. Leona Dombrowsky (Minister of Agriculture, Food and Rural Affairs): I'm very happy to report for the public record that, this very day, the Legislative Assembly of Ontario has passed a motion unanimously. That motion will present the wishes of this assembly to the federal government that, at the World Trade Organ-

ization talks, they understand our position is that supply management must be protected, and it should not be negotiated away.

I also want to take this opportunity to thank the supply-managed sectors—the dairy, the egg, the poultry folks—who have made their important views known to all members of the Legislature. I think that it's important as well that I thank my colleagues on all sides of the House—

The Speaker (Hon. Michael A. Brown): The Minister of Public Infrastructure Renewal knows that you cannot use props in this place. Thank you.

Supplementary.

Mr. Wilkinson: It's deeply reassuring to know that our government has strongly defended the interests of these farmers, and I thank the opposition for helping us.

I note that you'll be travelling to Hong Kong later this week to partake in the World Trade Organization talks. On this issue, farm support critics have tended to portray Canada's supply-managed producers as unable to contend with international competition. Now, I could not disagree more. International competitors are heavily subsidized by their governments. In contrast, Ontario has a thriving agri-food industry which contributes more than \$30 billion to the provincial economy each year. To that end, Canada and the province of Ontario have a strong interest in moving toward fairer trade policies for agriculture.

Can you please tell this House, Minister, what you expect to accomplish at this week's WTO talks in Hong Kong?

Hon. Mrs. Dombrowsky: I look forward to the opportunity when I will be joined by ministers of agriculture from across Canada. I also want to assure the agriculture producers and manufacturers in the province of Ontario that Premier McGuinty listened very closely to them when he met with them at the plowing match in Listowel. He also made it very clear at that time that he believes it's important that, as a province and as a nation, we work together to level the playing field for our agriculture producers. That means that we must work very hard to protect the supply management system that we have in place.

We must also work very hard to improve an open market access for agriculture producers. We were very delighted today, for example, that Japan has decided to open its borders to Canadian beef again.

Finally, we must also work very hard to address the market-distorting subsidies that are provided, particularly in the United States and the European Union. I'm committed to working with my colleagues from across Canada to ensure that that playing field is levelled.

HEALTH PROMOTION

Mr. Norman W. Sterling (Lanark–Carleton): My question is for the Minister of Health Promotion. In order to encourage young people to become fit, Conservative Party leader Stephen Harper is proposing a federal tax credit of up to \$500 per year, per child, for parents who

register their children in organized sports. Do you agree with this policy, Minister?

Hon. Jim Watson (Minister of Health Promotion): I thought it was the honourable member from Nepean–Carleton who was running federally. I hadn't realized Norm Sterling had thrown his hat in the ring.

We're committed on this side of the House, through a number of initiatives, including Active 2010, which is a program that encourages more and more young people to get involved in physical fitness. On Friday we announced a series of communities and action fund grants that are going to community groups all across the province of Ontario. We've got to get these young people physically fit, motivated to stay in shape, so that they can be less of a drain on the health care system. I am proud of this government's record. I'm proud of the work that Minister Bradley started in the sport portfolio. We'll continue doing those good things to keep these young people fit.

Mr. Sterling: Many people in Ontario would welcome federal dollars to deal with health promotion, to deal with young people, to encourage them to become fit. Many people in Ontario are concerned that the Ministry of Health Promotion is putting aside valuable provincial health care dollars into areas which should be taken up by our federal government.

I ask the minister: How many dollars of our provincial health care tax are you putting into these programs?

Hon. Mr. Watson: Mr. Speaker, I'm very proud of our record on supporting sports, because his party and his government cut sport funding by over 50% to provincial sport organizations. Not only that, but because they starved the education system for so many years, community groups could not afford to rent gymnasiums and other facilities at schools. We brought in the community use of schools program: \$20 million. There are over 20 school boards that have eliminated fees for after-school use of schools. This is one of the most progressive policies, at a minimal cost to the taxpayers, to get young people using gymnasiums and using other facilities. I, quite frankly, am surprised that the member from Lanark–Carleton would even raise the issue, given his record in government, which did everything possible to make sure these kids didn't have a fighting chance at a gymnasium.

SECURITIES INDUSTRY

Mr. Michael Prue (Beaches–East York): My question is to the Minister of Government Services. Canadians are scandalized—and I say that word strongly—by the growing evidence that insiders may have profited from the advance knowledge of Ralph Goodale's November 23 income trust announcement. They want someone—anyone—to come to the bottom of this. The Ontario Securities Commission has thus far refused to intervene, despite a clear mandate to investigate such matters and to disclose those facts. If the OSC continues to refuse to take action, will you step in, in your authority as minister, and order an investigation?

Hon. Gerry Phillips (Minister of Government Services): Just to be very clear, because I'm not sure you are clear, the securities commission does not disclose when it may be investigating until it's appropriate to make it public. So I don't think you know whether they are or they are not. But again, I say to all of us, we're treading on dangerous ground here. When you are suggesting that politicians should order when an investigation should take place and when it should not take place, it is very dangerous grounds. We rely on independent, arm's-length securities regulation in this country and in this province. If you're suggesting that the minister of the day should have the authority to determine when an investigation should happen and when an investigation should not happen, I suggest to you that you're suggesting very dangerous political interference in an important arm's-length organization. I would advise all of us to leave this matter to the Ontario Securities Commission.

Mr. Prue: I'm simply asking the minister to do what the minister has the authority to do. Subsection 11(5) of the act—

Interjections.

Mr. Prue: Listen to it: "Despite subsection (1), the minister may, by order, appoint one or more persons to make such investigation as the minister considers expedient." And then it goes on to talk about "Ontario securities law or the regulation of the capital markets in Ontario." You have that authority. Now, what I'm asking you to do, since the Ontario Securities Commission in many quarters is considered to be ineffective—and I think they are. Even the Toronto Star, to quote them, says, "Canadian police and securities regulators are not only toothless ... but they're also unwilling to even gum very hard against alleged corporate crooks."

Minister, you have the authority, and it appears that the OSC is refusing to act. Will you use your power under Ontario law and investigate this matter?

Hon. Mr. Phillips: Firstly, I'm not sure that power has ever been used. Just so the public should be aware of what the member is suggesting here, he's suggesting that investigations by the securities commission should be subject to political interference. It's extremely important. So the minister of the day should be saying, "You know, I think you should investigate that company," or "I think you should not investigate that company."

I suggest to you and to all of us that you are advising very reckless behaviour. This should not be a matter where politicians determine what investors are going to be protected and what investors are not going to be protected. That should be left to the organization that has the responsibility, legislated by us, delegated by us, with clear outlines. I think we should keep the politics out of this and keep the good policy in this.

1540

STELCO

Ms. Judy Marsales (Hamilton West): In continuing with the trend today, I want to send happy birthday greetings to my nephew, Matthew Michaud.

My question today is for the Minister of Finance. All of Hamilton was holding their breath on Friday and I stand here today to ask a very important question for the people of Hamilton. This past Friday, Stelco Inc. creditors voted 78% in favour of a management plan that will see Stelco emerge from bankruptcy protection. As a representative from Hamilton, I have watched over the last 23 months with a very careful eye, knowing that the citizens of our great city have been interested in seeing the company come out of this protection strong and with a prosperous future ahead. It has taken a long time to get to this point. Negotiations have taken place for almost two years now, but I'm glad that the government has been at the table the entire time as an active and involved player. The government's contribution to the—

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

Hon. Dwight Duncan (Minister of Finance, Chair of the Management Board of Cabinet): The result of the vote on Friday firmly placed Stelco on the road toward emerging from bankruptcy protection, and I want to thank the member from Hamilton for her assistance in this matter. There are still some steps to be taken with respect to it, but we remain optimistic.

The restructuring agreement is good news for the workers and retirees of Stelco, good news for Hamilton and good news for the province. A strong, viable Stelco is good news for Ontario.

From day one, we have had two objectives in this process: one, to see Stelco emerge as a viable company over the long term, and two, that the pensions of retirees and current employees remain secure. The restructuring agreement approved overwhelmingly by the creditors on Friday meets both of these goals.

We have agreed to increase the province's note or loan from \$100 million to \$150 million. We're confident and optimistic about the future of Stelco and, of course, the great city of Hamilton and its environs.

Ms. Marsales: I'm glad to hear that this government had the interests of the citizens, the company, the pensioners and the great city of Hamilton in mind during the negotiations leading toward the final agreement, which has now been approved overwhelmingly by the creditors. Friday was a good day for the people of Hamilton. I know there are still steps to be taken, but many Stelco pensioners in my riding were happy to hear the news that this agreement had been approved. The result of the vote on Friday firmly places Stelco on the road toward emerging from bankruptcy and a new vision for tomorrow's success by turning uncertainty into a more certain and positive future for Stelco.

Unlike previous governments, I know that this government is interested in keeping municipalities strong and seeing the economies of cities like Hamilton thrive and prosper. As Stelco continues along this path to emerge from bankruptcy, I know this government will continue to keep the interests of pensioners and the company in mind.

Minister, from your analysis, how does the result of this vote on Friday impact—

The Speaker: The question has been asked.

Hon. Mr. Duncan: I'd like to thank Judy Marsales and Marie Bountrogianni for all their questions and hard work on the Stelco file. Instead of mindless grandstanding like the New Democrats, who did nothing to assist this process—

Interjections.

The Speaker: The member for Timmins–James Bay needs to come to order.

Mr. Gilles Bisson (Timmins–James Bay): I'm a proud Steelworker. This is hard to take.

The Speaker: You've been warned. Minister?

Hon. Mr. Duncan: Instead of the mindless grandstanding of the third party, the members from Hamilton on this side, Judy Marsales, Marie Bountrogianni and Ted McMeekin, worked hard to make sure that this government invested \$150 million into this pension system. There are still steps to be taken. I applaud Judy Marsales, Marie Bountrogianni and Ted McMeekin, and Jennifer Mossop, who also contributed, for their overwhelming efforts on this behalf.

I say to the third party, your mindless grandstanding didn't help any. It was these members who made this deal happen.

LAKERIDGE HEALTH

Mr. John O'Toole (Durham): My question is to the Minister of Health. I understand today is all about the wait time strategy, but I'm really going to raise a point on a new Liberal wait time. On Saturday, the minister of infrastructure was in Oshawa for a photo op on the redevelopment of Lakeridge Health in Oshawa. Members should know that construction of the six inpatient floors above the new regional cancer centre won't begin until 2008-09. In effect, Durham region now has a new wait time problem.

Minister, you know that the lack of facilities contributes to the wait time challenge. What are you prepared to do, today, on fast-tracking the redevelopment of the Lakeridge site so that they will have that capacity to meet future demand in Durham region?

Hon. George Smitherman (Minister of Health and Long-Term Care): The Minister of Public Infrastructure Renewal.

Hon. David Caplan (Minister of Public Infrastructure Renewal, Deputy Government House Leader): I must say that the folks in Oshawa were thrilled that they've been given the green light to finish a project which, I say quite frankly to the member from Durham, you could have finished if you had wanted to. Instead of false promises, instead of false starts, we have a real plan, with the serious dollars behind it to get the job done.

I was at Lakeridge hospital's Oshawa site on Saturday to give the very good news to all of the hard-working board members, staff members and foundation members, who have rolled up their sleeves working with this government, who are going to see this project begin in 2008-09. Indeed, it's a happy day for the people of

Lakeridge Health in Durham. I must say that it was a shame that the member couldn't take a few moments to come out and celebrate with the community and be there as this project finally got off the ground.

Mr. O'Toole: I redirect this supplementary back to the Minister of Health, because the real problem here is that, first of all, the short and very deliberate late notice is part of the style of this government. They really don't want to engage us. But I don't want to be distracted.

Minister, the real issue here is that the community was waiting for your address of the problem of the operating deficit. You know that they had a specialist panel that filed an independent report saying, and I quote here, that it was unable "to balance its budget" without basic reductions in services to people on the front line. Now that you've announced the capital that's been delayed, you're not going to help them on the operating side, which is going to reduce patient services. We've had it from an independent panel.

This is just another problem for the community of Durham, as well as Lakeridge. Minister, what progress is being made to restore fair funding? That's \$164 less per person—

The Speaker (Hon. Michael A. Brown): Thank you. The question has been asked.

Hon. Mr. Caplan: I know the Minister of Health would like to deal with the operating funds.

Hon. Mr. Smitherman: I'm very pleased to hear the acknowledgement from the member for Durham, not just about the expansion ongoing at Lakeridge hospital at the moment in the form of a regional cancer centre but of our government's announcement that, subsequent to its construction, we'll be looking forward to the opportunity to add additional clinical capacity in that hospital.

This really is, in the 905, the story of the day. At virtually every hospital in the 905, we either see that a crane has just left, a crane is set imminently to arrive, or it's already on site. Accordingly, there will be inherent in that a tremendous opportunity for additional operational expenditure for health care services in hospitals in the 905.

In the meantime, I do wish to say, on a day when it was well established that the honourable member is from a party that actually cut \$557 million from hospitals, that our party has invested more than \$24 million in additional operating benefit already at Lakeridge Health since coming to office—24 million new dollars.

ROYAL BOTANICAL GARDENS

Ms. Andrea Horwath (Hamilton East): My question is for the Minister of Culture. Last week, I asked you the whereabouts of the \$3.8 million in funding that your government promised the Royal Botanical Gardens back in April. Your empty response really impressed no one. In fact, well-read Hamilton Spectator columnist Andrew Dreschel called your response a "ditch-and-dodge routine."

Minister, could you explain why you announced RBG emergency funding last April, when you knew it had no chance of flowing this year?

1550

Hon. Madeleine Meilleur (Minister of Culture, minister responsible for francophone affairs): I thank the member for Hamilton East for her question. However, I don't know the expression that was written in the paper. "Ditch-and-dodge"; I don't know what it means. But I can tell you that the province and its funding partner feel very strongly that the recommendations contained in the report prepared by the review committee will help members of the new board to address the challenges that the RBG faces. We have been working very closely with the city of Hamilton and the region of Halton to review the recommendations contained in the report. I am confident that the RBG board of directors is looking forward to developing a plan for the future of the garden.

Ms. Horwath: Minister, referring to you specifically, Mr. Dreschel said, "Perhaps not knowing what's going on in her own ministry, she resorted to speaking phonus balonus." I fear the minister has deposited more phonus balonus in this very chamber today.

Minister, you promised the traditional funding would be there for the RBG, and it's not. You promised CUPE workers, if they agreed on laying off half of their staff, the funding would flow, and it didn't. You even said I supported cuts to the RBG as a Hamilton councillor. Wrong again, Minister. How many times do you have to be wrong before you get it right?

Hon. Mrs. Meilleur: The RBG has formed an executive transition committee, which is developing a plan to implement the major recommendations contained in the mandate review committee report, and I'm looking forward to receiving this plan. But again, I'm going to repeat to the House, I'm very surprised to hear the question and the comment from the member from Hamilton East, because she was a member of the municipal government who cut the budget to the RBG, and she supported that.

SCHOOL CLOSURES

Mr. Khalil Ramal (London-Fanshawe): My question is for the Minister of Education. Recently, the Thames Valley district school board made public a report they commissioned by a consultant group called CN Watson. The group was paid \$105,000 for this report, which outlined a plan to close 61 schools in London and surrounding areas. Parents, students and community members are obviously upset by this report. It states that due to declining enrolment, the board should close these schools to save upwards of \$400 million.

Minister, it's unbelievable that this board paid \$105,000 to commission this report, and moreover, that it's recommending the closure of these schools—four of them in my riding of London-Fanshawe. Following years of school closures in this province, with the NDP closing

155 and the Tories closing 503 schools, what are we doing to support viable public schools?

Hon. Gerard Kennedy (Minister of Education): I want to thank the member for his question. I know his interest is in seeing that we make the shift definitively away from the one-size-fits-all policies that really attacked rural education in this province on the part of the previous government.

The report in question was commissioned by the board about a year ahead of when we put policies out to change the direction of education. I know that the board has only taken that as a report. In fact, I met with the Thames Valley board this morning. They're looking at it very constructively, because even just today, rural high schools have become more viable. Even as early as the early part of this year, \$20 million for principals, for secretaries, paying for custodial work in elementary schools—changing the face of how rural Ontario can now have security for their schools and also helping small schools in every environment. I say that the only thing we know about reports like this, done by the previous government, five- to 50-year outlook, is that they've always been—

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

Mr. Ramal: Thank you, Minister. It's good to hear that our government has taken a new approach to school accommodation following years of funding formulas that closed schools prematurely and unnecessarily.

As you know, Thames Valley is a board that encompasses urban and rural areas. The board has been vocal that the declining enrolment pressures they are facing are predominantly in the rural area of the board.

Many of the schools named in the C.N. Watson report being in rural areas surrounding the London area, parents, students and community members are concerned that they do not have the student population to sustain their schools; however, they are a valuable part of the community. What are we doing in order to ensure that rural areas can support their schools?

Hon. Mr. Kennedy: It's an approach that I think the small schools coalition today called "refreshing." I think we can start to have people think not just about how to defend against some of the things that happened, but how to move forward. My ministry, along with rural affairs, is working very closely with a very strong rural caucus, who have been consistent in insisting that schools in rural areas be stood up for. There was no such representation before in this House. Finally, there are people here who are willing to stand up and make sure that rural students don't get bused, don't get shipped, don't get discouraged, but instead, actually have access to quality education in their own communities. They will have a specialist diploma to look forward to. They will also have funding for projects that will make sure, for example, that they get access to rural and farming kinds of co-operatives and those kinds of special diplomas; 4-H is being recognized for the first time. In general, we are customizing education to fit the students. Under the previous govern-

ment, students were made to be flexible and families were given up on. That is finally changing—

The Speaker: Thank you.

Mr. Ted Arnott (Waterloo-Wellington): On a point of order, Mr. Speaker: Since the government members ragged the puck, clearly dragging out the clock so that I can't ask a question, I would like to seek unanimous consent—

Interjections.

The Speaker: I heard a no.

PETITIONS

SERVICES FOR THE DEVELOPMENTALLY DISABLED

Mr. Jerry J. Ouellette (Oshawa): I have a petition to the Legislative Assembly of Ontario:

"Whereas, without appropriate support, people who have an intellectual disability are often unable to participate effectively in community life and are deprived of the benefits of society enjoyed by other citizens; and

"Whereas quality supports are dependent on the ability to attract and retain qualified workers; and

"Whereas the salaries of workers who provide community-based supports and services are up to 25% less than salaries paid to those doing the same work in government-operated services and other sectors;

"We, the undersigned, petition the Legislative Assembly of Ontario to address, as a priority, funding to community agencies in the developmental services sector to address critical underfunding of staff salaries and ensure that people who have an intellectual disability continue to receive quality supports and services that they require in order to live meaningful lives within their community."

I have affixed my name in full support.

PENSION PLANS

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

"Whereas every Ontario worker has the right to a secure pension that is indexed to inflation and provides the dignity of a stable and sufficient income for retirement;

"Whereas pensions represent workers' deferred wages and all pension contributions belong to the workers;

"Whereas people who work all their lives deserve the right to retire with a decent pension at age 65 without having to worry about making ends meet;

"Whereas the pension system is sorely in need of reform; it hasn't been reviewed since 1987 and many Ontario seniors have seen the value of their pensions vastly reduced over the years;

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

“We call on the government of Ontario to form a special legislative committee on pension reform to study ways to ensure that all workers have the ability: (1) to participate in a pension plan; (2) to have a real say in how the plan is managed and governed; and (3) to have vesting from day one, indexing, portability from job to job and absolute protection of their pension through a much-enhanced pension benefit guarantee fund and stronger provincial legislation.”

I agree with this petition. I’ve signed it and send it to the table by way of Kumail.

SERVICES FOR THE DEVELOPMENTALLY DISABLED

Mr. Kim Craitor (Niagara Falls): I’m pleased to introduce this petition on behalf of my colleague Minister Jim Bradley from St. Catharines. It’s been submitted by Mr. Al Moreland, president of Community Living, St. Catharines. The petition reads as follows:

“To the Legislative Assembly of Ontario:

“Whereas, without appropriate support, people who have an intellectual disability are often unable to participate effectively in community life and are deprived of the benefits of society enjoyed by other citizens; and

“Whereas quality supports are dependent on the ability to attract and retain qualified workers; and

“Whereas the salaries of workers who provide community-based supports and services are up to 25% less than salaries paid to those doing the same work in government-operated services and other sectors;

“We, the undersigned, petition the Legislative Assembly of Ontario to address, as a priority, funding to community agencies in the developmental services sector to address critical underfunding of staff salaries and ensure that people who have an intellectual disability continue to receive quality supports and services that they require in order to live meaningful lives within their community.”

I’m pleased to sign this petition in support.

The Deputy Speaker (Mr. Bruce Crozier): It being 4 of the clock, pursuant to standing order 30(b), I am now required to call orders of the day.

ORDERS OF THE DAY

RESPECT FOR MUNICIPALITIES ACT, 2005

LOI DE 2005 SUR LE RESPECT DES MUNICIPALITÉS

Resuming the debate adjourned on December 6, 2005, on the motion for second reading of 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 Deputy Speaker (Mr. Bruce Crozier): Pursuant to the order of the House dated December 7, 2005, I’m now required to put the question.

On December 1, Mr. Gerretsen moved second reading of Bill 37, An Act to amend the Taxpayer Protection Act, 1999 in relation to municipalities. 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.

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

The division bells rang from 1601 to 1606.

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

Ayes

Arthurs, Wayne	Gerretsen, John	Patten, Richard
Balkissoon, Bas	Hoy, Pat	Peters, Steve
Bartolucci, Rick	Jeffrey, Linda	Phillips, Gerry
Bentley, Christopher	Kennedy, Gerard	Pupatello, Sandra
Berardinetti, Lorenzo	Kular, Kuldip	Qaadri, Shafiq
Bradley, James J.	Kwintar, Monte	Racco, Mario G.
Brotten, Laurel C.	Lalonde, Jean-Marc	Ramal, Khalil
Brownell, Jim	Leal, Jeff	Ramsay, David
Cansfield, Donna H.	Levac, Dave	Rinaldi, Lou
Caplan, David	Marsales, Judy	Ruprecht, Tony
Colle, Mike	Matthews, Deborah	Sandals, Liz
Cordiano, Joseph	Mauro, Bill	Smith, Monique
Craitor, Kim	McMeekin, Ted	Takhar, Harinder S.
Delaney, Bob	McNeely, Phil	Watson, Jim
Dhillon, Vic	Meilleur, Madeleine	Wilkinson, John
Dombrowsky, Leona	Milloy, John	Wong, Tony C.
Duguid, Brad	Mitchell, Carol	Wynne, Kathleen O.
Duncan, Dwight	Parsons, Ernie	

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

Nays

Bisson, Gilles	Marchese, Rosario	Runciman, Robert W.
Dunlop, Garfield	Miller, Norm	Sterling, Norman W.
Hardeman, Ernie	Munro, Julia	Wilson, Jim
Horwath, Andrea	O’Toole, John	Yakabuski, John
Jackson, Cameron	Ouellette, Jerry J.	
Klees, Frank	Prue, Michael	

The Clerk of the Assembly (Mr. Claude L. DesRosiers): The ayes are 53; the nays are 16.

The Deputy Speaker: I declare the motion carried.

The bill is ordered for third reading.

RESPECT FOR MUNICIPALITIES ACT, 2005

LOI DE 2005 SUR LE RESPECT DES MUNICIPALITÉS

Mr. Gerretsen moved third 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 Deputy Speaker (Mr. Bruce Crozier): Pursuant to the order of the House dated December 7, 2005, I'm now required to put the question.

Mr. Gerretsen has moved third reading of Bill 37, An Act to amend the Taxpayer Protection Act, 1999 in relation to municipalities. 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.

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

The division bells rang from 1610 to 1615.

The Deputy Speaker: All those in favour, please stand one at a time and be recognized by the Clerk.

Ayes

Arthurs, Wayne	Gerretsen, John	Patten, Richard
Balkissoon, Bas	Hoy, Pat	Peters, Steve
Bartolucci, Rick	Jeffrey, Linda	Phillips, Gerry
Bentley, Christopher	Kennedy, Gerard	Pupatello, Sandra
Berardinetti, Lorenzo	Kular, Kuldip	Qaadri, Shafiq
Bradley, James J.	Kwinter, Monte	Racco, Mario G.
Broten, Laurel C.	Lalonde, Jean-Marc	Ramal, Khalil
Brownell, Jim	Leal, Jeff	Ramsay, David
Cansfield, Donna H.	Levac, Dave	Rinaldi, Lou
Caplan, David	Marsales, Judy	Ruprecht, Tony
Colle, Mike	Matthews, Deborah	Sandals, Liz
Cordiano, Joseph	Mauro, Bill	Smith, Monique
Craitor, Kim	McMeekin, Ted	Takhar, Harinder S.
Delaney, Bob	McNeely, Phil	Watson, Jim
Dhillon, Vic	Meilleur, Madeleine	Wilkinson, John
Dombrowsky, Leona	Milloy, John	Wong, Tony C.
Duguid, Brad	Mitchell, Carol	Wynne, Kathleen O.
Duncan, Dwight	Parsons, Ernie	Zimmer, David

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

Nays

Arnott, Ted	Klees, Frank	Runciman, Robert W.
Bisson, Gilles	Marchese, Rosario	Sterling, Norman W.
Dunlop, Garfield	Miller, Norm	Wilson, Jim
Hardeman, Ernie	Munro, Julia	Witmer, Elizabeth
Horwath, Andrea	O'Toole, John	Yakabuski, John
Jackson, Cameron	Ouellette, Jerry J.	

The Clerk of the Assembly (Mr. Claude L. DesRosiers): The ayes are 54; the nays are 17.

The Deputy Speaker: I declare the motion carried.

Be it resolved that the bill do now pass and be entitled as in the motion.

ONTARIO MUNICIPAL EMPLOYEES
RETIREMENT SYSTEM ACT, 2005
LOI DE 2005
SUR LE RÉGIME DE RETRAITE
DES EMPLOYÉS MUNICIPAUX
DE L'ONTARIO

Mr. Gerretsen moved second reading of Bill 206, An Act to revise the Ontario Municipal Employees Retirement System Act / Projet de loi 206, Loi révisant la Loi sur le régime de retraite des employés municipaux de l'Ontario.

The Deputy Speaker (Mr. Bruce Crozier): Mr. Gerretsen?

Hon. John Gerretsen (Minister of Municipal Affairs and Housing): I am happy to be here for the second reading of the proposed Ontario Municipal Employees Retirement System Act, 2005, and I will be sharing my time with my parliamentary assistant, the member for Scarborough Centre. I would like to thank him for sitting in on all the various hearings that have been held on this bill after first reading. There were six days of hearings, and I would like to congratulate and thank him for the outstanding job that he has done so far in getting this bill to second reading stage.

1620

This bill, if passed, would remove the Ontario government from its governance role in OMERS and would hand that role to the municipal employees and employers, who both contribute to the plan. For too long, the Ontario government has had the final say on decisions relating to the OMERS plan, and the Ontario government doesn't even pay directly into the OMERS plan, other than as an employer in certain situations. In fact, OMERS is currently the only pension plan in Ontario where the government plays the sponsor's role without being a direct contributor to the plan. This bill, if passed, will correct that anomaly. More than that, this bill would establish a framework in which OMERS can secure and enjoy continued fiscal sustainability in the years to come.

Our government is proposing a governance model for OMERS that builds upon the model recommended in the OMERS board report of 2002. Our model is based on broad input from both employers and employees. That input continued right up to the hearings held recently by the standing committee on general government. As I mentioned before, there were six days of hearings.

When I introduced this bill for first reading, I put forward a model that built upon the model recommended by the OMERS board report of 2002. This model was based on broad input from both employers and employees. However, we knew that various OMERS stakeholders have different views on many matters relating to the bill, and for that reason we held hearings after first reading so that we could get immediate comment and input on the bill. In fact, we received kudos from some committee members for permitting this early consideration of the bill after only first reading.

Since first reading, I have received a number of carefully considered submissions from stakeholders. As well, a number of stakeholders took the time to set up meetings with my parliamentary assistant, Mr. Brad Duguid, the member for Scarborough Centre, and with staff from my office to let the government know how they feel about the governance of the pension plan. The committee that considered the bill after first reading heard from the full spectrum of groups that will be affected by this legislation. We heard from individual municipalities and their association. We heard from representatives from firefighters, police, unions, retirees, various associations, and from the OMERS board itself.

We are grateful for the input that we received from so many stakeholders. It truly reflects the importance these groups give to their pension plan. The government has listened and our bill is now the better for it.

I want to touch on the highlights of our bill and talk about a number of features we are proposing for our model that show that we have listened to the stakeholders.

Our model will include a sponsors corporation that would be responsible for determining the OMERS pension plan benefits and contribution rates. In addition, subcommittees that could provide advice on the design of supplemental plans can assist the sponsors corporation. Our model also includes an administration corporation, which would continue the current role of the OMERS board. It would look after investment decisions and the day-to-day administration of the OMERS plan. I'm also pleased to point out that our approach will ensure that OMERS continues to be the exclusive provider of pension products for the municipal sector.

Our government consulted extensively on Bill 206 and we listened to our stakeholders. As a result, we have amended our model to ensure that the supplemental plan will be set up and will include specific optional supplemental benefits. This will enable our public safety workers, police officers, firefighters and paramedics to access additional pension benefits through local collective bargaining. I might add, these public safety workers are already entitled to a 2.33% accrual rate under the federal pension rules.

I should also like to mention that the sponsors corporation would still be free to design supplemental benefits for other municipal sector employees. I want to point out that this puts the supplemental benefits in the control of local governments, which would bargain with their workers. In addition, our model would limit the bargaining for supplemental benefits to one benefit decision at a time.

Another feature of our model that I would like to highlight is the dispute resolution mechanism proposed for the sponsors committee. The mechanism that we propose is similar to the Ontario teachers' pension plan, by including possible mediation before arbitration.

We also responded to stakeholder input at the hearings by proposing to amend the initial composition of the administration corporation and sponsors corporation so as to better reflect the membership of the plan.

We know that OMERS stakeholders care passionately about their pension plans, and we want to give them as many opportunities as possible to help shape the governance of this plan from the outset. We are enabling stakeholders to determine what is best for their future. Our goal is to give Ontario municipal employers and municipal employees the powers and the tools they need to create and maintain a quality of life that is second to none.

With that, I will turn the rest of the opening discussion over to my parliamentary assistant, the member from Scarborough Centre.

Mr. Brad Duguid (Scarborough Centre): I want to begin by thanking all the members of the general government committee for their good work in going through this very complex piece of legislation. This really is complex stuff. In my 11 years in politics, I don't recall having to deal with an issue that was so technical in nature, where every consideration or amendment would have such a big impact on the intentions of the bill. It was a real challenge, I think, to all members on all sides of the House to tackle this bill as it was going through committee. I want to thank the members for Brampton West–Mississauga, Glengarry–Prescott–Russell, London North Centre and Northumberland for their input at committee and their work in ensuring that we got this bill right. I want to thank the opposition members as well: the member for Erie–Lincoln, the member for Oxford, who is here with us today, and the member for Hamilton East, all of whom worked very hard to gain an understanding of this important issue and to ensure that all of the input we received throughout the hearings was brought forward and taken very seriously. We all had to work hard to understand this complex piece of legislation.

I want to thank the minister as well for agreeing to send this bill to committee on first reading. That is an unusual step to take, but for a bill of this nature, I think it's a step that really makes sense. It gave us as a committee the opportunity, before it even goes to second reading, to take a look at some of the issues involved, to make some very important amendments—amendments that perhaps wouldn't have been caught had we just sent it straight forward to second reading. It also gave us the opportunity to hear from a wide gamut of stakeholders involved in this early on in the process. I think, as a result of the minister's decision to send this after first reading, we have a much stronger piece of legislation already before us at second reading. I'm sure we'll be looking forward to further hearings on this, and we'll still continue to have an open mind, as this government has demonstrated throughout, since we've taken office, as we listen to further suggestions for improvement from our stakeholders.

For too long, the Ontario government has had the final say on decisions related to OMERS. I can think of no public sector pension plan in Ontario in which governance of the plan doesn't reside with the very people who are most impacted by it: the employers and employees—the people who contribute to the plan through contributions and the people who contribute to the plan as employers. Our government is absolutely committed to correcting this anomaly.

1630

I want to take a few minutes at this point in time to talk a little bit about the reasons why we want to devolve the governance of this pension plan. We want to ensure that the sponsors of the OMERS pension plan, the employees, as I said, who pay into the pension plan through their contributions and who some day will receive pension benefits and payments through the plan, and their

employers, who also contribute to the plan—they must be able to make decisions that other pension plan sponsors can make as well. They are most affected by those decisions, so they should have representatives at the table going to bat for them.

We're proposing that a sponsors corporation made up of representatives of plan members and employers take over the sponsors' role, which is currently played by the government of Ontario. The sponsors corporation would have final authority to make decisions on key areas such as plan design and benefit changes. The sponsors corporation would also have responsibility to decide what level of contribution is required for plan members and their employers—critical decisions for those involved in the plan.

The current OMERS board, in our proposed legislation, would be known as the administration corporation and would continue to oversee the plan's investments and the administration of the plan. In addition, the administration corporation would continue to advise on the plan's financial position.

Both the sponsors corporation and the administration corporation would govern the pension plan, but with different and distinct roles. It's very important that those roles are distinct and separate. Each of these corporations would be made up of an equal number of representatives from employer and employee groups, and a number of organizations would be represented.

I also want to emphasize that nothing in this bill will change any individual's pension at the time responsibility for the plan would be transferred over from the province to the sponsors corporation. That's important, because some plan members have expressed concern, somehow thinking that we were changing their plan. Many of us have received e-mails and notes from them expressing concern. I can assure you, Mr. Speaker, that none of those changes are being made with regard to this particular plan. What we're talking about here is a devolution of the plan so that they will have a better say in how the plan is run. With autonomy, those who pay into the plan would have the final word on the design of the plan through the sponsors corporation.

I want to restate that while our bill would continue the current OMERS plan, we also are specifically providing in the bill for the creation of a supplemental benefit plan for employees in the police, fire and paramedic sectors. This plan will provide those employees with an opportunity to bargain locally for access to these additional pension benefits. These benefits include a 2.33% pension accrual rate, a factor 80 or 85 early retirement option, a pension benefit based on either an employee's average earnings over his or her final three years at work or the final four years at work.

Some have said that the McGuinty government has singled out firefighters, police officers and EMS paramedics and given them special consideration in this legislation. Well, that is true. When a firefighter runs into a burning building while everyone else is running out, frankly, they've earned special consideration. When a

police officer places his or her life on the line to keep our communities safe, they've earned special consideration. When a paramedic rushes tirelessly from call to call saving lives, they've earned special consideration. These are careers that are physically and mentally challenging. These are careers that not everyone could or would want to pursue. These are careers that often lead to early burnout. These are careers that often require earlier retirement requirements and concerns.

So the McGuinty government proudly stands with our firefighters in this bill. We proudly stand with our police officers. We proudly stand with our paramedics in saying through this legislation, "You are special people in our communities. Our communities and our residents would not be safe without you. We appreciate your personal and special sacrifices, and we understand the special challenges that your noble line of work demands." That is why we have agreed to a long-standing call from our firefighters, police and paramedics to accommodate their requests for supplemental benefit plans to be available that consider their special work, environment and circumstances.

That being said, we recognize as well the concerns raised by municipalities, concerns raised by AMO, who have clearly stated some of their financial concerns about what this bill may do. Many of their concerns have been brought out in what could be called a worst-case scenario. They've assumed full take-up of these benefits immediately. All who have come before us who are in the know on this particular legislation, all from the employee sectors who have brought forward these requests, have indicated that that is not only unlikely to happen but it's totally unrealistic to expect full take-up of these benefits.

But we have taken some of the concerns expressed by AMO and municipalities into consideration, and let me just outline a few of those areas.

Firstly, this bill would not impose any new pension benefit on any new employer or employee. There will be 24 months set aside to set up supplemental benefits, and it would then be left up to the local groups of employees and employers to decide if they wish to access this new pension benefit. This would typically happen during the collective bargaining process.

Secondly, the cost of any additional benefit would be shared 50-50 by employers and employees. That's important to note because, as I said before, employees who have come before us or representatives of those employees have said that their employees, the people they represent, will be very conscious as well about the costs that may be incurred to them as they move forward with these initiatives, and some of those costs could be prohibitive to the employees. So there would also be a check with regard to the amount that's used there.

Thirdly, this government recognizes that the costs of these benefits, if they are subject to the full requirements of the Pension Benefits Act, such as solvency funding requirements, could be quite onerous for both employees and employers. That's why the Minister of Finance has issued a letter to OMERS indicating that he's prepared to

recommend that the proposed new supplemental benefits be exempted from the solvency funding rules through an amendment to the Pension Benefits Act, provided the plan meets certain conditions. That's very important, because it brings the costs down substantially for both parties. It makes these particular initiatives quite doable. This would make supplemental benefits more affordable to both employees and employers.

Fourthly, we've employed employer protection in the proposed legislation that limits each employer to deciding on no more than one of the benefits at any particular time.

We've also heard concerns about the decision-making processes for the sponsors corporation as outlined in the bill when it was introduced. We've heard those concerns and the government and committee members have supported amendments that refine the decision-making structure of the sponsors corporation. The bill, as now amended, would require the decisions on specific major changes to the plan, such as changes in benefits and contribution rates, to require a two-thirds majority vote on the sponsors corporation. We would want to ensure that there is significant support from both employers and employees for any major changes to this plan. That provides an environment of stability in decision-making. Access to mediation and arbitration would require majority support by the sponsors corporation representatives of both employers and employees.

This has not been an easy assignment for any of us, given the complexity of this particular issue. Other governments have tried to move forward on this particular matter; unfortunately, they failed. We will succeed because we believe devolution is the right way to go with this. It makes no sense for the province to be administering a pension plan that serves mainly other employers and other employees.

Few people disagree with the view that our municipalities are ready to take on more autonomy. Previous governments over the last 100 years have considered municipalities creatures of the province. Not the McGuinty government, Mr. Creature—Mr. Speaker. I hope that wasn't unparliamentary, Mr. Speaker.

We believe that municipal governments are bona fide, duly elected, responsible, mature levels of government—just like you, Mr. Speaker, very mature and responsible.

Is a local councillor any less important to the public, less accountable or less responsible to the public than an MPP or an MP? The McGuinty government would say no. The McGuinty government is changing the relationship between municipalities and the province, unleashing the skills, creativity and ability of municipal governments.

Will municipal governments make mistakes? They may, but so do other levels of government. The key is that they will be just as accountable to their constituents as we are to ours.

1640

Bill 206 follows a long list of initiatives being taken by the McGuinty government that recognize the maturity

and ability of our municipalities to govern themselves more autonomously: Planning Act changes; the Strong Communities Act, which this Legislature passed this past year, that ensures that municipalities have a say over urban expansions and that they're not appealable to the Ontario Municipal Board; more time to consider their applications, which respects their ability to do the good work they do.

Today, the minister announced Ontario Municipal Board changes. This is a watershed moment for planning in Ontario. The Ontario Municipal Board had morphed into a planning decision-making body. These reforms return the decision-making function to our democratically elected local representatives and their constituents. They return the OMB to its original function as an effective appeal body to protect the integrity of the planning process as well as the overall public interest.

There are many, many changes that will be coming into place that municipalities have been calling for for quite some time, everything from ensuring that there is a complete application, which ensures that decisions are being made up front and that council and the community have all the information going forward when they make decisions, to ensuring that there are up-to-date planning documents, to ensuring that decisions are being made based on up-to-date planning decisions.

As well, we are protecting employment lands across the province, something that many municipalities have been calling for. We're giving them the ability to make decisions with regard to planning applications that may endanger employment lands, and those decisions will no longer be appealable to the Ontario Municipal Board.

We're encouraging early consultation, so that developers and applicants are talking to planning staff before their applications even come forward, to ensure that those applications are complete and to ensure that they know the responsibilities they have to bring forward information to council. We'll be making sure that Ontario Municipal Board decisions have regard to municipal decisions, among many other areas, many other changes that will be to the benefit—all in keeping with the theme of ensuring that municipalities have the autonomy they need to make these decisions.

We'll be moving forward later this week with changes to the City of Toronto Act, with a brand new City of Toronto Act that also takes into consideration our respect for municipalities as autonomous, mature levels of government, to give them the tools they need, the powers they need to move forward and compete with other municipalities their size around the world, and the access to alternative sources of revenue that they require to compete with other municipalities around the world, access that many other municipalities the size of Toronto have. We're also moving forward with changes to the governance structure to ensure there will in fact be more accountability at the city of Toronto, both on the part of the mayor and on the part of council.

We're moving forward as well with Municipal Act changes that I think will also bring forward greater

autonomy for municipalities. The Respect for Municipalities Act, which this body just passed minutes ago, is also an example of having respect for the autonomy of municipalities. In the end, that's what it's about: respect for municipalities.

It's about respect for the judgment and accountability of employees and employers, who all have an important stake in the OMERS pension fund. We've listened to many of the stakeholders in this debate. We've listened very, very carefully to many of the concerns brought forward. We've made changes to the representation on the sponsors committee to ensure that it fits closer with representation by population. We've listened very closely to the concerns brought forward in that respect by CUPE and ensured that they in fact will have greater representation on the sponsors committee to better reflect the number of employees they represent who are impacted by the fund.

We've moved a number of motions—many motions—and the opposition moved some motions, and we've accepted at least one key motion that came forward from the member from Hamilton East. We were pleased to support her and her efforts on one particular motion. She moved forward many, many motions, some of which we were able to entertain. Others went in a direction that was different than the direction we wanted to go.

One area that was critical was ensuring that the sponsors corporation and the administration corporation are separate in terms of their governance. We wanted to ensure, quite frankly, that the sponsors corporation, which in the end runs many parts of the administration of the fund, is not interfering with the important decisions that come into place with regard to the investment decisions. Investment decisions must be made without regard to political affiliation, without regard to political philosophy. I think the structure we've put in place will pay due regard to that to ensure that this pension fund is healthy going into the future and that it will be well administered.

We look forward to continued hearings on this. We look forward to second reading, hearing further from the stakeholders and bringing this back in the new year even stronger and with a brighter future for all involved with the OMERS pension fund.

Thank you very much, Mr. Speaker. Again, my apologies for the unparliamentary use of the word "creature."

The Deputy Speaker: Questions and comments?

Mr. Norm Miller (Parry Sound–Muskoka): It's my pleasure to add some comments to the speech from the Minister of Municipal Affairs and Housing and the member from Scarborough Centre to do with Bill 206.

I wanted to get it on the record that in my riding, Parry Sound–Muskoka, I've certainly been hearing from many municipalities that have concerns with this bill, in particular their concern with additional costs that they might be facing if this bill passes in its current form. I note that I've received either resolutions or letters from nearly all of the 26 municipalities in Parry Sound–Muskoka.

I want to note a letter from the township of Muskoka Lakes, from Mayor Susan Pryke. In it, she points out that, "We are concerned that the province is rushing to reform one of Canada's most important pension funds without a reasonable understanding of the potential repercussions."

It goes on to say, "Given the magnitude and implications of this legislation, due diligence is required to ensure the plan remains viable, that benefits are affordable, and that taxpayers' best interests are protected. As it is written, we believe that Bill 206 could cost employers, employees and taxpayers dearly in the years and decades to come"—and there have been some big figures bandied about.

"Specifically, we ask

"—that you request actuarial analysis regarding the potential cost of the proposals within Bill 206

"—that you call for adequate due diligence to protect the long-term financial stability of the OMERS pension plan and

"—that you ask the Minister of Municipal Affairs and Housing how public interest will be protected in the future if the bill continues to rest on simple majority and mandated and binding arbitration."

I wanted to get it on record that just about all of the 26 municipalities in Parry Sound–Muskoka have written similar resolutions and letters to me raising concerns. I certainly want to see this bill go to further committees in the new year so that these municipalities can have their concerns addressed and the government does its due diligence.

Mr. Michael Prue (Beaches–East York): I had an opportunity to listen intently, as I always do, to the member from Scarborough Centre. You see, our paths have crossed over so many years. He was on the municipal council in Scarborough when I was on the municipal council in East York, then we both ended up in the megacity together for four or five years, and now we both ended up here, almost sitting beside each other again. It seems that no matter what I do, I can't get away from him. But he is a good guy.

I want to say that when he talks about municipalities, he does so with some authority. Where I have to disagree with him, I think, is that he is willing to go timidly into the changes toward the municipalities, whereas I think that sometimes a great deal more must be done for the municipalities, particularly the larger ones, to recognize them as full partners in government. It is trite to say that these municipalities have enormous talent and resources and lawyers and planners and everybody to assist them, and far too often the province is overlooking even the most minute of details.

Whereas we in the New Democratic Party welcome some of the initiatives, including this initiative around the OMERS pension plan—and I believe my colleague from Hamilton East, who is our pension expert, is to do the leadoff speech—we do look to the other initiatives taken by this government in municipal reform as being somewhat timid, as was the announcement made today

on the Ontario Municipal Board, because there is so much more that can be done. It is an unelected, archaic body that has been around and is the only such body provincially mandated in all of Canada. One has to question why we are the only province that has such an unelected body forcing its will on municipalities.

My time is up, so I'll save some of the rest for later.

1650

Mr. Pat Hoy (Chatham–Kent Essex): I'm pleased to rise for a few moments to speak about Bill 206. First of all, I want to thank Minister Gerretsen for bringing this very important bill forward. I heard about the need for change, or the want for change, to the OMERS pension plan many years ago. As a matter of fact, people came to my office and made suggestions about changes that could take place. Indeed, Minister Gerretsen has brought a bill forward that provides for change.

I want to compliment the member for Scarborough Centre, Mr. Duguid, who took this through the committee stage. The persons who appeared before the committee, those employers and employees, would know that we took this to committee after first reading. It doesn't often happen that that would take place, but in this case, with this very important piece of legislation, that did occur.

I think our government has taken the view of listening to folks who felt, on all sides, that those who pay into this plan should govern their own destiny. It only makes sense to me and to our government that the plan's future should lie with those who take part in the plan themselves. They should have the final word. It seems only right and proper.

There has been conversation about firefighters, police and EMS units. Yes, representatives from those organizations came forward to the committee and gave their view on how this plan could change. But also, persons under other leadership, who I would characterize as caregivers, came forward too, who also had good input into this change.

I am pleased that we brought this forward. I want to take this opportunity to wish everyone in Chatham–Kent–Essex a safe and happy holiday.

Mr. Ernie Hardeman (Oxford): I do want to thank the parliamentary assistant, who did what they call a yeoman's job taking this bill through the committee process. I had the opportunity to serve with him, and though we didn't agree on a lot of the issues in the bill, he did a good job of explaining them so that I could understand them, and that was very helpful.

I also want to say that they made a good presentation on the bill as it relates to one part: the intent of supplementary plans for employees and the support for that. There was great support for that part of the bill. The other part, though, the concerns that municipalities had—hopefully, as I get the opportunity shortly after this, I will speak a little bit about the problems that others saw with the bill that have not been addressed thus far.

I do want to say, in putting the bill forward, that I commend the government for having put it out after first reading. I think, as we put on the presentation following

this, we will realize how important that was, not only for the bill, but for the government itself.

Again, thank you very much for having this opportunity to say thank you to the parliamentary assistant for a job well done.

The Deputy Speaker: Member for Scarborough Centre, you have two minutes to reply.

Mr. Duguid: Thank you to the member from Parry Sound–Muskoka, the member from Beaches–East York, the member for Chatham–Kent–Essex and the member for Oxford. It must be getting close to Christmastime. We're all getting along here today and saying nice things about each other.

In reality, this is a difficult piece of legislation, and it was challenging for committee. We're not pension experts here, and it was almost a different language when you look at some of the things we had to deal with. I think we worked very well together as a committee to try to explain and define, and we had very competent staff at the table working right with us.

I'd like especially to thank the member for Oxford for his work at committee. He asked a number of very important questions. In fact, some of his ideas were brought forward and we've implemented some of those ideas, although maybe not in the exact way he would have liked us to, but very close. So there were a lot of commonalities during committee as well.

I want to thank the minister's staff as well on this. Just like us members, they weren't pension experts when this came on, and they've had to make themselves pension experts in a very short period of time. As a result, they've been able to provide us with very helpful advice as we worked our way through this.

This is an important bill. It's important, I think, for the province to devolve the responsibility in this fund to those who are most impacted by it. That's really, in simple terms, what we're doing. We're saying that the province really has no business administering a pension fund that we have very little interest in or responsibility for. The people who are affected by the fund should be the people appointing the representatives to run this fund.

I'm confident that with the amendments we've put forward, following further consideration at second reading, we will bring forward very solid legislation that will ensure that OMERS exists successfully for many, many years ahead, for the benefit of all.

The Deputy Speaker: Further debate? The member for Oxford.

Mr. Hardeman: Thank you very much again, Mr. Speaker, for allowing me to stand to debate the Ontario municipal employees retirement pension plan bill.

This bill was introduced, as we all know, in the House for first reading and then put out to committee for public hearings. At the time that was done, as was said before, we all appreciated that happening because so often the bill is written and the law is entrenched and there's no opportunity—really, no real opportunity—for all the members of the Legislature, indeed all the public, as they make presentations, to have real, meaningful input into

the bill. So I was very happy to see that this bill—it's such an important bill; it deals with the future of so many people. There are an awful lot of people who are covered and participate in the OMERS plan who have a great stake in what happens to the plan and how it is devolved, remembering that the government's initial purpose for this bill was to devolve the pension plan from the provincial government being the sponsor of the plan to making the employers collectively the sponsors of the plan, to be administered by the employees and the employers in the municipal sector.

Of course, the minister, when this was introduced—and I'll get back to that, but I'm just going to go in sequence here. When the committee hearings for the bill started, the minister came forward and suggested that this had been a bill that had been asked for for a long time and that there were a lot of people who thought this devolution of the pension plan to municipalities was a very important issue for municipalities and municipal employees. I'm not sure whether he actually said it literally, but the implication was that as we were having these hearings, there would be a lot of support for the principle of the devolution of the bill.

The problem at that time was that, when that was the driver of the process, it was agreed that we would have two days of hearings where people could make presentations to the bill and then we'd have two days of clause-by-clause to put it together so it could come back to the House for second reading. When the word went out that we were having public hearings and people could come and participate, the cards and letters started flooding in. A lot of people wanted to speak to this piece of legislation because of how important it was to their future and their livelihood.

When the deadline came for people to have applied to make presentations, less than 20% of the people who wanted to be heard could be heard because of the time constraints. During the hearing process, we did request that the government committee members agree to extend the time so we could hear from more people, but it was deemed that that wasn't appropriate. Of course, we decided then to proceed, to do the best we could with what we had heard. I think it's important that some of the comments that people made in writing as they applied for the right to be heard go on the record to make sure, as we proceed with this bill, as it goes back for second reading, that in fact some of those viewpoints are put forward. I hope to do some of that.

1700

The other thing, of course, that I just wanted to cover: When we started getting presentations at the hearing, the issue of "It's been asked for for a long time"—we had trouble finding anyone who was coming forward to suggest that anyone had asked for it at all. There were some people coming in to support it; a few, not many. The vast majority of the presenters were in opposition to it. No one said that they were the ones who had been asking for this bill, and very few were coming forward and saying they supported the bill as it was being presented.

Then again, credit where credit's due. After our hearings, when we went through clause-by-clause, there were many amendments put forward. That's what I said earlier in my comments. I think it's so important that this process took place at first reading, not only for the opposition, who saw the challenges in the bill, but also for the government who, when we had the hearings from the public, recognized that many changes needed to be made. In fact, there were 104 amendments to the bill put forward during the clause-by-clause process. To be fair to the government, they were not all government changes, but I daresay that they would have been 60% to 65% government resolutions and motions to change, and the rest would have been from the opposition. As I said, it was very important that this process be done, because that did change the bill.

The other thing that I think happened during that process: Many municipalities—I can't stand here this afternoon and say that all the municipalities in the province sent in their concerns with the bill, but many of them did. In fact, as was mentioned by my good colleague from Muskoka, in my community, the county of Oxford, all eight municipalities sent me letters and resolutions from their local councils suggesting to me that this bill was not in the best interests of their communities and that in fact their wishes were that this bill not pass. Obviously, that weighs very hard on whether we should or should not do that. I think it's very important that we have this debate and then we go back out to a full consultation process again with the municipalities. As I've said, there have been a lot of changes made to the bill, with 104 amendments put forward. There are a lot of changes, which may change the viewpoint of some people.

One of the things that I think is very important is that municipalities tended to be concerned about the costs that this bill would imply. As was mentioned by the parliamentary assistant, the cost is related to the supplementary pension system that's in the bill and how that would be allocated, based on arbitration, recognizing that the majority of the group that's entitled to a supplementary plan have their contracts. If they cannot negotiate them, they're finally settled by arbitration. The municipalities' concern was that pension benefits would be arbitrated, with no ability for municipalities to deal with that.

Many figures came forward as to how much this was going to cost municipalities. The parliamentary assistant mentioned it. I'm not able to personally make the judgment. There was a great variance of the dollars and cents that were involved, and I'm not here to suggest that I know which one is right and which one is wrong. But I was a bit disappointed when I asked the government whether they had done any calculations of the cost of this change and the devolution of the plan—not only the cost of devolving the plan but whether they had done anything to analyze the likelihood of the cost to municipalities of the change in the pension. Of course, nothing was coming forward.

The other thing that came out in the discussion as it relates to the cost was the actual cost of the plan. The

mayor of Mississauga came forward and suggested that the cost could be much greater than anyone had envisioned because of the cost to the plan, what they call in the pension plan and what she called the “unfunded liability” that appears to be in the plan now because of the premium holidays that have taken place. She wanted to know whether anyone had taken that into consideration. Again, that’s another thing that we didn’t get an answer on, as to whether that had been calculated and whether the government had any idea what that did.

Before I forget, Mr. Speaker, I would ask unanimous consent to split my time, because I’m sure you don’t want to listen for a whole hour to me speaking. With your consent, I would ask to split the time.

The Deputy Speaker: It’s only necessary that you turn the floor over before you yield it.

Mr. Hardeman: Thank you very much, Mr. Speaker.

As I said, I think it’s very important that we put on the record some of the comments of the people who had concerns with the bill as opposed to the government side putting forward support for the bill, and I recognize that both have legitimate concerns.

I have here the news release from AMO, the Association of Municipalities of Ontario. They represent all the municipalities in Ontario, save and except—again I have to rephrase that. I’m not sure that every municipality in the province is a member today. I do know that the city of Toronto is not a member, but all the other municipalities are.

The news release starts off by saying, “The Ontario government is ignoring stakeholders and pushing ahead with its fatally flawed Bill 206, An Act to revise the Ontario Municipal Employees Retirement System Act, even though it has failed to consider any financial impact analysis, including municipal research that predicts the bill’s proposals would force a 3% property tax increase in most parts of Ontario. AMO estimates that the bill’s supplemental benefit proposals alone represent \$380 million in new costs to municipal governments and property taxpayers.

“As this bill takes effect, all Ontarians should be adding 3% to their current property tax bills and asking the province what they will get in return for their tax hike. The answer is “nothing,” at a time when communities need more transit and police officers, better roads and bridges, and meaningful property tax relief,” says AMO President Roger Anderson. ‘While Premier McGuinty and Municipal Affairs and Housing Minister John Gerretsen both acknowledge the financial difficulties that Ontario municipalities face, Bill 206 will only make matters worse.’

“The government ended committee hearings on Bill 206 after entertaining less than eight hours of presentations from a small fraction of concerned stakeholders. It struck down an opposition motion that would have provided presentation time for more of the 80% of stakeholders who were shut out of the hearing process.

“AMO maintains that the province is rushing to reform OMERS without fully understanding the impact

on the plan, the 355,000 employees and retirees who count on it, and the property taxpayers who help fund it.”

The news release goes on at great length, but I think this kind of points out the challenges that are faced by the municipalities. Again, I’m not standing here verifying the numbers in it, but I am verifying the concern that is out there among the people involved in the plan, who will now be the sponsors of the plan, and their concern of what will happen not only to the plan but the people who have to fund it. I think that’s so important.

The other thing that’s important—and this was actually one of the presentations that I got subsequent to the hearings being set and the committee picking out who was going to be heard and who was not. This is from the regional municipality of Halton and it is the submission to the committee that would have been made had they been given the opportunity to present.

“Halton regional council, on November 16, 2005, passed a resolution that staff be directed to make a presentation on Bill 206. Unfortunately the region was not selected to make an oral presentation and therefore is making a written submission. In this regard, we believe the amount of time allotted for the hearings and the criteria to select the presenters is insufficient given the complexity and impact of the proposed changes.”

Again, that’s what I was speaking to earlier, that upon the process starting, I think it became so important that we need to have another look at the presentations and the viewpoints to be put forward. I want to put that on the record to make sure that, as it goes back out after second reading, these folks are given the opportunity to make the presentation.

1710

I think this is also very important: “The region is opposed to the devolution of OMERS as envisioned in the current format of the bill, believing it will jeopardize the future governance and financial viability of this \$36-billion plan and only sufficient governance reforms by way of amendment would possibly make this a bill that could ultimately be supported.

“The region has assessed the implications of the bill and sees that employers, plan members and taxpayers will all quickly become burdened with additional and unaffordable costs; to fund increased benefits and higher administration expenses, and to staff and support a flawed governance structure.

“This bill ignores the best governance practices of almost every devolved public sector pension plan in Canada, at the expense, we fear, of the region, our employees, other OMERS stakeholders, and local taxpayers. The region submits that a bill that is truly designed to devolve OMERS in the best manner possible would have more consistently mirrored best practices found in other devolved pension plans.”

If that’s what they intended to do, much more evidence was available that they could have found a way to do it more appropriately.

At that point, I just wanted to quickly mention, as I think the parliamentary assistant mentioned, the voting,

and the fact that that was changed. Originally in the bill, it required just a simple majority for the sponsoring body to make their decisions. With the amendments, it was changed to a two-thirds vote that was required to make these specified changes in the plan. The problem with that is that the municipalities have a concern with it. We put forward a motion that would require a two-thirds vote. The government put forward a motion that would require a two-thirds vote, but if it got 50% of the vote, if it was a 50-50 vote, the difference between two thirds and 50% would be referred to an arbitrator. That's where the municipalities have a great concern, because they believe that they would automatically—it would be in one side's interest to have it go to an arbitrator, rather than try and negotiate something somewhere between the two, because if they couldn't get two thirds of the vote, they know it could go to arbitration and the decision would be made by someone else. The great concern there, on behalf of everyone who made a presentation and had concerns about how the vote would be taking place, was that in fact one arbitrator would get to make the decisions that were going to dramatically impact the municipalities and their ability to pay. In other cases, employers and the employees felt they would be entitled, but would not get it.

Again, that would be the position of a regional municipality that had great concerns over what's going to happen if this plan is passed the way it is. I could read from many others, but I also wanted—I think it was the professional firefighters and their response. This has to do with a little issue in the bill. An amendment was made—and we would all know that the OMERS pension plan is a defined benefit pension plan. I think that's in the best interest, particularly, of all the plan members. They will be in a defined benefit plan. Of course, everybody has a certain entitlement from the pension plan when they reach their retirement. The government in the committee took that out. It no longer is a defined benefit plan. It could be either one. The original bill included that in the wording, but that is now out. I'm sure that that's not in everyone's best interests.

I think there were some questions on that to the president of the firefighters' association. This was the comment he made here in Hansard on November 16. The question was from Mr. Hudak: "I have a couple of quick questions. Defined benefit versus defined contribution: You want it enshrined in the legislation that it would remain a defined benefit. Under the principle of autonomy, it would be up to OMERS to determine whether that is appropriate on a go-forward basis. Why do you think it's important to enshrine in legislation that that wouldn't be an option" for the future of OMERS?

On the principle of this, the intent, of course, is to make the board autonomous, and both the employer and the employee's side of the pension plan get to make the decisions as to how the plan will work. So it seemed like a reasonable amendment to make, to take that out and say, "Let the board make that decision." Mr. LeBlanc says, "I think the issue is that it's a defined benefit plan

now, and to provide the level of confidence and comfort for both our retired and active members on a go-forward basis, we should establish that one of the basic principles of this plan is that it shall remain a defined benefit plan."

I think every employee who is presently covered by an OMERS pension would agree that it should have remained a defined benefit plan, and I'm sure, as more research is done and more consultation is done after second reading, that that part of it will be looked at on behalf of government to make sure that the bill comes out with what is in the best interests of all the participants in the plan. I'm sure they will look at that.

This was also a presentation at the committee. It was made by members who would be part of the sponsoring corporation, so it would be on the management side: "If the government is sincere about OMERS' autonomy, it must not impose any requirements on the sponsors corporation to consider supplemental plans. In a real autonomy model, these decisions would be left up to the sponsor corporation, not imposed in legislation." Again, this deals with the devolution and the autonomy. I think the argument was that if you're going to devolve the operation of the plan to what in the bill is considered, and the minister has said is, the appropriate body, which is the management and labour of the OMERS plan, then why would you put all kinds of things they have to do prior to the devolution?

I want to be clear. The real reasons for the devolution seem to evade everyone. It's a great principle that the plan should be owned and operated by the owners and the operators, I guess is the wording for it, but in reality they said, "This is the only plan where the province is involved in any way, where it's still operated by the province." But there doesn't seem to be any good reason. The OMERS board came to the committee and suggested that it would be good to have this process changed because, when you wanted to make changes in the plan, it took too long, because it had to go through the provincial government and through a board that didn't meet as often as they would. Yet, when the bill came forward, the original bill said that the sponsoring corporation that's being set up of all the employing groups would meet once every three years. When we asked the OMERS people whether the OMERS board met less than that now, of course, the answer was no; they meet quite a bit more regularly than that, but then they have other functions too. Is it reasonable to assume that a change takes longer than three years to put through the provincial government? They were quite ready to say that sometimes it takes longer than three years, but it wasn't a given that it had to take that long.

The other paragraph on the supplemental plans: "... the logistical challenges of supplemental plans are considerable and complex" and "would have to be managed and administered by OMERS on behalf of approximately 900 employer groups, not to mention the anticipated significant increase in actuarial and technological costs." This speaks of changing the plan and putting it over and mandating a cost to the new organ-

ization that presently doesn't exist, but putting the supplementary plans in, in legislation, actually increases the cost, and no one has done any analysis of what that will be. Again, it says, "Early retirement benefits through supplementals will impact the base plan and will surely whipsaw across" the entire public sector, including provincial services such as the Ontario Provincial Police, since they provide much of the police service in rural Ontario." This is the challenge of changing the plan and not knowing how we're going to administer those changes, and then turning around and putting the cost of that on the plan, with no way of actually recouping that or having that looked after.

1720

Now, I have here a couple of other ones that I think are very important. This is a letter that came from the town of Greater Napanee. I believe that's represented ably by the Minister of Agriculture here in the Legislature. The letter is to the clerk of the committee. "On November 1, 2005, council wrote to the Honourable John Gerretsen with respect to Bill 206. In that letter council stated its belief that Bill 206 includes significant, potentially costly and unnecessary changes to the governance structure of OMERS, including a sponsor corporation structured to be governed by arbitration. Bill 206 would permit the creation of an expensive supplementary plan to provide optional enhanced benefits that will impose new collective bargaining obligations on municipalities, the operating costs of which cannot yet be fully assessed and thus the province has a responsibility to study the potential impact of the changes it is proposing and to share the results with employers and employee groups."

I think that's the point I'm trying to make, that the government has not done an adequate job in assessing these costs. Again, I'm not suggesting that the amounts are right, but I think this letter kind of explains that the question is out there. If there is a cost, even if there isn't a cost, if all this is not the case, then why hasn't the government got that information and those cost analyses to prove that?

"A preliminary estimate of the cost of Bill 206 to the town of Greater Napanee, if supplemental plans are demanded, has been calculated at \$76,043. This would represent a 2.2% residential tax increase with no improvement in services. This increase is in addition to the increase that will result from the change in contribution rates expected for 2006." Again, those are the increased costs which are going to be imposed based on the premium holidays that have been in place because there was sufficient money to fund the plan, and now that has to be changed and go back to paying. Their 2.2% is over and above that.

"The Association of Municipalities of Ontario ... has now had an opportunity to make a submission to the standing committee on general government on November 16, 2005.... [T]he town of Greater Napanee, at its regular meeting on November 14, 2005, again supported AMO's position with respect to Bill 206." It goes on to explain

that position. I was there for the presentation of AMO and I can assure you that AMO was—I guess "opposed" to the devolution the way it was being proposed would be putting it somewhat mildly.

I have another one here from the county of Haliburton. "The committee of the whole"—this is a resolution directed from the county—"recommends to county council that the county calls on the Minister of Municipal Affairs and Housing to respond on how the public interest will be protected"—asking the minister to respond—"when the province withdraws from OMERS, that the minister undertake due diligence to protect the long-term financial stability of the OMERS pension plan and ensure that appropriate protections are in place to ensure municipalities and staff are not paying for benefits that they cannot afford; and

"The Ontario Minister of Finance respond on what the effect of the OMERS devolution will be on provincial funding partners such as children's aid societies, school boards and on future negotiations with provincial employee groups such as the Ontario Provincial Police; and

"That the Minister of Municipal Affairs and Housing and the standing committee of the Legislature be advised of the county's support for the position taken by AMO...."

I think this really comes back to the fact that the government has not provided the information and the studies to prove that what they are proposing to do in fact does, first of all, what it says it's going to do and, secondly, can justify and reassure the municipal stakeholders as to what impact it will have.

I have here from Hansard a part of what was read into the record by my friend Mayor McCallion from Mississauga:

"We believe any legislative changes to OMERS must be carefully considered due to the potential financial impact on municipalities. It could result in the most major downloading that has occurred to date. Given the many fiscal challenges Mississauga is facing today, even though we are in a very sound financial position, this additional pressure will hinder our ability to maintain existing services, replace infrastructure and provide any new services.

"The city Mississauga fully supports the position of the Association of Municipalities of Ontario in its opposition to the amendments proposed in Bill 206. AMO has been very straightforward for the last two years in advising the government, 'You'd better be careful on this and you'd better do your homework.' Further, we believe this legislation requires far more in-depth study and open dialogue to ensure due diligence has been met."

I want to say that what we heard in the committee and what we've heard this afternoon from the government side on this bill is that the homework has not been done. Due diligence has not been done to actually show the impact of these changes on the budgets of municipalities.

The city of Ottawa believes that further research on the governance model proposed in Bill 206 is required: "We share the view of the Association of Municipalities

of Ontario that with such a diverse employer membership, there would be value to compare the OMERS current and proposed governance structure with the municipal workers' plan in other provinces to learn from best practices and avoid pitfalls." Again, it's just a suggestion. In this letter, they do not oppose what is here, but they really believe that the government should look at other places to see whether what we're proposing here is in the best interests of the people who are involved.

I do want to share my time, and I know my good colleague from Durham wants to speak to this bill, as he has been involved with the pension issues for some time. I'm sure he can enlighten us on some of the challenges that are faced in the bill as relates to pensions.

I want to end my presentation by saying that we have spent a number of days debating, and just voted on this afternoon, a bill that was erroneously called the Respect for Municipalities Act. I want to say that whether or not we can find enough amendments to make the bill work in the best interests of everybody, there's absolutely no way that anybody could accept or believe that the way it is now—having so many municipalities find out the discussions that took place, and the bill that was on the table at first reading, the comparators with that—this bill has been written with respect for taxpayers or municipalities in mind. Absolutely no municipal representative came before the committee in support of this bill. That's why I ask the government to make sure we get sufficient time to debate this bill or have further hearings on the bill to get public input, to make sure that as we deal further with this large pension bill which is so important to all people who are involved in the municipal sector and who work in the municipal sector, we do it right. We ask the government to make sure we have sufficient time to do that.

With that, I'll turn it over to my colleague, Mr. O'Toole.

Mr. John O'Toole (Durham): I'd like to thank the member from Oxford publicly for the work and insight he has, being a former municipal politician as well as being the leader of AMO or ROMA, I believe. He's certainly familiar with the pressures he has described in some of the municipalities. He continues in that area in his role as critic. He's very much attuned to the issues here. I commend him and the member from Erie-Lincoln for doing yeoman duty in dealing with Bill 206.

Now, Bill 206 is 30 pages long, half in French and half English, so it's about 15 pages. It's actually quite a complex bill. If you look at the divestment by the province of its liabilities as the employer record going forward, or at least the handing down to municipalities of some of the authority for administering pensions, the devil, as we all know, is in the details. When you look at this, they're setting up a couple of organizations.

1730

I want to put on the record that I did attend the days I didn't have other duties, because this is a very, very important issue, I think, first and foremost, probably for retirees. Retirees did make a presentation. I would say that the MROO, Municipal Retirees Organization of On-

tario, made a very, very thoughtful submission, as well as other leaders from police and fire, as well as from the CUPE organization. Sid Ryan made a very passionate one, saying there was going to be a disadvantage to his members in this plan.

On top of that, what's disappointing is, here are the amendments, very hastily arranged on a very complex issue. We have a 30-page bill—so really, it's 15 pages in the English language and 15 in French, as it should be—and I've got 104 different amendments.

The point the member for Oxford was making is quite valid. We've established that pensions and all the terms in there—liabilities, unfunded liabilities, the size of the workforce going forward; we're talking about some services in the broader public sector being done by other service providers. That means there's a potential the membership in the organizations in fact might shrink, while others contract the work or provide the services in other arrangements, as is the will of well-run municipalities. Mr. Hardeman has stated here several key observations by Hazel McCallion, highly regarded in a municipality that has always been seen to be run quite appropriately and administered appropriately as well.

As I said, I've listened and what I've seen with the amendments is that maybe they haven't maybe taken the time to get them right. I would hope that after this they may—they did go out after first reading, which was an admission that it was much like a discussion paper. I'm hoping, after this, they'll force us to vote on this bill. If that's the case, it's second reading. What that means to the viewer, technically, is that there is a remote chance that they could go out again and consult in the new year, which is what I hope they do.

I won't touch on a lot of the detail, but if you look at some of the amendments, if you start tinkering around with terms like "a defined benefit plan"—a defined benefit plan generally means that you get a percentage of your highest five years of pay. You may get 60% to 70% or a factor, usually two or three times your years of service, and you'll get that portion of your highest or best five years. That's a defined benefit and people know what they're sacrificing in collective agreements etc. to secure their future stability of income.

As soon as you move to a defined contribution plan, good luck. The surprises are in store. A defined contribution plan is quite different from a defined benefit. You want to maybe go slow on this one. On the defined benefit, the employer would give a percentage—it could be as much as 10%, I suppose—and the employee would give from their taxable income a percentage. It could be 10%. In the case of teachers today, I think it's as high as 9% of their payroll, and 9% of the employer's payroll goes to this fund to fund the go-forward liabilities for pension eligibility.

If you go with the defined contribution plan, I give you my 10%, the employer gives their 10%, and it's a self-directed RSP, technically, and you could potentially make faulty investment decisions. Too much stability, you may get no return; too much risk, you may get good

return or you may get no return. In fact, you could end up buying a stock like Nortel, which tumbled seriously from over \$100 a share to something just under \$10 a share.

So pension funds aren't a box of money sitting under someone's desk. They're in a market and, as we know, market certainty is something that no one—Ralph Goodale, with the exception, may know about it because of his tinkering around recently with the rules under certain income trusts and other equity markets. That's a whole other debate, but it shows the uncertainty around this fund of money.

I can recall, in my time on council and just shortly after, when many of the public sector pensions, and it's not a case of bashing any one group or another, had surpluses; in fact, huge surpluses by any actuarial calculation. So for about seven or 10 years, many public sector pensions had a contribution holiday. What does that really mean? Normally, in a defined benefit plan, the employer puts in 10% and the employee puts in 10%. When there's a holiday, nobody is putting anything into the fund. That liability, in my view—I had the privilege of working with FSCO, the Financial Services Commission of Ontario, where I learned quite a lot, actually.

The issue then was trying to confirm how to deal with pension windups, and what they would call pension surpluses. After hearing many deputations, with the advice of the very well informed civil servants who were obviously educating me as we went along, I came to the layman's conclusion that there really is no such thing as a surplus. I guess, if a company is winding up, you could consider what their go-forward liabilities are. But if they calculate actuarially that the life expectancy is, say, 72, and they work out the numbers within factors and all the rest of it, and it shows indeed that at the end of the day there may be money left, then who should get it? If it's a joint contribution plan, I think the employer should get part and the employee should get part. The employer may be the shareholders or it may be a privately owned company, but if it's a joint contribution plan, they should share both the risk and the potential go-forward rewards.

We're just touching on a couple of small issues here. If you look into the future, you're going to see changes under the Income Tax Act that are probably going to affect our own confidence in the future of a secure source of income. Why I say that and why it is tied to this is that there are provisions for most pensions. When you reach the mandatory age for collection of the Canada pension benefit, there's usually a supplementary portion of your pension that is clawed back. Let's say your pension is \$600 or \$700 a month from Canada pension, for working all those years and contributing to the Canada pension plan. There's a clawback provision. The supplementary portion of the pension entitlement you receive when you retire, say, at 60, goes away when you turn 65 and the CPP comes in. If you happen to have income separate from that, something like a registered income fund or an RSP that has been collapsed into a fund, there are provisions under the Income Tax Act that will actually

claw back, at certain thresholds of income, a portion of the Canada pension which, in fact, is now part of your pension because they've been joined upon your becoming 65.

If you cast all this uncertainty, and I'm not trying to raise great questions here—the other factors of Stats Canada and other experts who have said there's a great deal of evidence that the statistical background for many of these pension calculations may indeed be flawed. Take, for instance, simple life expectancy. Let's say you worked 30 years, starting a job at 25—that would be the 85 factor. If you started at 25, you'd be 55 years of age. At 55 you would be qualified for a 30-and-out pension. If you look at it statistically, they used to assume that males live to be about 70 or 72. Now they're living well beyond that. I think the average age for calculation has been changed to about 77, and I hope it does for both of us, Mr. Speaker, and higher, if possible. In fact, I'm happy to report that I have—

Mr. Hardeman: What about the extra years?

1740

Mr. O'Toole: The extra years become the issue. You wouldn't want to wish any harm to anyone. Certainly that's not the intent of the government, the opposition or anyone else. I hope they live in good health because if you look at the health case, there are some pressures about access to service and shortening waiting times for cardiology, cancer and other critical medical needs. The point I'm making is, if you're improving the health care system and people are going to live longer, there's another statistic that's interesting.

In your lifetime, there's an 80-20 rule, that you use 80% of your total lifetime demands on the health care system, whether it's drug benefits, OHIP benefits or hospital benefits, which are all universal programs—you use 80% of your lifetime expenditures in these areas basically in the last 20% of your life. If you keep advancing that, on top of what I call the baby boom, or Boom, Bust and Echo, David Foot's theory on all of this demographic stuff, you're going to see that there are actually some serious go-forward risks.

When I look at pensions—defined-benefit, defined-contribution, the pension rules made at two or three different levels—there's a whole bunch of governance issues here that Mr. Hardeman has pointed out. Hazel said it all, and I'm going to read a couple of quotes from the chair of the Association of Municipalities of Ontario. I consider it downloading. I've heard that the go-forward liability on the unfunded portion of the pension today could amount to as much as—I'm going to look at Mr. Hardeman—\$350 million. That's the number I hear, but no one knows with any certainty.

Why am I concerned? Well, ultimately the employer in a public sector pension is the taxpayer. It's not the government, because governments come and go. People who lead governments or don't lead governments come and go. They're not like a traditional company. The traditional company may have a future date of demise, may be resized or bought out, or their product may become

redundant, but in the case of the public sector I don't think the rules should be the same as the private sector, because I don't think they ever end. I don't think there's got to be an accrued fund to deal with certain liabilities going forward.

This is just a small demonstration in the few minutes I was given to demonstrate just how important it is to get this right because, in fairness, people working in the public sector here or in the town where you live have provided, in many cases, extremely important, essential and quite often life-threatening services for our own common security in our communities and in our province. Whether it's the 9/11 issue, police and fire working in our communities, we need those services. They need to have the protection of government. If this bill really decants the responsibility in a legal sense down to the municipality, and the municipality itself suffers a revenue problem—let's say it was a resource community, and that resource community, such as mining, because of environmental rules or whatever, was put out of business. Who in the heck is going to pay for the go-forward liabilities? Do you understand? We need them, and there are standards of service.

What about some of these unorganized territories that haven't got any solid base of revenue to go forward? What about some of the things we're hearing about, the uncertainty in the economy of—I'm happy to say that Stelco has a provision to have their restructuring plan approved, but ultimately there's a perfect example. The whole issue around the Stelco financial issue was the pension liability. The whole issue in many of what I call legacy companies—almost all the legacy companies' pensions aren't fully funded. I would only say to you, without naming names of companies—this is all part of the public record. I don't want to create uncertainty in the investment climate for pension funds themselves, a lack of confidence in our monetary system or indeed our investment marketplace, but most of the legacy companies—and I think Air Canada's issue was the pension liability. For Stelco, most of the steel companies, most of the older companies—including the auto sector, the Big Three—their fundamental issue is the liabilities on the pension and the benefits. Why? For the points that I've tried to establish in layman's terms of the health care system: the demand for more. Every senior is probably on one, two or more medications to save their life. Dialysis is increasing; diabetes; cardiology and people who have high blood pressure or cholesterol, those medications; all of the demands and the ability to diagnose medical things early, and then you expect the treatment, much of it high risk, whether it's for osteoporosis or symptoms that are usually a part of the body aging.

That's what these employers with defined benefits and defined entitlements, going forward—man, they'll be getting MRIs every second day of the week in the future, or will expect them under the universal access of the Canada Health Act. When you look at the courts in Quebec, and there are other cases ongoing right now—there's another case in Ontario before the courts about

someone being denied a life-saving treatment out of the country. I would say that we have questions in the House raised on this quite regularly. I would say that the member from Burlington is pressing the Minister of Health on leading-edge pharmaceutical products for the treatment of cancer. I know that the member from Kitchener–Waterloo, our own Elizabeth Witmer, is always asking questions on Fabry's and other now-defined medical conditions that have treatments.

We also know, going forward, of the province's risk with children who are being identified with autism, and it's \$30,000 to \$50,000 per child. I think the province has a responsibility. Certainly they promised to do it. Now they're not doing it, but there's a whole debate on that promise issue. In this case here, what I'm saying is, in my own family or in my own community, we each have responsibilities and we have rights. I think that the responsibility we have is to be honest with the people in this whole debate on this pension thing. Is Hazel right? Is it downloading by stealth? That really is the question.

I don't say it with any malice. I say, this is so important that the government—

Interjection.

Mr. O'Toole: I won't respond to the member from St. Catharines this time, but I know that he seems to think he knows. He always seems to think he knows. The member from St. Catharines continuously interrupts and continuously embarrasses himself. That's what I say here.

Hon. James J. Bradley (Minister of Tourism, minister responsible for seniors, Government House Leader): You're the one that has embarrassed himself. Don't you get into that—

The Deputy Speaker: Order.

Hon. Mr. Bradley: Don't you get into that.

Mr. O'Toole: The member from St. Catharines is now yelling, in my time.

Interjection.

The Deputy Speaker: We're just going to proceed calmly and orderly.

Hon. Mr. Bradley: Don't you get into that. You were on record the other night, you smart aleck.

The Deputy Speaker: House leader.

Hon. Mr. Bradley: I heard you. I'll bring the newspaper in for you. How's that?

The Deputy Speaker: Government House leader.

Hon. Mr. Bradley: You want to play that little game?

The Deputy Speaker: I can stand here for a long time. Let's have some order.

The member from Durham.

Mr. O'Toole: I just wanted to change the topic. Roger Anderson is the chair of Durham region. Roger appeared before the committee, as he should, for the Association of Municipalities of Ontario. This is what Roger said. Roger represents the mayors from many of the municipalities that Mr. Hardeman spoke of. I'm quoting here: "AMO maintains that the province of Ontario is needlessly rushing in to reform one of Canada's most important pension funds. A wholesale restructuring of something as

complex and as important as the OMERS plan ought to be carried out by qualified pension experts, who are few and ... far between. We can verify that because we had to find them to prepare any credible analysis of this bill. It was AMO, as a matter of fact, that had to ask OMERS to undertake a financial analysis on matters contained in the proposed legislation." So it was initiated by AMO. "No one else seemed interested in this, including the government, and not even the unions."

There he is concerned about the risk to his taxpayer base, and I commend him for that.

1750

I'm going on to quote here. He says, "This committee has given a bill that would fundamentally transform the \$36-billion OMERS plan only eight hours of public consultation." Does it seem reasonable, on this complex issue, to have eight hours of hearings?

I'm going to continue here, as time permits: "If the bill moves forward to third reading, as we anticipate, under these circumstances, without being returned to this committee for meaningful stakeholder consideration and input, this government and this committee may have a great deal to account for. I suggest that the onus is on you to get it right"—meaning the McGuinty government. "The costs are staggering for municipalities."

He also said that municipalities who are OMERS employers "are profoundly concerned about the impact of Bill 206 and the potential for significant costs to be funded by municipal taxpayers."

That, Peel members, is short for downloading. You've got to look at the whole concept of downloading by stealth, and that's what's untoward here. I can also say that many of the municipalities that spoke, including Hazel McCallion and others, have every right to be concerned about what the McGuinty government is up to.

In fact, this is a letter to Doug Moffatt. Doug Moffatt is the chair of the police services board in Durham. He's also a Liberal candidate. He had written to Minister Gerretsen questioning this pension liability issue. Here's Mr. Gerretsen's response to Doug Moffatt, chair of Durham Regional Police Services Board, dated November 8:

"Thank you for your recent correspondence and for sharing your views on Bill 206, An Act to revise the Ontario Municipal Employees Retirement System Act.

"We are taking into consideration all comments received while work on Bill 206 continues.

"As you may know, Bill 206 has been referred to the standing committee ... on November 14, 16, 21 and 23, to ... discuss the bill. For further information on these proceedings"—and he refers them to a Web site.

They were concerned as a police services board. Hazel McCallion is concerned; AMO is concerned; our critic, Mr. Hardeman, is concerned; and I'm concerned. I'm concerned both as a taxpayer and as a potential retiree of the future to know what certainty around pensions this government is prepared to partake of.

Much could be said about the lack of a pension in this Legislature. I might want to look in the mirror when that

happens, because we were government when we struck down the members' pension act. I think, quite honestly, that wasn't perhaps explained to us too well at that time. Otherwise, we probably would have had a small rebellion.

There are a couple of sections in the bill, in the very brief time that's left, that are quite technical. One of them is these two organizations, both the administration corp and the sponsors corp, and the governance model and the functions they perform. It is in the bill and it's rather technical, but all it really means is that the administration corp is going to actually administer the investments on behalf of the sponsors corp, which is the employer and employee groups. There are many, many groups, and their needs differ.

I want to compliment the member from Oxford for trying to move—because there will be disputes within the union groups, within the employer groups, on the administration of the plan, to say, "How much risk can we tolerate to enhance our rewards?" But the member from Oxford and the member from Erie—Lincoln moved an amendment to the bill which would have required a two-thirds majority for any major changes within the administration of these groups. I think that was good advice; I think it was well meant and well intended. That's what I think the government and other stakeholders in this discussion are waiting to hear.

I would say that, again, for persons that are interested in pensions, this is one to keep an eye on. If you take the \$350 million that is probably being downloaded, with more risk going forward, because this grows exponentially—basically, the payroll for the municipality, local level or upper tier, is about 75% to 80% wages and benefits. It is the single largest piece of their total budget. Whether it's the city of Toronto or Durham region or the municipality of Clarington, where I live, the single biggest issue—and the pension is the second part of it. I quote here from an article in the Toronto Star by James Daw in 2005. Roger Anderson warned that most municipalities face a 1% to 2% tax increase for any increased contribution in 2006. So that's 1% to 2% just on those contributions alone.

I find that this bill needs to go out for further consultations, and I'd be pleased to be supportive of that initiative by the government and the minister, Mr. Gerretsen.

The Deputy Speaker: Questions and comments? The member for Northumberland.

Mr. Lou Rinaldi (Northumberland): Thank you, Mr. Speaker.

The Deputy Speaker: The member for Northumberland has yielded the floor. Questions or comments? The government House leader.

Hon. Mr. Bradley: I seek unanimous consent to adjourn the debate on Bill 206 until it is next called, in order to move a motion respecting the business of the House for this evening.

The Deputy Speaker: Is it agreed? Agreed.

Hon. Mr. Bradley: I move that notwithstanding any standing order or the order of the House of earlier today, the House continue to meet beyond 6 o'clock for the purpose of completing consideration of the motion for second reading of Bill 21, An Act to enact the Energy Conservation Leadership Act, 2005 and to amend the Electricity Act, 1998, the Ontario Energy Board Act, 1998 and the Conservation Authorities Act and make complementary amendments to other acts; and the motion for third reading of Bill 214, An Act to amend the Election Act, the Election Finances Act and the Legislative Assembly Act, to repeal the Representation Act, 1996 and to enact the Representation Act, 2005; and

That each of the recognized parties be allowed to speak for up to 25 minutes on the debate on the motion for third reading of Bill 214; and

That following the completion of consideration of both bills, the Speaker shall adjourn the House until Tuesday, December 13, 2005, at 1:30 p.m.

The Deputy Speaker: Mr. Bradley has moved that notwithstanding any standing order or the order of the House of earlier today, the House shall continue to meet beyond 6 o'clock for the purpose of completing consideration of the motion for second reading of Bill 21, An Act to enact the Energy Conservation Leadership Act, 2005 and to amend the Electricity Act, 1998, the Ontario Energy Board Act, 1998 and the Conservation Authorities Act and make complementary amendments to other acts; and the motion for third reading of Bill 214, An Act to amend the Election Act—

Mr. Gilles Bisson (Timmins–James Bay): Dispense.

The Deputy Speaker: Dispense? Agreed? Agreed.

ENERGY CONSERVATION
RESPONSIBILITY
ACT, 2005

LOI DE 2005 SUR LA RESPONSABILITÉ
EN MATIÈRE DE CONSERVATION
DE L'ÉNERGIE

Resuming the debate adjourned on November 30, 2005, on the motion for second reading of Bill 21, An Act to enact the Energy Conservation Leadership Act, 2005 and to amend the Electricity Act, 1998, the Ontario Energy Board Act, 1998 and the Conservation Authorities Act / Projet de loi 21, Loi édictant la Loi de 2005 sur le leadership en matière de conservation de l'énergie et apportant des modifications à la Loi de 1998 sur l'électricité, à la Loi de 1998 sur la Commission de l'énergie de l'Ontario et à la Loi sur les offices de protection de la nature.

The Deputy Speaker (Mr. Bruce Crozier): Questions and comments on Mr. Yakabuski's speech?

Further debate? Does any other member wish to speak?

Mrs. Cansfield has moved second reading of Bill 21. 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.

Call in the members. This will be a 30-minute bell.

Pursuant to standing order 28(h), I have been handed a request by the chief government whip that the vote on the motion by Minister Cansfield for second reading of Bill 21, An Act to enact the Energy Conservation Leadership Act, 2005 and to amend the Electricity Act, 1998, the Ontario Energy Board Act, 1998 and the Conservation Authorities Act, be deferred until deferred votes on December 13, 2005.

1800

ELECTION STATUTE LAW
AMENDMENT ACT, 2005

LOI DE 2005 MODIFIANT DES LOIS
EN CE QUI CONCERNE LES ÉLECTIONS

Mr. Bradley, on behalf of Mrs. Bountrogianni, moved third reading of the following bill:

Bill 214, An Act to amend the Election Act, the Election Finances Act and the Legislative Assembly Act, to repeal the Representation Act, 1996 and to enact the Representation Act, 2005 / Projet de loi 214, Loi modifiant la Loi électorale, la Loi sur le financement des élections et la Loi sur l'Assemblée législative, abrogeant la Loi de 1996 sur la représentation électorale et édictant la Loi de 2005 sur la représentation électorale.

Hon. James J. Bradley (Minister of Tourism, minister responsible for seniors, Government House Leader): I'll be sharing my time, but our speaker, the member for Bramalea–Gore–Malton–Springdale, will be here.

The Deputy Speaker (Mr. Bruce Crozier): The Chair recognizes the member for Bramalea–Gore–Malton–Springdale.

Mr. Kuldip Kular (Bramalea–Gore–Malton–Springdale): I'm pleased to begin third reading debate on Bill 214, the Election Statute Law Amendment Act, 2005, and I'm happy to be contributing to today's debate in my capacity as parliamentary assistant to the minister responsible for democratic renewal, the Honourable Dr. Marie Bountrogianni. Minister Bountrogianni is currently in Hong Kong representing Ontario's interests at the ministerial conference of the World Trade Organization.

Bill 214 is important because, if it's passed, it will improve Ontario's democracy by moving ahead in three key areas: first, preserving 11 ridings in the north; second, fixed election dates; and third, real-time public disclosure of political donations. I'll explain these in a bit of detail.

First, this bill will preserve the 11 ridings in the north. If this bill is not passed, the north will lose a riding in the next Ontario general election. Over the years, northern Ontarians have seen their representation in this Legislature go down and their voice in provincial affairs weakened. Our government recognizes that all regions of Ontario have an important role to play in building a

strong and prosperous province. To do this, all regions must have a strong representation in the Legislature.

Maintaining 11 ridings in northern Ontario will guarantee an effective voice for the north. This bill will also add four ridings in southern Ontario, in accordance with the federal redistribution that reflects population growth in the south. Ultimately, Bill 214 will make sure that the different perspectives of all Ontario's regions will be heard, considered and debated in this House. As a result, all Ontarians will have a voice in shaping the future of our province.

Second, this bill will set fixed election dates. General elections will be held on the first Thursday in October every four years, starting on Thursday, October 4, 2007. The right of Premiers to call elections based on partisan and political considerations will be a thing of the past.

Furthermore, this bill will set fixed election writ periods of 28 days. All parties and candidates will know when future election periods start and end, and everyone will be on a level playing field. In the past, governments of all stripes have played games with election dates. Some have called elections too early; others have clung to power too long. These games have always been driven by efforts on the part of the government of the day to choose the most politically opportune moment to go to the polls. This bill will change all that. Never again will a Premier have the divine right to set election dates.

Why are we doing this? Because elections are solemn democratic events that belong to all of us, that belong to the people of this province; because the dates of those events should be chosen to make it easy for as many of us as possible to participate as citizens in choosing our representatives; and because, when the government manipulates democratic events for its own partisan advantage, the people of this province are not well served, and that's not right. With this bill, we are proposing that the date of the next general election, and of all subsequent elections, will be known in advance by everyone.

Third and finally, this bill will make donations to political parties more transparent to Ontarians by requiring real-time public disclosure of political donations on the Internet. This means that all contributions of over \$100 to a political party or leadership campaign will have to be reported to Elections Ontario within 10 business days—not up to a year later, as is the case right now. Elections Ontario will then have to post this information, including the contributor's name and the donation amount, on its Web site within 10 business days. This reporting provision will be retroactive to January 1, 2004.

Bill 214 also provides for meaningful enforcement of the new rules through stiff fines. For example, if the chief financial officer for a party or leadership contestant is found to have knowingly breached these new real-time disclosure requirements, he or she would face a fine of up to \$5,000; and if a party or leadership contestant is found to have knowingly breached these real-time disclosure requirements, the party or contestant could face a fine, upon conviction, of up to double the amount of the undisclosed contributions. As a result of this measure,

Ontarians will have a political finance system that is more open and transparent than ever before.

In summary, Bill 214 charts the course for meaningful and fundamental improvements to how Ontarians govern themselves. This bill will secure strong and effective representation for all Ontarians in the Legislature; it will set aside the guessing game of when elections will be held, put all parties and citizens on a level playing field and give Ontarians fairer elections; and it will provide Ontarians with real-time public disclosure of political donations. As parliamentary assistant to the minister responsible for democratic renewal, I'm proud to stand in support of this bill.

We have already made significant progress on our agenda. We have extended the powers of the Auditor General to conduct value-for-money audits of public sector institutions, we have banned partisan advertising, we have required that cabinet ministers attend question period at least two thirds of the time and we have mandated the Auditor General to independently review the state of Ontario's finances before provincial elections.

A healthy democracy is the foundation on which we build a healthy society, because when citizens are engaged, governments make the best choices. The democracy that I want for Ontario and what our government, the McGuinty government, wants for Ontario is rich and vital. I urge members on all sides of the House to join me in supporting this bill.

1810

The Deputy Speaker: Questions and comments? Further debate.

Mr. Norman W. Sterling (Lanark–Carleton): I'm going to be sharing my time with the member from Parry Sound–Muskoka, Norm Miller.

Bill 214 basically has three sections to it. Number one is the section trying to set again—this is the second time in legislation—the election date at October 4, 2007, and then every four years thereafter. As has been readily admitted, it is really a wish the election be on October 4, 2007. The Premier of the day, Mr. McGuinty, could walk down the hall today or the day after this legislation comes into effect and ask the Lieutenant Governor to dissolve Parliament, and the Lieutenant Governor would be obligated to do so, because that's in our Constitution. So a piece of legislation like Bill 214 can't change what our Constitution says. Further, the legislation provides no sanctions against the Premier should he not walk down on the appropriate day to call the election on October 4, 2007. So the legislation really is a promise or an intent by this Premier to call the election on October 4, 2007. I think it's going to be on October 4, 2007, because it would be disastrous for the present Premier not to do that.

Mr. Cameron Jackson (Burlington): The sooner, the better.

Mr. Sterling: Yes. We'd prefer it much sooner than that. October 4, 2006, would be ideal for us.

That particular part of this bill I don't really find either good or bad. Probably we should have a constitutional amendment to change our Constitution so that this is in stone.

Also, there are some good arguments with regard to our parliamentary process that there are some real advantages to the present system in that if the party changes their leader and that leader happens to become the Premier of the province, there might be a very good reason, particularly if this happened in the early part of a mandate, for an election to be called. I don't think the people would take kindly to a party that became the majority government of this Legislature and then four or five months later the leader stepped down and a brand new person walked in and was going to be the Premier for three and a half years before the next election. There's a good argument that the public should have an opportunity to elect a Parliament around that new leader, particularly in circumstances where leaders are so important in terms of voter choice.

The second part of this legislation, which deals with election finances—I don't have a great objection to those particular sections. There can be some debate around those sections, but the only problem that I see with those particular sections is the complexity and the complications they add to political organizations. As you know, Mr. Speaker, and as all politicians know, we rely very much on volunteers. We rely on a CFO, a chief finance officer to our campaign, who is a volunteer and who puts out tremendous amounts of time. He or she is going to have additional burdens and time restraints on them in terms of meeting the expectations of this legislation for timely disclosure of contributions.

So it seems to me that the legislation might have included some kind of compensation put forward by the election office to help pay for some of this additional burden that's going to be thrust upon campaigns and candidates as we go into the future.

The most important part of this legislation, or the part which I object most strenuously to, is that part which deals with the number of constituencies or ridings we will have in the next election. As you know, in the federal Parliament we have 106 ridings. This legislation, Bill 214, will give us 107 ridings, the difference being that in the north, those ridings, including Parry Sound-Muskoka and those further north—we'll retain 11 ridings there based on the old boundaries going back to the census of 1990, and the ridings in the south will be based upon the census of 2000.

There are a number of reasons why one would object to the process, but let me state at the outset that if it is the desire of this Parliament to have 11 ridings in the north, then so be it. Let's then acknowledge that if we're going to have 11 ridings in the north, we cannot have coincident ridings with our federal cousins. In other words, if you're going to have 11 ridings in the north, then it's probable that you're going to have to have more than 96 ridings in the south in order to keep roughly the same kind of equality with regard to the voting power of each

and every citizen. That's why in this Legislature I have brought forward a boundaries commission act; in other words, an act which would set up a boundaries commission which would look at Ontario and, starting with the base fact that you're going to have 11 ridings in the north, create ridings right across Ontario.

Even in the north, I'm told that since 1990, and the facts upon which the 11 ridings in the north were based, there have been population shifts in the north as well. There might be some very good argument that while we still have 11 ridings in the north, some of those ridings should be readjusted; in other words, something be added to one and taken away from the other, depending on where those population shifts have occurred in our north.

But Bill 214 will be the first piece of legislation that this Legislature has seen since the 1950s which, by legislation, sets down boundaries not based upon an election or a boundaries commission. I read the words of John Robarts way back in 1962, when he said during a debate on the creation of the independent boundaries commission—because the history of this place has been that what happens after each census is that we set down a boundaries commission, either by resolution or by a piece of legislation specifically for that task after that census. But John Robarts said that the whole idea of setting down an independent boundaries commission was “designed to remove this whole matter from the field of politics.”

Now, what we have seen in the history leading up to Bill 214 is actually a history of politics entering into striking the boundaries, because in the last provincial election the Liberal Party, and in fact I'm told even the Conservative Party and the NDP, promised that in the north there would be 11 ridings not only before but after the election. I'm not arguing whether you're going to have 11 ridings in the north or not. I am saying, accept that fact, but you've got to be fair with the rest of the people of Ontario and you've also got to set up those 11 ridings according to a non-partisan, non-political process.

1820

We've all heard the word “gerrymandering.” Gerrymandering means that you're setting the boundaries of the electoral districts for your own political advantage. One could very easily make the case here, in Bill 214, that the governing Liberal party is gerrymandering the north for its own purposes by keeping the same boundaries as it had in the last election because, of those 11 members from the north now serving in the Legislature, six are Liberals, four are New Democratic Party members and one is a Conservative. So if they believe, and I think I believe too, that an incumbent in a particular riding—if you and I have to run in an election in the same riding as we had before, I think we have a slight advantage over someone new coming in to challenge us, because we've represented those people for a certain amount of time. If the boundaries don't change and the number of constituents doesn't change, therefore the people whom we have learned to know and hopefully serviced and helped during our period here at the Legislature hopefully will go to the polls and reward us for our good service. In this

particular case, one could, I think very easily, say that this Liberal government, through Bill 214, is gerrymandering the north for its own purposes.

There is another very significant problem here, and that is that under section 3 of our Constitution, each and every one of us is given a right to participate in democracy in an equal manner. That means, in its very strictest and purest sense, that each one of us would have the same weight for our vote as another person. It means that, in a very ideal situation—and forget about the geography and forget about the historic; forget about all that kind of thing—the very purest and best possible outcome that you could have—and you could only have this in a very homogeneous land area, and it doesn't apply here, you would have 106 ridings, all with 106,600 people, right across the province of Ontario. We know that that's not possible in the north. We know that that's not possible in eastern Ontario, where we have small amounts of population for relatively large areas.

The Supreme Court of Canada, in dealing with some arguments over the setting of boundaries, has made it very clear that you can only go so far away from this very ideal, pure goal that you would be after. If one MPP represents 75,000 people and another MPP represents 150,000 people, the person who is voting for the MPP where there are 150,000 constituents in it really only has half the say of the MPP who's elected by 75,000 people because his vote is counted among so many more people, and his representation for his vote is only half of the other. That is why section 3, while some of our electoral laws and our boundaries commission legislation—and boundaries commission legislation is in every province of Canada. It's at the federal level as well. Everyone has boundaries commission legislation, and all of them say that you can take into account geography, you can take into account history and you can take into account a number of other factors—uniqueness in terms of municipalities etc.—but you can only go up to 25% one way or the other.

Even with that kind of legislation, there are usually some fudge words in the legislation which allow the boundaries commission to go even further. In fact, the federal boundaries commission, in dealing with the 106 federal ridings, has made an exception in the farthest northwest part of our province and allowed a particular riding—I think it's the Rainy River–Kenora area—where the population is significantly smaller than the average of 107,000 voters in each constituency. It's 46% less in that particular constituency, but the boundaries commission found that particular riding so unique that it would allow that to happen. I don't think that that's a wrong decision, but in general the boundaries commission tries to stay with the same formula and deal with everybody in the same way.

The problem with keeping 11 ridings in the north but not putting more ridings in the south is that what you have in the north is, of the 11 ridings, 10 of them deviate more than 25% from the average of 106,636 residents. So you have ridings like Sault Ste. Marie—when you look at

these, you have to think about the average population of 106,636. Sault Ste. Marie has 74,566 voters. Sudbury has 79,342 voters. I think most of us would agree that somebody who covers a large area, particularly a very large area, should have a break in terms of the number of people they represent, because you have to travel long ways in between and it's harder to service and it's harder to represent in those kinds of communities. But in both Sudbury and Sault Ste. Marie, you only have areas of 247 square kilometres and 162 square kilometres.

When you say to the voters of ridings in eastern Ontario—for instance, Haliburton–Kawartha Lakes–Brock has 10,831 square kilometres, a huge area in eastern Ontario. That would be about 100 times bigger than the areas that Sault Ste. Marie and Sudbury are in, but that MPP has to represent 111,343 people. Another riding in eastern Ontario that is very large in geography, the Renfrew–Nipissing–Pembroke riding, is approximately the same area. That riding represents about 96,000 inhabitants.

So I really think that someone can, and very well might, challenge Bill 214 on its constitutional basis, because it's not about one single riding being too large or too small. I think you can make a very good argument one way or the other, but when you say that a whole host of ridings—11 of them in the north—should have special treatment, versus all the ridings in the south—and I talk particularly about those that are large and rural-based that have large populations—then I think you're in trouble in terms of your argument before the courts as to trying to be fair and trying to meet the challenges of section 3 of our Charter of Rights.

I think the proper approach would be this: Adopt my bill on setting up an electoral boundaries commission. Say to that electoral boundaries commission—and I've said it in my legislation, “We want 11 ridings in the north.” Sit down and figure out whether the boundaries that you have in the north suit the population of the north. If they do, fine, but there may be some minor adjustments that are necessary, even in the north. I don't know how all the populations have shifted in the north, or whether they've shifted greatly in the north. If they haven't, they wouldn't need any readjustment. But in the south you would probably need 10 or 11 more ridings to bring the average down in terms of the population per riding, and then we would have more ridings in the south.

1830

This bill, while guaranteeing the north 11 ridings this time, does nothing for the north the next time, and it leaves open to question what's going to happen after the next election, what's going to happen after the next census with regard to what happens in the north. If this Legislature decides that it wants 11 ridings in the north from now until forever, then adopt my Electoral Boundaries Commission Act. Let's set up the electoral boundaries commission now so that in six to eight months we can have the ridings set up for our election in October 2007.

Bill 214 has some good points, but it has, I think, a real weakness with regard to making certain that the

north has 11 ridings now and into the future, and being fair with all of the people of Ontario.

Mr. Norm Miller (Parry Sound–Muskoka): In the few minutes left, I'm pleased to be able to add to the discussion this evening on Bill 214. As the member from Lanark–Carleton has already stated, it does three things, really: It maintains 11 northern ridings, brings about real-time disclosure of political donations and fixes the election date every four years, so that the next election will be on October 4, 2007.

I wanted to speak briefly to do with the 11 northern ridings. I sat on the committee with the member from Oxford, and we had some fairly frank discussions to do with maintaining 11 northern ridings. I was disappointed that a number of Liberal members—really, my feeling—misrepresented our discussions at committee.

Mr. Dave Levac (Brant): On a point of order, Mr. Speaker: I think the member would acknowledge that accusing members of misrepresentation is not proper—

Mr. Miller: I withdraw it.

The Deputy Speaker: Thank you.

Mr. Miller: I'll restate that. They gave a partisan review of what happened at committee or perhaps distorted the position that we took at committee.

We were raising some of the concerns that the member from Lanark–Carleton did in terms of how you go about determining where those 11 ridings are. I'm one of the members who will benefit from this bill passing because, representing Parry Sound–Muskoka, my riding stays more or less intact when this bill passes. I do lose the Algonquin Highlands portion of the riding, but I think it's safe to say that they're going to have excellent representation in the member from Haliburton–Victoria–Brock, Laurie Scott.

I think any of us here would rather maintain the exact boundaries of our ridings where we've been doing all our work and looking after constituents, if you're doing a good job, and meeting with municipal politicians and doing all the things you should be doing. If you're doing a good job, you really improve your position for the next election as the incumbent.

The problem we have with this bill is not maintaining 11 northern ridings; it's the fact that it's not an impartial electoral boundaries commissioner who will be deciding where those boundaries on the 11 northern ridings will be. It is, in fact, the Liberal government, from an election promise made before the election. That is the problem we have with it.

As I say, I want to be very clear that the PC Party is in favour of maintaining 11 northern ridings. We recognize how difficult it is to represent a large geographic area, and certainly in the case of Parry Sound–Muskoka, that's true. If I leave my residence and have a meeting at Dokis First Nation, it's a three-and-a-half-hour drive one way. So it's seven hours of driving before you even start the meeting. That uses up a lot of time and makes it very challenging. We recognize that.

I think it's safe to say that historically many electoral boundary commissions have recognized that in the north

and have made variances so that the average population size was over the 25% average population. But it's the principle of the government deciding where these boundaries will be, not an impartial electoral boundaries commission, that we have problems with. I just wanted to get that on the record here this evening.

The Deputy Speaker: Questions and comments? Further debate?

Mr. Gilles Bisson (Timmins–James Bay): I have some good news for members. I'm not going to use 25 minutes. I do want to put on the record a couple of things that need to be said from the perspective of two parts of this bill.

The first part, just quickly, is on the fixed-date elections. I happen to be in favour of that particular part of the bill, and I do want to say I don't think it is the majority view of our caucus. I know a number of people see it differently. I just want to say personally that, quite frankly, I think it's not a bad idea. There is some danger in doing this; I think that needs to be said. If people think they're not going to be in pre-election mode because of this particular legislation, because we know that the election date will be in October 2007, I think you're sorely mistaken. The reality is that because we know there is going to be an election on a certain date, people will be in pre-election mode way before September 2007. In fact, you will see a lot of posturing going on by local candidates, incumbent candidates, those who are challenging and party leaders, along with political parties putting together their political apparatus, way before September 2007. So if people are voting for this on the basis of, "Oh, that means I don't have to worry about being in pre-election mode until September," you've got something else coming. The reality is we're going to be in pre-election mode for a good six months to a year before September 2007.

That being said, I don't think it's a bad idea. We recognize this is the British parliamentary system. Governments can still fall by way of a non-confidence motion. If there were a non-confidence motion in this House and for some reason a number of Liberal members all of a sudden decided to cross the floor or be absent on a vote, the government could fall before 2007, because non-confidence motions would still be in order in this House. So people should not think, listening to this debate, that this now means that non-confidence motions wouldn't work, because they would take precedence over this legislation.

That being said, I just want to say that the reason I support this is that I just don't like the idea of a Premier sitting back and picking the election date based on what the oracles in the Premier's office and the party office have to say about when an election has to be held. I've now seen three or four Premiers since I've been here who have tried to pick election dates. Not all of them have been successful. Some of them, quite frankly, have had rude awakenings. I remember David Peterson, who thought he could choose the timing of an election in order to benefit the party. They were at 60% in the polls.

Surprise, surprise: They were defeated. Bob Rae got elected. Bob Rae then said, "I'm going to go to the polls" on a certain date. That didn't work for him. Quite frankly, it didn't work for Ernie Eves the last time. The problem with that is that it really does put us in an odd situation where you could be in pre-election mode of a different kind for a long period of time prior to an election. For a government to try to pick and choose when it's best to have an election according to its own needs I think flies in the face of what democracy should be all about. So I personally support the idea of saying, "We'll have fixed-date elections on a certain date. Every four years we'll have an election." I don't think that's a bad idea. But it is fraught with some problems, and I think we need to recognize and put that on the record.

The other issue is in regard to northern representation. I want to put on the record that I never thought we should have gone to federal boundaries in the first place. In all respect for my good friend Mr. Sterling—I don't remember the riding—I voted against that legislation, and I'm still opposed to it. The reality is that provincial members do things very differently, as far as the type of work they do, than federal members. Imagine arguing for a second that municipalities should be the size of provincial ridings. It wouldn't make any sense, because the reality is that municipalities have a different set of things that they need to give to their constituents. We have a system where a municipality, be it Joliffe or Oshawa or Timmins, has a mayor and X number of councillors to represent that community, and they make decisions. It's the same, I would argue, with provincial and federal members. I don't think we should have the same ridings. I just recognize that the work that we do is different.

1840

I speak with some authority. I'm the only member in this assembly who is co-located with a federal member. I share a constituency office with my federal member, Charlie Angus, who is also a New Democrat, and we work together all the time. We're on the phone almost every day talking about issues back and forth, and there has been some real benefit to that for both our constituents and ourselves. But I've got to tell you, the work that Charlie Angus does and the work that I do are quite different. We don't do the same type of work. I am busier, for example, on the health care side because health is a provincial responsibility. I'm a lot busier on the education side because it's a provincial responsibility. There's a lot of work that needs to be done in those particular areas because they happen to be issues of provincial responsibility. He does more work on the side of issues around First Nations than I do; he does a lot of work in regard to federal unemployment insurance and passports and immigration. Those are clearly things on the federal side.

My point is that case levels are not the same. We don't get an equal amount of work, if 100 people walk in the door or make a phone call. After about a year of us being set up—at first there was a lot because there was a lot of expectation. We probably get more work provincially

than my federal counterpart would get federally. I would argue that's one of the reasons we have to have smaller ridings. For example, the riding that I currently represent, Timmins–James Bay, used to be two ridings and should return to that. It would make far more sense because there are three different ridings in my constituency: there's the city of Timmins; there's the Highway 11 group, which is a community unto itself, the majority French-speaking, mostly rural, smaller communities; then there's the James Bay, which is 99% First Nations. So there are very different parts of the riding, and I would argue you can probably divide my riding into two and it will do quite fine.

I will vote in favour of this legislation because at least it protects the 11 ridings that we have now. If we had gone with the federal boundaries, we would have gone from 11 to nine. Let me just give you a bit of a sense of what that means for me. I have a riding that's now larger than France. I'm French-speaking, I'm a francophone, I love France, I've been to Paris, to Nice, all those wonderful places, but my riding is the size of France. Most of my riding doesn't have roads. If we had gone the way of the federal boundaries, my riding would have got even bigger. It's hard enough to handle now, without it having to get bigger.

From the perspective of the constituents—and this is really what it's all about—they're opposed entirely to following the federal boundaries. I'll give you a good example. The northern part of my riding, on Highway 11, is represented by a Liberal by the name of Brent St. Denis. His riding is Algoma–Manitoulin–Kapusking. Tell me if that makes any sense. If you take out a map of Ontario, he represents Manitoulin Island, the town of Elliot Lake, and everything in between is not his riding, but it ends up being Kapuskasing, Hearst, down to Smooth Rock Falls. So for him to go from where he lives in Elliot Lake up to the northern part of his riding, he has to drive around by way of White River or he has to come back around by way of Sudbury, through the city of Timmins, all of which is not in his riding, to get to the northern part of his constituency. People on Highway 11 have been from the very beginning opposed to this new federal boundary because they say here's the problem: Mr. St. Denis may be a nice guy, but if Carol Hughes wins the riding, which I hope—she's the candidate I'm backing as a New Democrat; she's also a great person—but depending on where the candidate lives, where the incumbent lives, is going to determine how much service people get.

Let's be real. If I happen to live in Kapuskasing, obviously I'm going to be around Kapuskasing more often, so it'll be easier for people from Hearst, Smooth Rock Falls and Constance Lake and everywhere in between to meet with the local MP or MPP. But if the person lives in Kapuskasing and is trying to service Elliot Lake and Manitoulin Island, you can't go there every weekend. It's a riding that makes absolutely no sense. People feel very alienated with the federal boundaries.

I have real experience in my constituency where people who are now in this new riding where Timmins–

James Bay is—Timmins and everything north up to Hudson Bay, from the Quebec border up to Lake Nipigon—pretty easy to understand, pretty big too, but Timmins–James Bay federally is James Bay, nothing in between until you get to Timmins, then everything south of Timmins. It just doesn't make any sense. So from the perspective of the constituents we represent, they're opposed to the federal boundaries. They think it's not a good idea. They think it means it's harder for them to access their elected representatives, and on that basis they've asked me, as their representative, to vote in favour of this legislation, something which I will do.

My last point is this, and I want to put this on the record because I don't want people to think I only talk about this stuff amongst members, and that is the ability for members to service a riding like this. Currently, we have a system that gives all members a global budget to do the work for their constituency—hire staff, have constituency offices etc.

In my riding there's the city of Timmins, which has about 50,000 people. Then you go up the highway, and you've got a number of communities which are serviced by an office out of Kapuskasing. Basically, that means I've got two full-time constituency offices, with staff in both. But all of those communities in between you've got to service by way of clinics, so we have clinic offices in Smooth Rock Falls, Hearst and Constance Lake. That means to say that you have to have staff going to all of those communities on a weekly basis in order to pick up birth certificate applications, worker's compensation records—whatever it is that we might do. Then there's the James Bay part of my riding, which doesn't even have roads. You can't drive from Moosonee to Attawapiskat, except for a winter road that's available for about two months a year.

I was just in Moose Factory this last Thursday night for an event, a fundraiser for the people of Kashechewan, which was hosted by the Moose Cree First Nation. By the way, you should have been there; it was a gas. Stan Louttit, the grand chief, and myself were the auctioneers. We had them in stitches for two hours, but that's another debate.

The point is this: For me to get from Moosonee to Moose Factory—it's a river. So put this in mind: You can't take the chopper; the chopper has been taken out of service because it's very expensive. There happen to be a couple of inches on the river, so people are taking their skidoos across the river. The only way I could go see my constituents was to get a skidoo on the back of a trailer about two to three miles down the river, cross on about four inches of ice over a river that's about a mile wide, and then come back up the other side, up one of the channels where the ice is a little bit more safe. Those are the realities of the ridings that we represent.

Here's the kicker: I tried to get up there—because I'm a pilot, and everybody knows I fly my own plane. I can't go up Thursday morning because it's IFR, instrument flight rules; I'm only a VFR pilot. My good friend Norm

Miller is a pilot as well and has the same kind of rating as me. So I couldn't take my plane up.

Mr. Miller: You just push a button.

Mr. Bisson: Oh, I just push a button. I wish had an autopilot. I'm not that rich.

My point is this: I had to get to that event, and I had to get to the dialysis opening the following day, where the Honourable Minister George Smitherman was. The reality is, I couldn't take my plane because it was IFR conditions expected for two days. If you call Air Quebec in order to get a ticket—I could get there, but I couldn't get back till Sunday. So what do you do? You've got to charter an aircraft. It's \$3,000 to \$4,000 to get there, all of which I have to pay within my global budget.

I just make this point publicly here in the Legislature: I think these ridings need to have a certain amount of recognition as far as the challenges we face trying to service our constituents when going into communities like Peawanuck or Attawapiskat or Moose Factory. I shouldn't be in a position—oh, yes, people say, “Well, you get an extra \$20,000 a year because you're a northern riding.” I get \$5,000 more than the Speaker, that's what I get. He gets \$15,000 extra; I get \$20,000 extra. For \$5,000, I'm supposed to service a riding that has no roads.

I would only put on the record here, because I've been lobbying for this for a while, that there needs to be a recognition of going to the federal rules, where we can use some of our travel points as an offset for the travel we've got to do in our ridings. I shouldn't have to learn how to fly a plane and buy a plane to service my constituents. I did that; that's my choice. I'm losing money; that's fine. But there should be some kind of recognition, when we have to charter or take an aircraft, that we can charge those things outside of our global budget.

But that's not the reason I'm here. I'm here to say, Mr. Speaker—and you were very patient—I will vote in favour of this legislation. It's something that we've been wanting to have happen for a while. I'm sure that Andreanne Joly at Le Weekender, who I'm about to send an e-mail to, will be happy to know, because she's been watching this very closely and wanted to report on it. We should get to the vote.

The Deputy Speaker: Questions and comments? Further debate? Does any other member wish to speak?

Mr. Bradley has moved third reading of Bill 214. 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.

Call in the members. This will be a 30-minute bell.

I have been handed a request by the chief government whip that, pursuant to standing order 28(h), the vote for third reading of Bill 214, An Act to amend the Election Act, the Election Finances Act and the Legislative Assembly Act, to repeal the Representation Act, 1996 and to enact the Representation Act, 2005, be deferred until deferred votes on December 13, 2005.

ROYAL ASSENT
SANCTION ROYALE

The Deputy Speaker (Mr. Bruce Crozier): I beg to inform the House that in the name of Her Majesty the Queen, His Honour the Lieutenant Governor has been pleased to assent to certain bills in his office.

The Deputy Clerk (Ms. Deborah Deller): The following are the titles of the bills to which His Honour did assent:

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.

Bill 197, An Act to implement Budget measures / Projet de loi 197, Loi mettant en oeuvre certaines mesures budgétaires.

Bill 211, An Act to amend the Human Rights Code and certain other Acts to end mandatory retirement / Projet de loi 211, Loi modifiant le Code des droits de la personne et d'autres lois pour éliminer la retraite obligatoire.

The Deputy Speaker: Thank you to all members for your co-operation. This House is adjourned until Tuesday, December 13, at 1:30 of the clock.

The House adjourned at 1850.

TABLE DES MATIÈRES

Lundi 12 décembre 2005

PREMIÈRE LECTURE

Loi de 2005 modifiant des lois en ce qui a trait à l'aménagement du territoire et aux terres protégées, projet de loi 51, M. Gerretsen	
Adoptée	1570

DÉCLARATIONS

MINISTÉRIELLES ET RÉPONSES

Journée internationale des droits de l'homme	
M. Bryant	1574
Programme axé sur la réussite des élèves en milieu rural	
M. Kennedy	1575
M. Barrett	1576
M. Marchese	1577

DEUXIÈME LECTURE

Loi de 2005 sur les mesures budgétaires (no. 2), projet de loi 18, M. Duncan	
Adoptée	1578
Loi de 2005 sur le respect des municipalités, projet de loi 37, M. Gerretsen	
Adoptée	1588
Loi de 2005 sur le régime de retraite des employés municipaux de l'Ontario, projet de loi 206, M. Gerretsen	
Débat présumé ajourné	1602
Loi de 2005 sur la responsabilité en matière de conservation de l'énergie, projet de loi 21, M^{me} Cansfield	
Vote différé	1603

TROISIÈME LECTURE

Loi de 2005 sur le respect des municipalités, projet de loi 37, M. Gerretsen	
Adoptée	1589
Loi de 2005 modifiant des lois en ce qui concerne les élections, projet de loi 214, M. Bryant	
Vote différé	1609

SANCTION ROYALE

Le lieutenant-gouverneur	1610
--------------------------------	------

CONTENTS

Monday 12 December 2005

MEMBERS' STATEMENTS

Hydro generation	
Mr. Yakabuski	1567
St. Peter Knights	
Mr. McNeely	1567
Violent crime	
Mr. Dunlop	1567
Pillitteri Estates Winery	
Mr. Craitor	1568
Layoffs	
Mr. Chudleigh	1568
Hopewell Playsense Activity Centre	
Mrs. Sandals	1568
Town and Country Support Services	
Mrs. Mitchell	1568
Affordable housing	
Mr. Marchese	1569
Procter and Gamble plant	
Mr. Peters	1569

REPORTS BY COMMITTEES

Standing committee on the Legislative Assembly	
Mr. Delaney	1569
Report adopted	1569

FIRST READINGS

Planning and Conservation Land Statute Law Amendment Act, 2005, Bill 51, Mr. Gerretsen	
Agreed to	1570
Mr. Gerretsen	1570

MOTIONS

House sittings	
Mr. Bradley	1570
Agreed to	1570
Global supply management	
Mr. Bradley	1570
Mrs. Dombrowsky	1570
Mr. Barrett	1571
Mr. Hampton	1572
The Speaker	1572
Agreed to	1573

STATEMENTS BY THE MINISTRY AND RESPONSES

Land use planning	
Mr. Gerretsen	1573
Mr. Hardeman	1576
Mr. Prue	1577
Family health teams	
Mr. Smitherman	1574
Mrs. Witmer	1576
Ms. Martel	1577

International Human Rights Day

Mr. Bryant	1574
Rural student success program	
Mr. Kennedy	1575
Mr. Barrett	1576
Mr. Marchese	1577

ORAL QUESTIONS

Health services

Mrs. Witmer	1578, 1579
Mr. Smitherman	1578, 1579, 1581
Mr. Wilson	1581

Hydro generation

Mr. Hampton	1580, 1582
Mrs. Cansfield	1580, 1581, 1582

Agricultural trade

Mr. Wilkinson	1583
Mrs. Dombrowsky	1583

Health promotion

Mr. Sterling	1583
Mr. Watson	1584

Securities industry

Mr. Prue	1584
Mr. Phillips	1584

Stelco

Ms. Marsales	1584
Mr. Duncan	1585

Lakeridge Health

Mr. O'Toole	1585
Mr. Caplan	1585
Mr. Smitherman	1586

Royal Botanical Gardens

Ms. Horwath	1586
Mrs. Meilleur	1586

School closures

Mr. Ramal	1586
Mr. Kennedy	1587

PETITIONS

Services for the developmentally disabled

Mr. Ouellette	1587
Mr. Craitor	1588

Pension plans

Ms. Horwath	1587
-------------------	------

SECOND READINGS

Budget Measures Act, 2005 (No. 2),

Bill 18, Mr. Duncan	
Agreed to	1578

Respect for Municipalities Act, 2005,

Bill 37, Mr. Gerretsen	
Agreed to	1588

Ontario Municipal Employees

Retirement System Act, 2005,	
Bill 206, Mr. Gerretsen	
Mr. Gerretsen	1589

Mr. Duguid	1590, 1594
Mr. Miller	1593
Mr. Prue	1593
Mr. Hoy	1594
Mr. Hardeman	1594, 1596
Mr. O'Toole	1599
Mr. Bradley	1602
Debate deemed adjourned	1602

Energy Conservation Responsibility

Act, 2005, Bill 21, Mrs. Cansfield	
Vote deferred	1603

THIRD READINGS

Respect for Municipalities Act, 2005,

Bill 37, Mr. Gerretsen	
Agreed to	1589

Election Statute Law Amendment Act, 2005, Bill 214, Mr. Bryant

Mr. Kular	1603
Mr. Sterling	1604
Mr. Miller	1607
Mr. Bisson	1607
Vote deferred	1609

ROYAL ASSENT

The Lieutenant Governor	1610
-------------------------------	------

OTHER BUSINESS

Visitors

Mr. Craitor	1568
The Speaker	1569

Continued overleaf