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**Official Report
of Debates
(Hansard)**

**Journal
des débats
(Hansard)**

Wednesday 14 June 2006

Mercredi 14 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**

Wednesday 14 June 2006

**ASSEMBLÉE LÉGISLATIVE
DE L'ONTARIO**

Mercredi 14 juin 2006

*The House met at 1330.
Prayers.*

MEMBERS' STATEMENTS

NATIVE LAND DISPUTE

Mr. Norm Miller (Parry Sound–Muskoka): One hundred and six days after protesters occupied a residential building site in Caledonia, and the McGuinty government is still showing no leadership. By the government's inaction, this situation has been allowed to go on for far too long. The McGuinty government maintains that the conflict centres on an outstanding land claim. The government is trying to shift full responsibility to the federal government rather than showing real leadership.

Public sources and documents show the Six Nations council agreed to surrender the land on January 18, 1841, on the agreement the government would sell it and invest the money for them. On May 15, the land currently occupied was sold to George Ryckman and a crown deed was issued to him. The same land was purchased by Henco Industries in 1992 and registered on title in July 2005.

There is a lawsuit by the Six Nations with regard to the land; however, the McGuinty government is on the record as saying, "The dispute really is an accounting claim, by and large." Six Nations council agreed on August 20, 2004, to discussions with Canada and Ontario to explore reaching an out-of-court settlement as an alternative to litigation. None of this relates to an active land claim.

What kind of precedent is the McGuinty government setting for all of Ontario by its taking the position that any existing land treaty or agreement can be reopened or ignored?

DENNIS GUDBRANSON

Mr. Phil McNeely (Ottawa–Orléans): I rise in the House today to commend a courageous young boy who has become an inspiration to everyone around him. Anyone who has been exposed to or who has gone through treatment for cancer themselves will understand the magnitude of eight-year-old Dennis Gudbranson's character.

Dennis Gudbranson was diagnosed with acute myeloid leukemia a little over two years ago. He underwent several weeks of chemotherapy and radiation treatment at

CHEO before the specialists realized that nothing less than a bone marrow transplant would save Dennis's life.

After waiting 10 weeks for a suitable donor, a match was found and Dennis underwent this serious procedure with the strength and courage that one would not normally associate with a child so young. Merely months later, Dennis and his mother Donna Leith-Gudbranson joined the Tour Nortel 2006 in support of the Children's Hospital of Eastern Ontario. He and several other young cancer survivors showed their enthusiasm as representatives of the McDonald's CHEO Dream Team.

Dennis was too sick to participate in the tour last year, but this year, according to his mother, Dennis has been chomping at the bit to participate ever since his transplant. Dennis's enthusiasm does not stop there. Mrs. Leith-Gudbranson says she is encouraging him to do only what he wants to do. According to her, he wants to do everything.

Since his transplant, Dennis has returned to school. He has even been practising with the Blackburn Stingers, a junior hockey team in Orléans.

I would like to take this opportunity to congratulate Dennis for his courage and enthusiasm while battling a sickness that could have taken away his spirit, if not his life. Dennis is an inspiration to us all.

STREET RACING

Mr. Frank Klees (Oak Ridges): On May 27, 2006, Rob and Lisa Manchester lost their lives in a crash that left their seven-year-old daughter Katie an orphan. One week later, on June 3, Allison Hickey and Mark Radman were seriously injured in a reported street race and are today fighting for their lives at Sunnybrook Hospital. And just last night, another street race in Etobicoke left the driver involved in critical condition.

I'm calling on the government today to immediately call Bill 122, the street racing bill, for second and third reading and to move without delay to implement its provisions and send the message that street racing is illegal and dangerous and will not be tolerated in Ontario.

The street racing bill includes provisions that would empower police officers to issue on-the-spot licence suspensions and vehicle impoundment. For those convicted of street racing, the bill provides for fines of up to \$2,000 and six-month jail terms. Furthermore, nitrous oxide systems used by street racers to transform their vehicles into deadly, out-of-control killing machines are banned from public highways.

We cannot legislate responsibility, but as legislators, we do have the responsibility to ensure that our police officers and the justice system have the authority and resources to protect innocent lives and ensure that irresponsible and dangerous actions have the appropriate consequences in law.

FOREST INDUSTRY

Mr. Gilles Bisson (Timmins–James Bay): Yet again the Minister of Natural Resources, Mr. Ramsay, along with Premier Dalton McGuinty, is pounding salt in the wound of northerners. You would know that last year the Kap survival group, the United Steelworkers of America and others took this government to court on its decision to allow timber companies such as Tembec and Domtar to take wood from local communities to send to large supermills in other parts of northeastern Ontario. That is a policy that all communities don't support. Communities have always said that you have to take into consideration the socio-economic factors when making those decisions.

MATALCO

Mr. Kuldip Kular (Bramalea–Gore–Malton–Springdale): I'm absolutely delighted to rise today to acknowledge yet another accomplishment for my riding of Bramalea–Gore–Malton–Springdale. Just last week, MATALCO Inc., owned primarily by the principals of Triple M Metal Inc., celebrated its grand opening.

MATALCO, a company engaged in the remelt and manufacture of aluminum billets, has proven itself a leader in the aluminum extrusion industry. Using advanced technology, it takes difficult-to-recycle materials such as mixed-alloy products and produces a uniform, primary-grade product. Its environmental and energy-efficient processes result in virtually no generated waste, helping to ensure the health and well-being of our environment for generations to come.

Without hesitation, MATALCO is a welcome addition to the Brampton business community. It raises the bar for both environmental and customer care and leads the way in exceptional business practices. I have every confidence that Matalco will continue to thrive as it makes Brampton its new home.

1340

NATIVE LAND DISPUTE

Mr. Tim Hudak (Erie–Lincoln): Today marks day 107 of the crisis in Caledonia. Dalton McGuinty's weak and ineffective leadership has seemingly led to the rule of law being suspended. The problem, as the people of Caledonia and Six Nations and families and businesses from Dunnville to Mount Hope have learned, is that by not showing strong leadership, a swirl of violence, destruction and reprisal begins. I cannot even imagine

how long it will take for the wounds in these communities to heal.

What is most disturbing is the conclusion that people in Caledonia, Binbrook, Hamilton and Niagara are reaching, if not explicitly then implicitly: The Dalton McGuinty government has sent the signal to the Ontario Provincial Police not to enforce the law in Caledonia.

Today's developments include local neighbours saying they're going to take the law into their own hands because they say they have lost faith in the OPP. According to the Hamilton Spectator online version, the hereditary chiefs are refusing to co-operate with the OPP in apprehending seven aboriginals, six of whom have been charged with last Friday's assaults on an elderly couple, a CH-TV cameraman and the police. One of them is wanted for attempted murder of a police officer.

People also wonder where David Peterson has gone. Maybe he's now gone undercover, trying to help find these wanted individuals, because he has certainly disappeared from the scene.

Sadly, Dalton McGuinty has turned the OPP into the Ontario political police.

SCIENCE PROJECTS

Mrs. Carol Mitchell (Huron–Bruce): I rise today to congratulate Matthew Underwood from Wingham on his winning science fair project, Superior Soy. This project won the Agriculture and Agri-Food Canada award. It also won the Sponsor's Choice Award at the recent Sci-Tech Queen's Park reception. I hope many of you had the opportunity to see it on display. At the regional level, Matthew's project won the Pfizer Award for Excellence and the Best in Fair Award as well. This is the third year that his projects have made it to the Canada-wide finals.

I also want to congratulate three other students from the riding who received honourable mentions for their projects: Solomon Appavoo and Patrick Kloeze from Goderich for their project called The Next Pandemic, and Brock Hodgins from Wingham for his project called Sleuthy Solutions.

The recent Sci-Tech reception showed us that there's plenty of young talent across the province. I'm very pleased that these students have taken an interest in science and research. Their bright minds are our future. I know this government recognizes the importance of investing in research and innovation. It certainly is encouraging to see such innovative minds, especially when those innovative minds come from the riding of Huron–Bruce.

ELDER ABUSE

Mr. David Zimmer (Willowdale): Whether it's age discrimination, neglect, harassment, financial exploitation or physical harm, elder abuse is a serious problem. Our government is committed to maintaining safe, strong communities for all Ontarians, including seniors.

I want to take this opportunity to recognize Willowdale's many seniors' advocates whose efforts have made a huge difference in raising awareness about elder abuse in Willowdale and North York.

Last Friday in Willowdale, I was pleased to host an elder abuse awareness seminar with the help of many North York seniors' advocates, among whom were Jane Teasedale, Robert Shank, Andrew Teasedale, Stan Buell, Charles Goeldner, Simon Kim, Bill Steed, Monita Persaud, Bok Sil Shin, Young Lee Ha, Sang Im Kim, Sam Wilks and Jeffrey Cole. The seminar looked at ways we can prevent, recognize and eliminate elder abuse.

I was proud when all parties of this Legislature endorsed my proposal to recognize October 19 as Elder Abuse Awareness Day throughout this province. Inspired by the passion and dedication of these Willowdale and North York seniors' advocates, I'm proud to recognize them and recognize their significant contribution to this issue.

KENNETH THOMSON

Ms. Monique M. Smith (Nipissing): On Monday of this week, Ontario lost a leader of industry, an amazing philanthropist and a great citizen. When he died, Kenneth Thomson was considered the ninth richest man in the world, but he will be remembered for so much more than that.

As many members of this Legislature know, the Thomson family had a long history in northern Ontario. His father, Roy Thomson, started his newspaper empire in northern Ontario and owned a string of radio stations in the north, including CFCH in North Bay. We recently celebrated 75 years of radio in North Bay, and the Thomson legacy figured prominently in that celebration.

Young Ken Thomson arrived in North Bay with his family when he was only five years old. He spent his childhood in North Bay, and in an interview in 2003, he remembered his life in the Bay as riding bicycles, exploring the woods, fishing for pickerel in the summer and skating on the frozen lake in the winter. He credited these happy childhood memories for his later fascination with Cornelius Krieghoff and the Group of Seven.

It would take much longer than the time provided to list all of his contributions to our province, but his contributions to the art world do stand out for me. An avid art collector, he held one of the largest private collections in the country and recently donated \$70 million to the Art Gallery of Ontario for renovations and donated in trust the bulk of his art collection, roughly 2,000 works of art, to the Art Gallery of Ontario for everyone to enjoy.

Locally, over the last three years, Mr. Thomson visited North Bay and, together with his sister Audrey Campbell, made a \$250,000 donation to the North Bay Hospital Foundation towards the construction of our new hospital, which is scheduled to start in the fall. He noted at the time that it was in memory of his childhood there.

Today we remember a great citizen of Ontario. To his family, we send our condolences, and we want them to know that the community of North Bay remembers a great man, a generous man and a great Ontarian.

VISITORS

VISITEURS

The Speaker (Hon. Michael A. Brown): I would like to welcome to the Speaker's gallery Dr. Maurice Foster and his wife, Jan, who represented the fine riding of Algoma in the House of Commons from 1968 to 1993.

On a point of order.

M. Jean-Marc Lalonde (Glengarry–Prescott–Russell): Merci, monsieur le Président. J'aimerais souhaiter la bienvenue aux élèves de la huitième année de l'école Terre des Jeunes d'Alexandria, qui sont avec nous aujourd'hui. Merci aux accompagnateurs, et nous espérons que vous allez aimer votre séjour ici à Toronto.

Mrs. Maria Van Bommel (Lambton–Kent–Middlesex): I would like the House to join me in welcoming members of my family to the gallery. This is the first visit for them. I have my sister-in-law, Mary, and brother-in-law, Bill; Ted and Trudy Thuss; René the First, my husband; and visitors from Holland, Gerrit and Edward Van Bommel.

Mr. Michael Prue (Beaches–East York): In the same spirit, I would like to introduce Allison Clarke and her friend Wendy, who are winners of the by-design contest to spend a day with Michael Prue. They are here to watch us all.

The Speaker: On a point of order. I started something.

Hon. Christopher Bentley (Minister of Training, Colleges and Universities): We wouldn't want to leave out my fine constituency assistant, Ashley Conyngham, who's here from London to observe the fine proceedings. She's over there. Stand up, Ashley.

REPORTS BY COMMITTEES

STANDING COMMITTEE ON REGULATIONS AND PRIVATE BILLS

Ms. Andrea Horwath (Hamilton East): I beg leave to present a report from the standing committee on regulations and private bills and move its adoption.

The Clerk-at-the-Table (Mr. Todd Decker): Ms. Horwath from the standing committee on regulations and private bills presents the committee's report as follows, and moves its adoption:

Your committee begs to report the following bill without amendment:

Bill Pr27, An Act respecting Thunder Bay International Airports Authority Inc.

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

INTRODUCTION OF BILLS

AUDITOR GENERAL AMENDMENT ACT, 2006

LOI DE 2006 MODIFIANT LA LOI SUR LE VÉRIFICATEUR GÉNÉRAL

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

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

The member may wish to make a brief statement.

Mr. Norman W. Sterling (Lanark–Carleton): As
chair of the public accounts committee for the Legis-
lature, I'm introducing a bill which gives more flexibility
to the Legislative Assembly with regard to the appoint-
ment of the Auditor General of Ontario. While main-
taining a maximum 10-year term for any one individual,
this bill allows for interrupted terms and alternate
pension arrangements.

By passing this bill, it is our hope that the assembly
will be able to convince the most recent auditor to serve
as Auditor General past October 4, 2007, the expected
date of the next election. This would mean that he would
be responsible for the pre-election audit of the 2007-08
provincial budget. The new Parliament elected on
October 4, 2007, would choose his successor. I want to
assure all members of the Legislature that the members
of the public accounts committee, including those from
all three parties—the Progressive Conservative Party, the
Liberal Party and the NDP—continue to have the utmost
respect and confidence in Mr. McCarter. It is my inten-
tion too, as soon as the bill has been printed and members
have had an opportunity to review it, to ask for unani-
mous consent for second and third reading without
debate.

SHEENA'S PLACE ACT, 2006

Mr. Marchese moved first reading of the following
bill:

Bill Pr29, An Act respecting Sheena's Place.

The Speaker (Hon. Michael A. Brown): Shall the
motion carry? Carried.

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

MOTIONS

HOUSE SITTINGS

**Hon. James J. Bradley (Minister of Tourism,
minister responsible for seniors, Government House**

Leader): I move that pursuant to standing order 9(c)(i),
the House shall meet from 6:45 p.m. to 9:30 p.m. on
Wednesday, June 14, 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 1353 to 1358.

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

Ayes

Arnott, Ted	Fonseca, Peter	Oraziotti, David
Barrett, Toby	Gerretsen, John	Peters, Steve
Bentley, Christopher	Hardeman, Ernie	Phillips, Gerry
Bradley, James J.	Hoy, Pat	Pupatello, Sandra
Brotten, Laurel C.	Hudak, Tim	Qaadri, Shafiq
Brownell, Jim	Jackson, Cameron	Runciman, Robert W.
Bryant, Michael	Klees, Frank	Ruprecht, Tony
Cansfield, Donna H.	Kular, Kuldip	Sandals, Liz
Chambers, Mary Anne V.	Kwinter, Monte	Scott, Laurie
Craitor, Kim	Lalonde, Jean-Marc	Smith, Monique
Crozier, Bruce	Marsales, Judy	Smitherman, George
Delaney, Bob	Matthews, Deborah	Takhar, Harinder S.
Di Cocco, Caroline	Mauro, Bill	Tory, John
Dombrowsky, Leona	McNeely, Phil	Van Bommel, Maria
Duguid, Brad	Meilleur, Madeleine	Watson, Jim
Duncan, Dwight	Miller, Norm	Wilkinson, John
Dunlop, Garfield	Mitchell, Carol	Wynne, Kathleen O.
Elliott, Christine	Mossop, Jennifer F.	Yakabuski, John
Flynn, Kevin Daniel	O'Toole, John	Zimmer, David

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

Nays

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

**The Clerk of the Assembly (Mr. Claude L.
DesRosiers):** The ayes are 57; the nays are 6.

The Speaker: I declare the motion carried.

1400

STATEMENTS BY THE MINISTRY AND RESPONSES

STUDENT LITERACY COMPÉTENCES LINGUISTIQUES CHEZ LES ÉLÈVES

**Hon. Sandra Pupatello (Minister of Education,
minister responsible for women's issues):** I've had the
privilege of rising in this House a number of times
recently to tell its members about the McGuinty govern-
ment's commitment to student success and improved
achievement. I'm delighted to be able to rise again today
to recognize some concrete results.

Ce matin, l'Office de la qualité et de la responsabilité en éducation a publié les résultats du Test provincial de compétences linguistiques que plus de 180 000 élèves ont passé en mars 2006.

The EQAO reported that the provincial success rate for English-language students increased to 84%, a 9% increase since the test was introduced in 2002. In terms of today's student population, that would mean an additional 13,000 students passed the test.

Quant aux élèves francophones, le taux—

Interjections.

The Speaker (Hon. Michael A. Brown): There's just way too much noise in here. I'm having great difficulty hearing the minister. Could we just take the conversations outside if they need to take place?

Minister of Education.

Hon. Ms. Papatello: They're all excited about the test results, Mr. Speaker.

Quant aux élèves francophones, le taux de succès provincial se situe à 81 %, soit une augmentation de 14 % par rapport à 2002, ou plus de 750 élèves supplémentaires ayant réussi le test.

That's just the start of the good news. In the five years since the test was introduced, Ontario students have made substantial progress. The success rates for boys and girls in both languages have increased substantially, between 8% and 15%; the success rate for students with special needs—this is very important—increased by 15% for English and 21% for French; the success rate for students who speak English as a second language increased by 14%; and, perhaps the most dramatic result since 2002, the success rate for students enrolled in applied English and French courses increased by 21% and 22% respectively, a very special result this year. I think it's clear that the numbers are moving solidly in the right direction.

Et bien qu'il ne s'agisse que d'un des outils utilisés pour surveiller de près les progrès des élèves, j'estime qu'il prouve que les élèves profitent de l'engagement pris par le gouvernement McGuinty envers un système solide d'éducation financé par les deniers publics et du soutien d'enseignantes et d'enseignants dévoués.

On behalf of the Ontario government, I want to thank our teachers, offer my congratulations to all the students who were successful on the test and give my encouragement for future success to students who weren't.

Nous avons fixé des normes élevées pour nos élèves. Nous voulons que 85 % d'entre eux obtiennent leur diplôme d'ici 2010, alors que ce pourcentage n'était que de 68 % à l'arrivée au pouvoir de notre gouvernement.

We want a substantial increase. Our comprehensive student success strategy will allow all students to customize their education based on their individual goals, skills and interests. This strategy includes initiatives to help Ontario students have a successful high school career, such as dedicated student success teachers and board-wide leaders, innovative lighthouse programs, class size limits in key courses, revisions to the grade 9 and 10 applied math curriculum, six new locally de-

veloped compulsory credit courses and expanded co-op programs.

As well, our government has proposed legislation that would keep students learning until age 18 or graduation. We've implemented a strategic high school transition plan for struggling grade 8 and 9 students that includes more teachers, intensive professional development and improved tracking of students and their progress.

Les résultats publiés aujourd'hui nous prouvent que les élèves de l'Ontario bénéficient de cette stratégie et de l'ère nouvelle qui s'est ouverte dans le secteur de l'éducation.

With the end of June fast approaching, I wish our students a very happy and successful summer vacation. I can assure everyone that our education Premier, Dalton McGuinty, ministry staff and I will be hard at work to help our students achieve even greater success in the future.

SOCIAL ASSISTANCE

AIDE SOCIALE

Hon. Madeleine Meilleur (Minister of Community and Social Services, minister responsible for francophone affairs): I am announcing the two most recent steps the McGuinty government has taken to help social assistance recipients get into the workforce and on the path to a brighter future.

En 2004, notre gouvernement a élaboré un plan en vue de rétablir l'intégrité du système d'aide sociale de l'Ontario. Nous avons fait de grands progrès dans ce sens en apportant les changements recommandés par ceux et celles qui connaissent le mieux le système : notre clientèle, notre personnel chargé de cas et nos partenaires communautaires.

Par exemple, nous avons mis en place des prestations transitoires pour les médicaments et les soins dentaires et de la vue à l'intention des bénéficiaires qui quittent l'aide sociale afin d'occuper un emploi. Nous avons rétabli le supplément pour le régime spécial des femmes enceintes bénéficiaires d'aide sociale. Nous avons créé le programme ActionEmplois, un projet pilote innovateur qui a déjà permis d'aider plus de 2 000 bénéficiaires d'aide sociale à trouver un emploi stimulant.

Today, I am pleased to announce that we are removing even more barriers in the social assistance system to help people improve their lives through better education and job opportunities. We are eliminating the counter-productive, quit/fire rules so recipients will no longer be afraid to accept a job for fear of losing financial support if that job does not work out; allowing Ontario Works recipients to have a vehicle worth up to \$10,000 so that they have a reliable mode of transportation to help them get to and from jobs; giving all 16- and 17-year-old Ontario Works recipients, whose assistance was cut off because they dropped out of high school, the opportunity to reapply for assistance if they return to school and get back on the path to success; and allowing dependent

adults who are in high school full-time to keep the money they earn from their jobs if it is put toward their future education.

Notre gouvernement a travaillé fort en vue de supprimer les obstacles à l'emploi par le système d'aide sociale. Et, je suis fière d'annoncer que dans le cadre d'une autre mesure importante instaurée récemment, nous invitons les entreprises à travailler avec nous pour trouver de nouveaux débouchés vers la réussite.

1410

Today, our government launched a new employment innovations fund. This fund will engage employers in expanding employment opportunities for people on social assistance, including people with disabilities. As minister responsible for accessibility issues, I am particularly proud of this government's initiatives that break down employment barriers in the workplace.

Employers in Ontario should be benefiting from the potential, skills and talents of all Ontarians, including those who face social, economic or physical barriers to employment. It just makes good business sense.

Nombre de bénéficiaires d'aide sociale sont des travailleuses et travailleurs pleins de bonne volonté, prêts à travailler—des hommes et des femmes doués qui ont les mêmes rêves et aspirations que les autres. Tout ce qu'ils nous demandent, c'est simplement de leur donner les mêmes possibilités, des opportunités que nous prenons souvent pour acquis.

That's why we're calling on the business community to get involved. The employment innovations fund invites organizations, including employer associations, chambers of commerce and boards of trade, to submit proposals for new initiatives that will help businesses to grow and people on social assistance to achieve their potential, because everyone benefits when people on social assistance find meaningful jobs. It's good for recipients and their families—c'est bon pour nos bénéficiaires et leurs familles; it's good for businesses—c'est bon pour les affaires; it's good for the economy—c'est bon pour l'économie; and it's good for the prosperity of our province—c'est bon pour notre province.

In closing, I would like to thank Deb Matthews, the member from London North and my parliamentary assistant, for her good work in this area. Thank you very much.

STROKE AWARENESS MONTH
MOIS DE SENSIBILISATION
AUX ACCIDENTS
VASCULAIRES CÉRÉBRAUX

Hon. Jim Watson (Minister of Health Promotion):

June is Stroke Awareness Month in Canada. Stroke, as many know, is a devastating illness and exacts a tremendous toll on Ontario both in human and financial terms. About 16,000 people in this province suffer a stroke each year. It's the third leading cause of death in Canada, and it costs Ontario's economy about \$1 billion a year.

As we celebrate Stroke Awareness Month, it's important to remind members and Ontarians about the fact that there are steps we can take to reduce the risk of stroke. Risk factors include high blood pressure, high blood cholesterol, heart disease, diabetes, being overweight, drinking excessive amounts of alcohol, staying physically inactive, smoking and stress.

Ces facteurs de risque peuvent être contrôlés. Des preuves scientifiques nous montrent que l'on peut prévenir les AVC et même en réduire la fréquence de moitié en mangeant des aliments sains, en restant actifs, en ne fumant pas et en buvant de manière responsable.

That's why it's important during Stroke Awareness Month to remind Ontarians and members of the House of the warning signs for stroke. They are:

—Weakness. This includes a sudden loss of strength or sudden numbness in the face, arm or leg, even if temporary;

—Trouble speaking: For example, sudden difficulty in speaking or understanding, or sudden confusion, even if temporary;

—Vision problems. This includes sudden trouble with vision, even if temporary;

—Headache. This includes a sudden severe and unusual headache; and

—Dizziness. For example, a sudden loss of balance, especially if this is combined with any of the above signs.

I want to congratulate our partner, the Ontario Heart and Stroke Foundation, and its president, Rocco Rossi, for their excellent work on both advocacy and research into stroke. I'm pleased that Mr. Rossi, along with his colleagues Laura Syron and Krista Orendorff, are in the gallery. We welcome them and thank them very much.

Même s'il est important d'informer les membres de l'Assemblée et la population ontarienne sur les signes d'un AVC et sur les mesures que les gens peuvent prendre pour réduire leur risque, notre gouvernement va plus loin.

Every year, the McGuinty government invests \$30 million in the Ontario stroke strategy. The Ontario stroke strategy is a comprehensive and integrated approach to stroke in this province. It educates Ontarians, including those Ontarians from culturally diverse and vulnerable populations, about the risk factors for stroke and how to prevent stroke. The stroke strategy also makes sure that stroke patients and their families are able to get high-quality stroke services, quick access to diagnostics and rehabilitation and community services.

The Ministry of Health Promotion invests \$4.6 million into the Ontario stroke strategy every year. These funds are invested in public awareness campaigns, programs that address the risk factors for stroke, health promotion tools that serve culturally diverse and vulnerable populations, and community-based prevention initiatives for older adults and underrepresented groups.

One of our government's key partners in developing and implementing the Ontario stroke strategy is the Heart and Stroke Foundation of Ontario. I'd like to take this opportunity to thank the Heart and Stroke Foundation for

the good work they do to help our government and the people of Ontario. In fact, Mr. Rocco Rossi, whom I introduced earlier, is actually going to be kayaking all the way from Toronto to Ottawa to raise funds for the organization. We wish him the very, very best.

The Ontario stroke strategy is clearly getting results for the people of this province. For example, at the World Stroke Congress in June 2004, the Ontario stroke strategy received national and international recognition, and in June 2000, the Institute for Clinical Evaluative Sciences estimated that the programs under the Ontario stroke strategy will, when fully implemented, save more than 7,000 lives and \$500 million over a five-year period. In fact, a report today from the Heart and Stroke Foundation and the Canadian Stroke Network indicated that the projections of savings from organized stroke care are based in part on the experience in Ontario, where a coordinated stroke system has been in place. The Ontario stroke strategy is already showing significant results.

Our findings show that the number of hospitalizations for those who have suffered a stroke in Ontario has declined. What's more, Ontarians are being discharged from hospitals sooner after suffering a stroke, and fewer people are returning to hospitals after suffering another stroke. The mortality rate associated with stroke has declined from 17.2% in 1997-98 to 15.1% in 2004-05.

Les membres de l'Assemblée législative de l'Ontario conviendront sûrement qu'il s'agit d'une excellente nouvelle.

Le fait d'apprendre comment on peut prévenir les maladies joue un rôle important dans le maintien de la santé.

I encourage members to share what they have learned today with their families and friends during Stroke Awareness Month. Learning more about the risk factors and symptoms of stroke and what we can all do to minimize our chances of getting one is an important part of staying healthy in Ontario.

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

STUDENT LITERACY

Mr. Frank Klees (Oak Ridges): In response to the Minister of Education: The fact that Ontario students continue to show improvement in these literacy tests is proof positive that the implementation of the EQAO tests was the right thing to do. I'm glad to see that even the McGuinty government recognizes the value of these tests as a measurement of student achievement.

As we all know, the EQAO was established by the former PC government as an independent, arm's-length organization to develop, administer and report on province-wide literacy for Ontario students. The initiative was opposed at that time by the Liberals and the NDP, but no move has been made—thank goodness—toward the dismantling of these tests, although most of the education reforms implemented by the former government have in fact been repealed or watered down. While ESL and special-needs students continue to lag far behind,

there are measured improvements even among these students.

The evidence is clear that student results can improve if given the necessary resources. Teachers and students have benefited from these tests and knowing how students are doing. It has enabled the government to add the resources to those areas where the resources were needed, which was the intention of those tests.

A great deal of credit must be given to what was at the time a very controversial issue—namely, making it a requirement that students must pass the literacy test as a condition of graduating. That was opposed by both the Liberals and the NDP. However, we're now seeing the results of that policy. That policy has forced schools to ensure that the additional help that some students need is in fact available, and that is the reason we continue to see improvements on the part of students right across this province. It was this very policy that has driven alternative courses, peer teaching and a number of other initiatives that are now available for students across the province who were struggling to achieve the basic literacy standards set by the tests.

1420

The fact that the Liberals have not cancelled this policy, which they so firmly opposed while in opposition, is encouraging. My only concern is that they don't interfere with the integrity and independence of the EQAO in an attempt to compromise those standards and to lower the standards of those tests. We continue to hear of their efforts to do exactly that, and we condemn them for it. We call on the government not to lower the standards for Ontario students, but to ensure that those standards continue to motivate our students to strive for excellence.

SOCIAL ASSISTANCE

Mr. Cameron Jackson (Burlington): I'm pleased to comment on the announcement by the Minister of Community and Social Services today. I read with interest the press release which documents what these changes are all about, but I want to suggest to the minister opposite to be very, very careful about reintroducing student welfare and improving its accessibility in this province. I recall when, in 1995, 1.6 million people in this province were on social assistance. We had thousands—thousands—of high school students who routinely, by the stroke of a pen, could announce that they were living somewhere else and go immediately on to social assistance. Some elements of your announcement today are worthy of applause, and we encourage that, but I ask you to look very carefully at the message you're giving to our young people.

Secondly, on the quit/fire rule, you have to be careful with the potential amnesty that people who currently have jobs are going to be seeking or who will use the occasion to suggest that they have the signal from this government that it's okay to hold employment beyond what the guidelines currently permit.

Minister, I reiterate the concern that my colleagues on this side of the House have raised with you about ODSP and access to services. I still have a large number of citizens who have been cut off their special nutritional supplements because of the manner in which you, through the OMA, have worked out the complicated application process for this benefit. Many of my constituents have been disenfranchised by that. I have a blind constituent who, because he lives with his caregiver, has been unable to obtain social assistance under your program. Quite frankly, he received it in 2000. We found him a job, but now that he's unemployed and can't find employment, he cannot get assistance.

Those are the reforms we're looking for in the House—

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

STUDENT LITERACY

Mr. Rosario Marchese (Trinity–Spadina): I am so impressed by the test that I'm hoping the minister will answer these questions. Why do the people marking the education quality assessment office tests have to sign a confidentiality agreement when there are no identification indications on the test papers? Is it possible to get a copy of the confidentiality agreement? Why is it not possible to get a complete copy of all past EQAO tests and booklets to allow for objective comparisons from year to year? And why is the government not prepared to send copies of these tests to parents so they can review them?

What qualifications do the test markers have? Is it possible to obtain a list of the markers and their qualifications, particularly those who have marked the secondary math and language tests; in other words, are all those marking the tests certified teachers?

Who sets the standards for the tests? Who decides what a level 1, 2 or 3 is? And why have the criteria been known to change partway through the marking, depending on the results that are being achieved?

Do the tests reflect in any way the instructions that the markers are given, or do they really reflect the achievement of students? What happens to markers who disagree with the standards that are imposed? Do the tests have any diagnostic value, or are teachers simply given a score: one, two or three?

We know the minister is immensely interested in these questions, and if she seems as interested as she purports to be at the moment, I hope she will find the time to answer these questions in any way that she deems fit. Perhaps she can write the answers to me, or she might let the deputy minister simply send a list of the answers so that I can feel good about the kinds of results that we are given.

SOCIAL ASSISTANCE

Mr. Michael Prue (Beaches–East York): I rise to respond to the Minister of Community and Social Ser-

vices. When I heard you were going to be making an announcement today, I held my breath just for a second, thinking about the 38% of all welfare recipients who are children; that maybe you were going to end the clawback; maybe those kids would go to school without being hungry; maybe there was some more money for them or they would have decent clothes. But in fact that is not what's happening.

How do these reforms affect the 38% of welfare recipients who are children? I will tell you, it does not affect them in any way whatsoever. How does it affect the many people who go to school hungry? It doesn't affect them. How does it affect the people who have disabilities, whether those disabilities be mental or physical or emotional, who cannot and probably never will be able to work and, in their wildest dream, would never be able to own a car? It doesn't help them either. How is it going to affect single women whose greatest need is to get some quality daycare so they can go back to work? It's not in there either.

There's nothing there that's going to help the overwhelming majority of people who are on Ontario Works or disability. They're never going to get back to work with reforms like the ones you've suggested today. These are for the elites. These are for the elite of those who are on social welfare assistance, those who have been temporarily without jobs, those who still have some resources like a car, those who are very young, like 16-year-olds and 17-year-olds who can go back to school.

I tell you, this is a very narrow program. It does not assist the overwhelming majority of people who unfortunately find themselves on Ontario Works or disability. There's nothing here for the majority. As you admitted yourself in estimates, the people who do not have children who are on social assistance are actually worse off today under your government than in the deepest, darkest days of Mike Harris.

When are you going to end the clawback? When are you going to start doing things that really help? When are you going to make announcements that cost some money instead of what you're saying here today? It's wonderful, in the end, that you invite the business community to get involved. We welcome the business community getting involved, trying to find jobs for people. But you know, you're asking them to do something that you're not prepared to do yourself. You should be out there trying to find jobs for them. You should be providing assistance and benefits for them. It's sad that this government continues to be missing in action on this file.

VISITORS

Mrs. Christine Elliott (Whitby–Ajax): I ask my colleagues to join me, please, in welcoming two guests to the west gallery. They are Mrs. Deanna Meikle and Mrs. Pat Douglas, who are the mother and grandmother of our terrific page Tommy Meikle and are also fellow Whitby residents. I hope you'll please join me in welcoming them today.

WOMEN'S REPRESENTATION IN
PROVINCIAL PARLIAMENT

REPRÉSENTATION DES FEMMES
AU PARLEMENT PROVINCIAL

Hon. James J. Bradley (Minister of Tourism, minister responsible for seniors, Government House Leader): Mr. Speaker, I believe we have unanimous consent for each party to speak for up to five minutes on the issue of greater representation of women in the provincial Legislature.

The Speaker (Hon. Michael A. Brown): Mr. Bradley has asked for unanimous consent for each party to speak for up to five minutes on the issue of greater women's representation in Parliament. Would that be correct? On the issue of greater representation of women in the provincial Legislature. Agreed? Agreed.

Hon. Dalton McGuinty (Premier, Minister of Research and Innovation): I rise today to speak on the importance of increasing the representation of women in this Legislature. As I do so, I'm reminded of something that Margaret Thatcher once said. She said, "If you want anything said, ask a man. If you want anything done, ask a woman." The quote is appropriate in today's context because, while I and the leaders opposite will talk today about the tremendous contribution women can make in political life, the fact is we have, on all sides of this House, women who are making that tremendous contribution right now, right here. I want to take this opportunity, on behalf of all Ontarians, to thank them for their continuing contribution.

1430

Le travail qu'elles accomplissent en cette Chambre et la différence qu'elles font au sein de leurs collectivités font d'elles bien plus que de simples députés. Cela en fait des leaders.

Ici, au sein de cette Assemblée, nous avons encore besoin de plus de leaders de ce type.

The work that women do in this chamber, the difference they make in their communities, makes them more than members. These things make them leaders. What we need is more leaders like them here in this assembly. Women, of course, are succeeding in many walks of life. They're running businesses, they're contributing to the professions and trades, they're volunteering in their community and they're raising their children.

The remarkable thing, for those of us who find multi-tasking somewhat challenging, is that thousands and thousands of Ontario women are doing many, if not all, of these things at the same time in spite of the heavy responsibilities they already bear. All of us need to ask women to do one more thing, and it's this: Consider choosing political life. Yes, it's challenging and yes, the cynics have done their best to tarnish the work we politicians do, but we in this assembly can tell you there are few places where you can serve so many, so often. A teacher works magic when she ignites the imaginations of her students, but we in this place, working with teachers, parents and students, can invigorate education itself.

A physician with a caring heart and a healing hand can comfort a patient, but we in this place, working with physicians, nurses and other health care providers, can help improve health care itself. An entrepreneur with a keen eye and the courage to take risks can start a business, but we in this place, working with entrepreneurs in all sectors, can help build the investment climate that allows an enterprise to survive and the workforce that will ensure it thrives.

This is what we get to do here, and this place matters. It matters that we encourage more women to share in this work, because we work best when we truly represent Ontario, not just its regions but its people in all their diversity, and both male and female, because it helps us understand Ontarians, their experiences and aspirations.

Nous avons donc joint des groupes tels que Equal Voice, qui est représenté ici aujourd'hui et qui croît dans le service public de même que dans l'importance d'un rôle accru des femmes dans ce secteur.

Speaker, I was saying that we join groups like Equal Voice, which is represented here today, who believe in public service and the importance of a growing role for women in it. The party I lead, the Ontario Liberal Party, a party that is proud to have had Lyn McLeod as its leader, a party that is proud to have my colleague the member for London North Centre as its president, is committed to attracting and welcoming more women candidates. The percentage of women in our caucus has risen from 6% in 1985, to 13% in 1995, to 24% today. What's more, almost one third of our cabinet ministers are women. So we've made progress, but we have much work left to do. To that end, our party is striving to seek out and nominate capable women in half of the ridings that we do not currently represent in this Legislature. It's just one more step, but it's a step forward.

I often say that if Ontario is to succeed, we need every Ontarian at his or her best. It's equally true that if we are to succeed in this chamber, we need the best of Ontarians, male and female, working together. Let this be a goal that we all share and work towards.

Mr. John Tory (Leader of the Opposition): On behalf of the Ontario Progressive Conservative Party, I want to express the strong support of all of us who believe as deeply as all of us do in this House in the process in this place to take tangible and practical steps to increase the participation of women in politics, to increase the number of women who stand as candidates for election to the Legislature and to see more women sitting in the Legislature after October 4, 2007.

C'est une priorité très importante pour moi et pour notre Parti progressiste-conservateur.

Since my becoming leader some 20 months ago, our party has held seminars for women interested in seeking public office where they can come to better understand the good and not so good, and whatever else we might convey to them about the life we have all chosen. Two weeks ago, more than 200 women attended a fundraising event in support of Women in Nomination, an organization that we have which supports women who want to seek nominations for the Progressive Conservative Party.

I'm proud to say that in the five by-elections that have taken place in the life of this Parliament, the PC Party has nominated women in all five. We were delighted to see elected this spring two women to our caucus, the member for Whitby–Ajax, who is sitting here beside me, and the member for Nepean–Carleton, to add to our ranks and to add to the number of women in this Legislature.

Our candidate search rules have made very clear my own determination that we simply have to do better, for our own part as a party and, I believe, on an all-party basis as well. Why is it important? In speaking to the women at the Women in Nomination event the other day, I cited a number of reasons. It's not the complete list but I think it's a list of some of the important considerations.

First, I don't think we can really say that we have achieved what we set out to do with important laws like the Charter of Rights and other human rights legislation when the body which makes laws in Ontario so underrepresents women. The same comment could be made in respect of a number of other groups, but that is an issue to be discussed another day.

Secondly, I believe that women bring a different perspective to bear on many issues. They often look at issues, policies and politics in a different way: not better, not worse, but just different. How can we really ensure that we're making the best decisions, with those different points of view taken into account, if women are not equitably represented on the floor of this Legislature, in committees and at the cabinet table?

Thirdly, I have a very genuine concern, which I've expressed many times, about what I believe to be the increasing dysfunction of the Legislature itself. Some of it—not all of it, but some of it—stems from and is illustrated by the lack of civility and decorum that we often see in the Parliament itself. While I believe that having more women here won't, in and of itself, solve that problem—I will avoid making any comment about the proficiency of some of the champion hecklers here and their gender; that is in reference to no particular person—I do believe it will help. My wife, Barbara, is a very straight talker, and she has a way of summing these things up which often works quite well. She says the place may well be just too testosterone-injected, and I think she might well be right about that.

I think we're going to have work hard not just to get the candidates but to get them elected, because I think it will make a fundamental difference to the legitimacy of this place. It will make a fundamental difference to the quality of the laws that we pass. It will ensure that one of the two biggest groups in all of society is represented more equitably here. I think it will lead to a better Parliament. I think it will lead to a higher level of confidence in us and in what we do here. I think it will be a place where we can work better together in the public interest and it will serve the interests of the political process as whole. Thank you.

Mr. Howard Hampton (Kenora–Rainy River): Despite the gains that have been made by women in electoral politics, there is a great distance still to go before true equality is realized for women in the field.

On the world stage, of 85 countries studied, 22 have women as their leaders or monarchs. The past few years recorded some historic firsts for women in politics: Angela Merkel was elected Chancellor of Germany; Michelle Bachelet was voted President of Chile in 2006, and her cabinet is 50% women; Portia Simpson Miller won as Prime Minister of Jamaica in 2006.

1440

In Canada, women make up more than one half of our population, but occupy little more than one fifth of elected positions at all levels of government combined. It's an interesting scenario, and it's not just in government.

One of the things I discovered when I was in the office of the Attorney General of the province was that very often, when vacancies came open for judges, women lawyers didn't apply. When I asked, "Why don't they apply?" no one had an answer. So I wrote a letter to every woman lawyer in the province who had practised for 10 years and was eligible to become a judge, and we were inundated with applications. In fact, I received a lot of letters from women lawyers saying, "We never felt we were invited or welcome before." As a result, we were able to appoint more women as judges than ever before. Simply opening the door and saying, "You're welcome here. This place is for you too," makes a big difference.

Too few women hear the message that they are welcome in politics. Too many obstacles are placed in the paths of women in politics. New Democrats have recognized that, and we've taken some steps to try to address it. In the political realm, New Democrats are committed to ensuring that women are not only encouraged to run, but are helped to run. We direct special attention to ensuring that women are approached and recruited to be candidates by all riding associations across Ontario. We set targets and always try to better our best efforts and get more women elected.

We are proud that Agnes McPhail, for example, who was elected as the MP for York East in 1921, was a member of the CCF, now the NDP. She was the first and only woman in the House of Commons for 14 years. We're proud that in November 1989, Audrey McLaughlin became the first woman leader of a national political party in North America. We're very pleased that, with the result of the last federal election, 42% of the federal NDP caucus are women, many of them elected for the first time.

We have decided we must have a formal policy of freezing nominations until there is a member of an affirmative action community, i.e., women, seeking the nomination. We also decided to provide financial support to all our women candidates, through the Agnes McPhail fund. This fund helps defray the expenses associated with the campaign. Sometimes it's used for child care, sometimes it's used for transportation costs, but it's generally used to help cover those unexpected costs that arise during election campaigns. We recognize that women often face added hurdles in running for office. We recognize that, and so we recognize we must do something about it.

We know that we can do something here, and today we've heard three speeches about what's been done, about what needs to be done. I want to put forward a practical suggestion for Ontario, though. When we look around the world, we notice that those jurisdictions that have proportional representation elect far more women. It doesn't matter if you look at Europe, Australia or New Zealand, where you have proportional representation you have more women elected.

Maybe we can take heart that Ontario's minister for democratic renewal is a woman. We urge her to make sure that proportional representation becomes part of Ontario's electoral framework so that we will have more women.

ORAL QUESTIONS

NATIVE LAND DISPUTE

Mr. John Tory (Leader of the Opposition): My question is to the Premier. Premier, could you provide us with a detailed update as to the status of the six warrants for arrest issued in Caledonia last weekend? One individual, as I'm sure you know, is charged with the attempted murder of an OPP officer, and I would just like to clarify, for the benefit of the public and this House, what the status is of those outstanding warrants.

Hon. Dalton McGuinty (Premier, Minister of Research and Innovation): I have no specific information in that regard. I know the leader of the official opposition will understand that this is the subject of an ongoing police investigation. I do know that there is co-operation between the Ontario Provincial Police and the Six Nations Police, but beyond that, I'm not aware of any of the details.

Mr. Tory: Premier, just two days ago, after more than 100 days of this standoff, we finally heard you stand up and speak to the situation at Caledonia, and for once you seemed to be very clear about two specific conditions that had to be satisfied before you would return to the negotiating table, and those conditions were (1) "the barricades must come down, and they must stay down," and (2) "we are asking" the First Nations "leadership to co-operate in any way with the Ontario Provincial Police so that they might apprehend the individuals involved."

You have made reference today and yesterday to the Six Nations Police co-operating, but we see very opposite signals coming from some of the leadership of the Six Nations in terms of apprehending these people.

What kind of signal does it send when you don't stand firmly on your own second condition, which referred to co-operation generally, not to co-operation from the Six Nations Police alone? What kind of signal does that send?

Hon. Mr. McGuinty: Maybe the leader of the official opposition just can't stand good news. Let's review what has happened just recently: The Highway 6 barricades

are down, MTO has inspected the road, and it's been re-opened to traffic; the railway barricade is down, railway staff have inspected it, and trains are back up and running today; hydro crews are again working on transmission line improvements; the OPP are working together with the Six Nations to effect the execution of those outstanding warrants.

Clearly, the leader of the official opposition remains unhappy with this turn of events, but I think we're making progress and we will continue to work as hard as we can to make still more progress.

The Speaker (Hon. Michael A. Brown): Final supplementary.

Mr. Tory: If you ask if I'm unhappy with one part of the turn of events, yes, I am. There are some positive developments that have taken place, but I think there is an issue of real concern, not just to the people who live down there but to the people of Ontario, with respect to your condition with respect to co-operation by the leadership with respect to the apprehension of these individuals.

The Hamilton Spectator reported this morning on their front page that the Six Nations are refusing to hand over the individuals involved and are no longer returning phone calls. We were inspired, finally, by your "one rule of law for all" comments just days ago, and we thought that meant we were getting on the right track to restoring confidence and to dealing with a situation that is very acute, and we hoped that you would actually live up to your own conditions, which you set on Monday.

Why is the Ontario government returning to the negotiating table when there are people who continue to hide and protect those who are sought for alleged violations of the law? Why won't you stand firm on your own conditions, which you set on Monday, demanding co-operation from the leadership as a whole before you go back to the table?

Hon. Mr. McGuinty: I would encourage the leader of the official opposition to read the article he referenced, because he will see that it says, "But Six Nations Band Council leader David General said the suspects should be dealt with by the OPP and the Six Nations Police have a duty to uphold Canadian law.... the Canadian law is the form of law that should be upheld and therefore the arrest warrants are a 'police matter,' General said. 'I am confident the Six Nations police will do what they have to do,' he said."

Again, we have the barricades down, we have in place a community liaison table, we have in place a permanent table to discuss the land claims issue, we're working as quickly as we can to get the land out of the scenario by looking to compensate the developer in question, and we are working as hard as we can to resolve this peacefully in a determined way. I think there is some good news. I think the community should take heart in this, and we will continue to make progress.

The Speaker: New question.

Mr. Tory: My question again is to the Premier on the same matter. I think most people down there would con-

firm that there is some good news, but I think we have to be careful not to downplay a very, very grave situation that still exists for a lot of these people. Many of them are feeling as vulnerable as ever today, notwithstanding the good news we've seen so far.

Arrest warrants have indeed been issued for everything from attempted murder to assault and theft, and yet, I would argue, instead of standing firm on your own conditions—and we can all read different quotes from different people—you've chosen to return to the bargaining table while the rule of law is still seriously in question.

1450

The residents are frightened. They are strung out by endless nights of ATV vehicles going across their property, harassment on their own property. TV media reports suggest that some people have been threatened and continue to be threatened when they're on their own property, and told they're going to be evicted from their own homes at some point in time. Premier, what do you have to say to these people, some of whom will not even sleep in their own homes, don't feel secure enough to sleep in their own homes because the rule of law is not prevalent there?

Hon. Mr. McGuinty: I think what the leader of the official opposition is doing right now is making it clear that he is unhappy with the way the police have approached this situation. I would suggest to him that if he has advice that he would like to tender to the police, he offer that here and now so that we can all understand where his party is coming from in this particular regard.

Mr. Tory: Premier, some of these people in Caledonia are now so fearful and angry that they've brought a lawsuit against you and your government for failure to protect their personal interests and their personal safety. The Hamilton Spectator reports that residents have now resorted to organize and form defensive vigilante groups and have contingency plans to protect themselves. They have lost total faith in the rule of law on your watch. As one resident was quoted as saying in the newspaper, "It is terror there, not just anger." The homeowners in the neighbourhood told an information meeting of the Caledonia Citizens Alliance yesterday that they are terrified by gunshots in the ravine behind their properties and attempts to burn wooden fences behind their homes.

Monday, you set out conditions. Tuesday, you seemed willing to set those aside. What are you prepared to do? I would suggest a good start would be to say that you are in fact not going to go back to the table until the rule of law has been re-established there, and that does count on the leadership you said you'd be counting on co-operation from to co-operate and to do it.

Hon. Mr. McGuinty: I understand the particular representation the leader of the official opposition is making about my commitment, but I'm satisfied that it has in fact been met. The barricades are down. We have received word from both the OPP and the Six Nations police that they are co-operating in dealing with those who committed those misdeeds last Friday. But again, what the leader of the official opposition is saying is that he's

unhappy with the police in terms of how they're handling this particular matter. If he has advice he would like to offer to the police, then I would love to be able to get that on the floor right now so we would all better understand where he's coming from.

Mr. Tory: Just in terms of the selective quotes, there's a quote from the Hamilton Spectator today—I presume it's even the same article the Premier is quoting—"Six Nations representatives said they are refusing to turn over the six wanted people to the OPP, who are being investigated by the traditional government. They also argue the Six Nations police have allegiance to their people first." We can read whichever quotes we want.

Premier, this situation appears to have spread or has moved from the roads to people's own personal property. We've received first-hand reports of people walking into a community member's backyard and simply lighting a bonfire. Now, we all know that if somebody walked into your backyard and lit a bonfire on your property, there would be police officers there within seconds. I don't accept the fact, nor do I think you should, that any resident of Ontario is meant to live in a situation where the rule of law is in question like this and where people can come on to their property, light a fire in their backyard and nobody does anything about it.

I just want to know what you say to these people who are experiencing this, and what you're going to do to uphold the rule—

The Speaker: The question has been asked.

Hon. Mr. McGuinty: Again, the leader of the official opposition and his colleagues obviously are very unhappy with the way the police continue to manage the situation. I continue to have confidence in the Ontario Provincial Police. I also would encourage them, again, if they have advice of any kind with respect to how it is the OPP should conduct themselves in this or any other matter, then they should make that public. Obviously he's very concerned that there are certain kinds of actions that are taking place which are not being visited with consequences. If that is his concern and he has advice to the Ontario Provincial Police, again I suggest he make that advice public.

NUCLEAR WASTE

Mr. Howard Hampton (Kenora-Rainy River): A question for the Premier: One of the reasons the McGuinty \$40-billion nuclear mega-scheme worries working families is because it will create more toxic nuclear waste, which remains radioactive for thousands of years and will have to be stored somewhere.

On Monday, your energy minister said, and I want to quote him, "The amount of nuclear waste that we've generated in the last 40 years doesn't approach a tonne." Is that accurate or is your energy minister playing fast and loose with the facts?

Hon. Dalton McGuinty (Premier, Minister of Research and Innovation): I want to make it clear to the leader of the NDP, as I have to the people of Ontario, that

there are some downsides to nuclear generation. There's no doubt about that. There are downsides pretty well to every available source of new generation for us.

We have just about tapped out when it comes to exploiting hydroelectric capacity. We're being very aggressive with respect to harnessing wind energy. We're inviting Ontarians to our standard offer program to participate in the generation of clean electricity that we might purchase and put into our grids. But beyond that we've got to make some tough choices.

The leader of the NDP says we don't have to make any choices, that we can conserve our way to 2025 and rely on wind and water through to 2025. I just don't think that is realistic, and I think when Ontarians take the time to consider this, they will understand that what we have put forward is a fair, balanced and responsible plan that is in keeping with their values.

Mr. Hampton: I'm surprised again that the Premier won't answer the question, because I think it represents a failure of the Premier to be straight with the people of Ontario. You should know the facts, Premier. They're contained in this study which was done on the whole issue of nuclear waste. It says that Ontario generates 1,632 metric tonnes of high-level nuclear waste every year and, as of December 2004, we had a grand total of 29,455 metric tonnes of nuclear waste here in Ontario—not the less than one tonne that your energy minister wants to tell people.

Premier, when your government refuses to be straight with the facts, when you won't even answer the questions, what it says is that you will do just about anything to force through your nuclear mega-scheme.

My question is this: This is a \$40-billion decision, the equivalent of \$13,000 per household. Why won't you be straight about how much nuclear waste is generated and where it will be stored?

Hon. Mr. McGuinty: One of the things we had to consider was the various downsides to the different sources of electricity generation. If we were to continue to burn coal indefinitely, then we would continue to spew toxic emissions into the air and contribute to global warming on an ongoing basis. That is one option—there's no doubt about it. We chose something else.

There's a downside to nuclear generation. We produce radioactive waste, and it is true we're going to saddle future generations with this responsibility for some to come, but I just prefer the notion of containing it. I know where it is. I know how to contain it.

The problem we have with respect to burning coal is that it's spewed into the environment. It may be that we don't see it, but it's causing severe damage to our health and it's compromising our climate.

We've made a choice. It's the kind of thing the government should have done a long time ago, to look these things in the eye and make the choice. We are convinced it's a balanced and responsible plan, in keeping with the values of the people of Ontario.

Mr. Hampton: Premier, stop trying to kid people. You're going to be burning coal for a long time too, and generating more nuclear waste.

Where I come from, when you create a problem, you don't say to someone else, "You fix it." You take responsibility for it yourself. It's called leadership.

This morning you told reporters you had a solution: Just stick nuclear waste in a box. People in regions that have been identified as possible nuclear waste storage sites—northwestern Ontario, northeastern Ontario, Hamilton, Niagara region—want you to show us this magical nuclear waste box that you're talking about. Where is this magical box that you told the press about?

Hon. Mr. McGuinty: Obviously, it's more complicated than a box. What I was trying to get at in the context of the scrum is that we know how to contain this stuff and we know how to contain it indefinitely. I think that's important to recognize. We've got a real challenge when it comes to hanging on to emissions that come from burning fossil fuels. I think Ontarians are on to this notion that we are, through human activity, now influencing our climate in a negative way. I think they want us to look for alternatives.

1500

Nuclear is hardly perfect. Again, what we're talking about is ensuring that by 2025 we have 14,000 megawatts of generating capacity. Today in Ontario, we have 14,000 megawatts of generating capacity. Essentially, we're talking about holding the line when this comes to nuclear capacity in the province of Ontario. That plan is complemented, beyond nuclear generation, with more gas, with more conservation, with more renewables. Again, it's balanced, it's responsible and I think it marries together those values that Ontarians would want to have us incorporate into their energy plan.

ELECTRICITY SUPPLY

Mr. Howard Hampton (Kenora–Rainy River): A question to the Premier: You talk about conservation, but that's about all your government does on energy efficiency and conservation; you talk about it. But yesterday, your energy minister also made some dubious claims about the McGuinty government's record on managing nuclear plant refurbishments, and specifically the management of the Pickering A unit 1 refurbishment. Can the Premier tell us, what was the Ontario Power Generation review committee's original cost estimate for the Pickering A unit 1 refurbishment, and what was the final price tag that had to be paid?

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

Hon. Dwight Duncan (Minister of Energy): The original price tag, coupled with the final price, was within the construction variances that were outlined in the report.

Mr. Hampton: I asked the Premier because the Premier should know it's his good friend John Manley

who headed up the review committee, and the review committee said that the Pickering A unit 1 restart would cost \$825 million. But then Ontario Power Generation put out a press release dated September 27, 2005, after the restart was in process, and said the Pickering restart's final price tag was \$1 billion, or \$175 million over budget. Who pays for that? People pay for it on their hydro bills.

My question is this, Premier: Why isn't your government, your energy minister, being straight about nuclear power, its high cost and its high cost overruns? Why aren't you being straight with people about the cost of nuclear power?

Hon. Mr. Duncan: The member is not reflecting all of the sequence of events that occurred. The Manley report was not used as the basis for the decision. The later estimates were, and they came in under the estimated cost. What is important is that this Premier and this government have put forward a plan to ensure that we have a cleaner, more reliable, more diverse, more secure and safer supply of electricity going forward. As the Premier said, these are not easy decisions, they are not decisions that are without challenge, but they are decisions we are taking nonetheless. Unlike Howie in wonderland, this government has a plan, and that plan will ensure the security of our electricity system now and into the future.

Mr. Hampton: The only people in wonderland are the McGuinty government, who pontificate like the Pope about coal-fired generation and then burn coal over and over again. But I want to put the McGuinty government's habit of fudging the numbers in perspective. The \$175-million cost overrun at Pickering A unit 4 would buy 100,000 energy-efficient refrigerators and double this year's hydro rebate for low-income Ontarians. But the fact is, Dalton McGuinty hasn't been straight about hydro rates, Dalton McGuinty hasn't been straight about his promise about coal, and he's not being straight now about the high cost of nuclear power. Premier, why should anyone believe anything you say about hydro-electricity, when you haven't been straight on anything so far?

Hon. Mr. Duncan: Talk about being straight. What the member just referenced—what did you do when you had the same chance? Appliance cash back: You cancelled it. That's what you did. This morning Mr. Prue, the member from Toronto, said, "Increase the R factor in walls and ceilings; they should be looking at that." What did you do with the R-2000 homes when you were the government? You cancelled the program. We had something called power saver month. What did you do? Project cancelled. We had energy-efficient lighting programs in the early 1990s. You came to office. What did you do? Project cancelled.

This Premier and this government have a plan for the most aggressive conservation system not only in Canada, but likely in North America. Had one government in the last 10 to 15 years even begun this plan, we wouldn't be

in the mess we're in. We're undoing the mess, we're setting the course for the future and we will reach that future.

NATIVE LAND DISPUTE

Mr. Toby Barrett (Haldimand–Norfolk–Brant): Premier, on Monday, as we know, you set two specific conditions to come back to the table: (1) turn over the suspects, and (2) all barricades come down. But as of 2 o'clock today, the Douglas Creek barricades are still up and there is still no word of arrests. As well, the confederacy chiefs have accused David Peterson of renegeing on the deal with respect to opening Argyle Street.

Premier, have you and Mr. Peterson renegeed on those commitments, and are you going into talks devoid of credibility?

Hon. Dalton McGuinty (Premier, Minister of Research and Innovation): The minister responsible for aboriginal affairs.

Hon. David Ramsay (Minister of Natural Resources, minister responsible for aboriginal affairs): I had hoped that the local member would be very pleased with the progress we've been making. I understand the hardships that have been caused in your community, and the residents' of Caledonia and Six Nations lives have certainly been disrupted—

Interjections.

The Speaker (Hon. Michael A. Brown): I'm having great difficulty hearing the minister.

Hon. Mr. Ramsay: As I said, Mr. Speaker, we are making great progress, and I understand the frustration that the constituents of the member have. Their lives have been disrupted. We've been employing all the resources of the provincial government to disentangle this particular dispute. We are making progress, and we continue to make progress. I would ask for the member's patience and, in fact, I would say to the member that I hope he would wish us well on continuing our deliberations in the next few days. We think we can continue tomorrow the progress we've made to date.

Mr. Barrett: Thank you, Minister. Premier, you will be negotiating after just breaking a promise, and you're in a feeble position to negotiate. That has raised the concern that you'll be stampeded into giving away the store. The question is, what is on the table? Is it Burtch, is it South Cayuga, is it Townsend, is it the Brantford casino? Are any of those properties on the table? Have neighbouring communities been asked about this? If you do make a deal, Premier, how will Six Nations know that it won't be like some of your other promises?

Hon. Mr. Ramsay: It's with great patience that I rise in my place to answer this question and just say to the member that in these long-term discussions, before we get to the disposition of any properties, we have to work out how we are going to dispose of the accounting claim that is in dispute and some of the land claims that are there. Many of your members have encouraged us to look at new processes. That's what the long-term table is

going to do. The federal government is there, as it is their main responsibility to deal with these land issues, and together we're going to work this out.

1510

ELECTRICITY SUPPLY

Mr. Peter Tabuns (Toronto–Danforth): My question is for the Premier. A legal opinion prepared by one of your government's senior policy advisers says the province's energy supply mix plan is required to undergo a full provincial environmental assessment. Now that you've finally announced your plan and directed the OPA to implement it, when will you announce the provincial environmental assessment that's required under Ontario law?

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

Hon. Laurel C. Broten (Minister of the Environment): I'm pleased to have a chance to speak in this House about the responsibility that I have to make sure that Ontarians are protected as we build new generation capacity in this province, as we build solar and wind and natural gas to replace dirty coal. Every single one of those projects will go through an environmental assessment process to make sure of where they should be built and how we can make sure that Ontarians are protected.

When we go forward with a nuclear facility, that will be the subject of a federal environmental assessment. But be clear: The province will be an active participant at the table to make sure that Ontarians are protected. This makes sense because the environmental assessment process examines concrete projects. We need to decide whether they should be built, where they should be built, how they should be built and how we can move forward and replace generation capacity in protecting Ontarians.

Mr. Tabuns: It's not surprising that the McGuinty government doesn't want to meaningfully consider alternative power sources to nuclear reactors, alternatives like efficiency and conservation. It's not surprising that you don't want to put the legacies of cost overruns, unreliability and nuclear waste out there for public scrutiny by people who are expert in the field.

You have a responsibility as Minister of the Environment. You can read the act. You can do what's right. When are you going to announce that there will be a full provincial environmental assessment of this plan?

Hon. Ms. Broten: If the member did read the act and did take a look at the opinion, he would understand that broad government policy, abstract in nature, is not subject to the Environmental Assessment Act; what is subject is project-specific. Let's not bring an omnibus package that's abstract in nature and examine it. We're going to examine every single project as we move forward. Broad government policy has never been the subject of the Environmental Assessment Act. The opinion of which you speak is an argument for inclusion. It is not appropriate. The demand-supply plan that my friend is speaking about specifically looked at projects. It did

not look at an omnibus package; it was project-specific, wrapped in one. We're not going to wrap it in one. We are going to take each specific project to the people in this province, and we're going to make sure that they're protected. We're going to bring them to the table, and they're going to have their say, one by one.

HOSPITAL FUNDING

Mr. Jim Brownell (Stormont–Dundas–Charlottenburgh): My question is to the Minister of Health and Long-Term Care. Minister, as you are well aware, the redevelopment of the three hospitals in my riding of Stormont–Dundas–Charlottenburgh has been my number one priority since arriving here at Queen's Park. They were actually one of the main reasons that I decided to seek this provincial office.

In December, you came to my riding with a commitment for redevelopment, including a new wing at the Cornwall Community Hospital. The first stage of this project is slated to begin shortly with the installation of a new birthing suite, with further stages continuing in 2008-09.

Minister, you recently announced a new funding policy for hospital capital construction projects. Can you explain how this new funding policy will benefit the hospital?

Hon. George Smitherman (Minister of Health and Long-Term Care): First, I compliment the honourable member on his excellent efforts in the riding that he represents. The three facilities there will be replaced in short order, and that area of Ontario will enjoy the most modern health care facilities possible. This is a credit, as well, to my colleague the Minister of Public Infrastructure Renewal, who has worked hard to help upgrade Ontario's hospital infrastructure.

By moving to a 90% cost-share on the part of the government of Ontario with respect to construction costs, and asking our hospitals to take the responsibility for paying for equipment, we're taking back a very considerable portion of costs and allowing hospitals to raise money on the smaller, bite-sized chunks of equipment, which works very well for them in local communities.

On the Cornwall project, we're moving from 70% to 90% funding, and I can tell the honourable member that the uptake on the part of the government of Ontario for the Cornwall Community Hospital will be a net benefit of at least \$8 million.

Mr. Brownell: Minister, I was there as a citizen in the community when the former Minister of Health, Tony Clement, came to Cornwall with empty promises about a cheque in his back pocket, about the development of that hospital. When I came here, I took it as my personal goal to ensure that the future commitments were kept.

Winchester District Memorial Hospital is another hospital in my riding that has a capital project pending. This project will bring new operating room suites, a new emergency room and new outpatient areas as part of the 50,000-square-foot addition.

Minister, you have already put your money where your mouth is with a \$4-million planning and design grant for that hospital, and that commitment has been well received. Can you tell us what other benefits Winchester District Memorial Hospital can look forward to from the funding announcement that you made?

Hon. Mr. Smitherman: I've been very impressed with the work of the people in Winchester. I think that the issue you mention about Mr. Clement's past role in the run-up to the last election was even criticized by Mr. Tory, who commented on the propensity of that party to run around with rubber cheques in the run-up to the last election.

In the case of Winchester, where we're going from 50% funding for construction costs to 90%, I can tell the honourable member that the benefit for the Winchester District Memorial Hospital as a result of the alterations in our funding policy announced last Friday means that that community will benefit to the tune of at least \$13 million.

NATIVE LAND DISPUTE

Mr. John Tory (Leader of the Opposition): I have a question for the Premier and it's on the Caledonia matter again. There's a story out this afternoon on Canadian Press indicating that the First Nations leaders say that the seven protesters wanted by the police have been removed from the area. A spokesman for the confederacy declines to say where the seven have been taken—if they're free or being held in custody elsewhere.

I ask you again: You said the other day, as one of your two conditions, that you expected co-operation from the leadership. You actually didn't say that you expected co-operation from the Six Nations police, which you're now so fond of talking about; you said you expected co-operation from the leadership. I ask you whether you think this indication here, coming from the Six Nations people, that they have actually removed these seven people from the area, represents co-operation, and why you don't reconsider and indicate that until they co-operate completely with the conditions you set, you will not return to the negotiating table, because it's important that they honour the deal you made with them or the conditions that you set down?

Hon. Dalton McGuinty (Premier, Minister of Research and Innovation): If the leader of the official opposition takes a good look at the story, he will note that not a single person is quoted in that story.

The best information we have is that the Ontario Provincial Police are co-operating with the Six Nations police, and we are satisfied with that level of co-operation.

Mr. Tory: The Premier was repeatedly asking earlier if I had any advice for the police. I have some for him—because he's the leader of the government and he is the person whom people in this province expect to make sure that the law is upheld—and that is that at this time, instead of sending somebody or sending out a press release or holding a press conference, if you don't want

to go there, you should have the people down to your office, both from the residents of Caledonia and from those who are in the First Nations community, and indicate to them that all of the barricades have to come down, number 1, including the Douglas Creek Estates barricades; number 2, that you expect complete co-operation from all of the leadership. And I would add a third, if you're going to have them in, and that is that they must all do whatever they can to make sure that incidents like bonfires being lit in people's backyards, gunshots going off behind people's houses and people being intimidated out of their homes will not be tolerated and that you expect them to bring that to a close. Will you do that?

Hon. Mr. McGuinty: I take from that again that the leader of the official opposition is providing advice to our police. He claims that activities are taking place which are outside the law and he's providing advice to the police. Again, I simply ask that he be more specific with respect to the advice that he wants to provide our police. I'm satisfied with the approach they are bringing to the matter before us, and we look forward to continuing to work with all the parties involved to bring this to a peaceful resolution.

ONTARIO ECONOMY

Mr. Gilles Bisson (Timmins–James Bay): My question is to the Premier. Premier, can you tell me how many jobs Ontario lost last month and how many jobs we've lost in manufacturing since June 2004?

Hon. Dalton McGuinty (Premier, Minister of Research and Innovation): The member is surely aware that during the course of the last three years, this economy has been working so well that it has generated 288,000 new jobs. It's a really good news story. I would like to take credit for that, but the fact of the matter is that it's the good, hard-working people of Ontario who are bringing entrepreneurial spirit, energy and enthusiasm to investing in businesses, creating businesses and expanding existing businesses. This economy is working well because the people of Ontario are working well.

1520

Mr. Bisson: Unfortunately, Premier, the answer is that 13,000 jobs were lost in manufacturing in the month of May alone, and we've lost over 100,000 manufacturing jobs in Ontario since June 2004. That is all under your watch. What's worse is that your government is doing absolutely nothing to provide the leadership and the plan to deal with the joblessness happening across Ontario.

In my community, Smooth Rock Falls, we have 300-plus workers who are going to be losing their jobs at the Tembec plant when they idle that mill later in July—again, no plan. My leader, Howard Hampton, has proposed a job protection commissioner as a means to give the workers at Tembec and other laid-off workers the ability to deal with trying to find ways to save their jobs. So my question to you is quite a simple one: Will you take up the offer we've put forward as a concrete

suggestion and pass our bill in order to create the job protection commissioner?

Hon. Mr. McGuinty: I say to my friend opposite that he's wrong on all counts. First of all, we have done much to help the manufacturing sector transition to a point where it is more cost-competitive, more productive. We can speak of the \$500-million advanced manufacturing investment strategy. The \$500-million auto fund alone has leveraged \$7 billion worth of new investments in Ontario. We have a \$900-million strategy for the forest sector. In part, this has helped us land 288,000 net new jobs. Beyond that, we have also landed the first labour market development agreement of its kind between the province of Ontario and the government of Canada. This is a \$1.4-billion investment in skills and training for those Ontarians as we build a strong, diversified workforce that is better able to seize the opportunities, to exploit the opportunities in this era of a globalized economy.

NORTHERN ONTARIO

Mr. David Orazietti (Sault Ste. Marie): My question is for the Minister of Northern Development and Mines. First, I want to thank the minister for his tireless efforts in supporting a number of new projects in job creation in Sault Ste. Marie.

Minister, as you know, our government recognizes that we will need more resources to deal with the issue of out-migration in northern Ontario. Over the past few years, young people have been forced to leave northern Ontario in great numbers in search of job opportunities. Under the previous government's watch, northern Ontario experienced a 19% youth out-migration rate. Our government understood that we needed a solution and refocused the northern Ontario heritage fund, creating two new youth-focused programs: the young entrepreneur program and the northern Ontario youth internship and co-op program.

Minister, can you please tell members and my constituents in Sault Ste. Marie about the benefits of these two programs?

Hon. Rick Bartolucci (Minister of Northern Development and Mines): I want to thank the member from Sault Ste. Marie for the question and for his incredible advocacy for the youth of Sault Ste. Marie.

First, let me tell you that this is a good news story for all of northern Ontario. Since these two new programs were announced in January 2005, we have created, through the Northern Ontario Heritage Fund Corp., 3,505 direct jobs for young people in northern Ontario. We have approved almost \$6 million in funding to keep our youth working in northern Ontario and to keep our communities prosperous.

My colleague David Orazietti's community of Sault Ste. Marie has come to the table to participate in these exciting programs. Through their applications, we have approved almost \$600,000 in funding to Sault Ste. Marie, creating 68 new youth jobs. We are providing our youth

with the opportunity to develop their skills and to make the transition from school to the workplace, encouraging our youth to remain in or return to northern Ontario.

Mr. Orazietti: Thank you, Minister. Last December, we announced an investment in Sault Ste. Marie of \$238,000 from NOHFC. This funding from our government is fostering opportunities for young people in my community by investing in new business start-ups, co-operative education placements and internship placements.

In July of last year, our government announced \$2.2 million through NOHFC for 135 internship and work placements. In addition, the northern Ontario young entrepreneur program, providing \$311,000 to youth in our region, has helped Curtis O'Neil with equipment to set up an Internet-based web design business, and Mathew DiBerardino has been assisted with office equipment and a trailer to create a home remodelling business in Sault Ste. Marie.

Minister, the youth programs are just one component of our northern Ontario prosperity plan. Can you please update us on how the northern Ontario heritage fund is working to create additional jobs in northern Ontario?

Hon. Mr. Bartolucci: Again, I'm pleased to say that we have met our commitment to refocus the northern Ontario heritage fund and return it to its original mandate of fostering job creation. Since October 2003, the Northern Ontario Heritage Fund Corp. has approved over \$162 million toward projects that will help create 5,646 jobs. That's new jobs. We have funded 667 projects across the north, leveraging investments of almost \$550 million into northern Ontario's economy.

As the Premier said earlier, it's all about the people of northern Ontario and their belief in northern Ontario. So I want to congratulate businesses that have taken the opportunity to apply to the fund, and I especially want to thank those northerners across northern Ontario who sit on the board and make these wise decisions so that finally northern Ontario can begin growing again, something that didn't—

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

ENERGY CONSERVATION

Mr. John Yakabuski (Renfrew–Nipissing–Pembroke): My question is for the Minister of Energy. You rolled out with much fanfare yesterday your multi-billion dollar plan to achieve 6,350 megawatts of electricity demand savings through conservation. Given the fact that your ironclad promise to shut down all coal generation by 2007 is now in total shambles, totally discredited, why would anyone believe a single word you have to say about this or any other energy-related subject? This should be called the Liberal preservation plan—not conservation—because it is totally based on politics. You even said yesterday it was based on politics when you answered a question to the press. You have offered no details on how you will reach this goal or what your

contingency plan is if you don't. Why don't you just admit that your promise, just as your coal promise, is totally based on politics, nothing else? Come clean with people in the province of Ontario.

Hon. Dwight Duncan (Minister of Energy): We've already begun to see results from our efforts on conservation. Let me take a moment to review them. Over 150,000 megawatt hours were saved in 2005 as a result of \$34 million spent by local utilities across the province. Ottawa had a beer fridge bounty; London and Toronto have had very successful programs. That's 150 megawatts of power for over 93,000 homes for over 100 hours. An additional \$129 million has been set aside for those local utilities.

The member opposite would be aware that a couple of weeks ago everyone in Ontario received their Cool Savings rebate program coupons, which my predecessor initiated, offering \$50 per household, I believe, in various opportunities. This is only a beginning.

There have been over 1,300 megawatts saved in various demand management programs, and this is a beginning. There's no doubt that there's a long way to go, but we're intent on not only—

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

Mr. Yakabuski: Minister, you have no credibility on this issue. You finally rolled out some rebates on swirly light bulbs. But you want to talk about your record on conservation in this province? You shut down the EnerStar appliance program that the previous government had in place. You shut it down and replaced it with nothing. You want to talk about your record? Of the top 10 energy-demand days in the history of this province, nine of them have come on your watch. You talk about credibility in energy conservation? You have none. If I had a record like that, I would resign.

You talk conservation but you don't deliver the goods. You didn't deliver the goods on coal, you won't deliver them on conservation. It's time to pack it in and hand in your resignation.

Hon. Mr. Duncan: I'm proud that the economy has been growing at the rate it has been growing, and seeing conservation go up. But what would we expect from a party that has no plan on energy? We've said what we're about; tell us what you're about.

Let me read a quote. There's somebody sitting next to you who had something to say about conservation when he was energy minister: "The private sector asked us to get out of large-scale government conservation programs. Those efforts "may have made the odd person feel good but they had absolutely no effect."

I found something you said yesterday morning very interesting. You said, "Our position is that the number they've indicated ... cannot be relied on. They're depending on total compliance with a third party which is the people of Ontario." Unlike the member opposite, I believe in the people of Ontario. The people of Ontario will meet this objective. It will be hard to get there but I assure you—

The Speaker: Thank you. New question.

1530

ILLEGAL TAXI OPERATORS

Mr. Michael Prue (Beaches–East York): My question is to the Minister of Transportation. Today, Toronto taxi drivers circled Queen's Park again, honking their horns and protesting your predecessor's flawed, so-called anti-scooping bill. Toronto taxi drivers know only too well that scooping has increased and the city of Toronto is now totally out of control. Taxi drivers in Toronto need to be assured that airport taxis and limos won't take away their business and their livelihoods, as the flawed bill has precisely done to them.

You've protected the airport limo and taxi drivers. You've done that and your party has done that. When are you going to protect the Toronto cabbies' interests? When are you going to amend your flawed law?

Hon. Donna H. Cansfield (Minister of Transportation): I thank you for the question. As a matter of fact, we did it last week with the passing of the City of Toronto Act—

Interjections.

Hon. Mrs. Cansfield: The city of Toronto now has the authority to amend that bylaw that would prevent scooping from occurring. So it has been passed and the city has the authority to do that.

Mr. Prue: I now see that the province has no intention whatsoever of being fair to Toronto taxi drivers. Not only have—

Interjections.

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

The member for Beaches–East York.

Mr. Prue: Not only have you failed the Toronto cabbies, but there is growing evidence that the province is allowing additional operators to provide airport services. We called a group today that advertises widely in the newspapers of Toronto called Airport Terminal Services, and they're just one such company. My staff asked if the company was licensed in Mississauga or Toronto, and she was told twice that the province, not the municipalities, has granted them a licence. If this is true, under whose authority did they get licensed? And if it's not true, when exactly are you going to stop this rip-off?

Hon. Mrs. Cansfield: The Toronto cab drivers are protected under both Bill 169 and Bill 53. We wanted to ensure the protection of the travellers, in particular at the airport, and that is Bill 169. Bill 53 will actually enable the city of Toronto to change its bylaws that would prevent scooping from occurring. That bill was passed and now we'll be able to proceed.

PRIX DE LA FRANCOPHONIE

M^{me} Monique M. Smith (Nipissing): Ma question s'adresse à la ministre déléguée aux Affaires francophones. Madame la ministre, en hommage du 20^e anni-

versaïre de la Loi sur les services en français que nous célébrons cette année, vous avez annoncé plusieurs initiatives conçues pour améliorer la visibilité et la reconnaissance de la francophonie ontarienne. Il y a des Ontariens et des Ontariennes dont l'engagement envers la francophonie ontarienne est une véritable source d'inspiration. Leur contribution nous enrichit tous, et j'espère que la communauté soumettra de nombreuses candidatures afin de les reconnaître et d'encourager leurs efforts.

C'est aussi l'occasion de mettre en valeur les réalisations de la communauté francophone et son apport à la prospérité et à la diversité de la province.

Par conséquent, une des initiatives que vous avez annoncées est celle du Prix de la francophonie de l'Ontario, un nouveau prix organisé de concert avec le ministre des Affaires civiles et de l'Immigration. Quel est ce prix et qui est éligible?

L'hon. Madeleine Meilleur (ministre des Services sociaux et communautaires, ministre déléguée aux Affaires francophones): Un grand merci à la députée du comté de Nipissing. On reconnaît tous son appui pour la francophonie.

Les Prix de la francophonie de l'Ontario sont décernés annuellement à un ou une francophone et à un ou une francophile pour leurs accomplissements et leur apport unique au rayonnement et à la vitalité de la francophonie en Ontario. Ces nouveaux prix du gouvernement de l'Ontario visent à reconnaître la contribution des francophones et des francophiles non seulement à l'essor de la francophonie ontarienne, mais à l'ensemble de l'Ontario, y inclus l'économie, la culture et l'éducation de la province.

Les candidats et candidates doivent résider ou avoir déjà résidé en Ontario et avoir mené, au cours des dernières années, à bien des initiatives bénéfiques pour la communauté francophone. Les élus au gouvernement fédéral et provincial ou municipal ne sont pas admissibles pendant la durée de leur mandat. Par contre, les fonctionnaires sont admissibles si ce sont des activités qui ne relèvent pas de leur fonction en tant que fonctionnaires.

M. Phil McNeely (Ottawa-Orléans): Merci, madame la ministre. Ces prix serviront à mettre l'accent sur les efforts trop souvent passés inaperçus des bénévoles et des gens travaillant à l'épanouissement de la francophonie en Ontario.

Plusieurs citoyens de ma circonscription rencontrent ces critères en contribuant de façon fidèle et concrète à l'essor de la francophonie. Comment peut-on les nommer candidats à ces prix?

L'hon. M^{me} Meilleur: Un grand merci au député d'Ottawa-Orléans, lui aussi un grand francophile.

La période de mise en candidature a commencé le 16 mai 2006 et se poursuit jusqu'à la fin du mois, c'est-à-dire le 30 juin. Les prix seront remis le 20 novembre prochain lors d'une cérémonie spéciale organisée par le gouvernement de l'Ontario.

Beaucoup de personnes méritent ce geste d'appréciation, et la démarche est simple. Il s'agit de remplir le formulaire de mise en candidature et de l'accompagner d'une description de la contribution du candidat ou de la candidate à la communauté francophone de l'Ontario, ainsi que deux témoignages écrits de personnes qui peuvent attester de la valeur de la contribution du candidat ou de la candidate et de son incidence sur la communauté francophone de l'Ontario.

On peut obtenir plus de détails sur la soumission de candidatures ainsi que les formulaires sur le site de l'Office des affaires francophones ou en communiquant avec le Secrétariat des distinctions et prix de l'Ontario.

ELECTRICITY SUPPLY

Mr. John Tory (Leader of the Opposition): My question is for the Premier. During your Minister of Energy's announcement yesterday, he miraculously forgot to mention that he had cancelled the conversion of the Thunder Bay coal plant to natural gas, which is the final nail in the coffin for a big part of your cynical coal promise. In fact, it's going to be the first chapter in a long and painful death for that promise, which is appropriate, given the incredible cynicism that it represented at the time it was made.

Premier, can you confirm that it will be hydro ratepayers who will be asked to pick up the tab of \$30 million that you caused to be wasted in Thunder Bay? Reports from this morning confirm that Union Gas certainly has a no intention of picking up their part of the tab, not to mention the millions of dollars spent by OPG. Will taxpayers or hydro ratepayers be asked to swallow this \$30 million that was wasted because of your cynical coal promise and your failure to keep it?

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

Hon. Dwight Duncan (Minister of Energy): I can inform the member that, yes, the contract was cancelled on the pipeline. The cost of cancelling—and I can assure you it was well below \$30 million. The costs will likely be somewhere around \$10 million to \$13 million. Union Gas has been in discussions with our officials. One reason for that was that we decided that in terms of the best way and the most cost-effective way to replace coal in that area—one part of the answer in the northwest was the new research facility that's going into Atikokan, but it was the view of the government and others that at this point in time it was more prudent not to go further with that approach to the coal replacement. We will be replacing coal-fired generation throughout Ontario in the most cost-effective way possible.

1540

Mr. Tory: You know, only you people, as part of this great so-called plan of yours, could replace power that is generated by coal with research. I'm sure when a lot of people come to turn on the lights at some point in time, they're going to be very reassured that you're doing research to replace coal-fired generation.

The fact is that you've now told us it's not \$30 million, it's only \$13 million—we'll see what the final tally is when it's all added up—that you blew through your incompetence and your cynical promise made by Premier Dalton McGuinty to cancel the coal-fired generating plants by 2007, a promise you never had any intention of keeping. Think of what that could have done to restore the cutbacks in the tourism budget. What might it have done for autistic children, whom you also promised to help? What might it have done to help a few farmers?

The bottom line is that we see you replacing power with research and you've blown at least \$13 million. My question remains: Who will pick up the tab? Is it the hydro ratepayers and taxpayers? I'm assuming the answer is yes. Are they going to take it in the neck for another \$13 million on your account?

Hon. Dwight Duncan (Minister of Energy): The Leader of the Opposition refuses to give a plan.

Let's talk about incompetence on money. I remember Pickering A, unit 4. Projected budget: \$400 million for four units.

Hon. Gerry Phillips (Minister of Government Services): What was it?

Hon. Mr. Duncan: It was \$1.4 billion for one unit. Your government, sir, could have cancelled that project many times in the leadup.

Let's talk about Ontario Power Generation. That party's policies cost the taxpayers and ratepayers of Ontario \$100 million per month. Let's talk about the price cap that government put on and what it cost the taxpayers over 16 months: \$1.8 billion.

Since we took office, we have introduced responsible pricing. We have eliminated the waste of that party, and we're restoring confidence—

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

NATIONAL CHILD BENEFIT SUPPLEMENT

Mr. Michael Prue (Beaches–East York): My question is to the Minister of Community and Social Services. Last night was the 20th anniversary of the North York Harvest Food Bank, a shameful reminder of how we continue to treat Ontario's poorest children. Last night they said—and I believe it's true—that the incomes of our neediest kids have shrunk by 35% in real dollars. Many of these children are worse off today than they were in the Harris years.

When will you keep your promise to end the Ontario government's clawback of the national child tax benefit, so that poor children don't go to bed hungry and don't rely on food banks just to eat?

Hon. Madeleine Meilleur (Minister of Community and Social Services, minister responsible for franco-phone affairs): Thank you very much for this question. I think it's a very important question, and this government

is working very hard to make sure that our children don't go to school or to bed hungry. We have done a lot.

First of all, when there are kids who are hungry, it's because there are also parents who are in need. What we have done is increase social assistance twice since we came to power. We have done many, many things for children, and I'm going to help the member to recognize what we have done. We have increased the back-to-school allowance for children, the winter clothing allowance. We have helped—

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

Mr. Prue: The way to end child poverty in this province is to end the clawbacks. You recognized that in opposition. Your Premier said he would do it, and you have failed miserably. If your government hadn't broken its promise to those poor kids and was really improving their lives the way you like to say, then why are we getting—I want to send these over to the minister if a page will come. I have here 1,400 postcards from people asking, demanding, that you end the child benefit clawback. I know that you have received more than 1,400 of them yourself.

Ms. Andrea Horwath (Hamilton East): Who are they from?

Mr. Prue: It's from CAW Local 444. The former minister has a huge collection of her own postcards as well.

The Daily Bread Food Bank tells us that 38% of its clients are children from the poorest families in Ontario. They also remind us that the clawback is responsible for their hunger. Minister, when will you keep your promise and end the clawback? No talk about anything else—the clawback.

Hon. Mrs. Meilleur: I would like to remind the member opposite that when we were elected, we stopped clawing back the increase in the national children's benefit.

But I'd like to remind the member of the opposition about their record, what they left when they left office. One in five children in Ontario was on welfare—one in five. They cut the children's treatment centres by \$2 million. They cut the children's aid societies by \$3.5 million. They put 6,000 child care subsidies from Jobs Ontario on the chopping block. That's the heritage they left to this province, so I'm not going to take any lessons from you, sir.

Mr. Frank Klees (Oak Ridges): On a point of order, Mr. Speaker: Given the recent tragic events related to street racing, the deaths of and life-threatening injuries to innocent people, I seek unanimous consent from the House for the following motion to be adopted:

That the government call Bill 122, the Street Racing Act, 2006, for second reading before the House rises for summer recess; that the House leaders agree to the allotted time for debate; and that immediately after second reading, the vote be called for third reading.

The Speaker: Does Mr. Klees have consent? No. I heard a no.

PETITIONS

SCHOOL FACILITIES

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

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

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

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

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

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

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

I agree with this petition. I attended this school myself from kindergarten to grade 8, and my mom taught in this school for 33 years.

CHILD CUSTODY

Mr. Kim Craitor (Niagara Falls): I’m pleased to introduce a petition to the Legislative Assembly of Ontario on behalf of my riding of Niagara Falls.

“Whereas the people of the province of Ontario deserve and have the right to request an amendment to the Children’s Law Reform Act to emphasize the importance of children’s relationships with their parents and their grandparents; and

“Whereas subsection 20(2.1) requires parents and others with custody of children to refrain from unreasonably placing obstacles to personal relations between the children and their grandparents; and

“Whereas subsection 24(2) contains a list of matters that a court must consider when determining the best interests of a child. The bill amends that subsection to include a specific reference to the importance of maintaining emotional ties between children and grandparents; and

“Whereas subsection 24(2.1) requires a court that is considering custody of or access to a child to give effect to the principle that a child should have as much contact

with each parent and grandparent as is consistent with the best interests of the child.

“Subsection 24(2.2) requires that a court that is considering custody of a child to take into consideration each applicant’s willingness to facilitate as much contact between the child and each parent and grandparent as is consistent with the best interests of the child.

“We, the undersigned, hereby petition the Legislative Assembly of Ontario to amend the Children’s Law Reform Act to emphasize the importance of children’s relationships with their parents and grandparents,” as in the bill introduced by MPP Kim Craitor, Bill 8.

1550

ROAD SAFETY

Mr. Garfield Dunlop (Simcoe North): I’m very pleased to present this petition today with thousands of signatures from people in the village of Coldwater and area. It says:

“To the Legislative Assembly of Ontario:

“Whereas a number of lives have been lost through a history of motor vehicle accidents at the intersection of Highway 12 and Woodrow Side Road over the past several years;

“Therefore we, the undersigned, petition the Legislative Assembly to have the Ministry of Transportation install traffic lights at this intersection, along with a set of traffic lights at the intersection of Highway 12 and Sturgeon Bay Road immediately, before any more lives are lost.”

I’m pleased to agree with this petition and give it to Anni to present to the table.

IDENTITY THEFT

Mr. Tony Ruprecht (Davenport): I do keep getting petitions to the Ministry of Government Services and the Parliament of Ontario. This petition reads as follows:

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

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

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

“Whereas countless hours are wasted to restore one’s good credit rating;

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

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

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

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

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

Since I agree, I’m delighted to sign this petition.

GASOLINE PRICES

Mr. Tim Hudak (Erie–Lincoln): I’m pleased to present another in a series of petitions called “Give us a Break at the Gas Pumps.”

“To the Legislative Assembly of Ontario:

“Whereas gasoline prices are at the highest level ever; and

“Whereas with higher taxes, higher hydro rates, user fees and now skyrocketing gas prices, working families, seniors and youth cannot make ends meet; and

“Whereas before being elected Premier, Dalton McGuinty promised he had three ‘solid ideas’ to reduce gas prices, but as Premier has done nothing; and

“Whereas provincial tax on gas is 14 cents per litre and federal tax is 10 cents per litre plus 7% GST (a tax on a tax);

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

“The Ontario government and federal government should act to give consumers a break to compensate for skyrocketing gas prices.”

With a series of constituents from Wainfleet and Port Colborne, I affix my signature in support.

IMMIGRANTS’ SKILLS

Mr. Tony Ruprecht (Davenport): This petition focuses on internationally trained persons and lowering the barriers for them to access professional work. It reads as follows:

“Whereas the Ontario government recognizes the need to match internationally trained persons with professional work experience in their related fields; and

“Whereas the Ontario government is dedicated to making sure new Ontarians achieve long-term success in developing and sustaining their career goals; and

“Whereas the creation of 24 new bridge programs, bringing the total amount to 60 over the next three years, will help to make these goals a reality; and

“Whereas this funding of \$14 million over the next three years will assist more than 3,000 internationally trained persons to increase their language skills, training and exam preparation;

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

“That all members of the House support the new funding for further bridge training programs in order to create a more inclusive and successful environment for newcomers to the province.”

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

EDUCATION FUNDING

The Speaker (Hon. Michael A. Brown): Petitions. The member for Durham.

Mr. John O’Toole (Durham): Persistence pays off, I guess.

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

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

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

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

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

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

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

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

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

I’m pleased to support this fair-minded petition.

MACULAR DEGENERATION

Mr. Kim Craiton (Niagara Falls): I’m pleased to introduce the following petition on behalf of my riding of Niagara Falls and it reads as follows:

“To the Legislative Assembly of Ontario:

“Whereas the government of Ontario’s health insurance plan covers treatments for one form of macular degeneration (known as wet), there are other forms of macular degeneration (known as dry) that are not covered,

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

"There are thousands of Ontarians who suffer from macular degeneration resulting in loss of sight if treatment is not pursued. Treatment costs for this disease are astronomical for most individuals and add a financial burden to their lives. Their only alternative is loss of sight. We believe the government of Ontario should cover treatment for all forms of macular degeneration through the Ontario health insurance plan."

I'm pleased to support this petition by signing my signature to it.

LONG-TERM CARE

The Speaker (Hon. Michael A. Brown): Petitions. The member for Durham.

Mr. John O'Toole (Durham): Thank you, Mr Speaker. Patience really does pay off.

"To the Legislative Assembly of Ontario:

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

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

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

"We, the undersigned, who are members of family councils, residents' councils and/or supporters of long-term care in Ontario, petition the Legislative Assembly of Ontario to increase operating funding to long-term-care homes by \$306.6 million, which will allow the hiring of more staff to provide an additional 20 minutes of care per resident per day over the next two years (2006 and 2007)."

I'm reading this petition on behalf of Centennial Care in Millbrook where my mother-in-law, Madge Hall, is a resident.

1600

Mr. Tony Ruprecht (Davenport): This petition has to do with the Portuguese-Canadian senior citizens' long-term-care home. It's addressed to the Legislature of Ontario, and it reads as follows:

"Whereas:

"Portuguese Canadians number" over 171,000 "in the Toronto census metropolitan area, many of whom encounter serious barriers (language, culture and location) to accessing community and long-term services; and

"There are no long-term-care homes dedicated to the needs of Portuguese-Canadian seniors; and

"Camões House for the Aged and Portuguese Community Centre of Toronto is proposing a partnership with a local long-term-care provider to purchase up to 160 existing beds in the Toronto area (for a nominal fee) to develop a Portuguese-Canadian long-term-care home in Toronto. This partnership is tentative and is dependent on the approval of the Ministry of Health and Long-Term Care;

"We, the undersigned, petition the Legislature of Ontario as follows:

"We encourage the Minister of Health and Long-Term Care, his staff and members of the Legislature to support the Camões proposal and to make the appropriate administrative and policy changes required to develop a Portuguese-Canadian long-term-care home in Toronto."

Since I agree, I'm delighted to sign this petition.

EDUCATION FUNDING

Mr. Tim Hudak (Erie-Lincoln): I'm pleased to present a petition similar to that of my colleague from Durham. It's a long petition, but in the interest of giving Mr. Ruprecht and Mr. Craitor time today, I'll try to be brief.

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

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

There are a number of other "whereases," and it concludes by saying:

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

In support, I affix my signature.

ORDERS OF THE DAY

MORTGAGE BROKERAGES, LENDERS
AND ADMINISTRATORS ACT, 2006

LOI DE 2006 SUR LES MAISONS
DE COURTAGE D'HYPOTHÈQUES,
LES PRÊTEURS HYPOTHÉCAIRES ET
LES ADMINISTRATEURS
D'HYPOTHÈQUES

Mr. Sorbara moved second reading of the following bill:

Bill 65, An Act respecting mortgage brokerages, lenders and administrators / Projet de loi 65, Loi con-

cernant les maisons de courtage d'hypothèques, les prêteurs hypothécaires et les administrateurs d'hypothèques.

The Acting Speaker (Mr. Michael Prue): Mr. Sorbara has moved second reading of Bill 65, An Act respecting mortgage brokerages, lenders and administrators. Mr. Sorbara.

Hon. Greg Sorbara (Minister of Finance, Chair of the Management Board of Cabinet): I'm very pleased indeed to lead off second reading debate on this bill. To sum up in very quick terms what this bill does, it replaces an outdated, ineffective, now kind of archaic bill regulating the business of mortgage brokerage in the province, an act that dates back to 1971. I'm sure there have been a couple of amendments to it since that time, but we are doing some very good renovation work to a very important piece of legislation.

To summarize the impact of the bill, it will really do three things: It will improve consumer protection, it will enhance the quality of financial regulation and it will encourage greater competition and choice for consumers.

In leading off this debate, I really want to make three points about this new piece of legislation: I want to say a word or two about why we need the changes that are being incorporated here, I want to talk a little bit about how the bill will bring about the improvements that are contemplated, and finally, I want to put the bill in an economic context.

But first I want to express our government's appreciation, and my personal appreciation, for the work that has gone into this bill among stakeholders, among my colleagues, among opposition members who have contributed to the discussion and, indeed, among people in my own staff. Can I first point out, among the stakeholders, a word of thanks to Ron Swift, who is the president, and Jim Murphy, who is the senior director of the Canadian Institute of Mortgage Brokers and Lenders.

I want to acknowledge Jeff Atlin, who is the director of the Independent Mortgage Brokers Association of Ontario; and similarly, Miss Eleanor Friedland, who is the vice-president of the Consumers Council of Canada. As I said, consumer protection is a very important part of this bill, and her advice was very helpful.

I want to also acknowledge the CEO of the Law Society of Upper Canada, Malcolm Heins.

Finally, among stakeholders, I want to thank Jim Flood, director of the Ontario Real Estate Association. Those of us who have spent quite a bit of time around these parts know the dedication of Jim Flood on behalf of the Ontario Real Estate Association.

Can I also just, by way of introduction, pay tribute to my predecessor Dwight Duncan. He was the Minister of Finance at the time the bill was introduced, and it was his energy that actually got the bill to the floor of this House for first reading. But even before that, Mike Colle—now the Minister of Citizenship and Immigration—as my parliamentary assistant, led a very extensive consultation process that really brought all the parties I spoke about together and led to the creation and the structure of the bill.

Mike was succeeded by my parliamentary assistant, Wayne Arthurs, our member from Pickering–Ajax, who continued with the same level of enthusiasm and will take on responsibility of ensuring that this bill goes from this debate to consideration in committee, to third reading, and then be enacted in law.

I also want to express my own appreciation to officials from the Ministry of Finance and to the members of the Financial Services Commission of Ontario who have worked with us to make sure that the legislation was properly designed and had the proper mechanisms to ensure it would achieve the public objectives that are at the foundation of the bill.

In that regard, if I might pay a final debt of gratitude to a person who is amongst a constituency that is not often mentioned in this Legislature; and this is a senior policy adviser in my own office, Arthur Lofsky, whom many of you know. The irony of bills like this is, as minister, I have the honour and the obligation to stand up and speak about the bill. Often, when this gets written about, someone will say, "The Minister of Finance has finally achieved a breakthrough with a new Mortgage Brokers Act." But the truth is that most of the real work is done by hard-working men and women in my office like Arthur Lofsky, who just continues to work and work on issues. So I want to acknowledge him as we get into the final discussions of this bill.

Mr. Tim Hudak (Erie–Lincoln): He's blushing, Minister.

Hon. Mr. Sorbara: Arthur has never blushed in his life, I don't think, or he would never admit to it.

Can I say a word about the changing environment? We're talking about a bill that succeeds a bill introduced 35 years ago, in 1971. The world of home purchasing was very different at that time. The nature of the mortgage market was very different at that time. To the extent that we have seen changes in that market, and particularly the financing part of the market, I think it's fair to say that the government has not kept up in ensuring that the regulation of that interchange between mortgage buyer and mortgage broker or mortgage seller has kept up.

So we've had a very big change there, and now we're renovating this piece of financial regulation to ensure that we have much better consumer protection, that we have provisions within the act for strong enforcement and that we have mechanisms to ensure there is good, strong competition.

Can I just go through a few quick facts about this aspect of the financial services industry and the mortgage brokerage business? I think a lot of people aren't even quite sure what one is talking about when one says "mortgage brokers." When we are buying a house—for virtually every Ontarian, the largest and most significant purchase of a lifetime—sometimes a mortgage that was pre-existing on the house is assumed, sometimes one will deal with one's traditional banker, sometimes one has arrangements for a mortgage through a friend or through an associate, but increasingly, financial services in this

area of mortgages have an intervening broker, whose obligation is to ensure the transaction is fair and equitable. Certainly, those are the kinds of regulations we are trying to bring about.

1610

Just a few quick, key facts: All mortgage brokers and agents would need to be licensed under our new provisions. Mortgage brokerages—that is, the businesses that employ mortgage brokers—would be responsible for the proper supervision of their brokers and agents, and the new act will provide for that supervision. Administrative penalties would be used to encourage compliance with the act.

Quickly, just to give a few numbers to put this in context, as of January 1 of this year, there were over 900 mortgage brokers—that's over 900 businesses—registered with the Financial Services Commission of Ontario; there were over 7,200 agents listed by their brokers with the Financial Services Commission of Ontario; and almost 8,400 real estate brokers were deemed to be registered with the Financial Services Commission of Ontario under the previous act.

Under the new system, with more effective registration, more effective enforcement and more effective oversight by the commission, we expect that about 10,000 individuals will be registered under the new act. That would include the over 900 mortgage brokers—900 businesses—all 7,000 agents who are currently registered, and at least 2,000 real estate brokers who actually participate in this business and act as brokers, and who would be required to register under the new act and, importantly, be subject to the educational requirements to ensure they are living within both the spirit and the four corners of this better consumer protection and this improved system for regulating the business.

I would like to put this initiative in some sort of context within the much larger economic environment in Ontario. Economists of any stripe and any persuasion—let me put it more simply. There is unanimity among economists that in a jurisdiction like Ontario, in order to grow a stronger economy, in order to create more vital and more vibrant economic activity, there are a number of things governments need to do. They need to ensure there is a competitive tax environment. In Ontario, we have a very competitive tax environment, particularly when you compare us with our competitors throughout a variety of US state jurisdictions and the US itself. You have to have the ability to make strategic investments to ensure that the real potential of an industry or a sector is being realized. Finally, you need to be able to create a regulatory environment that inspires the confidence of the working men and women and the businesses that really generate the economic activity for the province.

If I might say so, I think in Ontario we have been very strong in those three areas. I think, for example, of the announcements made yesterday by my colleague the Minister of Energy: an energy plan for Ontario that will see us to 2025 and, as it is implemented, ensure that we have a security of supply of electrical energy that is affordable and reliable.

If you ask me, I think that's exactly what the people of Ontario expect of us. I think all of us, and maybe even some people on the other side of this Legislature, are pretty proud of the fact that Ontario now has an energy plan, a regulatory framework to achieve the kinds of demands we're going to see in the energy sector over the course of the next 20 years, to 2025.

Within the context of economic environment, I think you will forgive me if I trumpet a little bit the success Ontario has had over the course of the past two and a half years. The most recent statistics—they came out last Friday—indicate that since October 2003, this province has created 288,000 new jobs, and just to put some more focus and emphasis on that, what is very inspiring to a finance minister, whose responsibility is to ensure we have a stronger and stronger economic reputation in this province, is that 99% of those 288,000 new jobs are full-time jobs. That means employers making full-time commitments to hire the men and women who are looking for opportunity in this province.

Yes, we are not growing at the rate Alberta is growing. Those are special circumstances. But we are once again leading the country in terms of the strength of our economic growth and the quality of our job creation: last month alone, some 34,000 new jobs in Ontario, virtually all of them full-time jobs.

I'm not suggesting to my friends in this Legislature that somehow this government and these benches should be taking credit for that. Far from it. This is a tribute to the imagination and the adventure, a tribute to the risk-taking of the men and women who own and run businesses in this province and the availability of a workforce to take up those opportunities.

We have a wide variety of challenges over the course of the next month, the next year, the next decade. We're part of an economic environment. We're part of a trading circle. Our major trading partner, the United States of America, continues to have growth in their economy, but who knows when that might change? The value of our dollar continues to increase and that puts extreme pressure on those in this province that manufacture here and export their products.

Certainly I understand within that context why on a regular basis we have questions from the other side of the House about manufacturing jobs and the loss of manufacturing jobs, and there is some shrinkage; there is no doubt about that. But when you compare how our manufacturing sector has been able to withstand the storm of a higher dollar and greater competition from, among other jurisdictions, China and India, I think that says a real lot about the resilience of the Ontario manufacturing sector and, more broadly, the Ontario economy.

I want to tie this back in now, if I can, to the immediate business at hand, which is the Mortgage Brokerages, Lenders and Administrators Act. They did a great job designing the bill, but the title of the bill is a mouthful, and maybe one day we'll fix that up as well.

1620

We're here at second reading. We're going to hear from our friends on the other side of the House and other

members, and I think probably my own parliamentary assistant will have a few words to say about it. Maybe even Mike Colle, whose fingerprints are on this bill from its early stages, may have an opportunity to take time out to say a word about it.

The beauty of this piece of legislation is that it doesn't give rise to differentiation in politics. I think it's fair to suggest that whether the former government—the PCs—were in power or, heaven help us, the NDP were in power, they would be revising this act and it wouldn't be all that different, although I do think that the quality of the input we've had and the dedication from staff—political staff and other members—means that we've got a pretty good product here.

I commend this bill for second reading and consideration by this House.

The Acting Speaker: Questions and comments?

Mr. Hudak: I'm pleased to respond to the minister's opening comments. I'll have a chance to respond in a more fulsome manner shortly. The minister did mention the awkward title of the act, the Mortgage Brokerages, Lenders and Administrators Act, 2006, a.k.a. Bill 65. He did mention with some fondness the excellent work of his assistant, Arthur Lofsky. From time to time we do name bills after individuals, so maybe if we have committee time, we could look at calling the act the Arthur Lofsky Act, to recognize that hard work.

I appreciate the minister's comments. This is a bill that he personally has worked on extensively. His former parliamentary assistant, now Minister of Citizenship and Immigration, also played a significant role in its development—of course, as the minister noted appropriately, supported by his staff.

We're pleased that we have an opportunity to speak to this bill, which is in a very general sense a non-contentious bill. There are a number of areas where I think we need some greater clarity. There is a significant amount of work that is left up to the regulations. We hope that we'll have an opportunity, maybe at the finance and economic affairs committee, to review the legislation in detail. I did ask the minister at estimates just this past week if some of these more contentious areas that will be subject to regulation—if we could see some draft regulations at committee. I think that would help expedite the committee process. Then we could hear from interested stakeholders, for example, what kind of exemptions should be granted under the bill and under what circumstances. We may have those in the legal profession who will feel a certain way. We'll have some in the real estate profession who will have their point of view. We'll have others who are mortgage brokers specifically, who will probably want a very tight—and justifiably so—exemption rule. Simple referrals would be another one, and I'll get to that a bit more in my remarks.

I thank the minister for responding rather quickly to my request at estimates committee. I think within a matter of days now we have it before us for second reading debate. I look forward to longer comments shortly.

Mr. Peter Tabuns (Toronto–Danforth): I want to thank the member from Erie–Lincoln for his comments. I

think, in balance, he's correct: This is largely a non-contentious bill. There are questions that will arise in the course of this debate and certainly questions that arise because so much is left to regulation. I think the member is quite accurate: If in fact draft regulations are brought forward so we can have a better sense, in detail, of what is going to be there, I think that will give comfort to all who will be part of the process in the committee reviewing this bill.

I appreciate the comments from the Minister of Finance. When we have a bill that's relatively non-contentious, it's useful for him to broaden out the debate, to look at the larger economic context within which this bill is presented and within which we have to consider its ramifications; for instance, the whole context of energy supply. Those people who will be carrying mortgages will want to ensure that other expenses that are not directly under their control won't zoom out of control; for instance, expenses around energy itself, both natural gas, oil and electricity. All of those are of concern.

I am profoundly concerned, as are many others, about the plan that was introduced by this government yesterday, a plan that I think is a guarantee for cost overrun, a guarantee for instability, and potentially a plan that threatens the finances of this province.

As all of us who get a hydro bill know, we see a debt charge on those bills. That debt charge is what we're paying to cover the cost of nuclear power, and nuclear reactors that aren't producing power or that can only produce power after huge infusions of cash. So making those energy choices is going to have a huge impact on mortgage payers in this province. I appreciate the opportunity to get at the context this act will be operating within.

Mr. Kevin Daniel Flynn (Oakville): It's a pleasure to join the debate today on Bill 65. As you know, I come from a riding that has not only a booming economy but a booming housing industry. People from Toronto, from other parts of Ontario, from other parts of Canada, in fact from the four corners of the globe, are deciding they want to make my community their home. The way that is being done, obviously, is in those areas that have been approved for growth by this government and the local government under the Greenbelt Act, and the Places to Grow Act is leading to the building of homes. The building trades are doing quite well at this time in my community as well.

The biggest purchase most people are going to make in their lifetime is the purchase of a home. My constituents expect they're going to be protected when they enter into that agreement. When you look back at the legislation that has governed the mortgage industry in the past, you realize it hasn't been seriously looked at since the early 1970s. It's about time some level of government did take a look at it. I'm very pleased to see that the minister is bringing this new act forward.

As I understand it, it's going to provide for four types of new licences that may be issued by the superintendent of financial services. You can get a brokerage licence, a

mortgage broker's licence, a mortgage agent's licence or a mortgage administrator's licence.

I think all parties would be doing the responsible thing, subject to any amendments and to anything that may happen at committee, and supporting Bill 65 to ensure that the people we all represent, all of our constituents, have confidence that they have full protection when they enter into what is probably the largest financial agreement and the largest purchase they will make in their entire life.

We know that people often buy and sell homes; they may do this a number of times in their lives. But for the average person, it's the high point of their financial exchange. They deserve the protection of this House.

Mr. John O'Toole (Durham): I'm quite interested in this bill, with such a robust economy in the housing field in Durham region. More importantly, I'm interested in the comments by the minister. He didn't use all his time, but perhaps there isn't really that much in the bill. It's a little longer, and it's been described by a couple of members as more or less unique to one particular sector in the mortgage business.

I am interested in the member from Erie–Lincoln's comments this afternoon, and I'm sort of hanging around for those to happen. There are a couple of sections in here which are quite unique. Having some interest in this area—it has been said by the previous speaker that it is an important decision where consumer protection is an important issue. To avoid any uncertainties in the mortgage market and for the certainty of those mortgages and who is delivering what information to whom, it is an important bill.

I wouldn't like to dismiss it offhand, but Bill 65 has got a rather long preamble to it. Under the current provisions of the Mortgage Brokers Act, there are certain portions that are not in force, but under the new act they are enforced. Then there are some exemptions in imposing it with respect to foreign ownership issues and those mortgages being secured on properties in foreign areas. That needs to be clarified as well.

I'm certain there will be public hearings, although it is more or less an industry-specific bill. A lot of citizens may not want to know a lot about it. Quite frankly, in my constituency I have heard only from one particular mortgage broker in the area, with whom I'm familiar.

There are significant penalties here for failure to comply. This is another part where I need to know what process is going to be brought about to make sure this is done in a fair way.

1630

The Acting Speaker: The Minister of Finance.

Hon. Mr. Sorbara: I've listened carefully to all the comments. I know of the interest of my friend from Erie–Lincoln in this bill, and we did have some discussions in estimates, and that will follow through this process as we go to clause-by-clause.

I was particularly interested, however, in the comments of one of our newest members, the member from Toronto–Danforth. I was amazed at his ability to go from

my remarks on what the bill is about to the member from Erie–Lincoln's comments and then, within the two minutes allotted for questions and comments, to point out the fact that people in Ontario—everyone in Ontario—are paying a debt-retirement charge as a result of the political and administrative mistakes in the area of energy that characterize years of Conservative government in the province and five years when his own party was making disastrous decisions on energy. I think it was wonderful of him, in the two minutes that he had, to acknowledge those mistakes and that the burden we all have to bear right now, sir, is in the form of a debt-retirement charge. I know that if he had had longer and a little bit of a truth serum, he would have wanted to compliment us on the energy plan that my colleague the Minister of Energy presented yesterday, because finally we have a government that has the courage to make the decisions that will ensure that this province has security of supply on energy from now over the next 25 years and as we continue over the next century. I just regret that my friend didn't have enough time to do that. Thank you very much, sir.

The Acting Speaker: Further debate?

Mr. Hudak: I'm pleased to rise and offer comment on Bill 65, the Mortgage Brokerages, Lenders and Administrators Act, 2006, a.k.a. the Arthur Lofsky act. I would say to my friend and colleague the Minister of Finance, I don't think you'd find too many of us who were happy with the so-called plan of the Minister of Energy. It probably should sit on the fiction shelf at your local library, along with the infamous campaign promises the Liberals have made, I think every one of which has been broken on the energy side. In that energy chapter, I don't know how many are remaining. I know the Minister of Finance is a good person. I know he wants to throw some compliments to the Minister of Energy because he probably feels bad that the poor Minister of Energy had to go back to the energy file, which is certainly not an easy file. We have welcomed the Minister of Finance back into the finance minister's chair. I think members of all parties have made such comments. But I know part of him feels for his colleague who has been put back into the Ministry of Energy and was forced to break some major promises this week, whether it's to do with the coal plant closure, the conversion in Thunder Bay or, as my colleague Mr. Tabuns has spoken about, the—what did you call it? Go big, go nuclear—hit the nuclear button. I understand it has been a tough week from the Minister of Energy, or a tough couple of weeks.

Hon. Mr. Sorbara: It was his finest hour yesterday.

Mr. Hudak: In the face of adversity, people will look for their finest hour. But certainly, with respect to the number of surviving Dalton McGuinty campaign promises in the energy file, a lot of casualties took place during that adversity this past week.

I'll return to Bill 65 and speak a bit to the legislation, outline where the official opposition is coming from on the legislation. I'll reiterate to some extent my call for committee hearings so we can hear from concerned

individuals and groups on the legislation. We hope to have some draft regulations on some of the major issues of concern and some related matters with respect to the mortgage brokerage industry and mortgages in general.

You know, I have an appreciation for what is at the heart of Bill 65, which is consumer protection. I had the opportunity of serving as a Minister of Consumer and Business Services, as it was called at that point in time, during 2002 and 2003, and brought forward a piece of legislation; the short title was consumer protection for the 21st century, CP 21 for short. I know my colleague actually had served as a consumer minister, if I recall, previously as well. This modernized much of the consumer protection legislation, some of which had been even older than the Mortgage Brokers Act, which is 30 years old, if I remember correctly. In the funeral services industry, for example, the Cemeteries Act, while it had been reviewed from time to time, was really at its heart about 80 or 90 years old. So CP21 was brought forward to modernize some of those to increase consumer protection; a number of greater powers for government, for law enforcement officers and other agencies to protect consumers. I know the current Minister of Government Services has been able to announce some of those initiatives, as well.

Hon. Mr. Sorbara: And take credit for them.

Mr. Hudak: He says, "Take credit for them." I noted with regret that, unless I didn't read the backgrounders closely enough and scrutinize them, my name didn't often appear in the minister's press releases. I think that was merely an oversight.

Hon. Mr. Sorbara: He speaks very highly of you; I know that.

Mr. Hudak: That's good to hear and I'm pleased to see him carrying on with consumer protection.

I will get this on the record while I'm speaking about consumer protection initiatives as a whole. The funeral services industry has largely expressed concern about the very slow pace of the regulations. I get that on the record in response to some of my friends who are in that industry who bring this to my attention, as the former minister, from time to time. I know the Minister of Government Services will get on that issue and hopefully finalize regulations to modernize that aspect of consumer protection.

Thirty years ago was when the mortgage—what was it called?—the Mortgage Brokers Act, which was the shorter name—it was 30 years ago, but since that time, as my colleague has indicated, the industry has changed substantially. The number of people who are seeking mortgages would be of no comparison to what existed 30 years ago, and the value of the mortgages sought in Canada would be astronomical compared to the value of mortgages 30 years ago.

Thankfully, in response to that, there's increased competition in the system, and competition, at its heart, is always good in giving consumers options to shop around. While I know the majority still have a preference for their usual bank or financial institution or sometimes

their credit union, the mortgage brokerage industry, those that are strictly mortgage brokers, has increased remarkably, which is a good thing.

At the same time, we need to ensure that for consumers, the vast majority of whom, as the minister said, are making the biggest purchase of their entire lives, proper consumer protections are in place so that individuals who are shopping around, whether it's a financial institution or a mortgage broker or a credit union or what have you, could be assured that there is a high quality, a high standard, that the individuals who are selling them or giving them advice on mortgage options have the proper level of education, and that there are repercussions, for example, if there is any kind of fraud or intentionally bad advice from those particular individuals. I know that the bill, and I'll get to it in a bit more detail later on, gives the superintendent much greater ability to enforce penalties, to suspend or even to eliminate licences, and to move much more quickly than previous enforcement options under the 30-year-old act would have imagined.

To give credit to the Minister of Finance and his previous parliamentary assistant, Mr. Colle, who is now the Minister of Citizenship and Immigration, this bill has had good consultation with the industry. If I recall, I think it was in the 2004 budget that the government first announced its intention to modernize the rules around brokerages for mortgages, and a consultation paper, Mr. Speaker, that I know you, as the finance critic for the third party, read and read over again, entitled Improving the Mortgage Brokers Act, was released in June 2004. That then resulted in a draft piece of legislation, which, by the way, is a good tool to use from time to time.

As consumer minister, as I mentioned before, I worked on privacy legislation and we brought forward draft legislation on privacy laws. It's a good way to have a bill that will affect many different sectors, as well as consumers or individuals—to actually see the direction of the government and give response. It's something I'd like to encourage more often from the Dalton McGuinty government, these types of draft bills, so you can see how the whole piece fits together. For example, there was some concern when it came to the recent Bill 102, the drug transparency act.

1640

Whether it was patient groups, brand name manufacturers, generic pharmaceutical companies, pharmacists, doctors or those interested in this field, it seemed to be a mystery where Bill 102 came from. The Minister of Health had said there were broad consultations through Ms. Stevenson, if I remember the name correctly. But what I heard from all of those groups, frankly, was that there was no real consultation on the bill. They talked about the industry, they talked about how the Ontario drug benefit program works in a very general sense, they spoke about cost control in a general sense, but some of the measures that were brought forward in Bill 102 had not been contemplated, had not been spoken about by the government. As a result, you saw very strong reaction

from pharmacists, patient groups and brand name manufacturers that do a lot of research in Ontario.

A number of amendments were brought forward—I forget the exact number, but a significant number of amendments were brought forward. Still, you have more to do in the regulatory process, and the official opposition, through our hard-working critic for health, the member for Waterloo, Mrs. Witmer, will be watching very closely. But that's an example of poor planning. And the result? Massive amendments were brought forward.

This Bill 65 took an opposite path. As I indicated, there was an early consultation document followed by draft legislation. So the major players in the area, which clearly are mortgage brokers—CIMBL acting for a large part of that field—the real estate industry, the lawyers I mentioned, consumer activists, and ordinary families and individuals who have concerns around the mortgage brokerage industry, all had an opportunity to comment on that draft legislation. If my recall and my notes are correct, Mr. Colle, who was then parliamentary assistant, also did some technical briefings and round tables, and I'll give them credit for that.

Mr. Ted McMeekin (Ancaster–Dundas–Flamborough–Aldershot): Colle's notes.

Mr. Hudak: My colleague calls them Colle's notes, which is clever. Is that the first time that one's been used?

Mr. McMeekin: First time.

Hon. Mr. Sorbara: No, no.

Mr. Hudak: There seems to be some disagreement if that was the first time "Colle's notes" has been used, but it's actually the first time I've heard it used in the assembly, and I'll give the member credit. That's a clever pun.

I need to get this on the record. As the Minister of Finance knows, I've brought forward my Homestead Act, which has passed second reading in the Legislature and awaits committee hearings, hopefully in the near future. As part of that process, we have been looking for the Colle's notes on the work Mr. Colle, as the parliamentary assistant, had done on the assessment sector. My colleague the member for Beaches–East York and I asked a number of questions about that at estimates.

Hon. Mr. Sorbara: I don't know.

Mr. Hudak: We haven't found the Colle's notes. We haven't been able to obtain the Colle's notes at this point in time. Usually, you can go to the store—and many of us may have done this, gone to the local bookstore and purchased Coles Notes. If you had a book report due the next day, often that was a way of helping to understand the book as you read it at the same time.

Hon. Mr. Sorbara: You should go and ask at Coles whether they've got Mike's notes on assessment.

Mr. Hudak: Maybe that's where they have disappeared to. Maybe if I go to Indigo just down the road, they will have my Colle's notes on property assessment. I'm not going to put any money on it. I think my bank card will remain untouched if that's the only venture I take to Indigo today.

On a more serious note, I hope if there was any work actually done with respect to property assessment, a report given to the Minister of Finance or within the ministry, that will finally be tabled in the Legislature so we can see what Mr. Colle's advice was at that point in time with respect to property assessment.

Also, in the 2004 budget, which I just referenced a few moments ago, there was a reference that the Ministry of Finance would bring forward protections for homeowners from skyrocketing assessments—I'm not sure that was the exact language, but it was in that ballpark—for the 2006 assessment year. Those have yet to be produced, even though we are well into the 2006 taxation year. Maybe more are forthcoming; maybe we'll see them in 2007, before the election. That remains to be seen. But certainly, when we saw the response—

Hon. Mr. Sorbara: Don't be cynical.

Mr. Hudak: I don't think that was cynical, particularly. I was trying for some sort of optimism.

When the Homestead Act was brought forward, which I know my colleague from Peterborough is a big fan of, there was a lot of public interest surrounding that act. In fact, we did have members—I think 11 members—of the governing party who effectively defied the Premier and then finance minister and voted for the act. So I will stress it again with the minister, who is kind enough to be here today, to move that forward, and if the Colle's notes are available to go hand in hand with the Homestead Act, we would appreciate reading them.

Where do we go from there? Mr. Colle, at that time, did good Coles Notes that I guess found favour in the industry and then shortly thereafter we saw a bill introduced. If I recall, in February or so, Bill 65 was introduced for first reading by then-Finance Minister Duncan.

Let me talk about some of the differences between the old bill, the Mortgage Brokers Act and the new bill, the Arthur Lofsky act. The Mortgage Brokers Act that—

Interjection.

Mr. Hudak: I'm pushing for it. I will move the amendment if you give me time in committee. We'll see what kind of advice you give the government members of the committee in that respect. You might have to declare a conflict of interest.

The current act, if I understand, meant that "persons who carry on the business of lending money on the security of real estate or who carry on the business of dealing in mortgages are required under the act to be registered with the Superintendent of Financial Services. Certain financial institutions and employees acting on behalf of an employer are not required to be registered under the act. Individuals authorized to deal in mortgages on behalf of a mortgage broker (commonly called mortgage agents) are not required to be registered under the act. Real estate brokers" at the time were "deemed to be registered under the act." That's the Mortgage Brokers Act, Mr. Speaker, that I know you're familiar with, dating from 30 years ago, which would have put it in—let me see. We don't know who the minister would have been at that point in time.

Hon. Mr. Sorbara: Thirty-five actually.

Mr. Hudak: Was it 35 years ago?

Hon. Mr. Sorbara: So it was 1971. Yes.

Mr. Hudak: We don't know if it was the Davis or the Robarts administration. Maybe it was Norm Sterling who was the minister.

Hon. Mr. Sorbara: It could have been. Anywhere in the past 60 years it could have been Norm.

Mr. Hudak: I don't know if that one will make Hansard.

So what does this new act do? It will modernize the legislation. We'll give the government credit for the broad strokes on the bill. The following activities will be regulated under Bill 65: dealing in mortgages in Ontario, trading in mortgages in Ontario, carrying on business as a mortgage lender in Ontario and carrying on the business of administering mortgages in Ontario.

As I think my colleague from Oakville had mentioned in his two-minute remarks, there will be four types of licences. What would you call it? Tiered licensing, I guess. Some licences would mean that they'd have a more direct relationship with consumers and be expected to have a higher degree of knowledge, and therefore a higher level of trust that consumers would place in that individual, and therefore they would have the higher degree of licence, which would be subject to greater standards, higher standards. Then those who play what is more accurately described as an administrative role that wouldn't have as much of a trusting relationship, just carrying out the instructions of somebody who would be a mortgage broker, would be at the other end of that tier. The restrictions or standards around that particular licence would likely, at the end of the day, not be as strict as those that are higher, and then individuals would identify their role in the mortgage brokerage industry and file for the appropriate licence. So they were a brokerage licence, a mortgage broker's licence, a mortgage agent's licence and a mortgage administrator's licence.

Let me go on to tell you about Bill 65 versus Bill 30. "Individuals who are remunerated for dealing in mortgages or trading in mortgages in Ontario, as employees or otherwise, are required to have a mortgage broker's or mortgage agent's licence. Brokers and agents are restricted to acting on behalf of the brokerage specified in their particular "licence. Agents may only deal or trade in mortgages under the supervision of a mortgage broker." In contrast to the 35-year-old Mortgage Brokers Act, this new act does not deem real estate brokers to be licensed.

I was curious when I read the bill after its first reading introduction and made some contacts with the Ontario Real Estate Association to see their response, thinking that OREA may have some objections because previously they'd been deemed and now they will no longer be deemed. But OREA seemed largely satisfied with the general intent of the bill. I think they will have concerns, as I mentioned earlier, on some of the regulations, some of the exemptions that exist, but largely, OREA feels that they had an opportunity earlier on, with respect to the draft legislation, to have their say.

I look forward to them coming to committee to fully understand OREA's point of view on the legislation, but I believe that OREA feels that Bill 65 is important. We'll have that opportunity, I think, at committee and we'll verify that, but that was the drama in my presentation so far, I'd say to the minister, that before they were deemed and now they are no longer deemed to be licensed under the act.

1650

As I mentioned, there will be regulations around the different types of licences under the act. Some details for that will be forthcoming and they will change over time, I think appropriately, as the market changes, as new opportunities come forward. New products may come forward in this sector as well. It will give the minister of the day the opportunity to modernize the regulations. I would expect full consultation with interested parties on changing those standards appropriately, and I would expect we'll be raising those standards increasingly over time as part of the consumer protection measures.

I mentioned exemptions a bit earlier in my remarks. A couple of those exemptions: "Financial institutions and their employees are exempted from the requirement to be licensed. Persons and entities that provide simple referrals are exempted from the requirement to be licensed if they provide specified information to the prospective lender and prospective borrower and comply with additional requirements that may be prescribed by regulation." There may also be exemptions "from the requirement to be licensed, including exemptions for lawyers" as "prescribed by regulation."

That's why I believe it is important that those draft regulations be brought forward to the appropriate committee, which I would expect to be the committee on finance and economic affairs. With respect to Bill 65, the government had brought forward draft legislation and I think, appropriately, they should bring forward draft regulations too for consideration. In fact, I had mentioned earlier that this was the process followed on the privacy act with respect to draft legislation, and draft regulations were a common practice for consumer protection legislation—CP21, I had mentioned. Sometimes that takes time. Some of them move forward faster than others. But I do have an overriding concern that, on the funeral services side, in the Cemeteries Act it has taken far too long. Nonetheless, I think it's a fair request to have draft regulations around things like simple referral and exemptions prepared for the committee whenever we have the chance to meet.

As is typical of types of consumer protection legislation, to provide clarity to consumers, especially in an area that's so sensitive and such a massive investment by individuals and a degree of complexity when you're looking at various mortgage options, "The act restricts the use of the titles "mortgage brokerage," "mortgage broker," "mortgage agent" and "mortgage administrator" and their French equivalents to persons and entities licensed as such under the act."

I think that's rather obvious. It should do so, but that's not often the case. Somebody may describe themselves

currently as being some sort of mortgage expert, for example. I know there are concerns in the real estate field about this as well. This will restrict certain terms so that consumers will have full knowledge that the individuals they're dealing with are duly registered and duly licensed and that there are repercussions if they are dealt with in an improper manner—speaking of which, the superintendent under this bill is going to assume some new, enhanced powers. I'll give you some examples:

"The superintendent is empowered to issue or refuse to issue a licence, to impose or amend conditions on a licence, to renew or refuse to renew a licence, to suspend or revoke a licence, to allow or refuse to allow the surrender of a licence and to impose conditions on the surrender of a licence."

As a general direction in the legislation, the superintendent is asked to first give notice to the individual who is licensed under those four licences I mentioned earlier on, about the intention the superintendent may have to revoke their licence or put restrictions on it. It give the licensee an opportunity to request a hearing on that proposal before the Financial Services Tribunal. That will be the standard of practice for the superintendent if Bill 65 passes in its current form.

There are occasions when the superintendent may have to move with greater speed. The superintendent would need to justify this, I would fully expect, but in some circumstances of immediate public interest the superintendent could react immediately by suspending a licence before a hearing could be held by the tribunal. I guess the superintendent will make a judgment call, under the circumstances, to determine which route to take, but it seems like the bill leans toward the first aspect, which is to give proper notice and give the licensee an opportunity to have a hearing before the Financial Services Tribunal.

What else can I tell you about the bill, Mr. Speaker?

Laughter.

Mr. Hudak: With that kind of response from my colleagues here, I will tell you more about the bill.

Interjection: Start from the beginning.

Mr. Hudak: Start from the beginning.

Let me tell you about the fines of the superintendent. I know that colleagues opposite are very interested in hearing about the fines the superintendent can bring forward. Let me see if I have this accurately.

"An administrative penalty may not exceed \$10,000 in the case of a contravention or failure to comply by a mortgage broker or agent or \$25,000 in the case of a contravention or failure to comply by a brokerage, mortgage administrator or any other person or entity, or such lower amounts as may be prescribed.

"The maximum penalty for an offence committed by an individual is a fine of \$100,000 or imprisonment for up to one year, or both. The maximum penalty for a corporation is a \$200,000 fine."

Another aspect of this bill that I think is important—we remember the good work of the Red Tape Commission. A former colleague, the member for Lincoln,

Frank Sheehan, had been the chair and co-chair of the Red Tape Commission. One thing that Mr. Sheehan and the Red Tape Commission were big on was sunset dates and reviews of legislation. In fact, under the Progressive Conservative government, I think all bills had to go before the Red Tape Commission to ensure that they minimized red tape under the circumstances.

One of the—excuse me for one second. It says, "Isn't it obvious?"

Mr. Peter Kormos (Niagara Centre): I guess it's obvious.

Mr. Hudak: I'm being distracted.

The Acting Speaker: Without interrupting, while he gets his thoughts together, I do have an announcement to make; I think all members of the House would like to hear this. Shamsa Qaadri just graduated from grade 1, and has joined us here today, and her brother, Shafiq Qaadri, just graduated from junior kindergarten, and is here to join us today, visiting their father, the member for Etobicoke North. They're joined by their grandfather Salman Qaadri, who is in the back. Welcome to the Legislature.

I hope the member now has his thoughts together and can continue.

Mr. Hudak: Thank you. I welcome our special guests to the assembly. I'm sure they're finding the discussion before the chamber very edifying today.

Mr. Sheehan, of the Red Tape Commission, as I mentioned, had always talked about the importance of sunset provisions in legislation—at the very least, reviews—and similarly for agencies, boards and commissions. Bob Wood, the member for London South, if I recall, had done a review of all agencies, boards and commissions and had actually eliminated a significant number or merged a large number to reduce the administrative costs and allow for greater efficiencies in doing the good purposes of those committees.

I know that Mr. Wood and Mr. Sheehan would likely be pleased to see that there is at least a review; there's not a sunset, because a sunset would not really be appropriate for this bill. The mortgage brokerage industry is clearly growing and, I expect, will continue to grow, and it's always good to give consumers more choices, provided there are good standards in place. But I think this bill compels the Minister of Finance—it doesn't give him or her the option; it compels the minister—that the bill be reviewed in five years' time, I assume, after proclamation: "The Minister of Finance is required to appoint one or more persons to review the operation of the new act and the regulations every five years." I think that is appropriate. I know that Mr. Wood and Mr. Sheehan, were they here and the Red Tape Commission was still active, would be pleased to see a review provision here.

I think the Red Tape Commission exists in some form or other. You don't hear much about them. They're now called the small business team or something. They're around somewhere.

Hon. Mr. Sorbara: No, we scrapped all that stuff.

Mr. Hudak: Did you? All right. It's been scrapped.

Mr. Gilchrist, also from Scarborough, was an important individual on that committee, and they did a lot of good work in reducing the amount of red tape and unneeded regulation in the province and would be happy to see that in a new piece of legislation there is an important review mechanism for the act itself and for the regulations to go along with it.

Hon. Mr. Sorbara: You replaced it with blue tape.

Mr. Hudak: The member says we replaced it with blue tape. I'll respond with an equally bad joke of my own: I'd say the current government is still cutting red tape; they're just cutting it down the middle and in fact doubling it by doing so. Instead of making a vertical cut, they're making horizontal cuts in red tape.

1700

Hon. Mr. Sorbara: Interesting metaphor.

Mr. Hudak: Yes. I do have to bring this up. There is an atmosphere of co-operation in the House here on Bill 65, but I do have to bring this particular measure up.

Hon. Mr. Sorbara: Here's the friction.

Mr. Hudak: Well, no, I think it's a very fair point, because I know some of the others have said—several members of the party. When Minister Duncan introduced this bill—now, I do have the Hansard in front of me, so I can say with certainty, because of the quality individuals working very hard in Hansard, that February 20, 2006, is when Minister Duncan introduced this bill for first reading—he gave a brief description of the bill, much of which I have spoken about. He greeted those who were there in the audience. Then he said, at the end of those comments—I know my colleague from Beaches—East York will remember this—“I want to thank all of them”—referring to CIMBL, among others—“for joining us today and, indeed, for their support of the bill.” Which is true. CIMBL is very supportive of the bill. They have some concerns on regulations, but they are supportive of the bill. Then the then-finance minister, Mr. Duncan, said, “I've referred them to the opposition House leaders to ensure that this bill gets speedy time coverage and debate.”

I find that to be a rather unfortunate comment. Basically, what the minister was implying at the time was that somehow the opposition would be delaying this bill and it was the House leaders who were villains of some kind. The bill was introduced and, within minutes, the then-Minister of Finance was basically inferring that the opposition was holding up the bill. Far from it. In fact, I will say at this point in time that Minister Duncan, in his tenure as finance minister, didn't even call this bill for second reading. He made a big fuss, huffed and puffed, talked about this bill, talked to the House leaders across the way on how important this bill was and then failed to call this bill for second reading. It would be interesting to go through Hansard to see if he even referenced the bill again. I don't think he even had a chance to meet with CIMBL after the bill was brought forward. Not to belabour this point, but I do want to say for the record that members of the opposition, I think of both parties, found the minister's remarks rather disappointing.

You will recall too that we had a similar circumstance with respect to—now, what was the bill's number?—the bill that extended the appeal period for assessments by an additional 90 days. It slips my mind. This was introduced after the Ombudsman's report on MPAC and it extended—

Ms. Andrea Horwath (Hamilton East): After Michael Prue called for it.

Mr. Hudak: He did. Mr. Prue deserves credit. He brought this up in the Legislature and called for an extension to the appeal period, given the Ombudsman's scathing remarks and scathing report about MPAC.

Hon. Mr. Sorbara: Intemperate language.

Mr. Hudak: No, it was scathing. It's not me. I think “scathing” accurately reflects the Ombudsman's report on MPAC.

The Minister of Finance then brought forward, as a way of reacting to that bill, a 90-day extension. As I said earlier, my colleague from Beaches—East York, the NDP finance critic, had called for an extension of time, responding to both of those things. All three parties supported the extension. We thought this was a fair thing to do, to give people a greater opportunity to appeal, particularly since the issue had been raised in the public's eye by the intense media scrutiny about the operations of MPAC and skyrocketing property assessments.

A deal was forged between House leaders, if I recall, that the bill would go to second reading debate the following day, within 24 hours. It would give an opportunity for members of the House to have their say about that piece of legislation, and then it was agreed that a vote would take place. That did happen. There was a debate. Members who wanted to speak to the bill spoke to the bill. They addressed issues like skyrocketing property assessments in Ontario for residents. The vote then took place at second and third reading. There was no committee necessary. I think the bill passed with the support of all members who were present. I don't think there was a dissenting vote at all.

But the same previous finance minister, who had huffed and puffed and indicated it was the House leaders who were delaying Bill 65 when he in fact didn't even call it for second reading, similarly demanded that the assessment extension be voted upon right then and there, despite the fact that an agreement had been reached among House leaders. We find that kind of gamesmanship disconcerting. I did want to register those two items as I was talking about how Bill 65 got to this point.

I know I have less than half an hour for my remarks on this important piece of legislation and I did want to bring forward some other items of concern. It's just a matter of deciding where I'm going to start. I will skip these articles.

CIMBL responded, as I have in my issue binder, with a very positive release on February 20, 2006, entitled “Mortgage Professionals Welcome Introduction of New Legislation.” CIMBL referred to a recent report entitled—

Interjection.

Mr. Hudak: Thank you. There's coming drama, with the pending suspense about where I'm going to end up in 25 minutes' time. You don't even know if I said we'd vote for it.

Hon. Mr. Sorbara: I'm going to read it. I can get a copy of Hansard.

Mr. Hudak: I thank the Minister of Finance for his rapt interest in my remarks and his running commentary on my speech on Bill 65.

CIMBL talked about the importance of the residential mortgage market in Canada. In fact, a recent study that CIMBL I believe commissioned said there was \$617 billion in total mortgage credit in Canada in mid-2005, nearly half of which is in the province of Ontario. They refer in their press release actually to some polling done by Pollara that CIMBL had commissioned. I'm going to report on that a bit later in my remarks. I think there are some very interesting things in Pollara's remarks.

Interjection.

Mr. Hudak: My colleague is right; I'm down to about 25 minutes, so I'll move ahead. But I will try to get back to talk a bit about Pollara. If necessary, I may look for unanimous consent to extend my time.

Those who are in the industry—I've mentioned this in a general sense, and I know the Minister of Finance and Mr. Lofsky have similar concerns. I do hope by their good graces they'll bring forward draft regulations. I know the industry has a number of concerns about things that are either not in the bill or not clear in the legislation. That's why draft regulations following up on draft legislation would be most helpful to ensure a speedy acceptance of this legislation generally.

One that CIMBL has brought forward deals with errors and omissions insurance. They fully support mandating errors and omissions insurance for all mortgage brokerage firms in the province as part of their licensing requirements—obviously a point worthy of consideration. I look forward to hearing from CIMBL about the reasons behind that as part of our committee process.

CIMBL also has a stand with respect to minimum capital requirements for mortgage administrators. I think mortgage administrators, whatever their level of licence, deal in substantial sums, not only in the aggregate amount, but substantial to working families, individuals or even some seniors who are investing in mortgages and making significant commitments over a number of years. So CIMBL will bring the point forward of minimum capital requirements to ensure that the industry is responsive to their clients.

The other things that CIMBL brings up: Enhanced consumer disclosure is something they would like to see as part of the bill, I guess more clarity in regulations. Cost of borrowing disclosure similarly follows the arguments of enhanced consumer disclosure.

The CIMBL referral I had mentioned earlier on, which goes a bit hand in hand with the exemptions under the act—I think there will probably be some disagreement between those in the legal profession and those at CIMBL, and maybe others in the mortgage brokerage industry, over what those exemptions should be, whether

they would be class exemptions, whether there would be circumstances where exemptions should be granted. I think it would be a worthwhile and enjoyable exercise to see the draft regulations about how exemptions are going to take place and hear from the various professions as to their view of the inappropriateness of those exemptions. I think it's inappropriate, in a consumer protection piece of legislation, to have gaping exemptions. After all, if you're trying to raise the standard of consumer protection, you need to ensure that, as a principle, the exemptions have been seriously considered and that they are as narrow as possible. I think you need to be zealous in ensuring that any exemptions would be more than reasonable. Otherwise, if consumers don't have faith in the protections of the legislation, the legislation of the day would be worth nought. I know the government will bring forward suggestions, or hopefully will bring forward suggestions, on what's appropriate for exemptions and what is not.

1710

With respect to simple referral, is the government's intention to say that simple referral exemptions will be granted to somebody who is just simply passing on a name, contact information of a mortgage broker, to an individual who is shopping for a mortgage? Is that the most narrow definition of "simple referral" and is that the government's intention? Is it a transfer of information about a prospective mortgagee to a broker? Is that within the bounds of simple referral, or do you go as far as people who are gathering information on a prospective mortgagee, somebody who is advertising, a mortgage referral service? Exactly where will the government draw the line on simple referral to ensure that consumer protection is maintained?

I did say I was going to speak a little bit about the Pollara work that was done.

Mr. O'Toole: A little bit about the bill.

Mr. Hudak: I think I've spoken quite a bit about the bill.

Mr. O'Toole: There's not much in it.

Mr. Hudak: My colleague from Durham said, "There's not much in it." I think by that he's saying that a lot is left to regulation. While the bill is before us and we can vote on the bill itself, the structural framework, the skeleton, the so-called meat on the bones, has yet to be revealed. I'll look forward to the remarks of my colleague from Durham, but I would expect that he would have a similar viewpoint to what I do on the framework itself. When he says there's not much to it, I think what he's saying is that we would like to see some draft regulations before we give full blessing to this bill through third reading.

In September 2005, Pollara conducted a brief four-question telephone survey with 2,524 Canadians, and a more in-depth 13-minute survey with 1,076 residential mortgage holders across the country. What did we find out?

Mortgage holders consulted an average of 1.92 mortgage professionals when taking out their mortgage. I

found that surprising. That's less than two. So, 1.92 mortgage professionals when taking out their mortgage; 45% of Canadians consulted two or three mortgage professionals; 48% consulted one or less; and a small minority of 7% consulted four or none.

So there is some degree of shopping happening, and it's certainly greater than it had been in the past. But considering the vast array of points from which you could purchase your mortgage or at least get quotes and advice, not that many are taking advantage of it. I suspect that will increase. If I recall, I think the survey found out that younger individuals are more likely to consult more, on average, than the older cohort. It's interesting too: I think it said that young males were the category most likely to shop around. I expect that, across demographics and across the two sexes, that will probably increase over time. That's why this type of legislation is important, to ensure that if you are shopping around for a mortgage, you will know that those you are consulting with will be properly accredited, licensed and, if they give you the wrong advice in a damaging way, in an intentional way, there will be significant repercussions.

The types of lenders consulted most frequently: major Canadian banks, 74%; credit unions, 27%; mortgage brokers, 25%; mortgage loan and investment companies, 7%; life insurance companies in fifth place, at 4%.

I mentioned credit unions. They're at 27%. There were a couple of items that I brought forward at the beginning of my comments at estimates, two of which pertain to government legislation. The credit union legislation was expected some time ago. I think the original expectation, if not promise, was in the fall of 2005. Then there was an expectation it would be this session. We only have six legislative days left in this session, so I'm a bit pessimistic that the credit union legislation will be coming forward in the spring sitting, which is disappointing. Similar to the mortgage brokers' act, there was a draft paper, a document, put out; there has been broad-based consultation. The credit union legislation as it exists today is older legislation in vital need of refreshing, so I do hope now that Mr. Lofsky has been energized by Mr. Sorbara's returning comments at estimates. We saw that the mortgage brokers called for second reading in a short period of time. Similarly, we hope that the credit union legislation will be forthcoming in the very near future.

I've seen a smile over there which I will interpret as a positive sign. I'll send my encouragement to see that bill move forward, because it is a couple of sessions overdue. Similarly, while there will be some issues of contention with that bill, you'll probably find that the vast majority of the members in the House would agree that the legislation needs to be modernized and new tools given to the credit unions that exist in other provinces.

I don't want to dwell too much more on the survey, although I will recommend it to members who are interested in delving more into the Pollara poll around the mortgage industry. Will Dunning did some interesting economic research. Because my time is limited to a mere 60 minutes on a piece of legislation like Bill 65, there are other associated topics.

My colleague from Northumberland did indicate that potentially he'd agree to extending my time to speak to Bill 65 today. If we do get that unanimous consent, I could tell him, because I know it's something he's interested in—economic research and polling—I'll go into further detail. There are other things that I want to get to in addition to that Pollara research.

I do want to say to my colleague the finance minister: One item that I ran out of time to bring up at the finance committee and I want to bring up in connection with Bill 65, the Arthur Lofsky act, is what seems to be an increase in the land transfer tax. Some Ministry of Finance officials argue that there has not been an increase, but there has been much media speculation and speculation in the building sector that in fact the land transfer tax has been increased in another Dalton McGuinty tax grab.

Certainly, as we speak about taking out mortgages, young families buying a new home and individuals purchasing greater property will face land transfer tax. Land transfer tax has been around for some time, but there's concern that it has been broadened—not with any consultation here in the Legislature; no new bill was brought forward—but there seemed to be a posting on the Ministry of Finance website that has resulted in what Linda Leatherdale, the business editor for the Toronto Sun, called, “Of all the sneaky, back-handed, greedy tax grabs. Dalton McGuinty's done it again.”

I refer members to the April 21, 2006, business section of the Toronto Sun. Ms. Leatherdale goes on to say, “This time it's the hated land transfer tax that's going up in a secretive move that not even the Greater Toronto Home Builders Association knew about.”

Here we are talking about Bill 65, the mortgage brokerages act, to use the short form. Consumers that are concerned about regulation and having proper licensing for mortgage brokers will also have a great concern about a secret increase in the land transfer tax.

Ms. Leatherdale goes on to say, “And what's new is buyers of new homes and condos will be paying more in land transfer tax as a long list of upgrades and extras, including Dalton's smart meters....” Dalton McGuinty is mandating smart meters across the province, and I guess the land transfer tax is to be enhanced to include their value and “will now be added to the purchase price and” therefore “taxed.”

Ms. Leatherdale uses strong language, but I think she has had good cause to do so, with the Dalton McGuinty broken promises that have caused taxes to increase substantially. Ms. Leatherdale has also been a very active critic about skyrocketing property assessments and the inactivity of the current government in addressing them.

She uses language that says, for example, “Even more hideous—buyers will now be paying tax on tax, as the taxed purchase price will now include an obscene list of levies which already hit new homes.

“These include: Lot levies, development charges, school levies, any increases in municipal development levies, a Law Society of Upper Canada transaction levy surcharge, a late request for upgrades fee, the Ontario New Home Warranty Plan fee, and the architect's fee.

“‘This is not right,’ the law clerk wrote me”—Ms. Leatherdale—“in an e-mail. ‘Maybe this new tax can be stopped. If anyone can make a difference it’s you.’”

“Toronto real estate lawyer Alan Silverstein explained in 2004 the provincial auditor recommended changes to how the land transfer tax was collected, but blasted the Liberals for being so sneaky in implementing any changes.”

Mr. Silverstein says, “They snuck in a new tax grab by the way of a bulletin.”

1720

I do want to call this alarming development to the attention of the Minister of Finance and his parliamentary assistant while we’re on the topic of mortgages. There is an alarming incident that seems to have transpired that has resulted, if Ms. Leatherdale is accurate, in a new tax grab by expanding the land transfer tax.

Bob Aaron, in the *Toronto Star*, in a number of his *New in Homes* articles, has made the exact same point. I’ll read part of one, from Saturday, May 6, 2006. Mr. Aaron says, “My dictionary defines ‘grinch’ as one who spoils the pleasure of others. The derivation, of course, is the principal character in the Dr. Seuss classic, *How the Grinch Stole Christmas*.” The Grinch probably has as widespread identification as Pinocchio. You use those words and people know instantly what you mean.

Mr. Aaron goes on to say, “That definition might well apply to Ontario Finance Minister Dwight Duncan, whose mandarins have come out with an edict to increase the land transfer tax paid on every new home and condominium in Ontario.”

The bulletin that he refers to means that, “The value of extras and upgrades to be included in the purchase price for land transfer tax purposes now includes the cost of upgraded flooring, cupboards, doors ... architectural changes, extra doors and entrances, whirlpool baths, finished basements, smoke detectors, roughed-in washrooms, fireplaces. Purchasers will also have to pay land transfer tax on charges for ... tree planting, sodding and planting, driveway paving,” lot premiums. He goes on and on.

I know this is an initiative of the previous finance minister, Mr. Duncan, and I do hope that Minister Sorbara, who has moved forward with Bill 65 and showed an interest in mortgages, will similarly look into this impact of what Ms. Leatherdale called a sneaky tax grab.

The other issue I wanted to bring up on the topic of Bill 65 is a general concern about mortgage fraud. Certainly, Teranet has been an issue in the news and we’ve brought up concerns around Teranet in the estimates committee. At its heart, Teranet has been very successful in moving to a system of electronic land registry. What began in 1993 has expanded to the vast majority of the province now using electronic land registries. In 2003, the Ernie Eves government sold off its remaining shares, with proper protections in place, ensuring that the government retained the right to allow or disallow any increases in land registry fees in perpetuity. It also allowed for the government of the day to

benefit over a certain time period with 50% of any upside sales. That’s why—because of these provisions brought in under the Ernie Eves government—this government will probably be receiving an additional \$400 million or so.

Mr. O’Toole: They overstated.

Mr. Hudak: That’s their estimate; I’ve not seen any others.

Anyway, those were some of the protections that were brought in in 2003. I don’t think I received a clear response from the minister yet, or maybe the Minister of Government Services could do so. I certainly would expect the government would maintain that freeze in the land registry fee that has existed for some time, but they have not, to my knowledge, made that guarantee. I know it’s a bit ironic, asking the Liberals to make a promise and expecting that it will be kept. Nonetheless, at the very least they could come forward and tell us that they’re going to maintain that freeze.

At the same time, it is a good thing. The electronic registry was a very successful move. It makes transactions easier; it makes them happen with greater frequency. What it also has done, and we can’t lose sight of one of the challenges, is it basically anonymizes some of these transactions. They would take place without the traditional contact that may exist between buyer and seller, or their lawyers or their financial institutions. As such, there have been cases brought to light by some media quite recently, including the *Toronto Star*, about mortgage frauds that have taken place as a result of identity theft and then individuals assuming that identity, taking out a mortgage on a property and leaving the person whose identity has been stolen on the hook. So I hope there will be some action by this government, working with Teranet, working with the law society and working with the real estate profession to address mortgage fraud.

I, by no means, would suggest the government should go backwards. I think Teranet as a whole—and I was pleased to be the minister responsible at one point in time—has been a very successful enterprise in modernizing the way our land registries work. People have raised concerns about the government’s current activities on the IPO side for income trusts. There were some good questions asked. But I think we would all agree that Teranet moving forward in electronic land registry has largely been successful, and they’ve responded to some of the concerns brought forward by the auditor a number of years ago. But it does leave the system somewhat vulnerable, because of the reduction in the traditional face-to-face contact, to mortgage fraud stemming from identity theft. I hope we’ll see the government opposite moving forward, working with the sectors I’ve mentioned, to address those concerns.

Also, as I like to do, on the topic of mortgages, I’d like to bring forward some riding concerns, in addition to mortgage fraud. The 905 area—I know my colleague from Durham will be concerned about this—where there has been a rapid expansion in land transfers over the last

number of years, is particularly vulnerable to mortgage fraud. I know my colleagues here who represent the 905 and 416 area codes particularly will be pushing the government to move forward with some appropriate protections.

I also want to say—and I know my colleague from Niagara Centre is very active on this and has asked a question in the Legislature of the Minister of the Environment—that I wonder how the people who live in Fenwick and in the town of Pelham feel about the security of their mortgages or the ability to get new mortgages when selling their homes. No matter what the quality of the broker, if they're a CIMBL member or what have you, there's a concern right now in Pelham with the dumping of paper sludge on a property on Church Road. It's a country road. It's not a frequently travelled road. I had the opportunity to go by the property this past weekend. I didn't go on the property—the owner wasn't there—but from the road made the best observations possible. I've heard from a number of neighbours about the concerns, the impact this will have on the value of their homes and real estate. If they were looking to exchange land, no matter what the protections of Bill 65, they're worried about the devaluing of their property.

My colleague Mr. Kormos asked a very good question of the Minister of the Environment. The reflection from the town of Pelham and the constituents was great dissatisfaction with the answer. I know my colleague from Durham has brought forward a private member's bill to address the issue of the dumping of things like paper sludge on residential properties.

In fact, I have in my hand something called the Report of the Experts Panel on Sound-Sorb. This was prepared for the Ministry of the Environment on January 31, 2005. The expert panel makes a number of recommendations and, if I read the report accurately, says that this dumping of paper sludge should be subject to a certificate of approval, that there should be proper regulations in place to ensure that environmental protections exist, that the circumstances of the dumping would be appropriate.

Let me read from page 25 of that report:

“Question 1: Does Sound-Sorb,”—the material I'm speaking about; this is one of the brand names, I guess, for this product—“as used as a berm construction material, present a risk to human health or the environment and what is the nature of that risk?”

The expert panel reported back “that it could not come to a conclusion on all of the possible risks to human health and the environment based on the data it had. It also felt that a more systematic collection of data at berms would not provide a comprehensive assessment of the risks.... The expert panel came to the conclusion that this material could with proper regulatory control be used to construct berms without causing an unacceptable risk” but they talk about the importance of regulatory approval and elsewhere in the report speak about ensuring that a certificate-of-approval process exists for this type of dumping.

I also had the opportunity to write a letter to the Minister of the Environment—I hope she'll have a chance to respond soon—asking her to put all of the ministry's resources into reviewing what's happening on Church Road in Pelham and assisting the town council in addressing the issue. You can't blame the neighbours. As I've said, they'll be concerned about Bill 65, and they'll be concerned about ensuring that the mortgage brokerage industry is subject to the proper high standards. But it's going to be awfully hard for them to move somewhere else and sell their homes if they're seeing their properties devalued. Nice homes, very nice neighbourhood, nice and quiet, but obviously some justifiable concern about the dumping of the sludge on a property nearby.

1730

It has a foul odour. What are the impacts on soil contamination and what are the impacts of drainage into groundwater or the nearby Welland River, a main river through the centre of the Niagara Peninsula, affecting many, many constituents? I support those individuals' expressions of concern and I do hope the Minister of the Environment will put all of her resources to bear on addressing this issue and hopefully will take the advice of the expert panel and work with my colleague from Durham to ensure that proper protections are in place so that she can say with some degree of certitude to the residents of Church Street that if this is allowed, it's perfectly safe, and if it's not safe, then this practice will be stopped and the neighbourhood can return to some form of normalcy.

I guess my time has rapidly expired. It's truly amazing how fast time can fly. There are a couple of other topics that I wanted to address.

Interjection.

Mr. Hudak: If my colleague from Northumberland wanted to assist me with a motion to extend my time, I could talk about some of the polling data behind this legislation. I could also talk a bit more about the concern I have with property values of my constituents near the Caledonia area. I know my colleague from Haldimand-Norfolk would have similar concerns about their mortgages and their property values. But at this point, I will conclude my remarks on Bill 65.

The Acting Speaker: Questions and comments?

Mr. Tabuns: First I have to say that this has been a virtuoso performance by the member from Erie-Lincoln. I think people from all parties can agree that his ability to speak for one hour on this bill, on an extraordinarily small amount of content, is impressive—at the very least, it's impressive. There's no question that he's taken the opportunity during his hour to talk about the fact that it isn't just this mortgage act that is needed to protect the interests of mortgage holders in this province. As has been said a few times today, people see their mortgage, quite correctly, as the largest single investment they will make in their lives. People put everything into it. Certainly, it makes sense to have a regulatory regime for those mortgages, to ensure that they're protected, to ensure that in no way are their funds siphoned away, in

no way are they subjected to anything that would resemble fraud. But the member was also quite correct in saying that if you don't deal with other physical and environmental elements in the environment near the homes of those mortgage holders, then you put those mortgages at risk.

Certainly, the issue that was raised by Mr. Kormos a few days ago, the question of using SoundSorb for a berm near Pelham, is a significant concern. We didn't hear from the Minister of the Environment the other day that she was going to take action on this. She said she was monitoring the situation. Well, according to the residents, you can monitor the situation yourself; you can watch the ooze coming out the bottom of the berm. I'm glad the member for Erie–Lincoln raised that, because when we talk about this bill, when we talk about protecting mortgages—human health obviously, but mortgages as well—we don't see this government acting.

Hon. Mike Colle (Minister of Citizenship and Immigration): It's my privilege to make a couple of comments about Bill 65. This is a critically important bill because it deals with ordinary working Ontarians whose biggest investment they make in their life is their mortgage. Up until now, this type of legislation has not been reviewed since the early 1970s. It's long overdue. I know the opposition doesn't think there's any content here, but you ask the ordinary person whose life savings are in a mortgage and there's been no protection for them as they put all their hard-earned money into their home or their apartment, their condo. Now, finally, there are some rules. Up until now there have been over 7,000 so-called agents out there who require no education, no kind of certification, who have been claiming to be mortgage brokers who are not. This bill ensures that there are people who are trained, licensed and supervised so that all Ontarians who buy a home are protected every year. It's critical to them because that's where all their life savings are. Up until now, there has been no awareness of whom the so-called agent represents. Does the agent represent the borrower or the lender? There's no need to declare anything. Who is paying the so-called agents? There are 7,000 agents all over Ontario selling homes, and we're fortunate that we're building 75,000 new homes in Ontario every year. It is critically important for the government to act here.

Laughter.

Hon. Mr. Colle: We can't laugh at the seriousness of this. This impacts on people's lives. I think the survey said they spend about a month looking for a home to buy. They're spending only half an hour to arrange a mortgage. In some cases, they've arranged a mortgage with someone who had no track record, no education, no qualifications. Bill 65 protects consumers. It's long overdue. It's about time we stepped up to ensure that the consumer's lifetime investment is protected. That's what this bill does.

Mr. O'Toole: I want to respond to the passion of the member from Eglinton–Lawrence, now the minister. I know he was the parliamentary assistant—I commend

him. He did the consultation on this—and I had served some time as the parliamentary assistant to the Minister of Finance. He is right to the extent that this industry needed to be regulated. We've agreed with that. I think our critic has said that, basically. But a lot of the bill is of a technical nature, and the engagement of the public is a difficult task here because it's sort of inside baseball. I'm not trying to diminish that in the debate. I think the member from Erie–Lincoln did yeoman's service, as has been mentioned by the member from Toronto–Danforth. It's a laudable achievement to speak for an hour on something that regulates four different sectors.

But if you look at the sections of the bill, it's a fairly long bill. It has 66 sections, 38 pages; for English, that would be close to 18 or 19 pages. But if you look down at the prohibition offences section, 43 down to 66, a lot of it is about collecting fines, enforcement mechanisms for the disclosure aspect and public hearing and process, which is—you and I both know that this bill is primarily about process and setting up a regulatory framework for these four sections, the mortgage brokers, the agents and the ownership issues. The member from Erie–Lincoln has done good service to that. He did speak to some extent about the importance in the context of property rights. He has done more work on property rights than any single member in this Legislature. He needs to be applauded for the work he has done on property rights in this province.

Ms. Horwath: It's my pleasure to make a few remarks on the speech by the member for Erie–Lincoln. I have to say I agree with most of the sentiments we've heard already this evening in that this bill is simply an updating of legislation that hasn't really been reviewed for some 30 years. Certainly New Democrats are pleased that there's some action on this, that there's some reviewing and updating of important regulations and standards that are required when it comes to mortgages and when it comes to who is able to deal in mortgages. I think the member very adequately and appropriately remarked on the extent to which this could be a big—this is a big issue for most people when they're purchasing property, particularly if it's their first time out of the gate.

But what I do notice is not in the bill is that, although there is a requirement for professional education to be undertaken by those dealing in mortgages, the bill itself, the act, does not outline any specifics around what that education should contain, what the components of the required education should be. So we get a little bit nervous about that. We'd like to see some more fleshing out about what that kind of education would look like so that at the end of the day, once the bill is passed and is in force, it doesn't then become a whole long process of back and forth and argument about what should and shouldn't be required in terms of pieces of education.

What's not in here is consumer education. I think it's a good opportunity to perhaps get some consumer education built into the process. It's a bit of a shame that that wasn't considered as part of the bill.

There are some exemptions as well as to who is not covered by this act.

Ultimately, what New Democrats want to see is this bill going to committee so that some fine-tuning can be done and we can be assured that the pieces that are in here are strong enough.

1740

The Acting Speaker: The member from Erie–Lincoln has two minutes.

Interjection.

The Acting Speaker: That was four. I'm reminded by the clerks that there were four people who spoke in questions and comments.

Interjection.

The Acting Speaker: I don't see anybody actually making that motion.

Mr. Hudak: Mr. Speaker, I seek unanimous consent to allow the member from Etobicoke North an additional two-minute hit.

The Acting Speaker: Is it agreed? I heard a no.

The member from Erie–Lincoln.

Mr. Hudak: We tried. Thank you, Mr. Speaker.

I appreciate the comments from my colleagues from Toronto–Danforth, Hamilton East, Stoney Creek, Durham and Eglinton–Lawrence. I thank them for their very kind words too. I know that this speech on Bill 65 is one for the ages.

I do want to go on about a couple of issues that my colleague from Northumberland raised as well. One thing I found interesting in the Polara data was that typical advertised rates over a time period averaged 6.04%. The average rate of mortgages taken out was 4.71%. So we saw that borrowers had negotiated discounts an average of 1.33% below typical advertised rates. It shows there's some bargaining going on, and the greater the competition, the better for consumers. They have more options to shop around to try to compel those who are selling mortgages to lower their rates. We want to encourage competition, provided of course that proper protections and standards are in place.

The other aspect that was quite interesting that I want to get on the record—I talked earlier about the number of mortgage consultations that occurred across ages and sexes. Males 18 to 24, 2.55 consultations; females the same age, 1.93. As you move to an older cohort—55 and over, for example—1.58 mortgage professionals were consulted by men, 1.46 by women. So it seems that the older cohort was probably more likely to go to an existing financial institution, but as the cohorts advance, we're seeing younger folks. Not to discredit Mr. Lofsky, but I think this bill could also be named the Jim Murphy bill as well. Maybe I'll move that amendment.

The Acting Speaker: Further debate?

Mr. Tabuns: Mr. Speaker, I seek unanimous consent to stand down the lead of our finance critic, who, as you know, is not available at this moment to speak to this bill.

The Acting Speaker: The member has requested unanimous consent to stand down the NDP lead. Is it agreed? Agreed.

Mr. Tabuns: Thank you, Mr. Speaker.

First of all, I have to say that I appreciate the fact that the Minister of Finance, when he spoke earlier, sort of broadened the horizon for all of us by talking at length about electrical policy, hydro policy and the context of Ontario's economy, and really made it possible for us to talk not just about the mechanics of this bill, which have been ably discussed by a number of members so far, but about the context within which mortgage owners hold their homes, experience the economy and look forward to the future.

There's no question that a mortgage—a home—in most cases is the single biggest investment in most people's lives. A friend of mine, Pat Schulz, grew up in East York. Pat was a daycare activist, a feminist, who grew up in East York in the 1940s and remembers her parents pulling together every penny in the house, literally going from room to room looking for penny jars, for kids' piggy banks, to get together the money necessary for the down payment so they could buy their house, get the mortgage and stabilize the lives of their family.

On an interesting historical note, Pat, in the early 1960s, was one of those people who helped to desegregate the Palais Royale. In the early 1960s, it was not permitted for white and black individuals to dance together, which I find quite extraordinary in this city, but in fact that was the case and Pat, who had gone through that experience as a child of having every penny taken out of her room to pay for a mortgage, in the early 1960s, with black and white colleagues, went into the Palais Royale, broke the colour bar and helped make Toronto the modern city it is.

Mr. Mario Sergio (York West): It's a nice place, the Palais Royale.

Mr. Tabuns: The Palais Royale is a much better place now that the colour bar has been broken.

My parents came to Canada in 1951. They came to Hamilton in the early 1950s and similarly scraped up every nickel they had to buy a house on Waterloo Street. At the time, the mortgage was not held by any company. It was held by the man who actually owned the property. They were assisted by a lawyer who still practises in Hamilton, Mr. Gordon Landeg. As a child, I still remember being told, "Don't do these sorts of things until you talk to Mr. Landeg," a very sharp lawyer, a very generous man, very much available to people. He advised people on mortgages, immigrants like my parents, and I think that—I hope that—this act will enable people like him to operate within a framework that will reduce some of the work he had to do, make things a little more transparent, make things a little easier.

As has been said in this House, this bill has not been updated for about 30 years. Certainly, industry and consumer groups agree that action has to be taken, that there needs to be a codification, a framework put in place. I understand from our researchers that industry groups seem to be very pleased with this legislation. Consumer groups are somewhat more concerned. They feel that the heart of the legislation, the professional standards, are not defined as fully as they need to be

defined, that they're being left to regulation and to standard-setting procedures more or less controlled by the industry.

It's my hope that in the course of discussion at committee those questions will be dealt with, that this bill will be strengthened where necessary, and that the legislation that many see as required will go forward with the improvements all are hoping for. The member for Erie–Lincoln, in his remarks earlier, expressed a hope, an understanding, that draft regulations would be made available to all, so that legislators would have a chance to understand fully what they were bringing into being, fully to understand what would be before this House.

One of the concerns in regulation is the question of professional education. There are conflicts going on in the accounting field right now, conflicts about who will be recognized, whose qualifications will be recognized. We have initial enabling legislation that was passed, but unfortunately too many details were left untouched, unaddressed. We are concerned, and again we hope this will be addressed in committee. We hope that people who come forward to talk to the committee will give an outline of how we can avoid leaving a vacuum here, a space in which conflict may arise. We need clarity of definition, preferably in the act, hopefully through amendments that will be brought forward by the minister and his staff.

If it's argued that the education and training of the professionals who are mortgage brokers is crucial to the proper functioning of this act, to the proper protection of the public, it should be addressed in the legislation itself—the whole question of the standards, the content of that education—so that we have more clearly a framework that is governed by legislation and not simply left to the drift of the day, to the government of the day, to the cabinet of the day to say, "This is good enough." No, we as legislators will be responsible for the impact of this legislation and I think the content of that education should be addressed.

1750

I'm hearkening back to the example set by the Minister of Finance when he made his initial address here. I certainly have great concern about leaving things to regulation. I have concern about substantial matters not being brought within the framework of the existing laws. I'm going to address, as an example, the whole question of the provincial government's—the Liberal government's, the McGuinty government's—electricity supply mix plan that was introduced in this House. It is quite extraordinary that something that was called a plan just yesterday by the minister, called a plan by the Premier, was today characterized by the Minister of the Environment simply as a concept. How can you have an environmental assessment of a concept? There is no plan on the floor, it's simply a concept, and thus it can't be assessed. When we have concrete pieces of this plan, then we'll have an environmental assessment carried forward by the federal government. We'll attend, we'll make sure that Ontario citizens are there and that their interests will be addressed.

When you look at the plan, the core of it is a \$40-billion investment in nuclear power—

Ms. Kathleen O. Wynne (Don Valley West): On a point of order, Mr. Speaker: I just have a question about the subject matter of the member's speech. I think we're talking about Bill 65, mortgage brokers legislation.

The Acting Speaker: The member's point is well taken. I think the member from Toronto–Danforth is straying a little. I would ask you to get back to the topic at hand.

Mr. Tabuns: Mr. Speaker, I'm sorry if I appeared at any point to be straying from the legislation.

Ms. Wynne: Just an appearance.

Mr. Tabuns: It was simply an appearance.

In fact, I listened very closely to the words of the Minister of Finance, who talked about the electricity plan. He talked about how it would stabilize things in Ontario, how it was a good thing for Ontario, how mortgage holders in Ontario would have their interests protected by that electricity plan. So I'm responding in many ways to the Minister of Finance, who blazed a trail for all of us in this Legislature today by making sure that when we discussed this legislation, we were allowed to discuss the full context within which this legislation is situated.

Having said that, I would say that what's been brought forward by the government will pose problems for mortgage holders, because mortgage holders pay not just mortgage. They pay utilities; they pay municipal taxes. They have a variety of expenses to be concerned with. Certainly, this legislation addresses part of their concern, but as the Minister of Finance correctly pointed out, having a stable energy system within which those mortgage holders operate is a significant concern. When you bring forward a plan that has as its heart a strategy that has been demonstrated in Ontario to be unworkable, to be expensive, to be unpredictable, to be unreliable, then frankly I think it needs to be addressed. I'm glad the Minister of Finance addressed it. His example is one that I wish to follow.

The minister defended an approach to energy in this province that is hard to defend. Why would we take the highest-cost, least-reliable road to providing ourselves with secure energy? Why would we approach the situation of mortgage holders, who have to have stability and predictability—why would we take them down the path that's been described?

Ms. Horwath: That's a good point.

Mr. Tabuns: I think it's a very good point.

The minister talked about mortgages and he talked about why this province is prosperous. How is it that people are able to carry these mortgages? What is it that has allowed us today—

Hon. Mr. Colle: That's a good question.

Mr. Tabuns: That is a very good question and I'm glad the Minister of Finance opened the door for that discussion. I know at the time there were no challenges made by anyone in this House to the very good approach he was taking of opening up that whole issue: What's the basis for economic prosperity in this province? Frankly, there are a number of factors that the minister didn't

touch on that I do want to touch on, because they do come back to the whole question of regulation and the role of government in society.

In 1905, there was a strike in Pennsylvania, a very famous strike in American history, the Homestead strike. In Ontario, in Toronto, that strike was called the great coal famine of 1905. That great coal famine was very much like the energy crisis of the 1970s and 1980s. It said something profound to the people of Ontario, and interestingly, and in my opinion somewhat oddly, it said something profound to the Conservative leadership of the province at that time. It said to them, "We have to have control of energy within Ontario," and Sir Adam Beck and the Conservatives proposed a publicly owned, renewable energy strategy that reshaped the industrial base of this province. As the Minister of Finance has said, it's that industrial base, it's those good jobs, it's that wealth that allows us to pay those mortgages that are so central to the lives of so many in this province.

Ms. Horwath: When hydro was public.

Mr. Tabuns: When it was a public utility, focused on renewable power, stable, low cost, it gave us the base for the industrial society that allows people to own their homes. I appreciate the Minister of Finance and his bowing to and his respect for the whole question of how we have prosperity in this province.

I'm glad he raised that; I may touch on that again in a few minutes. But I want to touch on another issue, and that's consumer education. Consumer education is not dealt with in this act and in fact I think it should be dealt with in this act. The member for Erie-Lincoln talked about the need for dealing with issues like mortgage fraud. I think it makes tremendous sense to invest in consumer education, to make it part of the legislation so governments can't slough it off in the future, so governments can't say, "Well, it's a regulation, it's an inconvenient regulation. We'll just chuck it." No. Consumer education to avoid mortgage fraud is something that needs to be incorporated in this act and I would ask the member and the finance critic for the NDP to seriously consider addressing that issue and introducing amendments so that in future the prosperity of the province can be, to some extent, protected.

The act continues with many exemptions of the old act related to mortgage brokers. The rationale, obviously, is that there is sufficient regulation in other acts to deal with those people who are exempted: for example, financial institutions and their employees; persons and entities that provide simple referrals are exempted; lawyers appear to be exempted. Some of these exemptions may be warranted and some others may not. The bill should definitely go to committee so that discussion can be held, so that we can get on to the question of whether or not those exemptions are justified. I have every confidence that the member for Erie-Lincoln, who was able to speak for one hour on this issue, will have no difficulty both proposing an amendment to this effect and defending it at length—defending it at length.

Another matter here: The lifting of foreign ownership restrictions. The old act imposed foreign ownership

restrictions on mortgage brokers, and that required a prospectus to be filed with the superintendent in respect of mortgage transactions involving land outside of Ontario—the proverbial Florida swampland, I would say. I have to say, my father, who was raised on a farm, was very—what can I say?

Mr. O'Toole: Frugal.

Mr. Tabuns: Frugal is probably the best word. In Hamilton in the 1960s and 1970s, there were real estate agents who came up from Florida. You could go for a free meal and, in exchange, they would spend two hours trying to sell you swampland. My father, horse trader that he was in his youth, never missed a free meal and an exciting evening with Florida real estate agents to discuss their land and how he was not going to buy any, but he would like dessert.

I'm hoping that the prospectus that is being eliminated here will be brought back because, frankly, I think Ontario consumers should be protected. If in fact the land they're being sold is somewhat waterlogged, somewhat overrun with alligators, somewhat mosquito-ridden, they should know about it. Many people in this province don't have the opportunity to travel abroad—

Ms. Horwath: They're not as savvy as your dad was back in the day.

Mr. Tabuns: Well, yes, not as savvy as my father. So true. Those people should have that protection. There should be a prospectus describing really what the land is. Is it above or below water level, depending on the tide? That would be a very useful thing to have here. I'm hoping that in the committee process, amendments will be made to ensure that everyone is protected from the extraordinary acts that some small minority may engage in to sell these interesting pieces of property.

Mr. Hudak: Did he ever go to Florida? Did he ever visit?

Mr. Tabuns: I have been asked whether my father did go to Florida to inspect that land. If they had offered him a free trip down to inspect the land in February, he would have taken that opportunity, I have no doubt of it. He did go at a later time, not to inspect land but to check out the beach.

Mr. Speaker, we're getting to the end of the session. You've been very generous with me in terms of time. I understand there's some concern on the part of the government benches about my broad approach. I must say again that I've simply followed the example of the Minister of Finance. But it remains to be said that—

Interjections.

Mr. Tabuns: Excuse me, Mr. Speaker. I'm being, to some extent, distracted by my colleagues.

There's a general sense that the legislation should be supported, but that the act should go to committee so that a variety of exemptions can be discussed. The ones that have been put forward need to be examined in greater detail. The committee needs to look at this whole question of broker education.

Mr. Hudak: Work in the nukes. You have one minute.

Mr. Tabuns: I have to say that I've rarely been disrupted so much by such quiet commentary, but as you would know, Mr. Speaker, a yawn can be contagious and so can the cackling of other members.

Interjections.

Mr. Tabuns: It's interesting that the loyal opposition and the government are both engaging in a conspiracy to make it difficult for me to finish my remarks. If they will restrain themselves, I will in fact speak to Bill 65 in the larger context within which it will operate.

I'm hoping that in committee, when this is discussed, those who are sitting in that committee will make the amendments necessary to make this a stronger, better bill, and beyond that, will contribute to the prosperity of Ontario, and protect the electrical future of this province.

The Acting Speaker: The time now being after 6 of the clock, this House stands recessed until 6:45 p.m.

The House adjourned at 1804.

Evening meeting reported in volume B.

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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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Vice-Chair / Vice-Président: Norm Miller
Wayne Arthurs, Caroline Di Cocco,
Kuldip Kular, Norm Miller, Richard Patten,
Michael Prue, Monique M. Smith,
Norman W. Sterling, Kathleen O.Wynne
Clerk / Greffière: Anne Stokes

TABLE DES MATIÈRES

Mercredi 14 juin 2006

PREMIÈRE LECTURE

Loi de 2006 modifiant la Loi sur le vérificateur général, projet de loi 129, <i>M. Sterling</i>	
Adoptée	4604

DÉCLARATIONS MINISTÉRIELLES ET RÉPONSES

Compétences linguistiques chez les élèves	
M ^{me} Pupatello	4604
M. Klees	4607
M. Marchese	4608
Aide sociale	
M ^{me} Meilleur	4605
M. Jackson	4607
M. Prue	4608
Mois de sensibilisation aux accidents vasculaires cérébraux	
M. Watson	4606

QUESTIONS ORALES

Prix de la francophonie	
M ^{me} Smith	4618
M ^{me} Meilleur	4619
M. McNeely	4619

DEUXIÈME LECTURE

Loi de 2006 sur les maisons de courtage d'hypothèques, les prêteurs hypothécaires et les administrateurs d'hypothèques, projet de loi 65, <i>M. Sorbara</i>	
Débat présumé ajourné	4641

AUTRES TRAVAUX

Visiteurs	
M. Lalonde	4603
Représentation des femmes au parlement provincial	
M. McGuinty	4609
M. Tory	4609
M. Hampton	4610

CONTENTS

Wednesday 14 June 2006

MEMBERS' STATEMENTS

Native land dispute	
Mr. Miller	4601
Mr. Hudak	4602
Dennis Gudbranson	
Mr. McNeely	4601
Street racing	
Mr. Klees	4601
Forest industry	
Mr. Bisson	4602
MATALCO	
Mr. Kular	4602
Science projects	
Mrs. Mitchell	4602
Elder abuse	
Mr. Zimmer	4602
Kenneth Thomson	
Ms. Smith	4603

REPORTS BY COMMITTEES

Standing committee on regulations and private bills	
Ms. Horwath	4603
Report adopted	4603

FIRST READINGS

Auditor General Amendment Act, 2006, Bill 129, Mr. Sterling	
Agreed to	4604
Mr. Sterling	4604
Sheena's Place Act, 2006, Bill Pr29, Mr. Marchese	
Agreed to	4604

MOTIONS

House sittings	
Mr. Bradley	4604
Agreed to	4604

STATEMENTS BY THE MINISTRY AND RESPONSES

Student literacy	
Ms. Pupatello	4604
Mr. Klees	4607
Mr. Marchese	4608
Social assistance	
Mrs. Meilleur	4605
Mr. Jackson	4607
Mr. Prue	4608
Stroke Awareness Month	
Mr. Watson	4606

ORAL QUESTIONS

Native land dispute	
Mr. Tory	4611, 4616
Mr. McGuinty	4611, 4616
Mr. Barrett	4614
Mr. Ramsay	4614
Nuclear waste	
Mr. Hampton	4612
Mr. McGuinty	4612
Electricity supply	
Mr. Hampton	4613
Mr. Duncan	4613, 4619
Mr. Tabuns	4615
Ms. Broten	4615
Mr. Tory	4619
Hospital funding	
Mr. Brownell	4615
Mr. Smitherman	4615
Ontario economy	
Mr. Bisson	4616
Mr. McGuinty	4616
Northern Ontario	
Mr. Oraziotti	4617
Mr. Bartolucci	4617
Energy conservation	
Mr. Yakabuski	4617
Mr. Duncan	4618
Illegal taxi operators	
Mr. Prue	4618
Mrs. Cansfield	4618
Prix de la francophonie	
Ms. Smith	4618
Mrs. Meilleur	4619
Mr. McNeely	4619
National child benefit supplement	
Mr. Prue	4620
Mrs. Meilleur	4620

PETITIONS

School facilities	
Mr. Wilson	4621
Child custody	
Mr. Craitor	4621
Road safety	
Mr. Dunlop	4621
Identity theft	
Mr. Ruprecht	4621
Gasoline prices	
Mr. Hudak	4622
Immigrants' skills	
Mr. Ruprecht	4622
Education funding	
Mr. O'Toole	4622
Mr. Hudak	4623

Macular degeneration

Mr. Craitor	4622
Long-term care	
Mr. O'Toole	4623
Mr. Ruprecht	4623

SECOND READINGS

Mortgage Brokerages, Lenders and Administrators Act, 2006, Bill 65, Mr. Sorbara	
Mr. Sorbara	4624, 4627
Mr. Hudak	4626, 4627, 4738
Mr. Tabuns	4626, 4636, 4638
Mr. Flynn	4626
Mr. O'Toole	4627, 4637
Mr. Colle	4637
Ms. Horwath	4637
Debate deemed adjourned	4641

OTHER BUSINESS

Visitors

The Speaker	4603
Mr. Lalonde	4603
Mrs. Van Bommel	4603
Mr. Prue	4603
Mr. Bentley	4603
Mrs. Elliott	4608

Women's representation in provincial Parliament

Mr. McGuinty	4609
Mr. Tory	4609
Mr. Hampton	4610

Continued overleaf