



No. 61A

N° 61A

ISSN 1180-2987

Legislative Assembly
of Ontario
Second Session, 38th Parliament

Assemblée législative
de l'Ontario
Deuxième session, 38^e législature

**Official Report
of Debates
(Hansard)**

**Journal
des débats
(Hansard)**

Tuesday 18 April 2006

Mardi 18 avril 2006

Speaker
Honourable Michael A. Brown

Président
L'honorable Michael A. Brown

Clerk
Claude L. DesRosiers

Greffier
Claude L. DesRosiers

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Hansard Reporting and Interpretation Services
Room 500, West Wing, Legislative Building
111 Wellesley Street West, Queen's Park
Toronto ON M7A 1A2
Telephone 416-325-7400; fax 416-325-7430
Published by the Legislative Assembly of Ontario



Service du Journal des débats et d'interprétation
Salle 500, aile ouest, Édifice du Parlement
111, rue Wellesley ouest, Queen's Park
Toronto ON M7A 1A2
Téléphone, 416-325-7400; télécopieur, 416-325-7430
Publié par l'Assemblée législative de l'Ontario

LEGISLATIVE ASSEMBLY OF ONTARIO

Tuesday 18 April 2006

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Mardi 18 avril 2006

*The House met at 1330.
Prayers.*

MEMBERS' STATEMENTS

AGRICULTURE INDUSTRY

Mr. Garfield Dunlop (Simcoe North): The state of agriculture and the future of the rural Ontario we once knew are in a state of disarray following a McGuinty budget that has slashed \$244 million from the Ministry of Agriculture, Food and Rural Affairs. It is a disgrace that this government has turned its back on the very people who feed our cities. At a time in history when other jurisdictions are supporting their agriculture stakeholders at maximum levels, Dalton McGuinty has decided in his wisdom, and with the advice of Ministers Duncan and Dombrowsky, that we probably do not need agriculture in Ontario.

Farm families have income levels that are at 20-year lows. It is now clear that the best crop a farmer can have is a field full of foundations for new homes. Does the Premier not understand that when a farmer earns a decent profit, he or she actually reinvests in the family farm operation? New tractors and equipment, trucks, expansion of buildings: Farmers historically have reinvested their profits.

Today, farmers simply do not have the money to plant their crops. I call on Premier McGuinty to stop this hatred of rural Ontario. Please help our farm families. Allow Ontario farmers to earn a decent living. In a year when the Ontario civil service \$100,000-plus club has grown by 22%, the farmers of Ontario have been abandoned by the McGuinty Liberals. The Simcoe County Federation of Agriculture, under the leadership of President Dave Riddell, has not forgotten this abuse by the McGuinty Liberals. They will continue to work hard, the same way they operate their family farms, to let Ontarians know how shabbily they have been treated by the McGuinty Liberals. Remember: Farmers feed cities.

POWER PLANT

Mr. Peter Tabuns (Toronto–Danforth): I have been instructed by my constituents in Toronto–Danforth to send Premier McGuinty a very clear message: The people of Toronto–Danforth do not want your port lands mega power plant.

This riding has done its homework. It knows that hundreds of millions of dollars from the public purse will

be wasted on this mega gas-fired plant instead of being spent on greener, cheaper, more effective alternatives that will keep Toronto's lights on without undermining local air quality and without delaying the long-awaited revitalization of the eastern waterfront.

For example, Toronto Hydro alone could double its conservation targets if only it had adequate funding from the province. In sharp contrast to Dalton McGuinty's seeing \$700 million spent on this 550-megawatt gas plant, Toronto Hydro, with approximately \$200 million, could save the city over 550 megawatts of electrical energy.

It's long overdue for the Premier to start working with the community and the city to keep the lights on in the cleanest, greenest and most affordable way. Dalton McGuinty, stop imposing this mega power plant that no one wants on the waterfront and start being a partner in making Toronto a world leader in energy efficiency, conservation and renewables.

AGRICULTURE INDUSTRY

Mr. Ted McMeekin (Ancaster–Dundas–Flamborough–Aldershot): I've seen bumper stickers that say, "If you ate today, thank a farmer." With all three of our daughters home for the Easter break and constantly into the fridge, be assured that Ontario farmers have my undying gratitude.

Today's Ontario agriculture and food sector is a colossus. Agriculture represents 12% of all goods produced in our economy, more than 10% of all jobs in the province and over \$8 billion in annual agri-food exports. To build strong rural communities, we must develop an agricultural sector that will not just keep pace but set the pace. This will require all levels of government to work with our agricultural partners to find ways to smooth out the bumps brought on by lower commodity prices and increased global competition, as well as bringing added value through product diversification and new ventures such as biodiesel fuels and ethanol. New agri-tourism ventures, enhanced agricultural research and better information sharing are other important components of any long-term strategy.

Finally, we must acknowledge the simple reality that building a strong and sustainable agricultural future will require a shared sense of purpose. Only by agreeing to a shared sense of purpose will we be able to develop a clear set of agricultural objectives. Our task is clear, complex and urgent. It is best done together. Let's get at it.

Ms. Lisa MacLeod (Nepean–Carleton): This past weekend my family, like many other young families, enjoyed a lovely Easter weekend in Nepean–Carleton. Unfortunately, farmers and grocers in the Nepean–Carleton riding are not able to say the same. On Saturday, Ken Ross, an independent grocer in my community, asked me, while I was shopping for groceries in his store, to please listen to the farmers. His shelves were bare. This was the result of a farmers’ blockade of the major grocery distribution centre in my Ottawa community to protest this government.

On Sunday, I spoke with Gib Patterson, a farmer in my community, who lamented his frustration with the government over the agriculture file. In our discussion he supported the farmers’ protest as a means to highlight the agricultural crisis looming in Ontario. Farmers, distributors, grocers and consumers are suffering from the McGuinty government’s lack—

Interjection: Shame.

Ms. MacLeod: Yes, exactly—are suffering from the McGuinty government’s continuous promise-breaking to Ontario farmers, its continuous slashing of the agriculture budget and its utter lack of respect for the family farm.

When will this government step up to the plate and begin restoring cuts to our farmers, and when will it keep its promise to make the Ministry of Agriculture a lead ministry? It’s time for action, it’s time for keeping promises and it’s time to support our family farm.

VOLUNTEER SERVICE AWARDS

Mr. Khalil Ramal (London–Fanshawe): I would like to tell this House about an exciting event that took place on Thursday, April 6. It was my pleasure to attend the Volunteer Service Awards in London, where 252 honours were given out to Londoners of all ages who have taken time out of their hectic schedules to give back to their communities and make a difference in the lives of others. I want to congratulate everyone who was honoured.

More than 2.3 million Ontarians volunteer over 390 million hours to 75,000 organizations each year. The Volunteer Service Awards are now in their 20th year and more than 8,000 people in Ontario will receive volunteer service honours this year.

The work of volunteers has been valued at more than \$6 billion annually. This statistic speaks volumes to the generosity, caring and kindness of Ontarians. Without volunteers, so many communities, agencies and non-profit organizations could not survive.

Volunteers in the province have given their time to a wide variety of Ontarians, including children and youth, seniors and the disabled, and to all sectors, including health, culture, environment and education, among others. All Ontarians benefit from the millions of volunteers who help to make life in Ontario better and more prosperous.

On behalf of all Ontarians, I want to thank volunteers for taking the time to help others and for being role

models to Ontarians, and encourage all Ontarians to volunteer their time to an organization or cause that they believe in. Not only will the volunteer experience enrich their own lives; it will make Ontario a better place to live for everyone.

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CONVENIENCE STORES

Mr. Toby Barrett (Haldimand–Norfolk–Brant): I welcome OKBA, the Ontario Korean Businessmen’s Association, the Ontario Convenience Stores Association, Mac’s stores and Daisy Mart to Queen’s Park. The theme of today’s protest of well over 1,000 people out front is “Enough is enough.” The Ontario Convenience Stores Association points out that the Liberal government refuses to meet with its leaders or even acknowledge the issues—issues like increased electricity, WSIB and insurance rates, and most importantly the war on tobacco.

Dalton McGuinty’s war on tobacco has inflicted collateral damage on small business. This war is claiming convenience store owners as its latest victims. The underground tobacco economy is putting legal business out of business and driving increased store robberies.

We hear the Premier talk about addiction, but he should acknowledge his own addiction: taxes. While governments across Ontario and Canada claim close to \$10 billion annually in tobacco tax revenue and continue to increase taxes, this government has no qualms about legislating away 50% of a corner store’s profits. This isn’t a smoking issue; it’s a fairness issue. If government can legislate away profits through increased taxation and regulation, it can pay up with a modicum of compensation.

Our friends out on the front lawn are saying, “Enough is enough,” and I concur. They’re right.

AGRICULTURE INDUSTRY

Mr. Pat Hoy (Chatham–Kent Essex): Ontario’s farmers face an immediate need for financial support in advance of the upcoming planting season. The McGuinty government is delivering \$125 million in financial assistance to farmers prior to spring planting.

Chatham–Kent’s direct and indirect agricultural sales represent approximately \$2 billion and support more than 16,000 jobs. In Essex, farm cash receipts for one of the most agriculturally diverse counties in all of Canada were \$571.5 million in 2004.

The impact of agriculture on Chatham–Kent Essex goes way beyond just economic factors. The public benefits derived from the agricultural industry include vibrant rural communities and schools; social infrastructure, including active community centres for all age groups; cleaner air; conservation of agricultural land; management of physical resources; preservation of wildlife habitat; and stewardship of forests.

Farmers support the rural communities they live in. They have children enrolled in schools, they participate

in educational opportunities and they take leadership roles.

Our government is firmly committed to working with the federal government and our provincial and territorial counterparts on a new agricultural framework to support our agri-food sector. We are calling on the federal government's participation as a full partner to support our agricultural industry.

ELDER ABUSE

Mr. Dave Levac (Brant): Ontario's strategy to combat elder abuse is designed to prevent and respond to the abuse of older adults in Ontario. Some agencies coordinate community activities, train front-line staff and provide public education for this tragic stuff. Others are directly involved in elder abuse cases but have no funding to do so.

These kinds of services are provided by 62 organizations across Ontario, 23 of which provide direct elder abuse intervention services to community clients, and the remaining 39 help coordinate services in any given area.

The Haldimand and Norfolk Community Response Network, part of the Victim Services of Haldimand-Norfolk, will receive a \$15,000 unconditional grant to help the network continue to provide intervention services.

The Brant county elder abuse advisory board has received \$3,000 in recognition of service coordination activities.

These grants will help coordinate community services, provide training for front-line staff and help pay for educating the public. I am pleased that we were able to provide some more money for these extremely valuable services provided in our communities.

The unconditional grants for elder abuse networks and service organizations are in recognition of their costs related to meeting with the local elder abuse networks, disseminating information to network partners, producing elder abuse educational materials and hosting educational events for the public and/or providing those services for those people who are helping our elderly.

Senior citizens do not need to be abused any longer.

CORNWALL

Mr. Jim Brownell (Stormont-Dundas-Charlottenburgh): The Leader of the Opposition is fond of asking this government where evidence exists of its plan to assist Cornwall. It gives me great pleasure to tell the member currently representing Dufferin-Peel-Wellington-Grey and all members a bit about how that plan has manifested itself over the last several weeks and months in my area.

Cornwall already has an ideal location and a dedicated bilingual workforce. What the McGuinty government has done is looked to the areas that municipal leaders and I have indicated need improvement and commenced work to address them.

When the new state-of-the-art hospital capital project is completed, doctors will look to Cornwall as a place to

explore the boundaries of innovative medicine. Families will be interested in settling there knowing there is not only an excellent hospital but new and improved educational facilities for their children.

Businesses, intrigued by the location and the improvements to the road system through Move Ontario, improvements that will facilitate the flow of goods, are expressing interest in locating in Cornwall and other communities in my riding. I have spoken before of the health care renaissance my riding is embarking upon. I feel it's time to upgrade this to a general renaissance, all part of the McGuinty plan to revitalize eastern Ontario.

Where the last government had rhetoric, this government indeed does have a plan. Where the last government spewed empty promises, the McGuinty government is delivering action. I am honoured to continue my work with the government to ensure a new beginning for this, the oldest part of the province.

MOTIONS

WITHDRAWAL OF BILL 123

Hon. James J. Bradley (Minister of Tourism, minister responsible for seniors, Government House Leader): I seek unanimous consent to put forward a motion without notice regarding the discharge and withdrawal of Bill 123.

The Speaker (Hon. Michael A. Brown): Is it agreed? Agreed.

Hon. Mr. Bradley: I move that the order for third reading of Bill 123, An Act to require that meetings of provincial and municipal boards, commissions and other public bodies be open to the public, be discharged and the bill withdrawn.

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

HOUSE SITTINGS

Hon. James J. Bradley (Minister of Tourism, minister responsible for seniors, Government House Leader): I move that, pursuant to standing order 9(c)(i), the House shall meet from 6:45 p.m. to 9:30 p.m. on Tuesday, April 18, 2006, for the purpose of considering government business.

The Speaker (Hon. Michael A. Brown): Mr. Bradley has moved government notice of motion number 104. Is it the pleasure of the House that the motion carry? Carried.

STATEMENTS BY THE MINISTRY AND RESPONSES

RENEWABLE FUELS

Hon. Donna H. Cansfield (Minister of Energy): Ontario continues to move ahead in the development of

clean, renewable energy. I recently drew to the attention of the House the opening of Ontario's second large-scale commercial wind farm, and today I am pleased to report a third, offering clear evidence that our government's plan to ensure that Ontario has safe, clean, reliable power now and for the future is working and is moving ahead.

The Erie Shores Wind Farm is a 99-megawatt project, making it Ontario's largest operating wind project. The project's 66 turbines will generate enough electricity to power over 25,000 homes.

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Not only are we benefiting from clean, renewable energy, but the Erie Shores Wind Farm represents a total investment of \$186 million and will mean cleaner air for all Ontarians.

Our government is building a new energy future that will keep the lights on and ensure that our children have cleaner air. This wind farm and the others now operating or being built across the province will allow us to create a stable supply of clean, renewable power. It is an important milestone towards our future.

I would like to remind the members that in 2003, Ontario had a wind capacity of 15 megawatts. Through projects like Erie Shores, by 2008 the province's wind capacity will be over 1,300 megawatts. That's an 80-fold increase, and will make Ontario Canada's leader in wind power.

As I advised members earlier this month, the 40-megawatt Kingsbridge I wind project near Goderich and the 67-megawatt Melancthon wind project near Shelburne have both begun commercial operations. Three more wind farms selected under the renewables RFP process are also expected to come online by the end of 2006, with enough capacity to power up to 80,000 homes. Together, all these projects will help Ontario reach its goal of generating 5% of its electricity capacity through renewable generation by 2007, and 10% by 2010.

These larger-scale renewable energy projects, which also include small hydro and biomass projects, represent only one part of our approach to renewable energy. We recognize that projects of all sizes have a place in our energy future. That's why we recently announced one of the most ambitious and forward-looking standard offer contract programs in North America, which will lead to smaller-scale commercial, co-operative and community developments. It's also why we have put in place a net metering regulation that helps homeowners, farmers and others meet their own energy needs through renewable energy generation right at home.

The opening of the Erie Shores Wind Farm is indeed exciting news and a further indication of the clean, green energy future we are creating for the people of Ontario.

ROAD SAFETY

Hon. Harinder S. Takhar (Minister of Transportation): I rise in the House today to talk about an important matter for all Ontarians: seat belt safety.

Earlier today, I officially launched the annual spring seat belt campaign, which runs from April 16 to April 23. This year we are focusing on one of my priorities: the safety of children travelling on Ontario's roads.

Collisions are the leading cause of death and injury for children one to nine years old. In fatal crashes, nearly 20% of the children under eight years old were not using seat belts, child car safety seats or booster seats. That is why our government has made it mandatory for drivers transporting children to ensure they are properly secured in an appropriate child car safety seat or booster seat. Drivers who don't do so face a fine and two demerit points.

We are serious about safety. We know that kids are safer in child car safety seats and booster seats. That's why we supported such strong penalties for parents and caregivers who don't comply with the law.

About 20 child car safety seat information sessions will be held across the province in the next week to coincide with the annual spring seat belt campaign, and there will be many more sessions held throughout the year. I want to encourage families with young children to contact our ministry to find out more about these helpful sessions. They are happening in your community and are a great resource.

I would like to thank the community groups and public health care workers who organized these information sessions as well as our police, who raise awareness with seat belt spot checks. The work you do is important, and your support is invaluable.

We are also very fortunate to work with a number of road safety partners in educating the public. For example, Brampton Fire and Emergency Services has recently released an extremely helpful DVD on the proper installation of child car safety seats.

I am proud to report that Ontario has the second-highest rate of seat belt use in urban areas in Canada. It's nearly 93%. That is above the national average of just over 91%. But we can and must do more. I won't be satisfied until Ontario's seat belt rate is 100% so that no one, no child, is put in danger while travelling.

Today's announcement is just one way the McGuinty government is helping families do the best for their children. We have lowered class sizes for children in the early grades; 70% of our kids are now in smaller classes, half in classes of 20 or fewer. We have provided the resources and help that kids need to learn to read, write and do math at a high level. Test scores are up: 62% of our children are now meeting the provincial standards, up from half in 2003. We have hired 4,300 new teachers and delivered one million new textbooks. We have introduced legislation to keep students learning until at least age 18. We have launched an anti-bullying strategy and school safety audits. We have added three new vaccines to protect children and save families more than \$600 per child. We have also created 14,000 new child care spaces. All Ontarians benefit when we keep our children safe and help them to learn.

Together, we are making our roads safer for children and everyone who travels in Ontario. Ontario has the

safest roads in North America. Our government is committed to maintaining and improving upon that record. For more than a decade now, the Ministry of Transportation has held the annual spring seat belt campaign with the help of our road safety partners, including police, fire, emergency medical services, health care professionals and community groups across the province.

I know all members will want to join me in encouraging everyone to wear a seat belt and use the proper child car safety seat or booster seat when transporting children.

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

RENEWABLE FUELS

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

It's my pleasure to respond to the Minister of Energy for another announcement of a mega wind project, Erie Shores. The minister calls this a 99-megawatt project providing power for 25,000 homes. She further talks about her previous developments, 40 and 67 megawatts, and about being able to produce power for 80,000 homes through 2006 from wind in this province.

The government is not being straight with the people, but that's not surprising from this government. That is actually the way they conduct business. You see, Mr. Speaker, even the IESO, in their latest report, clarify and make it clear that you can only rate wind at 10% of its capacity, which means that 80,000 homes is 8,000 homes and today's announcement is not 25,000 homes; it is 2,500 homes.

The people in this province have a right to know where this government is going with these gigantic announcements that are going to actually provide a very, very small portion of the power needed to power this province over the next several years. They are being totally—you know what I want to say, but I can't—with the people of Ontario when it comes to the actual numbers of this power. Yet their policy is ensuring that we will shut down power to almost two million homes, using their figures, by their silly, ridiculous, undoable coal shutdown policy.

1400

I met with people from Germany and Denmark a couple of weeks ago with regard to the opportunities in fossil generation today and the good work they are doing. But this government will not even recognize that those exist. Do you know what is sad about their policy? Under the gigantic demand of power last year, our plants continued to burn coal, with this government doing nothing about the emissions they produced at record levels.

The fact is that what we get from this government are sky-high hydro prices and an incoherent policy. They're not straight with the people of Ontario. They really don't know where they are going with coal. They have no idea where our supply is coming from over the next several years. They have not responded to the OPA report, which they promised to do in 90 days. It is just a mishmash of incoherency that the people of Ontario are paying the

price for, and they will continue to pay the price until we ship these people out of office.

ROAD SAFETY

Mr. Frank Klees (Oak Ridges): I'm pleased to respond to the Minister of Transportation's comments regarding seat belt safety. Clearly we support any initiative that is going to make it safer for our children on the roads in this province.

I do want to respond to the Minister of Transportation's education comments, though. I want to point out that what we have in this province, unfortunately—and I can understand the minister's making the comments, because he is not the Minister of Education and of course he wouldn't know. But I think that we need to look at people who do know what is going on in education in Ontario.

Here is the Ottawa Citizen headline this weekend: "Don't Let Kennedy's 'Success' Fool You: Liberal Leader Hopeful Left Schools a Mess." It goes on to talk about a \$17.8-million gap between what the board plans to spend and what the province will deliver. That's a difference between the former Minister of Education's announcements regarding education and the shortfall of funding he has left school boards with. This article goes on to say what we have been saying in the House for many months; that is, the former Minister of Education has left a legacy of mismanagement in education in this province. School boards are forced to rob from special education, from textbooks, from all kinds of programs that the Minister of Transportation referred to. They have to rob from those programs to meet contract commitments that the Minister of Education made in this province. It is unconscionable. Now we have the two largest boards in Ontario—Toronto District School Board and the Toronto Catholic school board—spending \$100,000 of taxpayers' dollars to hire Warren Kinsella to lobby this government so they can get an ear about the problems they have in education funding. It's a shame, an absolute shame. We hope the new Minister of Education can fix the problem.

RENEWABLE FUELS

Mr. Peter Tabuns (Toronto–Danforth): Development of wind power in this province is a good thing. But the reality is that the energy plan that is coming forward from this government is one that needs sugar-coating. It is a plan that has nuclear power at its core, prettied up with some positive things, but in the end a plan that is not environmentally or economically sustainable.

We are faced with a government that is poised to spend \$41 billion on new nuclear power plants and that is poised to make the majority of power in this province come from nuclear power when we still have unpaid bills from the last round of nuclear power. Twenty-four billion dollars is the estimate that the Nuclear Waste Management Organization gives for disposal of nuclear waste in

Canada, most of that from Ontario. That unfunded liability hangs over this province.

We already have a charge on our hydro bills for what is called stranded debt; that means dead nuclear power plants. We're about to have this government go forward to add a number of other lines to our hydro bills, lines that will reflect the cost of waste disposal from the last round, lines that reflect dead reactors from the last round, and future charges for waste management/waste disposal that will weight down this province environmentally and economically. It's no wonder, with an approach like that, that this government is so desperate to sugar-coat a plan that is a dead end.

The other thing I want to say is that this government treats efficiency and conservation as frills, as small items that are left to the side. Demand response, paying companies a small amount to cut their power use at peak times, is extraordinarily cost-effective. We buy about 3,000 megawatts of power from the United States at peak times during the summer to deal with demand in this province. We have offered jurisdictions and companies in this province an opportunity to sell reductions on call to meet peak need, but we've capped that at 250 megawatts. In other words, if you're in the United States and you want to sell power into Ontario, whatever you want. If you're in Ontario and you want to sell reductions to this province, your opportunity is capped at 250 megawatts, guaranteeing that we will be sending dollars out of this province to poison ourselves, because most of this power is coal-fired.

This government has to sugar-coat its initiatives. Wind power is a positive thing, but it's wrong to use it as sugar-coating for a nuclear-powered future.

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

ROAD SAFETY

Hon. James J. Bradley (Minister of Tourism, minister responsible for seniors, Government House Leader): Be positive.

Mr. Peter Kormos (Niagara Centre): As Mr. Bradley admonishes me to be positive, I will.

All of us share a concern about highway safety. All of us are concerned about the remarkable shocking data that indicates that 20% of under-eight-year-old kids in fatal accidents weren't wearing appropriate seat belts. There isn't a member of this Legislature who doesn't agree with the proposition of firmer education, stronger educational programs, and assistance to those families who need assistance in purchasing and acquiring the appropriate child restraining device, because now there are clear and defined regulations requiring different sized devices for different ages and different sized kids.

But the observation has to be made that unless you've got, amongst other things, cops in adequate numbers on our 400 series highways patrolling those highways, we're not going to have an effective level of enforcement. The regrettable human reality is that there's going to be a per-

centage of people who, notwithstanding all of the investment in educational programs and all of the assistance offered to them, are still going to ignore the law when it comes to seat belts. So I say to this government that while all of us join in our concern about the failure to use seat belts and the incredible fatal consequences of that, we should have a similar sharing of a commitment to adequate levels of policing on our 400 highways, which means reinforcing, restaffing and upgrading the level of staffing when it comes to OPP, and municipal police forces, for that matter.

The Speaker (Hon. Michael A. Brown): It is now time—

Mr. Kormos: On a point of order, Mr. Speaker: I seek unanimous consent to move a motion adding the Spanish and Portuguese languages to the official languages that can be used here in this chamber.

The Speaker: Mr. Kormos has asked for unanimous consent. I heard a no.

1410

ORAL QUESTIONS

HEALTH CARE

Mrs. Elizabeth Witmer (Kitchener–Waterloo): My question is for the Premier. Ontarians do want a health care system where they get the right care at the right time. During the last campaign, you made a promise to reduce wait times. You promised there would be shorter wait times for key cancer surgery and treatment. Premier, I'd like you to explain to people in this province why you have broken this promise and why, according to your own website data, cancer surgery wait times are up throughout the province.

Hon. Dalton McGuinty (Premier, Minister of Research and Innovation): I'm pleased to take the question and to speak to what is a very important issue, not just for members of this Legislature but, obviously, for the people of Ontario. I'm proud of the fact that for the first time in Ontario we now have a public wait times website, making information available to Ontarians in a way that was never apparent. I believe we've had over 500,000 hits on that website, just to give you an indication of how interested Ontarians are in acquiring that kind of information. That is just one phase in our determination to get wait times down in Ontario.

The member should know that elective cardiac bypass waits are now 50% shorter. They've dropped from 30 days to 15 days. She should also know that when it comes to elective angiography, waits are now 40% shorter. They've dropped from 23 days to 14 days. Finally, I'm proud to say that radiation treatment waits are 16% shorter. They've dropped by one week. I'm proud to say that, in sum, we're making progress.

Mrs. Witmer: The Premier did not respond to the question regarding cancer surgery wait times. Unfortunately, Ontarians today are paying more. In fact, they

recently filed their income tax forms and they had to pay the awful, dreaded health tax that you implemented and had promised not to.

But I want to talk to you about your site. You have advertised all over the province, in newspapers and in the Internet, and it says, "Wait Times: What are my options?" The ad is currently running, as you know, on the National Post website.

So I ask you today, Premier, what are the options for cancer patients at Toronto East General Hospital who are waiting 35% longer for cancer surgery than they were last July?

Hon. Mr. McGuinty: When it comes to cancer cases, 92% of those are now being done within the priority wait time target. The member will also know that we have funded an additional 4,600 cancer surgeries.

Let me just tell you of one anecdote recorded in the Guelph Mercury March 18 of this year and how useful these wait time websites can in fact be: "In the short time it's been operational, it does seem to be working to help patients find the care they need where they can get it quickest.

"One Guelph woman recently used the website to find the quickest CT scan after being told she'd have to wait two months for the service at Guelph General Hospital. She found a six-day wait at Hamilton's Health Sciences Corp. on the province's website, and, once she got there, found no one else in the waiting room and was done in five minutes.

"It is stories like these that speak to the success of the website as a useful tool for people to manage their own health care." The website is working.

Mrs. Witmer: I would suggest to you that wait times for cancer patients in the province of Ontario are going up. I indicated Toronto East General Hospital, where people are waiting 30% longer than last July; Mount Sinai Hospital, 8% longer than last July; University Health Network, 13% longer than last July; in the central LHIN, cancer surgery wait times are up 68% compared to July of last year.

Premier, the truth is that people are waiting longer all over the province for cancer surgery. This is yet another broken McGuinty promise. I want to ask you, what are the real options for patients facing increased wait times due to your broken promise?

Hon. Mr. McGuinty: Again, the facts simply do not support the representations being made by the honourable member opposite. Cardiac bypass wait times are down; they're 50% shorter. Angiography waits are down; they're 40% shorter. Radiation treatment waits are down; they are 16% shorter. The member opposite may not find that the websites are of any value, but 500,000 Ontarians claim otherwise.

Understand that the intention of the member opposite's party is to address the wait times challenge before all of us by taking \$2.5 billion out of Ontario's health care system. I fail to see how taking \$2.5 billion out of our health care system is somehow going to further reduce wait times.

We have a plan. We are moving ahead with that plan. We're making information transparent for the first time ever and we're getting real results for the people of Ontario.

The Speaker (Hon. Michael A. Brown): New question. The member for Kitchener–Waterloo.

Mrs. Witmer: I would say to the Premier, he should check his website. The numbers I am using today are straight from the ministry's own website for cancer surgery. He obviously doesn't like the numbers.

I say to you, what are the options for people like the patients at North York General Hospital who in January 2006 were waiting 64 days for cancer surgery, compared to waiting 88% longer now?

Hon. Mr. McGuinty: We expect that as a result of making this information available for the first time ever, there are going to be some fluctuations. There is going to be some up and down in the wait times. But we are also very confident that the long-term trend will show definitively that those wait times are coming down. It's not just the responsibility of our government to tackle these wait times single-handedly; we are counting on our health care partners and individual hospitals. By making this information apparent and transparent, some are doing better than others. Working together as a team, we will make the necessary funding available. We will make sure that the transparency remains there so Ontarians can observe the progress that we're making together. Again, I'm confident that over time, we will get more and more of our wait times down.

Mrs. Witmer: The only thing the people in the province know for sure is that they are paying more for health care and getting less. You continue to make excuses and bogus explanations when you can't explain what the options are for people in this province who are waiting longer for cancer surgery.

Why should the patients at Markham Stouffville believe you when you say you're reducing wait times when they're waiting 48 days for cancer surgery in January versus 37 days last July, an increase of 30%; or North York General Hospital, where wait times are up 88% since last July; or Toronto East General at 35%? What are the options for these people who are waiting and paying more?

Hon. Mr. McGuinty: The member maintains that somehow the people of Ontario are not getting additional value for these many new investments that we're making on their behalf. I'll remind the member opposite about the over 3,000 new nurses that we are funding now. We have expanded medical school spaces by 23%, including the construction of a new medical school. We have new vaccination programs in place for our children. We have a newborn screening program in place for our children. We're putting in place funding for new community health centres and expanding existing community health centres. Our budget just recently funded insulin pumps for children for the first time in Ontario. So the member may see everything as being dark and sombre and hopeless, but we see a different Ontario and a different air of

optimism that's been injected into public health care. One aspect of that alone is getting our wait times down.

Mrs. Witmer: I would say to you that your government is very good at making announcements and re-announcements. We know how many times you've announced the family health networks. You are nowhere near creating 150 family health networks. In fact, we would be lucky if one or four are up, totally running. As far as 8,000 nurses, you are nowhere near keeping that promise. As far as your announcement last week and the \$50 million for pharmacists, that was first announced by Tony Clement, reannounced by your minister, and it's still not working.

I would say to you today, how can the people at Southlake Regional Health Centre trust you when they're waiting 24% longer in January for cancer surgery than they were in July? I would say, Premier, people in this province have had enough of broken promises. Why are you continuing to break your promise on reducing cancer surgery wait times?

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Hon. Mr. McGuinty: As this is the last of the six in a row, I think it's a good opportunity to compare and contrast.

Under the Conservatives, thousands of nurses were fired, emergency rooms were closed, thousands were cut off home care, long-term beds were closed, wait times grew longer, community mental health was chopped, there were no vaccines for our children that were being funded, and every single MRI machine was ripped out of our hospitals.

Now let's compare with what we've been doing: We have more nurses, more doctors, shorter wait times, more home care, higher standards in our long-term-care homes, new vaccines for our children, insulin pumps for children with diabetes, and it's pretty hard to find a community in Ontario where there's not some kind of hospital expansion or new construction taking place for the first time.

They want to take \$2.5 billion out of the progress that we are making. We will continue to defend public health care and improve the quality of services for all Ontarians.

HOSPITAL SERVICES

Mr. Peter Kormos (Niagara Centre): A question to the Premier, but first, a heartfelt benvenuto a Anthony.

Premier, an outbreak of Norwalk flu in Hamilton has left emergency rooms 20 deep in patients waiting for beds. At Henderson hospital, up to 40 patients are lying on stretchers in crowded emergency rooms and hallways. Why in the midst of this very serious health crisis are you forcing Hamilton Health Sciences to close 28 desperately needed hospital beds?

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

Hon. George Smitherman (Minister of Health and Long-Term Care): I want to say, of course, we're very conscious of the challenges that the Hamilton Health

Sciences family of hospitals is facing at the moment related to the Norwalk virus outbreak. At any time in the province of Ontario in any of our institutions, there is, of course, the possibility of an outbreak of this nature, and it can have serious complications, obviously, for those individuals who are directly affected and for others who are in the system.

In this case, of course, it has put more pressure on beds, and this has created some backlog in those hospital emergency room environments. But I would remind the honourable member that what we have sought to do in each of the instances with our hospitals in Ontario is have them operating within the resources that are available. We have confidence in the people of Hamilton to be able to address the circumstances which are occurring there at present in the same fashion that they always do: with professionalism and dedication to patients. This too is something where circumstances will improve as the outbreak is diminished.

Mr. Kormos: Minister, I know that you know that when seniors and kids come down with the Norwalk virus, they can become very seriously dehydrated and they have to stay in the hospital for monitoring of their conditions. There just simply aren't enough beds to go around, and you're asking them to cut 28 more. Hamilton needs more, not fewer, hospital beds. Why are you forcing Hamilton's hospitals to cut 28 beds and rely on hallway medicine to get through this health crisis?

Hon. Mr. Smitherman: I want to remind the honourable member that our record as a government with respect to hospital funding stands in very stark contrast to the one of the government that he was part of. It has a record of additional resources each and every year for every Ontario hospital. What that's meant for Hamilton Health Sciences since our government came to office is fully \$145 million of additional operating funding for Hamilton Health Sciences alone. This speaks to our commitment.

It's important to mention that while the honourable member seeks to cause even greater concern, no surgeries have been cancelled related to this outbreak, and Hamilton Health Sciences has appropriately developed flex beds. These are beds that can be put into motion directly to affect the challenges, in this case one with an outbreak of Norwalk.

Accordingly, we do see pressure placed on the health care system to deal with the Norwalk virus, and as is the case always, the people who work in health care, the quarter of a million people on the front lines, are responding with professionalism and with dedication to patients. This is what we expect, and I want to thank them for their hard work.

Mr. Kormos: Minister, patients are being forced to wait in parked ambulances for hours as city hospitals struggle to find space for them. That means that these ambulances are stuck and can't get to other emergencies and other people in medical trauma. Pat MacDonald, local 70 president of the Ontario Nurses' Association, calls the situation "a nightmare." She says, "Patients are

sleeping on stretchers for days.” And you want to cut 28 more beds from this overstretched system.

When are you going to give Hamilton’s hospitals the resources they need to keep that city healthy, or is Pat MacDonald simply wrong?

Hon. Mr. Smitherman: Yes, I do think that it’s very easy, in a time when a specific circumstance has occurred, to overreact. Language like the honourable member wishes to repeat is rather inappropriate in the circumstance.

Across the breadth of the province of Ontario, we have 154 hospitals and we have more than 600 long-term-care homes. At any time, it is quite possible that an outbreak is going to challenge the system. This is occurring in Hamilton. We appreciate that there are challenges there for patients. We want to thank them for their patience in the circumstances and recognize that it is very difficult to fashion a health care system of a size and scale that is able to respond to every outbreak or circumstance that might occur.

In Hamilton, we have flex beds. We’ve had \$145 million of additional operating budget on the part of our province since we came to office. Accordingly, we believe that we are offering a very appropriate level of support to those very fine hospitals and to the incredibly dedicated people who work within them.

One more time: To the patients in the Hamilton area and also to those workers on the front line of health care, we thank them for their patience in trying circumstances and we appreciate their dedication, especially—

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

LONG-TERM CARE

Mr. Michael Prue (Beaches–East York): My question is to the Minister of Health and Long-Term Care. One year ago today, a coroner’s inquest reported on the tragic events at Casa Verde nursing home in North York, where a 74-year-old resident suffering from dementia killed two other residents. The landmark inquest found, and I quote them directly, “Nursing homes are in dire need of more funding, stiffer regulations and better-trained workers.”

I want to ask you about the first recommendation they made: new funding for better services for seniors in long-term care. You yourself personally promised \$6,000 per resident. You have delivered only \$2,000 of that, one third of the promise. Why?

Hon. George Smitherman (Minister of Health and Long-Term Care): Perhaps by way of supplementary, the honourable member will show me where it is that I made such a personal commitment. I believe that to be an inaccurate statement, but I’ll look forward to the honourable member answering it.

Across the breadth of long-term care, we have responded. In fact, proactively, even before the Casa Verde inquest came out, we had already sought to move forward the nearly \$200-million ongoing investment, done

in one year, to enhance the level of care that was provided. We’ve moved forward with a series of changes in the long-term-care sector that have been designed to influence the quality of care for patients. Just last week, in a conference with the Ontario Long Term Care Association, I had the privilege of announcing further funding—\$2.4 million—for an initiative designed to enhance training and education for those workers who are dealing with our patients in long-term care who have dementias. We recognize that this is an ongoing challenge, and that’s why we’re spending on-mark with dollars to enhance the training for those individuals.

Mr. Prue: The Casa Verde inquest said that nursing homes need “stiffer regulations,” but today your government, the McGuinty government, refuses to set minimum hours of personal care for seniors, meaning there is no standard for the amount of care seniors get. The inquest also said that we need “better-trained workers,” but homecare providers say that most homes will have difficulty keeping the staff they hired last year, let alone hire the 2,000 new workers you promised.

The Casa Verde inquest gave you a blueprint for change. Why have you failed to act in totality on those recommendations?

Hon. Mr. Smitherman: I note that the honourable member had an opportunity to retract his earlier statement and chose not to, but I believe he’ll have one more shot at it.

In retrospect, the honourable member maybe ought to recognize that our government didn’t wait for an inquest; we didn’t sit here wondering and waiting for a response. Rather, we sought to act proactively.

Across long-term care, as a result of the terrific work of my parliamentary assistant, Monique Smith, the member from Nipissing, we’ve been able to see a dramatic improvement. We’ve worked to build family and resident councils. We have increased funding quite dramatically and have put 2,000 additional staff on the front lines of health care. We’ve renewed the commitment around 24/7 registered nurses.

To the honourable member’s point, both in terms of regulation and in terms of training, our government has already made this response across long-term care. We recognize that dementias are occurring at a greater rate and there is more work to do. That’s why we’ve recently made this investment in the education of those who work on the front lines to assist them in dealing with our clients who have dementias.

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Mr. Prue: Just to assure the minister, this is my information and I believe it to be correct. On December 8, 2003, you and your government promised a revolution in long-term care. I’m not sure whether it was you or the Premier, but one of you wiped away tears and said, “This is a sub-par performance ... this is not Ontario’s standard.” You can tell me which one of you said it.

Minister, you promised minimum hours of care; you promised \$6,000 per resident; you promised a new long-term-care act, more funding, stiffer regulations and

better-trained workers. Broken promise, broken promise, broken promise. It has been two and a half years since you promised the long-term-care revolution; it's been one year since the Casa Verde inquest results. When are you going to keep your promises to the seniors in long-term care?

Hon. Mr. Smitherman: That is broken and unfounded rhetoric. Firstly, the honourable member can't back up the comments he is attributing to me, and then he adds a few more to the list. I think this is highly inappropriate behaviour.

With respect to the work that is being done in long-term care, I believe the honourable member's question diminishes the reality that thousands and thousands of people who work on the front line of health care, working with those who we agree are some of the most vulnerable in our society, have made tremendous strides to enhance the quality of care that is being provided. Only the honourable member, with one brush of his hand, can diminish the efforts that have been made to build a new sense of community, to move from the use of the word "facility" to "home," to create environments that work on that basis, to create a long-term-care system that can respond to the individual needs of people.

The honourable member wants to say that you need a certain amount of time and that the health care system should have no capacity invested in the workers to determine who needs what care. We believe in the front line workers. Why doesn't—

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

SCHOOL BOARDS

Mr. Frank Klees (Oak Ridges): To the Minister of Education: The Ottawa Citizen profiled your predecessor this weekend with this headline: "Don't Let Kennedy's 'Success' Fool You: Liberal Leader Hopeful Has Left Schools a Mess." By now you've had your briefings and you must realize that another Kennedy legacy was the fact that he ignored school boards and their appeals to match his spending announcements with the appropriate funding. In fact, two of Ontario's largest school boards have now hired a lobbyist, at the cost of \$100,000, so that they can get the ear of the Ministry of Education regarding their funding crisis.

My question to you is, first, do you believe it's appropriate that school boards are using education tax dollars to lobby you, and second, will you change the modus operandi, sit down with these school boards and have a working meeting so that they can get the matching funding—

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

Hon. Sandra Pupatello (Minister of Education, minister responsible for women's issues): I appreciate the question. I will say that a lot of your friends—Tory consultants—are paid an awful lot of money today by a number of people who are investing in lobbying the

government, so many of your own friends benefit from that. Even in two and a half years of being a member of the McGuinty cabinet, I have seen that, and yes, it's disturbing to me.

I worry that hard-found funding is spent on consultants when the reality is that, especially in education, if there is one thing our Premier is, it's the education Premier. We have seen an unprecedented investment in education.

I have to say that the member opposite will know more than most about the hole we are digging out of in the area of education. We have a long way to go, but we have made significant strides. We can't be driven by headlines; we have to be driven by good, solid education policy.

Mr. Klees: The hole that school boards are digging themselves out of is the announcements her predecessor made regarding education, and the lobbyist who is skimming precious education dollars to lobby you is none other than Warren Kinsella, who is a key member of the Liberal election campaign team. Minister, because you agree that it's fundamentally wrong for education tax dollars to be used to pay lobbyists to lobby you, will you step in and ensure that that contract is cancelled?

Hon. Ms. Pupatello: I think many people know this individual you speak of, and I think he does very well. Whether he should be doing this is up for discussion.

Let me tell you this: When I talk about the hole that we're climbing out of, your government, you in particular, sat at a cabinet table that removed over \$2 billion from the education system. We watched it. In fact, I watched it from your seat when you pulled that money out of the system. Ottawa school boards are looking after hundreds of schools that represent thousands of children, and I think they are doing a tremendous job in the face of what they have watched for many years.

We finally as a government want to step forward as a partner with our boards, a partner that in the end is going to focus on some significant benefits for kids. Those benefits are around smaller class sizes; they're about better test scores on numeracy and literacy; they're about having a lower dropout rate. Those are things that matter, and I am going to watch you in particular and how you intend to vote on Bill 70.

AKWESASNE INTERNATIONAL POWWOW

Mr. Jim Brownell (Stormont–Dundas–Charlottenburgh): My question is to the Minister of Citizenship and Immigration. As you know, my riding of Stormont–Dundas–Charlottenburgh is deceptively diverse. While the perception is that the population is generally of British descent, with a significant francophone community, such is not the case. My riding is home to thriving Pakistani, Greek, Chinese and many other cultural and diverse groups, all representing the values of multiculturalism that are so important to the Canadian identity.

While immigration has enhanced the cultural fabric of my riding, one of the richest cultural heritages in the

region predates all the waves of settlers: the Akwesasne, the Mohawk people who inhabit Akwesasne in my riding and parts beyond. These people have proud traditions and a remarkable heritage, which they share with the public through their annual powwow, one of the great events my riding hosts every year.

Minister, can you tell us what your ministry has done to support this heritage celebration?

Hon. Mike Colle (Minister of Citizenship and Immigration): I want to thank the member from Stormont–Dundas–Charlottenburgh for his question. As my ministry supports newcomers to Ontario—and we get 125,000 who choose Ontario every year—we must also invest in the celebration and the honouring of our founding peoples. First to be honoured should be our First Nations people. That's why my ministry, under Ontario's Community Builders project, is honoured to invest \$20,000 in the Akwesasne International Powwow that will be held September 9 and 10 this year. I think it's a great way of acknowledging the incredibly rich history that the Mohawk people have left this great province.

Mr. Brownell: Nyawen, Minister. That's "thank you" in the Mohawk language.

Chief Larry King of Akwesasne said of the funding, "The Mohawk Council of Akwesasne and the Akwesasne International Powwow Committee are extremely grateful for the \$20,000 provincial grant that will assist in addressing the operating costs of the Akwesasne International Powwow. The basic theme of the powwow remains a time of friendship, sharing, unity and a great deal of spirituality. We welcome everyone to celebrate First Nations culture with us."

Minister, through Ontario's Community Builders program, you have provided much-needed support to a number of important events and ethnic communities that make Ontario great, like the powwow of Akwesasne. Can you tell the members of this House a little more about the parameters of the program and the investments the McGuinty government is making to recognize and honour the contributions of the province's diverse communities?

Hon. Mr. Colle: I also want to congratulate Chief Larry King of Akwesasne and the Mohawk Council of Akwesasne for the wonderful work they're doing in celebrating the rich heritage of First Nations people of your great riding.

As you know, with Ontario's Community Builders program, we recognize the contributions of founding pioneering cultures and groups that have come to Ontario, whether it be the blacks who came to the Chatham–Kent area and founded North Buxton or whether it be the Scots who are celebrating their Highland Games again this summer in Glengarry. We must not forget the great contributions these early peoples made to Ontario, and especially our First Nations people.

Chief Larry King is saying to the whole world to come to your riding, and Akwesasne at Cornwall, on September 9 and 10 to celebrate this rich, rich heritage of our First Nations people.

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GREENHOUSE GAS EMISSIONS

Ms. Laurie Scott (Haliburton–Victoria–Brock): My question is for the Minister of the Environment. For nearly six months now, the Ontario trucking industry has been pleading with your government to make it mandatory for all trucks operating in Ontario to have their engines electronically speed-limited to prevent the truck from going any faster than 105 kilometres per hour. According to the Ontario Trucking Association, it's supported by groups like Pollution Probe, the Lung Association and Fleet Challenge Canada. One of the chief benefits of forcing all trucks to limit their speed is a significant reduction in emissions, particularly greenhouse gas emissions. In fact, they estimate that over 140 kilotonnes of greenhouse gas emissions would be eliminated each year if this proposal was adopted.

Minister, I know this issue is under consideration by the Minister of Transportation, and has been for quite some time now, but he has not acted on it, despite the obvious environmental benefits. I want to know if you and your ministry have looked into the environmental benefits of this proposal, and do you personally agree with all of these groups that reducing speeding by trucks will reduce air pollution coming from trucks?

Hon. Laurel C. Broten (Minister of the Environment): I'm so pleased to have an opportunity to answer a question from the opposition about greenhouse gases and climate change because our government believes that it is critical in this province that we start recognizing that climate change is the challenge of our generation and we need to step up to the plate and do something about it.

Let me tell you what our government is doing about climate change. We are the first jurisdiction in North America to say no to coal and stop burning coal. That is 30 megatonnes of greenhouse gases which will be eliminated in this province. Another critical element in our plan to stop greenhouse gases is 5% ethanol content in gasoline by 2007, and a great deal more public transit in the province. Those are some of the challenges we're taking in the Ministry of Environment in a cross-ministry approach to tackling greenhouse gases.

I know the Minister of Transportation will be pleased to answer your question specifically with respect to the trucking industry's perspective, which they brought forward when I had a chance to meet with them. I know—

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

Ms. Scott: I don't believe we heard a yes or a no to that, but I'm kind of surprised that the minister has been provided with so little information about the effects of speeding trucks and their undeniably reducing air pollution if that's implemented. Every day, trucks are needlessly spewing out emissions that can and should be avoided simply because your government has refused to act. The trucking industry is demanding that you help

them eliminate these emissions, the environmental groups are asking you to eliminate these emissions, and safety groups ranging from the Traffic Injury Research Foundation, the CAA and the insurance bureau are telling you that it will not only save our air but save lives by making our roads safer.

Can you offer up one credible reason why your government continues to allow speeding trucks to pollute our air and endanger our lives, and if you cannot, will you give us a commitment today that you will personally intervene to get the Minister of Transportation to act now and introduce legislation, it being Earth Day on the 22nd of this month?

Hon. Ms. Broten: To the Minister of Transportation.

Hon. Harinder S. Takhar (Minister of Transportation): I am actually very pleased to answer this question. I have met with the Ontario Trucking Association not only once, but a few times. In BC, there is some—

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

Hon. Mr. Takhar: Come and talk to me later.

There is some merit to this issue, but there are other issues that we still need to resolve before we can even make any decision on this issue. The Minister of the Environment has been working very closely with me. The issue is that trucking is an interjurisdictional issue. We can't put speed limiters just in Ontario, because these trucks go outside Ontario—they go to Quebec, they go to the United States. So we want to make sure that our industry stays competitive when we look at these proposals, and we will work closely with the Ontario Trucking Association and the Ministry of the Environment.

NUCLEAR WASTE

Mr. Peter Tabuns (Toronto–Danforth): A question for the Minister of Energy: You're planning to waste approximately \$40 billion on nuclear power plants. That will be a financial disaster. But there's also a compelling environmental argument against more private nuclear power. In addition to private nuclear power being expensive and unreliable, there are serious concerns about nuclear waste. Minister, what is your plan to dispose of the high-level radioactive waste produced by nuclear power plants?

Hon. Donna H. Cansfield (Minister of Energy): I thank the member for the question. No decisions have been made on the Ontario power supply mix that will be coming shortly. For those nuclear plants that are operating and have nuclear waste, there is a provision for on-site containment of that waste. They work very closely with the federal government, which has the overall responsibility for nuclear waste, and there is a continuing financial commitment that has been put into not one but two funds for the containment of that waste.

Mr. Tabuns: Minister, your government's reckless plan for more private nuclear power raises serious questions about the environment and who's accountable when something goes wrong. Nuclear power is risky

power. There are risks of catastrophic accidents, routine radioactive emissions, and storing cancer-causing radioactive waste that remains poisonous for millions of years. In whose backyard are you going to be burying this radioactive waste that you are so eager to produce?

Hon. Mrs. Cansfield: As I indicated to the member, in fact, the nuclear waste that's currently on-site is contained on-site, and as I said, no decisions have been made about Ontario's future supply mix at this point. There is a federal responsibility that is involved, and we work very closely with the federal agencies and with our own Ontario Power Generation.

We've always said that we would maximize our existing assets, that we would maximize our existing transmission assets as well as generation, that we will build new, which we indicated today—a brand new renewable wind farm. We will continue to build a culture of conservation in this province. Those are the commitments we've made to the people of Ontario, because one of the things we will do is keep the lights on.

WATER QUALITY

Mrs. Maria Van Bommel (Lambton–Kent–Middlesex): My question is for the Minister of the Environment. Minister, could you explain to the House the level of consultation that took place prior to the introduction of Bill 43, the Clean Water Act, and any discussions you may have had with stakeholders since that introduction?

Hon. Laurel C. Broten (Minister of the Environment): First, I want to thank the member from Lambton–Kent–Middlesex for her advocacy on behalf of her community, the agricultural sector and rural Ontario in general. It's a pleasure to work with her and have her as a colleague.

As members of this House know, Bill 43 is groundbreaking legislation for Ontario. It builds on the vision that Justice O'Connor had for our province of protecting drinking water from source to tap. Because the legislation itself is so complex and so critical to future generations to protect our drinking water from being contaminated or depleted, we have, over the last three years, undertaken extensive consultation and essentially had a comprehensive approach to that consultation. We considered the recommendations of Justice O'Connor. We released a white paper. We undertook province-wide consultations. We posted the draft text of source water protection legislation on the EBR and received public comments. We've had two expert committees—a technical experts committee and an implementation experts committee—to help us and advise us of any difficulties we might have with respect to the implementation of the white paper. We've undertaken a series of sectoral round tables, touching with industry, agriculture, and a variety of other fronts. I'd be pleased to, in the supplementary, talk a little bit more about some of that sectoral-specific consultation.

Mrs. Van Bommel: Thank you, Minister. Having heard your response, I would like to ask you if you could explain why a member of the opposition is claiming that

this government has not been consulting with the agricultural sector.

Hon. Ms. Broten: That's such an important issue raised by the member for Lambton-Kent-Middlesex, Ms. Van Bommel, and I want to thank her for asking this question, because it is important for Ontarians, and in particular those in the agricultural sector, to have an understanding of the work that's been done by the advisory committees on their behalf.

Dr. John FitzGibbon, Dave Armitage, John Maaskant and Allen Gardiner all represented the Ontario Farm Environmental Coalition, the Ontario Farm Animal Council and the Ontario Federation of Agriculture. They deliberated for nearly a year on the details of source water protection planning and had a say in the final recommendations of those committees. MOE itself has had a number of sectoral-specific committees, meeting at least three times with the leadership from the agricultural community. Personally, I have had an opportunity to travel with my colleague from Perth-Middlesex to his community and meet agricultural leaders in that community, again on a number of occasions, both in Kitchener and Toronto, meet with the leaders from the agricultural community, to hear their concerns and receive their input with—

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

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CORONER'S INQUESTS

Mr. Cameron Jackson (Burlington): My question is to the Minister of Children and Youth Services. Minister, in the last two months, four more children have died at the hands of a parent with a well-documented abusive past. Additionally, these children were under court-ordered supervised—and in some cases unsupervised—access. Minister, your responsibility is child welfare and child protection. Do you personally believe that there should be some circumstances in this province where, when a child dies, there would be an automatic coroner's inquest?

Hon. Mary Anne V. Chambers (Minister of Children and Youth Services): As a matter of fact, the coroner is engaged in these types of issues and reviews a lot more cases than the public tends to necessarily know about. I believe the coroner has a very important role to play. My ministry has been working very closely with the coroner; the coroner is very pleased with our relationship.

Mr. Jackson: Minister, if you've been working closely with the coroner, maybe you should check the coroner's website, because currently there are 15 coroners' inquests going on in this province this month for criminals who have died while in custody, yet we cannot find any in this province's history where a child, while under a custody order themselves, dies at the hands of an abusive parent.

My question to you, Minister: As the minister responsible for child protection, do you not feel that children who are victims of abuse and who die should, under

certain circumstances, get an automatic coroner's inquest? Criminals enjoy that privilege in this province. Do children not deserve similar benefits and rights to have a voice from the dead so that this abuse that's going on to these children and these children who are dying—that we can lessen the impacts and lessen the number of children dying in our province?

Hon. Mrs. Chambers: The Minister of Community Safety and Correctional Services.

Hon. Monte Kwinter (Minister of Community Safety and Correctional Services): I'd like to respond to the member and just tell him what the situation is. The coroner had announced just last week that he has directed his coroners to automatically conduct a review of any death of any child while under the care or supervision of a children's aid society. He will then, at the end of the year, file a report on his comments and recommendations.

To relate to the situation where you mention the website, all of these criminals—the reason is not necessarily limited to criminals. Under the Coroners Act, for anyone who dies within a correctional facility, or in the custody of a police officer, or in a mine accident, it is mandatory that that particular situation be investigated by an inquest. Coroners have the authority to call an inquest any time they want to, but that will only be done on the coroners' determination, and it isn't in our role to interfere with that because they're arm's length, they are professionals—

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

TOWING INDUSTRY

Mr. Peter Kormos (Niagara Centre): A question to the Premier. Sir, Ontario's towing association says that outlaw bikers and other renegades are racing around our highways in tow trucks because the province permits a free-for-all in the industry. When are you going to stop passing the buck to municipalities and ensure that tow trucking is properly regulated at the provincial level?

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

Hon. Monte Kwinter (Minister of Community Safety and Correctional Services): Municipalities have the responsibility for municipal licensing of tow truck drivers. You should know that the vast majority of tow trucks are run by legitimate operators, and they do a job. There is also a legitimate group of people who are bikers. So just because you're a biker or you're a tow truck operator doesn't mean you're criminal. It's only when you add the third component, and that's criminal activity, that you get a problem with criminals, bikers and tow truck operators. We have a bikers' group in the OPP that monitors what is happening, but it is still the responsibility of the municipality to grant a licence for a tow truck operator. They have to do criminal checks to make sure that they don't have a criminal record that would prohibit them from operating a tow truck. We also have

bikers who are legitimate organizations that do their work. It would be unfair for us to label everybody as a criminal because they happen to be involved in either one of those activities.

Mr. Kormos: Regulations are not to protect the public from the good guys or from legitimate operators; regulations are to protect the public from outlaw bikers driving tow trucks or other members of organized crime.

How much more evidence do you need? The Provincial Towing Association of Ontario has spent years lobbying your government in trying to get some rules in place to protect the public. It says that municipal licensing of tow truck drivers simply doesn't work. The association wants the province to step in, protect the public and keep outlaw bikers and organized criminals off the highways and from behind the wheels of tow trucks. You've refused to take the steps needed to protect the public. Why is that?

Hon. Mr. Kwinter: I have responsibility for enforcement; I don't have responsibility for creating the regulations to do this.

I have a copy of the application form from the city of Toronto when they grant a licence to a tow truck operator, in which they specifically ask: Do you have a criminal record? Have you ever served time in jail? Have you done any of those things? Not only that, but they have to sign a waiver that allows the municipality to do a criminal check. That is their responsibility and they have the tools to do it. If there is more that they require, then the association should make representations to the proper licensing authority.

ENDANGERED SPECIES

Mr. Kevin Daniel Flynn (Oakville): My question today is to the Minister of Natural Resources, and it's regarding the Endangered Species Act. Many organizations and interest groups in my own community of Oakville and across the province have questions regarding the updating of the Endangered Species Act. It's their belief that Ontario's Endangered Species Act is currently outdated and is not doing the job of protecting Ontario's many endangered species. Scientists have currently identified 190 endangered species in Ontario, of which only 43 are currently protected by the act.

Minister, would you tell the House what you are doing currently to ensure that Ontario's species are protected from harm, and how the Endangered Species Act will be updated in the near future?

Hon. David Ramsay (Minister of Natural Resources, minister responsible for aboriginal affairs): I know the member from Oakville is always very concerned about environmental issues, and I applaud him on his work on this and in regard to the Trafalgar moraine.

I would like to assure him that our government is committed to bringing in a new species-at-risk act so that we can strengthen our protection for endangered species. Our new act that is going to be put in place will have very effective measures to protect species at risk, espe-

cially a science-based listing process that is going to be very important—it's going to help them recover—and meaningful protection for habitats. I don't have to remind the speaker that if we don't protect the habitats, then we really haven't gone far enough to protect the species themselves. So we're going to be doing that.

I'd also say to the member that we've actually nominated an advisory panel that's going to help us with this legislation. I'm sure the member will be interested to know exactly what that advisory panel is going to do for us.

Mr. Flynn: Thank you, Minister—an excellent answer. I'm pleased to hear that you're undertaking a review of the Endangered Species Act.

Ontario is home to many different kinds of plants and animals. My own community of Oakville is home to those same plants and animals. It's part of the unique character, and it's something I feel that we as a government have a duty to protect.

The primary concern of many organizations and interest groups on this issue is a loss of habitat. Loss of habitat appears to be the leading reason that species ended up being classified as endangered in the first place. It appears that habitat is being gobbled up by humans on a daily basis through a variety of activities, including urban sprawl. Minister, will you tell the House how this new act will protect that crucial habitat for plants and animals and in turn protect Ontario's endangered species?

1500

Hon. Mr. Ramsay: I'm very happy to have that question, but I would like to address the advisory panel a little more for the member, because I know he really is interested, even though he didn't directly ask me that question in the House today. I think it's very important that we have this panel take a look at what we are proposing and that we have a full consultation with them. We have designed a paper that we want to make sure they have a good look at, and that they go out into the community and start to pick up the information we need in order to strengthen our act.

What's going to be especially important is the recovery plans that are initiated in order to make sure that species at risk survive and flourish. That's going to be a very important part of it.

In the end, I would say to the member that we want to make sure that the piece of legislation that does come forward will be the best in this country.

WINE INDUSTRY

Mr. Tim Hudak (Erie-Lincoln): A question to the Minister of Economic Development and Trade: Your deputy minister, Don Black, recently sent out letters with cheques in them to Ontario wineries, and here's a response from one of those wineries: "We learned that there are many wineries that received between \$45,000 and \$100,000 in assistance. We also have learned that there are several wineries that have received support

ranging from \$500 to \$5,000,” including this particular winery. It goes on to say, “I know that we sell two to three times as much VQA wine”—again, 100% Ontario wine—“as some of the wineries that received \$45,000,” and up. Minister, how is that possible, and can you explain the formula you used to hand out these cheques?

Hon. Joseph Cordiano (Minister of Economic Development and Trade): In this year’s budget, we announced \$3 million for small and medium-sized producers of Ontario Vintners Quality Alliance wine in 2005-06. It’s a recognition that this year, they did in fact face a short crop. They did face that difficulty. It’s a recognition that the small wineries are facing these challenges, and these were funds designed to assist the small vintners to overcome those challenges. So this is how it was allocated, with a view to assisting the small vintners.

Mr. Hudak: I appreciate the minister’s answer, but again, I’d ask for the specific formula that was used, because it was in fact the smallest craft wineries that received the lowest amount of funding. As this writer talked about, he’s wondering how it could be that his grant was much lower when he sells more wine than others.

I ask you, instead of giving out mystery cheques at the end of the year, wouldn’t it be better to actually improve shelf space at the LCBO and also develop a parallel system of wine stores like the Ontario VQA wine stores, to give better market access to these small craft producers?

Hon. Mr. Cordiano: It’s interesting that this member, while he was in government, did very little to that effect. In fact, he was the minister responsible, and time and again, they completely ignored the industry, completely ignored this question. I’d like to know what he did when he was the minister—absolutely very little.

The fact is the program, as I said, was designed to help small and medium-sized VQA wine producers, and it was allocated on the basis of where the need was greatest. This is precisely what we tried to do: to recognize that these vintners are indeed facing a challenge as a result of the short crop this year. Getting over that difficult circumstance is what this is all about, and we’re very proud to help the wine industry in Ontario.

YOUNG OFFENDER FACILITY

Mr. Peter Kormos (Niagara Centre): A question to the Premier: Kennedy House is a young offenders’ facility in Ajax. Its workers have been on strike for three weeks now, and every inmate has been moved out of that facility for those three weeks. Can you explain why your government continues to provide full funding to Kennedy House Youth Services Inc. even though it’s empty?

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

Hon. Mary Anne V. Chambers (Minister of Children and Youth Services): Funding is being provided to this centre so they can care for the kids whom they’re responsible for. The fact that their workers may

not be on the job does not mean that these kids are not being cared for, and Kennedy has taken the appropriate steps to ensure that these kids are placed where they can be cared for.

Mr. Kormos: That’s the point, Minister: All the inmates have been shipped out; the place is empty. The workers aren’t being paid because it’s a work stoppage; it’s a legal strike. The workers are concerned because—and you do know this—their wages and working conditions are way out of line with other Ontario facilities and it’s hurting the young people they are trying to help. These workers are off the job because they’re trying to improve working conditions and conditions for those inmates, and you’re making it harder for them by paying their boss, their employer, big bucks to operate an empty facility. Why would your government spend money—taxpayers’ money—to maintain and fully fund an empty facility that doesn’t contain any inmates and isn’t paying any of its staff?

Hon. Mrs. Chambers: I can tell the member that I have personally visited Kennedy House. It’s a beautiful facility, actually, and the kids there are very well cared for. As it happens, I actually know some of the staff. It is my desire that the wonderful staff at Kennedy House and their management will be able to come to a satisfactory conclusion of their negotiations as soon as possible, because it is a good facility and the kids there are well cared for. I have a lot of respect for all parties concerned.

The kids are being cared for, even though they’re not in the facility right now, and that does entail a cost, which my ministry will continue to provide.

PUBLIC TRANSPORTATION

Mr. Mario G. Racco (Thornhill): My question is for the Minister of Transportation. My riding of Thornhill is rapidly expanding. Gridlock is not an acceptable way of life for my constituents. The investment our government has made in public transit and highways to the region of York is essential, especially the subway extension to the Vaughan Corporate Centre.

Minister, I know that the province has brought in \$670 million, which is in the bank earning interest for the people. What have the feds done in this matter?

Hon. Harinder S. Takhar (Minister of Transportation): I am actually very proud of the fact that we made a very substantial investment in public transit in our recent budget. This investment was required to address some of the congestion issues that the member from Thornhill has raised. Out of that, \$838 million was to provide public transit in York, Brampton, Mississauga and Toronto—to proceed with their projects—and the \$670 million that the member talks about is for expansion of the subway up to the Vaughan Corporate Centre. We have actually allocated one third of our share that is required to finish this project. I want to encourage the municipality, the municipal government and the other level of government, the federal government, to match those funds so we can move ahead, start this project and complete it on time.

Mr. Racco: Minister, the people of the region of York are very pleased with the money that you have allocated for the Spadina subway extension, plus the monies that were given for the second phase of Viva, and certainly we are looking forward to the third phase of Viva coming in the near future.

But the question I have for you is, considering that the feds have not come to the table at this time, and considering that the people of Thornhill, Vaughan and vicinity want the subway today and not five years from now, what would you suggest that I do in my riding so that my constituents of Thornhill and vicinity will be able to assist us to get the feds to the table to bring the money they haven't brought yet?

Hon. Mr. Takhar: This is an important project for us to address the congestion issues, not just in York, but also in Toronto, Mississauga and Brampton. That's why our government made major investments in public transit projects in our last budget. I want as well to thank the Minister of Finance for taking care of those issues.

I would encourage the members to talk to their federal counterparts to encourage them to actually match these funds so that we can start and move ahead with some of these important projects.

1510

PETITIONS

CONVENIENCE STORES

Mr. John Yakabuski (Renfrew–Nipissing–Pembroke): On behalf of the Ontario Korean Businessmen's Association, I have a petition to the Legislative Assembly of Ontario.

"Whereas the Ontario Korean Businessmen's Association (OKBA) represents 3,000 family-owned and -operated small convenience store businesses across Ontario who are being driven out of business by the McGuinty government; and

"Whereas the McGuinty government has hurt OKBA members by hiking WSIB rates, hiking commercial hydro rates, and dumping the high costs of implementing Bill 164 on these small family-run businesses;

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

"Convenience stores are the last family-run businesses in every neighbourhood throughout Ontario and are in urgent need of both compensation and help from the government to allow replacement categories for tobacco products."

This is a good petition. I support it and I affix my name to it.

COMMUNITY MEDIATION

Mr. Bob Delaney (Mississauga West): I have a petition to the Ontario Legislative Assembly, and I'd like to thank Shabnam Bhagat for gathering some signatures for it. The petition reads as follows:

"Whereas many types of civil disputes may be resolved through community mediation delivered by trained mediators, who are volunteers who work with the parties in the dispute; and

"Whereas Inter-Cultural Neighbourhood Social Services established the Peel Community Mediation Service in 1999 with support from the government of Ontario through the Trillium Foundation, the Rotary Club of Mississauga West and the United Way of Peel, and has proven the viability and success of community mediation; and

"Whereas the city of Mississauga and the town of Caledon have endorsed the Peel Community Mediation Service, and law enforcement bodies refer many cases to the Peel Community Mediation Service as an alternative to a court dispute; and

"Whereas court facilities and court time are both scarce and expensive, the cost of community mediation is very small and the extra expense incurred for lack of community mediation in Peel region would be much greater than the small annual cost of funding community mediation;

"Be it therefore resolved that the government of Ontario, through the Ministry of the Attorney General, support and fund the ongoing service delivery of the Peel Community Mediation Service through Inter-Cultural Neighbourhood Social Services."

This is an excellent petition. I agree with it completely, and I'll ask page Andrew to carry it for me.

CONVENIENCE STORES

Mr. Ernie Hardeman (Oxford): I have here a petition from the Ontario Korean Businessmen's Association that was presented to me today on the front lawn here at Queen's Park. It is to the Legislative Assembly of Ontario.

"Whereas the Ontario Korean Businessmen's Association (OKBA) represents 3,000 family-owned and -operated small convenience store businesses across Ontario who are being driven out of business by the McGuinty government; and

"Whereas the McGuinty government has hurt OKBA members by hiking WSIB rates, hiking commercial hydro rates, and dumping the high costs of implementing Bill 164 on these small family-run businesses;

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

"Convenience stores are the last family-run businesses in every neighbourhood throughout Ontario and are in urgent need of both compensation and help from the government to allow replacement categories for tobacco products."

I affix my signature as I agree with it. I will give it to Justin to bring to the table.

CHILD CARE

Mrs. Liz Sandals (Guelph–Wellington): I have a petition to the Legislative Assembly of Ontario.

“Whereas the people of Ontario expect the government of Canada to honour existing agreements with the government of Ontario;

“Whereas provinces and territories negotiated agreements with the federal government to ensure Canadians would have access to early learning and child care programs that are high-quality, affordable, universally inclusive and developmental;

“Whereas parents in Ontario have demonstrated a high demand for greater access to high-quality early learning and child care programs;

“Whereas Ontario’s early learning and child care agreement with the government of Canada would provide Ontario families with at least 25,000 new, high-quality, regulated child care spaces in the first three years;

“Whereas Ontario’s early learning and child care agreement represents a \$1.9-billion investment over five years in high-quality early learning and child care;

“We, the undersigned, petition the Legislative Assembly of Ontario to support the government of Ontario in calling on the government of Canada to honour Ontario’s early learning and child care agreement, for the sake of the thousands of Ontario families who would benefit from it.”

I agree with this petition and I will ask Raelene to bring it to the table.

LONG-TERM CARE

Mr. Ted Chudleigh (Halton): I’m presenting a petition from Mount Nemo Christian Nursing Home. Andrew Sturroch from my riding is here to accept it for me.

“To the Legislative Assembly of Ontario:

“Whereas long-term-care funding levels are too low to enable homes to provide the care and services our aging seniors and parents who are residents of long-term-care homes need, with the respect and dignity that they deserve; and...

“Whereas those unacceptable care and service levels are now at risk of declining;

“We, the undersigned, who are members of family councils, residents’ councils and/or supporters of long-term care in Ontario, petition the Legislative Assembly of Ontario to increase operating funding to long-term-care homes by \$306.6 million, which will allow the hiring of more staff to provide an additional 20 minutes of care per resident per day over the next two years....”

I agree with this and I’ll affix my signature.

SCHOOL BUS SAFETY

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

“Whereas it has been shown that crossing control arms on school buses reduce or virtually eliminate instances of students being struck by their own bus; and

“Whereas 91% of all front-bumper fatalities involve buses not equipped with crossing control arms; and

“Whereas the safety of the children of Ontario is our number one priority;

“We, the undersigned, petition the Legislative Assembly of Ontario to require that all future school buses be equipped with crossing control arms and that all existing school buses be required to be immediately retrofitted with crossing control arms.”

I am in agreement and am pleased to sign this petition.

CONVENIENCE STORES

Mrs. Julia Munro (York North): “To the Legislative Assembly of Ontario:

“Whereas the Ontario Korean Businessmen’s Association (OKBA) represents 3,000 family-owned and -operated small convenience store businesses across Ontario who are being driven out of business by the McGuinty government; and

“Whereas the McGuinty government has hurt ... members by hiking WSIB rates, hiking commercial hydro rates, and dumping the high costs of implementing Bill 164 on these small family-run businesses;

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

“Convenience stores are the last family-run businesses in every neighbourhood throughout Ontario and are in urgent need of both compensation and help from the government to allow replacement categories for tobacco products.”

As I am in complete agreement, I have affixed my signature.

SOCIAL SERVICES FUNDING

Mr. Kuldip Kular (Bramalea–Gore–Malton–Springdale): This petition is to the Legislative Assembly of Ontario:

“Whereas the spending on most social services has been frozen since the early 1990s under both the Rae and Harris governments; and

“Whereas the population of the region of Peel has approximately tripled in that time period and the social risks have increased;

“Whereas demand for services has exploded as a result of population and other social changes;

“It is now noted that the people of the region of Peel receive 50% less funding on a per capita basis than the average provincial per capita funding for social programs and that other high-growth regions in the province such as York region are similarly affected;

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

“That the Ministry of Community and Social Services correct this imbalance in their new programs and through the reform of the funding formulae for its old programs within a three-year time frame;

“That the Ministry of Children and Youth Services continue to correct this imbalance in their new programs and introduce fundamental reform of their funding

policies to correct this imbalance within the next three years as well.”

I support this petition and I affix my signature as well.

1520

CONVENIENCE STORES

Mr. Frank Klees (Oak Ridges): I have a petition that was presented to me by the Ontario Korean Businessmen’s Association, many of whom were in the front yard of Queen’s Park today, from Newmarket, Aurora, Richmond Hill and Markham, and it reads as follows:

“To the Legislative Assembly of Ontario:

“Whereas the Ontario Korean Businessmen’s Association (OKBA) represents 3,000 family-owned and -operated small convenience store businesses across Ontario who are being driven out of business by the McGuinty government; and

“Whereas the McGuinty government has hurt the OKBA members by hiking WSIB rates, hiking commercial hydro rates, and dumping the high costs of implementing Bill 164 on these small family-run businesses;

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

“Convenience stores are the last family-run businesses in every neighbourhood throughout Ontario and are in urgent need of both compensation and help from the government to allow replacement categories for tobacco products.”

I’m pleased to affix my signature, as I agree with them, and I will present it to page Meghan.

SPRING BEAR HUNT

Mrs. Carol Mitchell (Huron–Bruce): I have 228 signatures on the petition and I would just like to state that it is for the reinstatement of the spring bear hunt.

“Therefore, be it resolved that we petition the government of Ontario and the Ministry of Natural Resources:

“In the interests of public safety and scientific wildlife management, the government should immediately return a spring bear hunt to Ontario.”

I am affixing my signature to this petition.

CONVENIENCE STORES

Mrs. Elizabeth Witmer (Kitchener–Waterloo): On behalf of the Ontario Korean Businessmen’s Association:

“To the Legislative Assembly of Ontario:

“Whereas the Ontario Korean Businessmen’s Association (OKBA) represents 3,000 family-owned and -operated small convenience store businesses across Ontario who are being driven out of business by the McGuinty government; and

“Whereas the McGuinty government has hurt [these] members by hiking WSIB rates, hiking commercial

hydro rates, and dumping the high costs of implementing Bill 164 on these small family-run businesses;

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

“Convenience stores are the last family-run businesses in every neighbourhood throughout Ontario and are in urgent need of both compensation and help from the government to allow replacement categories for tobacco products.”

I here affix my signature.

COMMUNITY MEDIATION

Mr. Wayne Arthurs (Pickering–Ajax–Uxbridge): The petition is to the Ontario Legislative Assembly.

“Whereas many types of civil disputes may be resolved through community mediation delivered by trained mediators, who are volunteers who work with the parties in the dispute; and

“Whereas Inter-Cultural Neighbourhood Social Services established the Peel Community Mediation Service in 1999 with support from the government of Ontario through the Trillium Foundation, the Rotary Club of Mississauga West and the United Way of Peel, and has proven the viability and success of community mediation; and

“Whereas the city of Mississauga and the town of Caledon have endorsed the Peel Community Mediation Service, and law enforcement bodies refer many cases to the Peel Community Mediation Service as an alternative to a court dispute; and

“Whereas court facilities and court time are both scarce and expensive, the cost of community mediation is very small and the extra expense incurred for lack of community mediation in Peel region would be much greater than the small annual cost of funding community mediation;

“Be it therefore resolved that the government of Ontario, through the Ministry of the Attorney General, support and fund the ongoing service delivery of the Peel Community Mediation Service through Inter-Cultural Neighbourhood Social Services.”

I’ll affix my signature to it and send it off with page Raelene.

CONVENIENCE STORES

Mr. Tim Hudak (Erie–Lincoln): I’m pleased to present a petition on behalf of the Ontario Korean Businessmen’s Association and congratulate them for their very successful rally today. It reads as follows:

“To the Legislative Assembly of Ontario:

“Whereas the Ontario Korean Businessmen’s Association (OKBA) represents 3,000 family-owned and -operated small convenience store businesses across Ontario who are being driven out of business by the McGuinty government; and

“Whereas the McGuinty government has hurt OKBA members by hiking WSIB rates, hiking commercial

hydro rates, and dumping the high costs of implementing Bill 164 on these small family-run businesses;

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

“Convenience stores are the last family-run businesses in every neighbourhood throughout Ontario and are in urgent need of both compensation and help from the government to allow replacement categories for tobacco products.”

In support of the association, I affix my signature.

ORDERS OF THE DAY

PROVINCIAL PARKS AND CONSERVATION RESERVES ACT, 2006

LOI DE 2006 SUR LES PARCS PROVINCIAUX ET LES RÉSERVES DE CONSERVATION

Mr. Ramsay moved second reading of the following bill:

Bill 11, An Act to enact the Provincial Parks and Conservation Reserves Act, 2005, repeal the Provincial Parks Act and the Wilderness Areas Act and make complementary amendments to other Acts / Projet de loi 11, Loi édictant la Loi de 2005 sur les parcs provinciaux et les réserves de conservation, abrogeant la Loi sur les parcs provinciaux et la Loi sur la protection des régions sauvages et apportant des modifications complémentaires à d'autres lois.

The Acting Speaker (Mr. Ted Arnott): I'm pleased to recognize the Minister of Natural Resources for his leadoff speech.

Hon. David Ramsay (Minister of Natural Resources, minister responsible for aboriginal affairs): It's a pleasure to rise in my place today and address the House in regard to the second reading of Bill 11, the Provincial Parks and Conservation Reserves Act. This legislation, if passed, would ensure that our protected areas stay strong and healthy, to be enjoyed by Ontarians now and into the future. Bill 11 would make ecological integrity the first priority in the planning and management of parks and conservation reserves, and it would ensure that our provincial parks are permanently protected.

In September 2004, we launched a major review of the provincial parks legislation for the first time in 50 years. The last time the Provincial Parks Act was reviewed, there were only eight provincial parks. Times have certainly changed, and so has our park system, for today we have 319 provincial parks as well as 280 conservation reserves and 10 wilderness reserves or areas across the province. This adds up to an astounding park system that provides places for people to enjoy the outdoors. In fact, more than 10 million people make visits each year to the Ontario provincial park system.

As a society, we now appreciate how important protected areas are to the health, vitality and economic

prosperity of Ontario. We know much more about conservation science, including what we should be protecting and how we should be going about it. Given all that has changed, a thorough review of our protected areas legislation was long overdue.

To begin the review, we outlined eight legislative proposals and carried out far-reaching consultations on those proposals. The proposals addressed the following topics:

- the principles that should guide the management of protected areas;
- the goals and objectives to be included in the legislation;
- the classification and zoning of parks;
- the assessment of wilderness areas;
- making management direction for all parks mandatory and requiring regular reports on the state of protected areas;
- prohibitions on major industrial uses in parks;
- continuing to address non-industrial uses in parks policy; and finally
- administration and enforcement in the parks themselves.

We asked for public input on these proposals, both through the Ontario Parks website and through nine open houses right across the province. Many people responded, including more than 1,500 who completed an online survey. We received more than 140 written submissions from aboriginal organizations, provincial stakeholders and other interested groups and individuals, as well as more than 1,100 letters and faxes.

I also wanted to hear from people who were knowledgeable about our system of parks and protected areas. I'm very pleased that the board of directors of Ontario Parks examined the legislative proposals, met with stakeholders, reviewed all the comments we received and provided me with very thoughtful advice. I want to thank all those who shared their ideas and recommendations with us.

The honourable members may be interested to know that 75% of the comments we received supported our proposals. In fact, I'd like to read to the honourable members from the comments on Bill 11 submitted by the Wildlands League, a division of the Canadian Parks and Wilderness Society. They said:

“We applaud the government of Ontario's efforts to set out on a new path toward meaningful, long-term ecological stewardship of parks and conservation reserves in Bill 11. With its strong commitment to put nature first in parks and conservation reserve management, the proposed Provincial Parks and Conservation Reserves Act takes Ontario from the back to the front of the pack in terms of protecting parks, wildlife and wilderness—natural assets that for far too long have had only paper-thin protection in the province.”

1530

The new Provincial Parks and Conservation Reserves Act that I am introducing for second reading today responds to the need for updated legislation. If passed, it would help guide the course of our protected areas

through the 21st century. Bill 11 advances the protection of Ontario's parks in a number of important ways.

First, the new act would make ecological integrity a first priority when planning and managing parks and conservation reserves. This means we would ensure all the many elements that make up healthy ecosystems in parks are maintained intact for future generations. Ontarians are celebrating the introduction of groundbreaking new legislation that will help protect over 600 provincial parks and conservation reserves in the province. On October 25, 2005, the new Parks and Conservation Reserves Act received its first reading in the Ontario Legislature, laying the groundwork for a brighter future for natural spaces across the province. Protecting these special places by strengthening the ecological integrity is a key objective of the proposed act and supports the goals and objectives of Ontario's biodiversity strategy. It also complements our natural spaces program, the Greenbelt Act and the government's focus on a healthier environment for the people of Ontario.

Second, Bill 11 would for the very first time consolidate in one act the legislative direction for the provincial parks and conservation reserves, and we will be conducting a review of whether the legislative direction for wilderness areas would also be included. Right now, the provincial parks are governed by the Provincial Parks Act. The conservation reserves come under a regulation of the Public Lands Act, and wilderness areas come under the Wilderness Areas Act of 1959. The existing legislation is out of date and does not provide the level of protection that Ontarians expect for these treasured natural spaces. Putting most or all of the legislation in one act would enhance transparency and ensure that these areas receive a consistently high level of protection. While conservation reserves and provincial parks would be governed by one act, the key differences between these types of protected areas would be maintained.

Third, the proposed act would recognize important objectives for provincial parks and conservation reserves. Provincial parks and conservation reserves would be dedicated to the people of Ontario for their inspiration, education, health, recreational enjoyment and benefit. At the same time, the intention would be that the ecological integrity of parks and conservation reserves would be maintained and left unimpaired for future generations.

The objectives of the provincial parks would be to protect natural heritage, to facilitate scientific research, to provide places for compatible outdoor recreation and the benefits associated with recreation, and to provide opportunities for natural heritage education.

The objectives for conservation reserves would be to protect our natural heritage, to facilitate scientific research, and to allow ecologically sustainable land uses, including recreation and the benefits associated with those land uses.

The proposed act would recognize that a wider array of traditional land use activities may occur in conservation reserves. For example, sport hunting would continue in conservation reserves unless regulations were

put in place to restrict it. Including these varied objectives in the act would make two points very clear: first, that maintaining ecological integrity is the priority of maintaining protected areas, and second, that protected areas serve other purposes as well. They play an important role as benchmarks for scientific research, especially as we experience the effects of climate change on ecosystems and species. They are great places to educate people of all ages about nature, and many protected areas, especially provincial parks, are used extensively for outdoor recreation.

As I said earlier, Ontario's provincial parks host more than 10 million visitors annually. Parks also contribute more than \$380 million to the Ontario economy. The proposed act would recognize the importance of recreation for the health and enjoyment of all Ontarians, and would recognize the economic benefits that nature-based recreation and tourism provide for communities right across this province.

Another important advance in Bill 11 is that we are proposing greater accountability and transparency under this new legislation. The new act would require the minister to report to the public every five years about the health of our protected areas system. People would be able to learn how good a job we are doing in maintaining ecological integrity, ecological representation, economic benefits and a range of other indicators of the health of our parks.

I also want to recognize that Bill 11 includes important new requirements about planning for protected areas. Currently, parks planning is directed by policies and not by legislation. Under the proposed act, the province would have to prepare formal management directives for provincial parks and conservation reserves. The planning process would have to include consultation, and there would be an annual review to decide whether a park's management direction should be reconsidered when it is 10 or more years old.

The sixth point I would like to make about Bill 11 is that provincial park and conservation reserve boundaries would be established by cabinet regulation under the proposed act. This would continue the current practice. Ontarians want to be sure that protected areas continue to be protected for future generations. We are therefore proposing that the Legislature would have to approve any significant deletion for a provincial park or conservation reserve. A significant deletion would mean more than 2% or 100 hectares, whichever is less, or the elimination of an entire area.

To provide administrative flexibility, some exceptions would not need the approval of the Legislature. Cabinet could delete up to 2% or 100 hectares, whichever is less, from a park or a conservation reserve. Cabinet could also proceed without the Legislature's approval if all or part of a protected area were to be deregulated to fulfill a treaty settlement, become part of a national park or for a land exchange that would enhance protection.

Another critical feature of the new act is that our provincial parks and conservation reserves should be avail-

able for the benefit of the public and not reserved for private use. The new act would prohibit the granting of new leases and land use permits for solely private use. However, the act does allow for some flexibility. It would provide for those who currently hold leases or land use permits to have them continued. New commercial uses could be considered, since they may be necessary to support the nature-based tourism industry. Of course, privately owned land next to protected areas will not be subject to the proposed act.

The legislation would also prohibit industrial uses, such as mining, logging, aggregate extraction and electric power generation, in our parks and protected areas, with some carefully planned exceptions such as in Algonquin Provincial Park: Logging could continue on Algonquin Park's recreational utility zone.

I want to emphasize that industrial activities have been banned by our parks policy for many years. We want to ensure that industrial activities continue to be clearly off-limits in provincial parks and conservation reserves throughout the 21st century, a prohibition that is consistent with accepted international standards for protected areas. In the case of Algonquin Park, the wood supply from Algonquin plays a critical role in supporting the region's economy. The logging that does take place is carefully managed by the Algonquin Forest Authority, in accordance with the Algonquin Park management plan and a forest management plan approved under the Crown Forest Sustainability Act.

In addition, I am committed to ensuring that the ecological footprint of such logging is as small as possible. I have asked the board of directors of Ontario Parks to advise me if and how the ecological footprint of logging in Algonquin Park can be reduced.

This proposed act would also include provisions to require that a minimal amount of aggregate is used for logging roads.

The new act would grandparent existing operations in protected areas, including three hydroelectric facilities and some licensed aggregate pits.

1540

I also want to ensure that protected areas do not unduly restrict resource development in surrounding areas. That's why the new act would allow some timber or mining access roads through protected areas to be considered, subject to certain conditions.

I consider it important to allow remote communities the possibility of ending their reliance on diesel generators, where there is a potential for hydroelectric development. The act therefore would include a provision that permits the Lieutenant Governor in Council to allow hydro development that will serve communities not currently connected to the provincial grid for electric power distribution.

Finally, Bill 11 would provide enhanced tools for the administration and enforcement. My aim here is to ensure that our provincial parks and conservation reserves can be adequately protected. To accomplish this, the act would provide a range of powers for the Lieutenant

Governor in Council to make regulations that would protect plants, animals and property, and for the purposes of public safety. The minister would be able to make regulations for the sound administration of these areas.

As part of the government's plan to strengthen parks legislation, we also propose to implement a recommendation from the Ontario Parks board of directors. The board had recommended that we assess Ontario's 10 wilderness areas, and through the assessment, we will determine if these areas, which cover about 900 hectares, should become provincial parks or conservation reserves, or be returned to crown land status. Once the process is complete, we intend to repeal the Wilderness Areas Act. Of course, we will consult before making any final decisions about how the 10 wilderness areas are dealt with.

As well as developing a new parks act, the government is seeking non-legislative ways to support our plan to protect Ontario's provincial parks and conservation reserves. We therefore intend to develop for consideration by cabinet a non-legislative policy aimed at ensuring activities on crown land next to protected areas do not affect the ecological integrity of those areas. The policy would continue to support and promote sustainable resource and community development, and would be subject to consultation.

I want to conclude by saying that the public supports Bill 11, the Provincial Parks and Conservation Reserves Act. In fact, when we introduced Bill 11, Ontario Nature said, "Ontarians are celebrating the introduction of groundbreaking new legislation" that is "laying the groundwork for a brighter future for natural spaces across the province."

Ontarians recognize that this act, if passed, would strengthen the permanent protection and ecological integrity of Ontario's provincial park and conservation reserves. Bill 11 is part of our commitment to build a stronger and healthier and more vital Ontario for today and for the future.

As I take my seat now in the House, I would like to say that I am going to be sharing my time with my parliamentary assistant, the member from Sault Ste. Marie.

Mr. David Oraziotti (Sault Ste. Marie): It's my pleasure this afternoon to follow some of the comments made by the Minister of Natural Resources with respect to the Provincial Parks and Conservation Reserves Act. I'm pleased to rise in the House today to support the Minister of Natural Resources on second reading of Bill 11.

In the speech from the throne last October, our government committed to introducing legislation that would ensure our precious provincial parks are protected forever. We introduced this legislation later in the same month. This legislation, if passed, would strengthen the permanent protection and preservation of Ontario's provincial parks and conservation reserves. It would make ecologically sensitive areas protected under the act, and it would make ecological integrity the first priority in

parks planning and management. This bill is just one of the steps this government has taken to conserve Ontario parks, green space and environmental lands, as well as agricultural lands and recreation and resource lands, to ensure our communities are strong and healthy for generations to come.

As this House knows, we've passed the Greenbelt Act. We have strengthened the provincial policy statement by setting clearer ground rules for how Ontario communities will grow and prosper, and we have developed the greater Golden Horseshoe growth plan and the proposed central Pickering development plan. We have also passed the Duffins Rouge Agricultural Preserve Act—all working to strengthen important resources in our province. We have put in place Ontario's biodiversity strategy. We have also established the natural spaces program and, in partnership with Nature Conservancy Canada, we have launched the Great Lakes conservation blueprint for biodiversity. All of these initiatives are vital steps towards a healthy environment and a great quality of life that will ensure that Ontario is the place to be now and in the future.

Ontario's biodiversity strategy, for example, is intended to conserve our natural heritage and ensure our province's natural resources are used in a sustainable fashion for the benefit of all Ontarians. The term "biodiversity" refers to every living thing and all the processes through which living things interact. Human beings depend on biodiversity for survival. Natural processes clean the air we breathe, purify the water we drink and stabilize our climate. The diversity of natural life also provides enormous economic community benefits. Where would we be without forestry, farming, fishing and outdoor recreation?

We face a Catch-22: The human activity that depends on biodiversity also threatens our very biodiversity. Our rapidly growing population in Ontario and around the globe is contributing to the equally rapid decline of biodiversity in our natural world. We are losing the habitat of animals, birds and fish and they are certainly at risk. Alarm bells are going off all over the world. That is why it is important to conserve and restore biodiversity in Ontario.

Ontario's biodiversity strategy will help guide and coordinate the efforts of Ontarians who care about conserving our natural heritage and help ensure that the province's natural resources are used sustainably for our benefit. It's not just an Ontario government strategy. Developing the strategy was a group effort, and implementing it will also be a group effort. The strategy sets out six strategic directions and 37 actions that will help us work together to achieve the results that Ontarians want. Some of the priorities are: making Ontarians aware of the importance of biodiversity, implementing the greenbelt in the Golden Horseshoe, and encouraging private land stewardship. In fact, enacting updated legislation for provincial parks and protected areas is a recommended action in Ontario's biodiversity strategy.

Many people and organizations are already working to protect biodiversity in this province. The Ontario Bio-

diversity Council is leading and coordinating implementation of the strategy. The council is made up of representatives of the partner organizations that work together to develop the strategy. We will achieve our goals to conserve biodiversity if all citizens and all sectors in society engage in protecting what sustains us. Strengthening ecological integrity is part of Bill 11, and it is in keeping with the goals and objectives of Ontario's new biodiversity strategy. Ontario's biodiversity strategy is a fresh starting point to launch us on working together to protect our natural heritage for ourselves today and for the generations that will follow us tomorrow.

The natural spaces program: Similarly, Ontario's natural spaces program is intended to help conserve and protect Ontario's rich natural heritage. Our wetlands, woodlands, savannahs, tall grass prairies, Carolinian old-growth forests and the like are all important to this program. The program fulfills one of the key commitments in Ontario's biodiversity strategy. We have an obligation to those who will follow us to protect and preserve our natural heritage. The natural spaces program is designed to help preserve and protect natural spaces across southern Ontario by engaging property owners in taking care of the land and conserving our natural areas. With most of southern Ontario's land privately owned and much of the province's most important habitat in southern Ontario threatened, we can't conserve our natural heritage without the help of these landowners. The program includes a \$2-million grant to the Trees Ontario Foundation to support increased reforestation, as well as tax incentive programs for owners of managed forests and conservation lands. It also includes a \$6-million grant to the Ontario Heritage Trust for acquiring and securing significant natural heritage properties.

Through the program, we are increasing our partnerships with key environmental organizations. An alliance of organizations is working with MNR to help us develop the tools, incentives and on-the-ground activities that will help make this program a success. The natural spaces program will complement our new parks and protected areas legislation by helping us sustain a system of natural heritage across southern Ontario.

1550

When it comes to our blueprint for biodiversity, this is another important step by our government that was launched last year in the name of the Great Lakes Conservation Blueprint for Biodiversity. For the last four years, the Ministry of Natural Resources and the Nature Conservancy of Canada have collaborated on this project through a highly successful partnership. The two organizations have shared their knowledge and skills to complete this important project. The scientists who worked on the conservation blueprint have used the best science currently available to assemble and map other important data on ecosystems and special biodiversity features across the Great Lakes region of Ontario.

This is the first time such an analysis has been done in Ontario. As a result, we now have a better understanding of our rich, natural diversity of plants, animals and eco-

systems, on the land and in the water. The blueprint identifies a portfolio of high-quality natural areas that, if conserved, could sustain essential elements of our biodiversity, including species at risk. In other words, this is a tool, a valuable source of information that will help us work together to focus on our conservation efforts.

Governments and organizations can use it to plan where and how to further protect Ontario's rich variety of plants, animals and ecosystems while supporting the Great Lakes region's sustainable development plan. This is important because, as we know, biodiversity sustains life on our planet and has a direct impact on the health of all Ontarians.

The Ontario government, the Nature Conservancy of Canada, other organizations, other levels of government and many citizens in this province understand the risks of losing habitat that animals, birds, fish and all of us need to survive.

Many areas that harbour significant natural features and species, including our provincial parks and conservation reserves, have already been designated as protected areas. These lands are included in the blueprint to help us build on our conservation achievements on crown land and private land in Ontario. Through Bill 11, we will strengthen the conservation of our parks and protected areas into the future and significantly advance our efforts to conserve Ontario's biodiversity.

This government has also passed the Duffins Rouge Agricultural Preserve Act, 2005. The act reinforced the conditions of the 1999 agreement signed by the province and the region of Durham, as well as the city of Pickering. The legislation ensures that all existing conservation easements on the Duffins Rouge Agricultural Preserve are held in perpetuity. It also reinstates easements previously held and released by the city of Pickering. Proposed amendments to the Conservation Land Act confirm that conservation easements can be used to protect, conserve and preserve agricultural lands and clarify the role of the Minister of Natural Resources in enabling, amending or releasing easements enabled under the Conservation Land Act.

This government also introduced Bill 51, which would amend the Conservation Land Act to strengthen the status of conservation easements and permit conservation easements that include criteria such as water quality and quantity watershed protection and management issues.

Bill 16 and Bill 51 are two more of the steps this government has taken to conserve green space, agricultural lands, environmental lands and recreation and resource lands throughout the province of Ontario.

In conclusion, all of the initiatives I've discussed today will help us leave our children a legacy of green spaces and a healthy natural environment. The legislation is now before you in second reading. The Provincial Parks and Conservation Reserves Act is another vital step toward ensuring our communities are strong and healthy for generations to come.

The Acting Speaker: Questions and comments?

Mr. Toby Barrett (Haldimand–Norfolk–Brant): I have a few comments on Bill 11. I wanted to address the issue of what's referred to as park creep. We know that this government will begin the development of non-legislative policy as well to address activities on crown land adjacent to provincial parks and conservation areas which may well negatively impact the ecological integrity of that area. So it implies bringing in buffers. We wouldn't know how large these buffers would be. Again, given the lack of consultation we've seen on this legislation to date, the concern is what kind of consultation we would see if there is to be an expansion or a creeping in area of certain provincial parks. We're concerned about park creep, and we're concerned that the legislation is very vague on that particular issue.

The Ontario Mining Association is concerned about this, as is the forestry industry, because obviously this would impact the kind of work they would be doing out in the bush. The mining association makes mention of buffers. They indicate that a buffer of 100 metres or 10,000 metres would seriously jeopardize their activities adjacent to any provincial parks or conservation reserves.

As I mentioned, lack of consultation is a concern. I'll put this piece of legislation up against the process that was followed with the development of Lands for Life, which resulted in Ontario's Living Legacy. That process, that consultation right across Ontario—and primarily northern Ontario—involved 65,000 respondents. That's the challenge I put to this government: Try and match that one.

Mr. Peter Tabuns (Toronto–Danforth): Mr. Speaker, the main comments will be made by our critic, who will be here shortly.

I wanted to speak to one particular element in this bill, and that's the change in the definition of a "wilderness class park." As people are well aware, we have parks in this province that are wild, that have nature in a form that's attractive to people who live throughout the province and across the continent. There is a proposal in this bill to amend the definition of "wilderness park" so that the prohibition and the current definition against mechanized travel will be changed to where "visitors travel primarily by non-motorized means." I think this amendment on the part of the government is a mistake and should be amended so that the prohibition against motorized transport in wilderness class parks is maintained. There is no question that being in one of our wilderness parks and having to listen to ATVs, listen to Sea-Doos, listen to any form of motorized transport, when what people want to experience is wild nature, is a setback for the province, is a setback for wilderness, is a setback for our tourism industry.

I hope that the government will reconsider its approach in this matter, will look at the legislation, look at the quality of the experience that people currently enjoy in our wilderness areas and abandon this revision. Certainly, if a change has to be made for emergency access by motorized vehicles, I don't think there's any question in this Legislature. But if in fact you're going to

weaken the protection of wilderness class parks, then that weakening has to be abandoned by the government.

Mr. Kevin Daniel Flynn (Oakville): It certainly is a pleasure today to join the debate on Bill 11. Sometimes it makes you think that you take things for granted. Here in Ontario, I think we do take things for granted. Really, one of the things that I think we've been blessed with in this province is a provincial park system that is second to none. Sometimes you have to go outside the country to have that point driven home. I spent some time in England recently. I was born in England, so I know Britain quite well. When I was talking to the British people over there about what they thought of Canada, what came to mind was parks like Algonquin Park. What came to mind was a wilderness that we've developed a reputation for internationally.

Green space in Oakville, for example, is something that I think is a top-of-mind issue. I would probably hazard a guess that right behind health care, green space preservation, preservation of open spaces, preservation of the integrity of environmental areas is something that people in both urban and rural areas really want to see in Ontario.

1600

This is the first attempt in 50 years to do a review and strengthening of the act. I think that's something this government should be proud of. Fifty years ago, when people had the wisdom to implement the system, there were only eight provincial parks in the entire province. Today we're looking at 319 provincial parks, to be exact, 280 conservation reserves and 10 wilderness areas. With the passage of this act, should that happen, ecological integrity becomes the first priority in the management of these areas. It's something that I think really recognizes that these protected areas serve as benchmarks, educate people about nature and have great economic benefits: something to be proud of.

Mr. John Yakabuski (Renfrew–Nipissing–Pembroke): I listened intently to the minister and his parliamentary assistant, I believe, the member for Sault Ste. Marie, speaking on Bill 11.

I do commend the government. Sometimes we're here being critical of the government, but I do commend the government for taking on the task of looking at this act and realizing that it does require some updating, I'm sure.

I want to commend the previous government for creating more provincial parks in its tenure than at any time in the history of this province.

Mr. Barrett: That was Mike Harris.

Mr. Yakabuski: The Mike Harris government, yes.

I do want to say that I am pleased that this bill protects the practice of harvesting timber in Algonquin Park. That is something, I must say, that historically has had a positive economic effect on people in my riding. There are people out there who think that logging operations shouldn't be conducted in Algonquin Park. I really would encourage those people to get out to Algonquin Park and see the work that is being done; in fact, how it enhances the ecosystem of Algonquin Park by harvesting timber in

a very methodical and controlled way. The Algonquin Forestry Authority, with whom I have had the opportunity of touring operations in the park, does a tremendous job.

Logging in the park is something that my father fought for when he was a member here, to ensure that that practice would continue, because it is no threat. It is in fact a tremendous benefit to the park and a tremendous benefit to the people in my riding—thousands of them—who make their living from that very resource.

Mr. Joseph N. Tascona (Barrie–Simcoe–Bradford): Where is that riding?

Mr. Yakabuski: Renfrew–Nipissing–Pembroke.

The Acting Speaker: That concludes the time available for comments and questions.

I'll return to the member from Sault Ste. Marie. You have two minutes to reply.

Mr. Oraziotti: On behalf of the minister, I thank all the members in the House who have spoken on Bill 11 and provided comments today: the member from Haldimand–Norfolk–Brant, the member from Toronto–Danforth, the member from Oakville and the member from Renfrew–Nipissing–Pembroke.

This is not a flashy bill and not a bill that is of incredible significance to the province of Ontario, but it is a necessary and important bill to our province because we are updating the Conservation Land Act for the first time in many decades. It is incredibly important for the basic protection of biodiversity within our parks in Ontario, and we're taking significant steps with our government's policies to improve the protection and conservation of land in Ontario.

I think back, within the last year or two, to the green-belt legislation that was passed. This was incredibly historic in the province, preserving thousands of acres of land in Ontario for generations to come. I don't think future generations are going to look back at our government and say, "That government protected too much land. That government kept too much land preserved for Ontarians." That's something we're proud of as a government. It's something we take great pride in, and something that future generations will definitely appreciate.

We're also allocating resources to organizations like the Trees Ontario Foundation to ensure that some of these organizations have the resources necessary to support our policies and our legislation. So I encourage members to support the Provincial Parks and Conservation Reserves Act when it's time to vote on it.

The Acting Speaker: Further debate?

Mr. Norm Miller (Parry Sound–Muskoka): It's my pleasure to join in the debate this afternoon on second reading of Bill 11, An Act to enact the Provincial Parks and Conservation Reserves Act, repeal the Provincial Parks Act and the Wilderness Areas Act, and make complementary amendments to other acts.

Before I get into my analysis of the bill, I would like to say that parks legislation does require balance. There are competing interests out there. I had the pleasure of meeting first thing this morning with Evan Ferrari of the

Wildlands League. He was here in the visitors' gallery following proceedings this afternoon, and certainly the Wildlands League has a number of proposals that they would like to see taken into consideration in this bill that, I would say it's safe to say, strengthen the bill from their perspective. In the time I have available, hopefully I'll get to bring up specifically some of their concerns and some of the ways they'd like to see the bill strengthened.

Shortly after that meeting this morning, I had a half-hour phone call with municipal representatives from the New Liskeard area who, I think it's safe to say, have a different perspective. They're concerned with how parks rules and regulations, the way they are being enacted, are affecting their ability to have control over their own area and to derive economic activity and benefit from the resources that are in their area. So it's very much a different perspective. In particular, one of the issues they were bringing up was access to parks for some of the long-time historical uses and the way it would be affected by some legislation that's being discussed.

I've also met with the Ontario Federation of Anglers and Hunters. They have many concerns, particularly to do with access to areas. They've been assured that the status quo in terms of access, in particular with conservation reserves, would be maintained, and that is a particular concern of theirs. I know they've been having a lot of correspondence with the minister's office and giving a lot of input. I will read into the record some of their specific concerns if I have enough time in my hour-long leadoff.

Then there are also other user groups like people who have cottages in existing parks, whether it be a park like Algonquin Provincial Park or Rondeau Provincial Park, where there are existing land use permits or leases for individuals who have cottages in a park. I'm sure if you were one of those individuals, you would be very concerned about maintaining that access into the future.

Representing the area of Parry Sound–Muskoka, I have to say that a concern for our area and a lot of the people who live in the area that's affected by this bill is the forestry operations that occur within Algonquin Provincial Park. I know that this bill protects, that those forestry operations will continue into the future. I would say that from the perspective of particularly the Huntsville area, where there's a lot of economic activity that derives from those operations, that's something they want to see continue. I know the member from Renfrew–Nipissing–Pembroke probably feels the same. There's a lot of benefit in terms of economic activity.

I would say that I did spend a day this winter with the Algonquin forest Authority out in the park, looking at their operations, and I can say they do an awful lot of planning and take a great deal of care in the operations that they carry out.

I've also heard from the Ontario Mining Association, and I think one of their concerns with this bill is the buffer zones around parks and protected areas and definitions to do with those buffer zones, how big they might be and whether park creep might occur, which would

limit the ability of the Ontario Mining Association to find new mines and carry out new work. I've also heard from First Nations with concerns specifically to do with this legislation and about how much they've been consulted, or rather the lack of consultation that has occurred so far with this specific legislation.

1610

First of all, I'd like to go over some of the key facts in the proposed legislation: "The bill enacts the Provincial Parks and Conservation Reserves Act, 2005, repeals the Algonquin Provincial Park Extension Act, 1960-61, the Provincial Parks Act and the Wilderness Areas Act and makes consequential amendments to other statutes...."

"The Lieutenant Governor in Council may classify provincial parks in one of the following classes: wilderness class parks, nature reserve class parks, cultural heritage class parks, natural environment class parks, waterway class parks and recreational class parks...."

"The Lieutenant Governor in Council may by order set apart as a provincial park or a conservation reserve any area in Ontario, may decrease or increase the area of any provincial park or conservation reserve and may prescribe the boundaries of any provincial park or conservation reserve...."

"If the Lieutenant Governor in Council proposes to dispose of an area of a provincial park or conservation reserve that is 100 hectares or more or 2% or more of the total area of the provincial park or conservation reserve, the minister shall first report on" that "disposition to the assembly"—to this assembly—"table the proposed new boundaries with the assembly and the disposition shall not be proceeded with unless the assembly endorses the new boundaries...." So you can't dispose of an existing park without it coming before this assembly.

"The ministry is required to prepare a management direction that applies to each provincial park and conservation reserve.... Each management direction shall be approved by the minister and may include a management plan or a management statement.... The minister is required to report publicly"—at least once every five years—"on the state of the provincial park and conservation reserve system." The report shall be posted in the registry established under the Environmental Bill of Rights.

On that point, I would wonder if this is perhaps just process and jobs for bureaucrats in the Ministry of Natural Resources. I wonder how many trees will end up being cut down to produce these reports every five years.

"The minister is responsible for the control and management of provincial parks and conservation reserves and shall designate a superintendent to have charge of each provincial park and a district manager or conservation reserve manager to have charge of each conservation reserve...."

"The minister may lease land in a provincial park or conservation reserve or issue a land use permit or licence of occupation in respect of land in a provincial park or conservation reserve for private non-commercial purposes if the granting of the lease or the issuing of the land

use permit or licence of occupation ... is consistent with this act and the regulations; and ... extends the term of occupation of an existing lease holder or holder of a land use permit or licence of occupation....

"Hunting is not permitted in provincial parks unless it is allowed by regulation made under the Fish and Wildlife Conservation Act, 1997.... Hunting is permitted in conservation reserves unless it is prohibited by regulation made under the Fish and Wildlife Conservation Act, 1997." So that's an important differentiation between a park and a conservation reserve.

"The following activities shall not be carried out on lands that are part of a provincial park or conservation reserve: ... Commercial timber harvest ... Generation of electricity ... Prospecting, staking mining claims, developing mineral interests or working mines ... Extracting aggregate, topsoil or peat ... Other industrial uses."

An exception, as I've already pointed out, has been made in regard to commercial timber harvesting in Algonquin Provincial Park, as per the Algonquin Forestry Authority Act, the Algonquin Provincial Park management plan and the Crown Forest Sustainability Act, 1994.

An exception has been made in regard to oil and gas wells and aggregate pits: "Oil and gas wells located in a provincial park or conservation reserve on the day this section is proclaimed in force may continue to operate;

"(b) oil and gas wells that are located in an area before the area becomes a provincial park or conservation reserve or a part of one may continue to operate; and

"(c) aggregate pits located in provincial parks and conservation reserves that are authorized under the Aggregate Resources Act to operate on the day this section is proclaimed in force may continue in accordance with existing licences, permits or other authorizations."

An exception has been made toward aggregate pits in Algonquin Park.

That is a short description of what the bill does, and I would like now to briefly outline the history of provincial parks and conservation reserves in the province and talk a bit about the importance of parks.

Provincial parks support significant natural, cultural and recreational environments while providing opportunities to enjoy nature. They protect provincially significant elements of natural and cultural landscape and provide outdoor recreation opportunities, while fostering an appreciation of the natural environment. They provide both Ontarians and visitors to our province with an opportunity to witness the diversity and distinctiveness of our landscape.

The history of provincial parks in Ontario stretches over 100 years. Our party, the PC Party, played an instrumental part in that history. In 1913, the Provincial Parks Act set aside land that was not suitable for agricultural settlement. In 1954, Ontario had eight provincial parks: Algonquin, Quetico, Long Point, Rondeau, Presqu'île, Ipperwash, Lake Superior and Sibley, now known as Sleeping Giant. In that same year, the parks division was created within the Department of Lands and Forests. Our

PC Party began a new and aggressive program to create more parks primarily on the Great Lakes and northern tourism highways. By 1960, there were some 72 provincial parks in Ontario hosting over five million visitors annually. It's important to note the economic benefits of provincial parks.

In 1967, the Conservative government introduced a new policy that divided parks into specific categories with compatible uses.

In 1970, we created Polar Bear Provincial Park, the largest provincial park: some 24,000 square kilometres.

In 1978, cabinet improved Ontario provincial parks planning and management policies, giving Ontario one of the world's leading parks planning systems. That is about the time that my father was the Minister of Natural Resources, so I suspect he had something to do with that.

In 1983, the new land use planning system led to the announcement of 155 new parks to be designated. By 1985, the number of parks had grown to 220, encompassing over 5.5 million hectares of land.

In 1996, a new entrepreneurial model allowed revenue generated by parks to be reinvested into the parks system and Ontario Parks was born with a new visual identity. Ontario Parks partnered with the Nature Conservancy of Canada to create Ontario Parks Legacy 2000, a program to protect an additional 11,000 hectares of natural areas.

In 1999, Mike Harris announced Ontario's Living Legacy. The land use strategy identified some 378 new protected areas, including 61 new parks and 45 park additions. That was an area the size of Lake Ontario. It's the largest expansion of provincial parks in the province's history, under Mike Harris.

I'll just divert for a second. I note in today's Globe and Mail that a former Progressive Conservative Prime Minister of Canada, Mr. Mulroney, just received an award for being the greenest prime minister in Canada's history. I'll quote from the article in today's Globe, "Mulroney: Blue Tory, Green Leader," by Jane Taber, senior political writer in Ottawa.

"On Thursday, Brian Mulroney comes to Ottawa to be feted as the 'greenest prime minister' in Canadian history." I'm just quoting a couple of little bits from the article. "Mr. Mulroney will deliver a speech in which he will not only look back on his government's green legacy"—

Interjection.

Mr. Miller: You don't have to agree with this, government House leader.

"Mr. Mulroney will deliver a speech in which he will not only look back on the government's green legacy, but look ahead."

1620

"Mulroney Called Deserving Honouree

"He will speak about the serious problem of the shrinking polar ice cap, and the growth in China and India and the role Canada can play in ensuring those countries maintain good environmental practices....

"The event is being organized by the principals of a small independent environmental magazine, Corporate

Knights, which began four years ago with \$1,500 and a big idea that big business can be part of the environmental solution.”

Further down, it goes on, “I guess [Tory] blue can be green,” Mr. Heaps said.

“Two years ago, Mr. Heaps, who had been in the United States working on Ralph Nader’s presidential campaign ... returned to Canada and came up with the idea of polling environmentalists as to who was the greenest prime minister in Canadian history.

“He asked 12 prominent green Canadians—people such as the Sierra Club’s Elizabeth May, Environmental Defence’s Rick Smith and even former Liberal environment minister Sheila Copps—to act as jurors who would cast ballots, explain their choices and make recommendations about environmental policy to the current government.

“Mr. Mulroney won, receiving five votes against three for former Liberal Prime Minister Pierre Trudeau.”

I’ll go on: “Meanwhile, this is to be a big event for Canada’s environmental crowd, who say Mr. Mulroney is a very deserving honouree.

“Mulroney being the greenest PM in Canadian history is actually a widely held view in the environmental community,” said Mr. Smith, noting that among many positive steps Mr. Mulroney took for the environment was to go to bat ‘big time’ for the acid rain agreement with the United States.”

Hon. James J. Bradley (Minister of Tourism, minister responsible for seniors, Government House Leader): We had to drag them into it.

The Acting Speaker: I would ask the House to come to order.

I return to the honourable member for Parry Sound–Muskoka.

Mr. Miller: Thank you, Mr. Speaker. I don’t know why the government House leader is getting so worked up about this. I would like to go on; I’m just about finished this article. He’ll be able to calm down after this.

“She said that former Liberal Prime Minister Jean Chrétien made many environmental promises, but did not fulfill them. Mr. Mulroney, on the other hand, launched initiatives on acid rain, climate change and the ozone layer. Like Mr. Smith, she said that Mr. Mulroney made acid rain a bilateral priority with the United States.”

Hon. Mr. Bradley: Who said that?

Mr. Miller: Through you to the government House leader, Mr. Speaker, it was Mrs. May who said that.

I have to give a little bit of Parry Sound–Muskoka history that relates to this. Of course, the federal member at the time the acid rain agreement was reached was Mr. Stan Darling. I think he started as the member when he was roughly 65 years old and served with all kinds of energy for many years. I think the thing he was most proud of in his federal career—Stan just passed away fairly recently—was the success he had with the acid rain agreement.

Hon. Mr. Bradley: Stan Darling was a good man.

Mr. Miller: I’m glad the government House leader and I agree on something. Stan Darling was a great guy; I

completely agree. He certainly is missed around Parry Sound–Muskoka.

Getting back to the short history I was giving, I would like to note that if there was a provincial award, Mike Harris, having brought in the largest expansion of provincial parks in Ontario’s history, would probably win that award. As Conservatives, we don’t often get recognized for green initiatives, so I just want to highlight that and talk a bit about some of Mike Harris’s initiatives.

He brought in Ontario’s Living Legacy, which was the single most significant addition to the Ontario parks system. It’s “the biggest increase in parks and protected areas in Ontario’s history.... The Harris government created a greater number of parks and protected areas than all previous Ontario governments. It protected 12% of the land mass, as recommended by the Brundtland commission, the standard set by the United Nations.” To give some perspective of the size of the increase, it’s an area that would cover all of southern Ontario south of Algonquin Park or nearly three quarters the size of England. That’s how big an expansion of parks and protected areas was brought in by Mike Harris. He also put \$100 million to expand Ontario’s Living Legacy into a province-wide initiative to enhance protection, conservation and recovery efforts for species at risk in Ontario. He funded more youth programs and resource stewardship jobs for young people. He took measures to protect and enhance fish and wildlife and their habitats, acquired more natural areas in southern Ontario, regulated new parks and protected areas in Ontario and created signature sites that would become an important tool for increasing tourism from around the world.

Also, the Ontario Forest Accord was negotiated: an historic partnership to ensure both new protected areas and measures to strengthen the economy of northern and central Ontario. The Ontario Forest Accord laid out conditions under which new parks and conservation reserves would be set aside. It also established a process for creating additional protected areas which have been mutually agreed to by the forest industry and the environmental community. So Mr. Harris was working with both the forestry industry and the environmental community to try to better protect Ontario’s natural assets.

The Ontario Forest Accord Advisory Board provided advice to the Minister of National Resources, supported implementation of the accord, monitored the creation of parks and reserves, and helped resolve disputes. We also committed to helping local communities increase access to hunting and fishing, and it included measures to maintain wood flows and costs of wood for mills and measures to increase wood supply in the future.

Many new parks were created with this process. If I have time toward the end of my hour, I will point out some of them in the Parry Sound–Muskoka area, because so many were in Parry Sound–Muskoka. As well, 19 conservation reserves, including many in the riding of Parry Sound–Muskoka, were created through this process, and I’ll point out a couple of them.

The Bear Creek Conservation Reserve, which is a 212-hectare site in the town of Kearney: Part of it lies

within a winter deer yard and includes a yellow birch forest growing on sands and gravel deposited by glaciers around the creek.

The Bear Lake Peatland Conservation Reserve is a 3,845-hectare site featuring extensive peatland and bog and excellent moose habitat near the hamlet of Bear Lake, also within the Parry Sound district.

The Big Deer Lake Conservation Reserve is a 176-hectare site, 15 kilometres from Magnetawan, also in Parry Sound–Muskoka.

The Big East River Provincial Park is a 1,050-hectare waterway park that follows the Big East River to the Arrowhead Provincial Park, just north of Huntsville, in the riding of Parry Sound–Muskoka.

There were many outside of Parry Sound–Muskoka too.

The Crowe River Swamp Conservation Reserve is a 189-hectare site in Chandos township, near Peterborough. It's the largest and least disturbed collection of deciduous swamp habitats, bounded by landforms left by glaciers and kame moraines.

The Ferguson Township White Pine Forest Conservation Reserve is 364 hectares, 18 kilometres north of Parry Sound. It provides inland habitat for the nationally threatened Eastern Massasauga rattlesnake.

The Ferrie Township Forest Conservation Reserve is a 474-hectare site, 15 kilometres northwest of Magnetawan. It includes white pine, tamarack and treed muskeg on dunes and beach deposits, again in Parry Sound–Muskoka. Many of these significant sites are in Parry Sound–Muskoka.

The Island Lake Forest and Barrens Conservation Reserve is a 15,452-hectare site that includes several rare plant species in this habitat for the Eastern Massasauga rattlesnake. It's situated 45 kilometres north of Parry Sound. I have had the pleasure of camping out in the Island Lake area.

The Jackson Lake Conservation Reserve is a 1,166-hectare site, with mixed and sparse forest northwest of Geraldton.

The Jevins and Silver Lake Conservation Reserve is 2,144 hectares north of Kahshe Lake, again in the district of Muskoka in Parry Sound–Muskoka. It features red oak and white pine forest.

The Kama Cliffs Conservation Reserve is 3,713 hectares, with impressive cliffs on the North Shore of Lake Superior, 18 kilometres east of Nipigon.

The Little Spring Lake Conservation Reserve is a 106-hectare site northwest of Magnetawan, again in Parry Sound–Muskoka.

Neys Provincial Park: That's 1,939 hectares and features caribou habitat and spawning areas for sport and commercial fish species, breeding colonies of herring gulls, includes islands and islets in Lake Superior, a whaleback barge shipwreck, Pukaskwa Pits and man-made rock depressions. It's situated 200 kilometres from Thunder Bay.

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The Living Legacy built on the work from the Lands for Life consultation process. To point out the difference

in the consultation process that went through that, the largest expansion of provincial parks, and this current bill, Bill 11, there is a huge difference. The Harris government accepted 213 of 242 recommendations made during the process. This is the sort of input that was received, though: More than 65,000 Ontarians responded to the Lands for Life process, which spanned many months. Contrast this to the process that was just gone through for this review of provincial parks under Bill 11, undertaken by the current government. Their process lasted two months, with a total of 425 participants at open houses, 141 written submissions and a total of 1,118 form letters. So quite a difference: 65,000 versus literally a few thousand, and a much shorter time frame.

At this point, I would like to review some of the comments that I have received, giving input on how some groups feel about Bill 11 and the need for input at the committee stage. We're in second reading, which has started today. The process that will happen will be several days' debate on second reading. Then I expect that the bill will be referred to a committee, at which point there will be opportunity for individuals and groups to give input into the bill, at which point there will likely be some amendments, and then it will be reported back to the Legislature.

First of all, from a First Nations group that has concerns with this bill: The Matawa First Nations Chiefs' Council wrote to the minister to do with Bill 11:

“Dear Mr. Ramsay:

“We are writing with regards to Bill 11, provincial parks and conservation areas act.

“In November 9, 2004, Matawa First Nations wrote to Bob Moos, Ministry of Natural Resources staff lead regarding the proposed parks and protected area legislation, with their concerns. The Matawa Chiefs, along with the other Chiefs of Nishnawbe-Aski Nation: also rejected this proposed legislation when a ministry official—Ms. Adair Ireland—gave a presentation at their assembly. Finally, on December 16, 2004, the Matawa Chiefs wrote again to Bob Moos, as per the Environmental Bill of Rights registry, wanting to know how the ministry was going to initiate consultation with First Nations.” I'll go on to say that they're not happy with the consultations.

“Now that Bill 11 has been introduced to the Legislature in its first reading, it is imperative that it be referred to committee for hearings that will consult with First Nations. Amendments to this Bill 11 are needed to reflect the concerns of First Nations, whose traditional territory is often covered by these parks and conservation areas.

“Public information session and ministry resource materials mentions consultation with the First Nations and aboriginal people. This has not happened. First Nations are not satisfied with existing parks legislation and any new laws should provide an opportunity to correct past wrongs. Therefore, the bill should not go forward until consultation is complete.

“Please see attached points of concern regarding the consultation process and problems with the legislation.

“Background and consultative process:

“The Matawa First Nation and other signatories to Treaty 9 never gave up their water rights in 1905 and/or access to lands for personal livelihood in or near parks.

“The Ministry of Natural Resources has over the years created many parks in protected areas in the traditional territory of First Nations, often without their consent or without compensation. This is very true of the water parks in the Albany, Attawapiskat, Winisk, Attwood, Ogoki, Nakina and Aguasabon Rivers, which abut or are near our First Nations.

“These parks and protected areas have limited the economic potential of the surrounding First Nations. Webequie First Nation is in the middle of Winisk Provincial Park and it took over 20 years to secure reserve status in their traditional territory.

“The proposed vision for the legislation will have a direct impact on First Nations in their ability to realize the economic potential for the water power and energy resources in their traditional territory.

“Ontario has not provided resources for the meaningful consultation and review, and adequate time, for the proposed legislation as required by constitutionally protected aboriginal and treaty rights. While the vision talks about aboriginal consultation, no community sessions were held in any of the Matawa First Nations.

They go on to say, “Components of the Legislation:

“(1) Principles: Respect for aboriginal and treaty rights are not mentioned as one of the overriding principles. There is not even a non-derogation clause.

“(2) Goals and objectives: Again, applications for aboriginal people are not mentioned—i.e., usage, trapping, potential land claims etc.

“(3) Zoning: No mention is made of aboriginal parks. Although Ontario Parks currently has some parks under First Nation’s management and they are developing a joint park in the Pikangicum area.

“(4) Assess wilderness areas: Recognition of traditional environmental knowledge into the legislation is needed.

“(5) Management direction and state of the protected areas reporting: The State of the Forest a reporting guide for crown lands under the Crown Forest Sustainability Act. This reporting does not adequately provide information concerning First Nations and their relationship to the forest. Jointly developed criteria and indicators are needed before they are implemented to show the issues and concerns of First Nations.

“(6) Major industrial uses. It excludes hydro and wind development unless it is for an off-grid community ‘where no economically viable alternative exists.’ This is an impediment to First Nations because an economically viable alternative may conflict with other aboriginal values. First Nations need much more latitude and ability to initiate economic development in their traditional territories. Interestingly, logging in Algonquin Park and existing hydro developments are allowed. A First Nation’s exemption is needed. Access to First Nations on

all weather or seasons roads is another exemption that is needed.

“(7) Continue to address non-industrial uses in policy: This could include hunting, tourism etc. by regulations instead of legislation. Recognition of First Nation non-industrial uses is needed.

“(8) Administration and enforcement: There is no recognition of recruitment or retention of aboriginal staff in Ontario Parks, input from First Nations, impacts to First Nations. Increased power to the minister to make regulation with cabinet approval is supported....”

This letter is signed by a number of chiefs, including Chief Arthur Moore of Constance Lake, Chief Charlie O’keese from the Eabametoong First Nation, Chief David Charles from Ginoogaming First Nation and Chief Roger Oskineegish from the Nibinamik First Nation.

I wanted to get their concerns on the record, because there are different and conflicting interests out there, and the First Nations’ concern about economic activity from hydroelectric generation is not that different from many of the northern communities. They often feel that we’re making parks to benefit southern Ontario without consideration of the communities in the north.

I would like to get some of the concerns from the Ontario Federation of Anglers and Hunters on the record as well. They have quite a few concerns. I know they are in ongoing negotiations and correspondence with the minister, but they do have some concerns to do with access. They’ve been told that the status quo is what will be carried forward. They have concerns with access, particularly on conservation reserves. They have concerns with the zoning of conservation reserves which could in fact, from their perspective, make conservation reserves effectively into parks. I’ll read from some of their concerns. This is a letter to the Ministry of Natural Resources:

“Minister Ramsay promised us there would be no changes to the status quo regarding conservation reserves and provincial parks. This includes no expansion of the current network of parks and protected areas, and no change to crown land use commitments made under Ontario’s Living Legacy crown land use planning program.

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“Unfortunately, Bill 11 will significantly and negatively change that status quo in several ways. For example, conservation reserves will be transformed into provincial parks. The legislated objectives and planning and management principles in the act; restrictive zoning in conservation reserves; restrictive use of roads, trails, portages; new work permits and service fees requirements; and legislated requirements for the maintenance of ecological integrity prove this. Additionally, proof that the status quo is to be changed includes the creation of a new class of provincial park (aquatic) whose legislated objectives exclude recreation.

“There will be significant negative economic, social and ecological consequences from these changes proposed in the new act.

“The OFAH needs a better mechanism to obtain satisfactory answers to our questions on the new legislation. Perhaps that will be at committee after Bill 11 receives second reading.” So obviously there are some different groups that are looking for committee time, whether it be the First Nations or other concerned groups.

“The express purpose of conservation reserves includes ‘preserving traditional public land uses including wildlife viewing, hunting, fishing, walking, snowshoeing, cross-country skiing, and boating’ (see O. Reg. 805/94 under section 4 of the Public Lands Act). This purpose is, and has been, to maintain this status quo in conservation reserves since they were created more than a decade ago; and, to the best of our knowledge, no conservation reserves in Ontario contain land use zones. Such zones in existing provincial parks often overly restrict the activities of hunting and fishing, because they commonly prohibit motorized vehicles (i.e. the most common methods used by anglers and hunters to access their favourite fishing and hunting spots ...).”

“However, to our knowledge, there is one location in the province where the MNR is attempting to impose land use zoning, and that is the La Cloche Ridge Conservation Reserve in the Sudbury district, despite the OFAH and local protests.” And I know they’ve done a lot of work on that La Cloche Ridge Conservation Reserve and their concern that conservation reserve is basically being turned into a park by land use zones.

They have quite a lengthy submission. I don’t think I’ll go through the whole thing. If I have time, I may come back to it. Obviously, they have quite a few concerns and I’m sure that they have been talking with the Ministry of Natural Resources. I’ve been assured by the minister that the status quo will be the case, but I am sure they would probably also like to have an opportunity to make their views known at committee.

As mentioned, I also met this morning with the Wildlands League. They have a number of concerns to do with Bill 11, mainly to do with strengthening environmental protection, which is natural. I’ll read from a letter sent to me regarding Bill 11:

“Dear Mr. Miller,

“Re: Bill 11, Provincial Parks and Conservation Reserves Act

“Progressive Conservative governments were responsible for the largest expansion of Ontario’s protected areas system in history. Under Ontario’s Living Legacy, 2.4 million hectares of new provincial parks and conservation reserves were created. What’s more, 378 new protected areas were created while maintaining wood supply to the forest industry. This was a groundbreaking agreement—the Ontario Forest Accord—between government, industry and conservation groups. This is truly a legacy for us to be proud of for generations to come.

“Completing this work is still going on today. As you can imagine, creating 378 new protected areas is a significant task. One of the other outcomes of this process was the promise of new protected areas legislation that put nature first in our parks and conservation

reserves. With industry access on 90% of the land and less than 10% of the landscape for parks, Ontarians understand the value of protecting important places while providing other uses on the rest of the landscape.

“Bill 11, Provincial Parks and Conservation Reserves” Act, “represents one of the last pieces of this legacy. We believe that first reading of Bill 11 represents a definite move in the right direction. However, there are clearly elements within Bill 11, Provincial Parks and Conservation Reserves Act, that undermine the central purpose of ensuring ecological integrity (putting nature first) in these special places and completing the Conservative promise.

“A. Ecological integrity (putting nature first)

“In spite of including ecological integrity ... in the new legislation, Bill 11 fails to integrate the concept throughout the act. Addressing the impacts of park neighbours (greater park ecosystem) and fully integrating EI throughout would strengthen the new bill considerably. It would also augment the Ontario biodiversity strategy ... which recognizes the concept of maintaining biodiversity on the greater landscape.

“Greater park ecosystem (good neighbour clause)

“The greatest threat to parks comes from activities outside their boundaries. Bill 11 is completely silent on how to ensure we have good neighbours surrounding our parks. Surely society would hold us responsible if battery acid were to find its way from our backyard to that of our neighbour’s property. It seems that the province thinks protected areas don’t need good neighbours, exempting them of any harmful wrongdoing.

“Bill 11 must include strong language regarding ecosystem management of the greater park ecosystem ... ensuring that we have good neighbours for our protected areas.

“Fully integrating EI protection

“To protect the ecosystem of a park, the concept of ecological integrity ... must be integrated throughout Bill 11 not just in the introduction. Wording needs to be changed to establish the maintenance and restoration of EI as the overriding priority. In some protected areas, EI cannot be achieved unless restoration is undertaken.

“Damage to a protected area is often incremental and difficult to predict. Given such uncertainty, a precautionary approach to planning and management is needed. The precautionary principle is an emerging international norm in environmental legislation:

“‘Precautionary approach’ means that where there are threats to ecological integrity, lack of scientific certainty will not be used as a reason for postponing measures to prevent damage to ecological integrity, and is the application in practice of the precautionary principle.’

“Ecological integrity must ultimately be the test for approvals of any roads and utility corridors.

“B. Prohibitions: logging, mining, hydroelectric development

“Logging, mining and hydroelectric development have no place in protected areas because over 90% of crown land [is] available for industrial uses. We need some

places free of the industrial footprint so that caribou, sturgeon, eagles and hawks continue to thrive.

"In Bill 11, industrial development is generally prohibited in parks and conservation reserves. However, we have serious concerns about the many exceptions to the prohibitions.

"Bill 11 specifically allows logging in Ontario's flagship Algonquin Provincial Park to continue. It does not even include a provision to review or phase out industrial logging in the park. We have already examined this situation and know it is possible to keep the sanctity of Algonquin as a park while also not harming the surrounding economy currently taking wood from the park. Under the Conservative government it was possible to build a solution with the forestry industry that saw the incredible increase in the park system.

"It is therefore unacceptable that logging and resource road building will be allowed to continue in our most beloved park without any attempt at addressing this issue in a revenue neutral and zero economic impact way. Already, over 70% of the park is open to logging, with more than 8,000 km of industrial roads fragmenting thousands of hectares of the park. Algonquin Park must become a park without logging and logging must be done outside the park.

"The public is clearly supportive of a long-term phase-out as a 2002 Oracle poll showed that 77% of Ontarians feel that parks must be off limits to logging.

"C. First Nations

"Bill 11 is silent on the aboriginal and treaty rights of aboriginal peoples and on their potential roles in the creation, planning and management of parks and conservation reserves. It provides no creative opportunities for the possible development of an aboriginal class of parks or for the co-management of protected areas with aboriginal communities. These shortcomings are unacceptable and completely out of step with new protected areas legislation across Canada that reflects an increasing understanding and appreciation of aboriginal rights and interests with regard to protected areas. This may add to the already unstable business planning environment already evident in the far north.

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"D. Municipal jurisdiction

"Crown land considered for protected area status is given 'interim protection' to prevent any inappropriate development from taking place while it's under consideration. In some instances, municipalities have jurisdiction over certain types of crown land, land that may be under interim protection. When development proposals for these areas are proposed to municipalities, there is no consistency across Ontario on how the public process should occur.

"Bill 11 should clearly state that these municipalities shall engage in a public process, consistent with the Environmental Bill of Rights....

"E. Wilderness class parks

"Bill 11 weakens the protection afforded wilderness class parks by altering the wording that has been used to

describe this park class since the 1970s. The long-standing description of wilderness class parks states that 'Wilderness parks are substantial areas where the forces of nature are permitted to function freely and where visitors travel by non-mechanized means....' Bill 11 replaces this with: 'The objective of wilderness class parks is to protect large areas where the forces of nature can exist freely and visitors travel primarily by non-motorized means....' This redefinition substantially alters the understanding of what wilderness parks are, with the potential to negatively affect the ecosystems that they protect and the recreational experiences that they offer, in serious ways. Bill 11 must revert to the long-standing definition and clearly state: '...where visitors travel by non-mechanized means....'

"I have included a detailed analysis of Bill 11 that we completed with our colleagues at Sierra Legal Defence Fund, to make your review of the act easier."

That's from Janet Sumner, executive director.

Obviously there are various and differing opinions, in particular in terms of whether there should or should not be forestry operations in Algonquin Park.

I have received different correspondence from people, and some of the issues have already been hit on. I would like to bring up a couple, though.

The Peaceful Parks Coalition wrote:

"We wish to bring your attention to the new Provincial Parks and Conservation Reserves Act, first introduced by the McGuinty government in November 2005.

"It replaces the old Provincial Parks Act, and is scheduled for second and third reading....

"However, we have serious reservations about the new legislation and feel strongly it should not pass as it is currently written.

"We have enclosed a fact sheet outlining the most serious flaws with the legislation and ask that you give this issue your immediate attention."

They have some concerns particularly to do with wilderness parks, and that they may be opened up to motorized traffic. I know I've had other people write e-mails to me on that same issue.

As well, I heard from the Ontario Fur Managers Federation. Their concern is about the La Cloche Ridge Conservation Reserve.

Mr. Speaker, I see that my time is winding down. I hope I have time to get through all the concerns that have been raised with me. I will briefly outline the concerns of the Ontario fur managers, because we do have conflicting interests: "The ... La Cloche Ridge Conservation Reserve management plan is a source of concern and disappointment for our federation.

"We trusted in your commitment that your government would honour the commitments of the previous government, as contained in Ontario's Living Legacy land use strategy. The strategy was clear in its direction that trapping would be maintained within conservation reserves.

"Trapping is physically intense and requires the transportation of trapping equipment and harvested fur-

bearers to/from and within the trapline area. It also requires the ability to access, construct and repair trapline cabins. This can only be accommodated through unimpeded access, most often by mechanized means.”

So we have two very different feelings about mechanized access. Although there are different defined areas, I think this is particularly on a conservation reserve.

“These facts were well known to the authors of the land use strategy, and should be well known to the authors of the La Cloche Ridge Conservation Reserve management plan. This management plan, in section 4.3 Commercial Fur Harvesting ... provides direction that impedes access and accommodation, and interferes with the normal process for trapline allocation.”

Although not specifically to do with Bill 11, it is a concern that has been raised by the Ontario Federation of Anglers and Hunters that the zoning provision in Bill 11 will be used on conservation reserves to more or less switch them into provincial parks.

I also wanted to come back to the First Nations and the fact that this government has been renegeing on a pledge made to First Nations to consult. I meant to note this when I was noting the information we received from Matawa First Nations. This government is renegeing on a pledge to natives to do with consultations. That’s the headline of an article in the Toronto Star on April 1:

“Reneging on Pledge to Natives

“In the run-up to the last provincial election, Premier Dalton McGuinty made a promise in writing”—we’ve seen that before—“that was important not only to Ontarians, but to the entire country—and now he’s letting natural resources minister David Ramsay break it.

“McGuinty said in a letter to a coalition of environmental groups, ‘We will institute meaningful, broad-based land use planning for Ontario’s northern boreal forest before any new major development, including ensuring full participation by native communities. Land use planning must protect the ecological integrity of this national treasure and help to provide a sustainable future for native people in northern communities.’”

Then the article goes on to say that Mr. Ramsay has broken that promise:

“What Ramsay is saying directly contradicts the Premier’s promise. He’s saying development can continue in the absence of official plans and in the absence of an assured sustainable future for First Nations.

“Ramsay is also blatantly thumbing his nose at the Supreme Court of Canada, which ruled in November that the crown has a duty to consult with, and accommodate, First Nations concerns before allowing development that might affect their treaty rights with regard to lands where they continue their tradition of hunting, fishing and trapping....

“By saying development can continue while talks are held, Ramsay is not acting honourably, and it is no answer to say that the Mining Act binds his hands....

“First Nations in Ontario’s north have a justified and long-held grievance over the lack of a sustainable future while mining and lumbering proceeds on their lands. And

all Canadians have a right to expect enlightened land use planning in the northern boreal.”

This article is highlighting how the government has not consulted and is going ahead with a mine in the Big Trout Lake area, 580 kilometres north of Thunder Bay, even though there was a written pledge by the Premier not to do so.

In the short time I have left, I would like to highlight a few other things. We see that the development of parks legislation really is a balancing act because, as I’ve illustrated in some of the different information I’ve read into the record, there are very much conflicting views and different priorities, whether you’re a northern community that wants to see the economic development from a resource or you’re someone who has the interest of just protecting the environment at any cost. So it is a balancing act to protect parks, create recreational opportunities and protect the environment.

I would like at this time, in the few minutes I have left, to highlight some of the parks in the Parry Sound-Muskoka area. I note that we’ve had the expansion of the park-to-park trail system throughout Parry Sound-Muskoka. I would certainly encourage anyone who would visit Parry Sound-Muskoka to take advantage of the beautiful parks, to take advantage of that trail system, as it gets completed, on which there’s been a lot of work. You can get some good exercise and enjoy the natural beauty of Parry Sound-Muskoka.

When you look at the map of Parry Sound-Muskoka, you’ll note that there are around the region probably 50 or 60 new parks and protected areas that have been created and many are in the process of being created. We have the Great Lakes Heritage Coast, the beautiful coastline of Georgian Bay, which is certainly one of the natural wonders of the world—a spectacular coastline, although I would ask the Minister of Natural Resource what is happening on the Great Lakes Heritage Coast because recently there hasn’t been a lot of information to do with that initiative that was created by the former government.

We have access to Algonquin Park from Parry Sound-Muskoka. I note on a local issue that I’ve heard recently from the town of Kearney—of course we have the four-laning going through on the eastern and western sides of Parry Sound-Muskoka, and Highway 11 is going through. I’ve recently had a resolution from the town of Kearney, which is concerned that the signage to the town of Kearney is not adequate. They’re concerned about loss of economic activity. They are also a gateway to Algonquin provincial park. They sell park permits in the town office in Kearney. It’s a great way to access the wild west of Algonquin Provincial Park.

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I know that I personally, in the last few years, have just developed an interest in canoeing and accessing some of our provincial parks. I had the pleasure three years ago of paddling down the French River with my son Winston, his friend Riley and his dad, Dan Mulligan. This past year, I had the pleasure of accessing the

Temagami area and paddling into Diamond Lake and Lady Evelyn Lake, climbing Maple Mountain, paddling through to Obabika Lake and going through the old-growth pine forests there. This year, I'm looking forward again—it's becoming an annual ritual—to taking the train from Sudbury up to Biscotasing and paddling down the Spanish River with the same crew. I'm very much looking forward to seeing the beauty in that area. There's a fair amount of whitewater in the Spanish River, so I'm going to have to learn how to paddle in whitewater before I head out on that trip.

Briefly, before I finish, I would like to note that this government has—I guess it's coming up on two years now—closed the Leslie Frost centre. I know the member from Haliburton–Victoria–Brock is very concerned with the Leslie Frost centre, which had a number of educational programs and outdoor education occurring at it. It was closed without any notice at all in late June, early July 2004. I think I had all of about a day's notice when that happened. I had the pleasure when I was in public school, in grade 6 and grade 8, of attending the Leslie Frost centre, and getting out and developing an interest in and an appreciation for the outdoors and taking part in orienteering and other various activities in the wintertime. I think it's a real shame that the Leslie Frost centre has now sat idle for some two years. I'm hopeful that in the not-too-distant future, it will once again resume activity and become the place it was for developing interest and providing programs to do with the environment. But it is a shame that it has been closed for the last two years. I think rather than closing it the way they did, they should have kept it operating. It would have been much easier to keep it operating, and then look for support in the private sector and with other various groups to make use of this wonderful facility.

In wrapping up, I would like to also make note of the fact that I've heard from the Ontario Federation of Anglers and Hunters that this government has not provided adequate funding for fish and wildlife programs. In fact, I attended their convention, and they pointed out that they are some \$25 million short in terms of the funding necessary for fish and wildlife specifically in the province. In fact, they too, along with many other groups, have a written letter from Premier McGuinty when he was in opposition saying that he would adequately fund fish and wildlife programs in the province, and yet he has not done that. So that is a concern.

There are a couple of other concerns that have arisen in the natural resources field lately, in the last minute and a half: We're seeing some major cutbacks in fish stocking. I had a question last week from the Conservationists of Frontenac-Addington, who are concerned that their fish stocking is being cut back from some 3.3 million eggs to some 200,000 eggs for pickerel. I've heard concerns of cutbacks in splake stocking in the Parry Sound migrant area as well.

We're also seeing cutbacks in the Ministry of Natural Resources in terms of counter service available to people. That service for many different functions, like picking up

licences or permits for various things, is being switched to ServiceOntario. I think that is unfortunate.

I would like to wrap up by saying that I think it's important that this bill receive committee time. I'll be looking to hear input from various groups and individuals who would like to come before committee. Obviously, there are some different viewpoints on how the bill can be improved, and we look forward to hearing from groups at committee and going forward with this bill.

The Acting Speaker: Questions and comments?

Mr. Gilles Bisson (Timmins–James Bay): I thought those were quite good comments on the part of the critic from the official opposition in regard to this particular bill. I think most members have not had a chance to read this bill in some detail. I've had the opportunity to do so. This is my third occasion. I had an opportunity to read it when it was first printed. I read it as my Easter weekend reading assignment, in preparation for class this afternoon, as I will be doing my contribution to second reading debate in a moment.

I will have an opportunity to speak to a number of these, but I want to canvass Mr. Miller, my good friend the member from the official opposition, on the following. First of all, I think we're both generally in agreement with the direction that the bill takes. We believe this bill should go forward, that it should go to committee. A number of the questions that we have I think need to be dealt with in committee. Generally, we agree with what this bill will do, for the most part, but—a couple of big “buts”—the question is going to be to my friend the member from the official opposition: how he feels this may impact negatively on First Nations rights when it comes to access to traditional lands.

I'll have a chance to speak to this a little bit later, but these are concerns that I've had raised with me by a number of aboriginal communities and organizations that have seen this bill, that have gotten wind of it and started to read it and have said, “What does this mean for us?” in regards to traditional access to lands that they used to use for hunting or they have to use to build a winter road in order to get from community A to community B. If it happens to be through a provincial park, how are those things going to be impacted? As I read through this bill for the third time, I think I have some reason to be worried.

As well, I'm just wondering what his views are on the issue of the banning of motorized vehicles in the wilderness parks. We understand that's all it's intended to do, but does he have a fear, as some I've heard out there do, that this may somehow be expanded to other parts of the province?

The Acting Speaker: Questions and comments? The member for London–Fanshawe.

Mr. Khalil Ramal (London–Fanshawe): Mr. Speaker, I'd just like to thank you for giving me the opportunity to make a couple of comments on the speech of the member from Parry Sound–Muskoka.

I listened to him carefully for the last hour. He was talking about the bill as if it was something new. I want

to invite the member to go back to the bill and read it. There's nothing new in it, basically, except enhancing the mechanism to protect conservation areas and provincial parks. Most of the policies of the past will remain and many different issues that existed in the past will remain. This bill is only trying to protect the environment, to protect provincial parks. It's very important to protect those parks because by protecting the parks we're protecting the ecological system which all of us need in order to maintain the natural existence of so many species, so many animals. If we don't protect them, so many species will be extinct in the future.

Also, the new member from Toronto–Danforth was saying that this bill will allow motor vehicles to enter the park. I want to invite him to go back to the bill, subsection 7(2), which states very clearly that it prohibits non-motorized vehicles to enter parks, in order to protect those parks.

I also want to tell the member from Parry Sound–Muskoka to go back and read the bill very well. The bill is a great bill to protect the environment and to protect provincial parks. That's the direction of our government, because we look at all aspects—from the environment to nature to forests to lakes—all the stuff. That's why I want to commend the minister and his parliamentary assistants for the hard work they do in order to protect—

The Acting Speaker: Thank you. Further questions and comments?

Mr. Barrett: I enjoyed the presentation by the member from Parry Sound–Muskoka. He knows of what he speaks with respect to Bill 11, with respect to provincial parks and conservation reserves.

The member from Parry Sound–Muskoka made mention of the Leslie M. Frost Centre in Dorset. It was a shock to many of us when the announcement was made that that centre was going to close. As the member indicated, we had about one day's notice, one day of consultation, if you will. That, in a sense, reflects what we consider is a deficit of consultation with respect to this particular bill. We hear there were two months of consultation. There were a number of form letters that came in. Again, we put that up against the Ontario's Living Legacy consultation process: 65,000 people were involved in that consultation process. As a result of a very long, comprehensive process that covered the province from side to side, 242 major recommendations came forward. The member made reference to the Wildlands League, and I quote their take on the Lands for Life process, which soon became Ontario's Living Legacy. They describe that as truly a legacy to be proud of.

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The member made reference to cutbacks. I guess my question is—and I do have a question—is this government providing the resources to continue on with the good work they have inherited with respect to protecting the resources in Ontario? Obviously, Ontario's Living Legacy was the biggest expansion of parks and protected areas in Ontario, but it does need resources to continue that legacy.

The Acting Speaker: Questions and comments?

Okay, I'll return to the member for Parry Sound–Muskoka. You have two minutes to reply.

Mr. Miller: Thank you to the members from Timmins–James Bay, London–Fanshawe and Haldimand–Norfolk–Brant for their comments. I would say to the member from Timmins–James Bay that certainly access to traditional lands for First Nations people is a concern. It's not all that different for the people I was speaking to in the New Liskeard area this morning, whom I spent half an hour on the phone with, who are concerned about their access to things they've done for a long time, whether it be hunting, fishing or other activities, and how they will be affected. That's certainly part of the balancing act, I would say, in terms of bringing parks legislation forward.

The member from Haldimand–Norfolk–Brant talked about cutbacks. One of the e-mails I didn't get to was from a conservation officer at Arrowhead Provincial Park, just north of Huntsville, illustrating how their budget from Ontario Parks is being cut back and how, at the current time, unless things change, they aren't going to have enough funding to get through the summer. In fact, they say the funding for park wardens will run out by mid-August unless things change. We've heard stories about conservation officers having to fill up their vehicles themselves because the government is not providing sufficient funding for them in terms of being able to do the jobs they need to do.

There are some other concerns I have that I'm sure I'll get a chance to raise at committee. There's one specifically to do with the powers of an officer under this act. I note that an officer, which includes a park warden, a park ranger or a district manager, can search without a search warrant, which seems to me to be excessive power, but perhaps there's a reasonable explanation for it. I look forward to getting further input at committee on this bill.

The Acting Speaker: Further debate. The member for Parry Sound–Muskoka; I'm sorry, Timmins–James Bay.

Mr. Bisson: Wow, I knew I was in northern Ontario, but a little bit further north than that.

First of all, I want to say how pleased I am to be here with you this afternoon, participating in this particular debate. In fact, I was supposed to be speaking at a conference this afternoon and rushed back to the Legislature to be here to do my lead. Unfortunately I had to get my colleague, Mr. Angus, to replace me at this particular conference. I want to thank, on the record, my colleague, Charlie Angus, our federal member of parliament, who is going to be with the steelworkers tonight in Timmins as they go through what's called their wood conference, where the union will be meeting in order to discuss a number of issues with regard to the forestry sector and how it affects them and all of their members. I certainly look forward to hearing back from Charlie. I had a bit of an opportunity earlier this morning to speak to the conference. I'll get a chance a little bit later in this debate to say that there are a lot of upset people, to say the least, in northern Ontario with regard to this government's handling of the forestry file.

It's Tuesday, after the long weekend, and we're here debating Bill 11. Bill 11, for those people who don't know, is going to take provincial policy, when it comes to dealing with provincial parks, and throw it into legislation. I always like to keep things rather simple so that people know what we're doing. I can sit here and read through the bill and talk about sections 5, 6 and 7, and I know that Zacharie Fogal, the page from Timmins, would be riveted, listening to this particular speech, if I did that. But I'm going to disappoint you. I want to keep this so that people understand what I'm talking about.

Currently, the system is that Ontario is responsible for the care and maintenance of a number of provincial parks across this province. These are great legacies that have been left to our generation and the generations after to enjoy the wilderness. For example, everybody has heard about Algonquin Provincial Park. The Group of Seven, artists who were renowned across the world and made their mark on Canadian history, really cut their teeth painting the scenes of Algonquin Provincial Park as we know it today. Many people have heard of that park and have travelled there in order to participate in the wilderness experience that is offered in the park. We have Polar Bear Provincial Park in northeastern Ontario, along Hudson Bay and James Bay, that protects a certain part of land to make sure the Mushkegowuk area is protected at all times, so that a hundred years from now, or maybe a thousand years from now, we'll still be able to experience the nature of Ontario at its finest, as it was when we first came to this land and as those who lived here before us, the First Nations people of this country, experienced it.

We're saying that currently there are provincial policies about how you run a park. Right now the system is that the minister, rightly so, has a number of people working for him or her, as the case might be, for the Ministry of Natural Resources, who work very hard in the parks system in order to make sure that proper regulations are made, that the rules are followed, that our parks are maintained and that things are done in such a way that protects the natural heritage that we find in a provincial park. What the government wants to do in this legislation is say that this will no longer be in the domain of a provincial policy; rather, it will become a law.

On the surface, a lot of people can applaud that. A lot of people can say, "Do you know what? By making it a law, in the future that means no minister can go off and do something bad that would negatively affect the park." I think that's good. But we all know—some of us have been around here longer than others, but most of us understand that once you throw something into legislation, you'd better make sure you do a good job. If you don't do a good job, you're going to have to live for a long time with whatever we vote on in this House, because getting House time to make a change to a particular act is very tough to do.

I'll give you an example. I got a phone call last week—and maybe my friend Mr. Miller got the same kind of phone call—from people who are in the business

of tree planting. This is related to MNR, but I think it makes the point I want to make with regard to why we need to be careful when we put stuff in legislation. Back in the year 2000, the provincial government made changes to the Employment Standards Act to make sure that the sections that deal with minimum wage were beefed up so that employers couldn't get out of their responsibility of paying people who work for them at least the minimum wage. All the people in this House generally agreed with that and the bill was passed. I don't know what the vote was, but obviously it passed because it got a majority of this House.

Here's what we find now. I got a phone call from a forestry company in Hearst that said, "I just had the Ministry of Labour inspector come into my business to do an inspection this fall, and they're charging me because I'm not paying tree planters minimum wage. I have to pay them an hourly rate."

Anybody who knows anything about tree-planting knows that it's paid by the seedling. There's not a tree-planting company out there—I don't think there is; if there is, I stand corrected but I don't know of one—that pays the workers an hourly rate. In fact, the average planters—I would say most of them, do far better than what they would get at the minimum wage if you had to figure out how much they get paid for the number of seedlings they put into the ground. But what happened in this case was that the Ministry of Labour inspector came in and said, "There was a change in legislation in 2000, and as a result of that change I have to make sure you're paying your people minimum wage. You have to show me how many hours these people have worked and you have to be able to show me that you've paid them minimum wage for the hours they worked."

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You know what piecework is like. Tree-planting is a very seasonal thing, first of all. It's very dependent on what's going on in the cut they're in, as far as the type of ground they're planting in. It's also very dependent on weather. You may get a day when all the tree planters are there, ready to plant, but it's raining cats and dogs, as they say, and they can't safely walk into the bush to do it because of the type of ground they're on. So they have to sit in camp and wait a day, and the next day, they go out and do some planting. Over the week, if you figure out the day they didn't work, they may not have gotten the minimum wage. But, by and large, they get more than the minimum wage by the time the tree-planting season is over. There would be very few people, I would argue, who are paid less than a minimum wage in the tree-planting business. Most people, when they get the hang of it, get far more money.

I know that my eldest daughter, Julie, who is now 29, tree-planted when she was going to university and made quite good money. By the way, she had her birthday last Sunday; thank you very much, everybody, for saying "Happy birthday" to Julie.

Mr. Peter Fonseca (Mississauga East): Happy birthday.

Mr. Bisson: Very good. I'll pass your comments along.

I imagine there are a number of members in this assembly who have children, nephews or nieces, neighbours or friends who went out tree-planting, because it's a good way to make some dollars real quick in the summer, if you are a summer student.

In this particular case, the tree-planting company has been audited by the Ministry of Labour, and they have to change their entire bookkeeping system in order to calculate how much the piecework is, compared to the minimum wage, in order to make sure that people get paid the minimum wage in the end.

A pretty good indicator is if the person stays. If the person who is planting is not making at least the minimum wage, they're going to quit. That's the way it works; that's how tree-planting works. But most people who go into tree-planting make far more money than the minimum wage.

This particular company is saying, "Listen, I want to be compliant with the law, and I'm not saying I'm going to be outside the law, but this is kind of a negative. Forestry companies are squeezing us every minute in order to reduce the amount of money they pay us to replant trees. We're getting less per tree planted today than we did 10 years ago, when you figure out the true cost—what we're being paid and what it costs. On top of that, I'm being told that I've got to spend two to three hours a day having somebody basically bring all the"—les données. Monsieur Lalonde, help me: How do we say "les données" in English?

Mr. Jean-Marc Lalonde (Glengarry–Prescott–Russell): Statistics.

Mr. Bisson: The statistics. Thank you very much. That's what happens when you go from one language to the other: You get mixed up sometimes. They have to bring all the statistics off the planting area into the office to put into somebody's computer so they can generate a report for the Ministry of Labour—

Mr. Lalonde: Data.

Mr. Bisson:—data; that's the word—in order to convince the Ministry of Labour that they're actually paying the person the minimum wage.

My point is that it's an example of how, when you put something in legislation, you may very well end up getting the opposite result that you're looking for. So I'm saying to the government that this legislation goes in the right direction. We're not going to oppose it; we're going to allow this bill to get to committee, because we think much of what is in this legislation is supported. But we really need to make sure we give a good enough amount of time for the public to come and talk to us about this bill.

I would encourage First Nations, outdoor groups, environmental groups, forestry companies, mining companies—anybody who is remotely interested in the forest and provincial parks—to take a look at this legislation. If you're out there and you happen to be Earthroots, the Peaceful Parks Coalition or the Rod and Gun Club—

whatever you might be—if you have somebody on staff who can look at this bill, I suggest that you get a copy off the Internet, read through it, try to understand it, contact your local MPP in order to get answers to questions you may have and then, when the bill comes to committee, come before our committee and tell us if we're doing something in this bill that is going to be more restrictive than it needs to be.

I don't think a cottager disagrees, I don't think an environmentalist disagrees, I don't think a forestry company disagrees—I don't think there are very many people who disagree—that we have to do all we can to make sure we protect our provincial parks and that that legacy is there for everyone. And we all agree that we want to do a good job. We all say that at the end of the day let's make sure we do this in such a way that it makes some sense, so we achieve the objective, which is to keep the park in its natural state as much as humanly possible. I think we all agree with that.

But as I go through this legislation, I've got some questions. I'm going to raise those. It's not because I'm opposed to the bill. I'm just one lowly old MPP working hard on behalf of the constituents of Ontario in his riding, who is trying to learn Spanish all of a sudden—

Mr. Robert W. Runciman (Leeds–Grenville): Learning Spanish?

Mr. Bisson: No, actually I'm not. Why would I want to learn how to—Do you know what? If I had to learn a language, mine would be Italian. There are more Italians living in my riding. I wish I could speak a third language. In fact, I'd like to speak Cree. I think Spanish would be the last one for me. But that's another story. I obviously didn't read the papers in any detail today by the sound of it, right? I just heard the tail end of that as I walked in.

I want to raise a couple of points on this bill that I think need to be raised. The first one is under section 7, the classification of provincial parks. This is one that people are going to have to look at. I think it might be okay, but I'm not 100% sure. It's going to touch on the issue that the Conservative critic, Mr. Miller, raised in regard to the issue that people in New Liskeard had raised with him. First of all, there has been this practice by the ministry of no response, as my friend Albert Cauchon often calls it—they don't call it the MNR; they call it the ministry of no response, and I'm going to put that on the record—of all of a sudden deciding one blue Sunday that they're going to ban access to somebody's area that they've been fishing for three generations. If you want to drive a northerner crazy, that's the way to drive a northerner crazy, and it happens.

There's not a northerner who disagrees with the conservation of our areas. I know my good friend Mr. Rossetti would agree with me that we've got to do all we can to protect the natural heritage. That's our backyard. The biggest environmentalists, for God's sake, are people who live in my backyard. Why? Because we're the ones who use it. I don't want Kamiskotia Lake, where I've got my cottage, to have all kinds of development, trees being cut down and people fishing the lake out. No, I want that

thing protected so that I have the same kind of thing, with the connection to that area of the land, that my dad had, that our girls will have and hopefully that our grandchildren will have.

I want to put on the record that I am an environmentalist when it comes to protecting that place I call home, northern Ontario. I know that every member in northern Ontario and other members feel the same way. I want to say that because people sometimes say, "You know, these northerners get up and talk about rights of anglers and hunters and somehow they're not environmentalists." Let's put all this into context.

Here's what happens. A good example is the MNR district of Chapleau. That is a notorious one. I get more phone calls out of that area when it comes to closing down areas that people have been fishing for years than any other area that I had. In fact, that's not in my riding; it's in Mr. Brown's riding, the Speaker of the House. For a while there, for some reason, the whole Living Legacy process and the other process before that to create new tracts of land to be protected was encompassing parts of the geography of that area that were conducive to creating parks. But here's what the effect was.

You have a family—I'm just thinking of how many different ones I've dealt with. I won't use names, because I'm going to miss somebody's family and somebody's going to get mad. But here's the point. You've got a family that has been fishing Lake X. The son has been fishing there. He's been fishing it with his father and his father fished it with him, and the daughters went and mom went. It was just a place that the family went and really enjoyed northern Ontario. So yes, they got on their ATV and drove up the logging road because they couldn't get any further in their four-by-four truck or their station wagon, whatever they may have. They got on to a smaller trail that was there because the logging company created it some 60 years ago, or a mining claim. They drive to a lake that has no camping on it, that's got no cottages. It's just a wilderness lake. Yes, they pitch a tent, they take out their fishing rods and they go fishing. What are they doing wrong?

Most people I know who fish are conservationists. I am one. For example, when I go fishing, I don't take anything back. The only ones I take are the ones that when I take the hook out and it's going to damage the fish, then I try to cook it on the shore for shore lunch. But most people are like me: They go for the pleasure of being there on the lake. There's something about being on a lake in northern Ontario on a beautiful afternoon or a beautiful evening and just enjoying what is the natural habitat that I'm looking at.

Mr. Jeff Leal (Peterborough): Hear the loons calling.

Mr. Bisson: Hear the loons calling, the beavers swimming by.

A funny story: I'm in with my dog, Misty. Last year we got this black lab—I digress for a minute. She's a wonderful dog, about three years old. She loves going fishing. So I'm out on the river with her one day and I

decide I'm going to go up this particular branch of the river and I'm just going to sit there and enjoy. I'm going to eat a sandwich, and I had a pop with me. I'm sitting there all by my lonesome fishing with my dog, right? Misty's sitting, as she always does, in the bottom of the boat, and all of a sudden, unbeknownst to me, there's a beaver behind my boat and my dog goes bolting out of the boat after the beaver. If the beaver ever got a hold of my dog or the dog ever got a hold of the beaver, I can tell you who would have won: It would have been the beaver, never the dog. Anyway, I had to try to lift this dog back into my small boat. Oh boy, what a mess that was. Misty doesn't jump in the lake anymore. But I digress; that's another story.

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My point is, families have been doing this for a lot of years. All of a sudden the MNR comes in and they say, "That's it. You can't go there anymore. Not only that; you can't access it by road. Not only can't you access it with your ATV, not only can you not put a motorized boat on the lake"—it's not like we're bringing in 120-horsepower Evinrudes; this is like a two-and-a-half horsepower so you can putt, putt, putt your way to the fishing hole. All of a sudden they say you can't even fish there. People go ballistic. They call their MPP's office, they call the mayor's office, they call the ministry, the MNR—I was going to say Albert's favourite title: the ministry of no response. I don't entirely agree with everything Albert has to say all the time, but quite frankly I understand his frustration. It's from that sense of not being talked to, not being listened to, all of a sudden finding out that a lake has been taken out of existence and out of the mix without anybody having a chance to say anything about it.

Again, I want to say very clearly that all these people are conservationists. There's the odd poacher out there, but that's why we have the MNR game warden. They go out and find those people and charge them. Most people don't do that. Quite frankly, most of the ones that get caught are not from northern Ontario. I can tell you some stories about some of our friends who come in, travelling from other parts of—I wouldn't even say Canada, but south, the United States—getting charged with some pretty big caches of fish and birds and all kinds of stuff. Not to say it's only them. By and large, my point is, people are environmentalists.

I look at this particular section and I think it might be okay, but I'm not sure. It says, "The Lieutenant Governor in Council may classify provincial parks in one of the following classes," and it lists six of them, one being a wilderness class park. You read subsection 7(2), and it says, "The objective of wilderness class parks is to protect large areas where the forces of nature can exist freely and visitors travel primarily by non-motorized means"—that means no more ATVs and all that stuff.

I think we all agree that we want to protect nature. But what do you do when we decide to protect nature after people have been using a particular area for a long period of time? I understand those parks that are there, and I

think most people say, “Okay, we know where those boundaries are. I’ve always known I’m not supposed to fish there and that’s the rule, and I go fish somewhere else.” But will this in any way make the current situation harsher for those people who are trying to get access to those parks, parts of the lakes and stuff? Maybe, maybe not.

Mr. Ramal: No.

Mr. Bisson: Hang on. I’m just putting this on the record because I believe that the environmentalists need to look at this, I believe that cottagers need to look at it, the anglers and hunters need to look at it in order to find out if it does or doesn’t.

Then it talks about nature reserve class parks, cultural heritage parks, natural environment class parks, waterway class parks and recreational class parks. In all of those subsections, (3) through (6), it doesn’t mention a ban on motorized vehicles.

Mr. Ramal: Section 7.

Mr. Bisson: That’s what I’m saying. In section 7 under subsections (3) through (6)—subsection (2), which deals with wilderness class parks, prohibits the use of ATVs and such, but as I see it, subsection (3) all the way to subsection (7) permits it. I think that’s what the legislation is trying to say, and people need to come before our committee and speak a little bit to that point to find out that we have a comfort area about what we’re doing here.

The effect is this: Once this bill passes, if it passes in its present form, bam, you can’t change it unless you get an act of the Legislature. If it’s provincial policy, they can at least go to the MNR and say, “Minister, fix it for me,” or in some cases, as they do, I pick up the phone and call my local MNR people and say, “I have a problem,” and they say, “Yes, that is a problem. We never thought about that when we developed the policy. Let’s fix it.” So there’s a little bit of ability to fix those things now. Once we throw them into legislation, there won’t be anymore. So I want to make sure that those people who are affected one way or another on this issue have a chance to come and talk to us, state their case and tell the committee why it’s important that we do or don’t do something, and if we do, are we doing it in the right way? I only raise this issue because when areas are restricted once they’ve been used traditionally by someone, it becomes a really big problem.

The other issue around this, because this is one that was raised to me by the good people of—I’m trying to remember what First Nation it was. I may have it wrong. I’m not sure if it was Webequie. I can’t remember. It was one of the communities I visited this summer. I’ll remember a little bit later. What happened to them was they had a park that was created around them without their knowledge. Nobody came to them as a First Nation and said, “By the way, we’re creating a park.” A park was created because of Living Legacy, and as a result their traditional hunting area and their traditional areas of access got restricted and they were no longer able to use it. For example, some people in the community made a

living by acting as guides, bringing people in either for hunting or fishing or in some cases, because it’s becoming a bigger and bigger business, eco-tourism. A number of people booked guides to do eco-tourism. They said that the eco-tourism wasn’t so much a problem, but when it came to hunting and fishing, “We couldn’t bring them in any more. All of sudden, we’re getting charged by MNR and we didn’t know there was a park there.”

I look at sections like this and say, all right, okay, we’re throwing this into legislation; what does this mean for people? So I would encourage the Chiefs of Ontario, NAN, Treaty 3 and others, along with all the tribal councils and communities, to look at this legislation. Have your people look at it with an eye towards how this is going to affect you in one way or another.

My recommendation to the government is, we should put a non-derogation clause in the legislation just to be sure. I don’t think you can write a bill where you truly know that you’re not stepping on somebody’s ability to access what is traditionally their land. There should be some sort of non-derogation clause that deals with the First Nations, and possibly with some of the other traditional users as well, so if there is something that we didn’t think about in the legislation, there’s some mechanism to deal with it.

Let me give you a good example: Polar Bear Provincial Park. Currently, the community of Peawanuck operates tourist outfitting in that area. Does this now mean that those people like Sam Hunter and others who make a living doing tourism in that area—it’s not so much an issue for eco-tourism, because they’re going to have to operate within—well, it is to an extent. I’ll talk a bit about the eco-tourism side a bit later. But if they bring somebody fishing or something into a lake that’s in the park, does that now mean they can’t do that anymore? I don’t know. Maybe no, maybe yes, but that’s what we need to look at.

The other thing is, for example, if the community of Peawanuck builds a winter road to Fort Severn. To give people a bit of a sense of the geography, Peawanuck is the second-most northerly community in Ontario. Fort Severn and Peawanuck are on Hudson Bay and they’re about 80 kilometres apart. To have a winter road to connect Peawanuck to the rest of the world, it’s faster for them to build a winter road from Peawanuck to Fort Severn than it is to build one from Fort Severn down to Attawapiskat to connect on their winter road. For somebody living in Peawanuck to get fuel in to run their generators, building materials and all that, it’s cheaper to do it on winter roads. A winter road through Polar Bear Provincial Park is what they’re trying to do—and they’re having a heck of a time trying to get that to happen—from Fort Severn all the way into Manitoba so they can haul stuff back because it’s the quickest way to do it.

My question becomes, what happens to the winter road that they’re now trying to construct in Peawanuck where they’re applying to use part of the winter road to go through the provincial park? To date, MNR policies have said you can’t go through the provincial park; you

have to go around it, to the north of it. They have to build the road where it's more expensive to build and maintain, plus they have to build more kilometres to get to where they need. They've had an application for about three years to go through the park, because it would be less expensive for them to build and would be a more direct route, which would be more economical for everybody.

The MNR has been working—and I give them some credit, along with Minister Ramsay—at finding a solution. I've got letters this thick in a file, when I go and take a look at it, that talk about that whole paper trail of the government trying to come to terms with this. Once you throw this into legislation, will they be able to continue that process? Will they still be able to build the winter road at the end of that process if this legislation passes? I don't know. They'll want an exemption, and I'm going to get to that. What it says in here, and I was going to get to that point in a second—I believe it was around section 20, if I can find it very quickly. It was section 19, actually. It talks about how the minister has some discretion.

But we need to find out that the legislation, as written—especially under “utility corridors,” subsection 19(2), if you're looking for it: “Subject to the policies of the ministry and the approval of the minister, with or without conditions, utility corridors, including but not limited to utility corridors for electrical transmission lines, are permitted in provincial parks and conservation reserves.”

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We're making it clear that we can put a hydro line through it. Are we making it clear that you can put a winter road through it? What about the community of Peawanuck? I don't know; I'm not the expert. I don't pretend, as a legislator, to truly understand that it does what the government wants it to do. I'm not convinced that the government wants to block future access for the Mushkegowuk Cree and Peawanuck to get a winter road into Fort Severn, because it is the stated goal of this government to try to fix that problem. So let's make sure this legislation doesn't block that. That's my point, that we've really got to get to committee to ask ourselves the questions around all of these particular issues to make sure people don't get caught up in something that at the end of the day may or may not be restrictive.

Again, I want to say on the motorized vehicle part of the legislation, as I read it, I take it that all the government wants to do is restrict access in one particular class of park, the wilderness class park. On the surface, that kind of makes sense. I'm not prepared to go jumping off the ceiling on this thing just yet. But I want to make sure that northerners come down and speak and ask, “Does this mean you're not going to affect me in all these other areas?” as the MNR has been doing over the past number of years. If we're taking policy and putting it into legislation, what's to say that something in this legislation is not going to further restrict somebody's access to a particular area that they've been accessing for some time?

For example, there are a number of waterway class parks up in my riding, as there are across the province. Up to now, people have been allowed to use their boat and motor to go fishing there; it's not restricted. I read the legislation and I believe that still will be allowed, but I'm not convinced. As I read the legislation, it talks about the purpose of that—because you have to read the purpose clause first and then you have to read the section of the legislation. The purpose clause is very clear, because it talks about how this is about making sure that we protect that land for future generations and that it's not impacted. That says one thing. Then you read this particular section that says, “The objectives of natural environment class parks are to protect outstanding recreational landscapes, representative ecosystems and provincially significant elements of Ontario's natural and cultural heritage and to provide high-quality recreational and educational experiences.”

I read that and I don't see the words “motorized vehicle” in it, which tells me that you can probably still use your boat there, but we need to make sure that that's in fact what it says. That's why people have to come to committee and ask that question of the government and the committee, and they've got to hear from the government and those responsible for drafting the bill clearly what the intent is, so that if ever this thing goes to court there's a record somewhere where the judge can say, “The intent of the government was never to do X, Y or Z.”

As you read that, it seems innocuous enough, but then I go back and read the purpose clause and it's fairly clear what the government is trying to do by way of purpose: “The purpose of this act is to permanently protect a system of provincial parks and conservation reserves that includes ecosystems that are representative of all of Ontario's natural regions, protects provincially significant elements of Ontario's natural and cultural heritage, maintains biodiversity and provides opportunities for compatible, ecologically sustainable recreation.”

What does that mean? I take it that it means you can still take your one-and-a-half Evinrude down that river way. I take it you can still do that—I hope, because that's where I fish and where other people fish. Does that mean to say that somebody down the road in an MNR office somewhere in Chapleau one day is going to all of a sudden look at that and say, “That means you can't use a boat and motor”? I don't know. It may or may not.

I'm saying we are all for making sure that we protect our land, we are all for making sure that we do things where there's no negative impact, but we don't want to so restrict access to people that they can't enjoy it in some of the traditional forms that we've always enjoyed it. I would argue that you don't want to be running up that waterway with a speed boat and a bunch of water skiers behind you, but there's certainly nothing wrong with taking your one-and-a-half Evinrude on the back of your small boat and going out to catch a couple of perch or pickerel or whatever might be there.

Or doing eco-tourism. I've got to tell you a story. Peter Kormos is the biggest eco-tourist in the Legislature.

People don't know that. Seriously. I brought Peter on a trip about four years ago. He said, "I really want to experience what you see in your backyard." I said, "Come out to the cottage and I'll take you for a little trip down the river." Peter's here to remember the story. We got into my boat. He remembers that. He's still tired thinking about it. We got into the boat, and this was on the Kamiskotia River.

Mr. Peter Kormos (Niagara Centre): That was no boat and that was no river.

Mr. Bisson: That was a river and that was a boat, Peter. Don't worry.

We got on this river and we started going down. I think we saw a lynx that day. We saw cranes, a moose, all kinds of stuff.

Mr. Kormos: Moose droppings.

Mr. Bisson: And moose droppings all over. It was a really beautiful experience of just going down and enjoying the river for what it was and just seeing what the natural environment looked like. But if that is made a waterway-protected park or whatever they call them in the legislation, does the purpose clause exclude me from taking my one-and-a-half and me and Peter jumping into a boat, going down to enjoy the scenery? I would argue that the one-and-a-half Evinrude is not going to do any damage to the Kamiskotia River. All you've got to do is go take a look at the damage the Kamiskotia mine did to the Kamiskotia River. I can run my one-and-a-half Evinrude all-out for 100 years and it'll never come close to what that mine did to it. In credit to our government and the Conservative government and now the Liberal government, we're cleaning up that disaster at taxpayers' expense, but that's for another story.

So I want to make sure that we don't have legislation that is so encompassing and written in such a way that all of a sudden somebody decides to interpret the legislation a certain way at MNR or MOE and say, "No. Too bad, so sad. You can't take the one-and-a-half Evinrude down the whatever river."

The other thing I want to talk about really quickly is one of the sections of the bill that deals with—this is under section 9 of the bill, on page 7. It says: "The minister shall ensure that the ministry prepare a management direction that applies to each provincial park and conservation reserve." It goes on to describe what the minister has to do, and it says, "by the fifth anniversary," blah, blah, blah, the minister has to have this done. Then I take a look at section 10 on the next page, and it says the following: "For the purpose of this section, management plans and interim management statements for provincial parks and statements of conservation interest and resource management plans for conservation reserves that exist—the key word is "exist"—"on the day that this section is proclaimed in force shall be deemed to be approved management directions."

You know as well as I do that some of the provincial policies are the very reason why we're doing this legislation. Some of the policies, quite frankly, didn't achieve the aim of adequately protecting the environment, and in

other cases are very restrictive, so that you've got them mad on both sides. You've got the environmentalists mad on the one hand because, for example, on the mixing issue, they see the data as being very skewed in favour of the developers. A lot of people say that those very policies are what creates the problem around the mixing issue. On the other side, there are those people who say it doesn't go far enough. When I read this here, it says that those particular policies may not be reviewed in time and will end up becoming the law. If that's the case, what do you do? So it means to say that now the law is proclaimed, it's enacted as in the bill, and we end up in a situation where a bad provincial policy that now exists on the books is now in the legislation. Do you know what that means? That means to say you've got to come back to the Legislature to fix it. Do you know how hard it is to get House time for a minister to fix a problem in a bill? Look at the former Minister of Municipal Affairs. He made mistakes in the first municipal assessment act, and we're still dealing with it. We don't have the House time. We had to do a unanimous consent motion in here two or three weeks ago to deal with one section of what was a flawed bill. If there wasn't agreement amongst the three parties, it wouldn't have happened. It would still be sitting there. Homeowners would be going crazy right now.

So I say, this is one that I think people who are learned need to be able to take a look at. Do we really want to make all parks policy the subject of the legislation? What it means, as I read it, is that the minister has five years to come up with provincial park policies through this process that he's going to set up in the legislation, these advisory committees, and, at the end of five years, has to introduce that and show it to the Legislature so that we can comment on it. It won't be debated; it's just something that's tabled in the House. That will become the policy of the legislation. That will become the regulation of the legislation. But there's an escape clause. It says that if the minister fails to do his job for five years, existing policy will become the regulation.

Whoa! Man, do I not like that one. That scares, I think, everybody. I think if you're an environmentalist and you're worried about what's going on with the mixing issue, as it happened at the Montcalm mine up in my riding, you're probably shaking in your boots, and if you're the mining corporation that's trying to get the mine going, you're shaking in your boots. Everybody's equally shaking on this one, because it means the same thing to both people as far as the restrictions of the current policy.

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I don't want, for a second, to pretend that all the parks policies in Ontario are bad; I believe most of them are okay. But there are some pretty bad ones out there that nobody can agree with—the environmentalists, the developers, the cottagers, the outdoorsmen or whoever, and we're saying that if the minister fails to do his job and doesn't come up with a park policy in five years, we're going to rely on what the current policy is and make that

the regulation of this bill? That is a really scary thought when you stop and think about it. I think people need to take a look at that. For those people watching on television or reading this in Hansard after, it's subsection 8(3), on page 6 of the bill.

Again, it may not be as I read it. All I'm saying is, I read this bill three times—more than anybody else, I would argue, because most people out in the public don't read legislation as bedtime reading, and I would argue that most members here don't read a bill unless it's their critic portfolio. I certainly don't read all the health bills, because I haven't got time. I read the bills that I'm the critic for and I try to understand them as best as I can. In my reading of the bill, it's subject to some debate, and the government's going to have to come up with good explanations as to what they really mean by this. Are they really saying that flawed policies that now exist can become subject to this bill in five years if the minister doesn't do what he's supposed to? I think that may be interesting.

That was the wrong section, by the way, that I just gave people. I was giving you another section; I had the bill open there. Hang on a second. Rewind. The five-year section was not 8(3); it's further on in the bill. I flipped the bill back to look at something else, and I just want to make sure that people get it. Don't you hate it when you do that? It's going to come to me later on; I'm going to run across it a little bit later. Look in the speech later, and you'll find it. Oh, yes; it's page 7, clause 9(1)(a). It says, "The minister shall ensure that the ministry prepare a management direction that applies to each provincial park..." Then if you go to subsection 9(10), it says, "Existing management plans, etc.," and that's where it takes the current policies and throws them in.

That brings me back to the issue that I put the page on for this one, and that is the whole issue of the government saying, "Oh, look at us. We're going to make it impossible for any minister in the present or future to steal any of that parkland and exclude it from the provincial park system," and how great this is. Well, not really. If you read the bill—more wiggle words. It says, on page 6, "Disposition of land, less than 2% of the area." Under subsection 8(3): "The Lieutenant Governor in Council may by order"—the Lieutenant Governor in Council is the ministers in the cabinet—"dispose of an area of a provincial park or conservation reserve that is less than 100 hectares or less than 2% of the total area of the provincial park or conservation reserve, whichever is the lesser." The argument is, they could take up to 100 hectares out of a provincial park by stealth through an order in council. That's what it means.

Then it says, in (4), "The Lieutenant Governor in Council may not order the disposition of an area of a provincial park or conservation reserve that is 100 hectares or more, unless"—that's pretty clear; this is where the weasel words come back—" (a) the minister first reports on the proposed disposition to the assembly." All right. So the minister tables something in the House and says, "I'm going to dispose of 4% of a park." Then

what? It says that as long as he follows one of these things, he can do it.

"(b) the minister tables the proposed new boundaries of the provincial park or conservation reserve with the assembly...." Okay, the minister's told me. He's got a majority; he can do what he wants, I guess.

"(c) the assembly endorses the proposed new boundaries of the provincial park or conservation reserve."

As I read that section of the legislation, is it (a), (b) and (c), or is it just (a) and (b)? I think we need to make that clear. I would think it's probably all three that will count, but we need to make sure that all three subsections come into play. What it definitely says here is, you can dispose of 100 hectares or less just by order in council. You don't have to come to the Legislature, which means to say that it might be a part of the park that people are tied to and have some attraction to and really want to see protected, and the minister can do what he wants. Is that what people want? Are the environmentalists happy with that? Are developers happy with that? I don't know. We need to hear from a committee. Then it goes on to talk about the exception, which is not being able to get rid of more than 100 hectares unless one of those three conditions is met. So we need to make clear that it would only be on the vote of the majority of the Legislature that something like that could happen over 100 hectares.

I guess the other point is, never forget that the government does what it wants because it has a majority. So any government in the future could come into the House by use of its majority and basically get rid of any part of a park it wants. As I read that legislation, they could do it.

That's probably not different from what already exists. They probably would have to pay a political price if they tried to do it, so it's probably not that big of a threat. But I still think that people have to take a look at that and make sure they're comfortable with the precedent we're setting in the legislation. If you tried to eliminate a provincial park somewhere, I think you'd have enough people out in the front at Queen's Park telling the government it's a bad idea.

But I've seen big crowds out here before and, I'll tell you, it doesn't sway a lot of people sometimes. In fact, my good friend the Minister of Colleges and Universities would know that all the people from Collège Boréal in Timmins are outside right now saying, "Où est mon collège? Où est mon collège à Timmins?" They're yelling. I can hear them, and I want to make sure the minister hears them. I hope he does. I just have to do a little bit of lobbying through this debate, if you don't mind. I digress.

Anyway, I'd just say that we need to make sure that that section of the legislation actually does what we're trying to do.

The other thing is, when we look at this legislation, under "Prohibition" under "Administration and Land Use," subsection 12(2): "No person shall use or occupy land in a provincial park or conservation reserve except in accordance with this act and the regulations." This

brings me back to the point I made a little while ago: What happens to those First Nations people who have traditional use? We need to make sure there is a non-derogation clause in the legislation that clearly sets out that First Nations' rights will not be impeded by this legislation. At the very least, the government, as a way of making sure that we don't do that, have to have a clause in the legislation that says we will not take away any inherent right that people now have to land, especially our First Nations. We can do that by introducing a non-derogation clause, I would argue.

It's happened before. I told you the story. It was in Pikangikum—that's where it was; I was trying to remember where it was—where a park was created basically without anybody in the community knowing, and all of a sudden they lost access to their traditional land. The same thing happened in Peawanuck when they created the Polar Bear Provincial Park. I speak to elders in that community. Last time—I think it was last fall—I was in Peawanuck talking to a number of people in the community at an informal meeting, and people talked about how the Polar Bear Provincial Park was created. Generally, they were supportive of protecting that area in perpetuity because they want that to happen too. But they said, "Jeez, in doing that, you've imposed all kinds of limitations on us that prevent us from being able to do what we traditionally did here: hunt and gather to live off the land." These people have been doing it for thousands of years before we Europeans showed up and all of a sudden we're saying to them, "You can't use your land because we're making it our backyard and we're making it our park." Some people were pretty insulted by that. So

this particular section of the legislation, I think, speaks to the need to have a non-derogation clause so at the end of the day we don't end up doing to the First Nations what we've done in the past.

The other community where that happened, if I remember correctly, was in Howard Hampton's riding in Wapekeka—I never pronounce it right. Let me do that again—W-A-P-E-K-E-K-A—so Hansard doesn't have to send me a little note to ask me how you spell that. It was the same situation there, where the park was literally created in the dead of the night. Nobody was ever consulted. They ended up with a park around their community. What did that mean? They lost traditional access to that particular land that they'd always used.

It then goes on about prohibited uses under section 15 of the legislation. On page 10 it says, "The following activities shall not be carried out on lands that are part of a provincial park or conservation reserve." A lot of these things we can accept to a degree: timber harvesting, generation of electricity etc. But "extracting aggregate, topsoil or peat"—in some cases, that's the only place you can get the aggregate to build a road. For example, if we wanted to build a road up the James Bay, there are some provincial parks that we're going to have to go through—oh, time flies.

Mr. Speaker, it being almost 6 of the clock, I would ask that we adjourn the debate for the next day.

The Acting Speaker: Thank you very much. It being 6 of the clock, this House stands adjourned until later on this evening at 6:45 p.m.

The House adjourned at 1800.

Evening meeting reported in volume B.

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Règlements et projets de loi d'intérêt privé**

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Shafiq Qadri, Khalil Ramal, Kathleen O.Wynne
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Wayne Arthurs, Caroline Di Cocco,
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Norman W. Sterling, Kathleen O.Wynne
Clerk / Greffière: Anne Stokes

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