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Jeudi 28 septembre 2006

Speaker
Honourable Michael A. Brown

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L'honorable Michael A. Brown

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LEGISLATIVE ASSEMBLY
OF ONTARIO

Thursday 28 September 2006

ASSEMBLÉE LÉGISLATIVE
DE L'ONTARIO

Jeudi 28 septembre 2006

*The House met at 1000.
Prayers.*

PRIVATE MEMBERS'
PUBLIC BUSINESS

PROVINCIAL-MUNICIPAL
FISCAL REVIEW

Mr. Ernie Hardeman (Oxford): I move that, in the opinion of the House, the proposed provincial-municipal fiscal and service delivery review, which will not be completed until February 2008, after the next provincial election, is needlessly drawn out and that a full review to balance the delivery of services with the ability to pay should be completed much more expeditiously, in order to avoid hitting Ontario taxpayers with unsustainable property tax hikes or significant reductions in service.

The Deputy Speaker (Mr. Bruce Crozier): Mr. Hardeman has moved private member's notice of motion number 24.

Pursuant to standing order 96, Mr. Hardeman, you have up to 10 minutes.

Mr. Hardeman: This resolution addresses an urgent problem that is facing municipalities and affecting taxpayers across the province. The problem, as we all know, is that there is an increasing gap between the cost of services that municipalities have to deliver and the provincial transfers. That gap is being passed on to taxpayers through increased property taxes and reduced services.

Municipalities urgently need the province to re-examine their relationship and balance the delivery of services with the ability to pay. The last municipal-provincial review was completed almost 10 years ago. As many of the members in this House will remember, at the time, municipalities were struggling to cover the cost of education. Exponentially increasing school board budgets were resulting in large annual increases in the property tax bill. Municipalities were begging the province to change the system and help them deal with education expenses. We took action and balanced the cost of services with the ability to pay.

Since then, circumstances have changed. The cost of some of the services has grown faster than others, the cost of delivering services overall has increased rapidly, and provincial transfers haven't kept pace. The system needs to be fixed. We have some great municipal politicians in this province, and they have been doing their

best, but they have no choice: They have been forced to raise property taxes or reduce services to make ends meet. Now the time has come to again make a change to help municipalities.

The property tax hikes are not sustainable. They are causing real hardships to homeowner, especially seniors on fixed incomes. John Tory and I have been calling on the Liberal government to give municipalities the resources to deal with increasing costs. Instead, the Liberals continue to heap more expenses on to municipalities.

AMO now estimates that there is a gap between municipal transfers and the cost of social programs of over \$3 billion. If the government passes the Clean Water Act, municipal expenses are expected to increase again. On August 26, the Toronto Star said—and these are not my words—“It's something every councillor and mayor across the province struggles with at budget time. The costs of the programs the province has decreed they must provide keep going up, so either property taxes have to go up too or other city services have to take a cut.”

John Tory and I have been out talking to people about the need for a municipal-provincial services solution for a long time. Finally, in August, the Premier committed to do something, but his solution is to study the problem for 18 months, so that it goes away until after the next provincial election. This just isn't a solution. I'm glad that after three years of talking, the Premier finally stepped up and committed to have the provincial-municipal fiscal service review, but 18 months to study this is unacceptable. It is far too long for municipalities to wait. They don't need a long-drawn-out study. What they need is help now.

On August 26 of this year, Hazel McCallion, the mayor of Mississauga, said, “We need the assistance now. We can't wait until 2008.” We don't need that long to study this issue. Local politicians know what the problem is. The government ministries have all the numbers. They know what the problem is: The services that municipalities are expected to deliver cost more than they have the ability to pay. It is that simple. The North Bay Nugget said, “The province doesn't need 18 months to study the problem. It's well documented already. What the province needs is a solution, and one before the next provincial election, not after.”

You know, there have been a lot of people talking about this problem over the past few years, and the need to fix it. But in all that talking I can't find anyone, not a single person, who has asked for an 18-month review. The St. Catharines Standard said, “It appears that Dalton McGuinty's re-election strategy is to commission studies

of potentially contentious issues, with them due to be delivered well into the term of the next government.” I think that is unacceptable. It’s unfair to make municipalities and ratepayers wait for relief until after the provincial general election just to avoid a campaign issue. In comparison, David Crombie’s Who Does What panel in 1996 took only seven months and Anne Golden’s GTA Task Force in 1995 took only 11 months. The Liberal government has already had three years to solve this problem. Instead, they have pointed fingers and whined about how difficult it is, and during that time the cost of delivering local services has continued to increase, and the municipalities’ need has grown. Now they want another 18 months.

Roger Anderson, the past president of AMO, warned the Liberal government in the pre-budget consultations, “The longer we wait, the more it will cost us in lost opportunity and investment in core municipal responsibilities such as transit, transportation and essential water and waste water infrastructure.” When the government announced the review, he said that 18 months was longer than he would have preferred, and that he would work very hard to shorten that period. My objective here this morning with this resolution is to help Roger Anderson, the former president of AMO, in achieving that goal just to make that time line shorter.

It has been over six weeks since the announcement of the review, and we haven’t even heard any news about the appointing committee. If the Liberals would stop trying to bury things until after the election and work on it, they could have made significant progress by now. Obviously, the people cannot start work before they’re appointed, and they can after they are appointed. So let’s get on with the appointing and get on with the work being done.

1010

Today, I’m calling on the Liberals to pass this resolution and take action to help municipalities and ratepayers now. I’m sure that every member of the Liberal Party will support this resolution, because it just speaks to improving the quality of service that the province can provide, and the timing of providing that service.

Since it was announced without any firm criteria of what they were looking for, I’m sure there was not one provincial Liberal at the AMO conference, at the announcement, who knew why there was 18 months—whether 12 would have been sufficient or whether six would have been sufficient. I’m sure that now, when they have looked at the facts, they will be happy to support this resolution, to make sure that it can be done as expeditiously as possible.

Don’t let more seniors give up their homes just because they can’t afford to pay their taxes. And that literally is happening in the province of Ontario. When the tax bills go out and they see dramatic increases that the municipalities must charge, there are seniors in this province who figure out their income and their expenses, and they have to give up their homes and move into other accommodations because they can no longer support the municipalities’ share of their homes.

Don’t let our municipal infrastructure continue to deteriorate because municipalities can’t afford to fix it. Again, all municipalities, when they are doing their budgets, have their needs in front of them, and then they have to go through the process of trying to define which ones could wait another year without causing great detriment, because they can’t do all that needs to be done. They need help from the province of Ontario. Don’t let another municipal budget go by without balancing the delivery of services with the ability to pay and providing real relief to municipalities and municipal taxpayers.

Finally, as I was driving into the city this morning—and this is not about the delivery of services—there was a story on the news that spoke to the Provincial Offences Act and the need to go before a justice of the peace in order to have a case heard. The reason I bring up that, Mr. Speaker—and I know you want me to speak to the topic—is because the Provincial Offences Act revenues were part of the transition in the realignment of services. The municipalities get that to help pay for the social services they are responsible for. Now, this morning, I hear that because of the lack of the appointing of JPs by the present government, the municipalities stand to lose up to half a billion dollars in provincial revenues to help pay their bills. And what’s more, even people who plead guilty to traffic offences under the Provincial Offences Act are in fact going to court and not worrying about it, because chances are their case will not be heard and they won’t have to pay the penalty for their infraction of the law.

I think this is so important. It is not appropriate to leave that to a review for 18 months, and no changes will be made to that problem for 18 months. I think it is just unacceptable. We don’t have a time line, but that’s why I think we need to get on with getting this review done, so the problem can be solved on behalf of all taxpayers in Ontario, those who are paying too much, and also all the taxpayers who are now not going to have to pay for their infraction of the law, and I think they should.

With that, I hope everyone in the House will vote for this, because it does deal with good government and good services to the people of Ontario.

Mr. Jeff Leal (Peterborough): I’m more than delighted to participate in this discussion this morning. I spent 18 years in municipal politics, between 1985 and 2003. Now, I listened very carefully to the member from Oxford this morning, and this resolution is an attempt to rewrite history that would make Stalin blush—really.

I was at the AMO meeting in 1998 with all of my good friends from Peterborough. I was at the back of the room when the Premier of the day, Mr. Harris, came in to announce the downloading, and I listened very carefully. I wasn’t one of the people who were part of the two standing ovations that he got that day, but I did take out my pocket calculator to start to add up the cost.

It was interesting on that morning, when the then Premier, Mr. Harris, made that announcement, how different his remarks were from the report that was prepared by David Crombie some two years earlier. Mr.

Crombie did what I thought was a very extensive review of what services should be handled at the provincial level and what services should be handled at the municipal level, and I just want to talk about one of the services. Mr. Crombie at that time recommended that social housing remain at the provincial level. The reason David Crombie at that time suggested that social housing should remain at the provincial level was because he recalled what happened to the cost of social housing when the Bob Rae government was in power from 1990 to 1995. The economy got soft and the need for social housing increased dramatically, and he came to the conclusion that municipalities didn't have the wherewithal to handle the social housing issue.

But did Al Leach, the Minister of Municipal Affairs of the day, listen to Mr. Crombie? No, he did not. In fact, he turned the recommendations from the Crombie commission on their head, and as he made those changes, it reflected the Harris speech on that sad day at AMO in 1998 when he talked about the downloading exercise. As a former municipal politician who went through all those budgets, I could certainly see the impact it was having on the property taxpayer.

I'll cite another one that was offloaded on that sad morning in 1998: the assessment. Up to 1998, assessment was handled by the Ministry of Finance, where I always thought assessments should be handled. But they created this new arm's-length corporation called the Municipal Property Assessment Corp., and who was left to fund 90% of that cost for MPAC? It was allocated to the municipalities in the province of Ontario, an onerous burden that they had to face.

Land ambulance: Everybody recognizes, I believe, that land ambulance should be an integral part of the health care delivery service in Ontario. They dumped that onto the municipalities, and thank goodness we've taken the step to upload land ambulance service in the province, a responsible thing to do.

Secondly, we've also started to upload the cost of public health in Ontario. That's another issue that we've moved forward with, a very bold initiative to put it back where it belongs, to take that burden off municipalities in Ontario.

We as a government, after eight years of neglect in the social housing field—what was their response for eight years? “Well, we'll give the municipalities a very small PST rebate if they are going into the social housing field.” We made the determination as a government to come back dollar for dollar with the federal government to provide additional social housing in the province of Ontario.

I believe it is important to get it right this time and that a review of such things as infrastructure, additional areas in public health, emergency services, social services and housing, and special challenges faced by northern communities, rural communities and urban centres needs that 18 months to get it right.

I just want to reiterate to the people who I know are watching this debate from all across Ontario, particularly

municipal politicians who went through the experience of the Who Does What, that our government, the McGuinty government, has taken major steps forward, with significant new investments in municipalities over the last three years. The provincial gas tax in 2006, \$232 million to municipalities to enhance their transit opportunities, compounded by the moves made by the federal government in the gas tax area, has allowed municipalities to enhance their transit systems, to get people out of their vehicles and into transit. The Move Ontario program that we announced in the spring of this year, \$1.2 billion; roads and bridges, \$400 million; an additional investment in transit. Affordable housing in 2006, \$668 million. I know in my community of Peterborough, major projects have gone forward with funding through this program. In the municipal partnership fund which we introduced in 2006, some \$763 million is allocated to municipalities across the province of Ontario to help them with their financial needs.

It's interesting. In my community of Peterborough, the county of Peterborough, under the old program that the Tories had in place, there were three municipalities that didn't get a cent of support from the province of Ontario, and they were three of the municipalities with the lowest assessment base. One of them happens to be in the riding of my good friend the member from Victoria-Haliburton-Brock, and she will know that Galway-Cavendish and Harvey got no money under the system that was put in place by the Tories before, and now, under this government, that municipality is getting support from the provincial government to offset their costs that occurred in the downloading during the eight years that they were in power.

1020

I've heard from public health agencies across the province that they're very pleased that funding from the provincial government will move from some 50% to 75% by January 2007. We've also enshrined a protocol, through the memorandum of understanding, that we will consult with all municipalities across Ontario when things are going to be changed.

I have some supportive quotes of what we announced, our 18-month review. Vic Fedeli, the mayor of North Bay, said, “It's good news for municipalities.” Gord Hume, a city of London controller, said in the London Free Press, “I'm delighted. It's about sustainable funding and better servicing for the people of Ontario.” Paul Fitzpatrick, the CAO for the city of Cornwall, said, “Obviously, the deal is a step in the direction of looking at what's the better way of perhaps delivering those services and programs.” And the person who succeeded me in my ward in Peterborough, Garry Herring, would say, “I think it's great. It's the most positive thing we've heard. One thing we learned is that we're all in this together,” and this government recognizes the needs of the municipalities across Ontario. I'm delighted to have an opportunity to make some comments on this resolution this morning.

Ms. Lisa MacLeod (Nepean-Carleton): It's a pleasure to stand in support of my colleague and friend the

member for Oxford and to provide a fact check for my Liberal colleague from Peterborough. The municipal-provincial-federal fiscal imbalance is something that our party and our party leader, John Tory, have sought to correct for some time. We feel—and quite rightly, I might add—that only once these interdependent relationships are fully assessed can we truly understand who does what and who should be paying for what.

I might add at this time that we on this side were terribly flattered when the other side took a page from Mr. Tory's book and announced at the recent AMO convention the service delivery review for municipalities. The only problem, of course, is that their imitation was just that: a cheap knockoff of the real thing. Indeed, if the Liberals were serious about fixing the municipal-provincial-fiscal imbalance and undertaking a thorough and effective municipal review and if they really wanted to seek the truth, then I venture to suggest they would not have postponed the conclusion of their study and subsequent release of the results until after the next provincial election, and they most certainly would not have rushed in at the last minute with a quick fix at the AMO conference, announcing what I consider far less of a commitment than the original John Tory proposal. So you'll find it as no surprise that our municipal affairs and housing critic, the member for Oxford, would today try to give Ontarians the genuine article, not the McGuinty knock-off.

My good friend from Oxford is fully aware that this Liberal government will say anything and they will do anything just to get and stay elected. In fact, the McGuinty Liberals only promised to undertake this municipality review because they needed a promise that they couldn't break right away. Of course, it wasn't even initially their promise. It's more of a borrowed idea, one that they dumbed down to suit their style of government. You see, this is a government that has made promises that it knew it couldn't keep or promises that this government never intended to keep when it was elected in 2003. With this municipal review, I can only conclude the Liberals are delaying a promise—a promise, might I remind you, that only came at the 11th hour at AMO and a promise that they do not care is kept, entirely for electoral gain.

If they intended to keep this promise, the 18-month review would have been far shorter, announced much earlier and would have come with some guarantees. But this review's results have been delayed. It was announced at the 11th hour, and there are absolutely no guarantees that the province will deliver on any of the potential recommendations, including the possibility of uploading services. Have you ever seen a group on the other side complain like the crowd across from me, on all of the downloading of previous administrations, yet for three years do nothing but blame, point fingers and hide their heads in the sand when it comes time for them to act?

In fact, this is a group who, when they sat in opposition, was proud to link themselves with the dons of the download, John Chrétien and Paul Martin, at every tea

party, barbecue and picnic they could find just for a cozy photo op. They never said a word when federal health and social transfers were virtually cut off by the federal Liberals, leaving previous administrations to come up with substantial sums of money from elsewhere. This Liberal Party, like its federal counterpart, aided and abetted the 1994 hack and slash to our health and social transfers right across Canada, including in this province of Ontario. There was not one complaint from those on the other side who watched federal health care funding drop from 50 cents on the dollar in 1993 to the Chrétien-Martin all-time low of 11 cents on the dollar, in favour of a billion-dollar sponsorship scandal right out of Montreal; no sir, not one complaint from the members opposite.

Some over there were actually the architects of the biggest downloads to the provinces in Canada's history. Did they say a word to defend our province and our municipalities? No, they supported the Chrétien-Martin balanced budgets on the backs of this province. This is a shell game. Now that there a federal Conservative government in Ottawa, they have miraculously been converted to defenders of our province and our municipalities. But we're fortunate: For all this mishandling of the municipal-provincial-federal fiscal balance by Liberals and their backroom insiders at all levels of government, there is at least a Conservative government in Ottawa and a Conservative opposition in Toronto prepared to get things done and right the Liberal wrongs of the past.

This Liberal government does not care about results. This Liberal government does not want to act, because then they won't be able to blame anyone anymore. Simply put, this is yet another broken promise waiting to happen by this tired old lazy Liberal government.

In that vein, I believe it's highly responsible for my colleague the member from Oxford to put this motion forward. He knows the provincial-municipal fiscal and service delivery review does not need to be drawn out; it should occur more expeditiously. He knows that there is a difference between saying something to get elected and being a responsible politician. He has served our province well. The member from Oxford was a successful municipal politician before he joined a Progressive Conservative government, who not only knew what a commitment was, but, just for you folks on the other side, also knew how to keep a commitment.

Yes, sir, this promise-keeper right here has decided today to hold a group of promise-breakers to account. He knows that we need a municipal-provincial fiscal balance review. He agrees with John Tory that the taxpayers and municipal councils across Ontario need this review to take place, and they need it to take place today. He knows that Ontarians deserve this review to be reported on before the next election, so results can start to happen. It is my view that only our leader, John Tory, has a fundamental grasp of what Ontario municipalities actually need.

I might add at this time that even the minister's own parliamentary assistant agrees. After all, he wasn't too

long hopping into the photo ops, endorsing Mr. Tory and his municipal policies in the 2003 municipal election campaign. But I guess, in keeping with the theme, “Do anything and say anything to get elected,” it might have been the best opportunity for that assistant to get elected.

John Tory is the only party leader willing to deliver results today, not when the best photo ops—or worse, the most problematic complaints—take place. I support Mr. Hardeman’s motion today because he gets it right. As the leading voice in this House on matters pertaining to municipal issues, Mr. Hardeman knows the difference between a Liberal and Conservative, and a promise and a follow-through. He knows that the Liberals are three years too late and 18 months too long on this municipal review.

Today, I’d encourage my colleagues to join Mr. Hardeman and the PC caucus and support this resolution so municipalities across our great province can deliver the best possible services, so our taxpayers receive the best possible value for money and so all of Ontario can have a timely who-does-what report that benefits us all.

Mr. Peter Tabuns (Toronto–Danforth): Many a fascinating speech has been delivered in this House. I don’t think mine will reach quite that grade, but I hope to contribute what I can to this debate this morning.

I believe that Mr. Hardeman is correct that this process needs to be accelerated, that there is no reason to wait until after the next election to actually deliver on a promise made in 2003. I think what we have now is, really, a promise that is clinically dead. It’s on life support. In the next election, it will be trundled out, pale, rouged up a bit at the cheeks, but clinically dead. This joins another of other promises that similarly are receiving oxygen on a daily basis.

Interjection.

Mr. Tabuns: Yes, they could recycle them. They will compost them when the time comes.

What do we have here? Waste diversion: another crucial area where this government promised to bring in a plan that would be functioning within five years of being elected to divert 60% of the waste in Ontario. Do we have a plan? No, we don’t. We had a discussion paper in 2004 and no action. When I ask the Minister of the Environment, “Where’s your plan?” I get gobbledygook, I get song and dance, I get all singing, I get all dancing, but I don’t get a plan.

1030

When we talk about energy in this province—I remember in the last election there were accusations that the NDP was making it up when they said that the Liberal government—Dalton McGuinty—was going to build new nuclear reactors in this province. I was the recipient of an e-mail from political staff in the Premier’s election machine assuring me, as a person in the environmental movement, that there was no plan to build any new nuclear reactors and that the commitment to phase out coal was solid. Well, did that plan, did that commitment, did that promise pan out? Absolutely not. It took questioning from us, from Howard Hampton to Dwight

Duncan, to finally get it out on the floor that in fact the coal phase-out promise was being abandoned, to get it on the floor that in fact nuclear power was going to be resurrected in this province, that we were going to put \$40 billion into it, contrary to promises that had been made and frankly reflecting a total lack of commitment to action on the environment, on energy, on the need to conserve, on the need to develop 21st century sources of energy. Nothing, nothing.

So when it comes to this promise, when it comes to any commitment to actually deal in a substantial way with the financial crisis of the cities in this province, to deal with the download, what we get is a punt, a kick of the item off the agenda until after the next election so that during the coming election it can be said, “Of course, that promise is still alive.” Check the oxygen line. “Of course, it’s alive and kicking.” Kick the legs, make the legs move.

This is an extraordinary procedure. We know what it’s costing cities in this province now to deal with this download. It’s about \$3 billion a year. And there are a number of elements that make up this particular download, this imposition of an unfair burden on cities: social assistance, \$1.3 billion. Now, it’s interesting that during the 1930s, when cities actually provided relief—welfare, ODSP, call it what you will—there was huge controversy about the fact that cities were stuck with the relief bill, and where a city offered even a little bit more than another, it would be flooded with people who were desperate to eat, desperate for some relief, and cities were put into an extraordinarily difficult financial position. They couldn’t carry the burden. There was a huge hue and cry in the 1930s for this whole question of relief, of welfare, of support for those who were unemployed and poor to be moved to higher levels of government, because cities faced impossible burdens and impossible situations.

In fact, that was transferred, that was uploaded, and rightly so, because the property tax can’t carry that kind of burden and wasn’t meant to be used for income redistribution. Property taxes were meant to cover the service costs of making an urban centre work.

So what do we have now? We have a download of the costs onto all of the cities, and on top of that, the setting of the conditions left in the hands of the province. In other words, the cities pay the tab but the province determines what that tab is going to be. Not justifiable, not reasonable, not defensible, and yet, rather than deliver on a promise that was made three years ago—and this is the last quarter of 2006—the whole thing is being put off again until after the next election so that once again a promise can be recycled.

Social housing: Social housing makes a real difference in communities. In a previous career, I was a property manager managing housing co-ops. I knew a lot of kids from poor homes in those buildings I managed who now, in their 20s, 30s, are working in very responsible positions. They came from very poor households. They were able to build themselves up because they had a stable foundation.

Their parents, in many cases single mothers, had the knowledge that every month they would be in a home, that they wouldn't be evicted, because they could afford to pay their rent. They knew that they were in a place that was supportive of their families and their children, and those kids had a much better chance in school. Recently, I've been at events in my riding, seeing some of those kids who are now providing for themselves, providing for their families, who actually were able to make a go of it.

Social housing makes a difference in a society, makes a difference in a community, but this very important social function, like ODSP, the Ontario disability support program, has been moved down to the cities, and the cities cannot carry it. They cannot do what has to be done, and that results in some very negative things.

The first negative thing is that the buildings are deteriorating. I've been told that in Toronto, the value of deferred maintenance, deferred capital investment, is in the range of \$250 million. I have to say that in the last provincial by-election, when I was going door to door in my riding, I went to buildings, I went to homes that I had canvassed when I was a city councillor. I was staggered by how much those buildings had deteriorated. I was taken aback: crumbling concrete, peeling paint, flooring completely frayed and past its lifespan—all kinds of building conditions that would not have been left in that condition in the 1990s when the buildings were actually financed properly by the provincial government.

The cities—the city of Toronto and the other cities—cannot afford, on the property tax base, to continue this kind of investment, and that means a demoralization of tenants. It also means profound problems in communities, with people who may in the first place not be favourably disposed to social housing saying, “Look at this stuff. Look at this. It's crumbling. We know that if we support it, we'll get an eyesore in our neighbourhood.” So people are far more resistant to any construction than they might have been in the past. That is simply wrong. That undermines the sorts of investments that we need in this society to make it safe, to make fair for all, to make sure that every kid has a fair chance to grow and develop.

We know that in this province there are many different engines of prosperity, many different centres of development and growth that have to be nurtured. Rural regions have to be nurtured. They have to be treated well. They have to get the support they need to develop, to make sure they have infrastructure, to support farmers and rural industries. But we also know that cities have to have proper supports, because when we want others to come and invest in them, when we want the people in them themselves to invest in them, they have to have some sense that there's a future. They have to have a sense that that city will be stable, will be comfortable, will be a place that they and employees will want to live in. But when you starve cities, when you impose a \$3-billion burden on them, essentially a subsidy for the province from the cities, you strangle them. You undermine one of the key pillars of prosperity and social stability in this province.

Why would you do that? It doesn't make sense, and the reality is that we don't have to wait 18 months for a study. My recollection is that David Crombie took six months to do his study. He's a smart enough guy. There are smart people in this province. They can be found. They can be employed. They can be given research staff. They can be put to work. We don't have to wait 18 months. We can move on this quickly. We can have this in place by next year so that municipalities actually get what they need. By putting it off, the government is just saying, frankly, that they are not going to live up to their promise.

I think I've made my main points. I'll leave it to others to continue.

1040

The Deputy Speaker: Further debate?

Mr. Lou Rinaldi (Northumberland): I'm going to leave some time for my colleague from Huron-Bruce to make some comments.

First of all, I want to congratulate the member from Oxford for finally seeing the light. It took eight years to destroy the relationship between municipalities and government, and now he wants to do it in six months. Where has he been for the last 10, 12 years?

We took the initiative of the 18 months. I think we need to do it right. The fact that there has been no dialogue between municipalities and the province—I guess I want to take the opportunity to remind the members opposite that we're addressing the ambulance issue, which the former government refused to look at. I was on municipal council, and they didn't even want to talk to us: “Take it the way it is.” Provincial gas tax, we've moved up the ladder on that; Move Ontario for infrastructure; public health, we're uploading it from 50% to 75% by the end of next year. So we have been working with municipalities, but we want to make sure we get it right.

They engaged the services of Mr. Crombie, a fine gentleman. They had a report, yes, in six months, and what did they do with it? Absolutely nothing.

So do we want to do it right? I think we need to do it right. We talked to our municipal partners, and they are onside with us. They want to make sure that they are a part of the process, and they are going to be part of the process. It's not another hand-me-down.

Some of the things they thought were right we don't think are right. In eastern Ontario, 40% of the highways were handed from provincial to municipal, with what? With very little compensation. I was privileged to be part of the Eastern Ontario Wardens' Caucus when we tried to lobby government on the needs of those rural municipalities in eastern Ontario. Well, not once were we afforded the opportunity to meet with the government of the day. I can tell you, every time eastern Ontario wants to meet, the members of this government are listening. I know. I've been there in every meeting and so have cabinet ministers.

We want to get it right. We want to engage the municipalities, not with a hand-me-down and throw it at them,

or do nothing and take it as it goes. As much as I want to support this resolution, the hasty way this was brought out—we need to do it right. They didn't do anything for eight years. We're going to do it right.

Mr. Speaker, I'm going to leave time for my colleague from Huron–Bruce.

Mr. John Yakabuski (Renfrew–Nipissing–Pembroke): I'm pleased to join the debate this morning on my colleague from Oxford's motion, which I support wholeheartedly.

It's one of the most cynical in a series of cynical things that this government has done: Show up at AMO and announce that they're going to have an 18-month review of the funding relationship between municipalities and the province. At the ministers' forum that day—they call it a ministers' forum. I don't know why they call it that. They should have changed the name for that day, because fully 10 members of this cabinet chose not to even show up. That's how much they care about municipalities in this province. They didn't even show up at the ministers' forum—so cynical. And they talked about a new relationship with municipalities. They talked about and they promised, “No more downloading.” Well, they are proceeding with the biggest downloading in this province's history in Bill 43.

I heard the member from Peterborough earlier today talking and ranting. He was shown a letter at the committee hearings in Peterborough that he wrote to a constituent looking for his help so that he could defeat Bill 43. I am looking forward to the vote on Bill 43. I expect the member for Peterborough to stand up for his constituents and vote against Bill 43, because a \$7-million buyoff of Ron Bonnett is not acceptable to farmers in this province. Farmers aren't buying it. Maybe a Liberal, Ron Bonnett, is buying it, but farmers aren't buying it in this province. This is absolutely ridiculous, a \$7-million buy-off of Ron Bonnett for his support on Bill 43.

They're playing politics with this issue. They're putting it under the rug for 18 months. They know this could be dealt with much, much sooner. My colleague says 120 days. That is more than sufficient. What issues this government doesn't like, they want to put under the rug for the next 18 months and put them past the next provincial election.

You know what? People out there don't believe a single word you say anymore. Look at your pronouncements about health. Yesterday, Mr. Speaker, they signed an agreement to bring in a private company to operate the ER in Cambridge. The Minister of Health makes it up as he goes along, but people are tired of it. They don't believe a single word anymore, and they're not going to buy this 18-month hide behind the curtain while this relationship that should be dealt with now—in fact, at the 2005 AMO conference, our leader, John Tory, called for that review to begin then, not this year. But what does this government do? Put it off for another year so they can buy time to get beyond the next election because they have not followed through on their commitments to municipalities in this province. “No more downloading,”

and they proceed with the biggest downloading in this province's history.

They have done nothing to appoint justices of the peace in this province. Municipalities are losing money from POA offences, money that would go to municipalities, because we don't have enough JPs, and the minister has done nothing. I have in my riding several qualified people who have applied to be justices of the peace, but they don't even get a hearing because this government has failed to act on law and order, it has failed to act on health, it has failed to act on education and it has failed to act on energy. It simply wants to put everything off until the election is over. Well, the people aren't buying it, ladies and gentlemen.

If you really want to stand up for the people of Ontario, we've got 120 days to say yes to a new relationship between the province of Ontario and municipalities. I say yes, it's time for you people to stand up for your constituents, not buy this stuff the Premier wants to do. Stand up for your constituents and say yes to this resolution.

Ms. Andrea Horwath (Hamilton East): I have to say, I've sat through this debate this morning and I'm shaking my head trying to figure out if people have no memory at all or what exactly people's recollections are in terms of their own responsibility for some of the mess the municipalities find themselves in.

Nonetheless, I thought it was important to bring to the table some comments from my own municipality. I wanted to quote from an article that was in the Hamilton Spectator, dated, I believe, late March or early April 2005. “Province Fiddles—We Get Burned.” This is an editorial from the Hamilton Spectator in 2005. That's after, in 2004, my city, the city of Hamilton, begged this province to come up with a systemic change that would deal with the fiscal problems that, because of the downloading of the previous government, the city had been struggling through for years. No answers. Because of a by-election, some would say, the payoff came in 2004. In 2005, there were no answers coming. The city was nervous. There were major articles in the Spectator again. Eventually, the Liberal government came through with the payoff. Again this year, they came through with the payoff. But what the article says is this:

“Hamilton is frozen into a sort of fiscal limbo, unable to move ahead with its budget process, while it waits for an answer to Mayor Larry Di Ianni's request to the provincial government for \$19.5 million to cover Hamilton's extra costs of downloaded social services. Two budget meetings have been cancelled and there is the growing possibility of delayed tax bills, costing the city significant interest revenue.

“The province came through with \$19.5 million in 2004, but there's no assurance they'll repeat this year.” That was last year. “The province says—local taxpayers can only take this at face value at this point—it is looking for a fairer and more sustainable way of providing assistance to municipalities for downloaded costs.”

That was in April or March 2005. We in the city of Hamilton were told that the province was “looking for a

fairer and more sustainable way of providing assistance to municipalities for downloaded costs.” If you were looking for it back then, how come you still have to look for it until 2008, particularly when a lot of the work has already been done by AMO, by other studies that have taken place on this very issue? It is reprehensible that this government continues to ignore the crushing pressure on municipalities in this province.

1050

The article goes on to criticize the Liberal government in their lack of a systemic answer to this problem and the uncertainty that it’s causing for municipalities, and ends up by saying this. I think it reflects very clearly some of the comments of my colleague, because what he talked about is how this affects the economic stability of a community: “Hamilton’s business is on hold—and potential investors are getting the wrong message about this city’s economic renewal—while Queen’s Park, well, fiddles. They’ve had more than a year since Di Ianni first presented his case, but still there is nothing. Hamilton deserves better.” That was a year and a half ago, and our Hamilton Spectator was saying that there had already been a year given. The time is now, not 2008. Get to the problem.

The Deputy Speaker: Further debate?

Mrs. Carol Mitchell (Huron–Bruce): It’s certainly my pleasure to rise. I will not be supporting this resolution put forward by the member from Oxford, but I do want to say that the member from Oxford and myself do share a similar background. We have both come up through the municipal ranks. I know that the member was the parliamentary assistant to the Minister of Municipal Affairs and Housing from 1995 to 1999, when the downloading happened. I know that he was a very active cheerleader as the process unfolded.

I do want to bring to the attention of the people of Ontario that when the Premier made the announcement at AMO—how was that received? He was received with a standing ovation. Our government is acknowledged for respecting municipalities. From both parties, from across the way, their demonstration of how they conducted themselves while they were in government is clear, the patterns people understand. I must say that when I hear that the raw cynicism and the absolutely critical way that one talks about municipalities is still very strong there, I know that in my riding people want us to get on with the job. They want to see collective discussion. They understand that this is complex. They understand that this will take time and they are supportive of that. The other parties are supporting that this happens, so they are supporting the government. What we talk about is time, and when we talk about the time, we know where their backgrounds come from. They are not prepared to understand or give support to the municipalities, neither party. Your history dictates what you did.

It will be a substantial review. The municipal relationships, the government—we need to work through our responsibilities. We need to take the time. How much time was given when all the downloading happened? How much consultation happened? People remember. A

number of municipal politicians are still there. A public report will be released in the spring of 2008. Despite argument from the opposition, a review of this scale and this importance cannot be done hastily. We have to allow the time for intergovernmental co-operation in this province to evolve. The McGuinty government will take the time that’s needed to get this right.

We have demonstrated that we are listening and that we understand, and there has been significant movement in many things, when we talk about ambulances, about public health, and there are many other things that we can talk about. We understand; we’re setting a process in place. We’re giving the proper time for that analysis, and it’s critical analysis. There isn’t anyone here who will not say that the massive downloading that was done by the previous government has put an unsustainable pressure on the taxation of the province of Ontario.

Mr. Hardeman: Fix it.

Mrs. Mitchell: We will fix it, and you understand we’ll fix it, and you support that we are beginning to fix it. But to stand up and then to talk as if people don’t know where it came from—

Interjections.

The Deputy Speaker: Order.

Mrs. Mitchell: I’m sorry, Mr. Speaker, people remember. Unlike previous administrations, which made adversaries partners, they weren’t partners; the term was used loosely. If that was a partnership, then there was none. There were lots of sayings at that time, but I think that we can just say that our government is committed to developing a very productive relationship with our Ontario municipalities, and we will continue to work towards that.

When the member from Renfrew–Nipissing–Pembroke makes the comment about cynicism, “Stand up for municipalities,” we have, and we will continue to do that.

Ms. Laurie Scott (Haliburton–Victoria–Brock): I’m pleased to rise today and speak in support of the resolution brought forward by my colleague the member from Oxford to expedite the provincial-municipal fiscal and service delivery review. The member from Huron–Bruce is saying, “We’re doing it.” Well, you’ve been in government for three years, you’ve got a planned study for after the next election, you were in municipal politics before, and I’m sure you have great insight.

Interjection.

The Deputy Speaker: Order.

Ms. Scott: I’m sure you already had great insight before you were elected as a member of provincial Parliament on ways that we could fix this imbalance that exists. But it’s disappointing to hear that she’s not going to supporting the bill.

Mrs. Mitchell: It’s a resolution.

Ms. Scott: The resolution.

My colleague from Renfrew–Nipissing–Pembroke mentioned Bill 43, the Clean Water Act, which is a huge download onto municipalities and property owners—we’ve heard that consistently—and \$7 million is a drop in the bucket, to say it lightly. When municipalities saw that, they said, “What is the present Liberal government

doing? They said they were going to help us with this imbalance.” They’ve made all of these motions, and yet they’re downloading yet again. Two fantastic figures—

Interjection.

Ms. Scott: Actually there were no real dollar amounts. We kept asking, “Do you know how much that’s going to cost?” and the government can’t provide those details. They’re asking the municipalities to take the unassumed liability for the Clean Water Act, and it’s just absolutely not fair. It’s avoidance of a provincial responsibility.

It’s been stated by my colleague from Oxford numerous times that the cost of services and programs for municipalities is increasing at a rate that they cannot keep pace with. The municipalities desperately need to raise the funds needed. They’re left with fewer alternatives other than to raise funds through the municipal tax base.

In my riding of Haliburton–Victoria–Brock, there are painful examples of rural municipalities that need dollars for infrastructure, new water systems, roads and bridges, and they’re just burdened. Rural municipalities face a much harder struggle. I’m going to leave the MPAC system for another day, but in Haliburton county alone we saw the largest, single increase in properties than anywhere else in Ontario in the last assessments.

Interjection.

Ms. Scott: But you’ve been in government for three years. You can fix the problem. I’m just saying let’s have a little historical analysis here. I find it terrible that people in my riding, seniors especially, are finding it hard to stay in their own homes because of all these rising costs. If they had known that before, they may not even have moved up, which is a terrible thing to say, that people would not come to the riding because they can’t afford to stay in their homes in the riding of Haliburton–Victoria–Brock.

I’m saying that the gap is growing. You put 18 months to do a study. We have quotes from Roger Anderson saying, “The longer we wait, the more it will cost us in lost opportunity and investment in the core municipal responsibilities, such as transit, transportation and essential water and wastewater infrastructure.” He’s saying don’t do the 18 months—the former president of the Association of Municipalities of Ontario. My colleague from Oxford, who has done a great job as critic for municipal affairs and housing, has heard this.

Interjections.

Ms. Scott: Obviously the members on the other side are a little touchy, and this is why we’re getting this feedback.

You’ve had three years to deal with the issue of transfer payments. You’ve chosen to partake in yet another report, putting off your responsibilities. That seems to be routine: Broken promise, broken promise; say anything to get elected. “We’ll wait till after the next election before we do anything decisive.” We’ve seen increased indecisiveness.

Mr. Dave Levac (Brant): Make your speaking notes sound like you actually believe them, will you?

Ms. Scott: Actually it’s not even on the notes, I hate to tell you.

I want to commend the member from Oxford. I want to encourage the members on the opposite side of the Legislature to reconsider their opposition to this resolution this morning.

The Deputy Speaker: Mr. Hardman, you have two minutes to respond.

Mr. Hardeman: I want to thank the members from Nepean–Carleton, Toronto–Danforth, Northumberland, Renfrew–Nipissing–Pembroke, Hamilton East, Huron–Bruce and Peterborough for their time and their contributions.

From all of those who spoke, including the government side, it becomes quite clear that the promise of an 18-month review is an election issue. In fact, they want to put off the decision until after the next provincial election.

1100

I know the government side suggests that that’s not the case, but I go to the comments of the member from Peterborough in particular, when he talked about the things that they were already doing. It would seem to me that if the things they were already doing were, in their minds, solving the problem of the fiscal imbalance between the municipalities and the province, if that’s the case, then they must know what the problem is. All they need to do is solve the problem, and they don’t need an 18-month review to do that. They just need to talk to the municipalities and decide what needs to be done, whether the service should be transferred or whether the money should be transferred from the province to the municipalities in order to deliver that service.

He spoke about how the government was already doing it with what they called their municipal partnership fund. In fact, that was called the community reinvestment fund before they decided they had to liberalize it and call it something different. When I say “liberalize” it, what they really did was reduce the amount of money in it, and they’ve reduced it each year; in fact, they have projected to reduce it down to zero. So I don’t think that that is really solving the problem. What we really need to do is get together with municipalities and expediently decide what needs to be done in order to fix the fiscal imbalance between the provincial revenues and the provincial services that municipalities provide on behalf of the province.

I want to say to the member from Huron–Bruce, yes, I was involved with the first Who Does What panel, and I proudly stand here and say that what we did needed doing.

RESTORE THE DEED ACT, 2006

LOI DE 2006

SUR LE RÉTABLISSEMENT DES TITRES

Mr. Tascona moved second reading of the following bill:

Bill 136, An Act to amend the Land Titles Act / Loi modifiant la Loi sur l’enregistrement des droits immobiliers.

The Deputy Speaker (Mr. Bruce Crozier): Mr. Tascona, pursuant to standing order 96, you have up to 10 minutes.

Applause.

Mr. Joseph N. Tascona (Barrie–Simcoe–Bradford): I'm very pleased to rise to the applause of the government whip. I believe that this issue which is in front of us today is a very serious issue, because we have a problem in this province with respect to identity theft, which has to be addressed by this government. I believe that this bill that I have put together, with a lot of consultation from the people who are in the know, is an important step forward to bring back integrity into the registry system.

There are a number of aspects of the bill that I think are important. First of all, innocent people who own property—whether they live in that actual property, whether it's a cottage that they own, whether it's a house that they rent—have the right to continue to be the owners of that property, and it shouldn't be taken away from them through identity theft, through the different means that can be done. The simplest means is by fraudulent identity, by forged powers of attorney, taking away title from individuals. We've had some high-profile cases, unfortunately, here in the city of Toronto: Ms. Shepherd, Ms. Lawrence and Mr. Reviczky have faced very difficult circumstances, with their title being affected and mortgages being put on their property, unbeknownst to them.

What I think is important about this bill, and what I would urge the government to look at seriously, is that identity theft, any transaction that results in the fraudulent change of title ownership, is null and void. If there's an innocent purchaser, then that innocent purchaser should go to the land titles assurance fund for relief.

Also, dealing with innocent lenders, we believe, in this bill, the appropriate way to deal with this is to reform the land titles assurance fund where there's an innocent lender in a situation where they've put a fraudulent mortgage on, and the problem is, in this province—and everybody should know that—a fraudulent mortgage, however obtained, if it's registered through the registry system, land titles system, is legitimate, even if it's fraudulently obtained. That's what the problem is. That was a Court of Appeal decision that was finally rendered in November 2005, and it has changed fundamentally how real estate is done in this province. That decision originally came down in 2004. The unfortunate part of it is, the government has not done anything with respect to identity theft and mortgage fraud since the rendering of that particular decision back in 2004. So we're almost three years from that date and nothing has been done by the government. That's why this bill is important to get this process rolling, and that's why it's important that this bill receives second reading today and passage.

Looking at the bill in terms of fraudulent mortgage transactions, the land titles assurance fund, as it is currently constituted, is a fund of last resort. It's a government fund, but it requires the harmed party to go after

the fraudulent character who has brought about this transaction, who could be fictitious, because a lot of it is done through fraudulent identity. So they could be chasing someone they will never get. The court system is time-consuming. It's also expensive.

What we're looking at is the system that's in New Brunswick, where this is a fund of first resort, so the innocent party or the innocent lender immediately goes to the fund, instead of the situation which is facing Ms. Lawrence. She finds that there's a mortgage slapped on her property title and she's faced with payments with respect to a fraudulent mortgage obtained, but unfortunately on title. Obviously, the party that has loaned the money believes they're entitled to that money. We have to change that so people aren't faced with a situation where they can be pushed out of their house because of a fraudulent mortgage where it's sought to be enforced by the innocent lender.

Unfortunately, the law—and I don't agree that's the right law in this province—is that a fraudulent mortgage, however obtained, if it's registered, is valid. We have to change that; we have to make sure that it doesn't continue.

Secondly, we have to maintain the integrity of the land titles system, and the one way to do it is to restrict access to Teranet and restrict access to who can register documents manually in the land titles system. I believe that process should be restricted to licensed real estate professionals with liability insurance to make sure that people are protected from anyone being able to register. From my understanding, if you get on the Teranet system as a licence holder, and you can do that simply by having a fraudulent automobile insurance licence, then that would allow you, whether you've got expertise or not—or if you're a huckster, what you do is you get on the system, you get licensed. That licensing allows you to register documents. That's a major problem for someone who is involved in fraudulent activity. So that document, if it gets registered, as we know, is valid because it's registered. We have to not allow those people to get access, to be licence holders in the Teranet system.

What we also have to implement is a notification system, which they have in Saskatchewan, where if someone is fooling around with your title, then you're going to get alerted to that, and if you have e-mail it would be almost instantaneously. The system has worked in Saskatchewan with respect to bringing notice to people where their title is being scoped and there is activity with respect to their title.

Finally, we have to also look at a PIN system, where you will not be able to process a transaction with respect to either a transfer or a mortgage without the title holder's consent and without obtaining their PIN system. That's another safeguard with respect to the integrity of the land titles system. I believe that's something that is important. Obviously, we have the technology to do that in this province.

The third major change has to do with the land titles assurance fund, which I commented on earlier. It has to

be a fund of first resort, as it is in the province of New Brunswick, to make sure that we use it in a process such that we can get speedy remedial relief for the people who need it, and that the land titles assurance fund not be run by the director of titles but run by an independent board of representatives from the industry and consumers' groups and police groups so that we have a good understanding of what's happening out there with respect to theft, but we also have a process that will ensure speedier relief and a process that will ensure speedier relief and a process that will ensure that government red tape doesn't bog down the relief that people are entitled to.

1110

Another area of the bill that obviously is important, because of what happened to Mr. Reviczky and I believe Ms. Shepherd, is fraudulent power of attorney. People are saying that relatives of these individuals are coming in with fraudulent power of attorney to transfer the title and are also going forth with mortgage transactions. The Powers of Attorney Act has to be changed to what it's like in Alberta. In Alberta, they have a process where there's an affidavit requirement with respect to people who are swearing the power of attorney, as opposed to the kit that anyone can obtain right now, where they scribble and it's not really legitimate in terms of the power of attorney. So we need a process that will make sure that the power of attorney is not only legible in terms of who's signing it, but also that we have independent evidence with respect to the legitimacy of the power of attorney, just because of those two high-profile cases where people have been able to pose as next of kin and use fraudulent power of attorney to get title.

This is a serious problem. Obviously, the federal government needs to look at this also to make this a specific offence with minimum sentences, because it's important. I also would urge that the provincial government, through the OPP, set up a task force to deal with this type of transaction. It's a serious situation that has to be addressed in a very serious manner, because it's not going away. This court decision is the law in the province. The people need the protection now. There are situations where this is happening; I'm not going to mention them. There's a high-profile case in my riding right now involving alleged mortgage fraud, and it has to be addressed. But the law society knows. They have a backlog with respect to lawyers who are involved in these types of transactions that they're dealing with now. So it's a very serious problem, and I encourage debate on this bill.

The Deputy Speaker: Further debate?

Mr. Peter Kormos (Niagara Centre): I'm pleased to speak to the bill. New Democrats indicate very clearly that we support this bill in principle. I think it's important that it be passed today so that it can go to committee. I commend the sponsor of the bill for putting it forward in as timely a manner as possible, to wit, at the first possible opportunity, as compared to the government, the minister of whom I'm very fond and for whom I have high regard, but who prefers press conferences and announcements of announcements rather than coming up with the goods.

Indeed, I want to state clearly now that should this bill pass today, or should this government perhaps somewhat predictably not allow it to be put to committee for full and thorough and broad-based hearings and consultation, then the government bill, whenever it may arrive, should be put to committee after first reading.

There is an incredibly great deal of expertise out there around this whole area. Lord knows there's a whole lot of experience, because we've met some of the very innocent victims and the incredibly tragic consequences of land titles fraud. But there are solutions out there that people with this expertise are prepared to offer up. I've spoken with some of those same people. Some of them are lawyers. Not one of them has received a call from the government. These are some of the people who as lawyers have been intimately involved in some of the litigation and some of the in-depth research and thought that goes into preparing for that litigation.

First, let's deal with the assurance fund. It is imperative—and in this respect we agree entirely with the proposal put forward in the bill today—that the assurance fund be a fund of first resort. Look, let's understand what's going on here. The state, for any number of good reasons, including the protection of people's property rights and the insurance of a system whereby there can be a market in these properties, establishes a land title system. Indeed, the abandonment, if you will, of the land registry system and the unification of land registry in the province of Ontario under land titles, is designed to create a stable, transparent—I say “transparent,” and I hope I'll have time to get to that in a few moments—system that one can rely upon to safeguard their interests in land as property owners.

Remember Duddy Kravitz in Mordecai Richler's book? He's talking to his grandfather, his dedo, and the old man tells him, “A man without land is nobody.” Do you remember that? The old dedo, the refugee from the pogroms of eastern Europe, who knew what it meant to be a mere serf and not to have title to even the smallest bit of land.

The land title system is the state's guarantee to the community, to the residents of this province, that their interest in land will be assured, protected and guaranteed. That means, in my view, that when the system fails, the state has a responsibility to ensure that those who have been failed and who suffer losses, be compensated. It's a pretty simple proposition.

What I would like to see legislation contain, as well, is a subrogation of those rights of the person defrauded to the land assurance fund, so that the land assurance fund can then actively pursue the fraud artists, if indeed they can be found, or the persons responsible and liable. Because the liability, in my view, should extend beyond the mere scam artists, the mere grifters who perform this type of crime.

It is inevitable that from time to time lawyers—either incompetent lawyers, careless lawyers or outright criminal lawyers—are going to be complicitous. It's my view that lawyers, even when they display carelessness, have

to accept some of the responsibility for a fraud, once that fraud has taken place.

I have the Toronto Star article that was indirectly referred to by Mr. Tascona—a lawyer charged—and of course that means nothing, because it's merely a charge. But it raises the prospect that lawyers, either through outright criminal intent or through, as I say, carelessness and incompetence, could be parties to be this.

Let's understand. You cut the government some slack, Mr. Tascona, that I'm not prepared to. I find you today far more generous to this Liberal government than I am prepared to be, because you somehow suggest that it was only Justice Herman's ruling in 2004 that should have rung the alarm bells. And let's be fair: The appeal wasn't heard until the spring of 2005, and then judgment rendered in the fall of 2005. Surely that Court of Appeal ruling—because the Court of Appeal ruling in my submission to you, Speaker, merely and quite simply pointed out a conflict in two sections of the existing Land Titles Act. One is subsection 78(4) and the other is section 155. While some have decried the ruling as somehow being nonsensical, I think the ruling is quite sound. You will notice nobody appealed it. The ruling is quite sound.

One of the interesting observations made by Justice Armstrong was that, notwithstanding the theoretical basis of our land title system, and that is the three principles—the mirror principle, the insurance principle and the curtain principle—it's the language in the act that determines what's valid and what's not.

Why I'm not prepared to be as generous as you are, Mr. Tascona, is because this doesn't date back to the litigation that commenced and upon which there was a motions court ruling in 2004. In the Court of Appeal's own judgment, it makes reference to the ruling by the Court of Appeal in R.A. & J. Family Investment Corp. and Orzech in 1999, wherein there was a discussion about the conflict between 78(4) and section 155. The concern about the language in the act and the impact it has on legitimate property owners, and how a fraudulent, subsequently registered document can infect, indeed undermine, that ownership—the alarm bells were going off back in 1999 in the Ontario Court of Appeal.

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So indeed this isn't a modest delinquency on the part of the government. The McGuinty Liberals have been downright negligent in failing to address and respond to the issue, and remain so, because, quite frankly, it doesn't take a whole lot, in my submission to you, to correct the conflict between 155 and 78(4). Section 155: "Subject to the provisions of this act, with respect to registered dispositions ... that, if unregistered, would be fraudulent and void...." It seems to me that merely amending the act and eliminating "Subject to the provisions of this act," because of 78(4), which the courts say validates a document that would otherwise be a nullity pursuant to section 155. It seems to me that correcting the language to respond to the Court of Appeal ruling in Household Realty is not in and of itself a cumbersome or complex task.

But there's something far more fundamental here. With respect, I disagree with you, Mr. Tascona. Enhancing the penalties under the provincial statute is not going to deter fraud artists from committing fraud, with respect.

Interjection.

Mr. Kormos: We have a Criminal Code. The Criminal Code has serious consequences for people who commit fraud. The problem, though, is that people who commit fraud, especially this type of fraud, tend to be pretty sophisticated, pretty slippery types. They don't leave calling cards behind. They don't leave a resumé with the address and phone number of their next of kin on the doorstep of the person who's been the victim of their fraud. It's the very nature of the beast. They're hard to find; they're hard to detect. That's what victims of fraud have discovered when they've tried to pursue them in the civil courts, which is the current prerequisite before you can access the assurance fund.

I submit that there has to be some serious consideration to whether or not the real weakness in the system is in fact electronic registration. I put to you—and I come from that old school where, as an articling student, perhaps like Mr. Tascona, I attended at a land registry office and tendered documents, and the clerks in the land registry office, public sector workers, knew who the lawyers were; they knew who the law students were; they knew who the land titles searchers were. If there was a forged signature of a lawyer commissioning a document, they knew it was a forgery. I submit to you, there has to be a thorough investigation of the structure of the land titles system, not just of the legislation. I'm convinced that there's an inherent weakness, an inherent vulnerability in the integrity of the system, with electronic registration.

I agree that at first blush it seemed like the way to go. But its frailties, its weaknesses, have been revealed, I put to you, by virtue of the outstanding work by journalists, people like Levy with the Toronto Star, who have done exhaustive exposés of how this fraud is committed. I think there has to be a focus on ensuring that we have land titles offices adequately staffed with adequately trained staff, with adequately experienced staff who physically manage the flow in and out of hard documents.

I want to express gratitude to a dear and long-time friend, John Stephens. He's a lawyer here in the city of Toronto. He wrote me with respect to this issue, and I hope he doesn't mind me referring to this. He says: "A very long time ago when electronic legislation was being instituted, we discussed the topic and I mentioned that some day someone would sell the First Canadian Place in New York by simply pushing a few buttons." Now John is a very astute and experienced lawyer, and appreciates that there is now a bit of hyperbole here, but how many more weaknesses do we have to witness in high-priced computer programs or, dare I mention, the integrated justice system? Do folks remember that boondoggle and the inherent flaws in that? Mr. Stevens's observations are not quite as extreme as they would appear upon first reading them.

I think there has to be a broader debate than just the appropriate and necessary amendments to the Land Titles Act to address the conflict between section 155 and subsection 78(4). There has to be the adoption of the principle that the assurance fund is the remedy of first resort for victims. That fund should also have the entitlement to pursue, by any means it can, collection of those funds that were paid out on behalf of a victim from perpetrators of the fraud. I think there has to be a very active role on the part of the law society in terms of ensuring that lawyers are held to high standards in terms of how they commission and notarize documents, in terms of how they prepare documents, and addressing the tendency of so many lawyers to let law clerks, legal assistants and title searchers do the heavy lifting when it comes to a real estate transaction, notwithstanding that some of those same lawyers do the heavy charging when it comes to sending out an invoice or an account.

I say to the government, this has got to go to committee. One of the solutions is ensuring that our land titles offices are fully staffed with experienced, trained people. These are the people who are going to monitor and detect fraudulent documents, including forged documents. These are the strongest safeguard we could ever develop for ensuring and maintaining the integrity of a land title system which has fallen into disrepute.

Mr. Vic Dhillon (Brampton West–Mississauga): It's a pleasure to speak on Bill 136, an Act to amend the Land Titles Act. I want to start by saying I'll be sharing my time with the member from Davenport.

First of all, I have to commend Minister Gerry Phillips and his former parliamentary assistant, my predecessor Mrs. Liz Sandals, for the fine work that they have done. I know that the people in my riding of Brampton West–Mississauga, and all the people in the province, for that matter, work hard to make a house into a home, which usually is their only real asset. At the minimum, they deserve to know that their property is safe.

First of all, I want to tell you what our government has done so far to protect people's investments. Since the spring, our government has brought together police, financial institutions, lawyers, surveyors and real estate professionals to develop tactics to combat real estate fraud. We initiated a program through the Ministry of Transportation to make drivers' licences more secure and much more difficult to counterfeit.

Currently, homeowners in Ontario enjoy considerable protection from real estate fraud. The electronic land registration system enhanced the security of land registry by imposing increased identification requirements. The land titles assurance fund was created to compensate consumers for errors in the system and fraud, which raises some questions, and I have some concerns about the bill that has been introduced by the member from Barrie–Simcoe–Bradford.

If the fund were changed to a fund of first resort, significant investigatory and legal resources would be required in order to pursue any person responsible for the fraud. The onus of litigation and resolution falls on the

fund, meaning that the public pays. Our government will be proposing our own amendments to the ministry's land statutes to address fraud very soon. Our proposed legislation will ensure that ownership of a property cannot be lost as a result of the registration of a falsified mortgage, fraudulent sale or a counterfeit power of attorney. Instead, an innocent homeowner's title will be restored to them and the fraudulent document will be nullified. We will raise existing fines for real estate fraud-related offences from \$1,000 to \$50,000.

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I can assure you that we will continue to build on these proposals, because even one case of fraud is too many. While the government has brought forward many initiatives and implemented new strategies in the area, the federal government also has a role to play. We will work with the federal government to seek amendments to the Criminal Code to make real estate fraud a separate offence and to establish a national database of real estate fraud cases to properly combat the cross-border element of this crime.

In closing, Bill 136 contains a number of elements that Mr. Phillips has already announced and will be included in our legislation that will be introduced shortly. The real estate fraud working group created by our government has been discussing all other key issues mentioned in Bill 136, such as access to the land registry system, notices, the land titles assurance fund and the power of attorney with the real estate fraud working group.

I look forward to the continuing debate. Now I'm going to pass on the debate to my colleague Mr. Ruprecht from Davenport.

The Deputy Speaker: Further debate? The member for Whitby–Ajax.

Mrs. Christine Elliott (Whitby–Ajax): I'm very pleased to be able to join this debate on the bill to amend the Land Titles Act, known as the Restore the Deed Act. My colleague the member from Barrie–Simcoe–Bradford is to be commended for bringing forward this bill to deal with one of the most important consumer issues facing Ontarians today. While this Liberal government is telling us that they are committed to dealing with the issues of title theft and mortgage fraud, all that we've heard to date are statements and announcements with no substance. The commencement of this session of the Legislature was heralded with the announcement that the government was going to deal with the very important consumer issue of the expiry date of gift cards. I can tell you, I have not heard one single complaint about gift cards and their attendant problems in my riding office, but everywhere I go in my community of Whitby–Ajax and around this province, people are really concerned with the issues that are dealt with in this bill. This is an issue that affects consumers in a very fundamental way in the province of Ontario, and we in the Progressive Conservative Party are prepared to deal with it immediately, rather than making an announcement about intending to deal with it and then focusing on electioneering.

The principle of home ownership and property ownership is fundamental in our society. The most significant

asset that most people will ever have in their lives is ownership of their home and property. They rely on the integrity of the land registration system in Ontario to protect their title, and rightfully so. The land title system of registration was originally brought to Ontario to replace the older registry system, which was simply a register of documents. The registry system simply received the documents but did not guarantee title. The land title system provided a guaranteed system of land registration, such that in the province of Ontario we're in the process of converting all of the old registry properties into the land title system for this reason.

If we have such a foolproof system of land registration in Ontario, why are property owners like Susan Lawrence, Elizabeth Shepherd and Paul Reviczky losing their interest in their properties? The answer, of course, is fraud. There are fraud artists out in all of our communities across this province who are determined to steal properties away from their legitimate registered owners—owners like Susan Lawrence, who lost the title to her 100-year-old Victorian home of 30 years and who now is being forced to go to court to defend her title; owners like Elizabeth Shepherd, who lost her Leslieville home after tenants took her title; and owners like Paul Reviczky, an 89-year-old man who rented his North York bungalow to fraud artists who then used a fraudulent power of attorney to take away title to his property.

How can this be happening in Ontario? There are several significant reasons. First of all, there is the growing sophistication of identity theft. Fraudulent identification is more easily available and much more difficult to detect. The second reason is that access to property records is easily obtained. While we've always had an open system of land registration in the province of Ontario, the introduction of the Teranet system of open, electronic registration in the late 1990s has opened up the system even more and has allowed fraud artists to get into the system and to wreak the havoc they are doing in our system. While we endorse the principle that registrations of titles should be open and accessible, we also recognize there is a need that registrations of titles should and need to be protected.

A report entitled *Mortgage Fraud*, March 24, 2005, prepared by the Law Society of Upper Canada, states that the problems have arisen in part from the anonymization and depersonalization of the process for buying a house. This includes access to lenders without the requirement of meeting anyone in person or having an established business relationship, the electronic transfer of funds and title documents, and appraisals of properties based on abstract computer models.

I should say that the Law Society of Upper Canada has been extremely proactive in dealing with this issue and has several lawyers who have been working with law enforcement agencies, title insurance and mortgage lenders for a number of years now. Some of the results of their work have been very helpful in terms of proceeding with this process.

But now, faced with these significant problems, what can the Restore the Deed Act do?

First of all, the act will ensure that the rightful owners of the property retain their ownership regardless of the fraud. In situations where there is an innocent purchaser or innocent lender, they will be able to seek compensation from the land titles assurance fund.

Secondly, the act will further limit the categories of persons or organizations entitled to register documents under the land titles system. There will also be a requirement that the existing landowner be notified of any dealings with the property, and establishing a system of "no dealings," whereby property owners can mark their title, which can only be removed by them using a PIN, or personal identification number, before the property can be sold or mortgaged.

Access to the land titles assurance fund will become a first-resort rather than a last-resort measure. This will become a significant advantage to landowners because they will no longer be required to resort to the courts before they apply to the fund. There are obvious legal and financial benefits accruing to this change.

Finally, the bill provides that any landowners affected by fraud prior to the passage of the bill will also be entitled to apply for compensation under the land titles assurance fund.

In conclusion, it is time that property owners in Ontario be given the protection they deserve and expect from their government. We are prepared to vigorously defend their rights, and my colleague the member from Barrie-Simcoe-Bradford has prepared, with the assistance of knowledgeable and experienced real estate counsel, a substantive and comprehensive bill to deal with these significant issues. I urge all of the members of this Legislature to support this bill, and thank you for your consideration of these comments.

Mr. Tony Ruprecht (Davenport): Let me say at the outset that I will be supporting Bill 136, An Act to amend the Land Titles Act. The purpose of it is to curb the growing problem of title theft and mortgage fraud. The reason I will support this bill is because I think any discussion that will educate the public to the idea of identity theft is very important indeed. I urge all of us to speak to as many people as we can about identity theft in our own ridings, because there is apparently, as the RCMP tells us, an overwhelming desire by thousands of people on the Internet to defraud consumers.

The problem here, however, is that Mr. Tascona knows Minister Phillips is in the process of preparing a government bill to combat real estate fraud. In fact, he says quite unabashedly—that's the word from the Toronto Star, I think—that he's drafting this bill in a bid to prod the government to take action, which is fine, which is okay. We're here for that purpose, in fact: to try to protect consumers.

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Let me simply begin by saying that yes, it is clear that dishonest operators found loopholes in the land registry system. But as you know, not only are there loopholes in the land registry system, there are loopholes in terms of identity theft in a lot of other places. In fact, I would say

that there are not just a number of loopholes, there are a number of holes in the dike of consumer protection.

The whole area of identity theft must be looked at with much greater caution, and with the idea of protecting the consumer. After all, identity theft is the fastest-growing crime in North America. Many of us too have been subjected to identity theft. I give you one example. I have a bill here from MBNA Canada. It says that I have a credit card. I never activated this credit card, I don't know anything about the credit card, and yet there's a bill here addressed to me that I owe \$866.10 for items I was supposed to have purchased—clothing and a computer—in Texas. Of course, if this happens to me, it must happen to many other people. In fact, we do know by reading in the paper on a daily basis that identity theft is indeed growing. The RCMP tells us that it is the largest-growing crime in our country.

It is clear that if there is a loophole or a hole in this dike of consumer protection, and we certainly have proof on our—by the way, let me just give you one more example of consumer fraud and identify theft. Right here, I have another letter from RBC and indeed another one from the Bank of Montreal. The Royal Bank says here:

“Dear ... Customer,

“In order to maintain the safety and integrity of our RBC Financial Group, we have issued the following warning. It came to our attention that your account may be suspected of fraud. We ask our users with exposed accounts to confirm their identity with RBC every once in a while, in order to upkeep the safety of our environment.”

I am not therefore surprised that people have the idea that, in terms of safety and in terms of protection of our identity, our system is really not good enough; it is failing us. In fact, if we look south to the United States and New York, we have Senator Schumer. Senator Schumer says, “Our system of protecting people's identity is virtually nonexistent in this country.” I'm therefore not surprised that we have identities stolen, that last year alone over 10 million consumers in North America had their identity stolen. This would involve billions of dollars; the estimate here is that it would involve \$5 billion last year alone. These are big sums of money.

Consequently, I've talked to the RCMP about this, and they're telling me that as we speak now there are between 2,000 and 3,000 people—that's the estimate—looking at the computer right now, on the Internet, looking to steal our identity for illegitimate purposes. But it gets worse: In Canada alone, there are six identified Internet sites where thieves are swapping and buying personal information—yours and mine. They're swapping social insurance numbers, they're swapping names, they're swapping addresses, they're swapping credit card information—and they are buying and selling it as well—on six identified Internet sites in Canada alone.

To put our finger in this dike is not good enough. We have to act and we have to ensure consumers in Canada that their identities are protected. That's why we as a government keep saying that if your identity has been

compromised, if your identity has been stolen, it's up to consumer credit bureaus or to whoever keeps your identity safe, supposedly safe, to inform you, just like RBC and the Bank of Montreal have informed me. It must be up to them by law to inform you so you can protect yourself better.

The problem is that Ann Cavoukian, our Privacy Commissioner, is actually saying—guess what? I didn't know this before and I'm sure that some of you may not know this either—that out of 10 consumer fraud cases in terms of stealing your identity, seven you could have done nothing about. Our message, of course, to our residents has to be: Protect your identity, whether it's a social security number or whether it is your credit card number or your address and your birth date. Protect that. Now Ann Cavoukian is saying to us that seven out of 10 have nothing to do with me, and I could have done absolutely zilch to protect my identity, because it came and it was stolen through consumer credit bureaus and the banking sector, and that was done through unscrupulous persons who are working in that sector—seven out of 10. I certainly want to make sure that my identity is protected.

Let's just get back to Bill 136, with a few items that might be improved and that we have a problem with on this side of government.

First, there's section 2.1, limited access to the land registration system. The bill proposes to limit access for the purpose of registration to certain classes of people such as lawyers, real estate brokers etc. It does not include individuals and parties that are legitimately involved in real estate transactions who are currently allowed to register, such as document preparation companies and title insurance companies, among others. This may create issues for numerous companies such as law firms who do much of the land registry work.

Second, on Bill 136, notifications, section 2.2: When the land registrar registers most documents—that is, transfer of mortgage, discharge of mortgage—he or she must send notification to the former registered owner in the case of a transfer, and the current registered owner in the case of a new mortgage. Problem: The mechanism for notification is not provided for. Discharges of mortgages are not addressed.

Third problem: a registrar's power, section 2.3 in Bill 136. This section provides the registrar with the power to balance and to place caution on title or to refuse to register a document. That's section 2.3. Similar measures already exist in the Land Titles Act and do not have to be addressed here. Problem: How would this section work in an electronic system? Most registrations are now received electronically. Land registrars do not see documents prior to receipt in an electronic system and, as a result, have no ability to refuse their receipt.

Fourth, personal identification numbers in Bill 136, section 2.4: The bill provides for personal identification numbers to be provided to the registered owners and registered mortgagees and also provides the land registrar with the power to require use of PINs if such use may

prevent fraud. The intent appears to be that the owner would have to provide the PIN to the registrar in order for a transaction to occur. Problem: It is unclear what is being proposed in Bill 136. Does each person get a PIN for each parcel of land they own, or does each person get a PIN that is attached to all the parcels of land that she owns?

So there are more problems here, but I'm sure that Mr. Tascona will address them when he speaks to this bill. I thank you very much for listening to this point.

Ms. Laurie Scott (Haliburton–Victoria–Brock): I'm pleased to join in the support of the Restore the Deed Act that my colleague from Barrie–Simcoe–Bradford has brought forward, and forward-thinking legislation. I think it's good for most Ontarians. There's been some healthy debate here this morning to understand the dynamics of this bill and why this bill needs to be brought forward and why it needs to be brought forward now and not waiting for the government to just keep doing press conferences and no action.

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I think most of us can understand the excitement of going and picking up the keys for that first home that you've bought and the importance of owning a piece of property, as the member from Niagara Centre has said. They work hard, they save the best ways they can, and they make sure their mortgage, home insurance and taxes are all paid up. They are responsible citizens. Some even go so far as to further invest in properties and cottages, hopefully in my riding of Haliburton–Victoria–Brock. But that's why this legislation is so important. My colleague from Barrie–Simcoe–Bradford brought forward legislation that goes to the very heart of what we representatives need to do. We need to provide the type of protection that keeps Ontarians safe from crime, from fraud, from criminals who don't have the desire or the interest in working for what they own.

Unfortunately, it isn't that difficult for a motivated person with poor intentions to obtain false identification. The land titles and registry system is very open and easily accessed. A few minutes of time and most people can have a look at the records of almost any property just by stopping by the land titles office. This is highly convenient and user-friendly, with good intentions, but equally so for those with not-so-good intentions.

There are reasons for this, especially in today's world of convenience and online banking and registering, which was alluded to earlier.

First, the theft process is sophisticated. There is no doubt about it.

Secondly, long ago are the days when people like my parents walked into the bank and they knew the bank manager, they knew who was involved, they knew the lawyers etc. That personal touch is moving out of institutions, and people today are looking for quick access, for convenience. They want to do their finances online, stopping at ATM machines. Institutions have responded well to these modern-day needs, but it leaves out the

face-to-face, name-and-handshake concept of only a few years ago.

Thirdly, electronic registration of land titles, mortgages, lines of credit and finances has opened up a virtual door to those who wish to hack into the system. I can't imagine what it would be like for someone who has spent years and years paying off his or her home only to be handed a notice of mortgage for hundreds of thousands of dollars one afternoon because someone so easily forged their identification and accessed their information. I know that several cases have been mentioned here today in the Legislature.

That leads me to another problem in Ontario: that the folks across the way, as I said earlier and many other members have said, have refused to address this problem. Yesterday in the House, my colleague from Nepean–Carleton stated that it took her 18 months to obtain a birth certificate for her child. This McGuinty Liberal government allowed her child to be one and a half years old before getting her the proper birth certificate, and yet, on the other hand, criminals are walking around with wallets full of false identification—easily, easily done, and we need to correct it now.

The Liberal government services minister, whom I have the utmost respect for, says, "Well, we'll take our time. Maybe in two or three weeks we'll introduce something on mortgage fraud. But in the meantime, let's do a press conference. Let's do a bunch of repeat announcements, talk about how we think it's a good idea. Let's convince people that we care." We need action. We need action now. We need to protect the innocent people in our society who open up to criminals, taking their identity, putting mortgages on their houses, taking their houses.

I know that the lawyers and the legal system, the financial institutions and the registry offices are all practising due diligence, but with modern-day technologies such as Internet banking and electronic registering, there comes a requirement for up-to-date legislation to protect consumers from those who are hacking into that system. This legislation which my colleague has brought forward provides the direction that protects those consumers, and I hope all members of the House will see fit to support this legislation and move it forward now.

Mr. Tim Hudak (Erie–Lincoln): I am pleased to rise to speak about the save-the-deed act, a very clever and creative name coming from my colleague from Barrie–Simcoe–Bradford, and certainly very descriptive of the terrible and real tragedy faced by far too many individuals who have had their homes taken out from beneath them through no fault of their own. After taking every precaution in all likelihood possible, they wake up one day to find out that they have had their deed registered to someone else or have to pay for a phony mortgage.

I want to commend the outstanding research and hard work that my friend from Barrie–Simcoe–Bradford has put into his bill, a powerful piece of legislation. I know Alan Silverstein as well, the renowned lawyer and consumer advocate, has given some outstanding advice to

the member in crafting his bill. I hope the research that has been done and the support from individuals like Mr. Silverstein will convince the minister and the government to cross the floor—not necessarily to bring their own bill forward, but why not actually do something that happens too rarely in this Legislature, and support Mr. Tascona's bill? If the government has some concerns about it, surely we could use committee time to amend the bill where appropriate. I know Mr. Tascona would be a very reasonable individual. I'm sure he would want to see this become law. So I hope that the Minister of Government Services will work closely with Mr. Tascona and move this through. I think it would be tremendous to see a private member's bill get to that stage, supported by all three parties in the House. I see no reason why this wouldn't be the case. I have heard no criticism of this bill from the minister. In fact, I thought he responded quite positively to it by indicating that he would look at this bill and see what he could use to combat this terrible situation.

I also wanted to commend the member from Barrie–Simcoe–Bradford on what I hope will be, either through his bill or, if the government chooses to do their own, part of a government's bill, to retroactively give access to the land titles assurance fund to those individuals who have been scammed out of ownership of their property. To date, the government's response to those particular individuals detailed in the media has been lacklustre, to say the best about their response. Their real tragedies have been largely ignored. I fear that if the government brings forward its own bill, it will not address those individuals, who truly have been impacted largely out of government inaction. It dates back to 2004, when the most recent court case came forward, which allowed a fraudulent transaction on one transfer of ownership to be recognized by the courts. So an individual would lose title to his or her home if there is an innocent purchaser involved.

So now for two years, almost—at least a year and a half—this has been the reality, but the government has been awfully slow to address this issue. In fact, the earliest government responses were tepid at best, either not recognizing the nature of this problem or a very laborious response in terms of getting legislation before the House. The government now says it will bring forward legislation this fall. I commend my colleague for putting pressure on the government to bring something forward. But given the tremendous amount of work that Mr. Tascona, the member for Barrie–Simcoe–Bradford, has put into this bill, and that he has listened to strong consumer advocates like Mr. Silverstein, among others, I say to my colleagues across the way, why not support this bill, send it to committee? I know my colleague would be more than willing to work with Minister Phillips and others interested to make the best possible bill supported by all three parties.

The Deputy Speaker: Mr. Tascona, you have two minutes to respond.

Mr. Tascona: I'm very pleased to respond. I appreciate the comments of all of my colleagues here this

morning. They recognize that this is a serious problem. I would urge the government to take a very careful look at this bill and perhaps even read it, to understand that it is much broader than what the minister is proposing and was reported in the paper. There are fundamental differences from what is being proposed in this bill, which is to make the land titles assurance fund a fund of first resort, changes to the Powers of Attorney Act, also with respect to putting in integrity and restrictions and curbing access to fraudulent activity to the registry system, which I think is very important, and to deal with making sure that fraudulent title transactions are dealt with and that the public is protected.

This is what this is all about: consumer protection. For many people, their home is their most valuable and expensive asset, something that we all work towards having. To have it taken away from them by a system that everybody relies on, that should have integrity, or to have a lien or a mortgage put against it when they have no knowledge of that, is something that people in this province need protection from. It's a serious issue; there have been some people seriously taken advantage of with respect to these types of transactions. I believe it's in the government's best interests. This bill, I think, is very comprehensive and deals with a lot of the issues that have to be taken. But it is a policy decision in terms of what has to be done, and I believe the government should be looking at it in that manner.

The Deputy Speaker: The time provided for private members' public business has expired.

PROVINCIAL-MUNICIPAL FISCAL REVIEW

The Deputy Speaker (Mr. Bruce Crozier): We will first deal with private member's notice of motion number 24, standing in the name of Mr. Hardeman.

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

All those in favour, say "aye."

All those opposed, say "nay."

In my opinion, the ayes have it.

We will call in the members, and there will be a vote.

RESTORE THE DEED ACT, 2006

LOI DE 2006

SUR LE RÉTABLISSMENT DES TITRES

The Deputy Speaker (Mr. Bruce Crozier): We will now deal with second reading of Bill 136, An Act to amend the Land Titles Act, standing in the name of Mr. Tascona.

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

All those in favour, say "aye."

All those opposed, say "nay."

In my opinion, the ayes have it.

We'll have a vote on this as well. Call in the members. There will be a five-minute bell.

The division bells rang from 1201 to 1206.

PROVINCIAL-MUNICIPAL
FISCAL REVIEW

The Deputy Speaker (Mr. Bruce Crozier): Mr. Hardeman has moved that, in the opinion of this House, the proposed provincial-municipal fiscal and service delivery review, which will not be completed until February 2008, after the next provincial election, is needlessly drawn out and that a full review to balance the delivery of services with the ability to pay should be completed much more expeditiously, in order to avoid hitting Ontario taxpayers with unsustainable property tax hikes or significant reductions in service.

All those in favour, please stand and be recognized by the Clerk.

Ayes

Arnott, Ted	Hudak, Tim	Prue, Michael
Chudleigh, Ted	Kormos, Peter	Scott, Laurie
DiNovo, Cheri	MacLeod, Lisa	Sterling, Norman W.
Elliott, Christine	Miller, Norm	Tascaona, Joseph N.
Hardeman, Ernie	Munro, Julia	Wilson, Jim
Horwath, Andrea	Ouellette, Jerry J.	

The Deputy Speaker: All those opposed, please stand.

Nays

Bradley, James J.	Jeffrey, Linda	Mitchell, Carol
Brownell, Jim	Lalonde, Jean-Marc	Rinaldi, Lou
Delaney, Bob	Leal, Jeff	Ruprecht, Tony
Dhillon, Vic	Levac, Dave	Van Bommel, Maria
Hoy, Pat	McNeely, Phil	

The Clerk of the Assembly (Mr. Claude L. DesRosiers): The ayes are 17; the nays are 14.

The Deputy Speaker: I declare the motion carried.

RESTORE THE DEED ACT, 2006

LOI DE 2006

SUR LE RÉTABLISSEMENT DES TITRES

The Deputy Speaker (Mr. Bruce Crozier): We shall now deal with ballot item number 48, standing in the name of Mr. Tascona. We'll open the door for 30 seconds.

Mr. Tascona has moved second reading of Bill 136, An Act to amend the Land Titles Act.

All those in favour, please stand and be counted.

Ayes

Arnott, Ted	Kormos, Peter	Patten, Richard
Bradley, James J.	Lalonde, Jean-Marc	Prue, Michael
Brownell, Jim	Leal, Jeff	Ruprecht, Tony
Chudleigh, Ted	Levac, Dave	Scott, Laurie
DiNovo, Cheri	MacLeod, Lisa	Sterling, Norman W.
Elliott, Christine	McNeely, Phil	Tascaona, Joseph N.
Hardeman, Ernie	Miller, Norm	Van Bommel, Maria
Horwath, Andrea	Mitchell, Carol	Wilson, Jim
Hudak, Tim	Munro, Julia	
Jeffrey, Linda	Ouellette, Jerry J.	

The Deputy Speaker: All those opposed, please stand and be recognized by the Clerk.

Nays

Delaney, Bob	Hoy, Pat
Dhillon, Vic	Rinaldi, Lou

The Clerk of the Assembly (Mr. Claude L. DesRosiers): The ayes are 28; the nays are 4.

The Deputy Speaker: I declare the motion carried.

Mr. Joseph N. Tascona (Barrie-Simcoe-Bradford): Mr. Speaker, I request that the bill be referred to the committee on general government.

The Deputy Speaker: Agreed? Agreed.

All matters relating to private members' public business having been dealt with, the House is adjourned until 1:30 of the clock.

The House recessed from 1211 to 1330.

MEMBERS' STATEMENTS

RIGHT TO KNOW DAY

Ms. Lisa MacLeod (Nepean-Carleton): It's my pleasure to address this Legislature today and acknowledge that today is a great day: It's international Right To Know Day. On September 28, 2002, freedom-of-information organizations from countries around the globe met in Sofia, Bulgaria, created a network of freedom-of-information advocates, and agreed to collaborate in the promotion of open government. How fitting, because my bosses, the fine people of Nepean-Carleton—in fact, all the taxpayers of Ontario—have a right to know the truth, the truth about the actual cost related to the trillium logo boondoggle that is happening in government services.

Ontarians have heard that the McGuinty Liberals have paid yet another Liberal-friendly ad firm, Bensimon Byrne, \$219,000 to redesign a logo that did not need a redesign. Neither the Premier nor any of his cabinet ministers have been able to answer the real questions the people of Ontario have: How much will it cost us, and why did you needlessly change a logo that has endured 40 years, seven governments and three major political parties? Surely the Premier does not think he is above Ontario's institutions.

It was Bensimon Byrne who made the 2003 election ads for the Ontario Liberal Party. You remember those ads: "I won't raise your taxes." He promised he wouldn't raise our taxes and ironically turned around and handed us the single largest tax increase in Ontario's history. This same Liberal ad firm, Bensimon Byrne, who made those Liberal ads, just happened to walk off with our tax dollars so they could unnecessarily change one of our institutions. Ontarians—

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

SANDBAR BUILDING IN HAMILTON

Ms. Judy Marsales (Hamilton West): I rise in the House today to applaud the Attorney General, Michael Bryant, for his support of the city of Hamilton as we encourage a safer and prosperous community. On April 4 of this year, I rose in this House to thank the Attorney General for his courage and leadership in allowing the province to foreclose on the owners of a building which had a notorious reputation as a crack house and had also been the scene of two cocaine-related murders. This building, known locally as the Sandbar, at 193 King Street East, is closed, thanks to Attorney General Michael Bryant.

This morning, I had the pleasure of joining the Attorney General in Hamilton as he handed over the deed and the keys of the former Sandbar property to the city of Hamilton under the Civil Remedies Act. The Attorney General considered all options and engaged the city of Hamilton and Mr. Brian Mullan, chief of police, and the local business improvement associations to seek their ideas and preferences. The closure of this crack house was important to Hamilton because it signals the revitalization of our downtown core.

I want to commend Mayor Di Ianni, city hall, and especially the downtown renewal department for beginning this initiative and promoting Hamilton's downtown core after many years of challenge. The citizens and business people of Hamilton were victims of the unlawful activity that surrounded this horrible crack house. The Attorney General is transferring this property to the city of Hamilton to allow Hamilton to decide on the fate of this property and its future. This opportunity gives the city planners the chance—

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

RIGHT TO KNOW DAY

Mr. Tim Hudak (Erie-Lincoln): Members well know from my colleague that today is international Right to Know Day, and today is also day 213 of the crisis in Caledonia. The people of Caledonia, Six Nations and across Ontario have a right to know what exactly is going to be the cost of Dalton McGuinty's weak leadership. Taxpayers across the province of Ontario have a right to know how much the ongoing and heavy Ontario Provincial Police presence is going to cost taxpayers. The people of Niagara, Haldimand and Hamilton have a right to know the value of the 250 acres of agricultural land already handed over as a result of the occupation. The people of Caledonia and Six Nations have a right to know why the McGuinty government is continuing to send electricity to the site of the occupation and how much that is going to cost Ontario taxpayers. The people of the area want to know why the McGuinty government continues to send water to the occupied site and how much that is going to cost local taxpayers.

The people have a right to know what direction was given by the McGuinty government to the Ontario Provincial Police in the handling of this situation. And resi-

dents of Caledonia, Six Nations and Hamilton-Niagara have a right to know exactly what they mean when they say that great progress has taken place at the table, because at day 213, that's not evident.

We have a right to know the cost of McGuinty's weak leadership.

MANUFACTURING JOBS

Mr. Peter Kormos (Niagara Centre): Manufacturing jobs are the bedrock of our economy. These are good-paying jobs that allow people to build their homes and pay for them, to raise their kids, to send their kids on to college and university, and to try to plan for a somewhat modest but decent retirement.

We have a crisis now in Dalton McGuinty's Ontario, a jobs crisis. In the course of the last two years we've lost over 118,000 manufacturing jobs. That's over 10% of the total amount of jobs. In the years to come we risk losing hundreds of thousands more. All the while, we have a Liberal government that simply stands on the sidelines doing nothing, twiddling its thumbs, and in fact, all the more significantly, aggravating this scenario by pursuing a dreadfully dangerous and job-destroying higher and higher electricity rate and privatization electricity policy.

That's why the New Democrats have proposed the establishment of a job protection commissioner, something the Liberals have shown no interest in and shown no concern for. A job protection commissioner would be there at the beginning, before the jobs are lost, to help employers, workers and communities plan when jobs are being put at risk as a result of this government's policies and to try to develop a plan to save those jobs rather than simply bidding them adieu and waving them goodbye, as Dalton McGuinty and his Minister of Economic Development do with thousands upon thousands of jobs—most recently, good Ford jobs like those down in Windsor, Ontario.

AGRICULTURE SURVEY

Mrs. Carol Mitchell (Huron-Bruce): This summer, I sent a householder to my constituents in the riding of Huron-Bruce and the focus was Ontario's agriculture sector, especially as it relates to my riding. The newsletter also contained a comprehensive questionnaire on agriculture and food. The response to this questionnaire was very strong. This will allow for a better understanding of the concerns of those both directly and indirectly affected by agricultural issues in my riding. Some of the issues raised by the questionnaire include a definition of the family farm, income management, and food quality and safety.

In addition to the survey, I held three public forums to discuss the results. Of those results, perhaps the most alarming is the large number of farmers—74%—who are over the age of 46. This could potentially lead to problems if the number of new farmers coming into the industry does not meet the rapid rate of those retiring.

An overwhelming number of people, both urban and rural, expressed that the Foodland Ontario label has a positive, reassuring meaning in their food purchasing decisions. Some 73% of the respondents also said that they would support the extension of the Foodland labelling program to red meats. The results of this survey, as well as a number of the issues addressed at the forums, were addressed in letters to the Ministers of Finance and Agriculture as well as to the Premier.

Our government recently announced \$110 million in agricultural funding for income stabilization, \$75 million for rural infrastructure, and \$7 million for the Clean Water Act: important measures the McGuinty government supports—

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

WASTE MANAGEMENT

Ms. Laurie Scott (Haliburton–Victoria–Brock): I rise today to state once again that hard-working Ontarians have the right to know if the McGuinty Liberals are going to come clean with Ontario on their mismanagement of waste. Ontarians have the right to know why you broke your promise of 60% waste diversion. Ontarians have the right to know why you said you have an amazing plan and have never presented one.

The member for London West is on record suggesting that he is surprised by the city of Toronto's purchase of the Green Lane landfill site, saying municipalities should deal with their waste at home without going elsewhere.

Minister Bentley, your constituents have the right to know that you are representing them and not simply spewing out McGuinty Liberal rhetoric. Minister Bentley, as I said to Minister Peters yesterday, if you are as driven as you claim to be in protecting your constituents, put the rhetoric aside, step away from the comforts of cabinet, stop toeing the McGuinty Liberal party line and do the job of representing your constituents.

1340

It's time the McGuinty Liberals come clean with the people of London and the surrounding communities. It's time for the Liberal members to stop saying anything to get elected. Ontarians have the right to know why true McGuinty Liberal policy is to say one thing before the election and say something completely different after the election. Despite what Minister Bentley, Minister Peters and the rest of the McGuinty Liberals feel they are entitled to, hard-working Ontarians have the right to know.

MILK IN SCHOOLS

Ms. Deborah Matthews (London North Centre): The McGuinty government's active healthy schools plan encourages healthy lifestyles for our students. We've banned junk food in vending machines and we've added 20 minutes of daily physical activity in our schools. But we're not the only ones concerned about healthy kids. Yesterday, the United Nations celebrated the seventh

annual World School Milk Day, which was established to highlight the importance of milk as part of a child's diet.

Studies show that students eating a healthy lunch which includes milk products are more likely to be successful. In Ontario, schools participate in the elementary school milk program supported by the Dairy Farmers of Ontario and a team of volunteers at each school. In my riding of London North Centre, children at many elementary schools can receive fresh, cold milk every day they attend classes thanks to this program. Indeed, this province-wide school milk program delivers over 26 million cartons of milk each year, reaching over 70% of elementary schools.

Let us all take this opportunity to applaud the Dairy Farmers of Ontario and all the volunteers who support them for providing this important service to enhance the health of Ontario's elementary school children.

AGRICULTURE 101

Mr. John Wilkinson (Perth–Middlesex): Effectively representing the concerns of my rural riding to my urban and suburban colleagues is one of my most important jobs here at Queen's Park. That's why on August 18, I was pleased once again to co-host with the Perth Federation of Agriculture and our new Minister of Education, Kathleen Wynne, our third annual Agriculture 101 event.

Thirteen of my urban, suburban and rural caucus colleagues from across Ontario, which included five cabinet ministers, travelled to my riding of Perth–Middlesex for the event. The purpose of this day was to give members the opportunity to experience first-hand the daily lives of my farmers. This year's Agriculture 101 offered tours of three local farms: a cow-calf operation, a beef feed lot and an organic sunflower farm. Each MPP family was partnered up for the day with a local farm family to allow one-on-one discussions throughout the day of the challenges the agriculture industry faces.

I would also like to take this opportunity today to thank Bob Martin and the executive of the Perth Federation of Agriculture, Paul Nairn of the Ontario Federation of Agriculture and Kathleen Wynne for jointly hosting this year's Ag. 101. Special thanks also go to the commodity groups who supplied all of the wonderful food; the Vorstenbosch, Haechler and Fischer host farm families; Mary McIntosh; and the many buddy farm families for their warm hospitality.

Finally, I would like to thank my colleagues, senior government staff and their families for taking time out of their busy schedules to visit my riding and get a first-hand look at the unique issues facing our rural communities. This year's event was heralded as yet another success.

PEOPLE'S REPUBLIC OF CHINA

Mr. Tony Ruprecht (Davenport): In the history of mankind, an important historic event took place 57 years ago: the founding of the People's Republic of China. This Sunday, October 1, we too will have an opportunity

to celebrate this event as we raise the People's Republic of China's flag right here in front of the Legislature.

As we celebrate this historic event, we are mindful of the People's Republic of China's economic achievement. Yesterday, at a special reception given by the consulate, we had the Consul General, Chen Xiaoling, and the Deputy Consul General, Guangfeng Hao, give us some very interesting statistics about the People's Republic of China's accomplishments. They've doubled the standard of living—imagine—within 10 years, increased the educational institutions into one of the most interesting and excellent institutions. In fact, every public school is teaching English in China; our language is being taught in China by every public school. That's a tremendous achievement. Hospital care has improved by 60%, and on and on it goes.

Very briefly, we're also mindful of the tremendous economic contributions that people of Chinese background have made in Canada.

REPORTS BY COMMITTEES

STANDING COMMITTEE ON JUSTICE POLICY

Mr. Vic Dhillon (Brampton West–Mississauga): I beg leave to present a report from the standing committee on justice policy and move its adoption.

The Clerk-at-the-Table (Mr. Todd Decker): Your committee begs to report the following bill as amended:

Bill 14, An Act to promote access to justice by amending or repealing various Acts and by enacting the Legislation Act, 2006 / Projet de loi 14, Loi visant à promouvoir l'accès à la justice en modifiant ou abrogeant diverses lois et en édictant la Loi de 2006 sur la législation.

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

All those in favour will say "aye."

All those 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 1346 to 1351.

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

Ayes

Arthurs, Wayne	Dombrowsky, Leona	Peters, Steve
Balkissoon, Bas	Fonseca, Peter	Phillips, Gerry
Bartolucci, Rick	Jeffrey, Linda	Pupatello, Sandra
Bradley, James J.	Kular, Kuldip	Rinaldi, Lou
Broten, Laurel C.	Kwinter, Monte	Ruprecht, Tony
Brownell, Jim	Lalonde, Jean-Marc	Smitherman, George
Bryant, Michael	Levac, Dave	Sorbara, Gregory S.
Chambers, Mary Anne V.	Marsales, Judy	Van Bommel, Maria
Colle, Mike	Matthews, Deborah	Wilkinson, John
Delaney, Bob	Milloy, John	Wynne, Kathleen O.
Dhillon, Vic	Mitchell, Carol	Zimmer, David

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

Nays

Arnott, Ted	Hudak, Tim	Prue, Michael
Bisson, Gilles	Jackson, Cameron	Runciman, Robert W.
Chudleigh, Ted	Kormos, Peter	Scott, Laurie
DiNovo, Cheri	MacLeod, Lisa	Tabuns, Peter
Elliott, Christine	Martel, Shelley	Tascona, Joseph N.
Hardeman, Ernie	Miller, Norm	Witmer, Elizabeth
Horwath, Andrea	Munro, Julia	Yakubski, John

The Clerk of the Assembly (Mr. Claude L. DesRosiers): The ayes are 33; the nays are 21.

The Speaker: I declare the motion carried.

The bill is therefore ordered for third reading.

VISITORS

Hon. Rick Bartolucci (Minister of Northern Development and Mines): We would be remiss if we didn't inform everyone that today is community newspaper advocacy day, and we are privileged to have representatives of our community newspapers in the gallery, who will be meeting with us after. Certainly, I want to highlight Abbas Homayed from Northern Life, who is such a proactive person in our community. Welcome.

STATEMENTS BY THE MINISTRY AND RESPONSES

WOMEN'S HISTORY MONTH

The Speaker (Hon. Michael A. Brown): The Minister of Economic Development and Trade.

Interjection.

The Speaker: And minister responsible for women's issues.

Hon. Sandra Pupatello (Minister of Economic Development and Trade, minister responsible for women's issues): That's very important, because October is Women's History Month. In every community right across Ontario, we are recognizing the contribution women have made to their communities, their families and of course to our province.

This special month was first designated in 1992 by the Canadian government. Since then, it's given us a unique opportunity to show our appreciation to those women who have made a real difference. It's an opportunity to encourage a new generation of women to become leaders in their communities by recognizing the contributions of women to the history and growth of Ontario. It is an opportunity to celebrate those who have stood for women's rights and paved the way to equality.

This October, we celebrate aboriginal women and their achievements. We celebrate all of the aboriginal women of Ontario and Canada and their contributions to our society, our communities and all of our history. We

celebrate these achievements of aboriginal women in areas of culture, law, public health and social change. We celebrate women such as Pauline Johnson, the Mohawk poet and entertainer who taught us how to appreciate native culture; Marion Ironquill Meadmore, a member of the Peepeekisis reserve who became Canada's first aboriginal woman lawyer in 1977; and Jean Cuthand Goodwill, a Cree First Nation member who championed public health services for aboriginal people and helped to establish the Aboriginal Nurses Association of Canada. We also celebrate the triumphs of Jeannette Corbière Lavell, an Ojibwa woman who launched the first gender-based Supreme Court challenge in 1971, and Sandra Lovelace, a Maliseet woman whose determined appeal to the United Nations Human Rights Committee led to native women in Canada no longer losing their status under the Indian Act through marriage to a non-native man.

Women's History Month is the time to acknowledge the hard work, vision and inspiring leadership of aboriginal women such as Pauline, Marion, Jean, Jeannette and Sandra—women who have set a great example for many others to follow. We're proud of what they've accomplished.

It's important that we promote a better understanding of aboriginal women's lives and the unique challenges they face, and that we continue to provide them with the services and support that they need to succeed. We've invested \$500,000 over four years for programs in 31 aboriginal communities to prevent family violence. We've invested over \$400,000 to train aboriginal women for careers in skilled trades. We have also invested \$25 million over five years in the aboriginal healing and wellness strategy to improve the health of aboriginal people across the province.

Women's History Month is the time to applaud so many women whose leadership and success have inspired us. And we are very proud. During the month of October, I encourage each and every one of you to turn to the women close to you and say, "Thank you."

The Speaker: Responses?

Mrs. Elizabeth Witmer (Kitchener–Waterloo): Today I am pleased to speak on behalf of the Progressive Conservative caucus in recognition of Women's History Month, which of course is the entire month of October.

This month is a very important opportunity for us to learn more about women's history and our valuable contributions to Canadian society. This special month was established by the Canadian government in 1992. Each year, the month is commemorated with a different focus, and of course this year's theme is Aboriginal Women: the Journey Forward. It is a tremendous opportunity for all Canadians to increase their awareness of the contributions that aboriginal women have made both to their communities and to this country and their families: women, as we've already heard, such as Pauline Johnson, Jean Cuthand Goodwill, Jeannette Corbière Lavell, Marion Ironquill Meadmore and Sandra Lovelace. The lives and the challenges of aboriginal women, when you

read about them, are unique. It is very important that all Canadians gain a better understanding of their lives and of the challenges that they have faced.

1400

This year also marks a number of other significant anniversaries. It is the 25th anniversary of our country's ratification of the United Nations Convention on the Elimination of All Forms of Discrimination against Women, more commonly described as the international bill of rights for women. By accepting the convention, our country of Canada committed to undertake a series of measures to end discrimination against women in all forms. The convention also provides the basis for realizing equality between women and men through ensuring women's equal access to and equal opportunities in political and public life, including the right to vote and to stand for elections, as well as education, health and employment.

In addition, the Royal Commission on Aboriginal Peoples was established 15 years ago, and this is also the 10th anniversary of the release of their final report entitled *People to People, Nation to Nation*. This report proposed four principles as the basis for a renewed relationship. They are recognition, respect, sharing and responsibility. I believe these are important principles for all of our relationships in life as well.

Women's History Month is a very important month. In fact, in my own community, the Canadian Federation of University Women has put together and written a book about the contributions that women have made in previous world wars, and it's going to be released. But it is an opportunity for all of us to celebrate women and the many accomplishments they have made in this country.

Ms. Andrea Horwath (Hamilton East): It's my pleasure to speak on behalf of New Democrats in celebrating Women's History Month, which is coming in the month of October, and equally celebrating the fact that we are rising with the women of First Nations to celebrate their accomplishments, their achievements and the lessons we can take from First Nations women, who are often at the forefront of issues of governance, particularly in First Nations where matriarchy is the way of governance in some of those communities.

I have to say it's my experience, coming from a community that has a number of urban native peoples, that they contribute a great deal to our community and to our way of thinking as we deal with some of the challenges that face not only First Nations women but First Nations youth and other people from First Nations who have significant challenges.

I can tell you that among the women who have already been mentioned by the minister and the critic from the opposition, there are others as well who not only have a place in history but have a place in current times in terms of the things we can learn from them. Particularly, I think of women from the arts, women like Daphne Odjig, who is celebrated as one of Canada's first and most celebrated native artists and who has also been considered to be the founder of the contemporary style of native arts. We

think about women like Ojibwa Elsie Knott. When the Indian Act was amended in 1952, allowing native women to run for office and vote, Elsie Knott became the first woman elected as chief.

These accomplishments are much to be celebrated, but we have to remember that, as I mentioned, First Nations women teach us lessons every day. I can recall standing in this Legislature not too long ago talking about some of the young women from First Nations from my own community who were courageous and who were taking opportunities that were being provided by a unique program in one of our high schools that was reaching out to First Nations communities, that was working with them in refamiliarizing them with their language and culture, and how this young woman who was lost in her urban environment used that program that was offered to her to reconnect to her history and to her community.

As we celebrate this auspicious month, and this month particularly focusing on the contributions of First Nations women, it's incumbent upon us to acknowledge and recognize that clan mothers have a very important voice in going forward as government in the issues that we debate and discuss on a day-to-day basis in this Legislature.

When we're dealing with any kind of law, any kind of system, any kind of program that has to do with providing service or working with and developing relationships with First Nations communities, it is really extremely important and incumbent upon us to engage those First Nations voices and engage those First Nations women. It's not good enough for us just to say we celebrate them from an academic perspective. We need to celebrate them day in and day out.

I urge all members of this Legislature, including current ministers who are dealing with various aspects of their portfolios—I think particularly about family violence, about children and youth, and I know that I'm speaking in kindred voice with these women ministers, who acknowledge and recognize that the voices of our First Nations women are so extremely important as we try to move forward and make sure that the transgressions, the problems and the lack of hearing that we have tended to have as government is broken down and is no longer the way of dealing with our First Nations people.

As we go to the future, there is so much that we not only need to give but that we need to learn from the traditions, knowledge and experience of First Nations communities, who really do see the world in a different way. I would say to you that the clan mothers and the First Nations leaders who are women really do have a unique role to play, not only in our history but truly in our future.

VISITORS

The Speaker (Hon. Michael A. Brown): I would take this opportunity—it's not only prudent but it's my pleasure to introduce in the Speaker's gallery my wife, Lynn; her mother, Nona Tracey; and from British Columbia, her aunt, Inez Gates.

MEMBER FOR BURLINGTON

Hon. James J. Bradley (Minister of Tourism, minister responsible for seniors, Government House Leader): I believe we have unanimous consent for all parties to speak for up to five minutes to recognize the member for Burlington's departure from provincial politics.

The Speaker (Hon. Michael A. Brown): Mr. Bradley has asked for unanimous consent for each party to have up to five minutes to speak on the imminent departure of our friend from Burlington from this place. Agreed.

Mr. Robert W. Runciman (Leeds–Grenville): It's my privilege to make a few comments on behalf of our leader, John Tory, and the Progressive Conservative caucus on, as you said, our good friend's departure after 22 years in this Legislative Assembly. Twenty-two years is quite a feat when you consider the average tenure in this place is about four-and-a-half years—and after the next election I don't think it's going to be changed too much.

In any event, I want to welcome Cam's family who are with us here today: Cam's terrific wife, Elaine; his daughters, Amy, Lauren and Michelle; and Cam's mother, mother-in-law, brother and sister. Welcome on this very special day. I know Cam's family have been enormously important to him over his 22 years in this assembly. I think all of us realize how important the support of spouse and family can be in terms of carrying on this job and all the challenges that go with it. If you don't have that support on the home front, it's extremely difficult, especially to carry on as effectively as Cam Jackson has for 22 years on behalf of the people of Ontario.

Cam was elected in 1985. We became good friends shortly thereafter, and we share roots in Leeds–Grenville. Cam's dad's family comes from the Gananoque area, so we share a lot of linkages with respect to that part of eastern Ontario.

1410

Cam has been elected six times, and several of those elections were not terribly easy for the Progressive Conservative Party, especially 1987. That was a tough year for Conservatives in the province of Ontario, but Cam was re-elected, and I think that speaks clearly about the bond of trust between Cam and Burlington voters. They support him in good times and bad.

Over his 22 years, Cam has had a huge range of responsibilities, both in government and in opposition. He is currently the critic for four ministries, and that's representative of his work ethic and tenacity.

In my view, there are a couple of areas where Cam has shone throughout his career: (1) his advocacy for victims of crime, and (2) his passion for seniors and persons with disabilities.

Some of you probably don't realize this, but Cam is the author of Ontario's Victims' Bill of Rights, and he was a key player in the creation of the victims' justice fund, which is the first in Canada. I could go on at length

about his initiatives in the area of crime victims. Just this week, he accomplished a rare feat: the passage of a private member's bill, Kevin and Jared's Law, which helps to protect Ontario's children.

On the seniors front, Cam helped launch a series of unprecedented initiatives, including the creation of the Ontario Seniors' Secretariat and Canada's first Alzheimer's strategy.

Cam is now moving into the municipal arena, and we will miss him in this place. Cam has never been a guy to easily take no for an answer and has a real skill at getting under the skin of ministers he's critiquing. I recall fondly how he used to drive Ian Scott crazy. It was great fun. His perseverance has paid off in great success.

Cam, you leave this assembly with a record of achievement that you can truly be proud of. Your colleagues in the Progressive Conservative caucus thank you for your years of service to your party and your province and wish you only the best as you enter this new phase of your life.

Mr. Gilles Bisson (Timmins–James Bay): I rise on behalf of New Democrats today in order to bid our farewell to Cam, knowing that it's only adieu and not good-bye, because obviously you're still going to be involved, at least for the next little while, in politics as you run for your next opportunity to serve the people whom you have served for so many years. With any luck or dis-luck, depending on what side of the fence you're on, you will be back, I'm sure, and we'll be seeing you in these halls again.

I want to say a couple of things. I first met Mr. Jackson when I was elected here in 1990, when I was on the government side. I remember working with Mr. Jackson at the time, both at the committee level and on other opportunities, and the one thing that always struck me about Cam was that he's one of these particular—

Interjection.

Mr. Bisson: I'm talking about your guy. Thank you. Man, I'm being heckled and it's his own guys.

Anyway, I would just say that I remember working with him on a number of bills, and what always struck me about Mr. Jackson was that when it came to social issues, even though he was a Conservative—and my view at the time was that Conservatives maybe weren't as interested in these issues as I was, because I considered myself fairly progressive—he was always interested when it came to making sure that those people who do without, those people who are unfortunate, have an opportunity to have the apparatus of government assist them. If it was seniors, if it was people with disabilities, if it was people who had challenges in their life, he was always there to try to at least advance their cause, and in many respects he was fairly successful.

I had the opportunity to work with Mr. Jackson when he was minister, and I've got to say, quite frankly, I had a pretty good time with Cam. I'd be able to walk into his office and probably get some of the things that members of his own caucus couldn't get, because I am privileged to serve, as is my leader, Howard Hampton, the First

Nations communities of both James Bay and north-western Ontario. There are many challenges there. One of the things I really want to say as I speak about Mr. Jackson is that he had a soft spot not only for those people that I spoke of earlier, but the people I represent and Mr. Hampton represents when it comes to First Nations.

We all know how difficult it is to find funding to assist those communities in anything, either social infrastructure or hard infrastructure. When he was Minister of Tourism, I had the privilege—I remember coming in with Chief Leo Friday of Kashechewan when he made a bid to get much-needed dollars to fix their broken-down arena. The ministry had said no and had basically taken them off the shortlist. Chief Friday came into the office, made a really good presentation, and Mr. Jackson said, "Hey, we've got to do this. This community needs that," and actually funded the project after his bureaucrats had said no.

I think that speaks volumes of ministers, because far too often, ministers of the crown listen to the bureaucracy—not to do what they've been sent here to do, but to listen to the bureaucracy. One of the things I will say about Mr. Jackson is that if you made a good argument and you were able to back it up with fact and demonstrate that it was worthy, Mr. Jackson went to bat.

I've got to say, on the projects of the people of Kashechewan, the people of Moosonee and Mocrebec, in regard to the other projects that we worked on, and of other communities in my riding such as Smooth Rock Falls and others, he was always there and willing to do what had to be done, to do what was right—not necessarily what was political, but what was right—and I think that speaks testaments.

Now, we've all received Christmas cards from Mr. Jackson, and I've got to say I used to think, "Where did you rent these people who come on your Christmas cards?" But I've known some of your family members for years, and if you have any success in politics other than your deeds, it's certainly the beautiful family you bring with you today, a wonderful family. Like me, Mr. Jackson—we share something, and that is that if we have beautiful daughters, it has nothing to do with us and everything to do with our wives. So to your wonderful spouse I say, "Congratulations. Despite your father, you guys have turned out quite well"—and I can say that about my two daughters as well.

Mr. Rosario Marchese (Trinity–Spadina): It's true.

Mr. Bisson: Now I'm being heckled by my people.

I say to Mr. Jackson, I know that you leave this place with a bit of a sad heart, because you really care about what you do here. You've always served your constituents well. Sometimes, I will say, you've not done what your party has wanted you to do, and that is something not being said here that needs to be said. Sometimes we get in a little bit of trouble for that, and Mr. Jackson has never been afraid to step out of the line of his party politics to do what he thought was right, even though it might have not been very popular within caucus at times.

So I say to Mr. Jackson, as you move on to your new life in municipal politics I know you will do well,

because are you supported by none other than the Jackson 5.

Hon. James J. Bradley (Minister of Tourism, minister responsible for seniors, Government House Leader): On behalf of the government caucus, I would like to take this opportunity to wish the member for Burlington well as he, and I know those close to him who are in the gallery today, reflect upon his 21 years and several months now in the Ontario Legislature.

Making a decision to resign one's seat before a term is up is a difficult decision. It takes a lot of thought, a lot of consideration and a lot of consultation with those who are close to that person. Obviously, Mr. Jackson has made a decision which, after much consideration, he feels comfortable with, and he has the support of his family in doing so.

It's been over two decades now in the House, and that's a long period of time. There was a time many years ago when a significant number of members of this Legislature, particularly during the years of 1943 to 1985 when the Progressive Conservative Party governed Ontario for 42 straight years, served for a long period of time. In recent years that has changed, as governments have changed more often. We've had an NDP, a Liberal and a Conservative majority government in the period of time since Cam Jackson was elected, and throughout that time he has continued to be elected by the people of Burlington. As the House leader of the Conservative Party mentioned, it's really difficult when there's a tide going one way or another and you're not part of that tide. When a government, for instance, is being defeated—your own government—hanging on takes long fingernails to make sure that you're hanging on, or when there's a sweep going in another direction. So the political skills that an individual has are certainly honed during those years. The fact that you are successful in elections that aren't easy reflects on the fact that you know how to campaign extremely well, and that within your own community you have worked hard to gather the kind of support you need when that tide is going in the opposite direction. For all members who have gone through that, who are here longer than perhaps the norm, that is—not that Norm there—something that one can be justifiably proud of.

1420

As well, it's clear that the kind of vigorous campaign that one undertakes at a time when things are discouraging really makes a difference as well. When the tide isn't there, you work even harder. You do everything that you have to do to accentuate the positive about yourself, which is part of what a politician does during those campaigns. Cam Jackson has certainly done that and his skills politically have served him well in this House, in committees and in the constituency. Whether as a cabinet minister or an opposition critic, Cam Jackson, the member for Burlington, has been determined to make his mark in this Legislature and, as I mentioned, on the committees, and he's pursued some issues that are near and dear to him; other members have made reference to those.

It's difficult to do this if you don't have the support of those at home, and Cam has always said that he has the support of his wife and family, and the extended family, who are here today. While I know in one way they'd probably like to see him stay in this House as the member for Burlington, deep in their hearts they're going to be happier to see that he is closer to home more often, because in political life a person's time is consumed in many different places across the province, particularly as a cabinet minister or as a person who has a significant critic role. Members have to travel, they have to be here a lot, and the family has to be very understanding and supportive of that. Those who appear on the Christmas card, as we all know—and by the way, I think that was the first Christmas card I remember that had a family on it. We all seem to know the family well as a result of that Christmas card that came each year.

We wish you very well, Cam, in your personal life as you go on. The members of the Legislature, particularly in your own caucus—that's true of all our caucuses—will find that it's a difficult void to fill, because you're effective when you're persistent and you're committed to a cause, and you've been that over the years. We certainly wish you well.

Mr. Cameron Jackson (Burlington): I would like to thank my colleagues in this House for the kind words that they've shared and the warmth which all members have expressed today. I have some incredibly fond memories of this place. I've served under seven different leaders, six different Premiers, five different governments and, quite frankly, it's been an honour every single minute. But my greatest memories are of the people I have met and worked with here.

When I look back at 1985 when I was first elected, this was really quite a different place. We didn't have electronic Hansard. We didn't have cellphones. We didn't even have computers.

Mr. Bisson: The good old days.

Mr. Jackson: The reason they were the good old days is we sat till Friday at noon in those days and at nights till 11 o'clock, and we had pensions in those days, which is why we still refer to them as the good old days.

But I'm sincere about the wonderful friendships. In my 22nd year I've had the privilege of serving in this House with the fathers of five sitting members: Mr. Yakabuski, Mr. Miller, Ms. Martel, and a special word about Dalton McGuinty Sr. I was particularly close to the Premier's father. He was my vice-chair on the Legislative Prayer Breakfast Group. He had a very wonderful intellect and he had a great heart. It was my first experience of seeing one of our desks draped. I will never forget that image of the sacrifices that we make, and that some of us don't get to pick our time to leave this House. But I will have many, many memories of my colleagues in all—and I still keep in touch with Richard Johnston, Mel Swart and others, and members of the Liberal caucus and my own. I'm going to miss my own caucus, of course.

The reason that it was easy to be here among friends was because of a very simple belief I have: You must

accept that everyone in this chamber has won their seat as a direct result of winning an election in a democracy, so we're all on the same footing. It has nothing to do with our political parties. As Lincoln said, the purpose of a democracy is to appeal to the higher natures of our souls, and when we do that work in this House, we do incredible things. I've been blessed with many more of those experiences than most, and those are the ones—I've had some awkward moments in this House, but I have had some extraordinarily powerful moments when we have worked together.

We are able to do that because we are supported by some extraordinary people. I want to start with the group I consider to be the most important, and they are the group that I've brought Voortman's cookies to for the last 10 years, and those are our pages. From the pages, we go all the way through our table team, everyone from the people who clean our offices to those who recycle our paper to our bureaucrats and to a world-class civil service. We couldn't do half of what we do without their dedication, and I will miss them immensely.

Ever since I was a young boy, I wanted to dedicate my life to public service, and I had the privilege at the age of 24 to work with a school board in the best interests of children. That theme has permeated my life and my work in the House. It's been my great privilege to serve for 21-plus years in the Ontario Legislature, raising issues that have been referred to: the concerns I have for my parents and everyone else's parents, for our spouses and for our children; the fact that we have so much control over improving the quality of their lives. I will never forget that opportunity I've had.

I want to thank the thousands of courageous souls who have inspired us to do better work for the citizens of this province. It was their courage that touched and inspired us and caused us to do it, and all of us have been affected by that.

I want to thank my community of Burlington, which nurtured me as a small boy and gave me everything I could ever ask for. Public service is about returning that. They have elected me 11 times and I appreciate that great honour. It is a trust that is never to be broken and I am honoured to have had it.

I want to thank my staff. I have a very high turnover of my staff. Karen Bosworth has been with me 21-and-a-half years; Carol Mannone, who's here, has been with me 20 years; Bethany Carey, who's here, has been with me 17 years; and Dr. Alex Roman, my executive assistant, for 13 years. They learned what I learned very early in life, that when people call us, they need help; they don't need to be told where to go. That's a very important distinction and they've embraced that.

I want to thank my mother, who's here today, who taught me that you have two ears and one mouth, and use them accordingly. That's good advice when you grow up in a family of 10. My mother would say, "I brought 10 children into this world; only one lives in Burlington, and he has to." That is the extraordinary wit of my mother, but she's been incredibly supportive. Mom, thank you.

It's too bad Dad couldn't have ever seen all of this part of our career.

I want to thank especially my children. I have three extraordinary daughters. You've heard so much about them, and if you go to the legislative library, there are pages on them, because I refer to them so often, but to Amy, with her elegant sensitivity; to Lauren, with her eternal optimism, and to Michelle, with your youthful innocence, thank you.

Applause.

1430

Mr. Jackson: I'm almost done. As you can well imagine, yesterday was a bit of a difficult day in the Jackson house. Lauren took my hand and she said, "Dad, what's up?" I said, "Well, hon, I've got to resign tomorrow and I've dreaded this day." She said, "You know what, Dad? Think of it this way: You're either going to be the new mayor of the city of Burlington or you're going to be unemployed. Either way, this is going to be a new experience for our family." So you can't lose when you live in a family like that.

Finally, to my wife, Elaine, who has made extraordinary sacrifices, and the greatest, of course, was half of my pension belonged to her. I keep reminding the then Premier of the day that he had disenfranchised her along with me as well. But in spite of all that, she has—as with all of you who have a spouse or a significant other in your life, you simply cannot perform this job unless you're able to go home and have that support and understanding and the encouragement when there are those difficult days. So Elaine has done an extraordinary job in her support for me. We are a team. I could not have done any of this all by myself. My family has been behind me all the way. After all, the girls do hold the majority of votes in our house, and so it has evolved that way. So I thank them especially. Even though I leave Queen's Park to seek the office of mayor, I will continue in my life's work to serve the remarkable community that I cherish and be closer to the family I love. Thank you.

Applause.

ORAL QUESTIONS

DOCTOR SHORTAGE

Mrs. Elizabeth Witmer (Kitchener–Waterloo): My question is for the Premier. Yesterday, you said that you would choose private care if no doctor were available. For over one million Ontarians in Dalton McGuinty's Ontario, there is no doctor available. Premier, will you apologize to those Ontarians who cannot find a family doctor?

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

Hon. George Smitherman (Deputy Premier, Minister of Health and Long-Term Care): I think that yesterday we had a very fine opportunity to restate the

principles of our government, and that is that we believe fundamentally in the public health care system. The circumstances for patients in the province of Ontario are, indeed, on too many occasions, challenging circumstances. But if we are honest and forthright, we will recognize that the challenges related to doctor shortages were not created overnight, nor on our watch. Accordingly, the appropriate party to be asked to apologize to the patients of the province of Ontario, related to the challenges of finding medical doctors in this community, rests with the two political parties that contributed more greatly than any others to this circumstance.

Mrs. Witmer: After three years in office and three years of mismanagement, it's time for the Liberal government to stop blaming other parties for the problems in the system today. I would say to the Premier: It was you who promised Ontarians that you would end creeping privatization. It was you who promised people that they would get the care they need. It was you who promised to help underserved areas, which have increased in size under your time. It was you who promised to make public medicare the law of the land. Yesterday, you just threw in the towel and said that you could choose private care and that other people could do the same thing.

I ask you again, Premier, will you apologize to the people who do not have a family doctor for breaking your promises to them?

Hon. Mr. Smitherman: We've addressed, I think quite appropriately and proactively, the issue of apology. We're still waiting, and so are the patients. But we haven't been standing around and waiting. We haven't sat idly by.

Firstly, with respect, the Commitment to the Future of Medicare Act, which you did not have the courage to support, has helped us to stop Copeman's advance of private clinics, and to stop Life Line at the borders.

Here are the initiatives that we've been involved in. We've increased undergraduate spaces by 23%.

Interjection.

Hon. Mr. Smitherman: And we're bringing—I say to the honourable member from Niagara, who's good at heckling but bad on action—a satellite medical school to the community of Niagara to address these problems.

Through our revitalization of primary care, we've increased the proportion of family residency spots by 70%. We've moved IMGs—international medical graduates—from 90 spots to 200; this year we have 218. We have 750 more foreign-trained doctors working in Ontario under our watch in three years and a further 440 in residency training; family health teams; 49 community health centres; a groundbreaking agreement with the Ontario Medical Association that has seen an 11% increase in the productivity of doctors in Ontario—

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

Mrs. Witmer: Despite all the rhetoric, the situation in Ontario is worsening. In fact, it has gone from bad to worse. Nobody in this province believes you. Premier, I say to you again, your comments were an admission of

failure on the health system and your mismanagement of the system over the last three years. The fact is, there are about 1.2 million people without a family doctor. The number of doctors accepting patients has decreased from about 40% down to 11%. The number of doctors prepared to retire is increasing. The situation is worsening. And the other fact is, people are waiting in emergency rooms. I ask you again, Premier, will you stand in your place and apologize to the people who are paying your health tax and who have now been told they have to pay more—

The Speaker: The question has been asked. Minister.

Hon. Mr. Smitherman: The people of Kitchener–Waterloo for a long time sought a satellite or a medical school as part of the resolution to this problem. The honourable member should apologize that for all her years of representing that community—three years as the longest-serving Minister of Health in the Harris government—she could not deliver for the people. She should apologize.

The circumstances are clear: We have dedicated ourselves to the task of reconnecting patients to family care. You cannot make a doctor as fast as you can make a pizza. But through a sustained effort, through a comprehensive challenge, we have produced a result that Ontarians celebrate. Today 420,000 Ontarians more than when we came to office enjoy a relationship with a family practitioner as a result of the efforts that doctors have made, working in partnership with government.

There is no doubt they have left us more work to do. We are up to the challenge and, with a sense of optimism, with courage and dedication, we will resolve this on behalf of the patients of Ontario and deal with the apology that is long since overdue from these two parties.

HOSPITAL FUNDING

Mrs. Elizabeth Witmer (Kitchener–Waterloo): My question is for the Premier again. Despite the rhetoric, you have mismanaged the health system for three years. You have abdicated your responsibility. Last night, Cambridge Memorial Hospital was forced to contract with Med-Emerg to run their emergency room because of your government's refusal to assume any responsibility for problems in doctor shortages. Your health minister said it's okay for Cambridge to do so, but then he said he was going to send letters to the other hospitals, telling them they could not do so. In fact, he has threatened these hospitals in crisis, saying, "We pay the bills. We assume that hospitals will comply." Premier, do you agree that this threat is the best way to deal with hospitals which are desperate to deal with the crisis in their emergency rooms?

Hon. Dalton McGuinty (Premier, Minister of Research and Innovation): To the Minister of Health.
1440

Hon. George Smitherman (Deputy Premier, Minister of Health and Long-Term Care): No one would perceive a threat if there was a \$600-million

advance in resources attached to it. The reality is clear: In every year that we have had the privilege of being the government, we have cast a budget which in each and every year has provided additional operating resources to Ontario's hospitals, and at the same time, we've sought to enhance the number of doctors that Ontario produces.

The reality is that that honourable member is suffering from some sort of amnesia. She forgets that for several years that party cut budgets for hospitals and took away 22% of the acute care capacity, while at the same time sitting on their hands while medical schools were operating at this shrunken state.

The implication of the shrunken state of our medical schools, the implication of not taking advantage of our foreign-trained doctors, that is their record, and regrettably, for community after community, the implication is clear: We have too few doctors. But we've increased by 23% the size of our medical schools. We've more than doubled our capacity for foreign-trained doctors: 750 more of them already in practice, 440 receiving more training. We will continue to work on behalf of the patients of Ontario to make up for their lost time.

Mrs. Witmer: Premier, the reality is that what you've been doing for three years is fluff, and the health care stakeholders and patients know it. Any results that we see today are because of the improvements that we made to the system. We added \$10 billion. We announced the new medical school. We increased health care spaces for doctors by 30%. We were the ones who introduced nurse practitioners and added 8,000 doctors.

The reality is, your minister is prepared, by his threatening letter, to put the lives of patients at risk. He said, "Either comply or put the lives of patients at risk." Today, Niagara has said that they are thinking of closing. Hanover is thinking of it. I say to you today, is it your opinion, Premier, that hospitals that are facing a crisis ought to suffer funding cuts?

Hon. Mr. Smitherman: The only time that hospitals have been threatened with funding cuts is when that party is in office, and the record around that is very clear. The member likes to talk about hospital emergency rooms, but she refuses to stand in her place and acknowledge that as a result of her efforts, there are 20 fewer emergency rooms in Ontario and 28 fewer hospitals. This is her legacy and that is the record.

Let us be very clear: Med-Emerg has existed for a long time as a scheduling agency related to doctors. This has been an ongoing circumstance, but in Cambridge they've evolved to a different role. It's not an appropriate role for an outside company. We believe fundamentally that the position of chief of the department of an emergency room must remain as a position that is held by a senior staff person in the hospital. That is the principle, in favour of the public values of medicare which we stand here and fight for every single day. On that position, we're clear and we're unequivocal. To the hospitals of Ontario, we will not—

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

Mrs. Witmer: My question is once again to the Premier. We hear the rhetoric. However, the facts are quite different than the rhetoric. Because of your inaction and unwillingness to recognize a year ago when the emergency room doctors came to Queen's Park to tell you there was a problem, and your refusal to work cooperatively with hospitals, we have this crisis situation today. There are about 20 hospitals that are facing temporary closings. We have the situation in Cambridge. I would say to you today, you have a report on your desk that talks about recommendations to deal with working conditions, adding beds. I ask you, are you prepared today, Premier, to release the report and get working on those recommendations after three years of inaction?

Hon. Mr. Smitherman: In the first part of the question, it's one year; by the end of it, it's three years. The member says there are 20 hospitals facing short-term experiences with emergency rooms. Interesting, isn't it, that that's the exact same number that member took out of play in Ontario.

She wants us to release the report, which we will do in very short order, and when she reads it, she will see that the smoking gun is there in her DNA. The smoking gun is her inaction over years and years, while she sat on her hands and sat idly by while communities like hers in Kitchener and the ones in Niagara experienced even greater shortages—satellite medical schools delivered to those communities not during the periods of inaction and the watch of that honourable member but in a period of action in defence of a public health care system.

We have more work to do, and alongside our patients and our providers, dedicated to the values that have shaped this country, we will do so. We will make up the time that they squandered.

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

Mr. Howard Hampton (Kenora–Rainy River): My question is for the Premier. Remember when your health minister issued what he said was a public call to arms to defend medicare? Why, it was only 16 days ago, on September 11, that George Smitherman said, "I am here today to tell you that I believe the public health care system most people in this country cherish is under threat. We need to fight for it." Meanwhile, yesterday your government, the McGuinty government, said nothing and did nothing to prevent a profit-driven private corporation from taking over the emergency room of Cambridge Memorial Hospital. Premier, is that the measure of the McGuinty government's support for medicare: 16 days and no more?

Hon. Mr. McGuinty: I'm sure that the leader of the NDP would be interested in a statement made yesterday by Hilary Short, president and CEO of the Ontario Hospital Association: "Med-Emerg has been providing temporary physician services to Ontario hospital emergency departments since 1983. The fact their services are being considered by the Cambridge Memorial Hospital or any other hospital is nothing new to the province of Ontario. It would be inaccurate to describe the use of Med-Emerg

services as the privatization of emergency services.” I agree.

Mr. Hampton: Here we have it again: A profit-driven private corporation takes over an emergency hospital ward in Ontario and Dalton McGuinty says it’s just fine. In fact, you said yesterday, “If I’ve got to choose between a privately funded doctor and no doctor, then I’d take the privately funded doctor...” Premier, these choices that you’re giving Ontarians—no doctor or a doctor working for a profit-driven corporation—are false choices. You know there are public solutions, medicare solutions to this crisis. The NDP government in Manitoba planned ahead with a model that made optimum use of emergency room nurses, nurse practitioners and emergency room doctors to ensure there was proper coverage across that province. So why are you telling Ontarians their only choice is between no doctor or a profit-driven, privately funded doctor?

Hon. Mr. McGuinty: I can understand why the leader of the NDP, from his particular perspective, would not want to acknowledge it, but the fact of the matter is that we’ve been working very hard to invest more into our public health care system, to revitalize medicare and, furthermore, to champion innovation within our public health care system. The leader of the NDP would also know that we’ve been working very hard, together with our emergency room physicians and our hospitals. There’s an ongoing, constructive dialogue in place right now. There are two issues. One has to do with compensation, and we understand that. The other has to do with sufficiency of numbers, making sure we’ve got enough doctors. The leader of the NDP only has to look into the mirror when it comes to determining where the source of our physician shortage was, because he cut back on medical school spaces. We’ve expanded them by some 22%. So it is less than accurate to somehow suggest that this government is prepared to tolerate this as an ongoing approach to dealing with our emergency room shortages. We will continue to work with our doctors to find a solution.

Mr. Hampton: We see your innovations: profit-driven, privately financed hospitals and now profit-driven private corporation takeover of emergency rooms. It all creates a very dangerous precedent because profit-driven health care corporations in the United States and elsewhere are watching to see if they can elbow their way in and take an opportunity to make profits off Ontario’s health care system. You seem to be saying it’s all fine.

Yesterday I called on you to stand up for medicare and support our bill to ban profit-driven health care in our hospital emergency rooms. I ask you again, will you agree to ban profit-driven private health care from our hospital emergency rooms?

Hon. Mr. McGuinty: Again, Med-Emerg has been on the job in Ontario since 1983. We’ve discovered so far—but we’ll do a bit more work in that regard—that they were used in 17 separate instances under the NDP government. Also during the NDP days, ancillary services at hospitals were contracted out at St. Thomas Elgin Gen-

eral Hospital, the Trillium Health Centre, the Halton Health Centre and Joseph Brant Memorial Hospital. They took full advantage of Med-Emerg services, they privatized ancillary services in Ontario hospitals, so I think there is a little less than 100% credibility when it comes to the leader of the NDP now saying that he’s a champion of public health care.

1450

The Speaker: New question.

Mr. Hampton: Premier, the guy who you say indulged in that privatization is now running for the leadership of the Liberal Party, probably where he should have been all along. But now 19 emergency rooms across the province have been—

Interjections.

The Speaker: Order. I can wait. We can wait.

Government House leader. The Minister of Citizenship and Immigration will come to order.

Leader of the third party.

Mr. Hampton: Premier, 19 emergency rooms across the province have been at risk of closure over the past several months. However, many of them are now considering rotating, temporary closures. Grand River and St. Mary’s hospitals in the Kitchener area are looking at shutting down their emergency rooms. The Niagara Health System is bracing for potential ER closures at Douglas Memorial Hospital, the Greater Niagara general hospital, Port Colborne general hospital, St. Catharines general hospital and Welland general hospital. Leamington is already experiencing a temporary closure of emergency rooms.

Premier, you promised health care would be there for people when they need it. What is your plan to fix the hospital ER crisis across all of these Ontario hospitals? More profit-driven, private health care?

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

Hon. Mr. Smitherman: I think we’ve already well identified that for-profit expansion of delivery in Ontario enjoyed very, very exciting days under this member. Now, one of them squealed out of the parking lot during one important debate, and it seems like the other one is pretending that they weren’t there for five years. But unfortunately, Ontario’s patients can’t pretend. They don’t have the luxury of amnesia. They don’t have the luxury of pretending. This party, backed up by such strong cabinet performers as the now leader of the third party, made decisions that restricted the size of our medical schools, and the repercussions of that are felt in a variety of communities, no doubt.

We’re working vigorously with those communities to address it. Earlier this summer, as an example, we were personally engaged in efforts to make sure that St. Mary’s didn’t lose emergency room coverage. We have more to do. We will continue to work, endeavouring to make up for the lost time that was created by that honourable member, when it was on his watch but apparently he was asleep at the switch.

Mr. Hampton: We have a list of hospitals that are having difficulty with their ERs, and the health minister

stands up and says there's no problem. Health Minister, just yesterday, Kitchener Grand River Hospital announced it will cut 18 hospital beds and 50 health care providers, including 17 nurses. Your Premier used to say we should be hiring nurses, not firing them. Well, Premier, we know your preference now for private doctors, but we know it won't solve the ER crisis. And we know that your health minister's Furious George routine of sending threatening letters to hospitals isn't going to do it, either.

My question, though, is this: Premier, how is firing more hospital nurses going to solve Ontario's hospital emergency room crisis?

Hon. Mr. Smitherman: I am inordinately proud to be part of a government that has brought 4,300 additional nurses to the front line of health care. I'm proud to be part of the a government that's in the midst of building 150 family health teams, that's produced care for 91,000 orphaned patients. I'm proud to be part of a government rolling out 49 community health centres. I'm proud to be part of a government that's building satellite medical schools in four Ontario communities—Windsor, Kitchener–Waterloo, Mississauga–Erindale and Niagara—expanding other medical schools and seeing the second class of 56 students at the Northern Ontario School of Medicine.

I'm the first to acknowledge that as one who loves our system of health care, who believes in medicare, I recognize—and it's appropriate to do so—that as much progress as we've made and as strong as the foundation may be, we have more work to do. Our offer and our promise and our action is dedicated to addressing those concerns on behalf of patients. We will work with doctors, we will work with providers, we will work with nurses, and we will be restless and relentless until such time as we make up the lost time squandered by these two—

The Speaker: Thank you. Final supplementary.

Mr. Hampton: Premier, while your Minister of Health looks for someone to blame, the fact is that thousands of patients across this province visit emergency rooms every week because they don't have any other option.

While you look around for someone to blame, other provinces have in fact put in place effective strategies. The NDP government in Manitoba put in place a four-point strategy which kept emergency rooms open this summer and made sure that doctors and nurses were there to look after patients.

We're calling on you today to make a difference. We're calling on you to support our private member's bill that will ban the privatization—the profit-driven private operation—of emergency rooms. I'm asking you, Premier, will you say no to profit-driven private health care, and will you stand up for medicare in this province by passing our bill?

Hon. Mr. Smitherman: Firstly, we did a DNA test with all the orphaned patients in Ontario, and when we showed them the results, they started to call Howard Hampton Daddy-O. The circumstances are clear: The

honourable member across the way is suffering from amnesia and a lack of responsibility.

The Commitment to the Future of Medicare Act, which they voted against, stopped Life Line at the borders, and it stopped the Copeman clinics from expanding into Ontario.

I remind that honourable member, when we worked with doctors in our agreement seeking to compensate them for their work in emergency rooms, he said the agreement was nasty. He called it a bribe, and now he stands in the House saying, "Shovel more dough out the door." That's the answer. This is always it with the NDP. They were there, they had the power, they sat on their hands and squandered the opportunity. They created the problem, and now nothing but denial.

JUSTICES OF THE PEACE

Mr. Robert W. Runciman (Leeds–Grenville): I have a question for the Attorney General. An article in today's Toronto Star indicates that thousands of people in York region charged with serious provincial offences are escaping trial and taxpayers are losing close to a quarter of a million dollars per year in unpaid fines because of a critical shortage of justices of the peace.

Minister, we know that you appointed seven JPs a few weeks ago. That still leaves you with 18 fewer JPs than when you took office three years ago. How did this shortage happen on your watch?

Hon. Michael Bryant (Attorney General): The member bases his question, as he says, on a headline in a newspaper that he normally likes to disparage, and the headline writer in this case just didn't get it right.

Dangerous driving offences, criminal negligence, driving while impaired, those go to criminal courts. Chief LaBarge was talking about traffic court, which primarily deals with parking infractions, seat belt infractions, stop sign infractions, which of course must be addressed, but let us not mix up criminal court with traffic court.

As for dealing with traffic court issues, the McGuinty government offers a solution in the form of Bill 14, which is before this House. It will modernize the appointment process for justices of the peace and will enable traffic courts to deal with case flow issues. Unfortunately, the official opposition and the third party are opposed to Bill 14. We look forward to giving Bill 14 an opportunity, and we look forward to it coming forward—
1500

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

Mr. Runciman: Someone could suggest that the minister was misleading the House, but I won't do that today.

The Speaker: The member knows he can't do indirectly what he can't do directly, and I would ask him to withdraw.

Mr. Runciman: I apologize and withdraw. The reality is that the ministry has been using the Bill 14 standard for the last two and a half years, and he should know that.

Minister, the Association of Municipalities of Ontario has suggested that municipalities will lose in the neigh-

bourhood of half a billion dollars because of the shortage of JPs. The fact that thousands of people are walking away from serious charges is a scandal. You've used Bill 14 as an excuse to save money, pure and simple. There are no noble motives here. You pushed the pit bull legislation through in a few months, and now, after three years of inaction, we have 18 fewer JPs in Ontario.

What is your plan to ensure that the shortage of JPs in this province is removed?

Hon. Mr. Bryant: The McGuinty government has appointed 40 justices of the peace since we've been in office, and this member knows how many JPs his government appointed in their first two years in office. Was it 30? Was it 10? It was zero. They appointed zero JPs in their first two years, and they appointed fewer justices of the peace in their first three years than this government has appointed.

The member also understands the way in which JPs were appointed under their government, and he knows very well that we've put into place a process which adds transparency and adds a level of independence that his government never understood.

Lastly, the member understands that we have an opportunity before the House to address traffic court issues, in the form of Bill 14. We've had almost 20 days of debate and hearings. I ask the member to stop pretending we don't have the solution before the House. Stop your opposition to this bill and let us move forward with the solution, and stop playing politics with this important—

The Speaker: Thank you. New question.

RADIOLOGISTS

Ms. Shelley Martel (Nickel Belt): I have a question to the Premier. Premier, the Belleville hospital received \$37,000 to help pay for new CT scanning equipment. The government said this would provide 525 more exams and reduce patient wait times for CT scans. Now the hospital is sending the money back because the chief of staff says they don't have enough radiologists to deal with the backlog of cases. Premier, what do you intend to do about this situation?

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

Hon. George Smitherman (Deputy Premier, Minister of Health and Long-Term Care): I want to thank the honourable member for the question. For the first time in the history of Ontario, we've advanced funding to hospitals, just in the last few weeks, for CT scans. As people will well know, that is a practice that is new, because CT scanners, as the member representing Brockville and I have discussed recently, have historically been paid for, both on the capital and operating side, by local hospital budgets. We recently put about \$5 million out there. If Belleville is in a position where they're unable to address these additional volumes, then we'll seek other players in the southeast.

I would mention to the honourable member that we've recently had the chance to announce that a new CT

scanner is coming to the very nearby community of Trenton, and I think that that may provide us with an opportunity to work to enhance access to these CT scans.

Ms. Martel: Instead of sending the money somewhere else, why don't we try to fix the situation at Belleville so people in Belleville can benefit from these scans?

We talked to the association of radiologists this morning, who say there's a current shortage of 200 radiologists in Ontario. That's the same number as when you took office three years ago. The association said they've asked your government to increase radiology program enrolment, to create a retention program for radiologists, and even to create a repatriation program to encourage Ontario radiologists to come home. They say you've done nothing with these recommendations. You can't reduce CT wait times if you don't have the radiologists to do that.

So when, Minister, are you going to implement these recommendations to ensure there are enough radiologists in Ontario hospitals to deal with CT scans?

Hon. Mr. Smitherman: The honourable member says that you can't reduce CT scan waits, but the reality is, and the evidence shows, that CT scan waits have come down 13.6%. In Cambridge Memorial Hospital, CT scan waits are down 71.8%. At St. Joseph's Health Centre, in your colleague's riding of Parkdale-High Park, CT wait times are down 47.5%.

We will continue to work with the Ontario health care system to expand capacity. In the case of Quinte, if they're not in a position at the present time to be able to address this, we will work with them and we will ask the local health integration network to seek to provide these enhanced services as close to home as is possible.

There is no doubt that as we seek to add capacity to the Ontario health care system, there are very precious commodities of health human resources. Again, I don't want to belabour the point. The honourable member is part of the DNA makeup of that circumstance. We've been working very judiciously to make up for lost time, and we will continue to be very active on these fronts.

FEDERAL SURPLUS

Mr. Jim Brownell (Stormont-Dundas-Charlottenburgh): My question is to the Minister of Finance. When this government came to office, it had an ambitious plan of reform in mind, a plan to fix the roads that the last Tory government had neglected and open the hospitals and schools that were closed. Considering the fact that the previous government did nothing but cut spending while here at Queen's Park, it was fair to assume they would have left us a surplus, but we know that wasn't the case.

Now it appears that some of the same members who presided over cuts in Ontario are making the same mistakes federally, despite a \$13.2-billion surplus that the Canadian government accumulated last year.

Minister, what implications does a federal surplus have for Ontario?

Hon. Greg Sorbara (Minister of Finance, Chair of the Management Board of Cabinet): I think the good news for Ontarians and for people all across Canada is that the results Mr. Flaherty announced to the federal Parliament a few days ago mean that the federal government has a very strong financial capacity.

I think it's a little bit ironic. I guess the point Mr. Flaherty didn't make quite clearly when he presented those results is that he was presenting the results from the last year of the Liberal administration in Ottawa. It's ironic that when we came to power, we inherited a \$5.5-billion Tory deficit; when Mr. Harper came to power, he inherited a \$13.2-billion Liberal surplus. The important thing to remember, though, is that the federal government has the financial capacity to honour its commitments to Ontario in the Canada-Ontario agreement and to redress the unfair treatment Ontario has—

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

Mr. Brownell: Thank you for the response, Minister. As a representative of the people of my riding of Stormont—Dundas—Charlottenburgh, I have many people in my riding in need of many things. I have students who are trying to pay for their education, and roads that municipalities are trying to repair and build.

We were particularly pleased in my community when, in the last federal budget, Finance Minister Flaherty announced that all provinces would be receiving funds through four new trusts, for initiatives such as housing, transit and post-secondary education. Yet it now appears that the federal government is in fact looking to short-change Ontarians.

Minister, can you explain what funds Ontario will be receiving through these federal trusts?

Hon. Mr. Sorbara: I agree with my friend that the trust Mr. Flaherty created in his budget will benefit Canadians from coast to coast to coast, in post-secondary education, in housing and in public transit. The difficulty we have in Ontario is that there seems to be some suggestion that Ontario's share in those trusts ought to be reduced by the amount Mr. Harper had promised would come to this province under the Canada-Ontario agreement. So while we think the trusts are very good investments, we will not tolerate the notion that somehow every other province will get their fair share and Ontario will have to take a reduction in its share as a result of the benefits promised by Mr. Harper to Mr. McGuinty under the Canada-Ontario agreement.

MEMBER'S CONDUCT

Mr. Tim Hudak (Erie—Lincoln): A question for the Premier. I'd like to refer you to the August 25 Toronto Star article entitled, "MPP Cashes in on Election Rule Loophole." To refresh your memory, your MPP from Thornhill, Mr. Racco, has twice consecutively registered to run for municipal office, then twice consecutively withdrawn from municipal office while he sits as an MPP in this Assembly. His goal is to carry over a \$30,451 municipal war chest that grows with interest.

Premier, since that article came forward, what discussions have you had with Mr. Racco and how are you going to put a stop to him doing this process?

1510

Hon. Dalton McGuinty (Premier, Minister of Research and Innovation): If the honourable member is aware of any particular rule or regulation that the member referenced is breaking, then I would ask that he bring that to the attention of the House.

Mr. Hudak: I'm rather surprised at the Premier's office, or his response, because clearly it's just plain wrong. Let me refer the Premier to this recent history: On January 20, the MPP from Thornhill registered to run for municipal office in Vaughan. Bizarrely, it's the same seat that his wife currently holds. He then withdrew, within a couple of hours, a cheque for \$30,451. He doesn't have to return that money until after municipal campaign expenses are filed, meaning that he would have what effectively is an interest-free loan, courtesy of taxpayers in the area.

Premier, you had made a big deal in opposition about ethics, and certainly your record in office as Premier has been less than stellar. I have to assume you're going to have an immediate discussion with your member from Thornhill, and tell him that if he does this again he's out of your caucus.

Hon. Mr. McGuinty: It's always good to get advice, of course, from my friends across the way. There are municipal election rules which apply in these circumstances. The same apply today that applied in the past.

DISABILITY BENEFITS

Ms. Andrea Horwath (Hamilton East): My question is for the Premier. Recently, I visited Hamilton resident George Goodwin, who has a debilitating disease call Lou Gehrig's, or ALS. To fight his crippling illness, Mr. Goodwin is prescribed the diet supplement Ensure by London neurologist Dr. Michael Strong, who's a leading world expert in ALS.

When not in his wheelchair, Mr. Goodwin is confined to his bed. There are many foods that he cannot eat and the supplement is, in fact, his lifeline. He received a special diet allowance to pay for his medically necessary diet supplement, but last month you cut it back by 80%, to \$45, which robs him of his daily supplement that he must have and endangers his frail health.

Premier, will you commit today that you won't force Mr. Goodwin into an arbitration, that you will restore the full special diet allowance he used to receive so he is able to live with a modicum of dignity?

Hon. Dalton McGuinty, Premier: I appreciate the question. Obviously, I cannot speak to the particulars of any specific case. The member will know that this allowance has always been intended for people who require a special diet as a result of a medical condition. We will ensure that—the criteria that were developed to be followed by Comsoc were developed in conjunction with the Ontario Medical Association. I can say that the form

clearly outlines a comprehensive list of medical conditions that require a special diet.

Ms. Horwath: It's really sad that your government gave Mr. Goodwin an award for his outstanding work with the ALS society, but now you're depriving him of the supplement that's keeping him alive. You value his work but not his life, Premier.

When the ODSP choked off Mr. Goodwin's supply of Ensure, they sent him a cheque for \$75, telling him to buy a blender. This exemplifies the callous treatment that the many people like Mr. Goodwin in this province have to rely on when they're trying to get their diet supplement needs met.

The new application form that you're talking about, that you're bragging about, is fundamentally flawed. It doesn't take into account people's real needs. You've used the form as a licence to cut people off diet supplement. Mr. Goodwin appealed under the previous government, and guess what? His appeal was approved, and he got his diet allowance back.

Are you prepared to force this ailing man back through a stressful arbitration, or will you agree to restore his special diet here and now and adjust your methods for others whom you've cut back?

Hon. Mr. McGuinty: What we have done here is struck what I believe is the appropriate balance to ensure that, in accordance with advice that we receive from doctors, who are acting on an independent and non-partisan basis, we're providing the dietary supplement to those who are in genuine need of such.

There is an appeal process available. If people have problems, they and their doctors have a process to appeal. That's something that I would encourage the member to pursue. Again, we have done everything we can to ensure that the criteria that are in place are supported by objective and independent physician panels.

SENIOR CITIZENS

Mrs. Carol Mitchell (Huron-Bruce): My question is for the minister responsible for seniors. I've received numerous telephone calls in the past from senior citizens in my riding, and they were confused about where the many services available to them are. Seniors in the riding of Huron-Bruce represent 17% of the population, versus a provincial average of 13%. I have heard from numerous seniors that it is very difficult to sift through all the government information to find programs that will benefit them and give them access to those programs.

Minister, last month, you were in my riding to announce a new website. Would you please explain to the House the details of this new site and how it will help senior citizens.

Hon. James J. Bradley (Minister of Tourism, minister responsible for seniors, Government House Leader): An absolutely excellent question from the member. I want to thank the member for Huron-Bruce for this question, which is exceedingly important, and for her continued advocacy on behalf of senior citizens in her riding.

In August, members will know, I announced that our government, along with the federal and municipal partners, has launched a major expansion of seniorsinfo.ca, an interactive website making it easier for older adults to access information, programs and services from all levels of government. A pilot project was established in the city of Brockville in 2003, and using the feedback from that project, the seniorsinfo initiative was improved.

Last month, some 22 municipalities in Ontario, in partnership with the federal and provincial governments, launched customized seniors' websites. This innovative website will help seniors, their families and caregivers access the services and information in an easy, stress-free and convenient manner.

Mrs. Mitchell: Thank you, Minister. I know that senior citizens in my riding are very excited about the website. By putting the information from all three levels of government into one central location, it's much easier for them to find exact—

Interjections.

The Speaker (Hon. Michael A. Brown): Order. I need to believe able to hear the member for Huron-Bruce.

Interjection.

The Speaker: The member for Timmins-James Bay will come to order.

The member for Huron-Bruce.

Mrs. Mitchell: I find it very disappointing that the members from the third party do not care about the senior citizens of Ontario. I do want to say, too, that the senior citizens in my riding were very excited about this website. The announcement for the province was done in my riding. There were about 45 seniors who came out that day. They had access to the website. They found it very informative and very helpful. It's unfortunate that the third party does not seem to grasp that our seniors are far more capable than in fact they find, laughing about it.

Twenty-two municipalities have joined the partnership, and I do want to thank the municipalities for this initiative. Minister, can you tell me, how will the other municipalities be able to take part in this initiative that's so important to the seniors?

Hon. Mr. Bradley: First of all, I want to thank the member for taking the time to actually peruse the sites for the municipalities in her riding that are involved in this initiative. I recommend it to all members of the House. It's a great example of what co-operation among the three levels of government can achieve.

There have been very positive pieces of feedback from many of the municipalities involved, including the municipality of North Grenville, whose mayor, Bill Gooch, said, "As a senior citizen, I value my independence and ability to look after myself. Initiatives such as the portal enable me to continue to be a productive and self-reliant person. My congratulations to all involved."

Our government is very interested in partnering with interested municipalities who wish to provide this service to their seniors, and we will continue to do so for many months and years to come.

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LEGAL AID

Mrs. Christine Elliott (Whitby–Ajax): My question is for the Attorney General. Here we are, three years into your mandate as Attorney General, and this has also meant three years of inaction with respect to the legal aid file. Under fire from members of the legal community, charging that, “You have allowed the legal aid program to wither, and it’s worse than it was when you stepped into the job,” you’ve finally conceded that under your watch, record numbers of applicants have been denied legal assistance. Frustration regarding the rhetoric you threw at the program upon your appointment has simply been mounting, as your comments have proven to be “pretty hollow.”

Please tell us why we should believe, from a government that will say anything and do anything to be re-elected, that you will finally bring substantive change to a program that you vowed to improve three full years ago?

Hon. Michael Bryant (Attorney General): I just want to start by thanking all the hard-working men and women who work to provide legal services to the unrepresented, who dearly deserve representation before our courts.

There’s no question that it’s an important part of a civil society that we provide assistance to a legal assistance system not only in the area of criminal charges, but also in the area of family law. Ontario is one of two provinces in the whole country that provides services in the area of family law. Ontario leads the nation in terms of funding, not only generally but per capita, for legal assistance. The McGuinty government, since we were elected, increased funding to Legal Aid Ontario by 10%—\$25 million of increased funding. That’s certainly a very good start. I’d like to follow up—

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

Mrs. Elliott: I can certainly agree with you that the men and women who provide legal aid services in this province are doing a wonderful job, especially considering that they’re seriously overworked and vastly underpaid.

Let’s look at the facts. First, under the watch of the McGuinty Liberals, the emergency fund established 30 years ago to meet unexpected demands at legal aid, not normal operational requirements, has been depleted, so that nest egg is gone. Secondly, it took you two full years to allocate any increases in funding to the legal aid program. What was the commitment? Sixteen million dollars that didn’t even begin to address the problem. Thirdly, the number of people denied legal aid assistance under your watch has increased by 42% in less than two years. Finally, at the same time you’re ordering a review of legal aid, you’re also seeking a proposal from legal aid to provide representation to victims of discrimination, since Bill 107 will strip away the power of the Human Rights Commission to do this.

Mr. Attorney, this defies logic. How could you possibly expect Legal Aid Ontario to assume the burden of providing these legal services under your proposed human rights reform, at the same time—

The Speaker: The question has been asked. Attorney General?

Hon. Mr. Bryant: It’s very interesting that the criminal defence bar has new-found friends in the Progressive Conservative Party. It’s particularly interesting that it would not be the former Solicitor General who would be asking these questions, who normally asks me questions, and that’s because he spent certainly the last three years doing everything he could to bash that legal profession that you’re trying to in fact uphold.

The reason why Legal Aid Ontario was in a hole when this government came into office was because the previous government, in fact, increased its costs, wrote a rubber cheque, and this government had to find the money to pay for it. Secondly, that was the party that tried to literally bankrupt the legal aid plan in the province of Ontario. We are not going to take lectures from the Progressive Conservative Party when it comes to legal aid. I can assure, more importantly, all members of this House that this government’s commitment to providing appropriate legal assistance to all Ontarians is unshakable, and will not be shaken by the official opposition.

ÉDUCATION EN FRANÇAIS

FRENCH-LANGUAGE EDUCATION

M. Gilles Bisson (Timmins–Baie James): Ma question est à la ministre de l’Éducation. Madame la ministre, vous allez savoir que beaucoup de nouveaux Ontariens qui viennent ici d’outre-mer veulent choisir de faire leur éducation dans le système public français. Et comme vous le savez, il n’y a pas de capacité dans le système pour les prendre. Justement, on a environ 88 communautés ici en Ontario où il n’y a pas d’écoles publiques françaises disponibles pour ces gens, et les parents des jeunes ont besoin de choisir autrement, d’envoyer leurs enfants dans le système anglophone.

Vous savez aussi qu’il y a une demande présentement devant vous pour financer neuf écoles prioritaires qui était mise en avant par le conseil qui représente les écoles publiques du Centre-Sud-Ouest.

Ma question est très simple. Quand est-ce que ce conseil peut s’attendre à avoir une réponse positive sur les neuf demandes qu’ils ont faites?

Hon. Kathleen O. Wynne (Minister of Education): Thank you very much to the member for the question. I apologize that I will have to answer it in English.

I have received a report from the association of French-language public school boards. I have just received it. I have not had a chance to look at it, and I certainly will be doing that. But I want to say that we, as a government, are absolutely committed to supporting French public education, French Catholic education. It’s

a very important and defining characteristic of publicly funded education in Ontario.

Since we've been in office, we have made significant investments in French public education in the province. We've set money aside in terms of the capital expenditures; we have given the system \$16 million to provide \$220 million in new capital funding. That's a significant increase over what the system had in the past. I look forward to working with the members of the boards.

M. Bisson: Madame la Ministre, ce sont de bien belles paroles, mais ce dont on a vraiment besoin, c'est des gestes concrets quand ça vient à ce dossier. Simplement dit, on sait que les parents et les enfants choisissent d'aller dans le système anglais public parce qu'ils n'ont pas de choix. C'est une question soit de s'inscrire à une école publique francophone à deux heures sur la route en autobus ou d'aller à l'autre bord de la rue dans le système anglais public. C'est pas juste. Si la communauté franco-ontarienne va s'épanouir et s'assurer de sa survie, c'est important qu'on accommode les nouveaux Canadiens qui viennent au Canada et qui choisissent, eux autres, d'aller dans ce système. Vous avez de belles paroles, mais ça ne fait rien.

On vous demande encore une question très sérieuse : quand est-ce que le conseil peut attendre une réponse sur la demande qu'ils ont faite le printemps passé pour les neuf nouvelles écoles, qui sont prioritaires pour leurs communautés?

Hon. Ms. Wynne: Let me first say that I acknowledge and our government acknowledges the challenges of delivering education in these systems that cover huge geographic areas. I know that's a huge concern. But I just want to do a bit of a reality check here. Since we've been in office, the per pupil funding increase to the French-language public board has been around 32%. If you compare that with the increase to the English-language public boards, it's a 21% increase. What that does—and I'm not in any way denigrating the need for the French public school board increase, but what it says is that we in fact acknowledge the additional expenses. We in fact acknowledge that it costs more to make sure that when that kindergarten teacher in a class in a French public school sits down to do the circle with her students, with 20 students in that class—it's more expensive to deliver that in the French public system. That's why the—

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

M. Bisson: Un point d'ordre.

Interjection.

Mr. Bisson: It's called a point of order in French, un point d'ordre.

Je suis insatisfait avec la question. Je demande que la ministre revienne pour répondre à la question, ce qu'elle n'a pas fait aujourd'hui.

Interjection: That's not a point of order.

Mr. Bisson: Yes, it is.

The Speaker: The member knows that there is a process in this House that we call a late show. You need to file with the table. It is not necessary for you to make the

point here in the House. As a matter of fact, the standing order particularly says that you should file it with the table.

New question.

RURAL EDUCATION FUNDING

Mr. Jeff Leal (Peterborough): My question is for the Minister of Education. Lately, we have heard from the opposition side, making claims that the McGuinty government hasn't done anything to address the pressing needs that exist in our public school system today. In fact, I've heard first-hand from my constituents in Peterborough that even though we've made a great start in addressing the historic underfunding of public education, we must do more. I stand by my constituents; I stand up for them.

In rural Ontario, we have different needs than in urban Ontario. No one will ever forget that the former Tory government gutted public education and then slapped rural Ontarians in the face by imposing a one-size-fits-all funding formula. That typically Tory move was demoralizing and destructive for students, parents and teachers, and trustees too.

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I come from a part of Ontario that has more farm fields than tall buildings and I want you to know that people need to hear more about what we've done to address the needs of Ontario. Can you tell me what the plan is to move forward in addressing the ongoing concerns about education funding, especially in rural Ontario?

Hon. Kathleen O. Wynne (Minister of Education): First of all, I want to thank the member for Peterborough for his question. I know the member for Peterborough fights every day for the kids and the schools in his riding—absolutely. And I know he was very, very happy when the previous minister went to Peterborough during the first week of school to announce 130 more teachers for the two boards in his riding.

Let me say this: We recognize that the one-size-fits-all formula that was developed by the previous government needs to be changed, because it's unrealistic to expect that the idiosyncrasies of one part of this vast province would be exactly the same as the idiosyncrasies of the school system in another part of the province. So what we have done is create special-purpose grants. Rural boards are projected to receive \$125.1 million in new investments in 2006-07, bringing their total funding to \$3.2 billion. That's a significant increase over what they've had. Under our government—

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

Mr. Lou Rinaldi (Northumberland): Minister, I also share boards with the member for Peterborough. There's no doubt that my community has concerns about the funding formula, but they know that this government believes in public education because we have made in-

vestments in the system. The boards in my riding have received more than \$64 million in funding increases over what they received from the former government, and there's no more cutting and no labour unrest. Test results are up. Kids in junior grades have smaller class sizes so they can get the attention they deserve. The changes you've mentioned already are making a big difference in my riding. I want to tell you that the students in my riding showed a marked improvement in their test scores. Scores went up by an average of 10% in the public and 12% in the Catholic.

Minister, can you provide some more details for my constituents so that they know what else is going to be reviewed with respect to the funding formula?

Hon. Ms. Wynne: I just want to finish that the rural boards—and I know the member for Northumberland has the same situation. We've increased funding by about \$1,800 per student. So that's a significant increase for rural students.

I want to congratulate the Kawartha Pine Ridge District School Board and the Peterborough Victoria Northumberland and Clarington Catholic District School Board for their fantastic test results. The increases have been very, very significant, and that means that all the parents, the teachers and the students have been working together, because the only way that students improve is to have everyone in the community working together.

I've said a couple of times this week that the funding formula is a work in progress. That is what the Premier has said and that is what the previous ministers have said. We recognize that there's more work to be done, and I want to reassure the member and his community that we are working on that in the same way that we have in previous years, by introducing the school foundation grant. We recognize that the categories that were put in place under the Conservative funding formula need to be transformed into a—

The Speaker: Thank you, Minister. New question.

FISH AND WILDLIFE MANAGEMENT

Mr. Norm Miller (Parry Sound–Muskoka): I have a question for the Premier. During the last election campaign, you and your party made a written promise to the people of Ontario. To remind you about that, I'd like to quote it: "In government, we will give MNR the resources it needs to once again properly manage Ontario's fish and wildlife."

I'm hearing differently from people and groups around the province. For example, the Credit River Anglers Association, which has put up over \$3 million for stream remediation, fish stocking and habitat restoration, says, "Recent cutbacks by the Liberal government have left the Ministry of Natural Resources in a very sad state of affairs." Another concerned citizen wrote me, "Field and office staff of the MNR whom I've had the privilege of working with for many years are finding it a difficult task to accomplish primary functions and also find it difficult bringing new ideas into the ministry." Ontario Out of

Doors says, "MNR is not doing its job of looking after our natural resources because the provincial government has cut its funding to the point where proper maintenance has become impossible."

When will you honour your promise to properly fund the fish and wildlife programs in the province?

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

Hon. David Ramsay (Minister of Natural Resources, minister responsible for aboriginal affairs): I have to say to the member, first of all, that I'm very proud of the achievements we've made in the ministry since I've been there. One of the achievements I'm particularly proud of is re-establishing our fishing zones based on an ecological structure that really makes sense. So we have these ecological climactic zones now that are going to simplify the regs but also I think manage the resource, protecting the biodiversity in each of those regions. I think what's going to be very important is that, through the simplification, we're going to be encouraging more people to go out and embrace the wonderful activity that angling is. It's not only about catching fish; it's about getting into the great outdoors and appreciating the environment. I think that's very important for everyone, and we're very proud of those achievements.

PETITIONS

SCHOOL FACILITIES

Mr. Jim Wilson (Simcoe–Grey): I want to thank Milva Biffis and Gaynor McLeary for sending me this petition.

"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."

As I've said in the House before, my mother taught at this school for some 33 years and I attended it from kindergarten to grade 8.

OAK RIDGE CORRECTIONAL FACILITY

Ms. Shelley Martel (Nickel Belt): I have a long petition that's been sent to me by inmates of the Penetanguishene Mental Health Centre so I'll ask for your indulgence for me to read it into the record, please. It reads as follows:

"Whereas inmate/patients in the maximum security facility at the Oak Ridge division of the Penetanguishene Mental Health Centre in Penetanguishene, Ontario sent a petition to the Minister of Health on March 1, 2004 requesting a full and proper investigation into the conduct and actions of Dr. Brian Jones, the chief of the forensic division, for repeatedly subjecting them to harassment, provocations, abuse (emotional and psychological), and violations of their lawful rights; and

"Whereas the petition from the inmate/patients stated that they were confident a full and proper investigation would reveal a definite pattern of incompetence, negligence, and malicious and intentional actions toward them which the administrator and his chief psychiatrist had ignored for years; and

"Whereas the petition from the inmate/patients stated that the psychiatric patient advocate office, at both Oak Ridge and in the Kingston Psychiatric Hospital where Dr. Jones was employed between 1992 and 2000, had investigated numerous complaints against him but had failed to recognize a pattern of abuse because they treated the incidents as separate matters; and

"Whereas the petition from the inmate/patients stated that in the three years that Dr. Jones had held the position as chief of the forensic division, he had eroded therapeutic relationships, destroyed trust levels, and left both staff and inmates in a demoralized state; and

"Whereas the Minister of Health ignored the petition and permitted Dr. Jones to continue at Oak Ridge in the position of chief of the forensic division; and

"Whereas the Minister of Health ignored evidence from his own police records that in 1991 Dr. Jones had unlawfully disclosed confidential information about inmate/patients at Oak Ridge in violation of three subsections in section 35 of the Mental Health Act for the purpose of conducting character assassinations against them, which should have resulted in the termination of his employment; and

"Whereas the Minister of Health ignored further evidence from his own records that Dr. Jones was investigated by the RCMP at the Kingston Psychiatric Hospital in March 1996 and found to have unlawfully opened and damaged inmate/patient mail, which should have resulted in the termination of his employment; and

"Whereas Dr. Jones has continued to violate the lawful rights of the inmate/patients at Oak Ridge by adopting security policies from jails and prisons rather than hospitals without the involvement of his own security staff, by removing their legally operative parts to suit his personal whims, by approving and implementing them without scrutinizing by lawyers or authorization from Queen's Park, and by using them as tools to harass and abuse the inmate/patients;

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"We, the undersigned inmate/patients at Oak Ridge, hereby petition members of the Legislative Assembly to require that the Minister of Health act in the public interest and prevent any further abuses and violations of our lawful rights by terminating the employment of Dr. Brian Jones and directing a review of all policies at Oak Ridge by members of the legal profession."

I have affixed my signature to this.

ACCESS TO HEALTH CARE

Mr. Tony Ruprecht (Davenport): I have received a petition in support of family health teams. It's addressed to the Parliament of Ontario and it reads as follows:

"Whereas the people of Ontario deserve a universal, high-quality public health care system; and

"Whereas numerous studies have shown that the best health care is that which is delivered close to home; and

"Whereas the McGuinty government is working to increase Ontarians' access to family doctors through the introduction of family health teams that allow doctors to serve their communities more effectively; and

"Whereas the McGuinty government has fulfilled its promise to create new family health teams to bring more doctors to more Ontario families;

"We, the undersigned, petition the Legislative Assembly of Ontario to support the McGuinty government's efforts to improve access to family doctors through innovative programs like family health teams."

Since I agree with this petition, I am delighted to sign it as well.

WATER QUALITY

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

"Whereas every Ontarian wants the best water quality possible; and

"Whereas the goal of clean water can be achieved effectively through amendments to existing legislation; and

"Whereas the McGuinty Liberals are determined to hammer through the flawed legislation known as the Clean Water Act; and

"Whereas the McGuinty Liberals have failed to put in place adequate, stable, long-term funding into the bill; and

“Whereas the McGuinty Liberals have failed to effectively address the numerous problems in the bill; and

“Whereas rural Ontario stands to suffer significantly under this poorly-thought-out policy;

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

“To not pass Bill 43 (the Clean Water Act) until proper funding and amendments are in place.”

As I am in agreement with this, I affix my signature.

PARALEGALS

Mr. Michael Prue (Beaches–East York): I have a petition that reads as follows—and I think it’s appropriate, given that this was before the Legislature today:

“To the Legislative Assembly of Ontario:

“Whereas Bill 14, schedule C, proposes the regulation of all paralegals under the authority of the Law Society of Upper Canada (LSUC). The Legislative Assembly of Ontario is being asked to refrain from passing the proposed regulation of paralegals as defined in this bill.

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

“(1) Remove schedule C from Bill 14;

“(2) Develop a self-funded organization focused on managing and educating paralegals of Ontario that is independent of the LSUC;

“(3) Have the Legislative Assembly of Ontario recognize the areas of law paralegals currently practise in and provide them with the legal right to continue under the independent body.”

I will affix my signature thereto.

TRADE DEVELOPMENT

Mr. Bob Delaney (Mississauga West): It’s my pleasure to read a petition to the Ontario Legislative Assembly of Ontario that was given to me by some of the brothers and sisters of the Canadian Auto Workers in Brampton. It’s signed by a group of people from Concord, Woodbridge, Brampton, Alliston and throughout the 905 belt. It reads as follows:

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

“Whereas Canada imports more than 130,000 vehicles annually from the Republic of Korea, which imports virtually no vehicles or parts from Canada and does none of its manufacturing or assembly in Ontario or in any other Canadian jurisdiction, even though Canadian auto workers make the best-quality, most cost-effective vehicles in the world; and

“Whereas the government of Canada aims for a free trade agreement that would include the Republic of Korea in 2006, does not address the structural trade imbalance in the auto sector, and includes no measures to

require Korea to reduce tariff and non-tariff barriers to Canadian-made vehicles, auto parts and other value-added services or components;

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

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

Speaker, it makes perfect sense. I’m pleased to support this petition and to ask page Norah to carry it for me.

FREDERICK BANTING HOMESTEAD

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

“Whereas Sir Frederick Banting was the man who discovered insulin and was Canada’s first Nobel Prize recipient; and

“Whereas this great Canadian’s original homestead, located in the town of New Tecumseth, is deteriorating and in danger of destruction because of the inaction of the Ontario Historical Society; and

“Whereas the town of New Tecumseth, under the leadership of Mayor Mike MacEachern and former Mayor Larry Keogh, has been unsuccessful in reaching an agreement with the Ontario Historical Society to use part of the land to educate the public about the historical significance of the work of Sir Frederick Banting;

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

“That the Minister of Culture and the Liberal government step in to ensure that the Banting homestead is kept in good repair and preserved for generations to come.”

I want to thank Dr. Robert Banting for sending that to me. Dr. Banting is from Niagara Falls.

TRADE DEVELOPMENT

The Acting Speaker (Mr. Joseph N. Tascona): The Chair recognizes the member from Perth–Middlesex.

Mr. John Wilkinson (Perth–Middlesex): Thank you, Mr. Speaker. Good to see you in the chair.

“Petition to the Ontario Legislative Assembly:

“Fair Auto Trade with South Korea

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

“Whereas Canada imports more than 130,000 vehicles annually from the Republic of Korea, which imports virtually no vehicles or parts from Canada and does none of its manufacturing or assembly in Ontario or in any

other Canadian jurisdiction, even though Canadian auto workers make the best-quality, most cost-effective vehicles in the world; and

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

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

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

Mr. Speaker, I’m proud to affix my name.

SCHOOL FACILITIES

The Acting Speaker (Mr. Joseph N. Tascona): The Chair recognizes the senior member from Simcoe–Grey.

Mr. Jim Wilson (Simcoe–Grey): And getting more senior all the time.

“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.”

Again, Mr. Speaker, I want to thank Milva Biffis and Gaynor McLeary for sending me that on behalf of the parents and children of St. Paul’s.

1550

GO TRANSIT TUNNEL

Mr. Tony Ruprecht (Davenport): I have a petition in support of tunnelling an area just south of St. Clair and doing away with that old, dilapidated bridge. The petition is to the Parliament of Ontario, the minister of infrastructure services and the Minister of Transportation. It reads as follows:

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

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

“Whereas this bridge,” which is really an underpass, “will be: (1) too narrow for the planned TTC right-of-way, since it will leave only one lane for traffic; (2) it is not safe for pedestrians (it’s about 50 metres long). It’s dark and slopes on both east and west sides, creating high banks for 300 metres; and (3) it creates a divide, a no man’s land, between Old Weston Road and Keele Street. (This was acceptable when the area consisted entirely of slaughterhouses, but now the area has 900 new homes);

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

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

ANSWERS TO WRITTEN QUESTIONS

Mr. Jim Wilson (Simcoe–Grey): I just want to bring to your attention and the attention of the assembly that there are two questions standing in my name on the order paper, question 183 and question 184. Given that today is the international Right To Know Day, I believe the answers from the government to those questions are overdue.

The Acting Speaker (Mr. Joseph N. Tascona): I want to remind the Premier and the Minister of Transportation that they’re required, under standing order 97(d), to provide answers to written questions within 24 sitting days. The responses are now due, and I would ask that you give the House some indication as to when the answers will be forthcoming. If I could direct this to the deputy House leader, if he could advise the House when the answers to the questions for the Premier and the minister will be forthcoming.

Hon. David Caplan (Minister of Public Infrastructure Renewal, Deputy Government House Leader): I don’t know what the questions are, but I’ll make sure that the appropriate ministers are made aware, and response will be provided.

The Acting Speaker: Thank you.

NOTICE OF DISSATISFACTION

The Acting Speaker (Mr. Joseph N. Tascona): Pursuant to standing order 37(a), the member for Timmins–James Bay has given notice of his dissatisfaction with the answer to his question given by the Minister of Education concerning French-language schools. This matter will be debated today at 6 p.m.

BUSINESS OF THE HOUSE

Hon. David Caplan (Minister of Public Infrastructure Renewal, Deputy Government House Leader): I'd like to rise, pursuant to standing order 55, and give the Legislature the business of the House for next week:

On Monday, October 2, in the afternoon, third reading of Bill 43, the Clean Water Act, and in the evening, third reading of Bill 51, the Planning and Conservation Land Statute Law Amendment Act.

On Tuesday, October 3, second reading of Bill 124, the Fair Access to Regulated Professions Act, and in the evening, third reading of Bill 43, the Clean Water Act.

On Wednesday, October 4, in the afternoon, it will be an opposition day. I don't have who it's going to be standing in the name of, but it's from the official opposition. I regret to inform you that we will not be sitting on Wednesday evening.

On Thursday, October 5, in the afternoon, third reading of Bill 14, the Access to Justice Act.

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

Resuming the debate adjourned on June 14, 2006, on the motion for second reading of Bill 65, An Act respecting mortgage brokerages, lenders and administrators / Projet de loi 65, Loi concernant les maisons de courtage d'hypothèques, les prêteurs hypothécaires et les administrateurs d'hypothèques.

The Acting Speaker (Mr. Joseph N. Tascona): Further debate? The Chair recognizes the member from Pickering.

Mr. Wayne Arthurs (Pickering–Ajax–Uxbridge): Thank you, Mr. Speaker, for the opportunity to enter into the debate in respect to Bill 65, the Mortgage Brokerages, Lenders and Administrators Act.

It's a pleasure to be able to lead off debate on this second day of debate in the new session, as the first day of second reading debate occurred during the spring session before the summer break. I want to be begin first

by extending thanks to former the Minister of Finance, Minister Duncan, currently the Minister of Energy, for introducing the bill back in February of this year after some considerable work had been done with the stakeholders—I may comment on it a little bit later—as well as to Minister Sorbara for having led the debate in June, as we entered into second reading and the real, formal debate on the legislation.

If this particular piece of legislation, Bill 65, is passed, it will repeal the previous act, which dates back now to the 1970s, putting this updated legislation in its place. Clearly, after some 30-odd years, it's an appropriate time to be able to see new legislation, updated legislation, that better reflects today's marketplace.

The new proposed legislation aims to achieve three key objectives. The first of those would obviously be to improve consumer protection, the second to enhance and modernize various financial regulations around mortgage brokerage, mortgage brokers, mortgage agents and mortgage lending in general. As well, it will encourage greater competition and provide more choice for consumers.

It's clear that consumers deserve the highest standards from financial service professionals. With the role of mortgage brokers expanding in the province of Ontario, it's the right time to modernize Ontario's regulatory framework in order to strengthen both consumer and investor protection.

The updated rules being proposed in the legislation will include the introduction of administrative penalties—late filing fees—to encourage compliance. Mortgage brokers themselves would be responsible for properly supervising their brokers, agents and all persons engaged in activities related to mortgage lending, subject to the various regulations that will come with the legislation, and brokerages will be required to be licensed with FSCO.

A separate review is currently under way—not yet completed—in respect to the educational standards that will be imposed on both brokers and agents. In addition to updating some of the rules and regulations, and the putting in place of a more formal and structured educational package, the activities that would be regulated under the proposed legislation include matters such as dealing in mortgages directly, trading in mortgages, carrying on the business of lending money on the security of real property and carrying on the business of administering mortgages on an ongoing basis in the province of Ontario.

The proposed act would restrict the use of the titles “mortgage brokerage,” “mortgage broker,” “mortgage agent” and “mortgage administrator”—and their French equivalents—to persons and entities that are licensed to do such under the act. It would restrict those who might use those titles in an inappropriate way and indicate to the public that they can provide service that they're not entitled to.

Corporations, partnerships, sole proprietorships and other prescribed entities that carry on the business of dealing in mortgages, trading in them or lending money

are required to have a brokerage licence. Those that carry on the business of administering mortgages are required to have a mortgage administrator's licence. However, there are some exemptions to that. Recognized financial institutions, primarily banks and their employees, would be exempted from the requirements of licensing; they're already regulated under separate legislation.

As many of you will be aware, this particular piece of legislation would create some significant change to the means by which mortgages are managed in the province of Ontario.

1600

By the beginning of our mandate in 2003, the Canada Mortgage and Housing Corp. found that approximately 26% of Ontario homebuyers, or roughly one in four, are now using the services of a mortgage broker. I might speculate that a decade or two ago that might have been one in 10, one in 15. With a housing market that's booming and financial service marketplaces continuing with strong growth, homebuyers today either purchasing or renewing mortgages have multiple options available to them and are becoming increasingly savvy about the financing of their home purchases or their mortgage renewals. Minister Sorbara mentioned to members back in June that an increasing number of Ontarians are turning to mortgage brokers to make what is likely the biggest financial decision of their lives.

In line with our government's continuous efforts to improve the lives of Ontarians and strengthen our economic advantage, I want to stress today the importance of modernizing the Ontario Mortgage Brokers Act to modernize its regulatory framework and to strengthen, along with Ontario's economy, consumer and investor protection.

In 2004, the finance minister announced our intention to review the outdated Mortgage Brokers Act. By June 2004, the then parliamentary assistant and current Minister of Citizenship and Immigration, Mike Colle, released a consultation paper entitled *Improving the Mortgage Brokers Act*. That was a step to ensure that we consulted with the public, and particularly with those stakeholders who have the most at stake in this particular initiative.

By the fall of 2004, some two years ago, round-table discussions with consumers, mortgage brokers, lawyers, real estate brokers and the banks were undertaken, and by December 2004, the economic affairs and policy committee of cabinet provided direction to the Ministry of Finance to prepare draft legislation and regulations for public comment. All of the aforementioned bodies are and were in support of the ministry's intention to modernize this particular piece of legislation and its regulations, and they alerted us against potential duplication of educational standards and of regulatory requirements and particular compliance burdens. We have taken those warnings seriously during the consultations and addressed both of those within the proposed legislation. Moreover, after hearing clearly from the public, we released a further consultation draft in the spring of last year for further review by the public.

Careful thought and consideration has been put into this particular piece of legislation. After two years of extensive consultation, the act demonstrates the collaborative efforts that we've been making, as a government, with the public and stakeholders on this legislation, reflective of the same consultation efforts on other pieces of legislation.

To this point in time, the legislation has the support of the Canadian Institute of Mortgage Brokers and Lenders, the Independent Mortgage Brokers Association of Ontario, the Ontario Real Estate Association, the Law Society of Upper Canada, and the Ontario Bar Association. This truly is a success story in regard to having the support of both government and key stakeholders in this legislation.

If the legislation, as proposed, is approved and enacted, it would mean removal of a number of outdated rules that have restricted economic activity in the mortgage area. Removing current restrictions means encouraging greater competition and innovation, on top of improving the services, the products and the pricing of mortgages.

Finally, as Minister Sorbara said at the beginning of the summer, various administrative penalties proposed would be in line with modern enforcement mechanisms to ensure compliance with the act, and they'd be set up so that the superintendent of FSCO would be able to impose such penalties or apply to the court to appoint a receiver or trustees to do so if there were major contraventions to the legislation.

As the parliamentary assistant, I'm very pleased with the work that's being done by the ministry and the minister's staff with respect to this piece of legislation and getting this to where we are, and with the effectiveness of the consultation process which we undertook. I want to thank the efforts of FSCO in providing important advice on the development of this particular legislation. I'm optimistic that the legislation will receive the support of many, if not all members of this House, and that should the legislation go to committee, and I expect that it would, we'd be able to deal with any outstanding matters at that point in time and ideally see this legislation move forward to adoption and enactment during this mandate.

The Acting Speaker: Time for questions and comments. Seeing none, further debate?

Mr. Michael Prue (Beaches–East York): Yes, there it is. The clerks are absolutely right: I have one hour. I think all of the members, knowing this is Thursday afternoon, will be joyous to know that I do not intend to take the full hour. But I do intend, within the time allotted to me, which may be up to an hour—

Hon. David Caplan (Minister of Public Infrastructure Renewal, Deputy Government House Leader): Fifty-nine minutes.

Mr. Prue: The minister and deputy government House leader is asking that I take 59 minutes, so I will take that under advisement. So if I do take the 59 minutes, all members of the House will know that it is on instruction of the deputy House leader.

Mr. Jeff Leal (Peterborough): You heard it from him.

Mr. Prue: Okay, you heard it from him first, yes.

This bill has been before this House for a long time. It started back last February, some nine months ago, when it was introduced to this House with some considerable fanfare by the minister. From February to June, almost nothing was done. In June, there was some modicum of debate. We heard the lead-off speeches from the government and from the official opposition, and our debate is, of course, taking place today. So I want people who are watching this to understand that this is not a bill that I would consider has any priority with this government. If it has taken from February to June to introduce it and to have the first two speeches, and then if it is put over all of this time, through the summer recess, to be brought back in late September, it certainly does not have a high priority.

I had to question in my own mind why it does not have this high priority for government. You see, this is a bill that has been outstanding now for some 30 years. In 30 years, the Legislature of the province of Ontario has not seen fit—through governments of all political stripes, through governments of all parties, through governments of many, many Premiers and the hundreds, and if not thousands of people who have sat in this Legislature, it has never been a priority. I might suggest that from what is contained within the bill, it is not that much of a priority even to this date.

When I question and when I started to think about why this is not a priority, a few thoughts came to mind. The first one is that there are literally millions of properties in this province—literally millions of properties that are individually or corporately owned that people go out and do all the things you do when you purchase or own a property. What are people concerned about? Are they concerned about or have they been concerned about mortgage brokerage and the rules related to those mortgage brokers? Or are they concerned with other issues that, to me, I would suggest, are probably tantamount in their mind, just some of those that people are interested in in terms of property tax and that I really wish this government would turn its attention to? And I'm going to deal with the substance of the bill very shortly.

I think they should be turning their attention to property taxes. They should be turning their attention to how many property taxes people are paying, whether those property taxes are fair, whether they're assessed properly, whether MPAC, which oversees all of this on behalf of the government is doing a good job. They should look at whether there is volatility in the housing market that causes rates to spike and people to lose their homes. They should be looking at the basic tenets of unfairness that exist within the property tax system. To my mind, that would be a bill that ought to be heard, and anybody who owns a property in this province would, I'm sure, like to see a bill dealing with that far more than this bill dealing with mortgage brokers and lenders. I also

have to think what else property owners want to see. They want to see something about the land titles fraud. They want to see about people being ripped off of their homes.

1610

When I opened up my paper this morning, the Toronto Star, which is the paper I read—sometimes I have to question myself why I read it, because it infuriates me so often, but I do read that paper literally every morning, in spite of its obvious Liberal bias. I read that paper and there on one of the front pages—I'm not sure whether it was the GTA section or the front page—was a lawyer in Ontario, in the town of Barrie, who has been arrested for exactly this: for a land titles fraud, trying to rip the property off and to put a mortgage onto the property of someone who works for him.

This is a huge issue. If you look through the last couple of months in Ontario, you will see that seniors and others are being ripped off by a system that allows people unscrupulously, illegally, dishonestly and immorally to go in and try to take their properties, and there is nothing in the law at this point that will stop that from happening. Now, I live in hope. I have heard what the minister responsible has had to say. I have listened to him, and he has said there is legislation coming, but for my mind, it must come sooner rather than later.

I can only speak of a constituent who came into my office last Friday to see me on an issue that was not related to that, but just passed me the form she had received from MPAC telling her that the owners of her house were someone other than herself. I have to tell you, my heart jumped. It skipped a couple of beats. I looked at it and I thought, "Oh no, this lovely woman in her 80s may be the subject of mortgage fraud." It did take me some two hours to find out through MPAC, from the city of Toronto, from all of the phone calls that my capable staff made, that in fact it was a clerical error. I was relieved to find that out, because this is an incident that is happening time after time.

People are also worried about a third thing when they own property and that is the fluctuating mortgage rates that the banks and credit unions and other people are able to charge—sometimes at usurious rates, sometimes not, but those rates really deviate a lot from prime to a percentage or two over prime, which people who have good lending records can get, to sometimes 15%, 20% and 30% that people who do not have that credit rating are forced to accept. There's a whole issue upon the fairness of all that as well.

When people buy a property, of course they're worried about zoning, about official plans, about the banks and the costs of their mortgages. They're worried about all of those things. But I must be blunt and honest: In my 18 years in both municipal politics and in this House, I have never had anyone, before this was raised in February, come to me and say, "We need to change the Mortgage Brokerages, Lenders and Administrators Act." Not the mortgage brokers themselves—they've been since, but not once before then did I ever get any call

from any of them, nor from anyone who required their services, anyone who felt ripped off, anyone who thought that the system could be improved. Quite literally, this was not first and foremost in the public's mind and absolutely was not first and foremost in the mind of those people who owned the two or three million properties that exist and that are catalogued in the land titles survey of Ontario.

We have here the Mortgage Brokers Act. As I said earlier, it's not been updated in 30 years. We grant you that there's some necessity of updating every act in Ontario in a more timely fashion—this one is not excludable—and that most of the groups accept the basic tenets that have been put into it.

I want to confine my statements to some of the problems I see in the act, and I hope these will be resolved when and if—and I understand this is going to the finance committee—it goes before the finance committee of this Legislature. These are some of the concerns that I have. I'm stating quite openly and upfront that I am a member of the finance committee. I expect to sit on this. I want to make sure that these are understood by the members, particularly on the government side of this Legislature, so that when people come forward and talk about these things you're given a heads-up and you understand that there are some fundamental flaws that may—I'm not saying do—exist in this legislation to which you're going to have to be particularly attentive.

I listened to the member for Pickering–Ajax–Uxbridge. As always, as a former mayor, he speaks with some wisdom; I have known him for many years. He said that there were three basic goals of this legislation. I wrote them down as fast as I could. The first was for consumer protection, the second one was for regularization of the exact statute and the third one was for better competition within the process. I trust I got those down right. He's nodding his head; I did get them down right. Those are what this bill hopes and attempts to do in its passage, so in that vein I want to talk about those three things that we hope to accomplish and how this bill may or may not be heading in the right direction to accomplish them.

We are concerned with the content of the bill. We are concerned that the actual education and expertise required to obtain the licences, as set out in the statute, to be issued by the superintendent of financial services—(1) a brokerage license, (2) a mortgage broker's licence, (3) a mortgage agent's licence and (4) a mortgage administrator's licence—are to be determined outside the four walls of this Legislature. That is, they are to be set in law by regulation, so that anyone reading this bill, anyone looking at it, will know that what is required to get any of these four licences is not set by statute. It is set quite literally by the whim of the minister who is in charge at the time of the issuance of the licence. So if a minister today determines that you have to have, for example—this is only an example—a university degree plus some law school experience and/or an LLB from a recognized university in Ontario, or you had to have

practised law for a number of years, or you have to have been working for someone else in the field in a capacity as an apprentice for three or four years, that would be what was required. If a minister two or three years after that or in a subsequent election or from another party determines that all you need to do is hang out your shingle and never have gone to jail for mortgage fraud, well, then that would be the requirement as well.

We think that this is important. Of all the expenditures that a person will make in his or her lifetime, the purchase of a house is probably the most important and is undoubtedly—unless you're buying a Porsche or Ferrari—the most expensive cost in your entire life, and when you spend that money you want to make sure that the people who are handling it, the people who are licensed to do it, have the necessary qualifications. I am stating that this should be enshrined in the legislation. It should not be at the whim of this minister or a subsequent minister or a minister 20 or 25 years later, because this isn't going to be reviewed, likely, for another 30 years as well. It's one of those pieces of legislation where it's going to be a long time before it's looked at again. It should be set, in our opinion, in the statute. It is not sufficient to simply be at the whim of whatever minister is in power at the time.

We want to emphasize that what has happened in the past—and I have to tell you that I am somewhat saddened at what has happened in my limited tenure over five years in this House. I remember the great fanfare the day that all three parties unanimously voted on a bill, quite unexpectedly gave it third reading in this House, to give rights to the certified general accountants and the accountants and the CMAs and all the other people who did accounting practices. It was quite a heady day. The Conservatives, who were on the government side of the House, the Liberals, who were in official opposition, and the New Democratic Party, as the third party, all gave voice vote and passed on that day a bill that would give authority to set up a single standard in Ontario, and this government set up the commission that went about doing it.

1620

I have to say that, frankly, I am disappointed, because what you did is you set it up that the group of people who were the most senior, the group of people who had the best opportunity, the best education, and certainly the government ear, made the regulations. What we see today is a very sad reaction, because you delegated it down, which is the same thing you're doing in this bill, by the way. That's the point I'm trying to make.

What you're suggesting be delegated or be self-regulatory in this bill to the mortgage brokers is the same way you dealt with the accountants in Ontario. When the dust cleared, which was only recently, what happened was that the existing standards established by the CAs, the chartered accountants, the old boys, the big guys—what they had established as the standards were pretty much maintained. So all that heady thing that we did in the last government, that bill that we passed trying to bring

together CMAs, CGAs and CAs under one roof, one standard, one body, one accounting practice in Ontario that most of the other provinces have had for generations, has been, I'm afraid to say, for naught.

If that's what you're attempting to do in this bill, if you're attempting that the mortgage brokers, the lawyers and all the hangers-on, the banks, the credit unions, the trust companies and everybody else sit down, make the rules and police themselves and only the strongest ones survive, and what they're trying to do in their own best interests is the way the law becomes because it's self-regulatory, I'm afraid that is very wrong.

I want to quote what the Attorney General had to say on the accounting bill, Bill 94, because I think it was instructive. It's what I want you to do on this. I don't want you to do what you did. I want you to do what he said you were going to do, and he said it quite succinctly and correctly. He said to the Legislature that it would "create a new structure that favours fairness and competition without compromising Ontario's public accounting standards." That was the promise that was made, and he went on to say, "The licensing system is a cornerstone of the reform package that will provide access to licences to a broader range of accounting professionals, consistent with the public interest and maintaining the high standard of which Ontario proudly boasts."

The reality, though, is that that has not happened. You have set up a regime in which that could not happen. You have done that by ministerial fiat, not by legislation. So everything that was promised in this House and everything that the opposition parties agreed with and voted for unanimously and supported has not happened. Now you ask us to trust you on this one, and I have to say that what you've done in the past I do not want to see repeated.

What you have done to the accounting practice of Ontario cannot be repeated to the mortgage brokers at all. If you are going to do the right thing, have the intestinal fortitude to put it in the legislation and do it right. Do not leave it up to the powerful groups within the mortgage industry to set the rules and do what they want for their own benefit. Set it up so that it is done for the benefit of all; in particular, for the consumers of Ontario.

I also have to talk about some of the other stuff that should be in this act and is not in this act. My friend from Pickering-Ajax-Uxbridge talked about consumer protection. I agree that consumer protection is a wonderful thing and that we should be looking to do that each and every day in this Legislature. But the reality is, how can the consumer be protected when there is no provision in this bill for consumer education? There is not one dime put forward. There is not a single statute. There is not a single provision. There is absolutely not one mention of consumer education.

How are consumers to know what their rights are if they think they're being ripped off by somebody in the mortgage business after this bill is passed? How do they know what their rights are if they think the bank, a trust company or an individual is charging usurious interest?

How do they know what their rights are in order to protect themselves if they think they are the victim of mortgage fraud? How do they know what their rights are if they think that somebody has acted improperly? It's simply not there.

I am suggesting to you that if you want this bill to succeed, you need to do more than simply say that this is going to increase consumer protection, because it is not. Without the consumer knowing what the law is, without the consumer knowing what his or her abilities are to challenge that or a place to go to challenge it or a government agency that will look after it, this bill is certainly not adequate. Consumer education is an essential part of protecting the average citizen from unscrupulous actions by mortgage professionals, by literally anyone who claims to be, rightly or wrongly, a mortgage professional.

I want to talk for a couple of minutes about the exemptions, because I'm troubled by them. I don't know whether they've existed for a long time or whether there's a rationale in the bill, but I certainly want to hear from the government members as to the exemptions, either in debate—and I don't know that there will be any here today, but certainly if there is none here today, at least at the committee stage, or at least some papers leading up to the committee stage.

I question why our financial institutions and their employees are exempted. We've just witnessed in the United States a plethora—a huge number, a gross number—of people going to jail over the Enron scandal, not only the company but the financial institutions involved with the company. We've seen many people in that country and in ours over the years involved in financial institutions who have not acted in strict accordance with their duties and have found themselves in huge troubles with the law. I need to know and I think consumers need to know the rationale this government has for exempting financial institutions and their employees.

People also need to know why you've exempted persons and entities that provide simple referrals. Why are these people exempted? Why are they not subject to the law or to licensing? We need to know, if people are going to be making a living or are going to accept money for referrals, why they are exempted as well under this process.

Last but not least, lawyers appear to be exempted as well. Mr. Speaker, I have a high regard for the legal profession, of which I know you are one. Again, I couldn't help but see, having opened up my Toronto Star this morning, that a legal professional in the town of Barrie—

Mr. Leal: Barrie?

Mr. Prue: In the town of Barrie, yes.

The Acting Speaker: Now it's a city.

Mr. Prue: In the city of Barrie. Excuse me, Mr. Speaker, you are correct—was inside a police car, in custody, on his way to court. His picture was snapped. He was a person who would be exempted under this law. He has been charged with—I'm not saying he's guilty, not for a minute, because I believe in the laws of this

province and of this country—allegedly embezzling from one of his employees and doing a mortgage fraud for \$165,000. I believe that the overwhelming majority of lawyers in this province are honest, but I have to question this. They involve themselves with huge amounts of money, with mortgages, with the transfer of funds into the millions, if not billions, of dollars collectively, each and every year. We need to know, we need to have an answer as to why these professionals are exempted from a licence or from the requirement to be licensed so that they can be monitored and subject to the licence provisions. Nothing is in there to explain why you've exempted them, and I think the public needs an answer. There may in fact be an answer, but I have not seen it.

Last but not least is the whole question of foreign ownership. Under the act that this replaces, there were some stringent guidelines to protect Canadians from the overt influence of foreign ownership. Under this particular act, that has been taken away, so that no longer is foreign ownership involving mortgage transactions involving land outside of Ontario or Canada a provision that can be covered here. I have to tell you that this is troubling to many citizens. I am not sure as to the rationale. In fact, there could be a rationale, but it is not easily understood within the four corners of this act, nor has it been explained by the government in the various statements made in this House. I ask you to look at those provisions and whether it is in the best interests of Ontario, whether it is in the best interests of Canada, whether it is in the best interests of the individuals who are buying property to allow foreign ownership of the properties, of the mortgage rights and of the mortgagees, and whether it is in our best interest to let that slip away.

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Certainly, the debate over foreign ownership in Canada is a long one. It is ultimately a debate that brought me into politics in my early life, when I was a teenager. It was something that captured my imagination then, as it does even to this day. Is it correct and is it right that people who are not Canadians, who are not residents of this province, are allowed to amass properties, own properties, control the financial institutions, control the lending rates? Is that a correct thing that we want to happen?

Certainly federally we limit the amount of foreign ownership in the banks, or at least we used to. I'm not sure whether that's still the case, but we used to limit the amount that people who were not Canadians could own of our banks. We made that provision for many of our institutions. We made that provision for Air Canada for some considerable period of time. People want to know that institutions that are uniquely Canadian, upon which they rely, are under the control of this government and not of a foreign one.

I need to have answers from this government by the time the committee hearings take place as to why the foreign restrictions have been lifted. If there is a rationale, I would like to hear it. If it is a good one, I would be willing to accept it. But in the absence of that, I have to be, and I think Canadians are, very cautious as to giving

up the sovereignty of our financial institutions to those who do not live here. It is a very slippery slope once you start that.

I would conclude with saying that there are some important things that have to be done. I would concur with my friend from Pickering–Ajax–Uxbridge when he talks about the need for consumer protection. I want to see that strengthened within the provision of this bill when this goes to committee. I would agree with him that there is a need to regularize, and that needs to be done when it goes to committee.

Around better competition, I have to question that if better competition merely means opening it to foreign influences, foreign banking, foreign mortgage lenders, foreign ownership of our land, if that's what is meant by better competition, I'm not sure that I can agree with that provision. If there is something else he is trying to say, then we need to hear it.

In conclusion, we ask that this bill go to committee. We will be watching very carefully for the government explanation of a bill which in my view is not screaming out to be passed, which you have not put forward with any great speed and for which there is very little contained within the four walls of the bill itself. We are not content that it be left to regulation. We are not content that the mortgage brokers become subject to some self-regulation if that is going to take the same path and have the same consequences as that which you have imposed upon the accounting profession. Therefore, we offer those as comments and await the public's considerable input when this comes to committee.

The Acting Speaker: Time for questions and comments.

Seeing none, further debate?

Seeing none, Mr. Sorbara has moved second reading of An Act respecting mortgage brokerages, lenders and administrators. Is it the pleasure of the House that the motion carry? Carried.

Shall the bill be ordered for third reading?

Hon. Mr. Caplan: Speaker, I'd ask that the bill be referred to the standing committee on finance and economic affairs.

The Acting Speaker: The bill is referred to the standing committee on finance and economic affairs.

Orders of the day.

Hon. Mr. Caplan: Over the protest of some of my colleagues, I would move adjournment of the House.

The Acting Speaker: When a motion to adjourn the House carries before the usual 6 p.m. adjournment hour, a scheduled adjournment debate—late show—is automatically carried over to the next sessional day on which such debates are held, which is Tuesday. The late show originally scheduled today is carried to Tuesday in the event of passage of the motion to adjourn.

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

This House stands adjourned until 1:30 p.m., Monday, October 2, 2006.

The House adjourned at 1635.

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