



No. 93A

N° 93A

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 20 June 2006

Mardi 20 juin 2006

Speaker
Honourable Michael A. Brown

Président
L'honorable Michael A. Brown

Clerk
Claude L. DesRosiers

Greffier
Claude L. DesRosiers

Hansard on the Internet

Hansard and other documents of the Legislative Assembly can be on your personal computer within hours after each sitting. The address is:

<http://www.ontla.on.ca/>

Index inquiries

Reference to a cumulative index of previous issues may be obtained by calling the Hansard Reporting Service indexing staff at 416-325-7410 or 325-3708.

Copies of Hansard

Copies of Hansard can be purchased from Publications Ontario: 880 Bay Street, Toronto, Ontario, M7A 1N8. e-mail: webpubont@gov.on.ca

Le Journal des débats sur Internet

L'adresse pour faire paraître sur votre ordinateur personnel le Journal et d'autres documents de l'Assemblée législative en quelques heures seulement après la séance est :

Renseignements sur l'index

Adressez vos questions portant sur des numéros précédents du Journal des débats au personnel de l'index, qui vous fourniront des références aux pages dans l'index cumulatif, en composant le 416-325-7410 ou le 325-3708.

Exemplaires du Journal

Des exemplaires du Journal sont en vente à Publications Ontario : 880, rue Bay Toronto (Ontario), M7A 1N8 courriel : webpubont@gov.on.ca

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 20 June 2006

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Mardi 20 juin 2006

*The House met at 1330.
Prayers.*

ESTIMATES

Hon. Greg Sorbara (Minister of Finance, Chair of the Management Board of Cabinet): Mr. Speaker, I have a message from the Honourable the Lieutenant Governor, signed by his own hand.

The Speaker (Hon. Michael A. Brown): The Lieutenant Governor transmits estimates of certain sums required for the services of the province for the year ending March 31, 2007, and recommends them to the Legislative Assembly.

MEMBERS' STATEMENTS

CHIEF EAN ALGAR

Mr. Cameron Jackson (Burlington): On Friday, June 2, residents of Halton region assembled to pay tribute to the outstanding contributions to our community by our beloved Halton Police Chief, Ean Algar. His 38-year policing career has been recognized for outstanding leadership, for incredible sensitivity and for understanding on all of the major issues facing police services for the men and women who serve with distinction under his watch—sensitivity to the needs of cultural diversity by developing the province's first outreach programs and open-door policies; sensitivity to the needs of victims of violence, especially women and children; and sensitivity to the needs of seniors, all too often the targets of fraud artists.

As the first officer to rise through the ranks to become police chief, growing up in Halton, Ean recognized the importance of police understanding the needs of a changing community, and he actively participated in making it safer, better and more tolerant. As one tribute stated, "Ean Algar is the gold standard for leadership and an outstanding model of inclusion and partnership."

On behalf of the citizens of Halton region, we want to pay a special thank-you to Chief Ean Algar and to his beautiful wife, Suzanne, and their family for his inspired leadership and their selfless support and the many contributions he made to make Halton a safer and better place for all of us to live.

ROUGE PARK

Mr. Tony C. Wong (Markham): On June 3, I had the privilege of attending the Rouge Park Wetland grand

opening and greenbelt celebration. This environmental initiative is yet another example of our government's bold leadership and vision in recognizing that we must protect and do everything we can to preserve our vulnerable green spaces.

The benefits of protecting and preserving our natural heritage, like the Duffins Rouge Agricultural Preserve, are endless. My visit included a tour of the wetland and a hike up Beare Hill. From Beare Hill, I could feel the beautiful expanse of the Rouge Duffins greenbelt stretching from Lake Ontario to the Oak Ridges moraine. I can tell you, from experience, the view is awesome.

Over the past few years, Friends of the Rouge Watershed have worked with municipal, provincial, federal, youth and community partners to convert an old gravel pit into a beautiful and habitat-rich 12-acre wetland in the heart of Rouge Park. This government's creation of a 1.8-million-acre greenbelt to limit urban growth has helped make this natural habitat possible.

Over the summer months, I will remind myself and encourage others to make simpler and cleaner choices that will contribute to the preservation of our environment. I welcome you to visit Rouge Park to experience for yourself the great things this government, our youth and community volunteers have done to build a healthier, greener Ontario.

PORTUGUESE CANADIAN COMMUNITY

Mr. Gerry Martiniuk (Cambridge): On June 10 of each year, Ontarians celebrate Portuguese history and heritage on Portugal Day in the month of June, designated by the Celebration of Portuguese Heritage Act, 2001, an act I supported and voted for.

I was honoured to join in the celebration with the large Portuguese population in Cambridge a couple of weeks ago, enjoying the parade and flag raising. Now I stand in this place and recognize the 50th anniversary of 10 Portuguese pioneers in Cambridge. In 1956, 10 young men—Augusto Moitoso, Antonio Pereira, Ernesto Rebelo, Gilberto Inacio, Jose Oliveira, Jose Da Silva, Jose Santos, Jose Silveira, Manuel Duarte and Manuel Da Silva—left their homeland of Portugal to come to Canada and Cambridge, which today they and their families call home.

On July 8 and 9, these men will be honoured at Our Lady of Fatima Church in Cambridge. Their hard work, sacrifice and dedication to provide their loved ones with

a life of freedom, stability and opportunity is to be commended. They forged a trail for their families and thousands of other Portuguese immigrants in Cambridge.

I want to thank these men, who have made Cambridge and Ontario a better place to live, work and raise a family.

EDUCATION FUNDING

Mr. Rosario Marchese (Trinity–Spadina): The government continues to claim that schools are adequately funded. If schools are being adequately funded, why are parents at Keys Public School in the Renfrew County District School Board being asked to provide the following basics to grade 7 and 8 students out of their own pockets? “During the first week of September, please provide your child with a \$13 cheque, payable to ‘Keys Public School.’” Here are the supplies they’re being asked to bring: pencils, approximately 20, two per month; erasers, good quality, approximately five, one every two months; pencil sharpener with container; ball-point pens; glue sticks; white-out; scissors; calculator, solar; pencil crayons; markers, water-soluble; ruler; reinforcements; protractor and compass; two pencil cases; five Duo-Tangs; Bristol board; computer disks for saving computer assignments; and on and on.

We also have a list from T. W. Morison Public School in the Renfrew County District School Board for parents of grade 1 to 4 students. They have to bring: pencils; erasers; pencil sharpener with container; ball-point pens; glue sticks; white-out; scissors; calculator; Bristol board; two Hilroy notebooks/cahiers; five computer disks for saving computer assignments; and so on. You get the drift.

When will this government come up with a funding model that does not require parents to subsidize their children’s education—

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

1340

EVENTS IN HAMILTON WEST

Ms. Judy Marsales (Hamilton West): I rise in the House today to bring two wonderful stories from Hamilton. First, 31 female rowers from St. Mary’s Catholic Secondary School are number one in the nation. On June 4, St. Mary’s Crusaders won the Canadian Secondary Schools’ Rowing Association Regatta and were awarded the Hanlan Boat Club trophy. This is the second year in a row for the St. Mary’s women’s rowing crew to take home this championship trophy, awarded to the top women’s rowing program in the country.

Head coach Kevin Monaco, from St. Mary’s Catholic Secondary School, is proud of the program and credits its success to a combination of physical education, rowing instruction and dedicated athletes.

I also want to congratulate the team of five girls who took home two gold medals in two different races: Brittany Furtado, Brianne Misner, Julie VanBerkel, Julia

Thomson and coxie Jennifer Freeman. Hard work, dedication and a commitment to working together make this St. Mary’s rowing team a champion.

Honourable mentions to other Hamilton teams participating in the regatta include: Westdale Secondary School, Hillfield-Strathallan College, Bishop Tonnas and Bishop Ryan Catholic Secondary School.

These are great, great students in Hamilton, and we really commend their sincere dedication and effort.

NATIVE LAND DISPUTE

Mr. Toby Barrett (Haldimand–Norfolk–Brant): Welcome to Dalton Creek Estates, coming soon to a community near you. First Caledonia, next Burtch; who knows: Townsend, South Cayuga, Brantford, the region of Waterloo?

Under the Places to Grow Act, Caledonia is the first community to host Dalton Creek Estates. Don’t go to Dalton Creek Estates if you want to escape Premier McGuinty’s weak leadership. Just recently, he bought the whole development at a secret price.

Dalton Creek is a gated community, despite government rhetoric to the contrary. But don’t let the gates fool you: Things can get ugly. The rule of law does not apply. Premier McGuinty negotiates, at taxpayers’ expense, from a position of weakness despite six warrants outstanding and barricades still up.

Located at the south end of Caledonia, Dalton Creek Estates is facing economic hardship. Business is down; neighbouring subdivisions feel the stress and tension and are exposed to violence and mayhem.

There are no phones or TVs at Dalton Creek Estates, but that’s part of the broader policy being promoted by Premier McGuinty: no communication of any kind. And if you don’t like the landlords running Dalton Creek Estates, too bad for you, because the question remains: Does anyone know who’s in charge? And if someone is in charge, how would we know? There’s no communication and there’s no leadership.

TOURISM

Mrs. Carol Mitchell (Huron–Bruce): I’m very pleased to rise today to speak about this government’s recent fun pass announcement. The 2006 More to Discover fun pass, distributed to every elementary school student across the province, contains one free admission to 15 provincial attractions across Ontario and a discount on daily vehicle parking permits to any of our provincial parks.

In my riding of Huron–Bruce, that means children and their parents can enjoy a discounted parking rate at Point Farms Provincial Park north of Goderich, MacGregor Point Provincial Park south of Port Elgin, and Inverhuron Provincial Park outside of Tiverton. Last summer, this government officially opened the overnight camping portion of Inverhuron after 29 years of closure.

The fun pass will help to attract many new tourists to the area each day, and in turn will be a boost to our local

economy. I hope everyone takes advantage of the wonderful opportunity to discover what this great province has to offer and takes the time to travel through the most beautiful riding in Ontario, that being Huron–Bruce.

ÉDUCATION EN FRANÇAIS

M. Phil McNeely (Ottawa–Orléans): Lundi matin, j'ai eu le plaisir de me joindre à mes collègues l'honorable Sandra Pupatello, ministre de l'Éducation, l'honorable Madeleine Meilleur, ministre des Services sociaux et communautaires et ministre déléguée aux Affaires francophones, et député Jean-Marc Lalonde pour une annonce qui va contribuer à la réussite des élèves francophones de l'Ontario.

À l'école francophone Béatrice-Desloges à Orléans, on a annoncé un investissement dans les écoles de langue française de l'Ontario pour appuyer l'amélioration continue des résultats des élèves francophones de la province. Il s'agit d'une augmentation de 34 \$ millions, ou de 3,5 %, pour appuyer le rendement scolaire de près de 90 000 élèves francophones en Ontario. Cet investissement va non seulement assurer la qualité de l'éducation en langue française, mais ça va aussi contrer l'assimilation des élèves francophones.

Enfin, le gouvernement de monsieur McGuinty veut renforcer les communautés francophones de l'Ontario. C'est pour cela que nous continuerons de soutenir et d'encourager l'essor des écoles de langue française aux quatre coins de l'Ontario. Je crois fortement que la vigueur et la vitalité de nos écoles et de notre culture de la langue française revêtent une grande importance pour l'Ontario et, plus précisément, pour l'est de l'Ontario.

J'étais très heureux de me joindre à mes collègues pour cette annonce. J'anticipe davantage de résultats positifs grâce au soutien continu du gouvernement McGuinty pour l'éducation de langue française.

PREMIER'S VISIT

Mr. Jim Brownell (Stormont–Dundas–Charlottenburgh): This past Friday, Premier McGuinty spent some time with me in Cornwall in my riding of Stormont–Dundas–Charlottenburgh, and what a day it was. We visited Viscount Alexander Public School, where I began my teaching career in 1969, and Cornwall Collegiate and Vocational School, the school I attended for my high school years, which this year is celebrating its bicentennial. The Premier dialogued with students, commending them for their dedication and inspiring them with the simple message that with a strong education, anything is possible. He met with community leaders and townsfolk, sharing in their spirit of possibility and reaffirming his commitment to the community through his words and actions.

With his visit, Premier McGuinty has energized my constituents. They can feel that the sky's the limit for Cornwall. With such news recently received on 90% funding for Cornwall and Winchester hospitals, financial

supports for our schools to reduce class sizes and raise test scores, and the \$6 million for the ethanol facility planned in my riding, my constituents understand that their government and their Premier are supporting them 100%.

The visit last Friday was a boost to my constituents and to those who work so hard. Those community leaders, especially those who work on municipal councils, have worked hard. My constituents have told me to tell you what a great leader and role model our Premier is and that he will always be welcome in Cornwall and throughout the riding of Stormont–Dundas–Charlottenburgh.

VISITORS

Mrs. Maria Van Bommel (Lambton–Kent–Middlesex): On a point of order, Mr. Speaker: I beg your indulgence while I introduce my daughter Amanda Shelly and my granddaughter Grace, who have come to visit with us. They're in the members' gallery right here.

Mr. Peter Kormos (Niagara Centre): On a point of order, Mr. Speaker: I'm pleased to introduce a young woman, Ana Bredova, from Michalovce, Slovakia, here visiting her aunt Margita Galat and her uncle Branislav Galat.

Hon. Jim Watson (Minister of Health Promotion): On a point of order, Mr. Speaker: I'd like to point out in the Legislature three of our great summer interns working at Health Promotion: Paulo, Brian and Jana—their very first time visiting us here and seeing us in action. Welcome.

MOTIONS

HOUSE SITTINGS

Hon. James J. Bradley (Minister of Tourism, minister responsible for seniors, Government House Leader): I move that, pursuant to standing order 9(c)(i), the House shall meet from 6:45 p.m. to 9:30 p.m. on Tuesday, June 20, 2006, for the purpose of considering government business.

The Speaker (Hon. Michael A. Brown): Mr. Bradley has moved government notice of motion number 176. Is it the pleasure of the House that the motion carry?

All those in favour will say "aye."

All those opposed will say "nay."

In my opinion, the nays have it—the ayes have it. I'm sorry.

Interjections.

The Speaker: In my opinion, the ayes have it.

Mr. Rosario Marchese (Trinity–Spadina): You can't do that.

The Speaker: Yes, I can. Call in the members. There will be a five-minute bell.

The division bells rang from 1350 to 1355.

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

Ayes

Arnott, Ted	Hoy, Pat	Patten, Richard
Arthurs, Wayne	Jackson, Cameron	Peters, Steve
Balkissoon, Bas	Jeffrey, Linda	Phillips, Gerry
Barrett, Toby	Klees, Frank	Racco, Mario G.
Bartolucci, Rick	Kular, Kuldip	Ramal, Khalil
Bentley, Christopher	Kwinter, Monte	Rinaldi, Lou
Bountrogianni, Marie	Lalonde, Jean-Marc	Ruprecht, Tony
Bradley, James J.	Levac, Dave	Sandals, Liz
Brownell, Jim	MacLeod, Lisa	Scott, Laurie
Cansfield, Donna H.	Marsales, Judy	Sergio, Mario
Colle, Mike	Martiniuk, Gerry	Sterling, Norman W.
Crozier, Bruce	Mauro, Bill	Tascona, Joseph N.
Delaney, Bob	McMeekin, Ted	Tory, John
Di Cocco, Caroline	McNeely, Phil	Van Bommel, Maria
Dombrowsky, Leona	Meilleur, Madeleine	Watson, Jim
Duguid, Brad	Miller, Norm	Wilkinson, John
Duncan, Dwight	Mossop, Jennifer F.	Witmer, Elizabeth
Elliott, Christine	Munro, Julia	Wong, Tony C.
Gravelle, Michael	Oraziotti, David	Wynne, Kathleen O.
Hardeman, Ernie	Parsons, Ernie	Zimmer, David

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

Nays

Bisson, Gilles	Martel, Shelley	Tabuns, Peter
Kormos, Peter	Murdoch, Bill	
Marchese, Rosario	Prue, Michael	

The Clerk of the Assembly (Mr. Claude L. DesRosiers): The ayes are 60; the nays are 7.

The Speaker: I declare the motion carried.

ANNUAL REPORTS, OFFICE OF THE INTEGRITY COMMISSIONER

The Speaker (Hon. Michael A. Brown): I beg to inform the House that I have today laid upon the table the annual report of the Office of the Integrity Commissioner for the period April 1, 2005, to March 31, 2006.

I further beg to inform the House that I have today laid upon the table the seventh annual report from the lobbyists registration office, Office of the Integrity Commissioner, with respect to the administration of the Lobbyists Registration Act, 1998, for the period April 1, 2005, to March 31, 2006.

STATEMENTS BY THE MINISTRY AND RESPONSES

MINING INDUSTRY

Hon. Rick Bartolucci (Minister of Northern Development and Mines): I am very pleased to rise in the House today to inform members that a new, brilliant chapter in Ontario's colourful and prolific mining history was opened yesterday with the official launch of con-

struction of De Beers Canada Victor Project, Ontario's first diamond mine.

I was honoured to join Premier Dalton McGuinty, Minister David Ramsay, Minister Chris Bentley, representatives of the Attawapiskat First Nation and officials of De Beers Canada in the ceremonial start of construction of the mine, located approximately 90 kilometres west of the community of Attawapiskat on the coast of James Bay.

From a statistical perspective, the Victor Project is truly remarkable. When it goes into production in 2008, the mine is expected to produce six million karats of diamonds during its life. According to De Beers estimates, its total investment into the mine is approximately \$1 billion. The mine will employ about 600 people during construction and 375 people during production. De Beers anticipates that this project will create a \$6.7-billion ripple through the provincial economy, much of it in northern Ontario.

1400

While the numbers are impressive, the Victor project is, in my mind, more about people. I am thinking particularly about the potential that it has to greatly benefit the people of Attawapiskat and other aboriginal communities in the area.

The evolution of the Victor project has been marked by extensive and forthright consultations with local stakeholders. In fact, there were more than 100 meetings with coastal First Nations communities to discuss the impact of the operation. The pinnacle of those discussions was the ratification by members of the Attawapiskat First Nation of an impacts benefits agreement. The agreement covers a wide range of issues, including education and training, employment, workplace conditions, business opportunities, environmental protection, social and cultural protection, and significant financial considerations.

Communication is the essence of understanding. I commend De Beers Canada and the First Nations communities for developing a dialogue and a basis for mutual trust. Together, they have built a foundation for a project that will minimize impacts and maximize benefits for those communities.

The Victor project has also been marked by exemplary co-ordination between various provincial and federal agencies. Staff from both the provincial and federal levels of government worked tirelessly and in unison to ensure that permitting and environmental assessments were met and carried out in an expeditious way.

The road to Ontario's first diamond mine has necessarily been a long one. A great deal of effort, consultation and investment is now being rewarded. As Ontario joins the exclusive group of diamond-producing jurisdictions in the world, I am optimistic that other diamond deposits will be discovered in the north.

The Ministry of Northern Development and Mines has been working diligently to encourage and support the search for diamonds. We have developed programs and services such as indicator mineral studies, inventory

studies, bedrock mapping, airborne geophysical surveys and field trips to assist in identifying potential diamond exploration targets. Our geoscientists provide knowledgeable advice to clients so they can efficiently and effectively target their exploration resources.

The Victor project has also been a catalyst for diamond exploration in the province. Spending has climbed from \$5 million in 1998 to more than \$45 million in 2005, and more than 30 companies are exploring for diamonds throughout the province.

The McGuinty government continues investing in programs and services to ensure that mineral exploration and development opportunities continue to thrive for everyone. This includes launching Ontario's first mineral development strategy, which will enhance the mineral sector's global competitiveness while opening new opportunities for all Ontarians; investing \$10 million in Laurentian University's Centre for Excellence in Mining Innovation; investing \$15 million over three years for geological mapping in the far north; providing ongoing, one-stop Internet access to provincial mining-related services; and maintaining one of the most favourable tax systems and most attractive business climates in the world.

For most of the 20th century, diamond deposits in Ontario have been nothing more than a gleam in prospectors' eyes. Today they are very real, and they are bringing the sparkle of prosperity to Ontario's north and to the rest of the province.

HEALTH PROMOTION PROMOTION DE LA SANTÉ

Hon. Jim Watson (Minister of Health Promotion): I rise in the House today to put before you this government's action plan for healthy eating and active living.

When Dr. Sheela Basrur rang the alarm bell on the issues of obesity and diabetes in her Healthy Weights, Healthy Lives report, she challenged many sectors in this province to take action. For instance, there has been a 300% increase in obesity rates amongst children in the past 15 years. Dr. Basrur challenged all of us to work together to find ways to improve health in Ontario. The action plan that I released today is the Ontario government's response to Dr. Basrur's very thoughtful report.

À l'aide de cette stratégie bien pensée, nous travaillerons en étroite collaboration avec la collectivité, le secteur privé, les ministères qui sont nos partenaires et d'autres organismes afin d'aider les Ontariens à améliorer leur santé, à devenir plus actifs physiquement et à faire de meilleurs choix. Je suis vraiment très enthousiaste au sujet de ce plan d'action.

This is the first time that Ontario has integrated healthy eating and physical activity into one strategy—two factors which, together, have a significant impact on a person's health.

Our government's goal is to help Ontario families to live healthy, long lives. Good health is, of course, a

shared responsibility. Our government is committed to healthy Ontarians in a healthy Ontario, but we cannot do it alone. Our action plan is to call our partners—government bodies and the private sector, community groups and sport and recreation organizations, institutions and health professionals, and, of course, most importantly, families and individuals—to work together toward this goal.

It was my honour this morning to share the podium at the YMCA in downtown Toronto with Dr. David Bach, president of the Ontario Medical Association, and Mr. Rocco Rossi, president and CEO of the Heart and Stroke Foundation of Canada.

We were joined by literally dozens of other partners who came out in support of the plan: the Canadian Cancer Society, the Canadian Diabetes Association, the Boys and Girls Clubs of Canada, the Dairy Farmers of Ontario and the YM/YWCA, to name just a few.

These two organizations in particular, the OMA and the Heart and Stroke Foundation, exemplify the true nature of effective partnerships and organizations that have taken on the fight against obesity as their own cause as well.

C'est parce qu'une alimentation saine et un mode de vie actif sont beaucoup plus qu'une question de choix individuel. Il s'agit de travailler ensemble selon une approche coordonnée afin que nous puissions y arriver.

J'aimerais remercier nos partenaires pour l'aide qu'ils ont déjà apportée aux Ontariens afin de les faire progresser sur la voie d'une meilleure santé.

The action plan lays out the plans for a pilot program—for instance, to deliver fruits and vegetables to students in northern Ontario—modelled on a similar program in the UK.

The action plan introduces our goal of working with dietitians of Ontario to develop a web- and telephone-based advisory service on nutrition. An example is a dial-a-dietician program that has been very successful in British Columbia. We don't have to reinvent these programs; we can share them from other jurisdictions.

The action plan introduces a recognition program for schools to acknowledge efforts to promote healthy eating and physical activity in Ontario schools. I look forward to working with Minister Papatello to roll out that program in the fall.

Our plan builds on a strong foundation of strategies already under way. These include our Active 2010 strategy, the Ontario trails strategy, the heart health program, the communities in action fund—many members are well aware of how successful that program has been in getting small amounts of seed money into physical activity programs across the province—the chronic disease prevention programs delivered on our behalf through public health units, and a variety of public education campaigns, including encouraging the federal government to revitalize the very successful Participaction program. I look forward to dealing with Ministers Chong and Clement on this and on sport infrastructure matters tomorrow and Thursday at the federal-provincial-territorial sports meeting.

The action plan I announced today also builds on the success of the government's Smoke-Free Ontario Act and the lessons we learned in making this landmark legislation a reality.

Grâce à cette loi, nous avons compris l'importance de l'engagement et de la sensibilisation de la population concernant les menaces à la santé. Nous savons que les Ontariens sont désireux de faire des choix santé et ils le feront lorsqu'on leur donnera les bonnes informations et lorsque nous aurons tous conjugué nos efforts pour atteindre cet objectif commun, une meilleure santé.

Our action plan invests \$10 million this year in a phased-in approach to healthy eating and active living in areas that have the greatest need and potential for change.

In summary, our priorities are to grow healthy children and youth, build healthy communities, champion healthy public policy, and promote public awareness and engagement.

Since the inception of the Ministry of Health Promotion, created by Premier McGuinty one year ago next week, our government has championed health promotion and served as a catalyst for healthy eating and active living across the government and across Ontario. We can begin to overcome barriers to healthy eating and active living. I look forward to members' input and support of this very ambitious, progressive and exciting plan.

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

1410

MINING INDUSTRY

Mr. Norm Miller (Parry Sound–Muskoka): It is indeed good news that Ontario is opening its first diamond mine, west of Attawapiskat, by De Beers. I would like to congratulate De Beers and the First Nation communities in the Attawapiskat area. This mine is certainly going to provide a lot of hope for the Attawapiskat aboriginal communities and possibilities for jobs and other economic benefits.

As has been pointed out, there's a long time involved in developing a mine such as this, and huge investments. I know De Beers has invested about \$1 billion to make this mine a possibility. The mine involved exploration, diamond drilling, establishing the ore body, then determining the economics of the particular mine, and, in this case as well, negotiating an impacts benefits agreement with the First Nations in the area. So it certainly didn't happen overnight. I would like to thank the northern development and mines staff involved in this whole process. I know that when I was up at the opening of the North American Palladium mine, the NDM staff were complimented, in the case of that mine, with the work they did in expediting the opening of the mine.

As was pointed out in the minister's statement, "The road to Ontario's first diamond mine has necessarily been a long one," so we should give credit where credit is due, and that is to the programs and the ministers involved, they being the former Minister of Northern Development and Mines, Tim Hudak, former minister Jim Wilson, and

former minister Dan Newman, who implemented such programs, and there were some key ones that brought about this mine; for example, the new remote mines that were provided with a 10-year tax exemption by the former PC government, and reduced tax rates to encourage mine development in remote parts of the province.

I would say that that was a critical part of attracting De Beers to spend the huge dollars involved in investing to make this mine possible. We brought in programs like freezing taxes and fees on mines, reducing the mining tax rate by 50% and providing reduction of corporate income tax for resource companies. We implemented a new flow-through tax regime for mineral exploration and provided other programs, like the \$29-million Operation Treasure Hunt, a geoscience initiative to ensure that high-quality geological data were available to spur on other new mines. We also initiated a four-year, \$8-million innovation technology program and contributed \$1.6 million through the NOHFC to set up the world-class innovation centre in Sudbury through MIRARCO.

Those are just some of the programs that the former ministers, Mr. Hudak, Mr. Newman and Mr. Wilson, put into place that very much contributed toward the opening of this new diamond mine west of Attawapiskat.

I hope this is the first of many diamond mines to open in northern Ontario. It will certainly be a great benefit to the province and especially to those First Nations communities in the immediate area. I look forward to more announcements of more new mine openings.

HEALTH PROMOTION

Mr. Norman W. Sterling (Lanark–Carleton): With regard to the Minister of Health Promotion's announcement, it's pretty hard to be against motherhood and apple pie and giving millions of dollars to worthwhile groups, but let me make a few comments. First of all, the provinces have the responsibility for delivering the health care system, and it's an expensive health care system. Heretofore, or before this government took office, the federal government was in large part the purveyor of health promotion. They did it with a great deal of aplomb, and this present federal government, under Stephen Harper, has done even more with regard to health promotion, in giving a \$500 grant per child for children to actually be involved in active recreation.

The minister says that he is going to encourage the federal government to be involved in Participation, and I think that's a good program, but why not put all of the responsibility for health promotion in the right hands—the federal government's—save \$100 million, and spend it on hip replacements, knee replacements and all those things that our population needs—

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

MINING INDUSTRY

Mr. Gilles Bisson (Timmins–James Bay): I want to take this opportunity to congratulate the community of Attawapiskat, which has worked very hard to be able to

deal with how to become the neighbours and hopefully the benefactors of what will be the first diamond mine to operate in the province of Ontario.

I want to say to the House that this is a project that has been a long time coming. As I've said in the House before, the diamonds were there long before any of us got elected, and De Beers has been exploring in that area and others for the better part of 20 years, so it's not as if this project has come out of nowhere.

I've got to give some credit to De Beers, because they said to the community up front that they would not establish a mine operation until such time as they had negotiated a benefits impacts agreement with the community of Attawapiskat. They held to that promise. The community, through a lot of discussion, a lot of soul-searching and trying to figure out exactly what a benefits impacts agreement should look like, finally negotiated the agreement and had it ratified in the community not so long ago. So I say to the community of Attawapiskat—to Chief Mike Carpenter, the former chief, Theresa Hall, band council and others—congratulations.

I do say to this government, however, that one of the key components that has not been dealt with is the issue of training. De Beers has tried the best it could as a mining company to provide opportunities to the people of Attawapiskat and surrounding areas to participate in training in order to qualify to get the jobs that will be created there, and unfortunately it's not enough. We need the province to do its bit, and this government has been very reluctant, as was the previous government, to get involved in a very serious way when it comes to training in order to ensure that the people of Attawapiskat and area, the Mushkegowuk Cree, are able to benefit from the jobs that will be created during both the construction phase of that project and the operation.

I say to the Minister of Northern Development and Mines, it was interesting, however, that in his own backyard just recently, Allison Dempster from CBC and others were trying to get the minister to pronounce himself on what he plans to do or what he thinks about when it comes to the Xstrata deal that's going on on the takeover of Falconbridge. The minister at the time said, "Oh, I can't comment, no, because if I do, the stock market will be affected. I've got to hide behind something called the sub judice rule." I just remind the Minister of Northern Development and Mines that in fact that is not the case. In fact, I've got an opinion here, a legal opinion, that says the following: that the minister can comment if he should so choose. Why he doesn't—he does what Liberals do best—is because he's trying to stay on both sides of the bid at the same time.

To the point, it says, "Ontario's securities laws do not address the subject of ministerial comments or government announcements that might influence the stock markets." And this is the important part: "Such statements attract legal liability only"—the word is "only"—"if they are made with fraudulent intentions."

So I say to the minister: The people of Sudbury and the people of Ontario want to know where you stand on

the Xstrata deal, and we're asking you to come clean and to say where you're at on that particular deal.

HEALTH PROMOTION

Ms. Shelley Martel (Nickel Belt): The announcement made by the Minister of Health Promotion today is billed as the government's response to Dr. Basrur's report, which was released on November 25, 2004. It's worth noting that the report was produced by Dr. Basrur in her capacity as the chief medical officer of health for the province of Ontario. She was appointed by the Liberals. I supported that appointment. She also serves as the assistant deputy minister for the public health division at the Ministry of Health. So why did it take almost 19 months for this government to finally respond to Dr. Basrur's report? I have to say that the McGuinty government did not put much of a priority on her report or on her ability if it took them 19 long months to actually respond to what she had to say.

In truth, she did some very good work and made a number of recommendations that affect not only the government of Ontario but the health system, the food industry, workplaces, school boards, individuals, parents and caregivers. We hope that the government's announcement today actually does respond to some of the recommendations she made with respect to the Ontario government's role and responsibility here. We need to see which of these initiatives are actually new, because I see a number of initiatives outlined that are previous announcements that essentially have nothing to do with Dr. Basrur's report.

1420

I also hope that there's going to be sufficient funding to actually support those new initiatives that we hope are in the announcement today. I should just point out, the pilot project the government's talking about to ensure that northern students get access to fresh food and vegetables: If this includes students in aboriginal communities in northern Ontario, you'd better hope you have a lot of money to do that, because prices in northern stores are four and five times what they are anywhere else in Ontario.

Finally, we know that a number of recommendations have been made with respect to nutrition by both the Ontario Public Health Association and the Ontario Society of Nutrition Professionals in Public Health, and I would hope that we are going to get a government response to those recommendations, which were made in some cases almost two years ago as well.

Mr. Norman W. Sterling (Lanark-Carleton): On a point of order, Mr. Speaker: Last week, I introduced Bill 129, An Act to amend the Auditor General Act. I explained to the Legislature that this act is put in place with the intention of retaining Mr. McCarter as the Auditor General of this province until at least December 2007. It was necessary to make amendments to the Auditor General Act. Therefore, at this time, I now seek unanimous consent to proceed with orders for second and third

reading of Bill 129 and for the questions to be put immediately without debate or amendment.

The Speaker (Hon. Michael A. Brown): Mr. Sterling seeks unanimous consent to proceed with the orders for second and third reading of Bill 129, An Act to amend the Auditor General Act, and for the questions to be put immediately without debate or amendment. Agreed? Agreed.

AUDITOR GENERAL
AMENDMENT ACT, 2006

LOI DE 2006 MODIFIANT LA LOI SUR
LE VÉRIFICATEUR GÉNÉRAL

Mr. Sterling moved second reading of the following bill:

Bill 129, An Act to amend the Auditor General Act /
Projet de loi 129, Loi modifiant la Loi sur le vérificateur
général.

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

AUDITOR GENERAL
AMENDMENT ACT, 2006

LOI DE 2006 MODIFIANT LA LOI SUR
LE VÉRIFICATEUR GÉNÉRAL

Mr. Sterling moved third reading of the following bill:
Bill 129, An Act to amend the Auditor General Act /
Projet de loi 129, Loi modifiant la Loi sur le vérificateur
général.

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

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

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

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

FEDERAL-PROVINCIAL
FISCAL POLICIES
POLITIQUES FISCALES
FÉDÉRALES-PROVINCIALES

Hon. Dalton McGuinty (Premier, Minister of Research and Innovation): I would like to move the following motion:

That the Legislative Assembly of Ontario recognizes and affirms the importance of the province of Ontario continuing to play a constructive leadership role within Confederation, as it has done since 1867; and

That the Legislative Assembly of Ontario recognizes that the fiscal imbalance exists; and

That the Legislative Assembly of Ontario calls on the federal government to address the fiscal imbalance in a manner that is fair to all Canadians.

The Speaker (Hon. Michael A. Brown): Mr. McGuinty has moved:

That the Legislative Assembly of Ontario recognizes and affirms the importance of the province of Ontario continuing to play a constructive leadership role within Confederation, as it has done since 1867; and

That the Legislative Assembly of Ontario recognizes that the fiscal imbalance exists; and

That the Legislative Assembly of Ontario calls on the federal government to address the fiscal imbalance in a manner that is fair to all Canadians.

Debate?

Hon. Dalton McGuinty (Premier, Minister of Research and Innovation): Pursuant to the motion, I rise to speak on the importance of solving the fiscal imbalance in a way that is fair to all Canadians, including those who live in Ontario. Solving the fiscal imbalance is a very real and a very important challenge facing Canada today. It deeply affects the lives of all Canadians and the future of our great country. As members of this Legislature, we all know that Canada succeeds when Ontario succeeds, and Ontario families are depending on us to stand up for them, their province and their country.

Les familles ontariennes veulent ce que veulent toutes les autres familles canadiennes : de bonnes écoles, d'excellents hôpitaux et leur juste part de succès au sein d'une économie forte. Elles—c'est-à-dire nos familles—travaillent fort, observent les règles et paient leurs impôts. En retour, elles s'attendent à ce que leur gouvernement investisse dans l'éducation, les soins de santé et les fondements d'une bonne économie, ce qui inclut des routes, des autoroutes et d'autres infrastructures.

Ontario families simply want what other Canadian families want: good schools, excellent hospitals and a fair shot at success in a strong economy. They work hard, play by the rules and pay their taxes. In return, they expect their government to invest in their education, their health care and the foundations of a strong Ontario economy, including roads and highways and other infrastructure.

But right now, Ontario families simply aren't getting their fair share of federal funding for these important programs and services. For example, this year Ontario will receive \$86 less per person for health care and education compared to Canadians living in other provinces. That means Ontarians are receiving over \$1 billion less than they should under the Canada health and social transfers. At the same time, the federal government is sitting on large budget surpluses. It has more money than

it needs to meet its responsibilities, while the provinces and territories don't have enough to meet ours.

So when Prime Minister Harper acknowledged the fiscal imbalance between the federal government and the provinces and territories, Ontario families had a right to be pleased. They had a right to assume that a fair share of their money would be coming back to Ontario so it could be invested in their kids' school, their mom's health care, or the roadway or transit system they use every day.

Yet two proposals that the federal government is considering recommend fixing the fiscal imbalance by putting more money into equalization. This would only help some Canadians, not all Canadians. Given that equalization has grown by 30% in the last four years and that it is scheduled to grow at 3.5% every year, there is no need to further enrich equalization at this time.

People in Ontario have a strong, passionate, abiding sense of their responsibility to Canada. We're proud to pay \$4.9 billion into equalization this year to support quality education and health care services in other provinces.

Venir en aide à autrui est une valeur canadienne fondamentale. Mais nous avons besoin d'une solution au déséquilibre fiscal qui traite de manière équitable tous les canadiens et canadiennes.

Helping others is a fundamental Canadian value. But we need a solution to the fiscal imbalance that treats all Canadians equally, so we can invest more of Ontarians' hard-earned dollars in the things that are most important to them, like their schools, their hospitals, their roads and their public transit, because when we build a stronger Ontario, we can build a stronger Canada.

The members of this House need to speak with one voice to our fellow Canadians. We need to work together to solve the fiscal imbalance in a way that helps all Canadians succeed and prosper, so we can compete and win in a global economy and so we can ensure the best quality of life for all our people. Solving the fiscal imbalance is not about us in this place. It's about the people of Ontario and their fellow Canadians right across this magnificent country. They all deserve fair funding for the programs and services that matter most to all of us.

1430

Mr. John Tory (Leader of the Opposition): I rise to speak in support of this motion, which reaffirms the support of the Progressive Conservative Party for the principle of addressing the fiscal imbalance. Simply put—and I think the Premier said this in different words—a strong, viable and united Canada requires a strong, viable Ontario. I've also always been of the view—I think we all have—that a strong, viable Ontario requires a strong, viable and united Canada.

The interconnection between the strength of Ontario and the strength and unity of Canada is deep and important, and I believe must guide us both in the substance and in the tone of our approach to this issue. That is why, in building a consensus on the wording of this resolution, we asked for wording to be included that recognized the

constructive leadership role that Ontario has played in Confederation from the beginning, and I think it was an important inclusion.

Lorsque nous voterons pour cette résolution, je suis soulagé par le fait que nous ne voterons pas seulement pour l'avancement des intérêts de l'Ontario, mais également pour reconnaître le fait que nous avons une responsabilité spéciale et historique à travailler pour aborder les aspirations du Canada en entier. Ceci est bon pour le Canada ainsi que pour l'Ontario.

When we vote on this resolution, I'm comforted by the fact that we'll be voting not just to advance and support Ontario's interests, but also to recognize that we have a special and historic responsibility to work to address the needs and the aspirations of the rest of Canada as well, because that is good for Canada and because that too is good for Ontario.

That, of course, is the essence of the words contained in the last paragraph of the motion, namely that the ultimate resolution to the fiscal imbalance should be fair to all Canadians. To me, that means fair to the needs and aspirations of all of Canada, which must include an arrangement that is fair to Ontario and respects, concurrently, our needs and aspirations, as well as those of Canadians living in other parts of Canada.

We believe that the achievement of that fair result for all Canadians will require us, as a province, to conduct ourselves in a fair, constructive and straightforward manner in these discussions. I strongly believe that the fair and constructive putting forward of Ontario's case means we might have to look at doing a few things differently, and I put these forward in the constructive spirit of this debate.

First, I think we should be careful and conscious of the way in which we make our case. I genuinely believe that while we have to be clear on what we seek and what can work for both us and for all the rest of Canada, we must also recognize that Canada is a partnership, which means we have to persuade other partners to consider and ultimately to support our interests at the same time as taking theirs into account. We have to acknowledge and respect as well the needs and aspirations, for example, of our municipal partners.

A recent headline said, "McGuinty Discovers Diplomacy." While I would suggest that it doesn't rank up there with Banting or Columbus, it was a welcome discovery nonetheless and one that I believe should remain an important part of Ontario's approach going forward.

In the same vein, while we all understand the need to use numbers to make a point, they should be up-to-date numbers; they should bear some relationship to what we really seek to achieve in these discussions, so that people can distinguish between our positioning and our actual, defensible position as to what we think would be fair for the province of Ontario.

I base the following comment—and the preceding one, for that matter—on what we were told in the public service briefing we were provided with on this issue. They told us that the \$23-billion number often in use is

not up to date and confirmed that it's not the number we seek. I would suggest, just as an example, it's probably not a number we should continue to use.

Secondly, I think we should look back at the times when Ontario has been successful in the past in not just making a case, but in achieving real results for Ontario and for Canada. At those points in time, Ontario was a leader in putting forward thoughtful, professional proposals, which were meant to find resolution, not to identify conflict. We have the resources and we have the expertise in our public service in this province to put forward those kinds of proposals, and I think we should do so.

Third, I think we can go beyond having a debate on a resolution once in a while in this House and fully engage members of the Legislature on all sides to help formulate and put forward Ontario's case. I think it strengthens our case not to have it seen as one person's or one party's cause, but Ontario's cause.

Nation-building in Canada has never been easy. Why should we expect that it would be easy now to create something as unique and spectacular as we have in Ontario and Canada? It was a difficult challenge in the past, but it was done. So our party commits itself here today, yes, to doing our job as the official opposition to hold the government to account on this issue and on other issues, but at the same time never losing sight of our overarching responsibility to build and maintain a strong Ontario within a strong and united Canada.

Mr. Howard Hampton (Kenora–Rainy River): I'm pleased to participate in this all-party resolution today. New Democrats support a Canadian fiscal framework that treats Ontarians and indeed all Canadians fairly.

One year ago, my federal colleague Jack Layton used the vulnerability of a Liberal minority government to force amendments to the federal budget that made important gains in post-secondary education funding, housing funding, transit funding and funding for the environment for Ontario and for other provinces.

This is an issue which has some history. I think it's important to remember some of that history and to acknowledge what this is all about. In the federal budgets of 1994, 1995 and 1996, the federal government of the day and the federal finance minister of the day made substantial cuts to federal funding for health care, for universities and colleges, for social assistance and for training and adjustment, and severe cuts to employment insurance.

This hurt all provinces. All provinces across the country found it very difficult to fund health care and education at the post-secondary level. They found it especially difficult to look after their lowest-income citizens. It was grossly unfair to workers and especially unfair to workers who lost their jobs in Ontario. Every government since then, here in Ontario and across the country, has struggled to get the federal government to assume more of its share of the responsibility for important things like our health care system, our colleges, our universities, looking after our lowest-income citizens, and treating

workers fairly, especially when they've lost their jobs. We want to see the federal government assume today, and going forward, more of that responsibility that was cut in the federal budgets of 1994, 1995 and 1996.

I especially want to focus on the issue of employment insurance. In part, I want to focus on it because I hardly ever hear the Premier talk about employment insurance. But let me tell you just how unfair that system is to Ontario workers. Most people would be shocked to know that only 27% of the workers in Ontario today are eligible for employment insurance should they lose their jobs. Only 22% of the workers in the city of Toronto are eligible for employment insurance should they lose their jobs. That, to me, speaks of incredible unfairness. In fact, I'm told that Ontario workers contribute about \$1.8 billion more to the employment insurance fund than ever comes back to Ontario workers when they are laid off. I think that is terribly unfair.

I want to urge the Premier to start raising this issue, because I have not heard him raise this issue yet. You may have your differences with the current federal government and with the immediately past federal government, and those differences may go on for some time, but it seems to me there is an opportunity here to make a real difference for Ontario workers, many of whom have lost their jobs. We have lost 100,000 good-paying manufacturing jobs in this province over the last two years. Imagine the surprise of many of those workers when they find out that they're not eligible for employment insurance under the current system. Imagine the surprise of new Canadians who have come and who have worked and they find out that when they lose their job, they're not eligible for employment insurance.

We want to see some changes. That's why we are supporting this motion here today.

1440

The Speaker: Mr. McGuinty has moved:

That the Legislative Assembly of Ontario recognizes and affirms the importance of the province of Ontario continuing to play a constructive leadership role within Confederation, as it has done since 1867; and

That the Legislative Assembly of Ontario recognizes that the fiscal imbalance exists; and

That the Legislative Assembly of Ontario calls on the federal government to address the fiscal imbalance in a manner that is fair to all Canadians.

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

ORAL QUESTIONS

NATIVE LAND DISPUTE

Mr. John Tory (Leader of the Opposition): My question is to the Premier. Late on Friday, your government announced that it had purchased the principal piece of property in dispute in Caledonia. No purchase price was disclosed at that time.

We asked then, I understand we asked the Acting Premier yesterday, and now I will ask you: What was the price paid on behalf of the people of Ontario for that land? Reports have suggested the number may have been as high as 50 million in public taxpayers' dollars. Don't you think the public has the right to know this information? How much will the government be paying for this piece of land?

Hon. Dalton McGuinty (Premier, Minister of Research and Innovation): We have undertaken to the vendor of the lands not to make that information public at this time. Of course, and I say this with sincerity, you can seek that information directly from the vendor, but it's my understanding that they're not prepared to make that information public at this point in time.

I think that there are heavier, more pressing issues weighing on the minds of Ontarians when it comes to the circumstances at Caledonia. I think they can take some heart and comfort in knowing that we are making some real, measurable progress in getting barricades down and providing yet more financial assistance to the community.

I know that Minister Cordiano visited the community again just yesterday, I believe. I had a chat myself with the mayor of Haldimand county last week. We are working together, all parties involved, and, I can say—and I say this with some pride—hand in hand with the federal government every single step of the way as we continue to seek a peaceful resolution.

Mr. Tory: I would agree with the Premier that there are some higher principles that are at stake down there. There's been discussion we've had here about the rule of law. But there's also the important principle of accountability.

I think the people of Ontario deserve to know how much this part of the Caledonia episode will cost them. They deserve to know what the price tag is. It is not your money; it is the public's money that we're dealing with here. It belongs to them and it is managed in trust by you and by your ministers on their behalf. As a result I would argue, and we would argue, that you have no right whatsoever to keep this information from Ontarians.

You're hiding, as you said in your answer, behind the supposed request to keep this secret made by the seller for supposedly competitive reasons. I would ask you: Since when did the competitive concerns of a particular business in Ontario—the seller of land—override the public interest in knowing about the expenditure of millions of their dollars? I would ask you, will you ensure that this information is immediately made available even if you have to ask the seller—you're the Premier of Ontario—if they will agree to have this information made public, in the public interest?

Hon. Mr. McGuinty: No, I will not give an undertaking. Let me quote from a news release put out just recently by Henco Industries Ltd., the people who own the land. When they were informed that we were going to work with them on an agreement to purchase the land, they said:

"We are encouraged by this news. We appreciate the good-faith negotiations on the part of the province to resolve our issues over the native occupation of our property since late February. We're also pleased that the government is continuing discussions with the builders who purchased lots in our subdivision, is providing additional funding to help local businesses in Caledonia, and has committed to help residents most directly affected by the current situation as well as the community at large."

We are working, and we are working well with the community, with the affected parties to resolve this in a manner that is peaceful.

Mr. Tory: No one is taking issue with what can be done to resolve the issue in a peaceful manner. But I'd say, with respect, sir, that if the landowners were insistent that in the case of a multi-million-dollar deal the details remain secret, you should have said to them, "We cannot negotiate in that manner because we are dealing here with public money and with the important principle of accountability to the public. There has to be transparency and openness about this magnitude of public dollars."

It is estimated, as I said earlier, that this could cost as much as \$50 million, and that's before you take into account what you yourself mentioned a moment ago: namely, the purchase of other properties. Your own minister responsible for aboriginal affairs said that this won't be the last of these kinds of deals that are made going forward, and I think that makes it more important than ever that we know what the first deal cost.

Will you commit that you will not enter into any land negotiations in respect of any of these claims whatsoever, including any more on this one, where you will not put the principle of openness and transparency and public disclosure—

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

Hon. Mr. McGuinty: The principals behind that company are two local brothers from the community who put, I think, their life savings in this project. I thought the members opposite would have wanted to champion some local interests in that regard, but obviously they're taking a different tack.

Let me tell you what else was put out last week by way of a release from Haldimand county: "Haldimand county is pleased with the announcements made today by Economic Development and Trade Minister Joe Cordiano, minister responsible for aboriginal affairs David Ramsay, and Municipal Affairs and Housing Minister John Gerretsen, publicizing the expansion of the financial assistance program for businesses in Caledonia, financial relief for residents directly impacted by the situation in Caledonia ... the acquisition of the Douglas Creek Estates property by the province of Ontario.

"Haldimand county appreciates the measures announced today. These positive steps will greatly assist in the implementation of the recovery phase, not only for

the community of Caledonia but for all of Haldimand county.”

ENVIRONMENTAL BILL OF RIGHTS

Mr. John Tory (Leader of the Opposition): My question again is for the Premier. I point out that not one of those people thanked you for keeping the purchase price secret that was paid for with their money.

Premier, you were once quoted as saying, “I think it’s perfectly clear that this minister has not assumed her own special responsibility, and that is to advance the cause of the environment at the cabinet table. It is apparent that nobody on that side of the House has assumed that responsibility, but there is only one person in particular who is charged with that responsibility, and that’s the minister herself.” That was you talking about a previous Minister of the Environment.

Premier, what specific efforts were made by your Minister of the Environment, in dealing with your latest energy scheme, to ensure that the Environmental Bill of Rights was upheld and complied with? What efforts were made by her in those discussions?

Hon. Dalton McGuinty (Premier, Minister of Research and Innovation): Let me tell you a little about the process we’ve instituted here, and that was already under way with respect to our energy plan, by way of public consultation.

Leading up to the development of the plan, there were Ontario Power Authority public hearings last year; that was the first opportunity for the public to participate. Our government then led town halls in 12 communities; that was a second opportunity to participate. We also provided a listing on the Environmental Bill of Rights registry; we’ve received responses there. We set up an energy ministry website as well, seeking advice from the public there; that was the fourth opportunity. We’re now going to send this plan to the Ontario Power Authority, which is going to develop the integrated power supply plan. They will be meeting with groups in the public throughout the summer and the fall; that’s the fifth opportunity for public input. The OPA will then send this plan to the Ontario Energy Board, which is a process that takes about one full year; that will be the sixth opportunity. Then each and every project that’s to move ahead by way of new generation will be subject to an environmental assessment.

Those are seven separate opportunities for Ontarians—

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

Mr. Tory: I would say to the Premier that that’s a very interesting compendium of meetings, many of which the public didn’t even know how to find, but which had nothing to do with the question, which is what efforts your Minister of the Environment made, who has sworn to uphold the environment as her responsibility, and which you pointed out, when you used to talk about this in opposition, was her responsibility. What did she

do to uphold and to put forward the law, the Environmental Bill of Rights and its requirements in particular?

1450

Yesterday, the Environmental Commissioner of Ontario, an independent and respected officer of this Legislature, berated your government for “escaping its responsibility to be transparent and accountable” and went on to say that no government in the 12-year history of the Environmental Bill of Rights had tried to pull the type of environmental skulduggery that your Minister of Environment has allowed to happen here.

Premier, the Environmental Bill of Rights is one of the most important foundations of the Ministry of the Environment. Your job, and that of your minister, is to uphold that law and to respect that law. Why did you, instead, allow yourself to be bamboozled into skirting that law, and why would your own Minister of the Environment not have objected to this side-stepping of the law? Why didn’t somebody speak up for the Environmental Bill of Rights in the process you just talked about but where you didn’t answer my question? Why did nobody speak up for the Environmental Bill of Rights?

Hon. Mr. McGuinty: Again, the leader of the official opposition is having difficulty with the fact that he’s staring into the face of a government that is determined to move ahead with a new plan for energy to ensure that by 2025 we have safe, clean, reliable electricity. He wants us to freeze in our tracks.

We’ve created seven separate opportunities for Ontarians to comment. We think there is ample opportunity, in the past, today and going into the future, with respect to making sure we get this plan right. The members opposite, somehow, for some reason—notwithstanding the fact that we find ourselves behind the eight ball in Ontario—are determined to grind this to a halt. We are bound and determined to move ahead. There are seven separate opportunities for public comment. We think that is more than adequate.

Mr. Tory: There’s still no answer on the Environmental Bill of Rights, and the province of Ontario is frozen in its tracks because of the weak leadership that began with irresponsible promises you made in the 2003 election. Now, the lack of respect for the Environmental Bill of Rights is simply another example of you and your government saying one thing before the election and doing exactly the opposite after—

Interjections.

The Speaker: Stop the clock. Order. I’m having great difficulty hearing the Leader of the Opposition.

Mr. Tory: One day, you’re a steward of the environment and the next day you’re finding ways, with your dithering and broken promises and so on, to skirt the law of the land.

The former Minister of the Environment, Leona Dombrowsky, wrote in an editorial in 2004 that the Environmental Bill of Rights is “one of the most effective pieces of legislation in Canada” and that “it has done more than just enshrine environmental values in legislation; it has given citizens the means to make their voices heard.” She goes on from there.

As with my previous question on Caledonia, what do you and your government have against transparency, accountability and openness? Why are you not prepared to be open with the taxpayers of Ontario? Why are you and the Minister of the Environment now ignoring and side-stepping the law in terms of what was required of you to do in this instance under the Environmental Bill of Rights? Why were you a big advocate for the environment before the election and now, any chance to skirt the law, that's what you find? Why the switch?

Hon. Mr. McGuinty: It is just a little bit rich to hear from the leader of the official opposition, representing a party which seemed to go to great lengths in government to absolutely decimate the Ministry of the Environment. We picked up that Ministry of the Environment, got it off the ground, onto its knees, on its feet and back in the race. We are proud of the recovery effort we made to the Ministry of the Environment. I'm proud of my Ministers of the Environment, whether they were Jim Bradley, Leona Dombrowsky or Laurel Broten. When it comes to the environment, I'll put our record up against that previous government's record any day. Seven separate opportunities to comment on our plan—we look forward to moving ahead with that plan and receiving those comments.

ENVIRONMENTAL ASSESSMENT

Mr. Howard Hampton (Kenora–Rainy River): My question is for the Minister of the Environment. Minister, yesterday, Ontario's Environmental Commissioner, an independent, respected, neutral, third-party environmental advocate who is appointed by all of us here in the Legislature, said that you, as Minister of the Environment, were involved in an unprecedented violation of Ontario's environmental laws. The Environmental Commissioner said that you, as minister, breached the legal requirement of Ontario's bill of rights when you, the minister, secretly exempted the McGuinty government nuclear mega scheme from a provincial environmental assessment. You failed under the Ontario Environmental Bill of Rights.

My question, Minister, is this: Will you stand up and admit that what you did is wrong, rescind the secret exemption, guarantee that the \$40-billion nuclear mega scheme will go before a thorough and proper environmental assessment under the laws of Ontario, and comply with Ontario's Environmental Bill of Rights, the law of Ontario?

Hon. Laurel C. Broten (Minister of the Environment): As Minister of the Environment, I want to be very clear with Ontarians. Every single project that will be built in this province, as we do what those governments before have not done and build a new supply of clean, green energy, will be the subject of an environmental process. That process will take place in their community. They will be able to participate in that process, have their voices heard, raise their issues and concerns, participate close to home, talk about those issues, and not a single

project will be built in this province if I have any concerns that the health or the environment of Ontario is at risk. That's my commitment to the people of Ontario. That's our obligation: to lead forward to a future without coal, to get windmills built, to get new power supply on-line, and protect the environment at the same time.

Mr. Hampton: Minister, you can refer to all kinds of issues outside of answering the question, but here's the reality. On June 14 in this Legislature, you said there was no legal requirement in the Environmental Assessment Act of Ontario for the McGuinty nuclear mega scheme to undergo a provincial environmental assessment. But even as you spoke the words here in the Legislature, you had signed a secret exemption order on June 12 to enable the McGuinty nuclear mega scheme to escape the legally required provincial environmental assessment, and at the same time you shirked your responsibility to notify the people of Ontario about your secret regulation, about your secret exemption, even though it's the law of Ontario under the Environmental Bill of Rights that you do so.

Minister, you have broken and undermined Ontario's environmental laws, not once but twice. How can you—

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

Hon. Ms. Broten: I'll repeat to my friend opposite what I have said in the past. We have been entirely consistent in our approach to this subject matter. Broad government policy direction is not the appropriate subject matter of an environmental assessment. That's the decision I made with respect to the coal replacement plan. You didn't have any concerns about that. That's the decision that has been made with respect to the integrated power supply plan, which will be a reflection of that broad government policy.

What will be the subject matter of very vigorous environmental assessment will be every single project that might or might not be built in this province. At the same time, we have put forward a requirement on the OPA and the OEB to consider the environment as they make their decision with respect to a long-term supply plan. They will look at rationale. They will look at needs and alternatives. They will raise the issues of the environment as we build a new, clean, green supply of energy. The regulations put in place are simply to confirm the decision and the position—

The Speaker: Minister. Final supplementary?

Mr. Hampton: You talk about the Ontario Power Authority. The OPA has already made up their mind on both nuclear and coal. That's like saying that you, as Minister of the Environment, turn it over to the fox to look after the chickens in the henhouse. They've already made their decision. They're pro-nuclear; they're pro-coal.

Here's the absurdity of your position, as quoted today in the press. You said that the government chose a step of including by way of designation to exclude. It makes no sense at all. Here's the reality. The Environmental Commissioner doesn't have to kowtow to Dalton McGuinty to

keep his job. He's independent and he's respected. He said you undermined Ontario's Environmental Assessment Act and you failed to comply with Ontario's Environmental Bill of Rights. You have failed as Minister of the Environment. When are you going to do the honourable thing and resign?

1500

Hon. Ms. Broten: I know it's very confusing to my friend opposite, but the law is very clear: Broad government policy is not the subject matter of an environmental assessment. In order to confirm that decision and make it very clear, as I indicated—again, apparently very confusing—we had to designate it in order to exclude it.

That being said, our position has been absolutely consistent. The regulation is administrative in nature. What it says to Ontarians who may want us to change the law is that we are confirming the law. We will apply the law and we will continue with the law that exists in this province. We will have an environmental assessment of every single project that is going to be built in this province, and we will ensure that Ontarians are protected as we build a new future, with 10 times the conservation we have at present, double the renewables, less greenhouse gases, less mercury and less pollution going into the environment. That's the future I want for my kids, and we're moving toward that future.

The Speaker: New question. The leader of the third party.

Mr. Hampton: My question is to the Premier. I don't think Ontario's Environmental Commissioner is confused. He knows what's going on. This is really about your leadership and your standards as Premier. Maybe you believe that watering down Ontario's environmental laws is acceptable. Maybe you believe that signing an order in secret, in the backroom, to escape a proper Ontario environmental assessment is acceptable, but I think the majority of people in Ontario don't think it's acceptable at all. And maybe you believe that an environment minister who undermines and breaks Ontario environmental laws deserves to be in your cabinet, but I don't think people across Ontario believe that.

Premier, they're your standards. Do you believe that someone who undermines Ontario's environmental laws, who breaches Ontario's Environmental Bill of Rights, can continue as your Minister of the Environment?

Hon. Dalton McGuinty (Premier, Minister of Research and Innovation): Again, I'm pleased to inform the leader of the NDP, and to confirm for the people of Ontario, that throughout this procedure—we're talking about building new nuclear reactors here; that takes 10 years—there are going to be seven separate opportunities for the people of Ontario to comment on this plan. We think that's ample opportunity to get the very best advice and to allow our public to lend shape to this plan so it's the best it can possibly be.

What this is really all about is that the leader of the NDP is opposed to the construction of any new generation in Ontario. That's what it's all about. We are charged with a special responsibility on this side of the

House, which is to keep the lights on, and we will do what it takes to get that done.

Mr. Hampton: Here's what it's about: It's about a Premier who is desperate to have his \$46-billion nuclear mega scheme escape any kind of proper environmental assessment in the province. It's about a Premier who likes to give speeches filled with platitudes about the environment, but who isn't prepared to follow Ontario's own environmental laws.

Here is what the Environmental Commissioner said: "This is the first regulation under the Environmental Assessment Act that has not been posted on the Environmental Registry for public review and comment in the 12-year history of the Environmental Bill of Rights. This decision goes against the whole principle of government accountability and transparency enshrined in the act."

Premier, is that acceptable conduct for a Minister of the Environment in your government? Is that acceptable conduct for the McGuinty government?

Hon. Mr. McGuinty: It's interesting to note that the regulation which the leader of the NDP is commenting on was posted on the public website for regulations. That's where he found it. There's no particular secret there. That regulation was passed in cabinet. It's not a secret room. It's not a secret process. That's where it was done.

Again, I think what this is really all about—and we need to be up front about this—is that the leader of the NDP is intent on doing whatever he possibly can—he has been pretty straightforward about this until now—to ensure that there's no construction of new generation in Ontario, ever. I understand that. That's his position. He thinks that is progressive; I see it as antiquated. We have a different sense of the future here. We think that we've got a responsibility to make sure we have a plan in place, which we now have in place, to ensure that the people of Ontario, through to 2025, have a reliable supply of clean, safe, affordable electricity. And that's what we're doing.

Mr. Hampton: Premier, this is about a Dalton McGuinty who doesn't want his nuclear mega scheme to go before a proper Ontario environmental assessment, where the people of Ontario might be able to suggest some positive alternatives rather than building risky, expensive and unreliable nuclear plants. This is about a Premier who's looking for a place to hide.

I want to quote a question that was asked: "I think it's perfectly clear that this minister has not assumed her own special responsibility, and that is to advance the cause of the environment at the cabinet table.... It's apparent that there's nobody over there taking any interest in preserving our environment, and we're going to pay for that for a long time to come." Premier, those are your words. Those are the standards you set in opposition.

I'm asking you now, Premier: Is it acceptable for you, Dalton McGuinty, to have a Minister of the Environment who not only undermines the Environmental Assessment Act but disobeys—

The Speaker: The question has been asked. Premier?

Hon. Mr. McGuinty: Just on one front, to give you some indication of what this particular Minister of the Environment has accomplished for the people of Ontario so far: She has reduced reliance on coal by 17%, reduced sulphur dioxide emissions by 28%, reduced nitrous oxide emissions by 34%, reduced carbon dioxide emissions by 15% and reduced particulate smog emissions by 28%.

Again, I accept that the leader of the NDP will do everything he possibly can to ensure that our province and this economy do not have the benefit of a clean, safe, reliable supply, long into the future, of electricity. I understand that. That is his position. On the one hand, he talks about the loss of manufacturing jobs, he talks about the problem of getting reasonably priced electricity, but on the other hand he will not support us in our efforts to ensure we have those kinds of things in place.

We have a plan in place now. We've submitted it to the Ontario Power Authority. There will be seven separate opportunities for Ontarians to comment on the plan, and we look forward to moving ahead with our plan.

BAIL VIOLATIONS

Mr. Robert W. Runciman (Leeds–Grenville): A question to the Premier: Yesterday, CTV News reported a story about the significant number of individuals living in our midst out on bail charged with very serious crimes, including murder. The report specifically referenced two men, Sammy Bellissimo and Andrew Khan. Khan is accused of killing a man and shooting a 16-year-old witness to the crime, and Bellissimo was the focus of a six-year manhunt for another shooting. Premier, do you think bail for people with this kind of record is appropriate?

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

Hon. Monte Kwinter (Minister of Community Safety and Correctional Services): I'm sure the former Solicitor General knows the process. The bail that is set is set in the courts. That is a judiciary responsibility. We have no input into it whatsoever. That is something that is done, as he well knows, and if you have a concern with that, you should take it up with the judiciary.

Mr. Runciman: We'd better get the blackboard out for the minister. You have very significant involvement through the Attorney General, who's a minister of the crown. You can oppose bail, and if a decision is made for bail, you can appeal that decision.

Premier, according to CTV, some of the accused in the Boxing Day shooting death of Jane Creba were also out on bail. Stats Canada states that there were over 100,000 bail violations in 2004. The courts can't tell us how many accused gunmen and sex offenders are walking the streets right now.

Minister, do you agree that the crowns have to get tougher on bail applications for violent and dangerous offenders, and if so, how and when is your government going to get tougher?

1510

Hon. Mr. Kwinter: The judge determines what the disposition of the case is going to be. I also have to caution the member to know that these people are accused; they are not convicted. The judiciary makes that decision—

Interjections.

Hon. Mr. Kwinter: Oh. I would ask you, I would ask any of the members, I'd ask the Leader of the Opposition, who is a lawyer: Would he be in a position to determine, before someone has been absolutely convicted, what the disposition should be? This is something that is determined by the judiciary, and if you're asking me to interfere with the judiciary, that is something that I'm not prepared to do.

ENVIRONMENTAL ASSESSMENT

Mr. Howard Hampton (Kenora–Rainy River): My question is for the Premier. Here's the situation that your nuclear mega scheme now presents to the people of Ontario. Shawn-Patrick Stensil of Greenpeace says, "What are they trying to hide? A good plan could withstand scrutiny." Dr. Mark Winfield of the Pembina Institute says, "The government is attempting to deny Ontarians their right to know the real costs and risks associated with the government's electricity plan." Keith Stewart of the World Wildlife Fund says, "Premier McGuinty is telling Ontarians they have to pick their poison—coal or nuclear—while ramming through a plan that forces us to accept both."

You've been trying to avoid a proper Ontario environmental assessment. The question I have, Premier, is: Now that you've got your Minister of the Environment undermining our environmental laws and breaching some of our environmental laws, don't you think it's better, more open, more honest and more transparent to just obey Ontario's environmental laws rather than trying to hide from them?

Hon. Dalton McGuinty (Premier, Minister of Research and Innovation): I can understand why the leader of the NDP would have Ontarians believe otherwise, but in fact there's going to be an environmental assessment for our specific projects. I think he's very much aware of that, but somehow he would have us believe otherwise.

That's just the culmination of a series of opportunities, and I listed them earlier. The environmental assessment on a project basis will be preceded by six separate opportunities for Ontarians to have a say and to have comments.

Putting up a new nuclear reactor would take 10 years. Again, I understand that the leader of the NDP is dead set against more nuclear energy in the province of Ontario. I understand that; I accept that. But on this side of the House, we are charged with making sure that we keep the lights on; making sure that we put in place a plan to ensure that we have a reliable supply of clean, safe, affordable electricity. That's what we are doing.

Mr. Hampton: Premier, you can try that line on people; the fact is, it takes 10 years to build nuclear plants, so building nuclear plants over the next 10 years is not going to do anything to keep the lights on this summer or next summer or the summer after that. This is about your attempt to hide from Ontario's environmental protection laws.

This is what Jack Gibbons of the Ontario Clean Air Alliance says. He calls your scheme "a huge betrayal." Dr. Rick Smith of Environmental Defence says, "The government [is] sucking up to the nuclear industry acolytes, coal barons, [and] well-heeled development lobbyists." Rick Lindgren of the Canadian Environmental Law Association says, "The Ontario government knows that the provincial energy plan is unlikely to survive the rigorous scrutiny and public interest test under the" Environmental Assessment Act.

Anybody who knows anything about the history of cost overruns at nuclear power plants in Ontario knows what you're trying to do here. You're trying to escape the law; you're trying to hide from Ontario's environmental laws. Premier, why don't you stop the manipulation? Why don't you just submit—

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

Hon. Mr. McGuinty: If we are so determined to keep this from public view and to do this under cover of darkness, then why is it that we have been so public with our plan? Why is it we're talking about ensuring that we meet the energy gap that's going to arise between 2014 and 2025? We're talking about that today. There are at least two elections between now and 2014. We don't have to proceed with this plan at this point in time, but we are because we feel a responsibility to do so.

The leader of the NDP would have us shy away from this indefinitely. I can tell you that when I have the opportunity to travel on behalf of Ontarians outside this province, one of the pieces of information that members of the investment community are looking for is, "Will you have a long-term, reliable supply of clean, safe, affordable electricity?"

We are taking this on. The leader of the NDP would prefer that we not do that. He prefers to bury his head in the sand, as did the previous Conservative government. We are going to take this on. We are going to have this debate. It will surely be a most important part of the election, but we will move forward in Ontario with a good plan for safe, clean, reliable electricity.

EDUCATION FUNDING SUBVENTIONS DESTINÉES À L'ÉDUCATION

Mr. Bruce Crozier (Essex): My question is for the Minister of Education. Since coming to office, our McGuinty government has increased per pupil funding by almost \$1,600. That's 21% above the previous government's per pupil funding—a 21% increase in just three years.

Our government has made education one of its main priorities. We're taking steps to ensure that primary class sizes keep shrinking; reading, writing and math achievements keep improving; and more students graduate from school.

Minister, you've said yourself that the bigger the investment we make in education, the bigger responsibility we have to the people of Ontario. Can you explain to the House how our government's recent \$17.4-billion new grants for students' needs investment will show that we take our responsibility to the people of Ontario seriously?

Hon. Sandra Pupatello (Minister of Education, minister responsible for women's issues): I'm very happy that this member from the great riding of Essex and I had an opportunity last week to announce new schools for the county of Essex, and in particular the schools that this member has been working on for a long time: Maplewood and Sun Parlor. Congratulations to all of those families and schools.

On this \$17.5-billion investment, you know that we are focused in particular on lowering class sizes: 1,300 more teachers for that smaller class size and 300 more student success teachers to move those students through to high school. We're proud of our investment and we know it's making a difference for families.

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

Mr. Phil McNeely (Ottawa—Orléans): Minister, I believe that these education initiatives will be successfully implemented; that they will have a positive effect on the students in my riding and the entire education system of Ontario.

Our Liberal government realizes the unique challenges that French-language school boards face in helping students succeed. Minister, can you please tell me what our government is doing to ensure the quality of French-language education and the success of French-language students?

L'hon. M^{me} Pupatello: J'étais très contente d'être dans votre circonscription lundi pour rencontrer les écoles là, spécialement pour faire l'annonce de 34 \$ millions pour les conseils scolaires de langue française.

Je suis heureuse aussi de voir les augmentations de tous les examens de ces élèves. Je suis fière de ça. Je sais aussi que le gouvernement McGuinty veut faire beaucoup plus pour tous les conseils scolaires de langue française.

In particular, we know that a \$10-million announcement especially focused on these early years will help the retention rate of our French-language students. This is particularly important to this member, who sees the kind of growth that we have in these French-language boards. So we're proud of our investment, and we intend to do more.

NIPISSING UNIVERSITY

Mr. Cameron Jackson (Burlington): My question is to the Minister of Training, Colleges and Universities. Tens of thousands of students received confirmation

letters all across Ontario in April of this year, and some as early as March. In fact, at the faculty of education at Nipissing University, over 1,200 acceptance letters were sent out and over 900 students from Ontario accepted the offer from that university. The problem is that there are just under 700 spaces available to these students. Therefore, approximately 250 students are sitting there with a full acceptance and yet unable to find a space at that university.

Minister, are you aware of the magnitude of this situation at Nipissing, and is there anything that you're doing on behalf of those students?

1520

Hon. Christopher Bentley (Minister of Training, Colleges and Universities): The McGuinty government record in terms of access to post-secondary education is unrivalled, if I can put it that way. In the last three years, 75,000 new spaces have been created in programs of post-secondary education throughout the province. For the last couple of years, we have actually funded an additional 1,000 spaces for teacher education at various institutions around the province of Ontario—an additional 1,000 over and above what the institutions fund themselves.

What we have to make sure of is that, in providing access to teacher education, there be some relationship between the number we accept and fund for the spots and the opportunities available in the school boards in Ontario. We're having that conversation with the Minister of Education and her people at this very time. But we are pleased to be supporting Nipissing and all of our other post-secondary education in encouraging more students and making sure those students are properly and fully funded at our Ontario institutions.

Mr. Jackson: Minister, you seem to be completely unaware of the magnitude of the problem at Nipissing. In fact, Nipissing responded by sending out a letter to the first group of students who were contacted, and they culled the herd by choosing them by their postal codes, where they lived in Ontario. They said to them, "Would you be interested if we set up a satellite campus in Brantford?" They didn't get a response from that, so then they offered them a guaranteed admission in two years if they would agree not to go to university this year. Then they got a third letter, which recommended, "Would you be interested in a two-year plan, taken part-time, to get your bachelor of education?" And finally, with five days, they said, "If you'd like a full refund, you've got to notify us immediately."

Minister, on behalf of the students who have contacted me, I'll read the question they want to raise: "Given that these students who accepted to Nipissing have missed the deadline to any other post-secondary institution in our province, is the student entitled to request that Nipissing and your ministry find them a suitable spot in another facility?"

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

Hon. Mr. Bentley: I thank the member very much for raising the specific issues for me today. It's the first time

I've heard of them, and I will certainly look into them. But I have to say again, the Nipissing campus in Brantford has been in existence for a number of years. In Brantford alone, we now fund more than 2,400 students for post-secondary education programs—Nipissing, Mohawk and Laurier—whereas, five years ago, there were none. Access to teaching education opportunities in the province are at very high levels. We have been funding an additional 1,000 for the last couple of years, over and above the levels the institutions otherwise believe are appropriate. There are many opportunities for students in post-secondary education, including teacher training, in the province of Ontario. The fact of the matter is, we're doing as much as ever before. We'll continue to do as much as we can. We'll look into the specifics and are encouraging all students to access post-secondary education opportunities in the province of Ontario, because that's where the future jobs are.

ENVIRONMENTAL ASSESSMENT

Mr. Peter Tabuns (Toronto–Danforth): My question is for the Minister of the Environment. Minister, on June 14, I directly asked you when you would announce the provincial environmental assessment of the McGuinty government's energy supply mix plan, as required under the Ontario Environmental Assessment Act. You replied "that broad government policy, abstract in nature, is not subject to the Environmental Assessment Act." Yet two days earlier, on June 12, you signed this cabinet order creating regulation 276/06, exempting the McGuinty government's energy supply mix plan from a provincial environmental assessment. You exempted it from requirements for thorough public scrutiny. Minister, will you admit you failed to do your job, which is to protect the environment, and that you caved to the Premier and the energy minister?

Hon. Laurel C. Broten (Minister of the Environment): My position has been very consistent throughout, and I repeat what I said to you on June 14: that broad government policy direction is not the appropriate subject matter of the environmental assessment. What is the appropriate subject matter of environmental assessment are specific projects. This is the same position that the ministry had with respect to the coal replacement plan, the same decision that the ministry had with respect to the IPSP. It's consistent with the Electricity Act and it's consistent with the Environmental Assessment Act.

Some may want us to change the Environmental Assessment Act. The regulation that cabinet has put forward clearly indicates that we are going to uphold and apply the law. For your information, we are not going to change the law. That's why the decision is an administrative one in nature. We're not seeking consultation on a proposal to change the law, but rather indicating a clear and consistent—we have had the same consistent position throughout. We are going to apply the Environmental Assessment Act, an act which does not apply to broad government policy.

Mr. Tabuns: Minister, you knew full well when you answered my question that the Ontario Environmental Assessment Act applied and that you had already moved to exempt the energy supply mix plan from a provincial environmental assessment. Minister, you lied to this House. When—

The Speaker (Hon. Michael A. Brown): I need you to withdraw that comment.

Mr. Tabuns: No.

The Speaker: I'll give you one more opportunity to withdraw that comment.

I name the member, Mr. Tabuns.

Mr. Tabuns was escorted from the chamber.

Interjections.

The Speaker: Order. New question.

Mr. Howard Hampton (Kenora–Rainy River): It's clear on the record. It's right there in Hansard.

Hon. James J. Bradley (Minister of Tourism, minister responsible for seniors, Government House Leader): On a point of order, Mr. Speaker: The leader of the third party used the term "The minister lied in the House." I think he should withdraw that.

The Speaker: I did not hear the member say that, but if he did, he should withdraw.

Mr. Hampton: I said it's on the Hansard record, Speaker.

Interjections.

The Speaker: I did not hear it, so new question.

Interjections.

The Speaker: Stop the clock. Order. The leader of the third party will come to order. New question.

GLOBAL SUPPLY MANAGEMENT

Mr. Jean-Marc Lalonde (Glengarry–Prescott–Russell): My question is for the Minister of Agriculture, Food and Rural Affairs. As you know, the supply management sector of our agriculture industry has proven itself to be an effective way of ensuring that farmers earn a stable, profitable income and that Ontario consumers have access to high-quality product at a fair price. Over the weekend, I met with dairy farmers from the eastern-gateway-to-Ontario riding, Glengarry–Prescott–Russell. They want their elected representatives at both the federal and provincial levels to continue to defend the interests of farmers dependent on supply management. Recently we heard from other Canadian jurisdictions that supply management is a hindrance at current international trade negotiations. Minister, what is our government doing to protect the interests of supply management producers?

Hon. Leona Dombrowsky (Minister of Agriculture, Food and Rural Affairs): I'm so very pleased that the member from Glengarry–Prescott–Russell, who is a tireless advocate for farmers in his region, has asked the question. It gives me an opportunity—

Applause.

Hon. Mrs. Dombrowsky: Yes, he is.

It gives me an opportunity to remind the members of this House that, as an assembly, all three parties in

December supported the supply management system of operation in the agriculture industry in Ontario. I had the privilege of advocating that position in Hong Kong. However, negotiations at the World Trade Organization talks were not able to conclude. We have now been called to Geneva, as ministers of agriculture, along with our federal minister, to again ensure that the interests of the agriculture industry with respect to trade talks are considered and protected at these very important negotiations. So I can commit to the honourable member that our government will be there to ensure that the interests of all agriculture sectors, certainly including supply management, will be vigorously defended so that, going forward—

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

1530

Mr. Lalonde: Thank you, Minister. Farmers in my riding, and indeed across Ontario, will be reassured to know that our government is strongly defending their interests. They do not want to see our supply management system become a bargaining chip. It must not be negotiated away.

We all know that last December, you and Minister Bountrogianni were in Hong Kong defending the interests of our farmers. They surely recognize the work that you have done. Minister, what do you expect to accomplish at next week's Geneva WTO meeting?

Hon. Mrs. Dombrowsky: There will be three key points that will be of concern, of interest, that our province is going to advocate for. First of all, we're going to advocate for improved market access for Ontario agriculture products. The second issue we're going to address is with respect to domestic subsidies in foreign countries that have created an unlevel playing field for farmers in the province of Ontario. The third issue that we're going to vehemently defend is the supply management system.

We are looking for a balanced agreement with all of the 150 nations that are participating in the World Trade Organization talks. We don't believe we should be sacrificing one of the very important issues, a sensitive products issue, the supply management issue, in order to gain more market access. We're looking for balance. That's what our goal is in going there. We know that there are many other provinces in Canada that will be working with us, along with our federal minister—

The Speaker: Thank you. New question.

BAIL VIOLATIONS

Mr. John Tory (Leader of the Opposition): My question is for the Premier. The member for Leeds–Grenville did not ask your Minister of Community Safety to declare anyone innocent or guilty, and I'd like to try again on what he did ask, because we got no answer for that particular question.

What he did ask: Is your government, which is responsible for representing the people of Ontario in court

on bail applications, prepared to get much tougher when it comes to opposing and then appealing, if necessary, decisions with respect to bail involving people accused, especially, of serious violent crimes? The people of this province don't want to see these people accused of serious violent crimes sipping martinis on their sun porch, out on bail. Is your government prepared to get tough on this, oppose more of these applications, and appeal them when necessary to send a message that we are not going to have these people out any more often than necessary while they're awaiting trial on these serious crimes?

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

Hon. Monte Kwinter (Minister of Community Safety and Correctional Services): The point of my answer is this: An accused appears in court with a defence lawyer, and the crown is there to present the crown's case before a judge. If the bail hearing is held in such a way, obviously the defence is going to want the least bail and the crown is going to want the most bail, in most cases. So I would suggest that those arguments are made before a judge and the judge makes that determination. If you're saying that we in some way should interfere with that process, I'm saying to you that that is not the role for politicians to play.

Mr. Tory: To be clear, we're not suggesting that you go and take the position on the least or the most. We're suggesting that in some of these cases, where people are accused of serious violent crimes, you go and oppose any bail at all and say these people should be kept in custody pending their trial.

In the very same report carried on CTV, they said there were tens of thousands of bail violations in Ontario, out of a total of 100,000 across the country. Will you agree with me that the notion that you can have tens of thousands of people wilfully violating their bail conditions when they are granted bail is a disgrace, and that your government, the McGuinty government, is going to do something about this to send a message saying that, "When you do get bail, we take the conditions seriously and we're not just going to let you laugh it off and treat it like it's some kind of joke"? Are you going to get serious about this or not?

Hon. Mr. Kwinter: The Leader of the Opposition is giving anecdotal examples, and I can't really respond to specific cases. All I can say to you is this: In the system that goes forward, the crown, if they feel very, very strongly, will make that case. They will make the case before the court that this bail should not be granted. The final determinant as to whether they succeed or not is in the judiciary, and we have no ability to tell that judge how he should respond to the crown's appeal.

ENVIRONMENTAL BILL OF RIGHTS

Mr. Howard Hampton (Kenora–Rainy River): My question is for the Premier. This is what Ontario's

Environmental Commissioner has to say: "The Environmental Bill of Rights requires ministries to post on the Environmental Registry any proposed new regulation that will have a significant effect on the environment—before the regulation is passed—to allow the public a meaningful opportunity to review and comment on the proposal."

Your proposal is for a \$46-billion nuclear scheme. Is it your position, Premier, that your government's \$46-billion nuclear mega scheme will have no significant effect on the environment and therefore didn't need to comply with the Environmental Bill of Rights?

Hon. Dalton McGuinty (Premier, Minister of Research and Innovation): Clearly, the leader of the NDP considers seven separate opportunities for public comment to be less than adequate. I know that he in fact would not be happy with 70 separate opportunities for the public to comment because he remains adamantly opposed to putting in place any new kind of generation in the province of Ontario. We see things differently. I expect that we will continue to have this important debate through the campaign and beyond.

I just want Ontarians to know where we're coming from on this particular matter. We are mindful of our special responsibility in government to ensure that we have in place a plan that will, long into the future, ensure that Ontarians have access to safe, clean, reliable electricity. We will do what is necessary, again while being mindful of our responsibility also to ensure that Ontarians have continuing opportunities to have input into that plan.

Mr. Hampton: I'd be happy, and I think the majority of Ontarians would be happy, if the McGuinty government would just obey the law of Ontario.

I want to quote again the Environmental Commissioner: "This is the first regulation under the Environmental Assessment Act that has not been posted on the Environmental Registry for public review and comment in the 12-year history of the Environmental Bill of Rights. This decision goes against the whole principle of government accountability and transparency enshrined in the act. Exempting the province's long-term electricity plans from the environmental assessment process—to consider the possible impacts of those plans—is clearly environmentally significant and should have been posted on the registry for public comment." That's the Environmental Commissioner, a neutral advocate to ensure that Ontario's environmental laws and processes are observed.

Premier, do you think it's acceptable for your government to break not only the Environmental Assessment Act but the Environmental Bill of Rights?

Hon. Mr. McGuinty: To the Minister of the Environment.

Hon. Laurel C. Broten (Minister of the Environment): The Environmental Commissioner and I had an opportunity to have a discussion today and for me to indicate to him that, yes, there is a history of precedent in this province: 21 times, regulations have been posted for

information only. And they've been regulations like this one, regulations where we're confirming that we will apply the law, that we are not proposing to change the law. It's as simple and straightforward as that.

That being said, in light of a very good discussion with the Environmental Commissioner—and I'm aware of his indication yesterday that he'd like Ontarians to have yet another opportunity to review and comment on the regulation, confirming that the IPSP is not the subject matter of the Environmental Assessment Act. In the spirit of the EBR, I've instructed my ministry to make that opportunity—yet an eighth opportunity—available for Ontarians to log on to the Ministry of the Environment website, find the link to the Environmental Registry, and provide comments and information that they might like to provide us with, with respect to this regulation. There's ample opportunity for Ontarians to participate over the next 10 years as we build—

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

1540

ACCESSIBILITY FOR THE DISABLED

Ms. Kathleen O. Wynne (Don Valley West): My question is for the Minister of Community and Social Services. As you know, we recently celebrated Access Awareness Week in Ontario and the first anniversary of the passage of our landmark Accessibility for Ontarians with Disabilities Act. I had the privilege of sitting on the committee that held hearings on that act, and it certainly was a profound experience for me and for people who came to speak about the changes we were going to make.

Our government is moving very quickly on several initiatives that will improve accessibility for Ontarians with disabilities, and more and more businesses across the province are becoming increasingly accessible. There seems to be a new awareness about greater accessibility attracting customers. That only makes sense to us, but that seems to be taking hold among businesses. We're all realizing that accessibility is not only for the disabled community but also for those with baby strollers and senior citizens with walkers and wheelchairs, and the whole concept of universal design seems to be taking hold.

What is your ministry doing to promote accessibility for businesses across the province?

Hon. Madeleine Meilleur (Minister of Community and Social Services, minister responsible for franco-phone affairs): First, let me thank the MPP from Don Valley West for her contribution to helping us achieve a fully accessible Ontario.

One of the ways that we are promoting accessibility for businesses across the province is through our EnAbling Change Partnership projects. The program teams the government with organizations and businesses that are leaders in the community to facilitate increased awareness and understanding of the AODA. As a result of this program, we have partnered with the Canadian

Standards Association, which works with eight champion businesses and organizations across the province to test and implement a customer service training program.

I recently visited the Shaw Festival and Cineplex Entertainment, two business champions that have worked with the Canadian Standards Association and made their establishments more accessible.

We are on the side of Ontario businesses, and I encourage more large and small businesses to work with the disability community, their local organizations and municipalities to make more of these changes possible. And we will—

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

Mr. Robert W. Runciman (Leeds–Grenville): On a point of order, Mr. Speaker: Given the disruption earlier today during question period, I'd ask for unanimous consent to extend question period by three minutes.

The Speaker: Do we have unanimous consent for an additional three—

Interjections.

The Speaker: We do not.

VISITOR

Ms. Lisa MacLeod (Nepean–Carleton): Today in this chamber we have a distinguished guest who spent many years on Parliament Hill when I was on Parliament Hill working for the PC Party of Canada: former Reform, Alliance and Conservative Member of Parliament Deborah Grey. Please welcome her, everyone.

Applause.

PETITIONS

SCHOOL FACILITIES

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

“To the Legislative Assembly of Ontario:

“Whereas the parents of St. Paul's elementary school in Alliston have raised many issues regarding the security, cleanliness and state of repair of their school; and

“Whereas a 2003 condition assessment completed by the Ontario government identified the need for \$1.8 million in repairs to St. Paul's elementary school; and

“Whereas the Simcoe Muskoka Catholic District School Board has approached the Ministry of Education with the intention of having the school deemed prohibitive to repair as they believe the school requires \$2.28 million in repairs, or 84% of the school replacement cost; and

“Whereas there are ongoing concerns with air quality, heating and ventilation, electrical, plumbing, lack of air conditioning and the overall structure of the building, including cracks from floor to ceiling, to name a few;

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

"That the Minister of Education immediately deem St. Paul's elementary school prohibitive to repair, secure immediate funding and begin construction of a new facility so that the children of St. Paul's can be educated in a facility that is secure and offers them the respect and dignity that they deserve."

I went to this school from K to grade 8. My mother taught there for some 33 years. I want to thank Milva Biffis for sending me this petition and for spearheading this initiative.

IDENTITY THEFT

Mr. Tony Ruprecht (Davenport): I have a petition addressed to the Parliament of Ontario and specifically the Minister of Government Services. It reads as follows:

"Whereas identity theft is the fastest-growing crime in North America;

"Whereas confidential and private information is being stolen on a regular basis, affecting literally thousands of people;

"Whereas the cost of this crime exceeds billions of dollars;

"Whereas countless hours are wasted to restore one's good credit rating;

"We, the undersigned, demand that Bill 38, which passed the second reading unanimously in the Ontario Legislature on December 8, 2005, be brought before committee and that the following issues be included for consideration and debate:

"(1) All consumer reports should be provided in a truncated (masked-out) form, protecting our vital private information such as SIN and credit card numbers.

"(2) Should a credit bureau discover that there has been a breach of consumer information, the agency should immediately inform the victimized consumer.

"(3) Credit bureaus should only report inquiries resulting out of actual applications for credit and for no other reasons.

"(4) Credit bureaus should investigate any complaints within 30 days and correct or automatically delete any information found unconfirmed or inaccurate."

Since I agree with this petition 100%, I'm delighted to sign it as well.

ORGAN DONATION

Mr. Frank Klees (Oak Ridges): The petition I am presenting to the Legislature was signed at the Aurora street sale and the Richmond Hill heritage festival. It's addressed to the Legislative Assembly of Ontario and reads as follows:

"Whereas 1,920 Ontarians are currently on a waiting list for an organ transplant; and

"Whereas the number of Ontarians waiting for an organ transplant has virtually doubled since 1994; and

"Whereas hundreds die every year waiting for an organ transplant; and

"Whereas greater public education and awareness will increase the number of people who sign their organ donor cards and increase the availability of organ transplants for Ontarians; and

"Whereas the private member's bill proposed by Oak Ridges MPP Frank Klees will require every resident 16 years of age and older to complete an organ donation question when applying for or renewing a driver's licence or provincial health card, thereby increasing public awareness of the importance of organ donation while respecting the right of every person to make a personal decision regarding the important issue of organ donation;

"We, the undersigned, petition the Legislative Assembly of Ontario to pass Bill 67, the Organ and Tissue Donation Mandatory Declaration Act, 2006."

I'm pleased to affix my signature to this petition. As you know, this is a private member's bill that I presented, and I do hope that the Legislature will move quickly to pass this legislation.

LONG-TERM CARE

Mr. Jim Brownell (Stormont-Dundas-Charlottenburgh): I have a petition from the residents' council at Woodland Villa in Long Sault, and it reads as follows:

"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, even with recent funding increases and a dedicated staff who do more than their best, there is still not enough time available to provide the care residents need. For example, 10 minutes, and sometimes less, is simply not enough time to assist a resident to get up, dressed, to the bathroom and then to the dining room for breakfast; 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 (2006 and 2007)."

I affix my signature and send it with Mitchell.

1550

Mr. Ernie Hardeman (Oxford): I have a petition here to the Legislative Assembly of Ontario, signed by a great number of my constituents involved with the Woodingford Lodge in Ingersoll, in Woodstock and, I believe, some from Tillsonburg.

“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, even with recent funding increases and a dedicated staff who do more than their best, there is still not enough time available to provide the care residents need. For example, 10 minutes, and sometimes less, is simply not enough time to assist a resident to get up, dressed, to the bathroom and then to the dining room for breakfast; 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 (2006 and 2007).”

I affix my signature as I agree with this petition.

FAIR ACCESS TO PROFESSIONS

Mr. Tony Ruprecht (Davenport): I have a petition in support of skilled immigrants and in support of Bill 124. It’s to the Parliament of Ontario, and it reads as follows:

“Whereas the McGuinty government is committed to establishing measures that will break down barriers for Ontario newcomers; and

“Whereas these measures will ensure that the 34 regulatory professions in Ontario have admissions and application practices that are fair, clear and open; and

“Whereas these measures will include the establishment of a fairness commissioner and an access centre for internationally trained individuals; and

“Whereas, through providing a fair and equitable system, newcomers will be able to apply their global experience, which will not only be beneficial to their long-term career goals but also to the Ontario economy as a whole;

“We, the undersigned, respectfully petition the Legislature of Ontario as follows:

“That all members of the House support the Fair Access to Regulated Professions Act, 2006, Bill 124, and work to ensure its prompt passage in the Ontario Legislature.”

I’m delighted to sign this petition because I agree with it 100%.

EDUCATION FUNDING

Mr. Frank Klees (Oak Ridges): “Petition to Ontario Legislature to End Discrimination

“Whereas the Ontario government already fully funds 93% of faith-based schools in Ontario, but the remaining

7% receive no funding, solely because they are not Catholic;

“Whereas the United Nations Human Rights Committee ruled in 1999 and again in 2005 that this arrangement is discriminatory and violates basic international human rights law that Ontario formally agreed to uphold;

“Whereas all three parties represented in the Legislature support Catholic separate school funding, as guaranteed by the Constitution of Canada, so that the only fair and viable solution to the discrimination is to extend funding to the small religious minorities that are currently excluded;

“Whereas the Supreme Court of Canada has ruled that Ontario has the constitutional power to provide funding to non-Catholic faith-based schools;

“Whereas Ontario is the only western democracy that fully funds faith-based schools of one religion to the total exclusion of all other religions, while all other provinces except the Atlantic provinces fund faith-based schools and have thriving public school systems;

“Whereas the cultural survival of the affected minority groups is at stake;

“Whereas faith-based schools produce responsible and productive citizens; and

“Whereas the Multi-Faith Coalition for Equal Funding of Religious Schools in December 2004 submitted to the Minister of Education a detailed proposal for the funding of non-Catholic faith-based schools in a manner that is fair and accountable and protects and enhances the public interest;

“We call on the Ontario Legislature to pass legislation to provide equitable funding in respect of all faith-based schools in Ontario, without religious discrimination and without any reduction in funding for public education, with accountability requirements and standards in place to ensure that the public interest is safeguarded.”

I’m pleased to affix my signature to this petition because I do believe it is wrong for this discrimination to continue in the province.

GO TRANSIT TUNNEL

Mr. Tony Ruprecht (Davenport): I have one final petition today, which is addressed to the Parliament of Ontario, the minister of infrastructure services and the Minister of Transportation. It reads as follows:

“Whereas GO Transit is presently planning to tunnel an area just south of St. Clair Avenue West and west of Old Weston Road, making it easier for GO trains to pass a major rail crossing;

“Whereas TTC is presently planning a TTC right-of-way along all of St. Clair Avenue West, including the bottleneck caused by the dilapidated St. Clair-Old Weston Road bridge;

“Whereas this bridge (underpass) will be: (1) too narrow for the planned TTC right-of-way, since it will leave only one lane for traffic; (2) it is not safe for pedestrians (it’s about 50 metres long). It’s dark and slopes on both east and west sides, creating high banks

for 300 metres; and (3) it creates a divide, a no man's land, between Old Weston Road and Keele Street. (This was acceptable when the area consisted entirely of slaughterhouses, but now the area has 900 new homes);

"Therefore we, the undersigned, demand that GO Transit extend the tunnel beyond St. Clair Avenue West so that trains will pass under St. Clair Avenue West, thus eliminating this eyesore of a bridge with its high banks and blank walls. Instead it will create a dynamic, revitalized community enhanced by a beautiful continuous cityscape with easy traffic flow."

Since this petition is in my riding, I'm delighted to sign it because I agree with it 100%.

EDUCATION FUNDING

Mr. Ernie Hardeman (Oxford): I have a petition here to the Ontario Legislature:

"Whereas the Ontario government already fully funds 93% of faith-based schools in Ontario, but the remaining 7% receive no funding, solely because they are not Catholic;

"Whereas the United Nations Human Rights Committee ruled in 1999 and again in 2005 that this arrangement is discriminatory and violates basic international human rights law that Ontario formally agreed to uphold;

"Whereas all three parties represented in the Legislature support Catholic separate school funding, as guaranteed by the Constitution of Canada, so that the only fair and viable solution to the discrimination is to extend funding to the small religious minorities that are currently excluded;

"Whereas the Supreme Court of Canada has ruled that Ontario has the constitutional power to provide funding to non-Catholic faith-based schools;

"Whereas Ontario is the only western democracy that fully funds faith-based schools of one religion to the total exclusion of all other religions, while all other provinces except the Atlantic provinces fund faith-based schools and have thriving public school systems;

"Whereas the cultural survival of the affected minority groups is at stake;

"Whereas faith-based schools produce responsible and productive citizens; and

"Whereas the Multi-Faith Coalition for Equal Funding of Religious Schools in December 2004 submitted to the Minister of Education a detailed proposal for the funding of non-Catholic faith-based schools in a manner that is fair and accountable and protects and enhances the public interest;

"We call on the Ontario Legislature to pass legislation to provide equitable funding in respect of all faith-based schools in Ontario without religious discrimination and without any reduction in funding for public education, with accountability requirements and standards in place to ensure that the public interest is safeguarded."

I affix my signature.

ORDERS OF THE DAY

RESIDENTIAL TENANCIES ACT, 2006

LOI DE 2006 SUR LA LOCATION À USAGE D'HABITATION

Mr. Gerretsen moved third reading of the following bill:

Bill 109, An Act to revise the law governing residential tenancies / Projet de loi 109, Loi révisant le droit régissant la location à usage d'habitation.

The Acting Speaker (Mr. Ted Arnott): I recognize the minister to lead off the debate.

Hon. John Gerretsen (Minister of Municipal Affairs and Housing): It's indeed a pleasure today to be involved in third reading debate on the proposed Residential Tenancies Act, 2006, Bill 109. Before starting off, let me just—this has been an ongoing process for over two years that we've been working on this piece of legislation. I would like to recognize two individuals who have been actively involved in this process. One of them is in the Speaker's gallery. He's a staff member. I know that normally we don't introduce staff members, but Mark Mascarenhas has been very actively involved in this, as well as my parliamentary assistant Brad Duguid, who's sitting beside me. He will be speaking as well, as will Mario Sergio, my other parliamentary assistant.

1600

Bill 109 is an important piece of legislation for those Ontarians who rent and for others who make a living in the rental housing market. Indeed, this is an important piece of legislation for all Ontarians, as Bill 109 would help build stronger communities clear across this province. If passed, the proposed reforms will bring balance back to the rental housing system while keeping our rental housing market strong.

Our government is on the side of good tenants and good landlords. We took the time necessary to bring forward a balanced and fair piece of legislation, and I'm sure everyone in this Legislature agrees on that—

Mr. Rosario Marchese (Trinity-Spadina): Almost everyone.

Hon. Mr. Gerretsen:—even my friend Mr. Marchese opposite.

We could not have done this without first talking to tenants, landlords and housing experts. Our government has always operated on the principles of consultation and consensus-building. We were not prepared to develop Bill 109 without hearing from the people whom the proposed legislation would affect the most. Bill 109 is very much a product of all those extensive consultations.

The amount of input we received was impressive: 250 written submissions, some in very clear detail; over 1,200 telephone inquiries, opinions and suggestions; and more than 5,000 people across this province completed questionnaires. We had participation from more than 1,500 people in 10 town hall meetings held in communities across this province: here in Toronto, Mississauga, Scar-

borough, Kitchener, London, Ottawa, Thunder Bay, Sudbury, Kingston and Hamilton. We held 30 additional meetings with regional stakeholder groups.

All of this input helped us succeed in finding the right balance between tenants' and landlords' interests and their concerns. Our bill will provide better protection and a fairer rent-increase system for tenants. The proposed legislation will offer incentives for landlords to invest in and maintain their buildings so that we have a healthy rental housing market in Ontario and good-quality housing for all of those people who live therein. For both groups, the proposed Residential Tenancies Act will create a more understandable and a fairer dispute resolution process.

Let me provide you with some of the details so we can all better understand how our government has struck the right balance through this proposed legislation. Under the proposed legislation, tenants can expect fairer rent increases as the annual rent-increase guideline will be based on a real cost indicator, namely the consumer price index, which is much more transparent than the current system. They will also be protected from landlords who continue to hike rents without properly maintaining their buildings, because tenants can apply to stop all rent increases until all serious maintenance issues are resolved, and that includes outstanding work orders.

With Bill 109, a new system for granting above-guideline increases will also be established. Sitting tenants would receive rent reductions when utility costs decreased or capital improvements have been paid for if their landlord had received an above-guideline increase for higher utility costs or a capital improvement and as a result thereof had increased the rent. Above-guideline rent increases for building improvements will represent a fair return for a landlord's investment and will only be allowed for major and necessary capital works, not for ongoing maintenance and repair, which is often the situation now.

The balancing piece to these proposed changes is that landlords will be motivated to invest in and maintain their buildings, and we would protect the investment climate. Bill 109 will continue to allow landlords to negotiate starting rents with prospective tenants. We've also given landlords greater flexibility to offer discounts of up to three months' rent to attract good tenants. Buildings constructed after 1991 will continue to be exempt from rent controls. That's been the case through the last three governments: since 1991. Interest on the last month's rent deposits will be based on the Ontario consumer price index to reflect current market and interest conditions. Currently, landlords must pay 6% on rent deposits even though those deposits may not be earning that rate of interest.

As I mentioned previously, Bill 109 represents the results of our two-year dialogue with tenants, landlords and housing experts. The standing committee process here in the Legislature is a legislative process that our government welcomes as it provides those important stakeholders another opportunity to share their views.

After all, nothing—no law, no bill that's introduced here—is perfect the first time around. We believe that if there's an idea out there that can make Ontario's rental system fairer, more understandable and balanced, we want to hear about it. That's why our government supported several amendments to the proposed legislation as a result of the legislative hearing process.

Interjections.

Hon. Mr. Gerretsen: I hear some of the opposition members booing that. Surely they can't be against the legislative process that brings true democracy to this House. I'm sure they're doing so in jest, by the way.

As I mentioned before, our government supported several amendments to our proposed legislation. Let me give you some examples.

The Advocacy Centre for Tenants Ontario, ACTO, a major tenant group, asked that Bill 109 include compensation for tenants who are evicted and whose landlords did not preserve the evicted tenants' property for a reasonable amount of time. Being evicted is by far one of the worst things that can happen to an individual or to a family under any circumstances. Having your property thrown out while you're making arrangements for storage can make it doubly worse and very difficult for somebody to start over again. So our standing committee of the Legislature supported an amendment that would allow tenants to apply for compensation if their landlord did not preserve their property for at least 72 hours after eviction.

Another issue that ACTO raised during these hearings was making sure that tenants who missed a hearing due to an unforeseen crisis or work demands were able to still have their case reviewed. Again, this issue was addressed before the standing committee, and under the proposed amendment it is now clear that if a party was not reasonably able to participate in a hearing, the party's case could be reviewed by an adjudicator. That simply means that if a tenant was ill or could not attend or find someone to attend the hearing on their behalf or ask for an adjournment, and an order was issued against that tenant, the tenant would be able to ask the adjudicator to review its decision and seek a remedy. That's the fair thing to do, and that's what the amendment to the bill justifies and makes happen.

Another group that came forward with suggested changes during our standing committee was the Federation of Metro Tenants' Associations, a group well known here in the Toronto area. They recommended that new tenants should not receive above-guideline increases for capital work done before their tenancy begins. This recommendation, again, was supported by the standing committee, and the appropriate amendments were made.

The standing committee did not just accept recommendations from tenant groups. Our goal with the proposed legislation is about striking a balance. It supported several recommendations from the Federation of Rental Housing Providers of Ontario, including giving adjudicators the option of deferring rather than dismissing above-guideline increases in cases of serious main-

tenance problems. That way, landlords can have an immediate incentive to fix the maintenance problems, which is obviously to the benefit of the tenants, by simply having the issue deferred until the maintenance issues have actually been heard.

The amendments I have mentioned here today are but a very short highlight of the amendments the standing committee adopted. I might indicate that the standing committee also supported four amendments from the other parties in this House. Our government believes a good idea is a good idea regardless of who is supplying it.

1610

The Ontario Rental Housing Tribunal is another area where both tenant and landlord groups have concerns, specifically about its processes, the biggest concern being the dispute resolution process. This is certainly an issue we heard about over and over, particularly from the tenant groups and individual tenants. The current eviction process for tenants has been called unfair and draconian. The Ontario Ombudsman, as a matter of fact, wrote in his 2003-04 annual report that, "The default eviction process has resulted in large numbers of individuals being evicted without mediation or a hearing on the merits ... such evictions may have disproportionate and oppressive consequences for vulnerable tenants: seniors, single parents with small children, individuals with disabilities and those for whom English is a second language."

The current act allows a tenant to be automatically evicted if the tenant does not respond to a landlord's eviction application within five days. Under our proposed legislation, in this bill, all tenants facing eviction will have access to a hearing or mediation. Our reforms will require an adjudicator to consider all the relevant landlord and tenant matters in deciding whether to grant an eviction for arrears. Adjudicators will consider tenants' circumstances in all eviction applications.

For example, let's consider the case of a single mother who falls behind in the rent because her child is hospitalized for two weeks and she doesn't get paid for missed days at work. That individual will be given an opportunity to attend a hearing regardless of whether or not she filed a written dispute in five days. She will receive a notice about the hearing from the tribunal, in addition to receiving the official notice from the landlord, as is required. When this single mom attends the hearing, she will be given an opportunity to explain why she hasn't paid the rent and, if appropriate, an adjudicator can order that she not be evicted if she lives up to a fair arrangement to catch up on her rent. Of course, she could also access her local rent bank to assist her in catching up on her rent. Rent banks are established clear across this province through the local housing service providers. This new process under our legislation adheres to the principles of natural justice and in every sense is just good old-fashioned fairness.

Our proposed reforms will also deal with tenants who are causing wilful damage to their units or are impacting the safety of others—either the landlord or other tenants

in the building. In that case, Bill 109 creates a fast-track eviction process for tenants who cause wilful damage or who are interfering with the reasonable enjoyment of a landlord's own home. The time required to issue an eviction order will be cut approximately in half in those kinds of circumstances. In the case of excessive wilful damage or serious threats to health and safety, eviction can be ordered immediately.

During our consultations with tenants and landlords, we also heard that the tribunal fees were too high and its processes could be more client-friendly. Landlords and tenants have found application and other fees at times to be prohibitively high. Our ministry will continue to work with the tribunal to improve its customer focus and accessibility.

To reflect the spirit of the proposed legislation and the tribunal's new mandate, we propose to change its name to the Landlord and Tenant Board.

Of course, for some tenants affordability will always be an issue. Our government wants to help good landlords and good tenants, and we're also particularly on the side of those individuals who are the most vulnerable.

Our proposed legislation is just one part of our integrated housing strategy to improve the availability, affordability and quality of housing across the province. Our integrated housing strategy also includes, we all know, the \$301-million Canada-Ontario affordable housing program, the \$14-million Ontario rent bank program and our \$50-million strong communities rent supplement program.

We are making progress. Together with our federal and municipal partners, the affordable housing program has funded, to date, over 5,460 rental and supportive housing units, 884 home ownership units and 200 units under our northern housing component. We're also helping families afford housing through rent supplements. Right now, the strong communities rent supplement program is assisting 6,670 low-income households. The McGuinty government has also taken action to help families in short-term arrears avoid eviction through our very successful rent bank program. Since 2004, provincially funded rent banks have helped 4,177 Ontario households avoid eviction and keep their homes. These investments, along with what's being proposed in Bill 109, will help us build stronger communities across the province.

In conclusion, we've done our homework on this particular piece of proposed legislation. Once again, for tenants the proposed legislation will result in better-maintained buildings, a fairer annual rent-increase guideline, a new above-guideline rent increase system for utilities and capital expenditures, and the elimination of the unfair default eviction process. For landlords, the proposed legislation will help protect their investment and offer incentives to maintain and invest in their buildings. We want to ensure that the healthy rental market we are currently experiencing continues, while at the same time the availability, affordability and quality of housing across this province are improved.

Tenants, landlords, housing experts and all who have an interest in this legislation have been given ample opportunity to provide their input before, during and after the introduction of the proposed Residential Tenancies Act. We've had several public hearings on the proposed legislation, as I outlined previously. Everyone has had their say, and now it's time to implement these changes. After all, stronger communities lead to a stronger Ontario that offers its residents a quality of life that's second to none. This bill will help us get there. I strongly encourage all members to join me in passing this bill and, in turn, invest in the prosperity of our people here in Ontario.

The Acting Speaker: Further debate?

Mr. Ernie Hardeman (Oxford): I rise to speak on third reading of Bill 109, An Act to revise the law governing residential tenancies. First of all, I just want to touch on the title just for a moment. We heard a lot about this at committee—the minister talked about the extensive committee hearings, and I do want to touch on that a little bit too. One of the things we heard was the public coming forward and saying they had a problem with the title of the bill. This doesn't happen very much. In fact, most of the people who come forward on issues like this are concerned about the content of it and not so much just the title. But the people who were coming forward, particularly tenants—in fact, all tenants and tenant groups—were concerned with the fact that the tenant protection part of the purpose of the bill seems to have disappeared. It seems to be a bill to control housing markets, but very little to protect tenants. That was their impression from that. I think the issue I wanted to point out is that this bill no longer has tenant protection in it, so that's no longer the real purpose of the bill.

I also want to quickly speak a little bit about the length of time the minister said they had for consultation and the amount of input the public has had—the opportunity to put their input into this bill and have their wishes realized or their concerns addressed in the bill. I just want to point out that there was a very industrious deputation who made a presentation to the committee. I have his presentation here. I want to go through it because it's rather important for people to understand the amount of involvement the people had, and what impact that involvement had on the end result of the bill. The minister spoke of all the amendments we've made, but we have to remember we were hearing deputations one day and the amendments were due the following day. In fairness to the people, I don't think many of those changes were being considered in the amendments, recognizing that the government already had the amendments written when we were hearing the last of the presentations.

1620

This deputation here was kind of interesting. It speaks, first of all, a little bit to the bill we're speaking of today and then it refers to the bill it is replacing, the Tenant Protection Act. It's longer than this but I won't use the whole thing, just the part that relates to the length of time:

“Two years ago” you “held town hall meetings”—he's referring, of course, to this bill and the present government—“but those were mostly about the previous government's laws and its flaws. None of this remains on the public record; it was not done through this committee and so was never recorded in Hansard.

You “also did an online consultation in 2004, but” you, the government, “set all the parameters.” You “selected the background information people should read before they answered” your “questionnaire. You “selected the questions. And” you “selected the answers people had to choose between.” I think this is rather interesting.

“The most egregious example of the government's biased survey was question 6.” This is the question: “‘In your opinion, how high should a region's vacancy rate be before the government looks at removing rent controls?’”

Mr. Marchese: I was going to use that too.

Mr. Hardeman: Yes. It says, “The only choices you provided were:

“‘a) 3%

“‘b) higher than 3%, or”

I have “no opinion” at all. That's not really leaving it open to what the options might be. I think a lot of tenants would have answered that question with “Never,” but that's not one of the options.

Mr. Marchese: It's not there.

Mr. Hardeman: It's not there at all. It goes on. We'll skip a few paragraphs:

“The problems with this government's process can be best summed up by quoting a complaint already submitted to the committee 10 years ago, from page 4 of the Liberal Dissenting Report on Rent Control Consultations, September 21, 1996.” This was presented to our committee:

“Liberal members of the committee and many presenters were frustrated that very limited time (20 minutes) allowed to each group permitted very little opportunity for dialogue or discussion. It was also unfortunate that of over 400 groups that applied to appear before the committee, there was only adequate time to allow for 260 presentations.” The Liberals were complaining about what was happening.

Now they're referring to the previous act, the Tenant Protection Act:

“In 1996, the Harris government held Hansard-recorded meetings of this committee on their tenant discussion paper, hearing 260 deputants over more than 80 hours.” These were the hearings the Liberal report castigated them for because they only gave each deputation 20 minutes.

“In 2004”—and this is going back to this present legislation—“your government held town hall meetings outside of this committee, giving each deputation only five minutes, with no public record of what was ever said.

“In 1997 the Harris government held hearings on” their Tenant Protection Act, “Bill 96 in seven cities over 49 hours, hearing some 140 deputations, giving each organization 20 minutes and each individual 15.”

This compares now to 2006: “The Liberal government is holding hearings on Bill 109”—

Mr. Marchese: How many cities?

Mr. Hardeman: —your Residential Tenancy Act—“in only one city”—that being this one, Toronto—“listening to 49 deputants for” a total of “eight hours,” and each deputant, of course, getting “only 10 minutes.” So in time—

Mr. Marchese: How does it compare?

Mr. Hardeman: In time that each deputant got it’s exactly half as long.

Then, “It appears that” your “government is far more guilty of the very accusations” you “made against” your “predecessors.

“Why the sudden rush to get this law passed after all this time? What is the government afraid of? And why the lack of properly recorded consultations with sufficient deputation time based on the government’s own publicly demanded criteria?

“Tenants want real rent controls, but most of all we want honesty in government, not spin.” That was a presentation made, and I couldn’t agree more with them. What they wanted was honesty in government and not spin. What they got here was spin.

Of course, we have to go back to the start of the bill, when the government of course in their Liberal party platform, three years ago, said that in the first year of a Liberal government they would introduce what they called “real rent control” that worked. Of course, that was supposed to be in one year. We are now three years and then some—

Interjection.

Mr. Hardeman: No, not quite; we’re just under three years—almost three years. Now we have a piece of legislation. The most interesting part about it is that the part they were promising tenants was going to change doesn’t change.

I’m not here to suggest that it should change. I was part of the government that put that in place—the vacancy decontrol, which allows the marketplace to level itself and find its level based on the availability of accommodations and the number of people who want them, in order to try to get investment into the industry and, of course, make it a competitive marketplace. We just go for a minute to a quote in the news release in Toronto from the Federation of Rental-housing Providers of Ontario:

“The Federation of Rental-housing Providers of Ontario believes the proposed reforms to Ontario’s rental housing legislation”—that’s this legislation, of course—“go too far.

“There is strong evidence that the rental market in Ontario is working better than ever for tenants. These proposed changes are a discredited solution in search of a problem.

“These reforms go too far. They bring back rent control systems which have been tried and failed. They also are undertaking a major overhaul of the dispute resolution system which will bog down an already

overburdened system and resulted in even greater delays for justice.”

That is the part that I wanted to touch on quickly as the minister spoke about the default provision in the eviction process. Presently, in the old act, if a tenant has not paid the rent, the landlord can issue notice. If they do not respond to the notice, the notice can go 20 days after the non-payment of the rent. Then, if they don’t respond to that in five days, in fact the eviction can take place and the process can take place without going to a hearing.

Of course, as the minister said, there’s some concern that some people in that time period—maybe it was a lack of understanding of what the notice was or some family circumstances that made it very difficult for them to deal with it in the five days—may end up having an eviction without ever having their day for a hearing. But the solution to that is saying that with every application for eviction now for non-payment of rent, whether the tenant believes that they’re at fault and whether they know they haven’t paid the rent and they have no reasonable excuse, they still have to go to the hearing.

That will increase the length of time or amount of time required for the hearing’s board to deal with these situations. There is nothing in the bill, of course, and nothing in what the minister has said so far that they’re going to increase the capacity of the tribunal to hear the increased number of applications that will be there.

Of course, if we don’t have something to increase their capabilities, then not only will it be the extra 30 days to go to the hearing, but there will be another length of time beyond that, which will mean that every eviction or every non-paying tenant will be in the non-paid-for accommodations for an extra month. Of course, that’s at the expense of the landlord.

I think the minister needs to look at a way to find an accommodation between the two to make sure that if we’re going to have more hearings, we can have more hearings with the capacity at the board to have them heard in an acceptable length of time.

1630

The other thing that creates a problem in the legislation is that when you go to those hearings, the bill allows the tenant, without ever having notified the landlord prior to this time, to come to the hearings and he can tell the hearings board, “The reason I haven’t paid my rent is because there is work that needs to be done on the accommodation and the landlord seems to have resisted doing it. I’ve told him about it. He hasn’t done anything about it, so I’m not paying my rent until he does.”

Of course, the landlords, even if they’re at the hearing—they would be at the hearing, I presume; they called the hearing—would not be aware of this coming forward. There would be no way that at that hearing they could produce the evidence or the justification of what had happened, to deal with that issue, so they would have to have an adjournment. We would be looking at setting up a new hearing and we would have another month where nothing is happening.

Landlords, generally, are very concerned that tenants—and again, it's not the tenants the minister was talking about; it's the other tenants. The minister keeps talking about good landlords and good tenants. That's not what this legislation was supposed to deal with. This legislation is supposed to deal with problem areas. There is real concern that tenants will use that as a delaying tactic, with another month of not paying rent. That's a real concern that the good folks who represent landlords brought forward to the committee.

There is another area I want to touch on quickly—I have a colleague who would like to speak to this and she's anxiously awaiting the opportunity.

One that I have a real problem with is conservation and the smart metering of electricity, changing the multi-residential units that are presently single metered and electricity is part of the rent. The bill deals with changing that over to individual metering for individual units, and then taking it out of the rent and making it payable directly by the tenants.

We would all agree with that being a good idea because it conserves energy. In the city of Woodstock in Oxford county, we have a program, what they call smart meters, where you pay as you go. You purchase electricity, put the card in your meter and you can actually see how much you're using. When they did that, on average, it was somewhere between 18% and 20% savings in the amount of electricity when people could see what they were using. Being able to pay for the electricity yourself, you can then find a way to reduce your cost and it's a benefit to you. If you use less, you conserve it. It's good for the province, good for the environment and good for the people themselves. If it means nothing to them, why would they turn out the lights? I'm sure we're all aware of that. When you know you're going to pay the hydro bill, you're much more apt to turn off the switch.

But the problem with it is how they're going to implement that. They have to find a way to come up with a cost per unit of how much the rent should be reduced when they pay their own hydro. I think that makes good sense. Obviously the people in these apartments should not pay both ways. I would have thought you would take the average consumption in the building and divide it by the number of units and say that's how much each unit would have their rent reduced, but that's not what this bill does.

This bill says the landlord puts in the meters, they operate them for a year, and then each individual unit will have their rent reduced by the amount of hydro they've consumed that year, and then they will start paying their own hydro. I'm sure very few people would do this, but the more you use that year, the more your rent will go down. I don't think that's a very good option for conservation. It seems to me that there would be a real benefit to—

Mr. Marchese: Brad knows better.

Mr. Hardeman: Exactly. Brad knows better. I think that's what Brad thought.

This is from the Federation of Rental Housing Providers of Ontario, and it deals with the metering. I just want to read some of the quotes.

“Unfortunately, provisions in the legislation introduce so many liabilities and risks for owners who sub-meter individual units that few units will be metered. Several owners who were considering sub-metering have already notified” the federation “that they absolutely will not sub-meter under this new legislation. The reaction to the section has been universally negative from FRPO members. Therefore, we do not think the section will help the government meet its objectives.”

Mr. Marchese: So who are they listening to?

Mr. Hardeman: I don't know who they're listening to, but they didn't listen to that. That should have been an amendment, but it wasn't.

I'm going to stop at that, but I want to say that that was one of the things—we speak of the amendments and the minister spoke of all the amendments. There were 80 amendments, but because of the time restrictions—first of all, a closure motion on second reading, a closure motion on all the committees, three days of committee hearings, a closure motion to say that the clause-by-clause would last two hours and no more, and then third reading would end at 5:50 that evening, all based on a resolution this government passed. There was no time to deal with the 80 amendments. In fact, more than half of those amendments were never read into the record, because there was not sufficient time. Of course, the government had their amendments and they just voted them all in, but the government members who voted had not read the amendments they voted for. They were just told, “If they're government amendments, put your hand up. If they're someone else's amendment, keep your hand down,” and that's the way it went.

I think that's really what's wrong with this process. There seems to me to be no reason why we couldn't have taken our time and done it right, rather than rushing it through the way it's being done.

The Acting Speaker: Further debate?

Ms. Lisa MacLeod (Nepean–Carleton): I appreciate the remarks from the member of our party from Oxford. He offered a very thorough précis and synopsis of why our party is going to oppose this piece of legislation.

My remarks will cover three main areas, namely, informed opinion about rent control, whether Ontario needs a change in the current rules and four practical problems with Bill 109.

It is now widely accepted around the world that price controls, including rent controls, do not work. Eight Nobel laureate-winning economists have addressed rent controls and all have rejected them as being counter-productive. Of the eight, I'm going to focus on two.

Gunnar Myrdal is no laissez-faire opponent of government intervention. He is widely credited with designing Sweden's cradle-to-grave social security system. He has also expressed strong criticism of the income inequality in American society, but despite those predispositions, he is a critic of rent control.

James Buchanan has commented on rent control in Canada. Conversations from the Frontier is a work published by the Frontier Centre for Public Policy on October 25, 2001. The frontier centre is a Canadian research institute based in Winnipeg, Manitoba, which had rent controls like those in Ontario from 1976 to 1998. In that work, the Nobel Prize winner James Buchanan captured the problem with tightening rent controls in one simple paragraph:

“Rent control is one policy that economists universally would oppose. It is a grossly inefficient way of allocating housing space and, of course, it inhibits construction and creates the very thing it is supposed to alleviate (namely shortages of affordable housing). It is one of those things where people simply don't understand simple economics and, therefore, put in for political reasons what will damage the very people that it is designed to help.”

I turn now to whether Ontario needs a change in the current rules. Bill 109 will replace the Tenant Protection Act, or TPA. On every important point of comparison, the TPA has produced better results for tenants than all previous rent control regimes: Vacancy rates are up, customer choice is up, affordability has improved, investment in capital repairs is up and job creation is up.

In the early 1970s, purpose-built rental starts averaged 30,000 units per year in Ontario. In 1975-76, rent controls were introduced. Rental starts plummeted to less than 5,000 units per year and then fell even further in the 1990s. Coupled with the excess demand caused by rent control, the reduction in starts caused shortages of rental housing. Those ongoing shortages manifested themselves in much-reduced vacancy rates. Under the rent control regimes from 1976 to 1998, the vacancy rate for Toronto averaged less than 1%. That is exactly what the Nobel Prize winners would predict. Since 1999, the vacancy rate has increased to an average of 2.4%. That meant choice for tenants, and it too is exactly what the Nobel Prize winners would predict.

1640

Since the TPA was introduced, the highest vacancy rates have been at the lowest end of the rental market. For example, in Toronto in October 2005 the vacancy rate was 3.7% overall, but 5.9% for units under \$700 and 5.5% for units between \$700 and \$800 per month. In Ottawa, my city, the vacancy rate was 3.3% overall, but 4.6% for the most economical 20% of units, i.e., the lowest quintile.

Under the legislation before the TPA, Toronto experienced no significant vacancies at any rate level. Under the TPA, there is availability and choice in all rent ranges. In my city, Ottawa, rents are falling. That is good news. From October 2004 to October 2005 the average rent for a one-bedroom apartment fell by 1.2% from \$771 to \$762. The average two-bedroom rent fell by 2.1%, from \$940 to \$920.

CMHC reports that “between 2001 and 2005, the price of Ottawa's average-priced resale home rose 41% (to \$247,906) and the estimated principal and interest carrying costs on this home rose 26%.... By contrast, the

average two-bedroom rent rose only 1%.” Over that time period, inflation was 9.5%.

From 1971 to 1996, every census showed more Ontario families paying more than 50% of their income on rent. That is exactly what the Nobel Prize winners would predict. After the loosening of rent control by the TPA, the number of families paying more than 50% of their income on rent fell. That is exactly what the Nobel Prize winners would predict. Given the path of rents and wages since 2001, we can expect further improvement when the 2006 census results are known. Yet the Minister of Municipal Affairs and Housing has the gall to stand before this House today to turn back the clock, and he will not help low-income renters.

As to investment in major repairs and improvements, you just have to look as you drive around Toronto and Ottawa. Many buildings have new windows, and exterior landscaping has vastly improved. Walking into buildings shows the same improvement in lobbies and common areas. A great deal of money has gone into balconies, elevators, furnaces and roofs to deliver tenants the quality of rental accommodation they want and deserve. These capital investments have created tens of thousands of jobs for Ontario's workers. However, the continuation of those jobs and the capital improvements that fuel them will be blocked by Bill 109.

I have to applaud the previous Conservative government for bringing in the Tenant Protection Act. Like the previous speaker from the Conservative Party said, during the hearings we heard time and time again from rental advocates who were telling us that the name of the bill, if they are going to repeal the Tenant Protection Act, should have remained the Tenant Protection Act, because there is more protection in the legal interpretation for tenants.

But I'm going to go on to talk about four major practical problems with Bill 109, as identified by constituents of mine in the Ottawa area to the committee on general government, which reviewed Bill 109. Those problems are: section 30, onerous orders prohibiting rent increases; section 82, about which we heard from everyone across Ontario, joining maintenance claims without notice; section 126, new restrictions on AGI applications; and sections 137 and 138, rules about smart metering and ratio billing. I'll speak about each of them in turn.

Because of the current rules in the TPA, deferred maintenance is rare compared to its frequency under the previous legislation. Vacancy decontrol and fair rules for above-guideline increases have created a climate in which landlords are competing vigorously for customers and to retain customers. That is the best possible position for tenants.

For those unusual situations where landlords fail to provide proper maintenance or repairs, the current rules provide ample procedures and ample relief for tenants. First, tenants can call in property standards. That will produce a site visit by a trained property standards officer who knows the minimum standards and can see the alleged defects. If the defects are real, the PSO will issue

a work order. The municipalities have procedures to enforce their work orders, and every sensible landlord will respond vigorously to a work order. In passing, I would note that tenants do not have to notify landlords of complaints before calling in property standards. A work order can easily be the first the landlord knows of a problem.

In addition to calling property standards, there is a straightforward application process for tenants to follow. In most areas, the tribunal provides mediation, which often resolves the problem. If mediation fails, then the tribunal will hold a hearing. After a hearing, the tribunal can order the landlord to pay for repairs the tenant has made, authorize the making of repairs or further repairs, order the landlord to make repairs, order the rent to be abated for a past or future time period, or order the landlord to pay the tenant for any damage to the tenant's property.

What is to be added to section 30 is the ability to prohibit rent increases. Such a power existed under the NDP's Rent Control Act, but it was mitigated in that the prohibition on actual rent increases did not interfere with the usual increase of the maximum rent. Thus, when a landlord complied with the order, they could regain the normal rent track for the future. That ability does not exist under Bill 109.

The Bill 109 provision is unnecessary and will damage the rental market. Paragraphs 6, 7 and 8 of subsection 30(1) should be deleted. At the least, orders prohibiting rent increases should be made where there is a municipal work order for a serious issue from a property standards officer. Property standards officers are in the best position to determine whether or not the landlord is in non-compliance with municipal property standards. The law should have avoided the duplication of processes and subparagraph ii of paragraphs 6, 7 and 8 of subsection 30(1) should have been deleted.

Under the current rules, tenants are required to bring their own applications to obtain remedies for maintenance and other claims. A tenant can file an application at any time to make such claims, and landlords then receive notice of the claim. The current system works and is consistent with the rules in every court and tribunal.

Under section 82 of Bill 109, tenants will be able to raise maintenance issues at the hearing of an eviction application brought by the landlord without any prior notice to the landlord. The new system will be abused by tenants in order to delay evictions in situations of non-payment. Bad tenants will learn how they can use the system and will routinely name non-existent maintenance claims to buy time.

The claims are not common now because legal clinics and other tenant advocates tell tenants they have to bring their own application about maintenance issues, and that such issues are not relevant in applications for non-payment of rent. As soon as section 82 is enacted, that advice will be reversed and great numbers of tenants will claim that there are maintenance problems in order to buy themselves longer time without paying their rent.

Landlords will be forced into a Hobson's choice: Either they will have to request an adjournment of the eviction hearing to bring witnesses, such as superintendents and maintenance staff, to defend against tenants' claims, or they will run the risk of losing applications because of lack of evidence when tenant claims are not valid. Either way, section 82 will increase the cost of doing business. That will ultimately be paid by the good tenants who pay on time and take care of their units. Section 82 is bad public policy and should have been removed from Bill 109.

Section 82 also offends the rules of natural justice by allowing tenants to make claims against landlords and have them heard without giving proper notice. At a minimum, tenants should be required to give notice of the intention to raise specific maintenance issues to the landlord at least five days before the hearing.

Above-guideline increase applications are typically used to bring up rents of units that have fallen badly behind inflation or when landlords have not taken increases for several years but then the rental market changes. In other words, AGI applications are typically about catching up. Landlords are only allowed to catch up for the lost guideline increases when they have cost increases to justify the rent increases.

Ever since rental control was introduced 30 years ago, the system has recognized that landlords need to be able to increase rents for major cost increases. Over the years, the grounds for applications have effectively been made fewer and fewer until, under Bill 109, they will be restricted to costs that are beyond the landlord's control; namely, unusual utility cost increases, property taxes and necessary repairs; see subsections 126(1) and 126(7).

Despite the strict limits on what costs can be claimed, subsection 126(11) of Bill 109 limits allowances to 3% of the rent over not more than three years. Restricting landlords from recovering their full justifiable costs through the above-guideline rent increase application process will discourage landlords from investing in their buildings. The percentage restriction and time limit will particularly prejudice small landlords. In a small building with low rents, a major expenditure like a new roof can justify a substantial rent increase. The 9% limit in subsection 126(11) should be removed.

1650

Section 137 is an attempt to make smart metering attractive to landlords in order to encourage energy conservation. The section fails to do that. Removing the requirement of tenant consent is of assistance, but the rest of section 137 is unfair, unreasonable and will discourage smart metering.

It is reasonable to remove from the rent the cost reduction landlords will receive, but it is unreasonable to reduce rents by more than that. That will be the effect of clause 137(3)(b). For example, if the average hydro cost was \$100 per month before the smart metering, but the cost of the smart meter and the separate billing is \$20 per month, it is unreasonable to remove \$120 from the rent. The proper way to proceed would be to use the system

that has applied for service reductions since 1976. Removing the cost the landlord experienced would mean that in the example, the tenant would be ahead \$10 and the landlord would break even. This is a win-win solution that should have been enacted in Bill 109.

Subsection 137(5) is another major impediment to sub-metering. It gives tenants an incentive to run up their energy consumption in order to increase their rent reduction. Most people usually act in their self-interest, so that is a real danger. It is also unreasonable and counter-productive to layer on special energy savings requirements and tenant application as in section 137.

Section 138 has positive aspects because it allows for ratio billing in small buildings. That will allow landlords to divide hydro bills between tenants on a fair basis without going through the expense of submetering. However, the other requirements under the legislation will certainly discourage landlords from taking advantage of ratio billing. Many studies, and common sense, show that tenants will conserve energy when they pay for their hydro directly. The government should encourage landlords to use ratio billing, not discourage it. That section of the legislation should have had major revisions if the government wanted ratio billing to be attractive.

Experience across many centuries and all continents proves that market forces win out over government regulations. Regulations that attempt to make tenants better off by making things tougher for landlords inevitably drive up the costs landlords experience and thus make things far worse for good tenants. In tightening the rent control rules and tipping the balance of landlord-tenant rules in favour of bad tenants, not good tenants, Bill 109 will hurt good tenants and our economy.

Real tenant protection was found in the TPA. Bill 109 is a political ploy that will be counterproductive and will hurt the very tenants this government says it would like to help. This House should vote down Bill 109 and leave the Tenant Protection Act in place.

Mr. Marchese: I welcome the good citizens of Ontario to this parliamentary debate on issues around Bill 109, called An Act to revise the law governing residential tenancies. I want to begin—because the minister made a good point when he spoke and said, “If there were more ideal solutions, we would use them, pick them up.” I thought that was a very enlightening comment. I want to refer to a document that he might be aware of, to see whether or not he thinks those ideas are good. Some of these ideas come from the Liberal Dissenting Report on Rent Control Consultations, September 21, 1996. I’m lucky enough to have this document by the Liberals, wherein they propose a number of ideas. I don’t have the full length of an hour to be able to do this, but I selected a few items.

One has to do with the issue of consultations. It says the following: “Failure of Tory members to listen to tenants.” And the Liberals say, “Over 260 witnesses appeared before the committee and many more submitted written briefs. A clear majority of witnesses and 100% of tenants and tenant groups called on the government to

stop its plan to end rent controls.” Remember this when I get to this issue, because the Liberals promised to end rent control. I thought it was an ideal idea that came forth from the Liberals when they were in opposition. If they do not listen to themselves, I do not know who else they listen to. So that’s on rent control.

It goes on to say, “Liberal members on the committee and many presenters were frustrated that the very limited time (20 minutes) allowed to each group permitted very little opportunity for dialogue or discussion. It was also unfortunate that of the ... 400 groups that applied to appear before the committee, there was only adequate time to allow for” a mere “260 presentations.” It goes on.

Recall that the Liberals in 2006 were holding hearings on their Bill 109 in only one city, listening to 49 deputants for only eight hours, giving each only 10 minutes. I want you to put this in context in terms of what the Liberal dissenting report said about the Tories. To be fair, there were many bills where the Tories later on only had one day and so on; that’s another matter. But on the tenant control act, they heard 240 deputants for a mere 20 minutes, they claimed. When it comes to 2006, we hear 49 deputants for only 10 minutes. Do you understand the problem? I hope that those Liberals who are listening understand the contrast between what they said—I don’t know, Mario, whether you were a member of that Liberal dissenting committee; I don’t remember. You might have been on that committee, actually. I think you were, because Kennedy was there.

Mr. Hardeman: That’s why he’s smiling.

Mr. Marchese: That’s why he’s smiling; exactly.

Bob Levitt, one of the presenters, says, “It appears that the McGuinty government is far more guilty of the very accusations they made against their predecessors,” and he’s right. And then he continues: “Why the sudden rush to get this law passed after all this time? What is the government afraid of? And why the lack of proper recorded consultations with sufficient deputation time based upon the government’s own publicly demanded criteria?” Mr. Levitt is an astute observer of politics as it relates particularly to tenants’ issues. He offers that as a point which I hope the minister, Monsieur Duguid, Mario Sergio and other Liberals who are here take into account.

I want to refer to the same Liberal dissenting document, where they say: “Failure of Tory government to understand that implementing New Directions will lead to the end of rent control and affordable housing in Ontario.”

Mr. Mario Sergio (York West): The Tories were bad, very bad.

Mr. Marchese: I remind you, my good friend Mario from York West, that this is what you said of the tenant control act, and I remind you that you haven’t changed that in your own Bill 109. So to be consistent, it would seem to me at least, as a neutral observer, that you have the same problemo. You attack them on the basis of the failure of the Tory government to understand that implementing New Directions will lead to the end of rent control and affordable housing in Ontario. You attack

them for that. What I say to you is that in Bill 109 there's nothing you have done that would change the criticism of them as it applies to yourselves.

Allow me to read on: "Tory members of the standing committee spent most of the hearings blindly defending Al Leach's New Directions proposal to gut rent controls. Instead, they should have been listening to the vast majority of presenters and the unanimous voice of tenants: implementing New Directions will mean an end to rent control in Ontario."

Mon ami from York West, I hope you remember those words. You might have helped to draft them.

"Liberals would like to highlight several key issues in Leach's Tory paper that were raised during the hearings—issues that were totally ignored by the Tory majority members on the committee when they blindly passed their, 'Yes, sir, Mr. Minister,' say-nothing report." I say it in humour, because I want you to remember what you said, because it all applies to your bill.

1700

But wait, member for York West. I have more. There's the Tory position on rent controls, and this is what you say about that: "Vacancy decontrol means the slow death of rent controls." It sounds like my line, because that's what I said when I was there. I don't remember you guys saying this. That's what I used to say. But you've got it in print, saying exactly the same thing. It's beautiful. One is almost forced to believe you, because when you hear it, you say, "They must mean it." Again, to repeat, "Vacancy decontrol means the slow death of rent controls," say the Liberals in that committee, including mon ami Monsieur Gerard Kennedy, who is running for the federal Liberal leadership.

"The Lampert report estimated that 25% of tenants move every year." You guys even quote the report that I make reference to on a regular basis. God bless you. "The study also estimated that over a five-year period, about 70% of tenants move at least once. This means that within five years, the majority of apartments and rental homes will have had their rents decontrolled." Member for York West, stick around. I've got more.

Mr. Sergio: I'm not going anywhere.

Mr. Marchese: No, but you need to hear your words. I need to talk to somebody who was there, and you were there, because the other Liberals who are here are going to claim, "That wasn't me. No, I wasn't there." Don't go away; stay. Now I've got to talk to Mr. Duguid, who is going to argue, "It wasn't me; it wasn't my report. It's their report." And my good friend from Don Valley West is going to say, "But I wasn't there; I didn't write that report. It doesn't apply to me. Those old Liberals are not the new Liberals," even though the member from York West is here and most recently mon ami Monsieur Kennedy was here, but a mere short while ago. But I digress.

"The majority of tenants in Ontario will be paying more rents under the government's proposals than they would under the current program," meaning the rent control bill we had. You Liberals are saying the right

things. You always say the right things, generally speaking, in opposition. But let me go on.

"Vacancy decontrol," say the Liberal minority report authors, "will lead to landlord intimidation and higher rents across the market." They were so visionary at the time. "People will have little chance to 'move up' since any unit that becomes vacant will first have its rent hiked—tenants will become a prisoner of their apartment." You were so visionary. You were so good in opposition. This report reflects New Democratic ideas. You understand what I'm saying?

"Even the Tories anticipate that there will be landlord harassment—they have created an anti-harassment unit and have raised fines for tenant harassment. Under the government's new plan, landlords will have less incentive to work with tenants to ensure buildings are in good repair, and every incentive to force you out by whatever means possible. It will be up to tenants to prove that the landlord's activities (refusal to do repairs, lack of hot water, excessive noise) constitute 'harassment.'"

You see how good you Liberals are in opposition? That's why you belong here. You belong in opposition because you say the right things, and you say more, mon ami from York Centre. Écoutez bien. Il y a encore un. "Vacancy decontrol hits some of the most vulnerable tenants—seniors, the poor, the disabled, students and the unemployed seeking new work." You see? They're brilliant in opposition. We need you here.

Ms. MacLeod: We're going to put them back there; don't worry.

Mr. Marchese: We've got to help them out. We've got to help them to get back in their place.

"The rent registry must remain—it is essential in protecting tenants against discrimination as it prevents arbitrary rent charges." Not a peep about the rent registry from this government. There's more. I don't have time; I only have 24 minutes. How much of this can I read?

I want to say to my good friends from Don Valley West, York West, Scarborough Centre—good heavens, there are so many more. You guys ought to know what you said. If you don't, you have a serious problem: possibly negligence, possibly incompetence, possibly complete denial—pretending that it never existed, that you never existed, that you never said anything, that you could not have been the authors of such a paper; that it exists, yes, but if no one knows, it doesn't exist. If a tree falls in the forest, did it fall? You know; that kind of stuff. But it's here; I have it. And I want to say to any citizens watching, including taxpayers—because you guys have quite a number of them—if you want this Liberal dissenting report, just call me. Find me and I'll give it to you. I'll make copies for you, because the taxpayers pay for us to communicate with you.

The reason I go on at length about this is because vacancy decontrol is important to us. It was even important—

Interjection.

Mr. Marchese: Mario Sergio, thank you for coming. I remember when you guys came to keep me company. Remember? Thanks for keeping me company.

Vacancy decontrol was important to the Liberals and it was important to us, and it's important to me today.

Michael Walker—he's a Liberal; not a regular Liberal in terms of putting it out so that everybody knows, but he's a Liberal.

Mr. Sergio: Is he?

Mr. Marchese: He's a Liberal; I guarantee it.

Mr. Sergio: I'm not sure.

Mr. Peter Kormos (Niagara Centre): If you're not sure, then he is a Liberal.

Mr. Marchese: No, that's not how it works. That's the default.

Michael Walker came and presented in front of the committee. Some people might deny that he's a Liberal and some other Liberals who were city councillors as well might say, "Yes, but Michael Walker is different," or "He's a different Liberal," right? There are Liberals that are different from the others.

Mr. Kormos: No, he isn't. Is that a Gethsemanic denial?

Mr. Marchese: Oh, that's a very good word. Get that in Hansard so I know how it's spelled so I can use it the next time.

He says, "Almost half of Toronto's residents are tenants and 70% of St. Paul's residents are tenants." St. Paul's: You know whose riding that is, right? The minister of pit bulls. He says, "City council places a great priority on tenant issues and has a range of programs and services to assist them." Here's what he says on page 7.

Mr. Kormos: Rosie, the camera's there.

Mr. Marchese: No, the cameras follow me around, I'm telling you.

Mr. Kormos: You're not tall enough for them to follow you.

Mr. Marchese: It's got nothing to do with height.

It says here: "It's over two and a half years since that promise and momentous election. And what do we get after a protracted consultation, most particularly with tenants? Broken promises to tenants and tinkering with legislation leaving the image of real change but in reality it's only a phantom of the old legislation." That's Michael Walker.

With all due respect, Michael has been proactively working for tenants in his riding and any other riding in Toronto, unlike any other city councilman. With all due respect, there are many other city councillors who work hard on this issue, but Michael is a fine Liberal in this regard.

Mr. Kormos: "Fine Liberal"? That's an oxymoron.

Mr. Marchese: It is an oxymoron; I agree with you. But I read the report. I have this Liberal dissenting report. When they were in opposition, they were clear and they were good. Now they get into government, and they change.

Mr. Kormos: Guité didn't get fined; he got sent to jail.

Mr. Marchese: Okay, but let me finish this quote. Michael Walker: "Did we get rid of vacancy decontrol as

promised by Premier McGuinty in August 2003?" Mario?

Mr. Sergio: I'm listening.

Mr. Marchese: "No we did not. Did we get back 'real rent control' as promised by Premier McGuinty in August 2003?" Answer: "No we did not." I was there. I debated this bill, I went to committee hearings, and I didn't hear the member from York West say, "We're going to end rent control, as I had said I would in my Liberal dissenting report."

Do you want to see it?

1710

Mr. Kormos: Whose Liberal dissenting report?

Mr. Marchese: In 1996.

Mr. Kormos: Oh, his Liberal dissenting report.

Mr. Marchese: Yeah. He was an author of this report. That's why he was smiling earlier; Mario Sergio, that is.

So Michael Walker says, "There is no 'real rent control' with vacancy decontrol. Why can't politicians keep their promises to tenants? Is it because politicians think tenants don't count and don't have the power and influence of the special-interest groups? Well it appears that tenants did for a fleeting few months before the last provincial election. And they will in future elections because tenants are losing their homes due to affordability, to evictions and to demolitions—and they won't put up with it!"

God bless you, Michael Walker. You're a fine Liberal. That's why you should never join them here at the provincial level, because I'm afraid of what might happen to you too. Stay there where you are and fight this Liberal government to the end, because what they said in 1996 and what they said in 2003 never came true.

Mr. Sergio: I'll give you some room, Rosario.

Mr. Marchese: Thank you, Mario, for coming by and lending your support.

Bob Levitt makes a few other interesting remarks. I'm telling you, he's an astute observer of politics and, in general, tenancy issues.

"Page 7 of the Liberal 1996 report states, 'Vacancy decontrol hits some of the most vulnerable tenants—seniors, the poor, the disabled, students and the unemployed seeking new work.'

"Now they support vacancy decontrol. Does this mean," fellow Conservatives—

Ms. MacLeod: Fellow?

Interjections.

Mr. Marchese: They love it when we tease. The Liberals say, "Oh, they're so close." Do you hear her? She's so curious sometimes.

"Does this mean the McGuinty caucus no longer cares for seniors, the poor, disabled, students and the unemployed" as they did when they wrote this report in 1996?

"In 1996, the Liberal Party in opposition argued that vacancy decontrol would not create new rental housing, but now that the Honourable John Gerretsen is the Minister of Housing, they say that it will." He said that today. In 1996, no; 2006, yes. In 1996, we've got to

worry about “vulnerable tenants—seniors, the poor, the disabled, students and the unemployed seeking new work.” They get elected, they pass a new law and they don’t have to worry anymore.

It’s amazing. They get into office, and all these people are okay; they’re in opposition, and no, they’re not okay, because the Tories are evil and the Liberals are—you know what they are.

So thank you, Bob Levitt, for your comments. “The Liberal Party complained that the previous regime failed to ‘thoroughly research the impact of their proposed policies,’ but what such research has the present government commissioned to support their policies?”

“Reconsider this legislation, particularly in the areas of vacancy decontrol, landlord entry into apartments and the forced installation of smart meters.” I’ll have a little more to say on the smart meters.

My friend from Oxford used Bob Levitt’s report to talk about vacancy decontrol. It says here, “The most egregious example of the government’s biased survey was question 6,” which asks, “In your opinion, how high should a region’s vacancy rate be before the government looks at removing rent controls?”

“The only choices provided were:

“(a) 3%

“(b) higher than 3%, or

“(c) no opinion/don’t know.”

As the member from Oxford pointed out, which Bob Levitt pointed out, they never provided the choice that tenants might never want rent controls removed. The member from Scarborough Centre says, “Tenants didn’t want us to change it.” Well, because you never asked them. You never asked them, “Should we get rid of rent control?” He quite conveniently says, “Well, they didn’t want us to change the whole issue of rent control and vacancy decontrol.” You know what I’m saying.

It’s pathetic. It’s tiring. It’s exhausting. You’ve got these 48 people, the majority—by the way, the landlords loved the fact that you left vacancy decontrol there. They did. They would have been there in droves had you decided to remove rent control. That’s why only a few people came, and they complained about a couple of measures here and there, but in the end they’re as happy as flies on defecation—do you know what I mean?—because you didn’t touch them; you didn’t hurt them.

Interjection.

Mr. Marchese: What’s wrong? Vacancy decontrol is something that allows them to continue to do well in the rental market. They’re going to be as well off as before. People will continue to invest as they’ve done before. Nothing has changed. That’s why they didn’t come to assault the Liberal government. That’s why they’re pleased as flies on you know what.

The Acting Speaker: I would ask the member from Trinity–Spadina to respect the House in terms of the words that he’s using.

Mr. Marchese: To do what?

The Acting Speaker: With respect to the words that he’s using.

Mr. Marchese: I do. Oh, I venerate this place. You don’t know how much. I love this place. I respect this assembly and I love this forum. Imagine.

So of the few landlords who came—the few; almost half were landlords. They would have been here in the thousands if you were getting rid of rent control. Yes, they complain about two or three sections, really—even smart meters, which I’m going to get to if I can, because on submetering they said, “It’s not going to work.” Tenants said, “It’s not going to work.” Then I think, “Hm,” but Mr. Brad Duguid from Scarborough Centre said—

Interjection: It’s the wording.

Mr. Marchese: Not only that—no, no; they consulted widely. I say to myself, okay, but if landlords don’t want it and tenants don’t want it, who’s left? They’re landlords and tenants—right?—close to three or four million tenants, and they said no, based on the deputations we have here, and the landlords said, “No, this is not going to work. It’s almost dumb.” Both sides are saying that it’s dumb, that it’s not going to work, and the Liberals proceed, on the basis of what evidence? On the basis of what support? Nobody wants it, nobody is clamouring for it, and yet the Liberals lead in an area that’s murky, that’s not supported by anyone? What kind of leadership is that? I don’t call “leadership” doing something that two groups of people are saying is dumb because it’s not going to work.

Moving on: There are a couple of elements that are going to help the landlord because, you see, the Liberals made some changes to the Residential Tenancies Act. They were afraid that landlords might beat them up. They were. Even though vacancy decontrol was not eliminated, they still felt they had to give them a couple of things. Let me tell you what they gave them.

Rental units used to be exempted from rent controls as of 1998. What did this government do? They exempted rental buildings that were constructed in 1991—not just in 1998 but in 1991. What does it mean? No rent controls. That means a landlord can just “jack it up as much as you want because it’s your right as a landlord to be able to raise rent.” Brad Duguid, the parliamentary assistant, said, “That’s okay. What’s wrong with that?” What’s wrong with that? Not only do you change the law, or continue with a law that says buildings after 1998 are exempted from rent control, but you go back even more retroactively to 1991. So the landlords were so pleased.

It’s a plum. It’s a few extra dollars. It’s the pecunia that greases that little wheel, and the Liberals were so happy to oblige, because often they say, “Only Tories are good to landlords.” Now you’ve got Liberals who are just equally good to landlords—equally good. Look at what they offered them: Buildings built after 1999 are exempt from rent control. Jack it up. It’s okay. The Liberals say it’s okay. Brad Duguid said to me, “That’s okay.” Marchese says, as a New Democrat, no, it’s not. No, it’s not.

Duguid is going to have five or six minutes to explain how good these things are. I don't know, maybe he doesn't have that time anymore because he's got to share his time with a couple of people.

Here's another little thing that the Liberals did for landlords. It's in section 106 of the bill. What we tried to do was to say the following in our amendment—by the way, we put an amendment to end vacancy decontrol. It lost, as you might imagine. We put the other amendment, dealing with the issue of rental units not being exempt from rent control, and we lost that too. These are biggies. Vacancy decontrol is a biggie.

1720

The other matter that I mentioned is a big one, and this is a big one:

“(a) Striking out ‘at a rate equal to the guideline determined under section 120 that is in effect at the time payment becomes due’ at the end of subsection (6) and substituting ‘at the rate of 6% per year’; and

“(b) striking out subsection (8).”

What this would have done is to allow the landlord to pay the tenant 6% interest on the month which is held by the landlord, and it is to be given back to the tenant at the end of his stay with that landlord: 6%. I remind you, Speaker, and Liberals who might not know, that the rule of 6% interest has existed for 30 or 35 years. No one had touched it, not even the Tories in their so-called Tenant Protection Act. But the Liberals did one better than the Tories. They said, “In order to balance the bill so we do not get attacked by landlords in our attempt to make a few changes for tenants to make them feel better, we've got to give away something for the landlords.” And so understand this: Instead of the tenant getting 6% interest on the last month, they'll now get only whatever inflation is, at whatever moment they need to get that back from the landlord: only inflation.

Think of this; understand the gift we're giving to the landlord. We're not talking about a person who owns a house and has to pay 6%, if it were 6%, to a person for that last month. We're not talking about a homeowner here. We're talking about big landlords who own big apartment buildings with muchos units, not just a little basement unit or a second-floor unit. We're talking hundreds of units or thousands of units.

What does the landlord do with that money that he or she gets—mostly he, but I suspect there are many “she”s as well. What do they do with the money they get from the tenant? They take it and they invest it. Yeah; they invest it. And what is the rate of return on their investment? I don't know. But I daresay the return is not 1% or 2%. I venture to guess that it could be anywhere from 6% to 8% to 10%, depending on the time and depending on the investment and depending on how smart they are. Most landlords have the smarts, including the people they pay to invest for them. The landlord is going to reap huge benefits from this change that allows them to pay only inflationary amounts, rather than the 6% rule that existed for 35 years. That's a plum. That's a giveaway. That's saying to the landlord, “Please don't

come to Queen's Park and beat us up. Please come and tell us this is really not such a bad bill. We're going to give you a couple of things in return.” And they have. God bless the Liberals.

On vacancy decontrol, the Liberal dissenting report in 1996 was very clear. They understood that—the member from York West, and the former Minister of Education, who was co-author, and I forget who else who would be known in this place. Hold on; I've got them here. Do I have them? Where are you Liberals? You must be here somewhere.

Mr. Sergio: We are all over, Rosario. Look around.

Mr. Marchese: No, no. Mon ami Alvin Curling : He was there. Mario Sergio : te voilà. Je t'ai trouvé. Tu es ici, tu vois ? Tu es ici, regarde. Je vais te le passer si tu veux. M. Kennedy, il est ici aussi. That's enough. How many people do we need? And as of a couple of months ago, we had Gerard here, Mr. Kennedy from Parkdale, as well.

Vacancy decontrol means that when you leave your apartment, rents get jacked up and then they get controlled. I've got to tell you, since the Conservative Party has done this, rents have gone up steadily everywhere, universally, in some places more than others. But tenants, the ones you were worried about, the ones that I quoted here, the ones Bob Levitt quoted that you used to be worried about—the vulnerable ones, the seniors, the poor, the disabled, the students and the unemployed, those who have the least amount of money to be able to pay for the kinds of rents they're paying in big cities, those who have the least, sometimes, not ability but opportunity to be able to do well and bring in a good income—these people are the most vulnerable under vacancy decontrol.

Those people probably don't know that vacancy decontrol is causing the rise of their rents. I suspect most Liberals understand this. That's why they're not touching it, even though in their dissenting report they said, “We are going to deal with it. We've got to get rid of rent control. We've got to deal with vacancy decontrol.” That's what the Liberal dissenting report said, but those were the days when they were in opposition. That's why I appeal to the good citizens of Ontario to bring them back to opposition. Give them the ability to have some principles, because in opposition they almost developed some principles that they almost believed in. In government, they believe in nothing. In opposition, they actually do believe it for a while. It is illusive, illusory at times, ephemeral, for sure, but at least you get the impression that they believe in it. Then when they get into government it's just not the case.

The people here who are suffering the increases in their rents, who cannot afford it, are hurting. “The supply of primary rental housing has been decreasing in the city of Toronto. In 1996, there were 350,861 primary rental units. In 2005, there were 348,148 rental units, a decline of 2,713 rental units in nine years, even after taking into account the number of new rental units built during that same period of time.” Listen to this statistic: “The

number of lower-rent units in Toronto continues to decrease. Between 1997 and 2003, the number of one-bedroom units with rents below \$700 per month shrank by 85%. The number of two-bedroom units with rents below \$800 per month shrank by 89%.” These are the figures that ought to worry a lot of the Liberals who claim to speak on behalf of tenants and who have a lot of tenants in their riding. You broke some very important promises that I hope people will not forgive you for.

Kathy Laird, the director of legal services of the Advocacy Centre for Tenants Ontario, said the following: “Rent increases will continue to be unregulated when a tenant moves, creating an incentive for landlords to evict and raise the rents,” which is what Liberals said in their minority report. “We have an affordability crisis in this province, with rising rents and fewer units.’

“In fact, there were just 1,575 vacant three-bedroom units in multi-residential buildings in October 2005, according to Canada Mortgage and Housing Corp.’s most recent rental market survey and most of these units were clearly beyond the reach of low-income” families.

We have a problem. We wanted rent control. Rent control works. The market does not work for the most vulnerable people in the province that Liberals worried about in 1996 and 2003. If you’re one of those tenants, you’ve got to face these Liberals. You’ve got to go to their offices, and face them one by one and ask them to account. You’ve got to put pressure on them, because only pressure forces Liberals to listen to you—nothing short of pressure. If you’re one of those victims of the former Tenant Protection Act, you will continue to be a victim of Bill 109, the new Act to revise the law governing residential tenancies, because nothing has changed. They have broken important promises from which I hope they will never recover. I hope you will remind them when the time comes.

1730

Mr. Sergio: I have a few minutes to join the debate on Bill 109. I have to say that I have thoroughly enjoyed the Oscar performance of my colleague from the other side, Trinity–Spadina. I think he would be winning the number one prize if he were on the stage.

Let me say that it’s about time that we see the end of Bill 109, a bill that started some two or three years ago. It’s part of the commitment we made to bring some changes, some fairness and some flexibility to a very important area when it comes to dealing with tenants in Ontario. The bill aims to provide safe, secure, affordable housing—an affordable place where people can live in our province. Above all, this bill as it is drafted—and it’s now in for third reading—provides our tenants in Ontario with peace of mind and protection, which they did not have before.

Bill 109 is part of our housing strategy, which was announced some time ago as well. It fulfills our commitment in improving the quality, availability and strategic investments through a variety of programs that the McGuinty Liberal government put out in the last two or three years. One of the programs, as a matter of fact, and

one we’re very proud of—I think the biggest in Canadian history—is the Canada-Ontario affordable housing program. For the first time we see an influx of some three quarters of a billion dollars for the provision of affordable housing in Ontario—some \$301 million from the feds and \$301 million from Ontario. This would result in some 15,000 new affordable units for low-income people, victims of domestic violence, people with mental illness, and a lot of seniors on fixed income. Part of that program is an \$80-million housing allowance for some 5,000 lower-income families as well.

Why did we move on at a good speed to bring Bill 109 to the House? I can commend the member from Trinity–Spadina, but I have to say that Ontario’s average vacancy rate in 2005 was 3.7%, and it’s projected that this will continue until 2008 and 2009 as well.

Average rents are static or falling. In 2005, the average rent increase was only 0.7%. Since 2003, rent increases for the lowest 20% of apartments have been below inflation. Tenants benefit from the favourable market conditions when negotiating starting rents, and the new act would give landlords greater flexibility to offer rent discounts to attract new tenants.

From 1998 to 2002 in Toronto, guideline increases surpassed increases in market-set rents: 16% versus 5.7%.

Vacancy rates are highest at the low end of the market, and rents are flat or falling for those units too. For example, in Toronto the lowest quintile average vacancy rate in 2005 was 5.5%, and rent in 2005 was \$726, a one-dollar increase over 2004.

So what’s in it? What is in this act that is really of interest to the tenant, and to the landlord as well:

With respect to tenants, this legislation is proposing to eliminate the default eviction process; all tenants are to have access to a hearing or mediation.

The annual rent increase guideline is based on a transparent indicator, the Ontario consumer price index.

Adjudicators are to consider related tenant-landlord matters in eviction hearings.

Related landlord-tenant issues could be raised in the course of a hearing. For example, an adjudicator could consider serious outstanding maintenance issues in determining whether to grant an above-guideline increase.

When there are serious outstanding work orders or serious maintenance problems, tenants can apply for a rent reduction and/or a freeze of rent.

Above-guideline increases could only be for utilities, necessary capital improvements, increased taxes and operating costs for a security system.

The new Landlord and Tenant Board is to have a more user-friendly focus and screen applications for accuracy and completeness as well. And the new board is to have lower user fees.

For tenants in care homes—and I think we have a lot of them—the notice required to cancel care or meal services is cut from 30 days to 10 days.

We have also included those occupying mobile homes. Now they can assign tenancies without the landlord's consent and would receive compensation up to \$3,000 if evicted due to conversion/demolition of a mobile home park.

I have a couple more minutes. Let me say what the benefits are to the landlord side as well, because I think the principal focus of the bill is to bring some fairness for both good tenants and good landlords. This is the most important part of the bill.

The new fast-track eviction process would cut time required to evict tenants who cause wilful damage or who impair the reasonable enjoyment of the landlord's own home. Tenants who cause wilful damage would not be able to avoid eviction by paying for damages or repairing damages, and tenants who cause excessive wilful damage could be ordered evicted immediately.

The new Landlord and Tenant Board is to have a user-friendly focus and screen applications for accuracy and completeness as well. And the new Landlord and Tenant Board is to have lower user fees.

Landlords will be able to retain interest on rent deposits to top up the last month's rent as required.

An annual rent increase guideline will be based on a transparent indicator: the Ontario consumer price index.

There is more flexibility to offer discounts of up to three months to attract new tenants, and flexibility to offer discounts of up to 2% for prompt payment of rent.

These are all positive, good things that tenants love and landlords like as well. I think this is a perfect balance. It's a good balance. It's a fair piece of legislation. This legislation is aimed at good tenants and good landlords.

Interjections.

Mr. Sergio: I hope that, at the end, my colleague the member from Trinity–Spadina will see the light and support this legislation.

Mr. Brad Duguid (Scarborough Centre): I want to begin by commending the Minister of Municipal Affairs and Housing, John Gerretsen, for the leadership he has shown on this file. This is, and was, a very complex file that was challenging in many, many ways. I think that, through the minister's leadership, what we've come up with is a piece of legislation that's fair and balanced, that will serve tenants very well and ensure that we also maintain a healthy rental market, which is in everybody's interest.

Before he heckles me here, I want to commend as well the member for Trinity–Spadina, Rosario Marchese, for his good work at committee—he did a terrific job—and the member for Oxford, Ernie Hardeman, and as well the member for Nepean–Carleton, Lisa McLeod. I think this was her first assignment. Originally, I think she considered herself an apprentice to Mr. Hardeman, but by the end of committee I think Mr. Hardeman was learning a few things as well. So I want to thank her for her good work at committee as well.

I'd also like to thank somebody outside of this Legislature, by the name of Carolyn Fenn. Carolyn is a well-

known tenant advocate who is currently in the hospital and fighting very, very hard to try to regain her health. I've known Carolyn for a good 15 or 20 years. She's a constituent of mine, a long-time supporter. She was one of those constituents who would tell you when she didn't agree with you—she'd be happy when she did—but time and time again she was always there when you needed her, and she continues to be there for us. She's fighting now for her health. On behalf of the Premier and all members of this Legislature, I want to wish her well in her efforts.

1740

This lady was an advocate for tenants for a very, very long time, particularly public housing tenants. She was an advocate for disabled persons, she was an advocate for veterans, she was an advocate for seniors and she was a long-time advocate for the less fortunate. Her entire life over the last 20 years that I've known her was spent working for the benefit of others. I hope that Carolyn can bring that same determination to her battle to regain her health. Again, I want to wish her well and send her regards from everybody here in the Legislature.

This bill is really the best tenant reform that we've seen in well over a decade. There's no question that tenants will benefit significantly once this bill, if passed today, is proclaimed. We look at a number of the areas that have improved the lot of tenants. I think back to the consultations that took place. Not only is this bill the best tenant reform we've seen in over a decade, but we also engaged in the largest amount of consultation, our bureaucrats here have told us, that we've ever had in the history of this province, in terms of tenant consultations: 10 different cities, 5,000 submissions. We heard and talked to thousands of tenants and hundreds of landlords. We listened carefully to what we heard, and I think it speaks well when you see some of the directions that this legislation took.

What did tenants have to say? Their priorities were very clear. Better maintenance was their first priority. Abuse of above-guideline rent increases was something that they raised time and time again through the public hearings. Unfair Ontario Rental Housing Tribunal processes, mainly evictions, was the other thing. These were the things that time and time again tenants talked to us about.

What did landlords talk to us about? By and large their main concern—they recognized that we were swinging the pendulum back, rebalancing the pendulum in favour of tenants. Most of them recognized that we were going to do that; we'd committed to do that. Their concern was: How was that going to affect the health of the rental housing market? It was a concern shared by ourselves and, frankly, tenants as well, because a good, healthy rental housing market benefits landlords and tenants.

So what's the result? The result is a piece of legislation that truly advances tenant protection across the province while maintaining a healthy rental market; and tenant reform, such as changes to the eviction process, where we scrapped the default orders that were taking

place. Our commitment was to take a look at the reforms, to take a look at the default process and change it from five days; maybe double it to 10, or 15. We didn't say we were going to scrap the default process, but once we consulted with tenants and talked to them across this province, we realized that that default process simply was not fair to tenants. Rather than play around with it a little bit, rather than just adjust it, we decided to scrap that default process altogether, to bring in a system that will ensure that each and every tenant who's served with an eviction notice will be able to have their opportunity to appear before the tribunal, now named the Landlord and Tenant Board, and have an opportunity to state their case if they so wish—fairer for tenants, simpler for tenants.

As well, we ensured that not only is the system more understandable for tenants, but the forms will also be more understandable. It's something that we heard right across the province that was a concern of tenants and tenant advocacy groups. This will help ensure that tenants are not evicted simply because they don't understand the system. This will ensure that when tenants are evicted, it's for a good reason, that there's a reason for them to have to be evicted.

At the same time, we've made some changes that will create some fairness for landlords in the eviction process. We've created a fast-track process where there's wilful damage involved to ensure that tenants who may be impacting on the reasonable enjoyment of small landlords or on the lives and quality of life of fellow tenants can be evicted in a quicker process when there are safety issues or wilful damage involved.

The other issue that tenants were very concerned about was above-guideline increases. We've tightened the definition for above-guideline increases to ensure that the definition of maintenance versus capital is made more clear. We've put a cap of three years on above-guideline increases, rather than the current process where there is no cap. We've reduced the amount that's allowed each year in terms of rent increases for above-guideline increases from 4% to 3%. That's real rent control. That's a real opportunity for us to be able to ensure that those above-guideline increases are fairer for tenants.

We've also made sure that those increases are not paid forever. Once a capital investment has been made and paid for, tenants' rents will be able to be lowered as a result, so the term "costs no longer borne" is now a thing of the past. Tenants will be able to benefit from that significantly, and the same goes for energy.

In the area of maintenance, we've made some key changes so that if there are serious maintenance deficiencies or outstanding municipal property standards orders, rents can be frozen; that's not only guideline rents, that's also above-guideline increases. This will ensure that landlords continue to invest in their properties. Much effort was made to water down those provisions by the opposition parties, and we refused to buckle on that because we feel maintenance is extremely important. If it wasn't the number one priority, it certainly was one of the top two or three that tenants raised with us.

I want to close by thanking all involved in the consultations: all tenants who appeared before us and all landlords who appeared before us. What we have before us is a fair piece of legislation that benefits tenants significantly, the most significant tenant reforms that we've seen in this province in well over a decade and, at the same time, a piece of legislation that ensures the continuance of a healthy rental market. We're confident that this bill will be accepted by tenants and appreciated as well by landlords, who will continue to be able to work in that healthy rental market.

The Acting Speaker: Further debate?

Pursuant to the order of the House dated May 16, 2006, I am now required to put the question.

Mr. Gerretsen has moved third reading of Bill 109, An Act to revise the law governing residential tenancies.

Is it the pleasure of the House that the motion carry? I heard a no.

All those in favour will please say "aye."

All those opposed will please say "nay."

In my opinion, the ayes have it.

Call in the members. This will be a 10-minute bell.

The division bells rang from 1748 to 1758.

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

Ayes

Arthurs, Wayne	Gerretsen, John	Pupatello, Sandra
Balkissoon, Bas	Jeffrey, Linda	Qaadri, Shafiq
Bentley, Christopher	Kular, Kuldip	Racco, Mario G.
Bradley, James J.	Kwinter, Monte	Ramal, Khalil
Brownell, Jim	Lalonde, Jean-Marc	Ramsay, David
Bryant, Michael	Levac, Dave	Rinaldi, Lou
Chambers, Mary Anne V.	Mauro, Bill	Ruprecht, Tony
Cordiano, Joseph	McMeekin, Ted	Sandals, Liz
Crozier, Bruce	McNeely, Phil	Sergio, Mario
Delaney, Bob	Milloy, John	Smitherman, George
Dhillon, Vic	Mossop, Jennifer F.	Van Bommel, Maria
Dombrowsky, Leona	Oraziotti, David	Wilkinson, John
Duguid, Brad	Patten, Richard	Wong, Tony C.
Flynn, Kevin Daniel	Peters, Steve	Wynne, Kathleen O.
Fonseca, Peter	Phillips, Gerry	Zimmer, David

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

Nays

Barrett, Toby	Kormos, Peter	Scott, Laurie
Bisson, Gilles	MacLeod, Lisa	Tascona, Joseph N.
Elliott, Christine	Marchese, Rosario	Witmer, Elizabeth
Hampton, Howard	Martel, Shelley	Yakabuski, John
Hardeman, Ernie	Miller, Norm	
Hudak, Tim	Prue, Michael	

The Clerk of the Assembly (Mr. Claude L. DesRosiers): The ayes are 45; the nays are 16.

The Acting Speaker: I declare the motion carried.

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

It being 6 of the clock, this House stands adjourned until 6:45 p.m.

The House adjourned at 1800.

Evening meeting reported in volume B.

LEGISLATIVE ASSEMBLY OF ONTARIO
ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Lieutenant Governor / Lieutenant-gouverneur: Hon. / L'hon. James K. Bartleman
Speaker / Président: Hon. / L'hon. Michael A. Brown
Clerk / Greffier: Claude L. DesRosiers
Deputy Clerk / Sous-greffière: Deborah Deller
Clerks-at-the-Table / Greffiers parlementaires: Todd Decker, Lisa Freedman
Sergeant-at-Arms / Sergent d'armes: Dennis Clark

Constituency Circonscription	Member/Party Député(e) / Parti	Constituency Circonscription	Member/Party Député(e) / Parti
Algoma-Manitoulin	Brown, Hon. / L'hon. Michael A. (L) Speaker / Président	Guelph-Wellington	Sandals, Liz (L)
Ancaster-Dundas- Flamborough-Aldershot	McMeekin, Ted (L)	Haldimand-Norfolk-Brant	Barrett, Toby (PC)
Barrie-Simcoe-Bradford	Tascona, Joseph N. (PC) Second Deputy Chair of the Committee of the Whole House / Deuxième Vice-Président du Comité plénier de l'Assemblée législative	Haliburton-Victoria-Brock	Scott, Laurie (PC)
Beaches-East York / Beaches-York-Est	Prue, Michael (ND)	Halton	Chudleigh, Ted (PC)
Bramalea-Gore-Malton- Springdale	Kular, Kuldip (L)	Hamilton East / Hamilton-Est	Horwath, Andrea (ND)
Brampton Centre / Brampton-Centre	Jeffrey, Linda (L)	Hamilton Mountain	Bountrogianni, Hon. / L'hon. Marie (L) Minister of Intergovernmental Affairs, minister responsible for democratic renewal / ministre des Affaires intergouvernementales, ministre responsable du Renouveau démocratique
Brampton West-Mississauga / Brampton-Ouest-Mississauga	Dhillon, Vic (L)	Hamilton West / Hamilton-Ouest	Marsales, Judy (L)
Brant	Levac, Dave (L)	Hastings-Frontenac-Lennox and Addington	Dombrowsky, Hon. / L'hon. Leona (L) Minister of Agriculture, Food and Rural Affairs / ministre de l'Agriculture, de l'Alimentation et des Affaires rurales
Bruce-Grey-Owen Sound	Murdoch, Bill (PC)	Huron-Bruce	Mitchell, Carol (L)
Burlington	Jackson, Cameron (PC)	Kenora-Rainy River	Hampton, Howard (ND) Leader of the New Democratic Party / chef du Nouveau Parti démocratique
Cambridge	Martiniuk, Gerry (PC)	Kingston and the Islands / Kingston et les îles	Gerretsen, Hon. / L'hon. John (L) Minister of Municipal Affairs and Housing / ministre des Affaires municipales et du Logement
Chatham-Kent Essex	Hoy, Pat (L)	Kitchener Centre / Kitchener-Centre	Milloy, John (L)
Davenport	Ruprecht, Tony (L)	Kitchener-Waterloo	Witmer, Elizabeth (PC)
Don Valley East / Don Valley-Est	Caplan, Hon. / L'hon. David (L) Minister of Public Infrastructure Renewal, deputy government House leader / ministre du Renouvellement de l'infrastructure publique, leader parlementaire adjoint du gouvernement	Lambton-Kent-Middlesex	Van Bommel, Maria (L)
Don Valley West / Don Valley-Ouest	Wynne, Kathleen O. (L)	Lanark-Carleton	Sterling, Norman W. (PC)
Dufferin-Peel- Wellington-Grey	Tory, John (PC) Leader of the Opposition / chef de l'opposition	Leeds-Grenville	Runciman, Robert W. (PC)
Durham	O'Toole, John (PC)	London North Centre / London-Centre-Nord	Matthews, Deborah (L)
Eglinton-Lawrence	Colle, Hon. / L'hon. Mike (L) Minister of Citizenship and Immigration / ministre des Affaires civiques et de l'Immigration	London West / London-Ouest	Bentley, Hon. / L'hon. Christopher (L) Minister of Training, Colleges and Universities / ministre de la Formation et des Collèges et Universités
Elgin-Middlesex-London	Peters, Hon. / L'hon. Steve (L) Minister of Labour / ministre du Travail	London-Fanshawe	Ramal, Khalil (L)
Erie-Lincoln Essex	Hudak, Tim (PC)	Markham	Wong, Tony C. (L)
Etobicoke Centre / Etobicoke-Centre	Crozier, Bruce (L) Deputy Speaker, Chair of the Committee of the Whole House / Vice-Président, Président du Comité plénier de l'Assemblée législative	Mississauga Centre / Mississauga-Centre	Takhar, Hon. / L'hon. Harinder S. (L) Minister of Small Business and Entrepreneurship / ministre des Petites Entreprises et de l'Entrepreneuriat
Etobicoke North / Etobicoke-Nord	Cansfield, Hon. / L'hon. Donna H. (L) Minister of Transportation / ministre des Transports	Mississauga East / Mississauga-Est	Fonseca, Peter (L)
Etobicoke-Lakeshore	Qaadri, Shafiq (L)	Mississauga South / Mississauga-Sud	Peterson, Tim (L)
Glengarry-Prescott-Russell	Brotten, Hon. / L'hon. Laurel C. (L) Minister of the Environment / ministre de l'Environnement	Mississauga West / Mississauga-Ouest	Delaney, Bob (L)
	Lalonde, Jean-Marc (L)	Nepean-Carleton	MacLeod, Lisa (PC)

Constituency Circonscription	Member/Party Député(e) / Parti	Constituency Circonscription	Member/Party Député(e) / Parti
Niagara Centre / Niagara-Centre	Kormos, Peter (ND)	St. Paul's	Bryant, Hon. / L'hon. Michael (L) Attorney General / procureur général
Niagara Falls	Craitor, Kim (L)	Stoney Creek	Mossop, Jennifer F. (L)
Nickel Belt	Martel, Shelley (ND)	Stormont–Dundas– Charlottenburgh	Brownell, Jim (L)
Nipissing	Smith, Monique M. (L)	Sudbury	Bartolucci, Hon. / L'hon. Rick (L) Minister of Northern Development and Mines / ministre du Développement du Nord et des Mines
Northumberland	Rinaldi, Lou (L)	Thornhill	Racco, Mario G. (L)
Oak Ridges	Klees, Frank (PC)	Thunder Bay–Atikokan	Mauro, Bill (L)
Oakville	Flynn, Kevin Daniel (L)	Thunder Bay–Superior	Gravelle, Michael (L)
Oshawa	Ouellette, Jerry J. (PC)	North / Thunder Bay–Superior- Nord	
Ottawa Centre / Ottawa-Centre	Patten, Richard (L)	Timiskaming–Cochrane	Ramsay, Hon. / L'hon. David (L) Minister of Natural Resources, minister responsible for Aboriginal Affairs / ministre des Richesses naturelles, ministre délégué aux Affaires autochtones
Ottawa South / Ottawa-Sud	McGuinty, Hon. / L'hon. Dalton (L) Premier and President of the Executive Council, Minister of Research and Innovation / premier ministre et président du Conseil exécutif, ministre de la Recherche et de l'Innovation	Timmins–James Bay / Timmins-Baie James	Bisson, Gilles (ND)
Ottawa West–Nepean / Ottawa-Ouest–Nepean	Watson, Hon. / L'hon. Jim (L) Minister of Health Promotion / ministre de la Promotion de la santé	Toronto Centre–Rosedale / Toronto-Centre–Rosedale	Smitherman, Hon. / L'hon. George (L) Minister of Health and Long-Term Care / ministre de la Santé et des Soins de longue durée
Ottawa–Orléans	McNeely, Phil (L)	Toronto–Danforth	Tabuns, Peter (ND)
Ottawa–Vanier	Meilleur, Hon. / L'hon. Madeleine (L) Minister of Community and Social Services, minister responsible for francophone affairs / ministre des Services sociaux et communautaires, ministre délégué aux Affaires francophones	Trinity–Spadina	Marchese, Rosario (ND)
Oxford	Hardeman, Ernie (PC)	Vaughan–King–Aurora	Sorbara, Hon. / L'hon. Greg (L) Minister of Finance, Chair of the Management Board of Cabinet / ministre des Finances, président du Conseil de gestion du gouvernement
Parry Sound–Muskoka	Miller, Norm (PC)	Waterloo–Wellington	Arnott, Ted (PC) First Deputy Chair of the Committee of the Whole House / Premier Vice-Président du Comité plénier de l'Assemblée législative
Perth–Middlesex	Wilkinson, John (L)	Whitby–Ajax	Elliott, Christine (PC)
Peterborough	Leal, Jeff (L)	Willowdale	Zimmer, David (L)
Pickering–Ajax–Uxbridge	Arthurs, Wayne (L)	Windsor West / Windsor-Ouest	Pupatello, Hon. / L'hon. Sandra (L) Minister of Education, minister responsible for women's issues / ministre de l'Éducation, ministre déléguée à la Condition féminine
Prince Edward–Hastings	Parsons, Ernie (L)	Windsor–St. Clair	Duncan, Hon. / L'hon. Dwight (L) Minister of Energy / ministre de l'Énergie
Renfrew–Nipissing–Pembroke	Yakabuski, John (PC)	York Centre / York-Centre	Kwinter, Hon. / L'hon. Monte (L) Minister of Community Safety and Correctional Services / ministre de la Sécurité communautaire et des Services correctionnels
Sarnia–Lambton	Di Cocco, Hon. / L'hon. Caroline (L) Minister of Culture / ministre de la Culture	York North / York-Nord	Munro, Julia (PC)
Sault Ste. Marie	Oraziotti, David (L)	York South–Weston / York-Sud–Weston	Cordiano, Hon. / L'hon. Joseph (L) Minister of Economic Development and Trade / ministre du Développement économique et du Commerce
Scarborough Centre / Scarborough-Centre	Duguid, Brad (L)	York West / York-Ouest	Sergio, Mario (L)
Scarborough East / Scarborough-Est	Chambers, Hon. / L'hon. Mary Anne V. (L) Minister of Children and Youth Services / ministre des Services à l'enfance et à la jeunesse	Parkdale–High Park	Vacant
Scarborough Southwest / Scarborough-Sud-Ouest	Berardinetti, Lorenzo (L)		
Scarborough–Agincourt	Phillips, Hon. / L'hon. Gerry (L) Minister of Government Services / ministre des Services gouvernementaux		
Scarborough–Rouge River	Balkissoon, Bas (L)		
Simcoe North / Simcoe-Nord	Dunlop, Garfield (PC)		
Simcoe–Grey	Wilson, Jim (PC)		
St. Catharines	Bradley, Hon. / L'hon. James J. (L) Minister of Tourism, minister responsible for seniors, government House leader / ministre du Tourisme, ministre délégué aux Affaires des personnes âgées, leader parlementaire du gouvernement		

A list arranged by members' surnames and including all responsibilities of each member appears in the first and last issues of each session and on the first Monday of each month.

Une liste alphabétique des noms des députés, comprenant toutes les responsabilités de chaque député, figure dans les premier et dernier numéros de chaque session et le premier lundi de chaque mois.

TABLE DES MATIÈRES

Mardi 20 juin 2006

DÉCLARATIONS DES DÉPUTÉS

Éducation en français

M. McNeely 4769

DÉCLARATIONS MINISTÉRIELLES ET RÉPONSES

Promotion de la santé

M. Watson 4771

M. Sterling 4772

M^{me} Martel 4773

QUESTIONS ORALES

Subventions destinées à l'éducation

M. Crozier 4782

M^{me} Pupatello 4782

M. McNeely 4782

DEUXIÈME LECTURE

Loi de 2006 modifiant la Loi sur le vérificateur général,

projet de loi 129, *M. Sterling*

Adoptée..... 4774

TROISIÈME LECTURE

Loi de 2006 modifiant la Loi sur le vérificateur général,

projet de loi 129, *M. Sterling*

Adoptée..... 4774

Loi de 2006 sur la location

à usage d'habitation,

projet de loi 109, *M. Gerretsen*

Adoptée..... 4804

MOTIONS ÉMANANT DU GOUVERNEMENT

Politiques fiscales fédérales- provinciales

M. McGuinty 4774

M. Tory 4775

M. Hampton 4776

Adoptée..... 4776

CONTENTS

Tuesday 20 June 2006

MEMBERS' STATEMENTS

Chief Ean Algar	
Mr. Jackson.....	4767
Rouge Park	
Mr. Wong.....	4767
Portuguese Canadian community	
Mr. Martiniuk.....	4767
Education funding	
Mr. Marchese.....	4768
Events in Hamilton West	
Ms. Marsales.....	4768
Native land dispute	
Mr. Barrett.....	4768
Tourism	
Mrs. Mitchell.....	4768
Éducation en français	
Mr. McNeely.....	4769
Premier's visit	
Mr. Brownell.....	4769

MOTIONS

House sittings	
Mr. Bradley.....	4769
Agreed to.....	4770

STATEMENTS BY THE MINISTRY AND RESPONSES

Mining industry	
Mr. Bartolucci.....	4770
Mr. Miller.....	4772
Mr. Bisson.....	4772
Health promotion	
Mr. Watson.....	4771
Mr. Sterling.....	4772
Ms. Martel.....	4773

ORAL QUESTIONS

Native land dispute	
Mr. Tory.....	4776
Mr. McGuinty.....	4777
Environmental Bill of Rights	
Mr. Tory.....	4778
Mr. McGuinty.....	4778, 4785
Mr. Hampton.....	4785
Ms. Broten.....	4785

Environmental assessment

Mr. Hampton.....	4779, 4780, 4781
Ms. Broten.....	4779, 4783
Mr. McGuinty.....	4780, 4781
Mr. Tabuns.....	4783

Bail violations

Mr. Runciman.....	4781
Mr. Kwinter.....	4781, 4785
Mr. Tory.....	4784

Education funding

Mr. Crozier.....	4782
Ms. Pupatello.....	4782
Mr. McNeely.....	4782

Nipissing University

Mr. Jackson.....	4782
Mr. Bentley.....	4783

Global supply management

Mr. Lalonde.....	4784
Mrs. Dombrowsky.....	4784

Accessibility for the disabled

Ms. Wynne.....	4786
Mrs. Meilleur.....	4786

PETITIONS

School facilities

Mr. Wilson.....	4786
-----------------	------

Identity theft

Mr. Ruprecht.....	4787
-------------------	------

Organ donation

Mr. Klees.....	4787
----------------	------

Long-term care

Mr. Brownell.....	4787
Mr. Hardeman.....	4787

Fair access to professions

Mr. Ruprecht.....	4788
-------------------	------

Education funding

Mr. Klees.....	4788
Mr. Hardeman.....	4789

GO Transit tunnel

Mr. Ruprecht.....	4788
-------------------	------

SECOND READINGS

Auditor General Amendment Act, 2006, Bill 129, Mr. Sterling	
Mr. Sterling.....	4774
Agreed to.....	4774

THIRD READINGS

Auditor General Amendment Act, 2006, Bill 129, Mr. Sterling	
Mr. Sterling.....	4774
Agreed to.....	4774
Residential Tenancies Act, 2006, Bill 109, Mr. Gerretsen	
Mr. Gerretsen.....	4789
Mr. Hardeman.....	4792
Ms. MacLeod.....	4794
Mr. Marchese.....	4797
Mr. Sergio.....	4802
Mr. Duguid.....	4803
Agreed to.....	4804

GOVERNMENT MOTIONS

Federal-provincial fiscal policies

Mr. McGuinty.....	4774
Mr. Tory.....	4775
Mr. Hampton.....	4776
Agreed to.....	4776

OTHER BUSINESS

Estimates

Mr. Sorbara.....	4767
------------------	------

Visitors

Mrs. Van Bommel.....	4769
Mr. Kormos.....	4769
Mr. Watson.....	4769
Ms. MacLeod.....	4786

Annual reports, Office of the Integrity Commissioner

The Speaker.....	4770
------------------	------

Continued overleaf