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**Official Report
of Debates
(Hansard)**

**Journal
des débats
(Hansard)**

Tuesday 6 June 2006

Mardi 6 juin 2006

Speaker
Honourable Michael A. Brown

Président
L'honorable Michael A. Brown

Clerk
Claude L. DesRosiers

Greffier
Claude L. DesRosiers

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**LEGISLATIVE ASSEMBLY
OF ONTARIO**

Tuesday 6 June 2006

**ASSEMBLÉE LÉGISLATIVE
DE L'ONTARIO**

Mardi 6 juin 2006

*The House met at 1330.
Prayers.*

MEMBERS' STATEMENTS

HOUSE PROCEEDINGS

Mr. Garfield Dunlop (Simcoe North): My comments today relate to two events that occurred in the House yesterday.

To begin with, I'd like to thank the Liberal caucus for their support of John Tory's opposition day motion. I am pleased that you agree to recommend to the Lieutenant Governor in Council that a commission be appointed to inquire into and report on how the absence of communication and a lack of leadership by Premier McGuinty and his Liberal government allowed the Caledonia situation to escalate to a full-blown standoff and a public security crisis.

Secondly, I'd like to provide clarification to two non-answers I received from the Minister of Community Safety and Correctional Services yesterday. In the question, I did not ask about Lewis MacKenzie and Norman Inkster; I asked what additional resources the McGuinty government had provided to police services to fight counterterrorism since their election. The minister did not answer. I'm sure I know the answer: No additional resources have been made available to police services to fight counterterrorism.

In my supplementary, I asked the minister if he would commit to the House that he would not cut the previously planned \$1.76 million from the CISO budget next May. He refused to answer that question as well, instead turning to insults toward me. So to the people of Ontario and to the good folks at CISO, the McGuinty government is planning to cut \$1.76 million from CISO next May. That is money to fight counterterrorism. How much softer on crime could a government possibly be?

QUARRY VILLAGE

Mr. Lorenzo Berardinetti (Scarborough Southwest): I would like to take this opportunity in the House today to talk about a landmark affectionately known as the Quarry Village, located in the southwestern part of my riding, in the Gerrard and Victoria Park area. The Quarry Village first came to life as a gravel pit in the early part of the 20th century. Labourers would work long hours to produce the brick we use to construct many of our homes, offices and community centres.

Presently, due to the efforts of entrepreneur Jack Mandos, the Quarry Village has seen a renaissance. The community has been transformed from a gravel pit into a vibrant collection of stores, restaurants and office facilities. Further to this, the Quarry Village still maintains its natural appeal, with a vast tract of green space laden with trees and various breeds of shrubbery.

The Quarry Village historically has been at the centre of community and business life in southwest Scarborough. If one is to travel throughout the various communities surrounding the quarry, one will find some of Scarborough's first homes and early settlements. Along with this, the Quarry Village served as one of the first centres of employment in Scarborough by providing paycheques to those individuals who put in long days and nights, tirelessly digging the earth to help make construction materials such as bricks. In fact, many of the bricks you see on the homes across Toronto trace their origin back to the Quarry Village and its historic gravel pits.

The Quarry Village's past is matched by the great future that lies ahead. The Quarry Village is one of those hidden treasures in my riding of Scarborough Southwest. I encourage all to come and visit to see this location.

NATIVE LAND DISPUTE

Mr. Toby Barrett (Haldimand-Norfolk-Brant): Yesterday, this Ontario Legislature approved a motion calling for an inquiry into the mismanagement of the Caledonia-Six Nations land dispute. I do commend all three parties in this Legislative Assembly for allowing this motion to pass, allowing for an inquiry, rather than waiting 10 years. Given the dearth of communication about the dispute identified in yesterday's motion, people want to know what's going on. They want to learn about events in Caledonia and Six Nations. People don't want another armchair inquiry years after the fact. We must constantly monitor; we must constantly evaluate.

In business, you have to know at the end of each day how much you've made or lost. As red flags pop up, you deal with them and you prevent them, as articulated in the motion: to wit, a commission directed to "preventing similar chaotic confrontations" and to "improve dispute resolution."

To the McGuinty government: As we go forward with this inquiry, be cautious when you call this inquiry. Don't jeopardize the negotiations and any progress that may have been made. Don't interfere with Superior Court Justice David Marshall's work.

I do commend all three parties for supporting this motion passed in this Legislature on June 5. I look forward to helping with this inquiry.

SHELBY HEINBUCH

Mr. Jean-Marc Lalonde (Glengarry–Prescott–Russell): I rise today to recognize one of our former legislative pages, Shelby Heinbuch, who is from my riding. Shelby served as a page here from March to April of this year and she did a wonderful job. When she returned home to Rockland, she did something even more remarkable: Shelby decided to donate some of her hair to the Angel Hair for Kids charity.

This organization provides human hair wigs for children from financially disadvantaged families who have lost their hair as a result of a medical condition. This year, approximately 10,000 children in Canada will lose their hair because of cancer treatment, burn accidents and other diseases.

Plusieurs de ces enfants viennent de familles démunies qui ne peuvent se permettre le coût d'une perruque de qualité. Angel Hair for Kids a toujours de cinq à 10 demandes à traiter et la demande s'accroît continuellement.

Congratulations, Shelby, for setting such a great example in making this donation. I hope that other people will be inspired to reach out to children in need and support charities like Angel Hair for Kids. Young people like Shelby are the future of this province. Her selfless sacrifice should be an example to all Ontarians about what it means to help people who need it.

Les jeunes comme Shelby sont l'avenir de notre province. Son sacrifice est un exemple à tous les Ontariennes et Ontariens de ce que veut dire la charité humaine.

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NATIVE LAND DISPUTE

Mr. Norm Miller (Parry Sound–Muskoka): The McGuinty government has not only failed miserably in preventing or resolving the occupation of land in Caledonia, but it has set a troubling precedent for shirking provincial responsibilities.

I was shocked at the abdication of responsibility voiced by the Premier's minister responsible for aboriginal affairs yesterday as we debated this government's mishandling of the situation in Caledonia. The minister alleged that, "Ontario has probably exhausted all the tools that we have available," and "It is only the federal government that has the tools to resolve an outstanding land claim...."

How can you say that the issue is about an outstanding land claim and try to pass the buck? Your own website that lists current land claims and related negotiations does not include the Six Nations or the property in Caledonia, and you personally acknowledged yesterday that, "The dispute really is an accounting claim, by and large."

With respect to the occupied site, the federal government does not have jurisdiction over the title. In addition, regulations around land use, construction and development are under provincial jurisdiction. The issue of public safety in this situation is also a provincial responsibility.

Premier McGuinty should have known and acted on the local concerns since they were first voiced by Six Nations in August 2005, yet he did not.

Isn't it a fact that the provincial government is responsible for the most immediate issues in Caledonia, all of which you have failed to address: title on the land in question, land use and development policies, public safety and highways?

HOSPITAL SERVICES

Mr. Peter Kormos (Niagara Centre): Dalton McGuinty and the Liberals' broken promise to shorten hospital surgery waiting lists is cold comfort—no comfort—to so many Ontarians, least of all Jeff Hagar of Fonthill.

Mr. Hagar, a 49-year-old man living with his wife and four kids and supporting them by working hard daily, has lived with chronic pain for two decades now. You see, it was a motor vehicle accident some time ago that caused serious injury to his lower leg and ankle.

In December of last year, the decision was finally made that the pain was too intense for him to live with and the decision was made for him to undergo an amputation of the leg below the knee. His condition is deteriorating, his reliance upon narcotic-type medications is increasing, and all he does is wait, because his orthopaedic surgeon can't find surgery time and a hospital bed for him to recover in so that the surgeon can perform the job the surgeon is prepared to do and so that the surgeon can do what's necessary to give Mr. Hagar something of a meaningful life.

Mr. Hagar says, "The pain at times is driving me crazy with discomfort and to be told that I have to wait ... is an insult.... All I want is to be close to normal physically and emotionally with my family."

Here is a man who at this point in his life considers having an amputation below the knee to be close to normal physically and is being denied that opportunity because Dalton McGuinty broke his promise to shorten waiting times for surgeries in Ontario's hospitals.

TIM HORTONS CAMP DAY

Mr. Dave Levac (Brant): I rise today to talk about an important initiative that's happening in my riding, in the province of Ontario and, indeed, across the country right now. Tomorrow, June 7, is Tim Hortons Camp Day. On Camp Day, every penny of coffee sales for the entire day goes to the Tim Hortons Children's Foundation. Last year, Camp Day raised \$6.4 million and helped send many needy children to one of the foundation's camps.

The Tim Hortons Children's Foundation runs six camps: in Parry Sound, Ontario; Tatamagouche, Nova

Scotia; Kananaskis, Alberta; Quyon, Quebec; Campbellsville, Kentucky; and in St. George, Ontario, in my very own riding of Brant.

The funds raised on Camp Day throughout the year will allow the Tim Hortons Children's Foundation to send children to camp at no cost to them and their families, because they're in need. Since 1974, more than 83,000 children and youth have attended the foundation camps. This year, more than 11,000 will benefit from the experience.

The children's foundation is dedicated to building a brighter future for many young children in our province and in our ridings. Camp Day helps them raise funds to do just that. When we buy our coffee on that day, we're helping give more young people a great experience that might otherwise not have been had.

Although I will not be able to be there tomorrow, I want to thank Harry Fox, who runs the Colbourne Street Tim Hortons in our riding. I've been fortunate enough to attend on a regular basis. He adds to that fund from his own pocket on the sales for that day. Let's congratulate Tim Hortons.

CHILD CARE

Mr. Ted McMeekin (Ancaster–Dundas–Flamborough–Aldershot): Recently, I had the opportunity to meet with a local coalition of advocates concerned about child care. Simply put, their goal is to compel the federal government to honour the early learning and child care funding agreement that was to provide Ontario with \$1.9 billion over five years. The coalition is angry and frustrated that despite widespread support for this historic and urgently needed agreement and recognition of the overwhelming need among Ontario families for high-quality licensed child care spaces, it was unilaterally dismissed by a federal minority government.

The group recently held a code blue forum on the crisis in child care. With short notice, over 60 participants came together to discuss their mutual and pressing concern about the future of the Best Start program and the thousands of proposed child care spaces that are now in jeopardy. This coalition is in sync with our government's commitment to creating better opportunities for all our children. That's why the McGuinty government negotiated and signed the child care agreement in the first place.

In a world where you can purchase raw resources, borrow capital and copy technology, it is a highly skilled and creative workforce that will set us apart and allow us to compete on the global stage. Best Start is the right start to ensure that this happens.

SCIENCE FAIR

Ms. Deborah Matthews (London North Centre): I would like to take a moment to recognize the bright minds that are in our Legislature today, and I'm not talking about the ones on the floor. With us today we

have some of the most intelligent, innovative and creative students in all of Ontario. They were regional science fair finalists selected to compete with students from across the country in a week-long science fair in Saguenay, Quebec. Naturally, some of them are from my riding of London North Centre.

Chen Sun and Ratna Varma, from Orchard Park Public School, and David Wang from my alma mater, A.B. Lucas Secondary School, participated in this national fair. Also, David Wang won the 2006 Intel International Science and Engineering Fair in Indianapolis just last month.

I am proud that our government is committed to research and development in Ontario. Through the major investments we've made in our public education system, we continue to develop these bright young minds. The students here today prove why these investments are vital. These students are the innovators and inventors who will make great strides in the years ahead. I am sure that some day soon we'll all marvel at Chen's camera for space, Ratna's fuel-efficient ideas and David's advances in diabetes research.

I'd also like to recognize the great volunteers at Sci-TechOntario, including my dear friend Dr. Patrick Whippley, who worked tirelessly and enthusiastically to support and encourage our young people in science and research. Congratulations to all of you.

VISITORS

Mr. Norm Miller (Parry Sound–Muskoka): On a point of order, Mr. Speaker: It's my pleasure to welcome to the Legislature today in the east visitors' gallery teachers Shannon Mills and Amber Hammond from Parry Sound High School, who are here with students to participate in the read-in and to promote the Miss G project to encourage women's studies course curriculum in Ontario secondary schools. Welcome.

Mr. Toby Barrett (Haldimand–Norfolk–Brant): On a point of order, Mr. Speaker: I also wish to welcome the students, teachers and parents from Oneida Central Public School, a grade 5 class of Haldimand county kids.

Hon. Jim Watson (Minister of Health Promotion): On a point of order, Mr. Speaker: Earlier this afternoon, Tim Peterson and I had the pleasure of co-hosting a reception in support of Ontario's ski team. I'd like to point out in the members' gallery Jeff Ryley, founder of the World Cup Club; Joey Lavigne, Alpine Ontario athletic director; Doug Findlay, Alpine Ontario tech director; Mark Kristofic, Alpine Ontario president; and in the gallery up there, the young men and women of the Ontario ski team: Cameron Day, Curtis Lush, Jeff Hord, Kate Ryley, Kelby Helbert, Krystyn Peterson, Perry Watt, Marissa Riopelle, Laura Rozinowicz, Emma Kitchen, Ben Williams, Richard Long and Aimee Bell-Pasht. All these young athletes do us proud. It's also Tim Peterson's birthday today. Welcome.

1350

Mr. Miller: On a point of order, Mr. Speaker: It is also my pleasure to welcome representatives of the

Ontario AIDS Network, who are making presentations here today and are visiting in the members' gallery. Welcome.

Ms. Andrea Horwath (Hamilton East): On a point of order, Mr. Speaker: There are women here from the Miss G project. Members might remember they were here last year trying to convince government to put women's studies in schools.

Mr. Jean-Marc Lalonde (Glengarry-Prescott-Russell): On a point of order, Mr. Speaker: I would like to welcome the Pretty couple, Carol and John Pretty from Collingwood, who are visiting us today. They're the aunt and uncle of my hard-working intern, Jacqueline Lock.

Mr. Dave Levac (Brant): On a point of order, Mr. Speaker: For those who haven't been welcomed, welcome.

INTRODUCTION OF BILLS

THUNDER BAY INTERNATIONAL AIRPORTS AUTHORITY INC. ACT, 2006

Mr. Mauro moved first reading of the following bill:
Bill Pr27, An Act respecting Thunder Bay International Airports Authority Inc.

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

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

INTERIOR DESIGNERS ACT, 2006

LOI DE 2006

SUR LES DESIGNERS D'INTÉRIEUR

Mr. Peterson moved first reading of the following bill:
Bill 121, An Act respecting interior designers / Projet de loi 121, Loi ayant trait aux designers d'intérieur.

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

The member may wish to make a brief statement.

Mr. Tim Peterson (Mississauga South): I rise to recognize the members of ARIDO, the Association of Registered Interior Designers of Ontario: Lynn McGregor, the president; Susan Wiggins, the executive director; Martin Campbell, the lawyer; and the best designer, Phil Dewan. Please rise and be recognized.

MOTIONS

HOUSE SITTINGS

Hon. James J. Bradley (Minister of Tourism, minister responsible for seniors, Government House Leader): The long-anticipated motion that members of the House are waiting for, I know: 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 6, 2006, for the purpose of considering government business.

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

All in favour will say "aye."

All opposed will say "nay."

In my opinion, the ayes have it.

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

The division bells rang from 1355 to 1400.

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

Ayes

Arnott, Ted	Hardeman, Ernie	Parsons, Ernie
Arthurs, Wayne	Hoy, Pat	Peterson, Tim
Balkissoon, Bas	Jackson, Cameron	Phillips, Gerry
Barrett, Toby	Jeffrey, Linda	Pupatello, Sandra
Bentley, Christopher	Kular, Kuldip	Ramal, Khalil
Berardinetti, Lorenzo	Kwinter, Monte	Ramsay, David
Bradley, James J.	Lalonde, Jean-Marc	Rinaldi, Lou
Brotten, Laurel C.	Leal, Jeff	Runciman, Robert W.
Bryant, Michael	Levac, Dave	Ruprecht, Tony
Cansfield, Donna H.	MacLeod, Lisa	Sandals, Liz
Chambers, Mary Anne V.	Marsales, Judy	Scott, Laurie
Colle, Mike	Martiniuk, Gerry	Smith, Monique
Craiton, Kim	Matthews, Deborah	Smitherman, George
Crozier, Bruce	Mauro, Bill	Sorbara, Gregory S.
Delaney, Bob	McMeekin, Ted	Tascona, Joseph N.
Di Cocco, Caroline	McNeely, Phil	Van Bommel, Maria
Duguid, Brad	Meilleur, Madeleine	Watson, Jim
Duncan, Dwight	Miller, Norm	Wilkinson, John
Elliott, Christine	Mitchell, Carol	Wong, Tony C.
Flynn, Kevin Daniel	Munro, Julia	Wynne, Kathleen O.
Fonseca, Peter	Orazietti, David	Yakabuski, John
Gravelle, Michael	Ouellette, Jerry J.	Zimmer, David

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

Nays

Bisson, Gilles	Kormos, Peter	Tabuns, Peter
Horwath, Andrea	Prue, Michael	

The Clerk of the Assembly (Mr. Claude L. DesRosiers): The ayes are 66; the nays are 5.

The Speaker: I declare the motion carried.

STATEMENTS BY THE MINISTRY AND RESPONSES

ROYAL BOTANICAL GARDENS

Hon. Caroline Di Cocco (Minister of Culture): Today is a special day for the Royal Botanical Gardens. This morning I was joined by Mayor Larry Di Ianni of the city of Hamilton, and Chair Joyce Savoline of Halton region. I announced that the Ministry of Culture, the city of Hamilton and Halton region are providing one-time transitional funding of \$3.85 million over the next three years for the Royal Botanical Gardens.

As you know, the three partners undertook a review of the Royal Botanical Gardens last year, reflecting our partnership and commitment to solving the problems faced by the gardens. We have worked closely with Halton region and the city of Hamilton to support the RBG review committee's report and the RBG's transition plan.

The review indicated that the RBG was in need of transitional support to move the organization from instability to stability. That is why my ministry is providing \$2.57 million, of which \$400,000 was advanced in April 2006. The region and the city will provide over \$600,000 each. This is an additional investment on top of the annual funding of \$1.9 million provided by my ministry each year to the Royal Botanical Gardens. It is also above and beyond the annual funding provided by Halton and Hamilton.

This transitional funding will help the Royal Botanical Gardens create a new image and new offerings that will lead to increased attendance and more self-generated revenues. Our investment will help the RBG protect and preserve our province's rich botanical heritage. It will also help its transformation in key areas, including marketing, partnership development and outreach, education and research, and horticulture and conservation.

The government of Ontario, under the leadership of Premier Dalton McGuinty, is committed to supporting the Royal Botanical Gardens as an important cultural and educational centre. The RBG is recognized for its unique contribution to the collection, research, exhibition and interpretation of the plant world. The RBG grounds span over 1,100 hectares—about 2,700 acres—which includes 30 kilometres of hiking trails and 300 acres of cultivated gardens, making it the largest botanical garden in Canada. It is a living museum which serves local, regional and global communities and promotes better understanding of the relationship between the plant world, humanity and the rest of nature.

I believe that together we can preserve and protect these beautiful gardens and lands for future generations.

ENVIRONMENTAL PROTECTION

PROTECTION DE L'ENVIRONNEMENT

Hon. Laurel C. Broten (Minister of the Environment): The first week of June is recognized across Canada as Environment Week, with June 5 celebrated around the world as Environment Day. This represents a clear call to action and a collective acknowledgment of a fundamental imperative: We must take better care of this planet.

Le 5 juin se veut un appel à l'action claironnant. Il symbolise notre reconnaissance collective d'une vérité profonde et fondamentale : nous devons mieux prendre soin de la planète.

This is also smog season. Summer is upon us and we've already had multiple smog alerts. Air pollution and climate change are the two most critical environmental

issues of our time. This government is passionate about protecting the health of all Ontarians. That is why we are taking aggressive action to protect and improve the air we breathe. We know that a cleaner, greener Ontario is a healthier, more prosperous and more successful Ontario.

I want to focus on the air we breathe. Last year alone, air pollution caused 5,800 premature deaths in our province. It put more than 17,000 Ontarians in hospital and resulted in more than 60,000 emergency room visits. Who were those people who suffered? Were they our neighbours, our friends? They could be any one of us or any of our loved ones. When you add up the human costs along with the environmental and economic damages, which now are estimated to be around \$9.6 billion, the price we are paying is too high.

It is absolutely critical that we focus on what we can do personally to reduce air pollution. Tomorrow is Clean Air Day. It's a great opportunity to choose to ride transit or ride a bike, remembering to turn off the lights and planning ways to reduce, reuse and recycle. All of these steps will help us cut down the amount of harmful emissions going into our air.

Our government is leading the way with initiatives to cut pollution and greenhouse gas emissions. Yes, we are reducing our reliance on coal-fired energy plants, and, yes, we are moving forward with our commitments to clean, renewable energy. We've signed contracts for 1,300 megawatts of wind power, enough for 300,000 homes. And we are putting our own house in order by reducing energy use throughout all government buildings.

With the Greenbelt Act and Places to Grow, we have a comprehensive, long-term plan that curbs urban sprawl. We are also giving people more options to leave their cars at home. Over the next five years, more than \$1 billion will be invested in public transit through the provincial gas tax, and \$3.1 billion will be going towards improving and expanding transit through ReNew Ontario. Better transit means fewer cars on our roads and fewer harmful emissions in the air we breathe.

1410

We have also improved Ontario's Drive Clean program by focusing on older cars that are more likely to pollute. We have exempted hybrids from testing and offered owners of qualifying hybrids a provincial sales tax break of up to \$2,000 to encourage people to drive greener and more environmentally friendly vehicles.

Soon, all cars in Ontario will be operating on cleaner fuel. We have put in place a regulation that requires all gasoline in our province to contain 5% ethanol, on average, beginning in 2007.

We have set new and updated standards for 40 harmful air pollutants and set strict limits on seven industrial sectors to reduce smog-causing emissions, marking the strongest stand any Ontario government has taken on air pollution in 25 years.

Our government is taking the lead. Yes, it's ambitious and, yes, it's aggressive, but that is the kind of action we must take to ensure Ontario's families have clean air to breathe.

We are also encouraging other jurisdictions to follow our lead. In May, I went to Washington with a clear message that we need to work together with our US neighbours to improve the air we all share. Later this month, the Premier and I will be hosting the second shared air summit, where we will seek solutions for our cross-border air issues. But we can't do it alone. That's why we are working to build closer, more effective relationships with provinces and states to deal with the very real issues of transboundary air pollution.

Nous savons que nous ne pouvons pas réussir tous seuls. C'est pourquoi nous tissons des liens plus étroits et plus efficaces avec les provinces et les États américains pour aborder les questions liées à la pollution atmosphérique transfrontalière.

We are encouraging our neighbours to work with us, and urging Ontarians to each do their part for cleaner air. Each of us can help make a big difference by taking small steps to improve the air we breathe. Every week should be Environment Week.

RECREATION AND PARKS MONTH MOIS DE LA RÉCRÉATION ET DES PARCS

Hon. Jim Watson (Minister of Health Promotion):

I'd like to congratulate Parks and Recreation Ontario, the Ontario Parks Association and the Ontario Recreation Facilities Association for their efforts in having June proclaimed Recreation and Parks Month in Ontario.

Recreation and Parks Month supports the ideals and priorities of our ministry and the McGuinty government. It declares that recreation enhances quality of life, builds healthy bodies and positive lifestyles, and strengthens volunteer and community development while creating vibrant communities.

Depuis que nous avons lancé notre stratégie Vie Active 2010 visant à accroître la participation des Ontariens et Ontariennes à des activités physiques et sportives, il y a deux ans, nous avons investi plus de 17 \$ millions annuellement pour appuyer l'activité physique, la pratique du sport et le développement des loisirs dans cette province.

Through our communities in action fund grants, which I know all members are aware of, we support many organizations affiliated with community recreation and parks. This fund invests in community sport and physical activity, and helps remove barriers to participation. Recently, we announced \$5 million to continue this program into a third year.

In addition, we are investing \$3.5 million over the next five years in the implementation of the long-awaited Ontario trails strategy, our long-term plan to strengthen and enhance more than 64,000 kilometres of urban, rural and wilderness trails. Out of this, we have allocated \$440,000 per year to our Trails for Life grant program. Trails for Life is a key component of the Ontario trails strategy that supports the government's plan to promote and extend Ontario's trail system for the health and

prosperity of Ontarians. This year, 17 successful projects will undertake initiatives such as a central website with information about trails across the province and a code of ethics for trail users.

Notre gouvernement appuie les familles qui accordent de l'importance à un mode de vie actif et sain. Les parcs, ainsi que les organisations et les centres de loisirs de l'Ontario, constituent d'importants partenaires. Ils visent les mêmes objectifs que nous, soit améliorer la santé et le mieux-être de tous les Ontariens.

We are committed to continued collaboration with organizations such as Parks and Recreation Ontario, the Ontario Parks Association and the Ontario Recreation Facilities Association. I had the pleasure of being in Guelph at their annual general meeting not too long ago, and I commend them for the good work they and all our other partners for sport and recreation development in the province are doing.

We value the role these organizations play in helping us achieve the goals and objectives of initiatives such as Active 2010 and in supporting sport and recreation across the province.

Recreation and Parks Month is a celebration of the values and benefits of recreation in everyday life. The theme, To Live it Every Day, is an important message for all Ontarians to support healthy, active living. I encourage all of you to enjoy your local parks and recreation facilities across the province this month.

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

ROYAL BOTANICAL GARDENS

Mrs. Julia Munro (York North): I'm pleased to respond to the Minister of Culture. First of all, I'd like to congratulate the Royal Botanical Gardens on this announcement, reflecting on a rather long road from the dire straits they found themselves in a couple of years ago. It's certainly a good-news announcement for the gardens.

I think it also demonstrates the fact that today there is a huge interest in gardening. There were some statistics given about how people were going to spend the Victoria Day weekend and, actually, gardening outclassed golfing, which I thought was kind of interesting.

The Royal Botanical Gardens has provided leadership for us. Certainly the science of horticulture is ever-expanding, and there's the increased recognition of the connection between people and their natural environment.

The Royal Botanical Gardens, as was announced by the minister, is the largest of its kind in Canada. It certainly demonstrates the importance and the role of the Royal Botanical Gardens to all of us in Ontario, particularly, obviously, the people closest to it, but for all Ontarians and its many visitors.

ENVIRONMENTAL PROTECTION

Ms. Laurie Scott (Haliburton-Victoria-Brock): Yesterday, June 5, was World Environment Day. It's an

annual event that has taken place since 1974. This year's theme was Deserts and Desertification—Don't Desert Drylands. It was celebrated around the world in more than 100 countries, with municipalities, businesses and communities all taking part. Protecting the world we live in is something that can unite people from all around the world, regardless of what country or continent they come from. It is a day when we can focus worldwide attention on the importance of our environment. The health of our planet affects us all.

Drylands contain 43% of the world's cultivated lands, but each year an estimated US\$42 billion is lost from agricultural production due to land degradation.

In past years, World Environment Day has focused on green cities, seas and oceans, water, the world wide web of life, and children and the environment. The theme of the first World Environment Day was Only One Earth. I believe this clearly sums up the important work done each and every day since then.

RECREATION AND PARKS MONTH

Mr. Norm Miller (Parry Sound–Muskoka): The minister today made a good-news announcement to do with parks. I would like to highlight some announcements that are not so good to do with parks, and our fish and wildlife as well. They're both very recent.

OPSEU's online announcement of June 2, 2006, stated, "McGuinty government slashes provincial park staffing by 19%." This is obviously going to affect programs in parks and many different services in the parks. It states in this press release, "The cuts will affect service in every area of the parks. Educational and park interpretive staff are being cut back. Park wardens are being cut back. Park stores are closing or having their hours of operation reduced. Some parks will shut their gates earlier at the end of the summer."

I can tell you, speaking for my own riding, I've met with the township of Machar to do with Mikisew Provincial Park, and they want to see the park opened earlier and be open for longer time periods because it has such a positive economic benefit for the township of Machar. So this is indeed bad news that the McGuinty government is slashing provincial park staffing by 19%.

Another recent announcement by the Ontario Federation of Anglers and Hunters, a media release: "McGuinty Slashes MNR's Flagship Environmental Program," cutting 50% to save \$500,000 on the community fisheries and wildlife involvement program. So they're talking about saving \$500,000 on this program. I want to tell you, this program affects some 35,000 volunteers and some 600 projects around the province, like stream restoration, fish stocking, tree planting, erosion control, spawning bed improvement, fish ladder construction, building nesting structures for birds—many very worthwhile projects. Yet this government, to save \$500,000, is affecting the work of some 35,000 volunteers around this province. I think that's very short-sighted. I hope the government will reconsider this move

to cut this \$500,000, agree that this is an investment in our natural resources and not cut these programs.

1420

ROYAL BOTANICAL GARDENS

Ms. Andrea Horwath (Hamilton East): In response to the Minister of Culture's announcement, I have to say I'm pleased to have been able to have played a role in keeping the government's feet to the fire on this file with the RBG, but what we need to remember is that the RBG—

Interjections.

The Speaker (Hon. Michael A. Brown): Order, Minister of Health, Minister of Energy. I need to be able to hear the member for Hamilton East.

Ms. Horwath: What we know is that the RBG needs sustained and adequate government funding. The words "one-time funding" continue to concern those of us who are passionate about seeing the RBG emerge to be everything it can be. The RBG needs to be a unique scientific and educational garden collection, and programs need to be put in place that will attract visitors from all over the world as well as Canada, like it used to do. It will take a long-term commitment to build the garden and that reputation. The RBG is a treasure for all of Ontario and Canada, not just Hamilton and Halton.

While I applaud my city of Hamilton and the region of Halton for sticking by the RBG when the McGuinty Liberals were on the fence, it is the senior level of government that must make ongoing financial commitments to the RBG. There has been a dramatic decrease in staffing at the RBG. Even with its peak amount of 45 employees a couple of years ago, it was considered to be a skeleton crew, an insufficient number of staff to run the place. Now they're down to 21 staff, two part-timers; there were 22 layoffs two years ago and the quality of the garden has suffered significantly. You'll remember those layoffs because they're the layoffs that were put in place while your deputy minister was running herd over the review committee. You can't fully restore the RBG by adding short-term staff. In fact, even last week I heard of another full-time staffer who was cut from the RBG.

In order to renew the facility in the manner in which the review committee has recommended, there has to be reinvestment in support systems. For example, the outdated greenhouses need to be retrofitted or replaced. The RBG, at this point in time, still doesn't have computerization and there's no automated system for its plant inventory. In fact, some of the RBG's horticultural collection has already been lost and there's no funding provision that will allow the acquisition of new or replacement plants in that collection. A world-class garden will never be world-class without the staff who are specialists in horticulture and expertly maintain the grounds. If the funding is truly tied to the RBG review committee recommendations, then staffing would have been a big part of the government's news release, and it isn't.

As stewards of this provincial treasure, we need to ensure a number of things: that the RBG returns a focus to scientific and educational horticultural mandate; that the government of Ontario commit to providing ongoing adequate funding to meet that mandate; that staffing be refocused and vacant positions relating to the mandate be filled; that marketing and revenue generating initiatives focus on the RBG's excellence in scientific and educational horticultural mandate.

In short, we need to make the RBG the acclaimed horticultural centre it should be and everybody will win over the longer term.

ENVIRONMENTAL PROTECTION

Mr. Peter Tabuns (Toronto–Danforth): It's hard to know where to start in responding to the statement by the Minister of the Environment on Environment Week. It was an extraordinary statement. One of her lines, that air pollution and climate change are one of the most critical environmental issues that we face in this world: Yesterday I asked the Minister of the Environment, is her government going to bring forward a Kyoto plan? Stephen Harper has dropped the ball. Is that government going to bring forward a Kyoto plan? No. You have not brought forward a plan and you know it. Your minister yesterday danced and skated around the issue. Today we get to hear about the total wonders of this government in relation to the environment. Another line reducing reliance on coal-fired power plants: talk of closure, out the window; talk of phasing out coal-fired power plants, out the window. It's ending. Any commitment, any pretence of commitment, to the environment is going out the window.

Now we hear about new standards for dealing with air pollution. This very same minister was asked about stopping the burning of tires at the Lafarge cement plant in eastern Ontario. What did we get? All kinds of obfuscation. Any commitment to really dealing with the question of recycling? Any commitment to dealing with the fundamental environmental problem? No. None.

This government is putting out statements like this and setting aside the real work, the real commitment, the real resources that are needed to deal with the environmental crises we face. Air pollution kills thousands of people now. Is this government going to put in place waste diversion so we can block the development of incineration? No. Is this government going to deal with climate change in the way it has to be dealt with? Absolutely not. This government is going to sit on its hands while the earth heats up around us.

WEARING OF PINS

Hon. George Smitherman (Minister of Health and Long-Term Care): On a point of order: Our guests from the Ontario AIDS Network have already been well welcomed here today, but might I ask for unanimous consent that any member and any of our visitors who wish to may

wear the red pin, the international symbol of AIDS awareness.

The Speaker (Hon. Michael A. Brown): Mr. Smitherman has asked for unanimous consent to wear the red pin for international AIDS awareness. Agreed? Agreed.

Mr. Gilles Bisson (Timmins–James Bay): On a point of order, Mr. Speaker: We would be most glad to wear the ribbon. Unfortunately, we need them distributed to the opposition lobby, if they can take care of that, please.

DEFERRED VOTES

HUMAN RIGHTS CODE AMENDMENT ACT, 2006

LOI DE 2006 MODIFIANT LE CODE DES DROITS DE LA PERSONNE

Deferred vote on the motion for second reading of Bill 107, An Act to amend the Human Rights Code / Projet de loi 107, Loi modifiant le Code des droits de la personne.

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

The division bells rang from 1427 to 1432.

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

Ayes

Arthurs, Wayne	Fonseca, Peter	Parsons, Ernie
Balkissoon, Bas	Gerretsen, John	Patten, Richard
Bentley, Christopher	Gravelle, Michael	Peterson, Tim
Berardinetti, Lorenzo	Hoy, Pat	Phillips, Gerry
Bountrogianni, Marie	Jeffrey, Linda	Pupatello, Sandra
Bradley, James J.	Kular, Kuldir	Ramal, Khalil
Broten, Laurel C.	Kwinter, Monte	Ramsay, David
Bryant, Michael	Lalonde, Jean-Marc	Rinaldi, Lou
Cansfield, Donna H.	Leal, Jeff	Ruprecht, Tony
Chambers, Mary Anne V.	Levac, Dave	Sandals, Liz
Colle, Mike	Marsales, Judy	Smith, Monique
Cordiano, Joseph	Matthews, Deborah	Smitherman, George
Craitor, Kim	Mauro, Bill	Sorbara, Gregory S.
Crozier, Bruce	McGuinty, Dalton	Van Bommel, Maria
Delaney, Bob	McMeekin, Ted	Watson, Jim
Di Cocco, Caroline	McNeely, Phil	Wilkinson, John
Duguid, Brad	Meilleur, Madeleine	Wong, Tony C.
Duncan, Dwight	Mitchell, Carol	Wynne, Kathleen O.
Flynn, Kevin Daniel	Oraziotti, David	Zimmer, David

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

Nays

Arnott, Ted	Jackson, Cameron	Prue, Michael
Barrett, Toby	Kormos, Peter	Runciman, Robert W.
Bisson, Gilles	MacLeod, Lisa	Scott, Laurie
Elliott, Christine	Marchese, Rosario	Tabuns, Peter
Hampton, Howard	Martiniuk, Gerry	Tascona, Joseph N.
Hardeman, Ernie	Miller, Norm	Yakabuski, John
Horwath, Andrea	Munro, Julia	
Hudak, Tim	Ouellette, Jerry J.	

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

The Speaker: I declare the motion carried.

Shall the bill be ordered for third reading? The Attorney General.

Hon. Michael Bryant (Attorney General): I refer the bill to the justice committee.

The Speaker: The bill is referred to the standing committee on justice policy.

ANNIVERSARY OF D-DAY

Hon. James J. Bradley (Minister of Tourism, minister responsible for seniors, Government House Leader): I believe we have unanimous consent for all parties to speak for up to 90 seconds to recognize the 62nd anniversary of D-Day.

The Speaker (Hon. Michael A. Brown): Mr. Bradley has asked for unanimous consent for all parties to speak for up to 90 seconds to recognize the 62nd anniversary of D-Day. Agreed.

Hon. Mr. Bradley: Today, June 6, 2006, marks the 62nd anniversary of D-Day and the Battle of Normandy. It was a decisive battle that changed the course of the Second World War and set the stage for the liberation of millions of people in Europe. It was a defining moment in the war, in Canada's history and indeed in world history.

Although the war in Europe continued for more than 11 months, it was the invasion of Normandy, the largest combined sea, land and air offensive in history, that signalled the beginning of the end of the Second World War in Europe.

Canadian troops were at the forefront that fateful day, advancing further inland than any other force. One hundred and fifty-five thousand Allied troops, including more than 20,000 Canadians, many of whom were not yet 20 years old, distinguished themselves in the invasion and battle. The invasion force included Ontarians from across the province, whose courage and bravery at sea, in the air and on the ground helped shape the province we live in today.

We have the privilege and good fortune to live in freedom and prosperity because of their sacrifices. As the decades pass, we need to take full advantage of every opportunity to directly thank those who fought on D-Day and in the Battle of Normandy. We owe them a debt of gratitude. We honour those who fought for us and those who died for us.

It is crucially important that we remember the thousands who made sacrifices. Let us honour them by cherishing the gifts they gave us—not the least the preservation of democracy—and treat their legacy with respect every day here in the Legislature. May we choose to show the same courage and selflessness in our own lives as those who fought on our behalf. May we never take freedom for granted and may we always remember.

Mr. Joseph N. Tascona (Barrie–Simcoe–Bradford): Sixty-two years ago, the process began that brought new life for nations in Europe and assured our nation of

freedom from the threat that had been hanging over the world for years.

It's D-Day 62 years ago. Four hundred and fifty members of the RCAF parachuted into Normandy. Fighter planes engaged the enemy on the ground and in the air. One hundred and nine vessels of the RCN took part in the invasion; 10,000 soldiers were involved. Fourteen thousand Canadian soldiers took part in the landing on the shores of Juno Beach: 350 were killed, 715 wounded and 47 taken prisoner.

I'm going to read John McCrae's WW I poem, In Flanders Fields, in honour of all those who served on D-Day and for Canada's men and women who still today rise to the challenge of his words: "Take up our quarrel with the foe: / To you from failing hands we throw / The torch; be yours to hold it high...."

In Afghanistan, in the war against terrorism and the struggle for peace, our soldiers risk their lives and meet death. Sixteen have been killed and many injured. Along with the 350 killed on D-Day, we honour those soldiers too.

In Flanders fields the poppies blow
Between the crosses, row on row,
That mark our place; and in the sky,
The larks, still bravely singing, fly
Scarce heard amid the guns below.

We are the dead. Short days ago
We lived, felt dawn, saw sunset glow,
Loved and were loved and now we lie
In Flanders fields.

Take up our quarrel with the foe:
To you from failing hands we throw
The torch; be yours to hold it high.
If ye break faith with us who die
We shall not sleep, though poppies grow
In Flanders Fields.

In appreciation for all those who served in our forces in World War II and Korea and international missions since, we unite in this Legislature today in our thanks.

1440

Mr. Howard Hampton (Kenora–Rainy River): On behalf of New Democrats, I'm pleased to be able to again recognize the anniversary of D-Day, in this case, the 62nd anniversary of D-Day. Now, 62 years later, it may sometimes be difficult to appreciate the magnitude of what was undertaken on June 6, 1944. It is very difficult to appreciate the magnitude of what was accomplished. And it is important, I think, that we recognize what was accomplished by Canadians.

Amongst all the Hollywood movies and the bravado that is sometimes shown, Canadians actually had some of the most difficult fighting under some of the most difficult circumstances on June 6, 1944. In fact, when the German army decided to counterattack to try to break up

the invasion, it was directly at the beach that was held by Canadians—Juno Beach—that they aimed their counter-attack. So not just on D-Day, but in the days following, Canadians were involved in some of the most difficult, some of the most atrocious fighting. We need to recognize that, and the sacrifice that was made and the tremendous accomplishment of those people.

ORAL QUESTIONS

NATIVE LAND DISPUTE

Mr. Robert W. Runciman (Leeds–Grenville): My question is for the Premier. Premier, yesterday, this House endorsed our leader John Tory's motion for your government to call a full public inquiry into the handling of the Caledonia situation and the resulting violence there. In a Legislature where your party has a 2-to-1 majority, it was recognized that your procrastination and failure to show leadership when it was most needed allowed the situation to escalate into a public safety crisis. Premier, will you respect the democratic will of the Legislature and call a full public inquiry?

Hon. Dalton McGuinty (Premier, Minister of Research and Innovation): No, I will not join with my Conservative colleagues in playing politics with a very important, complicated and sensitive issue. The members opposite seem to think that the issue of Caledonia is a laughing matter; we see it differently on this side of the House. We are going to approach this on a continuing basis in the same manner with which we've approached it to date. We will be patient. We will bring respect. We will bring goodwill. We will persevere. We will work as long and as hard as is necessary to resolve this in a peaceful manner.

Mr. Runciman: Premier, while you've been racking up your travel points traipsing all over the country, you and your colleagues have been missing in action on a serious and escalating situation in Caledonia. Surely you can't be satisfied with your government's handling of this situation. If you will not call for an inquiry, then how can you learn from your mistakes? How do you intend to assure Ontarians that they will not be subjected to the mistakes your government has made, mistakes this House has told your government it has made, from occurring again? Will you respect the democratic will of the House and proceed with an inquiry?

Hon. Mr. McGuinty: I think it's really important for the benefit of the people of Ontario that we remove that which is under the table and put it on top of the table. We have a decidedly different approach in these matters. The party opposite would prefer that we direct a police action. Let's be honest about where they're coming from in this regard. That is their preference.

We bring a different approach. It is thoughtful; it's based on our recent understanding of some painful lessons in the history of this province. We will proceed in

the same manner that we have to date. We will work closely with the federal government, we will be cautious, we will be thorough, we will be thoughtful, we will do everything we can to bring all the parties to the table so that we can resolve this in a peaceful manner.

Mr. Runciman: That's a familiar and totally offensive allegation. The Premier should be made aware of the sub judice convention when he goes down that road.

Premier, so much for your promises of democratic renewal: Reject and ignore the will of the Legislature. From day one, due to your lack of leadership and that of your cabinet, your government has procrastinated, pointed fingers and mishandled the situation in Caledonia until it's become a full-blown public crisis.

Yesterday, members of this House spoke loud and clear. They said there has to be a public inquiry into your mismanagement of the Caledonia standoff. During the election campaign, you promised to promote democratic renewal, but once again you've failed to follow through. Premier, when you have a chance, why do you choose to break another promise, why do you choose to ignore the will of this assembly and why do you refuse to call a public inquiry into your mishandling of the Caledonia standoff?

Hon. Mr. McGuinty: I prefer to be direct with Ontarians. Again, the Conservatives prefer that we direct the police and that we send them out on some kind of police action. We see things differently. They have not drawn the appropriate lessons from what happened some four years ago. We have.

Just a little over four weeks ago, in fact, MPP Toby Barrett said, in reference to the OPP, "They're getting, obviously, no sense of direction or leadership from the government. There's got to be some kind of direction for the OPP."

At least Mr. Barrett is straightforward and direct with respect to the perspective he brings in this. But I suggest to my friend opposite that he really should own up to the fact that the objection he has, in terms of the approach we have taken, is that we have refused to direct the Ontario Provincial Police. We will not apologize for doing that. We will not apologize for working as hard as we can to obtain a—

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

Mr. Tim Hudak (Erie–Lincoln): Premier, I remind you that today is day 99 of the crisis in Caledonia. Yesterday this House endorsed John Tory's motion for your government to call a full public inquiry into your mishandling of the crisis in Caledonia.

Premier, are you a man of your word? During the election campaign, you said you would make this place work better. You promised to respect free votes and, above all else, the will of the Ontario Legislative Assembly. Are you a man of your word? Will you call the inquiry voted on in the House last night?

Hon. Mr. McGuinty: I draw from that that the principal objection being raised by the member opposite is that this has gone 99 days largely without incident,

without injury and without war. I suggest that the member opposite tell us, then, on what particular day—if he's not satisfied with the police not having rushed in on the 99th day—would he have directed the Ontario Provincial Police to enter?

Mr. Hudak: With all due respect, I cannot believe the Premier just said “without incident.” Where has the Premier been? When were you going to get out from behind your desk, Premier?

In the last 98 days we have seen a major highway torn up by a backhoe; we have seen blockades restricting the right to free travel; we may very well have seen a major energy transmission site sabotaged, working into a major blackout; and we saw sad, violent and unforgettable images of local residents engaged in a massive brawl to the point of riot. And what have we seen from this Premier? Barely a peep from beneath his desk.

Premier, when are you going to show some leadership? When are you going to stand up and call a full public inquiry into the crisis in Caledonia?

Hon. Mr. McGuinty: It's not about the inquiry. It's never been about the inquiry. What the member opposite is asking us to do is to direct the Ontario Provincial Police in the conduct of a police action. We will not do that. We will not apologize for making every effort possible to work with the federal government, to work with the First Nations community, to work with the community of Caledonia, to work with all those who have a sincere desire to bring about a resolution that is ultimately peaceful. That is our objective. We remain firm in seeking out that objective.

1450

Mr. Hudak: I say to the Premier that I know you wish you could tap your heels three times and make all of this go away, but there are times, Premier, particularly at times like these, when you need to stand up and show some leadership and do the right thing. A community that has been healthy and vibrant and strong is being torn apart at the seams. This crisis, now in 99 days, has become the poster child for your lack of leadership.

As you know, the motion yesterday, passed by the assembly, said in part, “To recognize that the Premier's procrastination and failure to show leadership when it was most needed allowed this situation to escalate into a public safety crisis.” Premier, the people of Halton, the people of Six Nations, the people of Norfolk, the people of Hamilton, the people of Ontario want to know, when are you going to get out from underneath your desk, call a full inquiry and investigate the lack of leadership you have shown in this matter?

Hon. Mr. McGuinty: The Conservatives remain stuck in some era long gone by. The approach they advocate, I say with every conviction, is completely out of keeping with the values of the people of Ontario at the beginning of the 21st century. They understand that this is a complicated matter. It is steeped in over a century of history. It is really important that the parties do everything they possibly can to cultivate some foundation of respect and goodwill. That's what we've been working

very hard to do, together with our federal partners, together with the First Nations community, together with the local community. We will not abandon our responsibility to bring real leadership to this issue. Again, we will continue to work as hard as we can to foster the kind of climate that will ultimately lead to a peaceful resolution.

ENVIRONMENTAL PROTECTION

Mr. Howard Hampton (Kenora–Rainy River): A question for the Premier: Can the Premier explain why the McGuinty government is watering down Ontario's environmental standards to give nuclear power plants and new garbage dumps easy and quick approval?

Hon. Dalton McGuinty (Premier, Minister of Research and Innovation): I know the minister looks forward to speaking to this, but let me just say that we are working very hard to ensure we can have the best of both worlds here in the province of Ontario. We want to ensure we have the proper regulatory regime in place that protects the health of our citizens, while at the same time ensuring we can continue to grow this economy in the best possible way. What the minister has done today, and what she will continue to do throughout, is to ensure that we continue to strike that balance. The member opposite sees things differently. He thinks we have to choose between a strong economy and a safe environment. We think Ontarians are entitled to more than that; we want for them both.

Mr. Hampton: Premier, you're the one who promised a full environmental assessment of new nuclear plants. If we look to the province of Quebec, Quebec provides for provincial environmental assessments of new nuclear plants; so does New Brunswick. Will you guarantee working families, worried about the long-term environmental costs and the long-term financial costs of nuclear power, that your \$40-billion nuclear mega scheme will be the subject of a tough, thorough and extensive provincial environmental assessment?

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

Hon. Laurel C. Broten (Minister of the Environment): As the leader of the third party should know, nuclear facilities are the subject of federal environmental assessment. Nothing with respect to the announcements we've made today, which are to ensure that we have an environmental assessment process ready to protect Ontarians for the 21st century, an environmental assessment process that will help us get green projects online faster, renewables, green energy projects, transit, get people out of their cars and on to transit, which are all good and protective of the environment. It's exactly what these environmental assessment reforms are about. We want to get to “yes” faster when that's the appropriate answer and get to “no” faster when that is the appropriate answer. I have to be crystal clear to Ontarians that we will absolutely continue to protect the environment, as we move forward with this absolutely great tool that the ministry has.

Mr. Hampton: And I want to be equally clear with people what this is all about. The David Suzuki Foundation, Greenpeace Canada and the Pembina Institute had a legal opinion prepared which says very clearly that the McGuinty government would have to have your nuclear mega power plant scheme go through a provincial environmental assessment; that is, the electricity supply mix plan would have to go through a provincial environmental assessment.

What you have announced today is an attempt by the McGuinty government to avoid that. You don't want your \$40-billion nuclear mega power plant scheme to have to go through an environmental assessment. That's what this is all about.

So I ask my question to the Premier again. Instead of trying to avoid the issue, will the Premier guarantee that your \$40-billion nuclear mega scheme is the subject of a thorough provincial environmental assessment?

Hon. Ms. Broten: It's unfortunate that the leader of the third party continues to choose to misinform Ontarians.

The announcement that we have made is about prospective changes, the changes that we will make to ensure that the environmental assessment process continues to protect Ontarians. An environmental assessment of any nuclear facility would undergo a federal EA, and the province would participate actively to ensure that the environment, human health and the public interest are protected. That's our commitment to the environment, and that's our commitment to Ontarians.

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

Mr. Hampton: To the Premier, Speaker. I've at least got a legal opinion that says you have to submit your nuclear power scheme to a full provincial environmental assessment. Rather than accusing people of misinforming, maybe you can show us your legal opinion, Premier, that says you don't have to submit it to a full environmental assessment.

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

Hon. Ms. Broten: As I've said to the leader of the third party, the announcements I made today with respect to streamlining and improving the environmental assessment process are prospective in nature. Over the next number of months we will work to develop codes of conduct to ensure that everyone participating in the environmental assessment process, who have as their aim protecting the environment, will have an understanding of the proper process and the proper protocols.

We will be putting these things in place, consulting on them, moving on them over the next six to 18 months, so that we can have an environmental assessment process that moves along projects that should be moved along, and that quickly says no to projects that are inappropriate and should not move ahead in the province so that we better protect Ontarians.

Mr. Hampton: Again to the Premier, what we saw six months ago was the Ontario Power Authority's electricity

supply mix report, which advocated a \$40-billion mega nuclear power scheme. Six months later, the McGuinty government, after trying to sidle this way and then that way, refuses to respond to the Ontario Power Authority. In fact, what we now hear is that you're not going to respond until some time this summer. I take it you hope that if you respond some time this summer, people won't notice the response. Now we see the Minister of the Environment announce that you're going to water down Ontario's environmental assessment rules.

Premier, could I ask you this: What is the McGuinty government afraid of? Why do you want to water down the environmental assessment rules? Why are you so afraid to respond to the Ontario Power Authority's electricity supply mix plan?

The Speaker: The Minister of the Environment.

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

Hon. Dwight Duncan (Minister of Energy): I think [*failure of sound system*] in the world who wants the operator to be the regulator of nuclear power. That's foolish. You should be embarrassed by that. We have a long-standing tradition in this country of the operators of nuclear facilities not being the regulators. We don't regulate security, we don't regulate environmental assessment and we don't regulate the disposal of waste. It's tomfoolery to suggest for one moment that the operator should be the regulator. That is where we run into problems.

1500

The other thing that ought to be set straight is that environmental regulations and assessment ought not to be used to block new renewable energy sources. The member forgets that we're doubling renewable opportunities in Ontario. So we oppose the operator being the regulator of nuclear facilities, and we welcome full federal—

The Speaker: Thank you. Final supplementary.

Mr. Hampton: It is interesting to watch the McGuinty government, that has speeches full of platitudes about protecting the environment, and what we see today is the McGuinty government trying, any which way it can, to avoid the kind of environmental assessment of its electricity supply mix plan that Greenpeace, the David Suzuki Foundation, the Pembina Institute and the Canadian Environmental Law Association say is obligated.

I asked the Premier a minute ago, instead of accusing people of misleading Ontarians, where's the McGuinty government's legal opinion that says that you do not have to submit your mega nuclear scheme to a provincial environmental assessment? You don't have it. So I ask the Premier again, why are you looking for a place to hide on your mega—

The Speaker: The question has been asked.

Hon. Mr. Duncan: Let me also say what Mr. Suzuki pointed out: "Ontarians need a reliable power system that doesn't leave a legacy of economic or environmental debt. Today's announcement will revolutionize the market for clean, renewable energy in North America and lay the groundwork for a healthier, brighter future." That's David Suzuki.

Not only is there an entire history in the nuclear field in this country revolving around separation of operator

from regulator, it's been well reinforced, whether you're talking about the installation of new nuclear facilities, whether you're talking about refurbishment of existing nuclear facilities or whether you are talking about what we do with the disposal of waste. I reject out of hand his notion and the notion of anyone else who suggests that the operator should be the regulator. That would be a recipe for disaster in the long term. A prudent, responsible approach to nuclear power, to the ongoing maintenance of nuclear power or new nuclear power, should that be required, is a separation of operation and regulation. We support that—

The Speaker: Thank you, Minister. New question.

HEALTH PROMOTION

Mr. Toby Barrett (Haldimand–Norfolk–Brant):

My question is to the Premier. Your Minister of Health Promotion has identified physical activity and sports participation as key activities to directly contribute to healthy Ontarians and stronger communities. Premier, as you know, last week I appealed to this Legislative Assembly and I've appealed to elite athletes in Caledonia and Six Nations, to coaches and parents and to community leaders to take the lead in promoting healthy competition among young people in Six Nations and Caledonia.

Premier, given my appeal in this House last week, what has your Minister of Health Promotion now done to promote this goal, to take a lead with respect to the sports teams in Caledonia and Six Nations?

Hon. Dalton McGuinty (Premier, Minister of Research and Innovation): I'm going to refer this to the minister responsible for aboriginal affairs.

Hon. David Ramsay (Minister of Natural Resources, minister responsible for aboriginal affairs): I'm very pleased to see the constructive attitude that the member is bringing to this, because all the way through the Caledonia conflict, we've been working with both communities to try to bring them together. Ideas like these in health promotion and sports activity—and as the member well knows, lacrosse is a common sport, and the two communities share hockey as a passion, as all Canadians do. These sorts of constructive ideas are very helpful for us in working out this particular conflict. I salute the question.

Mr. Barrett: Minister and Premier, there is a reason for your Ministry of Health Promotion beyond cutting ribbons and self-promotion at media events. There is a crisis with respect to culture and recreation. There is a concern about local anger impacting access to sports facilities. I warned this House last week that opposing teams are unwilling to show up for baseball games. This flies in the face of the objectives of stronger communities through that particular ministry.

Premier or Minister, athletes are suffering. Their games are either cancelled outright or they're rescheduled into the future. What are you doing, where are you, where's your minister to keep these games on track

both in Caledonia and in Six Nations? People aren't showing up; they want you to show up.

Hon. Mr. Ramsay: I would ask the member, being the local member who has all the connections in the community, if maybe he could help us in doing that, in bringing the two communities together. I think that's a very helpful suggestion, and we could certainly use his help there. As you know, we have been working with the liaison group from the Caledonia community, which is made up of municipal officials, business officials and other community reps. On the cultural-recreational side, this is a very important interface the two communities have there, both Six Nations and the residents of Caledonia. So these suggestions are helpful. I'd ask the member to work with us, with the various people from the government of all ministries. They're on the ground in his riding trying to resolve this situation.

NATIVE LAND DISPUTE

Mr. Howard Hampton (Kenora–Rainy River): My question is for the Premier. Many of us have felt for some months that your government has procrastinated, mismanaged and failed to show leadership with respect to the events that have unfortunately unfolded at Caledonia. Yesterday we saw some more of that failure of leadership: A motion was presented here in the Legislature, and members of your government somehow couldn't decide if they were in favour or if they were opposed, or what the McGuinty government's position was on the resolution. As a result, it was passed unanimously.

So my question is this, Premier: Are you going to call an inquiry into the situation at Caledonia so First Nations can get the full details on how the McGuinty government has dropped the ball, or is it your position that you merely dropped the ball again yesterday?

Hon. Dalton McGuinty (Premier, Minister of Research and Innovation): Frankly, I'm surprised that the leader of the NDP, who generally expresses a sincere desire to address aboriginal issues, would also engage in this political mischief-making. I'm sure that the member opposite, the leader of the NDP, understands that this is an issue of some sensitivity, of a great deal of complexity, that he understands it is very important that we approach this with respect and goodwill, with patience and with perseverance, all of which we will continue to bring to the challenge before us.

Mr. Hampton: Premier, what I understand is that this issue didn't come out of nowhere suddenly. The issues at Caledonia have been serious issues for over a year, and your government did nothing but procrastinate. Then, when the issues became serious and there was a picket, a protest, your government claims to be negotiating, but lo and behold, then in go the Ontario Provincial Police and First Nations are left asking, "Were we negotiating or were we being forcibly removed?"

Then yesterday, when I would have hoped someone on the government side was paying attention to the

debate and the discussion, your own members couldn't decide whether to stand up and vote for or vote against, and ended up passing the resolution unanimously. I say, again, Premier, my question is this: Are you going to hold the public inquiry so that First Nations can begin to understand what your government is doing, or are you simply going to write off—

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

1510

Hon. Mr. McGuinty: If there is a single element in that diatribe which somehow might serve as a positive, constructive suggestion to help us better address the situation before us, then I guess I missed it.

What we will continue to do is, we will work with the federal government. We will work with the local community. We will work with the First Nations communities. We will do everything we can, bring everything possible to bear, to ensure that this results in a peaceful resolution.

INTERNATIONALLY TRAINED PROFESSIONALS

Ms. Judy Marsales (Hamilton West): My question today is for the Minister of Citizenship and Immigration. First, I want to thank Minister Colle for attending the annual conference of the Ontario Association of Certified Engineering Technicians and Technologists held this past weekend in Hamilton. Ontario is attracting exceptional people. Thousands of newcomers arrive in Ontario with global experience and skills and more than half of these newcomers have a university degree. The obvious concern is that many internationally trained professionals are faced with barriers that prevent them from practising in their field of choice.

Minister, last Saturday, the McGuinty government made an important announcement that will go a long way towards eliminating some of the financial barriers that internationally trained professionals face. How will this program help Ontario's newcomers?

Hon. Mike Colle (Minister of Citizenship and Immigration): I'd like to thank the member from Hamilton West for her question.

Mr. John Yakabuski (Renfrew–Nipissing–Pembroke): What about her work in the riding? Why don't you throw that in too?

Hon. Mr. Colle: The Conservatives don't appreciate the hard work done by the technicians and technologists who represent 25,000 hard-working Ontarians. These are the men and women who help build our bridges and maintain our buildings. They are excellent professionals. They are opening doors to foreign-trained professionals. That's why I announced on Saturday in Hamilton help for foreign-trained individuals to become technologists and technicians. They're going to be eligible for a \$5,000 repayable loan to overcome those obstacles of paying for exams and fees and assessments, so that they can join the labour force. I was proud to make that \$5,000 announcement.

Ms. Marsales: Minister, as you are well aware, financial barriers are but one aspect in a list of obstacles that the internationally trained face. From 2003 until 2005, Hamilton welcomed 750 internationally trained professionals, many of whom will now be able to benefit under this loan program. I have consistently heard anecdotal stories of internationally trained professionals driving taxi or delivering pizza, because they are struggling to find Ontario work experience in their profession. What is our government doing to help these individuals?

Hon. Mr. Colle: Hamilton is a real hub that welcomes people from all over the world. Just to let you know that another concrete step we're taking in terms of ensuring that internationally trained individuals get a chance at working and learning in Ontario is that we're going to be the first provincial government—the first time in Ontario history—to establish a provincial internship program, so that foreign-trained individuals can get an internship position in the various ministries and agencies of the Ontario government for the first time, with Minister Phillips to open the doors for internationally trained internships.

NATIONAL CHILD BENEFIT SUPPLEMENT

Mr. Michael Prue (Beaches–East York): My question is to the Premier. Today, Toronto Daily Bread Food Bank released its Who's Hungry report on poverty and hunger in the GTA. Given its findings that almost 340,000 children in the GTA yearly rely on food banks, an increase each and every year since you have been in government and in office, how do you justify breaking your promise to stop the clawback of the national child benefit supplement?

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

Hon. Madeleine Meilleur (Minister of Community and Social Services, minister responsible for francophone affairs): First of all, let me thank the Daily Bread Food Bank for this report. I appreciate their hard work and commitment to helping families in need across Toronto.

Interjection: Good people there.

Hon. Mrs. Meilleur: Yes, there are very good people there. My ministry shares this commitment to helping families and children in need, and I will review the report in detail.

This government is serious about addressing the needs of Ontario's most vulnerable, and we are making a difference in the life of its lowest-paid and most vulnerable workers, including the children of Ontario. Let me tell the member of the third party what we have done since we took power. First of all, we have raised social assistance by 5%. When you have parents who are in need, you have children in need.

Mr. Prue: Madam Minister, your 5% has not even covered inflation in the three years you have been in

government, so they are actually worse off, and you admitted that in estimates. But your Premier told the kids that the clawback is wrong. Your Premier promised that you will end it. Your Premier has said that you should judge a government by how we treat our most vulnerable citizens. But despite those three promises, there are 340,000 children every year in the GTA who have to rely on food banks. And what they are seeing is that things aren't getting better, they're actually getting worse.

Start today. Daily Bread has given you a blueprint to help these hungry children. When will you stop the clawback of the national child benefit, like you promised? It is the single biggest impediment to their having enough food.

Hon. Mrs. Meilleur: I will continue to lecture my colleague on what we have done so far. We have permanently flowing through the 2004, 2005 and 2006 increases to the national child benefit supplement, we have added 14,000 child care spaces, and I can go on and on. But I wanted to tell this party that every time we've moved forward to improve the quality of life of children in Ontario, they've voted against it. I wanted to say that when we do all these things to improve the children's situation in Ontario, they should support what we are doing instead of voting against it.

We have also increased the supplement for working families, which helps children. We have invested in children's mental health programs. We have invested in child—

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

ONTARIO-QUEBEC AGREEMENTS

ENTENTES ONTARIO-QUÉBEC

Mr. Phil McNeely (Ottawa–Orléans): This question is for the Minister of Intergovernmental Affairs. Ontario and Quebec are neighbours. We have tightly linked economies. Together, economic activity in Ontario and Quebec leads Canada's economy. Ontario also has Canada's largest francophone population outside of Quebec, including a vibrant community in my riding of Ottawa–Orléans.

For all of these reasons, I was very pleased to see Ontario and Quebec sign a series of co-operation agreements last Friday, June 2, at a ceremony in Ottawa. Minister, can you tell the House why and how we came to sign these agreements, and what these agreements mean for the people of Ontario?

Hon. Marie Bountrogianni (Minister of Intergovernmental Affairs, minister responsible for democratic renewal): I thank the member for the excellent question. Ontario and Quebec do have a long-standing and important relationship. These particular agreements flow from the commitment made by Premiers McGuinty and Charest at their meeting in Toronto on April 22, 2004. Following the Premier's commitment, ministries in both provinces have been working diligently for over two years to finalize agreements for co-operation in important

areas. We've had extremely valuable input from many MPPs, and particularly from our colleague Jean-Marc Lalonde.

As a result of the hard work put in by so many people on both sides, sector agreements were signed in the areas of francophone affairs, culture, natural resources, forest protection, tourism and the environment. The agreement includes a framework protocol which recognizes Ontario's and Quebec's historic relationship and provides a mechanism to guide the initiative.

Selon le protocole, les premiers ministres s'engagent à se rencontrer régulièrement pour évaluer le progrès réalisé, discuter des sujets d'intérêt commun et des opportunités pour—

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

1520

Mr. McNeely: As Mr. Lalonde's riding is right next to my own, I'm certainly aware of his long-standing efforts on this file and share his sense of satisfaction and pride in the signing of these agreements by our government. At the announcement this past Friday, held at the Château Laurier in Ottawa, representatives from both provinces got together to celebrate the co-operation between the leaders of these two great provinces. There was an unmistakable feeling of solidarity between the Premiers, and it will certainly lead to further co-operation and nation-building in the future.

It was great to meet the Premier of Quebec; my neighbour MP Norm MacMillan from Ottawa–Orléans, just across the river; and the ministers from Quebec. It's wonderful to see Ontario working so closely with our provincial neighbour on so many files. But there are two areas that I'm particularly interested in. Can you tell me more about what we're doing in the areas of the francophone communities and labour mobility?

L'hon. M^{me} Bountrogianni: Bonne question. Afin de renforcer l'engagement de ce gouvernement à appuyer la communauté francophone de l'Ontario, une entente sur les Affaires francophones a été négociée pour encourager une collaboration particulière aux enjeux francophones dans les domaines de la culture, de l'éducation, de la petite enfance et de la santé.

Ontario was also successful in working closely with our partners in Quebec in establishing an Ontario-Quebec labour mobility agreement. This agreement moves towards resolving the decades-old irritant of labour mobility in the construction industry. The labour mobility agreement was signed by the Ministers of Labour from both provinces at the signing ceremony on June 2.

With these agreements, we're making improvements in key areas that help us build a stronger economy, improve the delivery of services and ensure a higher quality of life for the people of both provinces.

NATIVE LAND DISPUTE

Mr. Robert W. Runciman (Leeds–Grenville): Une autre bonne question, this time for the Minister of

Community Safety. Yesterday, CHCH-TV reported that this past Sunday evening in Caledonia, two OPP officers were taken into custody by native protesters and charged with trespassing by Six Nations police after they drove onto occupied land. Apparently, during the confrontation, the police cruiser's window was smashed.

Minister, can you confirm that this incident occurred, and if it did, can you advise the House if the action taken by First Nations police was appropriate, and if the charges laid against the OPP officers will be pursued?

Hon. Monte Kwinter (Minister of Community Safety and Correctional Services): I can confirm that that event happened. But the situation is that the two OPP officers who had been assigned to the Caledonia area, who were not familiar with it, made a wrong turn. That was the extent of what happened. As a result of that, there was a reaction. That is something that is now being investigated, and I'm not in a position to comment on it, but I can tell you this: There was nothing untoward about it. It was a mistake they had made. They made a wrong turn and, because of the sensitivity and the tension in that area, it got out of hand within that very, very limited situation. That is now being investigated. That's a police matter and they will deal with it.

Mr. Runciman: Yes, it certainly is interesting that the Minister of Community Safety is talking about the police making a wrong turn.

After the arrest of the OPP officers, a spokesperson for the occupiers, a Ms. Jamieson, told the media that the action was taken against the OPP after they entered a "no-go zone." Those are her words, not mine. Minister, can you tell the Legislative Assembly if there is such a thing as a no-go zone for Ontario police in the province of Ontario, and if so, why it should exist?

Hon. Mr. Kwinter: I'm sure everybody in this House understands the situation in Caledonia. They understand that there is a very fragile relationship going on because of the negotiations that are happening. This was a situation that wasn't intentional. Two officers made a wrong turn. You may think that these people should be infallible and they shouldn't make a wrong turn, but they did. That is being investigated by the police and it will be dealt with in a proper way. To try to escalate this into something that isn't there is just irresponsible.

FOREST INDUSTRY

Mr. Gilles Bisson (Timmins-James Bay): My question is to the Premier. You would know that about a month ago you were very happy and excited over Stephen Harper's deal on softwood lumber. You will know that last week, the Ontario Forest Industries Association informed the International Trade Commission in Ottawa that as a result of the Harper-McGuinty softwood deal, there would be a 20% reduction in employment across this country, and that the Americans would be rearmed by the \$1 billion you left on the table in order for them to take action against us.

You praised this deal as being good for Ontario, so can you tell us how many more good forestry jobs will be lost in Ontario as a result of this very bad deal?

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

Hon. David Ramsay (Minister of Natural Resources, minister responsible for aboriginal affairs): Yesterday, I met with Jim Lopez and John Valley of the Tembec corporation, as I do every week with the CEOs of the major corporations. We're all working together on basically putting the meat on the framework agreement that the two countries had agreed upon. We're making good progress, and in talking to those officials on a daily basis we think we're at a point where we can get the framework to be advantageous for Ontario, especially northern Ontario. Our companies feel we're making good progress and they should be able to prosper under this agreement.

Mr. Bisson: That's really interesting, considering that the Ontario Forest Industries Association that represents all of these employers has quite a different view. The workers have a different view. The mill managers have a different view. I'll just read but one quote that came from Jamie Lim, president of the Ontario Forest Industries Association, who says, "We expect to suffer—and suffer a lot—under the terms as now written." You've got continuing quotas, export taxes and \$1 billion in legal tariffs that were left on the table that we figure the Americans are going to use against us in further actions against our industry.

I say again, how can you stand in this House and defend this deal when you know very well it's going to lead to more job losses in Ontario, and what are you going to do to fix it?

Hon. Mr. Ramsay: The companies, while obviously not happy with having to leave part of their money, their duties, on deposit with the United States, are actually quite eager to get the 80% of it back to start to reinvest in their operations. They're looking at ramping up their operations.

As you know, Buchanan, which I meet with again tonight, is purchasing Neenah Paper. Therefore, they'll have a vertically integrated operation, a great market for their chips. That means they'll be able to sell more logs, more lumber to the United States and to other markets that we're helping them export to. So we're going to start to see a ramping up of this industry, and in fact, in general, with the announcements coming up in the next few weeks, we're going to start to see a major turnaround in forestry in Ontario.

CONSUMER PROTECTION

Mr. Tony Ruprecht (Davenport): I have a question for the Minister of Government Services. I have received a number of phone calls from my constituents who have complained about the treatment they received from overly aggressive collection agencies. My constituents tell me that they know they have to pay, and in many

cases repay, what they owe, but they almost fear the constant phone calls and in some cases the use of threatening and indeed profane language. For instance, two weeks ago a 14-year-old child was called and asked, "Where is your mother?" He didn't know, and therefore he was called an SOB. The profane language used by these collection agencies obviously must stop.

Minister, given that most collection agencies do not engage in such egregious behaviour, what has this government done to protect Ontarians from these few bad apples?

Hon. Gerry Phillips (Minister of Government Services): I thank the member for Davenport for the question, and it's a good one. We get twice as many complaints in this area as anything else. The next one is home improvements; this one, twice as many.

We have the Collection Agencies Act that helps us to regulate this industry. I should inform the members, and the public particularly, that as of June 1, a few days ago, we brought in some additional regulations. Collection agencies are not allowed to phone you more than three times a week. The abusive language is completely unacceptable, is not permissible and will be investigated.

We brought in these new regulations this June 1 to strengthen our oversight of collection agencies. I think we've got a good balance now between giving the collection agencies the right to collect debts but making sure that it's done in a responsible manner that protects the individual. As I said, I think we have a good balance there now.

Mr. Ruprecht: Mr. Minister, I'm pleased to see that you have these new provisions in place, such as new standards and the prohibited practices you talked about. They will certainly alleviate many of the concerns my constituents have with certain collection agencies.

But I worry about two things: (1) that my constituents may not know whom to contact, for instance, when a collection agency is overly aggressive—are they going to call the Ontario consumer services bureau?—and (2) that the few bad apples in the collection agency industry will not adhere to these new standards and to these new, strengthened consumer protection provisions.

My question is the following: How can Ontarians be sure that these provisions will in fact be enforced?

1530

Hon. Mr. Phillips: Let me first say to the public and to your constituents that if you want to see the rules, get on our website and take a look at the new rules so that you know what you're dealing with: www.mgs.gov.on.ca. If you've got a complaint, call 1-800-889-9768. Finally, I would say we do have this act. If people violate it, there are fines; there are penalties. I think last year we issued 53 warnings to them and we had seven convictions on collection agencies.

If your constituents want to know the rules, they should go to the website. If they want to complain, they should give us a call. This is an area where there are twice as many complaints as anywhere else. We have a responsibility to make sure that our companies are acting

fairly with our consumers, and I think these regulations provide that assurance.

TOBACCO CONTROL

Mr. Toby Barrett (Haldimand–Norfolk–Brant): To the Minister of Community Safety: Your government's Smoke-Free Ontario Act and the tax hikes have created close to 300 smoke shops on Six Nations and the New Credit reserve. The Tekka newspaper reports that smugglers and organized crime benefit from this. Just as you've left the OPP on the barricades in an untenable position, you've left the Six Nations police out on a limb. They could use some of that \$9 billion that your government and other governments collect in tobacco taxes across Canada.

Minister, I'm not asking you to stick your nose into operational matters. It's not your responsibility to direct police matters. However, given the current crisis in Caledonia, I would like to know what you have done since I raised these concerns with you a year ago.

Hon. Monte Kwinter (Minister of Community Safety and Correctional Services): I don't quite understand the purpose of the question, when you said right in it that I don't have any responsibility for that, and you're not asking me to stick my nose into it, and in the meantime you're asking me to stick my nose into it. If you would just clarify exactly what you want me to do, I'll be happy to respond.

Mr. Barrett: I'd be glad to clarify. We have reports of the presence of organized crime on Six Nations. It's in my hometown in Port Dover, Brantford and it's in this city. I'm afraid that Six Nations is being taken advantage of by various groups. This is reported by the Six Nations police. I quote the Tekka newspaper: "There is specific evidence of the presence of major motorcycle gang operations, Italian mafia, Russian mafia, Sri Lankan and Asian mafias, as well as Jamaican drug gang operatives working within the relative safety of native communities"; reports of Hells Angels.

Minister, you do not understand the scope of these issues that I raised a year ago. If you did understand, then please tell us what you've done to support the Six Nations. You accrue tax revenue. I requested this a year ago. I'm not asking you to direct the police. I'm offering you a chance to provide some support to the Six Nations community.

Hon. Mr. Kwinter: The support that we provide is with policing. We provide that so that they in fact deal with guns and gangs, they deal with illegal smuggling, they deal with all of the things that happen. That is what they're doing. You're asking me to do something about directing those police services to do something, and in the next sentence you say you're not asking me to do that. I'm suggesting to you that this is covered by normal police operations. They're certainly aware of that issue. This is something they deal with. Again, it is not my role to tell the police how to deal with that particular situation.

FRENCH-LANGUAGE SERVICES

SERVICES EN FRANÇAIS

M. Gilles Bisson (Timmins–Baie James): My question is to the minister responsible for the Alcohol and Gaming Commission of Ontario.

Monsieur le ministre, vous savez, j'imagine, qu'en Ontario on a la Loi 8, Loi sur les services en français, qui exige les services en français dans les régions désignées de la province. Comme vous le savez, c'est « mandatoire » pour le gouvernement provincial et ses agences de donner ces services en français où la Loi 8 est établie et où on a l'autorité.

Pensez-vous que c'est important que la commission des alcools de l'Ontario ait la responsabilité de s'assurer que ses employés soient capables de desservir la communauté francophone dans ces régions?

Hon. Gerry Phillips (Minister of Government Services): I think it's important for all of our organizations to ensure that our citizens in both languages have access to the services. I make the assumption that the Alcohol and Gaming Commission of Ontario is providing services in French where it's needed. If there are examples where it should be done and it's not being done, I'd be very happy to look at it to make sure that our citizens are getting the appropriate services in both languages.

M. Bisson: Je suis très, très content que vous avez répondu comme ça. Justement, le monde dans la communauté de Hearst, de Mattice, de Kapuskasing, de Smooth Rock Falls et de Moonbeam—dans toutes les communautés dans ce coin-là, où la majorité parle français comme leur langage quotidien—se fait servir par quelqu'un qui est unilingue anglais.

On vous demande, êtes-vous préparé à voir, à assurer, qu'on mette quelqu'un en place, sur le lieu, qui est capable de servir la communauté en français tel que la Loi 8 l'exige?

Hon. Mr. Phillips: I thought I understood the question to be that the Alcohol and Gaming Commission of Ontario was not dealing with their clients in French. If that was the question, I'll make certain that we have that capability.

If your supplementary, as I thought, was saying the clients in French—but if it was making sure the alcohol and gaming commission has the appropriate services in French, certainly I will do that. This is the first I've heard of it. I'm always happy to hear from the member. I don't mind doing it here, but sometimes we can get at these things quickly if you send me a little letter too. But I'm happy to deal with it here.

JOB CREATION

Mr. Jean-Marc Lalonde (Glengarry–Prescott–Russell): My question is to the Minister of Training, Colleges and Universities. I have heard concerns from the people in my riding who want to go into apprenticeships and the skilled trades. Some have mentioned

that the information can be hard to find, and new Canadians have had problems integrating into the skilled trades in Ontario. I know you have heard the concerns of my constituents. This is evident from your recent announcement on Job Connect.

Minister, could you please tell the people in my riding what the McGuinty government has done to improve Job Connect services for Ontarians?

Hon. Christopher Bentley (Minister of Training, Colleges and Universities): I was pleased to have been able to make the announcement just a few weeks ago, and that was only a few short weeks after I toured Glengarry–Prescott–Russell with my colleague. Specifically in his riding, we announced \$1 million to provide additional one-on-one training and support services for almost 1,000 francophones.

Remember that Job Connect provides training, support and academic enhancement services in the broader Ottawa region and Ottawa Valley region. The JHS Youth Employment Resource Centre is receiving more than \$1 million to help 1,500 people. La Cité, in Ottawa region itself, is receiving another \$1 million for over 1,600 francophone youth and adults. The Ottawa YMCA-YWCA is receiving more than \$1 million to assist 1,700 adults. St. Lawrence College, in the Ottawa area: \$1 million to assist 1,750; and the Youth Services Bureau is receiving \$1.5 million—

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

Mr. Lalonde: Minister, let me tell you that the people of Glengarry–Prescott–Russell were very, very pleased to have you visit the riding.

I know my constituents who are looking to enter the skilled trades will be happy to hear that announcement. When I talk to the people involved in the trades, I hear many good things from them about what our government is doing to enhance the profile of skilled trades in Ontario.

Minister, can you share for the benefit of all the members in the House all the things this government is doing to finally improve access to, and the profile of, our skilled trade workers?

Hon. Mr. Bentley: Just to recap, that was \$7 million, and over 9,000 people helped in his riding in the Ottawa region.

But to enhance the profile for young people in particular, we had the youth apprenticeship program, and an \$8-million program that we're working with the Minister of Education on to make sure that elementary and secondary school students have access to information about the trades.

1540

Now, what about the routes into the trades? We've got a couple of novel ones. The McGuinty government introduced the co-op diploma program, which is providing over 1,500 students with the opportunity to enter the trade and get a college diploma at the same time. We have a pre-apprenticeship program: 700 more people will

get the pre-apprenticeship opportunity this year at colleges throughout the province of Ontario. When they get there, we're enhancing the college's ability to give them a good background in the trades by the college equipment fund, which provides support for all of our colleges. And then, to make sure employers will sign trades up, we've got the apprenticeship training tax credit: \$5,000 a year for up to three years, \$15,000 to encourage them to sign up apprentices, because we know—

The Speaker: Thank you, Minister. New question.

NATIVE LAND DISPUTE

Mr. Tim Hudak (Erie–Lincoln): A question to the Chair of Management Board: Could the Chair inform the House of the cost to the OPP and municipalities of the ongoing policing costs in Caledonia?

Hon. Greg Sorbara (Minister of Finance, Chair of the Management Board of Cabinet): I cannot tell the member what the costs are, but I will take his question as a matter under advisement and get back to him at the earliest possible moment, perhaps even when we meet again in estimates a little later on this afternoon. But I should say to my friend that right throughout the government, in every ministry, my job as Chair of Management Board, along with my cabinet colleagues, is to make sure that we are using every single taxpayer dollar in the most efficient and effective way possible. And so my friend, the minister responsible for the police force, the Minister of Community Safety, has to present a budget every year that shows us on this side that the taxpayers' dollars that we are receiving are being used very wisely. That applies to all of us over here. So I will get to him the answer that he wants—oh, my goodness; we were almost there, weren't we?

Mr. Hudak: I appreciate the minister's response to my question. I understand he's going to endeavour to report back on the ongoing cost to both the OPP and to municipalities for the policing costs in Caledonia.

The Chair of Management Board will know that in the motion passed by the assembly last night calling for the full public inquiry, the Legislature did call for the government to recognize and compensate the Ontario Provincial Police for their unforeseen costs incurred while policing Caledonia. The minister knows full well that municipalities also pay part of those costs. It would help municipalities if they will be compensated. So I'll ask the Chair of Management Board if he will follow through on that aspect of the motion to ensure that the OPP and municipalities are fully compensated for the police costs.

Hon. Mr. Sorbara: Among the things that I will take under advisement is his supplementary, and will get back to him, perhaps even by way of a written response, or perhaps as we spend the next few hours over the next couple of weeks in estimates. I appreciate his interest and will endeavour to satisfy his inquiry.

PREMIER'S COMMENTS

Mr. Robert W. Runciman (Leeds–Grenville): On a point of order, Mr. Speaker: I'd like to refer you to section 23(g) of the standing orders. I believe that earlier today the Premier may have violated the sub judice convention and may have, inadvertently or otherwise, prejudiced the proceedings of the Ipperwash inquiry.

If you read the references in our standing order 23(g), it says, with respect to referring to "any matter that is the subject of a proceeding

"(i) that is pending in a court or before a judge for judicial determination, or

"(ii) that is before any quasi-judicial body constituted by the House or by or under the authority of an act of the Legislature,

"where it is shown to the satisfaction of the Speaker that further reference would create a real and substantial danger of prejudice to the proceeding."

There are also references in Marleau to the sub judice convention. I would refer you to page 535: "any undue influence prejudicing a judicial decision or a report of a tribunal of inquiry."

Mr. Speaker, I would respectfully ask you to review Hansard dealing with today's question period: the comments made by the Premier with respect to the previous government and learning our lessons, and references to ordering police to enter into a confrontation with occupiers. In my view, that clearly is going to colour any judgments reached by the Ipperwash inquiry, and the Premier should be sanctioned for making those comments.

The Speaker (Hon. Michael A. Brown): On the same point of order, the member for Niagara Centre.

Mr. Peter Kormos (Niagara Centre): Very briefly, New Democrats join with the House leader for the official opposition in this point of order. It's a matter of some great concern, and appreciating that the sub judice rule, the common-law rule, does not specifically apply to royal commissions because royal commissions are investigative bodies, not adjudicative bodies—in fact, Montpetit and Marleau refer to that very specifically in their section on sub judice, specifically page 536.

They go further, though, because they note that in the federal Parliament while the sub judice common-law rule, the unwritten rule, does not apply to royal commissions, "the Chair has cautioned against making reference to the proceedings, evidence, or findings of a royal commission before it has made its report." So on the basis of the sub judice rule alone, the common-law rule, the point of order, I think and I submit to you, is appropriate.

But then we go to the standing orders, and the standing orders are broader than the sub judice rule because the standing orders specifically state not just judicial proceedings, to which the sub judice rule applies, but also a proceeding "that is before any quasi-judicial body constituted by the House or by or under the authority of an act of the Legislature."

That, I put to you, is a royal commission, and I say to you that while there is the necessity “where it is shown to the satisfaction of the Speaker that further reference would create a real and substantial danger of prejudice to the proceeding,” that can be implicit in the words.

We concur with the Conservative House leader that when the Premier refers to conclusively ordering the police to do X, Y or Z, which is one of the subject matters of the consideration of the royal commission, that *prima facie*, in and of itself, suggests that there is a predetermination by the Premier of the results and the appearance—whether it occurs or not is not the point; the appearance—of a direction by the Premier to what should be an independent tribunal, to wit that royal commission.

I submit to you that the Premier, in this instance, at least warrants the caution that the Chair made as referenced on page 536 of Montpetit and Marleau. Further, there should be consideration of the application of standing order 23(g)(ii).

The Speaker: On the same point of order, the Attorney General.

Hon. Michael Bryant (Attorney General): Firstly, I’d remind the Speaker that there was a question put. The question was with respect to a matter and to a fact situation that involves ongoing prosecutions before the courts. The question involved a matter involving an injunction order that is being supervised by Mr. Justice David Marshall. The question involved matters involving ongoing prosecutions on related matters. The question, in that sense, that was asked by the member who’s bringing the standing order arguably is entirely out of order because it is with respect to matters that are before the courts, an express reading of the standing orders. It appears to have been—

Interjection.

Hon. Mr. Bryant: Speaker, I didn’t heckle their point of order submissions. I’d rather have the opportunity to speak to it, but I’m in your hands.

Mr. John Yakabuski (Renfrew–Nipissing–Pembroke): I think the Speaker can rule. He doesn’t need your—

Hon. Christopher Bentley (Minister of Training, Colleges and Universities): Get in your seat.

The Speaker: I would remind the member for Renfrew—he’s not in his seat, and heckling, of course, is always out of order. The Attorney General.

Hon. Mr. Bryant: I can assure the members opposite that, with a little bit of patience, I’ll get to their point.

The point being that it apparently has been the practice of the Speaker for some time that, in fact, the nature of the questions, although they may in the case of the questioner in particular, who has discussed matters before the courts not only today in his question but on frequent occasions, and evidence of this I’ll be happy to forward to the Speaker—we obviously didn’t get notice of this point of order. I’d be happy to forward to the Speaker the numerous times in which the member who has brought the point of order has been a serial violator of the sub judice rule.

1550

In any event, besides the violation of the sub judice rule in his question, the issue before the Speaker is whether or not in question period it is out of order to raise matters that are before the courts. If that’s the case, then the question itself ought to have been ruled out of order. The Speaker did not rule it so. The member asked the question in the way that he did, and whether he asked it in a way that violated the sub judice rule or not is something that, I take it, has been the practice and convention of the Speaker to be left to the member, to ask that question in that fashion or not.

Then we get to the question of whether or not the sub judice rule was violated with respect to the answer itself. Speaker, there is no question that any cursory look at the Hansard will show that a very careful consideration of the way in which members refer to matters with respect to a commission or a potential commission is very important. The question involved very specific fact situations by the member who not only made the question but made the point of order, and clearly he identified matters that are directly before the courts. If his argument would be correct, he would be in violation of the very rule he has raised.

Conversely, it is very clear from the answer the Premier made, if you look at the Hansard, that in fact there was absolutely no reference to any matter that is before the commissioner, as we speak, because of course there is a public inquiry into matters related to the death of Dudley George. The purpose of the sub judice rule, as the Speaker knows very well, is to ensure that this Legislature is not interfering with matters that ought to be the subject of independent judgment, that ought not be subject to political pressure. So it is in the name of decorum and it is in the name of the independence of the judiciary that there is not only that standing order but, as the House leader for the third party referred to, there is also a common-law rule of sub judice that applies.

Lastly, pursuant to the Members’ Integrity Act, members are held to the same principles and standards to not violate the sub judice rule. That was not violated by the answer, I say to you, Mr. Speaker; that was violated by the question. If you can bring to this House, as a result of the member opposite’s point of order, some clarity that would stop the serial violation of the sub judice rule by the official opposition—not by the third party, but by the official opposition—I think that would create a huge contribution not only to decorum but to the observation and in fact the pursuance of the standing order itself.

Speaker, I think there’s no question that a close look at the Hansard revealed that the questions asked by the member that he’s raising violate the particular standing order and that the answer did not.

The Speaker: Are there further submissions?

I wish to thank the member for Leeds–Grenville, the member for Niagara Centre and the Attorney General for their submissions on this matter. I will reserve my judgment.

PETITIONS

HERITAGE CONSERVATION

Ms. Lisa MacLeod (Nepean–Carleton): I'm very excited to finally have an opportunity to introduce this very important petition in my community. It is from the residents of Manotick and the city of Ottawa. On it I have signatures from the mayor of Ottawa himself, Bob Chiarelli; the MP for Nepean–Carleton, Pierre Poilievre; and Jeff Morris, the Barrhaven Independent/Manotick Messenger editor, as well as numerous city councillors supporting this motion. They call on the Parliament of Ontario:

“Whereas the Rideau Valley Conservation Authority, a provincial regulatory agency, is scheduled to move out of Dickinson Square, Manotick, in the summer of 2007; and

“Whereas the designated buildings of Dickinson Square are steeped in Canadian and Ontario history and are the city of Ottawa's only and one of the few remaining working industrial heritage sites in the province of Ontario; and

“Whereas these five buildings of Dickinson Square are now at risk to potential non-heritage use and development; and

“Whereas recent public consultation has resulted in overwhelming support to retain all five buildings in public ownership and management; and

“Whereas community agencies have formed a non-profit organization, Dickinson Square Management, to build upon the successful management of Watson's Mill and create a vibrant, public-owned arts and heritage cultural space within the square;

“That we, the residents of Manotick and surrounding areas in the city of Ottawa, call upon the government of Ontario to take a leadership role in working with the Rideau Valley Conservation Authority and the city of Ottawa in order to ensure the historic site of Dickinson Square remain under the auspices of public ownership and management.”

I'm proud to affix my signature to this and am pleased to report that the Minister of Health Promotion and the Premier of Ontario are aware of this, and we're working with them to ensure this is successful. Thank you, and I present it to page Gregory.

TRADE DEVELOPMENT

Mr. Jeff Leal (Peterborough): I have a petition today from hard-working men and women who are members of the CAW and involved in Ontario's auto industry.

“Whereas more than 260,000 Ontarians make their living and support their families through their careers in the auto industry in Ontario, which has become the pre-eminent manufacturer of motor vehicles in North America; and

“Whereas Canada imports more than 130,000 vehicles annually from the Republic of Korea, which imports

virtually no vehicles or parts from Canada and does none of its manufacturing or assembly in Ontario or in any other Canadian jurisdiction, even though Canadian auto workers make the best-quality, most cost-effective vehicles in the world; and

“Whereas the government of Canada aims for a free trade agreement that would include the Republic of Korea in 2006, does not address the structural trade imbalance in the auto sector, and includes no measures to require Korea to reduce tariff and non-tariff barriers to Canadian-made vehicles, auto parts and other value-added services or components;

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

“That the government of Ontario insist that the government of Canada either cease free trade discussions with the Republic of Korea or make any proposed agreement contingent on fair and equal access by each country to the” other country's “domestic markets in manufactured products such as motor vehicles and in value-added services, and ensure that Korea commits to manufacturing vehicles in Canada if Korea proposes to continue to sell vehicles in Canada.”

I agree with this petition and will affix my signature to it.

DRUG LEGISLATION

Mr. Gerry Martiniuk (Cambridge): I have a petition signed by hundreds of residents of Cambridge, where petitions have been provided to me by the Prescription Shoppe, the Cambridge Price Chopper pharmacy and the Zellers pharmacy.

“To the Parliament of Ontario

“Whereas the McGuinty government's Bill 102 introduces a significant degree of uncertainty for pharmacists and patients across Ontario; and

“Whereas the McGuinty government's Bill 102 could result in reduced services to patients resulting from fewer hours of pharmacy operations, fewer pharmacies stocking expensive drugs, unfair capping of claim maximums, elimination of rebates and the permanent closing of some pharmacies; and

“Whereas the changes to the dispensing fees do not accurately reflect the true costs of safely dispensing drugs; and

“Whereas there is no protection afforded by Bill 102 to prevent future increases in drug prices where pharmacies are limited to the acquisition cost;

“We, the undersigned, petition the Legislative Assembly ... as follows:

“That the McGuinty government withdraw or amend Bill 102 to ensure fairness to patients and pharmacies.”

CHILD CARE

The Acting Speaker (Mr. Ted Arnott): The member for Davenport.

Applause.

Mr. Tony Ruprecht (Davenport): Thank you very much. Wow. Even you.

This petition focuses on the child care agreement between the government of Canada and the government of Ontario and is addressed to the Parliament of Ontario. It reads as follows:

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

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

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

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

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

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

Since I agree, I’m delighted to put my signature on this document.

The Acting Speaker: Pursuant to standing order 30(b), it being 4 p.m., I am now required to call orders of the day.

1600

ORDERS OF THE DAY

STRONGER CITY OF TORONTO FOR A STRONGER ONTARIO ACT, 2006

LOI DE 2006 CRÉANT UN TORONTO PLUS FORT POUR UN ONTARIO PLUS FORT

Mr. Gerretsen moved third reading of the following bill:

Bill 53, An Act to revise the City of Toronto Acts, 1997 (Nos. 1 and 2), to amend certain public Acts in relation to municipal powers and to repeal certain private Acts relating to the City of Toronto / Projet de loi 53, Loi révisant les lois de 1997 Nos 1 et 2 sur la cité de Toronto, modifiant certaines lois d’intérêt public en ce qui concerne les pouvoirs municipaux et abrogeant certaines lois d’intérêt privé se rapportant à la cité de Toronto.

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

Hon. John Gerretsen (Minister of Municipal Affairs and Housing): It gives me great pleasure to commence the third reading of Bill 53, a bill that was first introduced into this House on December 14 of last year. Before starting off with my printed remarks, let me at the outset thank all of those individuals who have been intricately involved over the last two and a half years in helping give shape to this bill the way it sits currently. There have been literally dozens upon dozens of people who helped deal with the whole city of Toronto situation, its legislative history and the legislative proposals that are contained in this bill, from the people at city hall to the people within my own ministry, from all of those individuals who made presentations to the hearings that were held both by the city and by the government to the people who attended the joint hearings that were held on June 23—and I’m just getting a note here right now.

Yes, I will be sharing my time with my parliamentary assistant, the member from Scarborough Centre, who’s sitting right beside me here. He has been very intricately involved in this process as well. He has met with dozens upon dozens of people as well and certainly led the bill through the legislative process, through the committee process, and all the other aspects involved in it.

Once again, this bill simply could not be here today without the involvement of numerous people, both inside of governments, inside city hall and the many people who presented in one way or another; from the business community, the board of trade, the home builders, to other business organizations, to the various union representatives who appeared in front of us and to the literally hundreds of individuals, more from the Toronto area than elsewhere, who gave their comments on the bill and the processes that should be involved in the bill that deal with governance and with many of the other aspects of this bill. I just want to pay tribute to each and every one of them for their involvement, because without their involvement we simply could not be dealing with this bill, which I truly believe is an historic bill that will govern the city of Toronto and will determine how the city of Toronto, through its councils over the years and through its various operating departments, will be able to deal with the municipal issues that it will be asked to deal with over that period of time.

It’s a bill that, in the end, ended up being some 300 pages. In many cases it deals with over 300 different pieces of legislation that have been passed in years gone by to deal with the city of Toronto, and the new aspects that are contained in the bill, the new powers, the new authorities, the new levels of accountability that are required for the city of Toronto as we continue on in the 21st century.

So I’m very pleased to start the debate, and I hope we will have a good debate. I hope that, at the end of the day, parties on all sides of this House will recognize the fact that the bill we have before us may not be perfect in

everyone's eyes. There may be certain segments of the society and community out there that would have liked to have seen different aspects put into the bill that aren't there right now, but at the end of the day, I think we will all agree that the bill, in the way it's presented here, as amended, before the House, is a much, much better situation than the bills that currently govern the city of Toronto.

If we look at the bill from that aspect, I can only see one conclusion to this, and that's that at the end of the day, all parties on both sides of the House will be supporting this bill, because certainly there's no one out there who would like to see the current situation, as it relates to the city of Toronto, continue in the future.

Although this bill may not be totally perfect in everyone's eyes, this is not only an improvement, but as many people have said in the past, including Mayor Miller, this is truly an historic document and a historic moment for the city of Toronto. Our ultimate aim is to make the city of Toronto, the way it governs itself and the way it operates in the global economy, as sound and as fiscally responsible as possible, to give it the powers and the authority it needs to operate in the global economy.

The legislation will help the city of Toronto thrive in the global marketplace. It represents a major step forward for one of the world's great cities. I'm sure all of us in Ontario, whether we're from Toronto or elsewhere, agree with that.

Our government is working in partnership with all municipalities to ensure that local efficiency and accountability, local strength and prosperity will continue for not only all municipalities in Ontario, but certainly the city of Toronto.

As a former councillor and mayor of a city here in Ontario, I know how important is the role played by municipal governments in Ontario. I think we all know this. We all say that the municipal councillors and people whom we elect at the local level are the closest to the people and hear about the issues on a day-to-day basis. They are the closest to the people and probably affect people on a day-to-day basis more so than any other level of government. That's why it's so important that this bill, the way it sits here today, get passed unanimously by this House.

Michael Warren, an individual who has held senior positions in the public service of all three orders of government, said in an April 6 Toronto Star commentary, "It is our municipality that provides the majority of services that so directly affect the quality of our lives." That can be said for Toronto and indeed it can be said for every municipality in the province of Ontario.

Our government is working in partnership with municipalities—in this case, Toronto—so that we can better provide quality services in the communities and allow the local council to do so at the local level. We recognize that the city of Toronto is a mature order of government, which is empowered to provide good government through the services and good governance it provides

with respect to all the matters within its jurisdiction, and particularly those that affect people's quality of life.

Bill 53 will create a framework of broad powers for Toronto that balances the interests of the province and the city, and recognizes that to provide good government, Toronto must be able to do the following things:

- Determine what is in the public interest for the city;
- Be able to respond to the needs of the city;
- Determine the appropriate structure for governing Toronto;
- Ensure that the city is accountable to the public and that the process for making decisions is transparent and accountable;
- Determine the appropriate mechanisms for delivering municipal services in the city of Toronto;
- Also determine the appropriate levels of municipal spending and municipal taxation for the city;
- Use the fiscal tools to support the activities of the city.

The legislation, if passed, will allow the city to pass bylaws regarding matters ranging from public safety to the city's economic, social and environmental well-being. These future bylaws will also deal with the financial management of the city, and the accountability and transparency of its operations, which it absolutely requires.

1610

These broad permissive powers will permit the city to promote and support things it wants to see happen, and regulate or prohibit those it does not. The new powers proposed in Bill 53 should be interpreted broadly. The city needs broad authority to enable it to govern its affairs as it considers appropriate, and we need to enhance the city's ability to respond to its own local municipal issues.

Currently, the city is limited in its powers to determine even the composition of its council and ward boundaries, restrictions we do not put on any other municipality in this province. Under the proposed legislation, Toronto will have the same powers as other municipalities to establish the council composition and ward boundaries. This will let the city be more responsive to changing demographics and its own governance needs.

Currently, Toronto city council is limited in the decision-making it can delegate to committees or boards. Under this bill, it will have greater ability to delegate powers and responsibilities to its committees and boards and to its senior staff personnel. It will give the city the flexibility it needs to better manage its deliberations and to streamline decision-making.

Let me give you an example. Right now, the province sets bar hours and regulates the hours that Toronto businesses can remain open on certain holidays. This bill gives Toronto the flexibility it needs to extend bar hours to meet local needs, and to regulate store closings to reflect the preferences of a diverse, multicultural society. If passed, Bill 53 will give the city broader powers to license and regulate businesses. It will provide the city with more flexibility to raise revenue, in addition to

property tax. If passed, it will provide broad permissive authority to impose new taxes, except in areas specifically prohibited such as income tax, wealth tax or the gas tax.

Bill 53 will provide increased flexibility for Toronto to establish municipal corporations.

We know that this dynamic city, this centre of Ontario's economic engine, stimulates economic growth across the GTA. This legislation will provide broad authority to undertake economic development opportunities so that Toronto, and indeed the region, can be more competitive and we can all be more prosperous. The city would have more power to control its own destiny with the passage and enactment of this bill. The proposed Stronger City of Toronto for a Stronger Ontario Act, 2006, is vital for the citizens of Toronto, and it has great significance for all Ontarians. We indeed are launching a new era in municipal government in this province.

A Toronto Star editorial on December 29 of last year said the following:

"After years of stagnation, inertia and neglect, a long-awaited thaw has come to Toronto. The city is undergoing a dramatic transformation, both in outward appearance and in ways that are harder to see, with the acquisition of new power, new responsibility and new respect.

"At long last, Toronto is moving forward."

Bill 53 will provide for a strengthened accountability framework for the city of Toronto. It will require, for example, that the city establish a lobbyist registry, integrity commissioner, ombudsman and auditor general. This improves accountability and transparency for everyone. I realize that some of these offices are already in existence, but this makes it a mandatory requirement for the city to continue with those offices so that there will be greater transparency and accountability in the system.

During our committee hearings, some witnesses articulated their views about how the city should be governed and its representatives held accountable. Others have commented on how business has been transacted at Toronto city hall. The Globe and Mail said in an editorial last November, and again I quote, "No one deserves a city council where members squabble over the installation of stop signs, horse-trade their approval for crucial development and hurl abusive epithets at one another.... Somehow Toronto, Canada's largest city and a pivotal engine for economic growth, is saddled with a second-rate government." With this bill, we are improving that situation.

In the report it submitted to the city in December 2005, the governing Toronto advisory panel set up by the mayor recommended that Toronto should have a new governance structure. It states, and again I quote, "City council should spend its time on what is truly important. At present, city council often spends more time debating items that affect only one or a handful of wards, or issues not nearly as significant as the files it will soon address." That's for allowing for the greater delegations to com-

mittees and boards to deal with that issue. For the future, the panel also recommended "a government that deliberates and acts strategically—at a city-wide level, with a long-term perspective and through a coordinated policy approach. We feel strongly that the mayor should be given the tools to provide strategic leadership for city council." That's what this bill does.

The city's expert panel has recommended the same approach that our government favours, and city council in all likelihood will soon be making a decision on changes to the city's governance system. We have in the act a proposed regulation that deals with the governance situation.

Staff from the city of Toronto and my ministry, as I stated before, worked together for more than a year developing recommendations for a new legislative framework for the city. Their joint task force serves as an excellent example of how staff from different levels of government can work together effectively. Public consultation was an important element of the work of the joint task force. The views and recommendations of stakeholders and the public at large were key in the development of the task force recommendations. Provincial and city officials worked side by side to organize unique, jointly conducted public consultation sessions, the first ever, I understand, of this nature and scope. Again, I would like to thank the task force members and all the others who worked on this important project for their commitment and hard work. I would also like to thank Mayor David Miller and Toronto city councillors for their ongoing contribution towards developing a new legislative framework for the city.

We all know that Toronto is the most culturally diverse city on this planet. Our government is making a significant contribution to its current cultural renaissance by providing \$49 million in capital support for major cultural agencies and organizations in this city. As was stated in the Toronto Star editorial of December 5, 2005, "Cities are this country's greatest economic and cultural asset. They are where most Canadians live, where most work and where most new immigrants settle."

Bill 53 supports our government's priorities of managing growth, reducing urban sprawl, promoting intensification and preserving green space in Toronto, across the GTA and indeed across Ontario. It is fully complemented by another proposed piece of legislation, and that's the Planning and Conservation Land Statute Law Amendment Act, 2006, Bill 51, which was given second reading some time ago.

1620

We are proposing to provide the city of Toronto with some additional planning tools to help address its particular needs. These are tools and methods that the city has requested and that recognize the unique challenges of the largest city in this province.

The reforms in the proposed legislation will encourage more innovation in community design to produce environmental and public benefits.

The city would be able provide financial incentives under the community improvement plan without having to ask the province for approval.

Zoning permissions, including conditions to better meet the needs of an intense urban environment, are allowed in the legislation.

We are also encouraging more innovation and sustainability in community design. As part of the site plan approval, the city will be able to require developers to provide landscape features adjacent to their development on the public roadway. The legislation would also produce environmental and public benefits, such as providing the city with the ability to require developers to build green roofs.

Toronto, as you well know, is already an environmental success story, and many experts will tell you that it already ranks amongst the greenest cities in the world. Our aim is to provide assistance for the further greening of Toronto.

Our government is also aligned with maintaining the unique heritage of Toronto and indeed all of Ontario's urban and rural centres as our province grows, develops and builds.

The Ontario Heritage Act lets municipalities list properties of cultural value or interest in their heritage registers even if they haven't been formally designated as historical structures.

If passed, this bill will amend this legislation to require an owner of a listed property to give the municipality at least 60 days' notice of the owner's intention to demolish or remove a building on the property. That would give Toronto and other municipalities the powers they need to protect their unique built heritage.

Through the standing committee process, certain amendments have been made to Bill 53, and I would like to relay them to the House. Indeed, we adopted certain amendments as proposed by the opposition.

The standing committee supported the motion that would amend the role of Toronto's head of council to include the duty to communicate and make recommendations to council respecting its role to ensure the following: The accountability and transparency of the city's operations, including the activities of senior management; and that the administrative and controllership policies, practices and procedures are in place to implement council's decisions.

The standing committee also supported the motion that the city may appoint a lobbyist registrar and may assign certain functions to that registrar. This amendment will give the city of Toronto enhanced powers with regard to accountability generally, and lobbying specifically, as was requested by the city.

The standing committee also supported the motion that would make new subsections 27(3), (4) and (5) and subsection 40.1(5) of the Ontario Heritage Act come into force upon royal assent rather than proclamation. This amendment, which gives municipalities greater ability to protect heritage properties, will make certain that these provisions come into effect immediately to ensure protection of the province's heritage stock.

When our government came to power, we set out to help Toronto prosper. Our government is on the side of Torontonians and Ontarians, and that's why we're taking steps to help the city succeed.

Let me just give you a couple of examples of how we've already invested to support public transit. As you know, \$670 million is slated for a subway line that will, for the first time, link the 416 and the 905 areas. A further \$200 million has gone to the city to support its current subway operations, and \$130.4 million in gas tax funds will also support the TTC operations as well as its need of capital expenditures.

In addition, we are investing hundreds of millions of dollars in health care, child care, infrastructure and educational initiatives that address the needs of Toronto. Indeed, our government is on the side of Torontonians. The Stronger City of Toronto for a Stronger Ontario Act will represent a major step forward to make the city more financially sustainable, autonomous and—equally important—accountable.

"Freed from its legislative shackles, Toronto is—at last—set to soar." Those were the comments in the Toronto Star editorial. "After more than 100 years spent under the sway of Queen's Park, Canada's largest city is breaking out as a major power in its own right. It is poised to receive historic new levels of autonomy, respect, responsibility and money...." That's what was stated in the Toronto Star. That's what this bill that's currently before the House for third reading is intended to do.

As I've said before, today is truly an historic moment: an opportunity to help one of the world's great cities better compete in the global marketplace. I ask all members to join me in voting for Bill 53 to help take the city of Toronto and indeed the province of Ontario to the next level.

I will now turn it over to my parliamentary assistant, the member from Scarborough Centre.

Mr. Brad Duguid (Scarborough Centre): I am absolutely honoured to be able to rise in my seat today and talk about a bill that is an historic bill for the community that I was born and raised in and have the privilege of representing. It's an historic piece of legislation whose credit should go to a number of people. I'm going to acknowledge the efforts of some people. Quite often caucuses don't get acknowledged all that much in government—the regular members, whether they be in cabinet or whether they be on the backbench—for their efforts. In this case, the Toronto caucus—all the members from Toronto—played a very, very important role in the development of this historic piece of legislation. Here today we have my colleague and fellow parliamentary assistant for Municipal Affairs and Housing Mario Sergio from York West, and we have Mary Anne Chambers, the member from Scarborough East, with us today. Two colleagues are here in the Legislature with me today who know very well the importance of this bill because they served on Toronto council and the previous Scarborough council for a number of years: my colleague Lorenzo

Berardinetti from Scarborough Southwest and my colleague Bas Balkissoon from Scarborough–Rouge River.

These members, like myself, have lived and breathed municipal politics for a very, very long time. They lived through the period of time when things weren't so good in the relationship between Queen's Park and city hall. In fact, using the words "weren't so good" is probably an understatement. They were dark times for Toronto, a time when the province of Ontario showed very little will or respect: will to assist the city of Toronto through some very difficult times, and respect for their efforts to try to work their way through some very difficult times. They were dark days indeed.

I think it's important to go back and take a look at those times so that we can compare what we have today to what we had back then. It's important for us in this Legislature to know that, and it's important for the people of this province and the people of Toronto to reflect on that from time to time.

We experienced, when many of us—my colleagues Lorenzo Berardinetti, Bas Balkissoon and myself—went to serve on Toronto council, a forced, unwanted and poorly planned amalgamation that came as a part of the Harris-Eves regime and cost our city hundreds of millions of dollars in transition costs. Many communities would say that the quality of services has still not been returned to the level that they once had before that amalgamation. We experienced an abandonment of assistance to help run public transit, an essential service for the future of our city, and an unprecedented amount of downloading costs to Toronto, from public housing to social assistance to public health.

1630

Assistance was given to the rest of the province to adjust to the downloading, with very little help going to the city of Toronto. This relationship involved constant threats of upheaval. Every time the city of Toronto objected to something that the province of the day—the Harris-Eves Tory government—was doing, every time there was a serious objection, instead of offers to assist we would get back in return threats that they were going to cut down the number of councillors—a completely different time, a time that's hard to imagine today. I think the people of Toronto would have great difficulty trying to picture it, given the change in relationships that has taken place.

We've come a very, very long way, and this is personal to me because I've had to experience that. One of the reasons I'm here, one of the reasons I decided to run provincially and represent the area of Scarborough Centre, was to try to change that dynamic, try to change that relationship between Queen's Park and Toronto. Let's look at the progress that's been made in two and a half years.

A new relationship has now been developed based on trust and respect.

A commitment to consult with the city and involve the city in discussions with the federal government has taken place, which gives the city a greater confidence that the

province is there to work with them as we develop a relationship as well with the federal government, trying to develop a productive relationship with the federal government, with all three levels of government working together.

A constructive relationship exists between our Premier and the current mayor of Toronto, a relationship that I think is working very well for the people of our city.

A dramatic increase in financial assistance to Toronto has occurred—and it is dramatic. Public transit funding is at a level now that the city has never seen when it comes to investments from other levels of government. That's all part of what the McGuinty government has brought to the table. We're talking billions of dollars when you combine operating costs and capital costs, very much needed money, and ongoing dollars that are flowing into the city through the gas tax. The minister previously outlined some of the details of that.

We're talking about an uploading of public health costs.

We're talking about an uploading of land ambulance costs. In the city of Toronto alone, we have provided about an additional \$10.4 million flowing to the city.

We're talking about a province that's now back in the housing business, that really assists the city in trying to build housing across our city.

And we're talking about a province that's investing big time in city infrastructure. Whether it's hospitals, whether it's schools, whether it's our museums, whether it's the waterfront, whether it's universities—an unprecedented amount of infrastructure investment is going into our city.

What we're debating today is an historic piece of legislation, the Stronger City of Toronto for a Stronger Ontario Act, that rewrites the relationship between Queen's Park and Toronto. It recognizes the city as a responsible, mature and accountable government; it provides the city of Toronto with broad permissive powers and increased accountability; it enhances governance and delegation powers; it provides greater flexibility in land use planning and access to alternative sources of revenue—all areas that the minister covered when he was speaking.

In the short time I have left, I want to thank the minister. Here's a gentleman who hails from Kingston. He has the benefit of being a former mayor, so he has a great deal of experience in municipal politics. But this gentleman understood in a very short period of time the needs of the city of Toronto, and his leadership in this has been invaluable in getting us to this point.

I want as well to acknowledge the Premier for the courage he has had to move forward with this bill. I think Mayor David Miller said it best when he said, "Premier McGuinty gets it when it comes to the needs of Toronto." He certainly does. This historic legislation before us shows a great deal of courage, a great deal of respect and a great deal of confidence in the people of Toronto. To me, that confidence, that respect, is a terrific sign of leadership on behalf of our Premier. The historic piece of

legislation before us today, this changing relationship that we've had between Toronto and Queen's Park, could not have taken place without that leadership. I want to thank the Premier for that as well.

I want to thank the two critics who have been involved in this bill. Peter Tabuns, from Toronto–Danforth, made a number of very important interventions at committee, and Ernie Hardeman, the critic for the Conservative Party, has done an excellent job in putting forward his party's policies, and I thank him for the time he spent on this bill at committee. He's another gentleman who doesn't hail from Toronto, but I think he understands in some ways the needs of the city of Toronto—perhaps not all, but in some ways. So I thank him for the time he's put into this.

I'm running out of time, so I want to say that I've been proud as a member to be able to participate in this process from beginning to end. I'm proud to stand before you today with a bill that will indeed change the relationship between Queen's Park and Toronto. The minister referred to it as an unravelling—I guess “unshackling” is a better word—of the city of Toronto so that the city will now have the autonomy it needs, the flexibility it needs and the power it needs to compete with other cities of its size internationally and to achieve the greatness that we all know the city of Toronto is capable of achieving.

I thank all involved in the production and creation of this bill in the consultations that led up to what we have before us today. I encourage as well all parties on all sides of the House to support what is a very important piece of legislation for the future of the city of Toronto.

The Acting Speaker: Questions and comments?

Mr. Ernie Hardeman (Oxford): I have just a few moments to respond to the comments made. I stand here and wish that I could agree with them that it was in fact all the positive things that are being mentioned. And there are a lot of positives in it, but there are also a lot of things, in my opinion and in the opinion of many people who presented at committee, that are not going to accomplish the goal that's being set out by the government here.

Just in this quick response, I want to point out a column written in the Toronto Sun on Tuesday, May 23. It concerns Bill 53, and it goes to what the minister and the parliamentary assistant spoke to:

“If you ask me, all this talk from Mayor David Miller and Premier Dalton McGuinty about giving Toronto newfound ‘respect’ is such a bunch of malarkey.

“If only these two bosom buddies would respect the intelligence of Toronto voters and call the ill-conceived City of Toronto Act (Bill 53) what it truly is—an act of political expedience. I can't wait for McGuinty—who faces a re-election bid next year—to boast how he gave Toronto the ‘broad permissive powers’ of a ‘mature responsible’ government.

“True, the act will give the city the ability to regulate its own bar hours, to set up a lobbyist registry and (heaven help us) approve its own speed humps. But that masks its real intent.

“Under Bill 53, city hall will be handed a dangerous amount of power to impose new bylaws, licences, fees, levies and tolls (any excuse, that is, to raise new taxes).”

I think that really points out the concern of the citizens of Toronto, not of the city council. All the consultation that we heard, both from the minister and from the parliamentary assistant, was about how they've had consultations with the mayor and have got along very well. But we've had very little consultation with the people of Toronto to see whether they believe that the powers city council is receiving are the right powers.

Mr. Lorenzo Berardinetti (Scarborough Southwest): In these brief two minutes, I also wanted to congratulate the minister, Mr. Gerretsen, and the parliamentary assistant, Brad Duguid, for the work they've done, as well as the Premier's office and the Premier himself for working together with Mayor David Miller and the city of Toronto council and the people of Toronto in getting this right.

I was present back in, I think it was, November or December of last year, late last year, when we had a presentation at a location in Toronto regarding the introduction of Bill 53. At that time, you could almost see the joy in David Miller's face and the joy of the councillors who were present at that event, as well as members of the local media in Toronto. This bill is good. It's not good just for Toronto, but it's good for all of Ontario. I don't care what people say when they turn around and say, “Why focus on Toronto?” A healthy Toronto is a healthy Ontario and a healthy Canada. Look at any country in the world. A healthy London is a healthy England. A healthy Paris is a healthy France. A healthy Rome is a healthy Italy. The list goes on and on. A healthy New York City is a healthy United States. I can't imagine any of these major cities in any part of the world being in a state where their powers are curtailed to such an extent that they can't even pass bylaws and have to go through a higher level of government. All these cities in all these countries are successful in many ways because they have some autonomy.

This bill allows that autonomy, finally. The acrimony is gone. The days of fighting and dislike are gone. The days when Mel Lastman would scream at Mike Harris or Ernie Eves and they would scream back, are gone. The comments being made and the name-calling are gone. I remember that someone was called a “monkey grinder”; I don't know who, but someone was called a “monkey grinder.”

Those days are gone. Instead, we have pleasant conversations, we have intelligent discussions, and we've reached a common goal here: Bill 53. It's here for third reading. I support it, and I hope it passes and goes through and becomes law as soon as possible.

1640

Mr. Norm Miller (Parry Sound–Muskoka): It's my pleasure to add some comments on the speech from the minister and the member from Scarborough Centre on Bill 53, An Act to revise the City of Toronto Acts, 1997. I note that the member from Scarborough Centre very correctly pointed out the hard work being done by the

member from Oxford, who has probably put more committee time in than just about any other member of the PC Party. As the whip, I want to say that I absolutely appreciate all the hard work the member from Oxford has been putting in on many different committees. He has been doing an excellent job. So if they're not seeing him back in the riding—hopefully, they are seeing him. I'm sure he's fulfilling his riding duties as well as putting in all kinds of time on committee.

This bill is going to give the city of Toronto new taxation powers. In particular, there's one tax which I don't think the tourism industry is too happy about. That's the new booze tax. In total, the city is going to have about \$50 million in new taxation powers, but this is not going to solve the city of Toronto's financial problems. From what I understand, they have about a \$300-million gap in terms of their budget, but this will generate about \$50 million.

At a time when tourism is really being challenged, I think bringing in new taxes on booze is not the right strategy. We've seen the Canadian dollar appreciating at a very high rate, with more and more regulations coming forward affecting the tourism sector. We've seen a \$100-million cutback in the spending by the Ministry of Tourism in this year's budget. All these things affect tourism negatively, so this is not the time to add another tax.

I would also like to point out that there are many smaller municipalities that also need government spending, like the municipality of Burk's Falls, which desperately needs their COMRIF, the third round, approved for their new water system, and they need some support for things like their new arena roof, and a plant for the arena as well.

The Acting Speaker: Now we have the member for Timmins–James Bay.

Mr. Gilles Bisson (Timmins–James Bay): Mr. Speaker, I can count. I know when my spot would come up the second time.

I just want to say a couple of things. Obviously, there are a number of people in our caucus who support the general direction of this legislation, but I want to speak a little bit from the perspective of somebody who doesn't live in Toronto and what it means to us in a place like Timmins, Hearst, Moosonee or wherever it might be. Part of the problem I have—I understand that Toronto is important in the grand scheme of things and that we need to do something to respond to the city of Toronto. This is not meant to bash Toronto, because it is an important part of our makeup as a province and of Ontario's economy. This government tends to focus a lot of attention and energy towards trying to work with some of the issues of our larger urban centres, and rightfully so. The city of Toronto has a number of issues that they've got to deal with, and this bill is going to help them meet part of those problems they have.

However, communities like Moosonee, Hearst, Smooth Rock Falls or Timmins have a totally different set of realities. I say to the minister, for example, that the

town of Moosonee has one paved road in the whole community. The community is chock full of dust all summer long when we have hot weather. There are water lines that have to be rebuilt; some of that has been done. The local services board in Moose Factory, the Mocreebec people—their water line is in such a bad state of repair that they've got to shut the water system down after 2 o'clock in the morning until the next day to be able to recharge the system. What happens if you have a fire in the middle of the night and you can't find the water plant operator, or whatever? We're asking for trouble.

I'm just saying a little bit in follow-up to what Mr. Miller was saying, that we need to focus on smaller urban centres just as much and, I would argue, probably more, because the city of Toronto has the means to deal with many of its problems. But the local services board in a town like Moose Factory, Moosonee or Hearst or wherever it might be has a limited assessment base and needs the province to play a much larger role. That's the part of this that I think is really missing.

The Acting Speaker: That concludes the time for questions and comments. The Minister of Municipal Affairs and Housing has two minutes to reply.

Hon. Mr. Gerretsen: There's no question about it: The smaller municipalities need assistance and help as well. That's why we've always said to AMO, the Association of Municipalities of Ontario, that once we've dealt with the city of Toronto, we will take the same kind of approach to the Municipal Act. I would just ask the members to stay tuned, because we will be dealing with that in very short order as well.

For the member for Oxford to somehow suggest that empowering municipalities, or in this case the city of Toronto, for the first time in the 150 years that local councils have been elected on exactly the same basis that we're duly elected, will somehow abuse that power and just come up with all sorts of taxes for all sorts of things is absolute nonsense. Those individuals are responsible, and if they abuse that responsibility and do not do the right thing as far as their electorate is concerned by implementing various areas that they want to go into, then obviously they're going to be held accountable during an election as well.

What the Tories are really saying is that we like the traditional way the municipalities, the province and the city of Toronto have always related to one another. What we're saying on this side of the House is that particularly in the case of a city like Toronto, if we want it to be a world-class city, it has to have a certain autonomy, it has to have certain powers and, yes, a greater sense of accountability as well in order for it to accomplish the grandeur that is possible for a world-class city like Toronto. That's what we're about. Anything less than that, if we somehow think that councillors are going to abuse that privilege, means that they really do not have faith in the electoral system and that the same thing could be said for us as well.

The Acting Speaker: Further debate?

Mr. Hardeman: It's a privilege to be able to rise today and speak to Bill 53. I do want to, first of all, correct the minister. He inferred in his reply that I was saying certain things. What I read in my two-minute response to the presentation was an article directly out of the Toronto Sun by the local political reporter in the city of Toronto, who was suggesting that this bill was not going in the right direction. Far be it from me to suggest that the reporter who sits through the individual meetings and knows what's going on there does not know what she's talking about. But that's the minister's prerogative.

I just wanted to say that in dealing with this, I had real concerns about getting to third reading, having gone all the way through the process. In fact, their minds were made up, because of course this bill was created under the direction of the Premier of the province and the Minister of Municipal Affairs. Generally, in the past it's been noted that once it gets back for third reading, it will pass the way it's presented.

But with the events of yesterday, I realized that as long as the members of the government are not being watched individually, they don't necessarily agree with what the Premier is proposing to do. In fact, what they didn't vote negative on yesterday was quite derogatory to the Premier and how he's been handling the situation in Caledonia. I was hoping that if we could arrange the vote in the appropriate manner, Mr. Speaker, we could have third reading on Bill 53 in such a way that all members of the government side could ask the Premier and the minister to look at some of the areas in the bill that do not meet the needs of the city of Toronto, and maybe they could be changed before we get to final reading of the bill. We'll kind of leave that with the parliamentary assistant. Maybe he could arrange that for us.

The second thing I want to quickly remind everyone of is that we've heard a number of times that it is a precursor to the new Municipal Act, that all municipalities will eventually get a type of legislation in the new Municipal Act that is similar to what we presently have in the City of Toronto Act.

The question, of course, is that if we're going to have the same legislation for all municipalities, one has to ask why we're going through this process for one municipality and then copying that process for all the others, when we could have done all this and covered the whole gamut?

1650

The answer, of course, is that there must be some intention behind that. You can get it from the introduction of the bill. They say, "We think the city of Toronto is a mature and responsible level of government, so they need this type of legislation to allow them to do the things that are in the bill." I suppose I'm supposed to take it from that that the government believes all the others are not mature levels of government and can't be trusted with these challenges. They want to make sure we give it to what is, in their opinion, the mature level of government and let them try it for a while and see if they can be held accountable. If they can be held accountable, I'm

sure we can give it a try on the next size. Maybe the next bill will be for the next-size municipality. Of course, we all know that Toronto is the largest in Ontario. Hopefully, the next one will go down a rung. For the 426 municipalities presently in Ontario—I think that's the number; I stand to be corrected—I suppose we could have another 425 pieces of legislation to deal with each municipality.

It sounds maybe far-fetched, but one of the presenters at our committee said that in fact 82% of the City of Toronto Act is directly copied from the Municipal Act. We're only looking at 18% that we need to change for the individual municipality, so we could have one for each one and then go on from there. But I'm not suggesting we do that. I am suggesting we recognize the shortcomings in this bill and hopefully address those before it gets royal assent. We'll get to some parts of that and I want to spend a little time talking about what we, as the Conservative caucus, thought needed to be changed in the bill after the committee hearings. We'll go through some of those amendments. Of course, those amendments did not become part of the bill, so the problems will exist.

I also want to tell you, Mr. Speaker, that I propose to share my time with the member from Nepean—Carleton, who also spent a lot of time in committee to help us with this. Because of her knowledge, being from the great city of Ottawa, and having similar concerns there—that would be another area in the province that would not take kindly to the comment that only Toronto is a mature and accountable level of government.

With that, the other thing I want to quickly mention— we've heard it a number of times, as I said—was about this being the precursor to the Municipal Act. The Canadian Federation of Independent Business did a survey of the heads of council of the other municipalities, and 72% of them said they did not want the extra taxing powers in Bill 53 because they felt it was much more appropriate to have another look at the level of service provided and how it's provided. We've heard a lot of discussion about the realignment of services under the former government. I think it's fair to say that most municipalities believe we should revisit that to see whether the ambulance service should be 50-50 between the municipality and the provincial government or whether it should be all provincial government, as part of the health care system. It's a question worth posing and a lot of municipalities would come down on the side that it should be part of the health care system. If we realigned the services properly and looked at how all the services in the province are provided, it may very well be that municipalities do not need the extra taxing powers in Bill 53.

The people I talked to at home are all of the opinion that it's important to look to make sure that the services being provided by the property tax are also services supporting the property tax base. We need to look at things such as the social services envelope, which should maybe be looked at to better define what is a service to the property tax base and to the community, and what is a people service that should be on the income tax base or

the tax base the province has. If we looked at that, not only in the rest of the province but in the city of Toronto, we would also come to the conclusion that maybe this, as I read from the article in the Toronto Sun, isn't the answer to Toronto's problem, as mentioned by my colleague. Even by Liberal estimates, the taxing authority in this bill will raise somewhere in the neighbourhood of \$30 million to \$50 million a year when in fact their budget shortfall is \$300 million a year, so this isn't going to solve the problem. We have to do that other step as to who is delivering what services, and I believe that then we could also deal with the taxing authority.

I just want to quickly read a statement that was made by the Minister of Municipal Affairs at the introduction of second reading of the bill. "Let me start by saying what the goals of this act were supposed to be, according to the minister." Those are not his comments; those are mine. "They were to give the city broad permissive powers commensurate with its size, responsibility and significance to the province; second, to recognize that in order for the city to provide good government, the city must be appropriately empowered; and third was to foster a strong consultative relationship with the city that respects and advances the interests of both governments"—noble goals for sure.

But since the time this bill was introduced for second reading, when we did clause-by-clause, there were 125 amendments—I have them here somewhere. I find it hard to believe that after all the consultation we were told was taking place, they would still need more than 100 amendments—there's 125. I don't want to give the government credit for them all, because I think we did have six amendments, but over 100 amendments proposed by the government were needed to change the bill so it would work in the best interests of the city.

Again, if 72% of the rest of the province does not want those provisions and we are basing our thoughts on extending this—having an act for the city of Toronto that will be copied in the rest of the province—then I think we really need to look at whether we should or shouldn't put it into the city of Toronto.

Again, I want to emphasize that the Conservative Party and John Tory are not opposed to an act for the city of Toronto. We believe there is a need for governing and changing the way the city of Toronto presently operates. We are not sure that an independent act is the right way. It may have been to change the Municipal Act. Having said that, we're not opposed to the act; we just think there are certain parts of this act that are going to cause problems and make it very difficult.

If I could, in the time I have, I'd just like to go through some of the amendments we wanted to put in the bill to make it work better.

Subsection (3.1):

"Public hearings re taxes, fees and charges

"(3.1) The city shall not pass a bylaw to establish or increase a tax, fee or charge under this or any other act unless the city gives notice to the public of the proposed bylaw and holds public hearings in respect of it."

Again, I think it's so important, when we have taxing authority, that we also make sure the public is protected. As I said earlier in my comments, it's quite evident from this act that we've had a lot of discussions with the policy-makers of the city, but we haven't had much discussion with the public in the city or the other stakeholders. When we had the public hearings, it was very evident that all the stakeholders that were coming in—when you talk about new fees and taxes, they want the criteria that are presently in the Municipal Act to also apply to the city of Toronto, and that's a very simple thing: They must hold public hearings before they set new levies and fees. I think that's not an unreasonable request to include in the act to protect the people from waking up one morning and all of a sudden finding a fee that wasn't there yesterday and they had no idea it was coming, they had no opportunity to speak to it, they had no opportunity to even adjust their budget to accommodate it. But as I said—and I think this is the other theme in the act that is a bit of a challenge—the government has, in almost every case, included the section where the minister can, by regulation, override the city's decision if the minister does not agree with it. Again, the answer to this: "We don't need to hold public meetings." Because if they put these fees in place and all of a sudden city of Toronto residents get really concerned and they write the minister, the minister can then, by regulation, say, "No, that's one I don't think the city should be able to do," and they could then reverse that decision. That's not exactly the approach you would take with an equal partner or a consultative process, which we all thought—or at least we were told—this bill was going to provide. So I thought that amendment would serve the city of Toronto well, both the administration and the people, to notify people when these things were going to take place.

1700

Now, if you look at the present Municipal Act, it's possible to do that with the budget process. They can decide at budget time they know where they're going to need money and how much they're going to need, and if they're going to add a new fee, they can put that in the budget process, so that when they hold a public meeting on the budget, they've also held a public meeting on that new fee. It wasn't necessarily an added burden, but it was just a protection for the public to make sure that they would know when this was going to happen. But as I said, that was not to be. The committee voted that down.

The second amendment we put forward was restriction on licensing power. We heard from a lot of presenters at the committee that there was an overlap and a duplication in a lot of areas where the province already licensed certain activities and there was nothing to prohibit the city from licensing over top of the present licensing regime, such as the homebuilders. Could the city wake up tomorrow morning and put a licensing fee on everyone who wants to build homes in the city of Toronto, different from being licensed anywhere else?

A number of other ones: The real estate people were very concerned about their self-regulating organization.

They license themselves and they all pay fees into their organization. Could the city wake up and have a licence for those? They thought that was a great concern. We were suggesting, "Despite any other provision of this act, the city is not authorized to provide for a system of licences with respect to a business or activity if a licence is required under another act to engage in this business or activity." Just very clearly, there's no double-dipping, there's no double licensing for existing businesses. I think that's a reasonable approach to it, not to pick on individuals but to say we shouldn't have two different governments licensing the same activity in the same municipality. If the province deems it appropriate to give the city that power to license that business, then the province should get out of licensing that same business. I think that was quite a reasonable amendment, but it was not to be.

Now, the presenters were quite interesting on that licensing. I just have a couple here I wanted to refer to. The Canadian Federation of Independent Business comments: "We think this is bad legislation. We don't think it will do any of the things it was promised to do. All the mentions of autonomy and accountability won't be served. If the powers are used to tax, regulate, fee charge, levy and license businesses, it will worsen an already difficult situation with the property tax load as it is. It would be a dreadful example for any other municipality to copy." Again, this was this overtaxation, this was this ability to license and to charge fees in the areas that were already being charged. They were very concerned.

The Toronto Cab Association—I guess we're going across the board and all the different people who have concerns with the bill. As I said, these weren't the people that the government talked to. They talked to city council. The committee hearings heard from a cross-section of the population. This is from the Toronto Taxicab Brokerage Association: "Our primary concern, and the reason we are here today, is that Bill 53 has omitted those requirements for the city of Toronto. Our understanding of the bill, if it is passed as written, is that the city of Toronto council will have no restrictions on it as it considers and passes licensing bylaws. As we understand it, other Ontario municipalities will still have to meet those thresholds.

"We wish to emphasize that our concern stems from the lack of restrictions on licensing bylaws only, not on all bylaws. We understand that the intent of the bill is to empower the city of Toronto in a number of areas. We do not take issue with the general intent of the bill. We are here as an industry organization that relies on municipal licensing in order to stay in business. Our fear—and I use that word intentionally—is that the city may take this new licensing authority and use it improperly."

When you read the rest of their presentation—I know that one doesn't sound very explanatory and say why that was a concern to them. It doesn't really mention their concern, except the licensing power. The reason they mention that is that in the present Municipal Act, the right to license taxis has a connection to the amount of

money raised by those licensing fees. The new City of Toronto Act has no such stipulation. The taxicab organization realized that without some kind of protection in there, the city could decide to fund other services through extra licensing of taxicabs. They think that's a great concern; it would be very negative to their industry. I agree with them.

The next part is not to do with taxation; it has to do with the city powers to restructure local government. We've heard a lot over the last number of years about restructuring local government. The minister mentioned today in his remarks that the city doesn't have the power presently in the City of Toronto Act to restructure their ward boundaries or restructure their council composition. It has to be done through the legislative process. This act will change that.

But this act does more than that. It deals not so much with that they have the power—it gives them the same power as the other municipalities have in the present Municipal Act—but this one, in section 151(1) says, "The Lieutenant Governor in Council may make regulations," and the regulations they may make in this section go from (a) to (j). One would say, "Why would you need so many regulations? If there's a problem with city council having a structuring problem, why do we need to have that many regulatory powers to deal with the makeup of city council?" I know that at committee I brought the issue up: Why does it not just say that the city can be overridden in all their decisions as it relates to local governance by regulation, by the Lieutenant Governor in council? Of course that's the minister, through cabinet, making the regulation. I didn't get an answer to it.

When you read through it, it's somewhat amazing if you take that back to the purpose of this, which is to give autonomy to the city of Toronto to be able to make their decisions in the best interests of their citizens and to be totally accountable to their citizens at the polls—every four years now; we found that in the back of one of the bills the government passed recently.

I want to go through quickly in the little time I have. Incidentally, I want to say that a lot of people who presented wanted the reorganization of city council to be done prior to the implementation of this act because they said this act will not work properly under the present structure. Be that as it may, the government did not agree to do that.

When you look here, if the government doesn't agree with how city council is doing it, they can do these things by regulation over and above any decision the city has made:

"(a) requiring the City to establish an executive committee from among the members of council and prescribing the composition, powers and duties of the committee including, for example, requiring the committee to provide strategic directions for the city."

Not only can it appoint certain members of council to an executive committee and then tell them what it is they have to prepare for the city—this is not a decision the

city is making; this is a decision that, by regulation, the minister can make.

1710

“(b) requiring the head of council to appoint the chairs and vice-chairs of specified committees of council and specified local boards.”

Now the minister can have the mayor appoint certain people to head certain committees. Incidentally, under the present Municipal Act or under the City of Toronto Act, there is nothing that even says the city must appoint committees, but we have the power of the minister to appoint the city council committees.

“(c) requiring the head of council to appoint one or more deputy heads of council from among the members of council and prescribing the duties of the persons appointed.”

It's no longer the mayor's or council's total jurisdiction to appoint deputy mayors, or even the people's to vote for deputy mayors. It's the minister who can, by regulation, appoint not only one, but two or three, and then decide what each one of them is going to be responsible for.

Going on, and there's quite a group of them, I think (e) is a very interesting one: “establishing procedures for the appointment of persons who are nominated under clause (d) by the head of council.”

So even if the mayor appoints the people and the minister agrees with them, so he doesn't by regulation have them appoint someone else, he can then sit down and prescribe what he wants that individual to do.

Actually, (g) is an interesting one. It's “prescribing transitional matters relating to the exercise of powers and performance of duties under clauses (d) and (e).”

Again, after he has appointed the committees, he can actually set the agenda for each committee.

At this point, in going through this part of the act, I don't think very many municipalities in Ontario want this section in the Municipal Act. I don't think that any municipality in the province wants to give the type of authority to the Minister of Municipal Affairs that it presently has in the Municipal Act. The minister doesn't have the power to do all this under the present Municipal Act. In fact, the council gets to decide how it's going to structure committees or whether it's going to have any committees at all. Since the last restructuring in my home county of Oxford, they don't have any committees now. Council does all the committee work as a whole. That's their choice. Under this, if this were in the Municipal Act, the minister could say, “I don't like that. I want you to appoint committees because I have this vision of how government is supposed to work and yours doesn't work that way.”

There are more, and they all relate to very small issues, but the last one is (j): “specifying the duties of the head of council in respect of the adoption or readoption of such a budget by the city.”

So now we can actually have a regulation that tells the mayor how he must proceed with getting the budget passed at city council. I just don't know how we get that back to autonomy and accountability to city council. In

fact, when I brought that up—there were no amendments. We did not make an amendment to that section, nor did anyone else from the government or from the third party. The reason for that was, I believe, that no one gave it any thought that we would pass that section. It just doesn't make any sense, because it is totally at the opposite end of the spectrum of what needs to be done.

The next one is just to remove a section, and I think it was mentioned in one of the items. It is the ability to tax. If we go to section 262 of the bill, it's the area where it gives the taxing authority to the city. It's called, “Power to impose taxes.” If you read the whole section, it's all about exclusion, what they cannot charge taxes on. We find out right at the end of the committee work that in fact there's a section where they can levy costs across the city for future costs that they may spend for the benefit of the city. So I'm not sure that any of these tax exemptions mean anything. It's just in the wording. But they have a whole list here of taxes that are excluded, from one to 13. But in number 5, there are four subparagraphs, i to iv, and they allow the tax to be put on amusements and the purchase of liquor, the production of beer and wine by a person—so that's in the home-brew industry; they can charge tax on that—and for the purchase of tobacco.

We put forward an amendment to have subparagraph ii, “for the purchase of liquor as defined in section 1 of the Liquor Licence Act for use or consumption,” and subparagraph iii, “for the production by the person of beer or wine, as defined in section 1 of the Liquor Licence Act, at a brew on premise facility, as defined in section 1 of that act, for use or consumption,” removed. The reason for that was not so much that we oppose those being taxed; we just do not see the ability to administer an extra sales tax on that.

The industry tells us that it would be devastating to have the price of these entities—liquor and beer—higher in Toronto than elsewhere. It would be devastating to the tourist industry. Just imagine: You can go on one side of Steeles Avenue and pay less than on the other side because of an extra tax line on the bill.

Even if it was possible to do that, it's very important to recognize that the city doesn't have the ability to tax or to have a tax collection system for that structure, so the act allows for the city to ask the province to collect it. Our position would be that if you're going to do that—and I don't believe the way to solve the city's problems is with more taxation—why would you not just raise the provincial tax and revert some of that tax to the city, rather than say, “We have another line on the bill. When you go to an establishment, there's another tax line for city taxes”? We believe it would be almost impossible to administer, and that's why we put that amendment in there, to have those taken out.

The Ontario Restaurant, Hotel and Motel Association made a presentation. As I mentioned earlier, they said it would be devastating to them because so many of their small people are working below a 10% margin already. If they have to compete with people who can sell at the lower tax rate across the border, it would put a lot of them out of business and it would be very devastating.

At that point in the committee hearings, the government said, "Don't worry. The mayor has said he would not do anything that would be detrimental to business and to his community." The question then has to be, why put it in if they're not going to use it?

Last, and very quickly—my time has expired—I do want to say that there was one other issue that had to do with the ability to charge land transfer tax. The act does not include that specifically, but as I mentioned earlier in that list of all the things that were excluded, it does not exclude land transfer tax. If we don't exclude land transfer tax, that would mean the city would have the ability—and incidentally, that's likely one of the few places where they could raise the type of money they say they need to balance the budget. But if they put land transfer tax on, that would be devastating to the building industry, because, again, the land transfer tax is already there provincially. There is no municipal function within the function of transferring the land, yet in their licensing fee, there is nothing that says they can't charge that. So we have great concern. We put forward an amendment to eliminate that, and that amendment was voted down too.

With that, you can see that though we support a City of Toronto Act and we support a lot of things in Bill 53, we do not support the taxing authority, because we do not believe it will accomplish anything. In fact, it will be detrimental to the city of Toronto.

With that, I'll turn it over to my colleague, who has a few other points she'd like to raise.

1720

Ms. Lisa MacLeod (Nepean–Carleton): I'd just like to applaud my colleague from Oxford, Ernie Hardeman, for his very thoughtful presentation here today. I've been fortunate, since being elected, to be his apprentice in the municipal affairs critic portfolio. I really appreciate all of the time and effort he's put into getting me up to speed, and teaching me a thing or two about the Municipal Act and Bill 53.

As you know, I spent quite a deal of time with the new city of Ottawa as a policy adviser to a few of the city councillors there. In particular I looked at this piece of legislation as I would as a staff member at the city of Ottawa, as well as a legislator here today.

I'm pleased to add my voice to this debate on Bill 53. It's a very important piece of legislation, as my colleague has mentioned, for Ontario's—in fact, Canada's—largest city.

Having said that, my concern is that this legislation can be described as a piece of precedent-setting legislation that can have impacts on municipalities throughout Ontario other than Toronto in the longer term. It has been described by my friend Gail Logan, who is the president of the Ottawa Chamber of Commerce, as the "template for the revised Municipal Act." When I think about that, I think about some of the changes to this bill that should have occurred during committee.

Gail adds that there is a major danger in this legislation. She says that "municipal governments in Ontario will likely acquire the power to get through the back door what they couldn't get through the front door," and she

says that's "more taxes." That's what I'm going to spend the bulk of my presentation on here today.

Judith Andrews of the Canadian Federation of Independent Business concurs with Gail Logan. She adds her voice to this and tells us, "Once Toronto receives new permissive powers, it won't be long before at least some other municipalities seek the powers to follow suit. This would result in a patchwork quilt of differing local regulations, taxes, charges and uneven levels of service across the province."

During committee and certainly in our offices we received a lot of e-mails, faxes and general correspondence, and we've heard some examples of dangers in precedent setting. In my community, the city of Ottawa, restaurant owners were alarmed with section 262 of the bill, which allows a sales tax to be imposed on customers who purchase liquor at a restaurant. I know that I'm not the only one who received this type of correspondence from their communities. Business owners in my community of Nepean–Carleton—in fact, the entire city of Ottawa—are very concerned with this.

One establishment owner wrote to me, "I'm writing to you today to raise my strong opposition to the proposed authority for the city of Toronto to levy a direct retail sales tax on the purchase of liquor. I am requesting that this provision be revoked from Bill 53, Stronger City of Toronto for a Stronger Ontario Act, and that a similar provision not be contained in a new Municipal Act." There you go. They're concerned right now that there has been a precedent set because section 262 has been included in the act. My constituent continues:

"As a worker in a food service establishment licensed to sell and serve liquor I am opposed to any additional taxes on liquor. Any new tax on liquor will result in a decrease in liquor sales, which will impact the number of shifts available and lower my earnings, both wages and gratuities."

So now we're being told by the business community that this piece of legislation—in particular, section 262—could have an impact on our economy. My constituent continues:

"Toronto's private sector businesses and their employees cannot afford, nor should they be expected, to shoulder the cost of remedying the city's economic woes.

"As Bill 53 is currently under consideration by the Legislature, you have the opportunity and the authority to stand up in support of the hospitality industry and small business and make a legislative amendment now." I'm proud to say, I did make an amendment at committee, although it failed. "The hospitality industry calls on you to ensure that the proposal to give the city of Toronto direct taxation power on the purchase of liquor is removed from Bill 53 and is not included in the Municipal Act." There is still time to make sure that section 262 is not included in the new Municipal Act. My constituent continues, "The sustainability and viability of Ontario's hospitality industry depends on it."

My leader has stood in this Legislature as well, speaking about this tax. Mr. Tory has spoken out against this ill-conceived power to impose new taxes. In this

chamber, Mr. Tory questioned the Premier on this new tax on May 2, and I'd like to highlight some of his remarks on this section, the bar tax section of the legislation. I quote Mr. Tory:

"People who go to a bar to buy a drink presently pay the 7% GST, probably soon to be lowered"—and I'd like to bring this House up to speed; thankfully, my seatmate's husband was able to give us a GST reduction in the recent federal budget, so kudos there—"and a 10% provincial beverage tax. So the day after people sent you, with their income tax returns, hundreds of dollars in the McGuinty health tax that you said you would never bring in, if they wanted to go and have a drink to revive themselves from tax fatigue, you are now proposing in your legislation to add one more tax." So we went from "No new taxes" to "Let's find new ways to create taxes."

Mr. Tory goes on to ask the Premier, "Can you confirm that the City of Toronto Act enables the city to bring in yet another tax on drinks, that in addition to the GST, in addition to the 10% provincial beverage tax, you're going to allow another tax to be brought in by another level of government to tax a drink that a person might want to go and have?"

Of course, this being question period, it means it's not an answer period, so Mr. Tory got no response. But he continues—I have to say that one thing I love about my leader, and there are many things, but the one thing I love about him the most is that he's persistent. He says, "What the Leader of the Opposition is actually saying, I say to the Premier, is that people are paying enough tax, including on a drink. When they go to try and have a drink, or when tourists try to come and patronize our tourist and beverage establishments in Ontario, they are paying enough tax." I couldn't agree with him more. The people of Ontario are paying enough tax since this government took office. In fact, they've found new and creative ways to tax people. I'm sure they're on the other side right now, dreaming up new and innovative ways to tax me tomorrow. I could actually provide them with a taxation innovation award, because they've created and they've approached and they've employed many new tax-invoking measures since 2003.

But back to the bill. I have to ask, what of the negative impacts on small neighbourhood establishments? At committee, members of this Legislature heard from Steve Mastoras, a former Toronto city councillor and owner of Whistler's Grille. Mr. Mastoras warned us of the negative impacts a new liquor tax would have on his industry. He tells the committee: "It is important to remember that there are over 4,000 licensed establishments in the city of Toronto. So when we talk about the city's hospitality industry, it's crucial that we talk about the independent restaurants throughout the whole city, not just downtown, not just the entertainment district and certainly not hotels—4,000 small businesses and a correspondingly substantial number of employees."

There you have it. I've read into the record correspondence from my community in Ottawa concerned that this could be precedent-setting legislation and about what it will do to the city of Ottawa. Now we're hearing from

a former city of Toronto councillor, who also owns a bar, telling us this is going to impact the economy. He adds later in his deputation:

"It is a daily challenge to continue to keep our customers happy, meet the payroll and satisfy employee expectations, all the while facing increasing operating costs and incredible pressure on already slim margins.

"We have struggled in our industry and as small businesses, with consecutive annual increases to minimum wage, dramatic increases to utility costs, higher property taxes, higher rent, increasing WSIB costs, increasing benefit costs and higher and more user fees. There really is no room for an increase in our selling prices."

I don't think it could be much more clear that small, independent restaurants are going to suffer. So there we have it. Not only has a section of Bill 53 been introduced that small business owners across Ontario oppose because of the potential for a dangerous precedent-setting clause in the Municipal Act that they fear could later impact them; this section 262 is also another creative tax against hard-working middle-class Ontarians who have been stung time and time again by this Liberal government—a government, let's not forget, that promised in 2003 not to raise our taxes but by 2006 has created a new tax-increasing power for another level of government. Couple this with the fact that small, independent establishments, the neighbourhood bar that we pass on our way home from work every day, are in danger of disastrous effects to their businesses. I find it hard to believe that when I moved a motion, as I stated earlier, to remove this tax-increasing capability from Bill 53, the government would still use its majority to defeat the motion.

1730

Of course, all this is going on in the context of Mayor Miller himself saying that he wouldn't use such a taxing measure. But the danger is not what he says today; the danger is that future councils could still impose this tax.

Before I move on to another part of the bill, I'd like to include a final note of caution on section 262 of the bill from Steve Mastoras, who I thought delivered a great presentation, having read his deputation: "We need you to do the right thing here. We have been reeling from the effects of a series of unavoidable external events and can't take another body blow. We need you to remove the proposed power of the city to impose a new liquor tax." Again, a business owner, a former city councillor. This man knows his stuff, and I think we should have listened to him at the time.

Another PC motion in committee failed, one that I think with its absence creates another distressing scenario where there will be a precedent-setting tax hike across Ontario. My colleague the member from Oxford, who is also our municipal affairs critic, moved that under section 263 of the Municipal Act, the government clarify its position on land transfer taxes by including within the bill an express statement that the city of Toronto is not authorized to impose taxes "on a person in respect of the registration of a conveyance of land as described in subsection 2(1) of the Land Transfer Tax Act."

I believe that without an express statement opposing a land transfer tax, we are skating on thin ice. Take, for example, what the Toronto Real Estate Board has said: "Under Bill 53, Stronger City of Toronto for a Stronger Ontario Act, the city of Toronto would be given general authority to levy taxes with certain limitations. Land transfer tax is not included as one of those limitations, meaning that this option would be open to Toronto city council if the legislation is passed." It almost sounds like a done deal, and as I said, precedent-setting. As somebody who lives in the city of Ottawa, I'm concerned that it might end up in the Municipal Act.

John Meehan, the president of the Toronto Real Estate Board, adds, "Most people agree that property taxes can't sustain the level of investment needed for things like transit and infrastructure. But"—and there is a "but"—"the answer is not a municipal land transfer tax. That's just another tax on property." Might I add personally, it's another tax on the individual.

He continues, "It's not clear what, if any, costs related to property transactions that a Toronto land transfer tax would be funding. Notwithstanding issues of fairness, a Toronto land transfer tax would be counterproductive. Many people are already choosing to live outside of the city because they simply cannot afford to live here. A Toronto land transfer tax would make this situation even worse, which in turn would mean less growth in Toronto's taxable assessment base and more urban sprawl resulting in"—guess what?—"increased commuter gridlock, pollution and frustration levels."

I don't have to tell anybody who's ever tried to drive through the city, as I've been doing for the last two months, the frustration people have with gridlock.

Again, in Ottawa, the fear that without an express statement that the land transfer tax is not included in the limitations for taxing authority for the city of Toronto, the Joint Ontario Business Sector Coalition, or the JOBS Coalition, as they are known, recommended against a land transfer tax. This coalition comprised some of the leading fiscal voices in the country: John Dickie of BOMA Ottawa; Judith Andrew of the Canadian Federation of Independent Business; Tasha Kheiriddin of the Canadian Taxpayers Federation; David Lyman, Eastern Ontario Landlord Organization; John Hebert, Ottawa Carleton Home Builders Association; Dick Brown, Ottawa Gatineau Hotel Association. I'm very proud that one of my staff members, Katherine Hollinsworth, formerly of the Ottawa Chamber of Commerce, also sat on this committee.

I've worked with many of these people in the past at Ottawa city hall on city budget related issues, and I also worked with many of them when I was a federal Conservative aide on Parliament Hill with the Progressive Conservative Party of Ontario and then the Conservative Party of Canada. It would only make sense that their expertise in the financial sector and the other two levels of government would spill over into our jurisdiction.

I respect the views of those on JOBS, and they are warning that any ability to levy a municipal land transfer tax should be rejected because the province already

levies a land transfer tax, and they're not alone. While offering their deputation at committee, the Canadian Institute of Mortgage Brokers and Lenders adds their voice.

They express serious concern about the possible introduction by the city of Toronto of a new property-based land transfer tax. They say, "Today in Ontario the provincial government generates nearly \$1 billion from the provincial land transfer tax, or LTT. This tax has been a growing component of provincial revenues. Bill 53, while prohibiting other forms of taxation, including personal and business taxation, does not explicitly prohibit the city of Toronto from introducing a municipal land transfer tax."

I'm going to continue to read this, but I just want to add that there seems to be enough confusion among stakeholders in Ontario, and specifically in Toronto, that an express opinion by the government to not include this taxing authority as prohibited is going to wreak havoc.

They continue: "According to the Toronto Real Estate Board, which has already spoken before the committee, the average land transfer tax currently paid by Toronto homeowners is in excess of \$3,000, and I think they estimate close to \$4,000 for every real estate transaction. The legislation before you today would allow the city to increase this total. The Canadian Institute for Mortgage Brokers and Lenders opposes such a new tax for the following reasons."

They go on to state: "The city and province have stated that they want to move away from property-based taxes as a sole revenue source, yet one of the new taxes seemingly offered the city is for a new property-based tax in the form of"—guess what?—"a municipal land transfer tax."

"An additional land transfer tax would make owning a home expensive in the city relative to other parts of the greater Toronto area and Ontario, whose municipalities will not have the same powers, thereby acting as a serious disincentive to the provincially mandated plan of intensification and promoting growth within the city of Toronto.

"A municipal land transfer tax would also impact affordability directly by increasing the cost of all housing, particularly for first-time buyers." I'm a first-time home buyer and I know how difficult it was for me and my husband and our new family to start our first home. Now we're going to be making it more difficult. "Finally, it is worth noting that both Alberta and Saskatchewan do not even have a land transfer tax"—get this, Mr. Speaker—"yet residents in Toronto may be impacted by two separate ones."

It means we could have a land transfer tax and we could have a bar tax. We're a little bit there; we're not already there. The mayor has said, "Okay, we may not implement the bar tax." Because there's no expressed opposition to this land transfer tax being imposed on people, we could be taxed there too. So now we've got two new taxing authorities within the City of Toronto Act that we didn't have. That has taxpayers in Toronto and, by extension of the precedent setting, the rest of On-

tario—we've got lots of taxpayers scratching their heads and hoping for the best. Thank goodness for Stephen Harper, because he's reducing our taxes when this government is raising them. As much as the McGuinty government would like to find creative new—

Interjections.

Ms. MacLeod: I can't ever make a statement in this chamber without them heckling me. I can't tell if they're trying to compliment me or trying to hurt my feelings. Thank goodness I've got Rosario Marchese. I know I've got him.

As much as the McGuinty Liberals would like to find creative new taxing powers and muddle the line between who is taking the tax dollars, the city or the province, there's one fundamental and undeniable truth: There is only one taxpayer. You know, I find it funny that they don't believe there's only one taxpayer. They're going to tax drinks, they're going to tax land, but they're going to tax everyone. It is we who are paying the taxes. It's the middle class. I'm not sure what members opposite have against the working middle class, but it's getting tougher to raise a family. It's over \$2,000 more per year that they're taking out of my pocket since they've come to office.

1740

I'm sorry, Mr. Speaker. I got a little off track there. But we have to ensure that there's accountability. Since there are now new taxing powers in the city of Toronto and possibly throughout the rest of Ontario—which, knowing these guys, they'd like to find new and inventive ways to create new taxing powers for everyone else and themselves—

Mr. Hardeman: If it moves, tax it.

Ms. MacLeod: Yes, exactly. If the issues I highlighted earlier are not fixed within the new Municipal Act, I fear that the residents of Ottawa will be paying more taxes.

The Real Property Association of Canada is so concerned with Bill 53 that it has posted on its website the following: "Any new taxes could seriously harm the competitiveness of the city and undo the benefits from reducing the commercial to residential tax ratio. This would ultimately result in a less competitive city, driving existing businesses further out of the core and prevent new businesses from coming to Toronto." I have to apologize to the Real Property Association of Canada because apparently their concerns weren't listened to. It's unbelievable.

In closing, I would like to conclude with what the Urban Development Institute of Ontario's Neil Rodgers stated at committee: "Through Bill 53, the province intends to modernize the existing legislation to 'recognize that Toronto is a mature government, capable of exercising its powers in a responsible and accountable fashion.'

"During a comprehensive legal review of the bill, we have noted and are concerned that the bill lacks measures to ensure accountability and transparency respecting new and increased taxes, fees and charges. Specifically, the industry is troubled that the bill is void of any appeal

mechanisms, particularly with respect to those matters whereby city council, a committee of council or its local board can pass bylaws that have a financial impact on the public and stakeholders. Nowhere in various sections of the bill, as noted in the brief, do we see any requirements for council or a committee of council to inform the public of a proposed or increased tax, fee or charge, or how the public might appeal a decision of council. Section 261 does permit the minister to make regulations; however, at this time, we have not seen such regulations, and so there are a number of questions regarding the proposed regulations. Will the regulations stipulate public notification requirements for a proposed tax fee or charge? Will the regulations stipulate public notification of a council, committee or local board decision with respect to a proposed tax, fee or charge? And in the absence of the Ontario Municipal Board being permitted to hear disputes, will the legislation stipulate which body will hear the appeal, presuming the province and the city believe that Toronto residents, landowners and business owners are entitled to a fair and just process?"

I reiterate some concerns highlighted earlier by my colleague from Oxford, who is concerned that the other side has not listened to other stakeholders and landowners, or even Toronto residents and taxpayers. In fact, they just listened to their own friends, who told them what they wanted to hear. I'm going to tell you something. They only listened basically to people who wanted more tax-increasing powers. They're not talking to the taxpayer, because the taxpayer is going to tell them, "We can't afford it any more. When we're not convinced that they're going to give us value for money, we have to ask questions."

Interjection.

Ms. MacLeod: There is a series of questions here from various stakeholders that weren't answered. There is a series of questions from people across Ontario, including in my city of Ottawa, who are concerned that this piece of legislation is going to actually impact them through the new Municipal Act. I'd like to know from the parliamentary secretary—who has spent a good deal of his time, or my time, heckling me—if he's going to stand up and assure me that a land transfer tax will not appear in the Municipal Act and if he will assure me that a bar tax will not appear in the Municipal Act, so the residents of Nepean–Carleton and the residents of the city of Ottawa will not be taxed further than they already are. They sent me here on March 30 because they oppose being taxed. They are tired of the new user fees. The people of Nepean–Carleton expect value for their dollar, and this piece of legislation, if it's sent down to the city of Ottawa through the new Municipal Act, is not at all going to impress upon them the value of their dollar. It's not going to impress upon them the fact that they want to be paying more taxes.

Interjections.

Ms. MacLeod: Again, I must get under their skin since I've been here, because—

The Acting Speaker: I'm sitting very close to the member for Nepean–Carleton and I'm having trouble

hearing her. I would ask the government members to refrain from heckling. Member for Nepean–Carleton.

Ms. MacLeod: Now they're trying to say I speak too loud. You know what, Mr. Speaker? Here's the biggest thing I had to learn when I came here: The Liberals try to drown you out when you say something they don't want to hear. So I've learned to speak extra loud since I've been here so that they can hear me on the other side, because—

Interjections.

Ms. MacLeod: Listen, here we go again. They're doing the same thing. They don't want to hear that people in Ontario oppose their new creative ways to invent new taxes. The people in Ontario are tired. The song, "Hand in my Pocket" on the commercial is written about these guys. They're taking my money all the time. They're taking from other young families. I've got the highest-growth area in all of the city of Ottawa and I don't know how, if some of these taxing measures are introduced in the city of Ottawa—

Interjections.

Ms. MacLeod: There we go again. If these new taxes are introduced in the city of Ottawa—

Interjection.

The Acting Speaker: I would ask the member for Peterborough to come to order; I return to the member for Nepean–Carleton.

Ms. MacLeod: Mr. Speaker, this is the most activity we've had today, because I think the Liberals were a little upset yesterday over that massive defeat they suffered at the hands of the Conservatives last night, when we won on a motion to put an inquiry forward at Caledonia.

We're very happy, on this side, to be speaking for the people of Ontario, standing up for the people of Ontario. Today, I did that, the member from Oxford did that and the member from Parry Sound–Muskoka did that when we spoke to this legislation, Bill 53. In principle, we support a City of Toronto Act, but they should have made firm stands on taxation, and they did not.

Thank you very much for this opportunity to speak to this bill today. I want to again thank the member from Oxford for being such a great mentor to me, and to all of the people who spoke to this bill in committee.

The Acting Speaker: Questions and comments?

Mr. Rosario Marchese (Trinity–Spadina): I just want to congratulate the member from Nepean–Carleton for her vigorous speech and, I think, a very good speech attacking the Liberal government on what they are doing.

Now, remember, member from Nepean–Carleton, we're not likely to agree on this, right? In fact, there are different reasons for which some of us speak strongly against what is contained in the bill or not contained in the bill. One of the things that is contained in this bill that we agree with, for different reasons, is that this government is going to allow the city of Toronto to tax a levy on alcohol, tobacco and entertainment. Out of that, they estimate they might be able to raise 50 million bucks. They don't think it's a bad idea. I tell you that I think it's a bad idea for the following reasons.

Interjection.

Mr. Marchese: What the member from Scarborough Centre labels as historic is that the city of Toronto is going to have the power to tax and they think down-loading that responsibility is a great thing. Imagine the mayor of Toronto going to the city of Toronto taxpayers and saying, "We're going to levy a tax on alcohol, tobacco and entertainment, and you're going to like it." Imagine the city of Toronto having to take responsibility for that tax. The province doesn't give it the \$50 million out of provincial revenues that come out of income tax or sales tax. Oh, no, they're giving them the power to levy a tax on alcohol, tobacco and entertainment, and they expect the city to say thank you.

I'm telling you, this is not something I would enjoy, as a city politician. I would rather have you give me the \$50 million than to take responsibility for imposing a tax that nobody's going to like except the member from Scarborough Centre, who labels this as an historic document. God bless you, member from Scarborough Centre.

1750

Mr. Bas Balkissoon (Scarborough–Rouge River): I'm happy to add a few comments to Bill 53, Stronger City of Toronto for a Stronger Ontario Act. I see this as a landmark piece of legislation that is absolutely needed. It's just showing respect to the city of Toronto. To be honest with you, given the size of the city of Toronto, you need that council to be creative and run a better city if you want to have a world-class city.

The speaker from the opposition party said that we're not consulting. Let me tell you that as a former member of the city of Toronto council, I know the city staff worked with the provincial staff, and they had consultations across the city. I attended it in Scarborough, along with my colleague Mr. Brad Duguid.

Let me just draw a reference. When they amalgamated the city of Toronto, I can tell you the Conservative Party under Mike Harris never consulted. To tell you the truth, they appointed my former mayor, Mayor Joyce Trimmer, to head a task force into amalgamation. She made a very good recommendation. In fact, many of us supported it. But the Mike Harris government totally ignored what Mayor Trimmer recommended to them, and they amalgamated the city of Toronto against her wishes. They did their own consultation and they ignored it. At least we went to the public in the city of Toronto, and the public responded well.

I can tell you that I also attended the press conference with the Premier and Mayor David Miller. Mayor David Miller supports this legislation wholeheartedly. In fact, he makes public comments about this legislation continuously because he's trying to build a better and stronger city. I would say to you that this is respect for politicians at the city level.

Mr. Miller: It's my pleasure to add some comments to the speech from the member from Oxford and the apprentice to the member from Oxford, the member from Nepean–Carleton, who made an excellent speech and is going to be here for many years, I can tell you that.

The member from Nepean–Carleton read some letters from concerned constituents in the Ottawa area, people

working in the entertainment business concerned about some of the new taxing powers that this bill would bring—a booze tax, a liquor tax, an entertainment tax—and the negative effects that might have on the tourism sector. I say the tourism sector is struggling. If we look at the numbers from 1998 through to 2004, we've seen a 40% decline in the number of American visitors to the province of Ontario in that time. We've had the Canadian dollar increasing dramatically recently and increased regulations. We don't need any more negatives in terms of the tourism sector here in Ontario.

I would like to also talk about smaller municipalities and the challenges they face. I met this past Friday with councillor Bruce Campbell from the village of Burk's Falls, and Doug Jeffers, the head of the arena fundraising committee for the Armour, Ryerson and Burk's Falls Arena. They pointed out two very important projects in the village of Burk's Falls that they're struggling to try to figure how to fund. One is the water system. The drinking water system in Burk's Falls doesn't have enough pressure to supply water for an emergency nor enough water pressure for the necessary expansion that's going to come through as the four-laning goes by Burk's Falls.

The other is, the key arena and the municipal civic centre that's part of the arena needs a new roof, and they also need a new ice plant. It's going to cost over \$1 million for that vital municipal facility.

The point I'm making is that small municipalities have some real challenges and they need funding such as that recommended by the member from Renfrew–Nipissing–Pembroke: a share of the gas tax fairly split up amongst all small municipalities.

Mr. Bisson: I've got to say that, like my good friend Rosario Marchese, the member from Trinity–Spadina, I really enjoyed the dissertation on the part of Ms. MacLeod. I don't agree with everything she said, but I thought it was put forward in a very clear and concise way. She was very witty, she was confident, and for that I give her full marks.

Some of the issues we agree on though. I want to basically touch on those, and one is what happens in small-town Ontario outside of the big cities. First of all, before I go to that, I tend to agree with you. I'm probably a bit of a minority view within our caucus in regard to this particular issue, because I kind of worry about transferring these responsibilities onto the municipality. My feeling is that it's the province that caused this financial crunch that municipalities have in the first place by downloading, and shifting over these abilities for municipalities to tax is a way of instituting, in my view, the download that has been done. I would much rather engage in a discussion about how we upload some of those services back to the province, where they belong.

But listen, I accept I'm a minority view in this. The city of Toronto wants it. The municipal council of the city of Toronto wants it. Mayor Miller wants it. I guess that's good enough for most of us here.

On the other issue, in regard to what it means for smaller communities, listen, it's a real struggle. I listened to the minister earlier, who said he agreed with my pre-

vious comments that there needs to be something done for small municipalities, and they were going to give us this legislation to fix it. Who do you tax if you're the LSB in Moose Factory? Who do you tax if you're the community of Moosonee, where they need money to fix crumbling infrastructure? There is no assessment. In Moosonee, I would argue that about 40% of the possible assessment is non-assessable because it's not-for-profit housing, government buildings, churches and such. So where do you get the money? I think the issue is that we have to properly fund infrastructure programs to allow smaller communities to come out a bit more ahead.

The Acting Speaker: That concludes the time for questions and comments. I'll return to one of the opposition members. The member for Nepean–Carleton, you have two minutes to reply.

Ms. MacLeod: I'd like to thank the members from Trinity–Spadina, Scarborough–Rouge River, Parry Sound–Muskoka and Timmins–James Bay, as well as the members who didn't have an opportunity to speak to this but are in the chamber now or have attended the committee hearings. I think it's only appropriate that they call me "The Apprentice" to The Donald, so to speak, because this bill could actually have a theme song called, "Money, Money, Money," just like the theme song of the reality show, because they're taking more money out with this bill.

I know the members from the New Democratic Party, the third party, don't necessarily agree with why we disagree together on this bill, but I just want to leave with one parting thought.

John Tory, the leader of the official opposition, has long been an advocate of examining the real imbalance between municipalities, the province and the federal government. My party, the Progressive Conservative Party, believes that we ought to do a thorough examination of that fiscal imbalance before we start allowing the creatures of the province, the municipalities, to levy new taxes that they weren't allowed to before.

I think we need to do that. I think we need an examination of the federal-provincial-municipal imbalance and then, and only then, should we start thinking about increasing people's taxes or creating new taxes, as it were.

Mr. Speaker, I'd like again just to thank you for this opportunity to extend my thanks to the other members who spoke to this and who responded to my comments. They all brought valid points, I believe, to this. But again, we must remember, as the member for Scarborough–Rouge River said, "It is respect for the city," but he has to remember that we also have to have respect for the taxpayer, because when they can't afford to pay taxes any more, other things are going down too. That means they're not going to be able to spend it on utilities, food, shelter and other things. Thank you, Mr. Speaker.

The Acting Speaker: It being 6 o'clock, this House stands adjourned until later on this evening at 6:45 p.m.

The House adjourned at 1758.

Evening meeting reported in volume B.

LEGISLATIVE ASSEMBLY OF ONTARIO
ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

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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
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Scarborough Southwest / Scarborough-Sud-Ouest	Berardinetti, Lorenzo (L)		
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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.

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