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(Hansard)**

**Thursday 22 March 2007**

**Jeudi 22 mars 2007**

Speaker  
Honourable Michael A. Brown

Président  
L'honorable Michael A. Brown

Clerk  
Deborah Deller

Greffière  
Deborah Deller

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LEGISLATIVE ASSEMBLY  
OF ONTARIO

Thursday 22 March 2007

ASSEMBLÉE LÉGISLATIVE  
DE L'ONTARIO

Jeudi 22 mars 2007

*The House met at 1000.*

*Prayers.*

**PRIVATE MEMBERS'  
PUBLIC BUSINESS**

CONDOMINIUM  
AMENDMENT ACT, 2007  
LOI DE 2007 MODIFIANT LA LOI  
SUR LES CONDOMINIUMS

Mr. Marchese moved second reading of the following bill:

Bill 185, An Act to amend the Condominium Act, 1998 / Projet de loi 185, Loi modifiant la Loi de 1998 sur les condominiums.

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

**Mr. Rosario Marchese (Trinity-Spadina):** It is a pleasure for me to speak to my bill, a bill that I believe is very timely. Some of you will know that we debated the Condominium Act—actually, that we didn't debate the Condominium Act very much—in 1998, which is a surprise to me, given the kind of reaction that I'm getting to this bill.

We had a Condominium Act in 1978, and there was debate—lots. In reviewing this whole process, I was a bit surprised that in 1998 we didn't engage very much in debate, we didn't have supporters or opponents coming to this Legislature saying, "Hold on. We need to review this bill." It puzzled me, because as I consulted people in my riding, we got an earful from many of the folks who responded to our questionnaire. We have had, in the last 10 years, an incredible boom in the condominium industry—incredible. According to Stats Canada, Toronto's population is only growing in the condominium corridors along the waterfront, downtown and Highway 401, and Toronto is the epicentre of the condo boom, with 17,000 new units being sold in 2005 alone. Other areas experiencing tremendous condominium growth are Kitchener, Waterloo and London—and, I suspect, many other parts. I'm obviously talking about where we are seeing an incredible boom, rather than where there is condominium growth in other areas. So there is growth across Ontario. In fact, 40% of all new housing is condominium-related, and so it isn't a surprise to me any

longer to find that there are a whole lot of condominium owners who are concerned about their relationship to developers in particular. So I want to thank many of the condominium owners who have responded to my questionnaire, responded to the bill that we have drafted, because many of them are looking for a voice. They think and they believe they are not being heard, and they're right. They are actually right in this regard. This bill is an attempt to address that problem and to address the growth and the lack of changes that have not kept up with that growth.

This bill congratulates and thanks many of the people who have worked with me, and I want to thank a couple of people who came here today. I know we have four names: Eva Koletar, Moti Flaster, Richard Hamilton and Yvon Piché. We also have two condominium owners who are just here today to witness this debate, and I thank them for coming. I thank particularly Audrey Loeb, who is a condominium lawyer, who had a lot to do with drafting the bill in 1978. She has tremendous experience in this field. In fact, she's one of the few who are actively engaged. She would have loved to have seen changes earlier and is happy that someone took an interest to introduce some changes today.

We are bringing in standard provisions for declarations, good-faith disclosure and a review board with review officers who can do much of the work that I'm about to talk about in terms of the major changes that we are proposing to the Condominium Act.

Condominium owners need disclosure packages that are clear and straightforward, declarations with standard provisions, more effective ways to enforce the act, and faster and cheaper ways to solve disputes, and mostly they need to be protected from shoddy development practices, shoddy workmanship, surprise fees and sometimes complicated and unclear disclosures by developers. Our amendments to the Condominium Act are as a result of the outreach we have done with many, and we hope that we will get the support of other MPPs in this House as we debate this bill.

Let me go through some of the problems. I want to start by quoting some of the people who wrote to us around issues of fair disclosure and standard provisions. Hana from Toronto says, "The sales office representing the developer did not advise buyers of upcoming construction."

Right now, disclosure packages are not clear. Developers imply they're making commitments they are not actually making and, as a prize, they get great latitude

from the courts on a regular basis. Courts are continually awarding on the side of developers, telling new condo owners they should have looked at the fine print.

Here's another quote from John Doe from Ontario: "I'm concerned about developers and 'hidden' clauses, and having to sue or fight or pay to get out of contracts that the developers make."

We know that condo owners, on their own, prospective condo buyers, cannot do line-by-line comparisons of the disclosure documents they get in the original agreements versus final disclosure documents they receive on occupancy. Lawyers are paid thousands of dollars by developers to make these documents complicated, often obscure, often vague; sometimes deliberately so. These are thousands of dollars that condominium owners have to pay to deal with these problems, thousands of dollars they cannot afford to pay.

John from Toronto says, "We were provided with vague explanations like—contractual expenses, utilities, etc." This bill, as a solution, says it will bring in standard provisions for declarations. To make sure there are no surprises, declarations will be standard so buyers can read them themselves and will not be bamboozled by legalese or distorted or contorted wording. All consumers deserve to know what they're getting when they make that purchase, and condo owners should not be the exception.

Here's Reshma from Toronto: "After living in my condo for eight months, my condo fees jumped up by 25%. For a 600-square foot condo I pay well over \$300 in condo fees. I can't wait to get out of the condo."

#### 1010

This bill is bringing in good-faith disclosure, similar to that required in the Franchise Disclosure Act. Buying a home is too important a prospect to play "hide the deal-breaker" with modest-income purchasers, which make up the majority of the market. Good-faith disclosure can go a long way to eliminate the fights between developers and purchasers. Developers will think twice before playing games, faced with a prospect of having to pay damages when they fail to disclose.

A review board: "This condo experience," says Harry from Toronto, "in front of CN tower has been highly disappointing. As a buyer, I felt no support from the developer or Taron or the city."

Condo dwellers deserve an office that is a one-stop-shop that will give them the information, that will advocate on their behalf, help them settle disputes and support them in their dealing with developers. That is why this bill is introducing the review board. The review board will advocate on behalf of condominium owners. They will carry the flag for them. It will also be available to give them the information they desperately require.

Nancy from Collingwood: "Someone must enforce condo law. Who enforces the law? The courts. Not very encouraging."

Our bill will have review officers who can resolve disputes between owners and boards, condos and developers, and condos and property managers, cheaper

and more effectively. Right now, unit owners have to spend thousands of dollars and a long time solving problems with other unit owners, their boards and their property managers. If we don't bring in review officers, no one will be there to make sure that the act is enforced except the courts. That is unacceptable, and we know how expensive that is.

Condominium lawyer Audrey Loeb says: "For a lawyer to charge what they really should charge to do a thorough review of documents, each purchaser of a condo would probably pay \$3,000 to \$5,000—just to review the documents." It's just too prohibitive, she says.

That's another reason we're bringing in review officers. They can review documentation from developers and ensure fair and clear disclosure. The review board could also set up a panel for more complicated disputes and advise the minister or the assembly on behalf of the condominium owners.

What's not in the bill? Several other things. Some of the problems in condominiums escape the confines of the act and touch on general issues with building and construction that must be reviewed.

"Soundproofing is terrible. I can hear all drainage from the unit above me, in addition to loud noises such as music or loud voices," Connie from Toronto says.

The standards for sound insulation in the building code are inadequate, and better soundproofing requirements would go a long way to make condo living quieter. That doesn't deal with this bill, but this is another issue that must be dealt with under the Building Code Act.

These are other issues people have raised. We know there are thousands of condominium owners who are desperately looking for help. We believe this bill will begin to address many of the concerns they have raised, and if other members have other questions, we can deal with that when this bill goes through second reading, as a way of making this bill better and stronger.

**The Deputy Speaker:** Further debate.

**Mr. Bob Delaney (Mississauga West):** It's always a pleasure to engage in a debate with my colleague, and if I may cross party lines and say my friend, mon ami, the member for Trinity-Spadina. Nobody will ever suggest that the member is anything short of enthusiastic in the advocacy of the issues for which he stands. But should a bill like this be successful, this Legislature and the people of Ontario are going to have to live with it for a long time.

Let's separate the advocacy and look long and hard at the cold facts with which Ontario would have to live, if this bill is passed. It's hard to make a case for passing this bill. The member says that condo owners are "looking for a voice," to use his words. The bill's outcome would inevitably mean higher fees, but not a better voice. The fact is that the current condo act already does the things that the member would implement, in duplicate or in triplicate, with the passage of this bill.

The member quotes a number of people with complaints, and I don't doubt the veracity, the sincerity of these complaints. But it might have been better for this

debate if the member for Trinity–Spadina had explained some of the measures that he proposes.

Good legislation ought to help condo owners, not hurt them. Ontario has already asked Tarion to review the current delayed closing provisions on new condominiums. Tarion has been asked to ensure that those provisions are clear, simple and certain for consumers and builders to comprehend and work with; they're already doing what the member has suggested. Tarion has been asked to ensure that contractual language is balanced and fair to both consumers and builders—again, substantially what the member had asked. Tarion has been asked to ensure that condos are capable of being administered in a modern and efficient matter—substantially what the member has asked. Ontario is looking forward to Tarion's final recommendations being implemented later this year, faster than the passage of the member's bill.

Now, what are some of the current provisions in the condo act that already protect consumers, measures that are substantially the same as what the member for Trinity–Spadina is proposing? Well, there's already a mechanism making it mandatory—not optional, not a suggestion, but mandatory—for unitholders who have disputes with their condo board and their condo corporation to go through mediation or arbitration if the disagreement involves bylaws or declarations. That's substantially what the member is proposing.

Subsection 132(4) of the existing condo act reads, and I'll quote it exactly: "Every declaration shall be deemed to contain a provision that the corporation and the owners agree to submit a disagreement between the parties with respect to the declaration, bylaws or rules to mediation and arbitration." It would duplicate what's essentially already there. The mediator would be selected by the parties—largely what the member proposes; subsection 132(1) of the condo act. The mediator's expenses shall be paid by both parties under the current condo act—substantially what the member has proposed. Subsection 132(6) of the existing condo act says, "Each party shall pay the share of the mediator's fees and expenses that,

"(a) the settlement specifies, if a settlement is obtained; or

"(b) the mediator specifies in the notice stating that the mediation has failed, if the mediation fails."

Again, that's substantially what the member has proposed.

I could go on at great length on this. For example, in providing information, the government already provides information to condo corporations and owners of condominium units—substantially what the bill has proposed. The Ministry of Government Services, consumer protection branch, already answers telephone inquiries from the public on all issues related to the Condominium Act, 1998—substantially what the member has proposed. The Ministry of Government Services website already offers condominium-related information, including a printable document called Quick Tips for Buying a Condominium—substantially what the member advocates. As well, the Ministry of Government Services publishes

a brochure entitled *Condominium Living: Tips for Buyers and Owners*—substantially what the member would propose.

Speaker, I'd like to share this debate with some of the my colleagues. I'm going to wrap it up there and thank the member for having brought the measures to the fore. In his 17 years, it's nice to see that this is the first time he has spoken up for condo owners. I appreciate the sincerity of his bill, and I'm having a hard time understanding the need for it.

**Mr. Joseph N. Tascona (Barrie–Simcoe–Bradford):** Perhaps if the member who just spoke read the bill, he might understand the need for it. I can say that the member from Trinity–Spadina does have a lot of condominium owners in his riding, and obviously he has represented that riding very well over the past 17 years.

I went over his bill, in terms of what it requires. It has three simple themes. The first part is the declaration, which is something that has to be put forth by the condo owner. It's a very fundamental part of any transaction. We have to keep in mind here that what the member from Mississauga West was speaking of was, there's a mediation process, there's an arbitration process. What the member is trying to do here is get away from litigation. I know Liberals like litigation, but the bottom line is that the member is proposing a declaration that will have to be consistent and comply with regulations. Now, he hasn't put that in there yet, but I know he's going to push the government to do that. What he wants to do is to make sure there is no arbitration or mediation, so when a big developer decides to take a sledgehammer to a small consumer, that's not going to happen. Why can't we make sure that the declaration is understandable? It has to be in accordance with the law. The reason he's putting it into regulation is because things change. There are different manoeuvres that are made by the big developer that may not be seen by the small consumer, so having regulations allows that small consumer and the government to adapt to market conditions. When the Condominium Act was changed in 1998, it hadn't been changed for years before that; now we're almost 10 years past that. What the member is saying is, "Listen, there's a lot of litigation on the declaration. There has been an unprecedented boom with respect to litigation and the condominiums being built."

**1020**

I was speaking to a person by the name of Yvon Piché yesterday, and he gave me some information. He says there are 8,636 corporations registered as condominiums. That's a staggering figure. It means that we have to be very aware that this is a growth industry. I think everybody knows that condominium sales and the building of condominiums, especially in Toronto, has been unprecedented. Certainly there are some up in my riding, but not anything like what's going on in Toronto and what will be going on in the Vaughan region, which will be unprecedented, with respect to condominium building.

The first theme that the member is putting forth is that the declaration, which is a fundamental document in

terms of protecting consumer rights, has to be reviewed, has to be implemented. He is proposing a simple measure to make sure that the litigation is gone from that process and that the government of the day can adapt to the changing marketplace.

The second part of what he's proposing is from a practical point of view. He's saying, "Listen, let's keep it out of the courts." You have to go to the courts to deal with certain types of disputes with respect to condominiums, in terms of damages, misrepresentations, things that are happening while you're living in that particular unit.

He did make one drafting error that I picked up, and I know he's going to change it if the Liberals don't kill the bill today—and I get the sense they're going to try to kill it here today. If the member wants to make the change, he's going to have to make it when we get into committee. In subsection 133(2), he should have put in the provision that he put in earlier, deleting the reference to the Superior Court and substituting "the review board." That's a key section, because that's the one that allows the court to deal with all kinds of different remedies. It's a very important section, and I think the member appreciates my comments on that because, quite frankly, it's going to have to be put in there.

That's the second part of the bill. The member is proposing that we keep any of these situations facing a condo owner out of the court system, whether it's a structural defect, a problem with the contingency fund.

I was speaking to people in the insurance industry. A good friend of mine, Brian Brethet, up in the Barrie area, provided me with the types of coverages they offer in a condo package, and it's staggering. There are two pages of the types of condo coverage they offer, ranging from a unit contingency deductible, coverage limit, loss assessment for property, additional living expenses, satellite dish damage by wind, sewer backup, water escape extension, outdoor trees, lawns—all this insurance that, obviously, if the system was working, you wouldn't need. The bottom line is that there are almost two pages of insurance coverage that people are offered in the condo owners' section for insurance. Obviously, there's a problem, and that costs money. It costs real money to deal with those types of problems, and sometimes you're not going to win in court. It costs a lot of money to go to court. You've got to get a good lawyer, you've got to make sure you get your case represented, and you're up against a big condo owner. Who do you think has got the best expertise? Who do you think has got the money and the bankroll to take it all the way?

That also applies to the comments from the member from Mississauga West regarding the mediation and arbitration. The condo owners will have a full-time lawyer on staff to deal with these things; they've got the expertise. But the condo member is faced with a situation for the first time, having bought the unit. They're not going to have the expertise to go in there and say, "I'm going to take you on. I've got a lawyer here." And why should they have to pay for a lawyer?

**Mr. Jeff Leal (Peterborough):** It could be the owner of the Barrie Colts.

**Mr. Tascona:** Not the Colts. We don't want to get on the subject of the Barrie Colts, even though I love them and they're starting off against Brampton on Saturday. I know the member from Peterborough is passionate about the Petes, but the Colts knocked them out this year. I appreciated that.

Getting back to the point, the court system is not going to work for the condominium members. I don't know whether I want to go as far as the member from Trinity–Spadina in terms of what he's proposing. I think we need to have a hard look at that in terms of, what are the real problems that this review board is going to deal with? Because he made that drafting error, I think he's going to have to revisit the type of remedies he's proposing. Maybe that was just an oversight and what he wants to ensure is that the review board provides the type of remedies a court could provide.

If that's the case, I think we all have to be open to having a review of the condominium situation. The fact is that it has been 10 years of unprecedented condominium building in Toronto, and the growth you're going to find out in Vaughan is going to be unbelievable, because in Vaughan the builders have had some vision and they decided they're going to—just go down Highway 7 and go down Rutherford Road. You would not believe the condominium building that will be going on out there. Obviously, it's going to be a very attractive investment for the people who have put that forth, and that's to their benefit. They're going to make money out of that. All we're talking about here is to make sure there's fairness for the consumer who buys.

The other part the member is talking about is fair dealing: "A duty of fair dealing is imposed on ... every declarant in its dealings with a corporation, owner or purchaser; and ... every corporation in its dealings with an owner or purchaser." And "a corporation, owner or purchaser has a right of action for damages against a person who breaches the duty of fair dealing." I'm not really sure what the member is getting at there with "right of action." If he's talking going back into the court system—I think he should be clear, because I'm really not sure if that's what he's proposing. Maybe he can respond to me, when he gets his reply, what he intends.

Anyone who reads the Toronto Star knows there's a condominium section. There are good articles in there every week advising consumers about different projects and different things to be looking at. There was an article on February 10, 2007, written by Bob Aaron, special to the Star. He writes on real estate. He was very helpful to me when I was pushing to get the government to change their approach to mortgage fraud and to help people like Susan Lawrence and Mr. Reviczky, to move and make sure that mortgage fraud wasn't something that would be plaguing us in the future. The government, after being embarrassed many a time in the Toronto Star—to the Toronto Star's credit, it made the government move to protect the consumers with respect to mortgage fraud.

In this article, though, he talks about a situation involving Tarion, where the client refuses to sign the extension agreement. This is a situation where “a client calls and tells me”—Mr. Aaron being a lawyer—“that his or her builder is running behind schedule with the house or condominium and has requested that an agreement be signed to extend the closing date.” You’d think this would be fairly straightforward, but it does have notice provisions required and there are rules with respect to Tarion. This went to litigation, of course, because the builder felt they could take advantage of that particular consumer. The consumer obviously was looking for a compensation claim as a result of the extension of the closing. The builder was saying that by agreeing to the extension, they were releasing their right to any compensation. Can you get that? Here you are giving the builder the right to extend the closing because they’re delayed. The fine print says, “If you give me the extension, you release your right to compensation.” Now, who in their right mind would do that, if they had been fully informed of what was going on? I’m going to give you an extension. You’re going to put me out because you haven’t been able to keep up with the date we agreed on. If I give you that extension, I lose my right to compensation, whereas if I don’t give you the extension, I get compensation.

**1030**

So this went to the Divisional Court. The compensation—get this—was for \$4,920, and the cost to deal with it, by the time they got to Divisional Court and finished up, was \$8,700, double what they were going after. So obviously it’s in the builder’s interest to put them through that. But the Divisional Court made it clear that “where a builder has given short notice of delayed closing to a purchaser, and the purchaser is entitled to compensation as a result, ‘it should be incumbent on the builder to obtain an acknowledgment in writing from the purchaser when signing an amendment for the extension of an occupancy date that it is understood the purchaser is waiving his or her right to compensation.’...”

“The law is now clear. If a builder of a new home or condominium wants to extend an occupancy or closing date by amending a purchase agreement, it must disclose and obtain a written waiver from the buyer to any delayed-occupancy claims.”

Now, wouldn’t you think that would be straightforward and that wouldn’t have to be litigated? But it had to be litigated because of what happened in this court.

“The Divisional Court has clearly pronounced that the law governing the Tarion program is ‘consumer protection legislation and should be given broad and liberal interpretation.’

“This is good news for others consumers in the same boat as Markey. If the warranty period has not expired, consumers who have already closed but signed an amendment moving the closing date may still be able to apply for delayed closing compensation.”

That’s a typical example of the type of situation you can run into in a hot and overheated market, in a market

where, quite frankly, there’s a great demand for this type of housing, which is condominiums, because it’s more affordable and may suit the lifestyle of the individual who wants that type of building. But it’s obviously the wave of the future. And in terms of the government’s approach to development, they want high intensity; they are promoting high-intensity building, which means condominium building is what they are approving and that’s what they want done. So if that’s what we’re dealing with here, in the current market of condominiums, where a government is promoting it, the government should at least make sure that the Condominium Act is responsive to the market and that everything that has to be done to protect the consumer and make it fair with respect to dealing with a condominium owner doesn’t have to be litigated. It should be in the legislation. We should be able to do something here today to make sure that a simple thing such as a declaration is very straightly set out, responsive to the market conditions, and that the consumer doesn’t have to go the route of litigation.

I don’t believe the Tarion approach is in favour of the consumer. The fact of the matter is that the Tarion situation of mediation-arbitration favours the builder, because they have expertise on staff; they have the knowledge to deal with a one-time buyer.

Also, with respect to dealing with the review board, there’s some merit there; it has to be looked at.

But I’m in favour of an overall review. Obviously, after 10 years this legislation needs to be reviewed to respond to market conditions.

**Ms. Cheri DiNovo (Parkdale–High Park):** I want to first of all say that, from the comments made by the member from Mississauga West, anybody listening to this debate or reading it later in Hansard will see that this Liberal government is firmly on the side of the developer and against the rights of condo owners. The question is, who is on the side of condo owners? Clearly, our member from Trinity–Spadina has risen to that challenge with his Bill 185.

I want to focus on one aspect of what it means to be a condo owner right now, since I have a number of developments in my own riding of Parkdale–High Park. I hear, and I know we all hear in our constituency offices, complaints about increased maintenance fees. Now, here is the bind of the condo owner: Do you speak up about increased maintenance fees, some in the order of 33% in some of my developments, and risk the resale value of your unit? Do you, as you’ve heard the member from Barrie–Simcoe–Bradford say, go out and hire a high-priced lawyer, who is never going to be high-priced enough in terms of what the developer can afford? There are all sorts of factors mitigating against the complaints of the condo owner, legitimate complaints. A law not enforced is not a law. The member for Trinity–Spadina is simply trying to redress this situation, and it is a situation that is real. We hear from condo owners all the time. So again, what we’re talking about here and what our member from Trinity–Spadina is speaking about is

enforcement of laws, a review board that will act on behalf of the condo owners in a way that makes that review and the laws that we already have real. It reminds me of employment standards—that's my portfolio—where only 1% of all employers ever get a visit from an inspector. We don't have employment standard laws if that's the case. We don't have protection laws for condo unit owners if we do not have something like this review board that stands up for them. Again, usually young owners particularly who are investing in less expensive units are using all of their money simply to buy the unit. They don't have money left over to hire a lawyer to fight a developer. They don't have money left over to risk even complaining, in some instances, about the problems in their building, because they might have to sell that unit in short order or might want to sell that unit.

My husband and I actually rented a condo unit from a friend of ours as we were waiting for our house to be readied. In the period of time that we rented this unit, his maintenance fees went up 33% in this new development. Our rent went up 2.8%. So this is an across-the-board problem. There's no redress for condo unit owners who are up against the cut-and-run attitude of the developer who builds shoddy developments that of course then result in increased maintenance fees.

So I just wanted to speak out on behalf of the bill, and I know my colleague is going to speak out as well, and thank the member from Trinity–Spadina for having the courage to stand up for condo unit owners, which clearly this Liberal government does not do.

**Mr. Kevin Daniel Flynn (Oakville):** Prior to the previous comments from the member from Parkdale–High Park, I was looking up at the younger people in the audience today and I was thinking, you know what? They probably hit the Legislature on one of the better days. It's when the partisanship gets put aside and private members come to this House and debate legislation that is put forward, and put forward their own views. Some of the cheap shots, in my opinion, that were just taken were unwarranted, and from the murmurings that I heard around my seat here, she may have sunk the member's chance for getting this bill passed.

I think that, despite the fact that the bill was put on our desks just yesterday, which is pretty unusual for a private member's bill, most of us were doing our best to try to get our minds around the provisions of that bill, to see if it is supportable or not, to see if it's the sort of thing that we should, even if we don't understand all the ramifications of it now, allow to move forward or not.

I don't know what the intent of some of the comments was. If they were to somehow take some political advantage of what I think is a well-intentioned bill, then they were done at the wrong place and they were done at the wrong time. I don't think it served the members well, and it has probably given the young people in the audience an example of what many people say is wrong with this place and needs to change.

Having said that, I am a former condo owner. In my early 20s my wife and I, before we had children, moved

to Oakville. It was a matter of affordability for us. The only place we could afford was a condominium. Every so often, we would walk by this meeting room and we would see a lot of older people meeting. We knew that we didn't want to be a part of that meeting. We were “double income, no kids.” The last thing we wanted to do was to sit in on a condo board meeting. We were still having fun. But thank God there were people who were doing that. Thank God there were people who were, on a voluntary basis, looking after my investment for me. So for all those people around Ontario, all the volunteers who sit on condo boards, I personally would like to extend my thanks, and I'm sure they have the thanks and the gratitude of all members of this Legislature.

**1040**

Since that time, I've moved on to private home ownership, but I remember my days in the condo quite well. My biggest concern as a condo owner was not where I went for a debate on whether the board had done something right or wrong; it was the amount of my fees. It was how much I had to pay, over and above the mortgage principal, interest and taxes, as condo fees on a monthly basis from the two of us, who at that point in time were not earning a whole lot of money.

So the first question that comes up on the bill is, who is going to fund the review board? Is it another Ontario Film Review Board? Is it another OMB? Is it a Human Rights Commission? Is it a rent review tribunal? When people around this province are asking us to run government more efficiently, to spend their tax dollars more wisely, I think at least the question should be raised: Who is going to pay for this review board? It seems to me that the only place that it can come from is either from tax dollars or directly from the fees of condominium owners in the province. Maybe that's a good thing. Maybe somebody should fund this review board. Maybe we need it. But I think we have to be honest and we have to be upfront as to who is going to carry the bill for this review board. That's one big question that I think needs to be asked before this bill is allowed to proceed, and perhaps the member will have some answers when he stands up again to summarize this. Is it government that pays for it? Is it the builders?

Certainly, the new-found interest in this issue is timely. I think government should on a regular basis review all of the legislation it has. I think we need to look at ways that we can improve bills; I think we need to look at ways that legislation can be made better. But it seems to me in this case that we've got a group of people out there in the province of Ontario that could be severely affected by the passage of this bill, perhaps in a positive way. Perhaps there are problems out there that need to be solved, and perhaps a review board could go some way to doing that. But definitely there will be a cost. People on the review board will be paid; the review board will be staffed. Offices will be opened. Tax dollars will be expended. At the very least, even with the short notice this bill has received in being open to all members of this Legislature, very clearly that question needs to be

answered by the proponent of this bill: Who is going to have their taxes raised, their condo fees raised? Who is going to pay for this review?

**Mr. Peter Tabuns (Toronto–Danforth):** I just wanted to start off by thanking the member for Trinity–Spadina for bringing forward this legislation. There's no question that legislation to clarify rights, to simplify the interrelationship between developers and members of condos and their boards, is needed. If we in this area, in Toronto and the greater Toronto region, are going to have intensification, a denser city, we are most certainly going to have a lot more condominiums. In the extent to which condominium ownership is made simpler, clearer, less hazardous, we remove a block, an impediment, to that intensification.

Now, what has been said by one other speaker was that in fact things are fine and he didn't understand why this legislation was coming forward. I'm here to say that, frankly, not all is fine. Talk to people who have moved into condominiums, people who may not have owned a home before in their lives, people who may have owned a single-family dwelling but have not actually had to deal with the complexities of a board, of a membership. This whole process is one that does call for a review, does call for amendments along the lines of what has been proposed by the member for Trinity–Spadina.

When people come to grips with these purchases, they need simple, clear documents in English that they understand on a daily basis. That's why standardization of language makes tremendous sense. Make sure that people don't have to turn their brains inside out to try and understand these documents. Make it standard; make it clear. We have to level that playing field so that purchasers have the tools at their disposal, without having to spend many thousands of dollars, to understand what they're getting into.

They need, as has been said by the member, good-faith disclosure. They should have all the facts at their fingertips so that they can make a clear, rational decision for what will be for many people the single biggest investment in their lives. They deserve, at the very least, clear disclosure of all the factors that are going to affect the value of that condominium, all the factors that are going to affect their enjoyment of the condominium and all the factors that will affect resale.

I've had opportunity myself, as a property manager, to fight with developers. Before I was elected to Toronto city council in 1990, I was a property manager in the co-op housing sector. For the last eight years that I was a property manager, I was engaged in litigation with the developer that had built the building that I was managing. You get good developers and you get bad developers. The developer that had been hired to build to the co-operative housing building or complex that I managed, unfortunately, was not a great developer. We had crumbling stucco walls, so that the people had rainwater running through their living rooms in October and November. We had basements that were flooding. We had upper units in an eight-story apartment building that

were flooded in heavy rains. We had wiring that was dangerous. This was all new construction. We spent hundreds of thousands of dollars fighting that developer. In the end, the developer spent us out of court. We didn't have enough money to pursue the legal action and we had to eat what was put on the plate. We had to pay for those repairs. We weren't able to get satisfaction from the courts.

Frankly, if a co-operative corporation that brings in millions of dollars a year in revenue has difficulty carrying forward a legal battle, without any doubt individual condominium owners are going to have tremendous difficulty carrying forward a battle.

We know that in membership situations in co-operatives and in condominiums there are will be times when the members and the boards will be at odds. Frankly, without having to lose your shirt going to court, to have an independent agent who is available come in and arbitrate or mediate between the parties would mean that disputes are settled far more quickly, far more simply than if people have to rely for years or thousands of dollars for courts and lawyers to get through the issues, to settle the issues.

The member is doing this province a service. He is trying to simplify the whole process of condominium ownership, trying to protect those purchasers so that we don't go through some of the conflicts that have been seen in other jurisdictions. In Vancouver, in the 1990s, we went through horrendous problems with the quality of the buildings. In Toronto, we haven't seen a problem as sharp as they've seen in Vancouver. But we know that with lack of good legislation, you can get severe conflict, you can get people losing their shirts. So I'd like to thank the member for coming forward and taking the next step in Ontario to make life better for ordinary people who are just trying to buy a home, a home to give them shelter, a home to live their lives.

**Mr. Lorenzo Berardinetti (Scarborough Southwest):** To reiterate what some of the previous speakers said, I too appreciate the intention of what the member from Trinity–Spadina is trying to do.

Many of us in this building today have condominium buildings that we deal with. We have some good condo corporations running them and we have some bad condo corporations running them. I know that in my previous life as a city councillor—and even continuing now as a member of provincial Parliament—once in a while I would get a call from a condo owner who would complain that they weren't advised, didn't know about increases in fees or didn't agree to something being done to the building which caused their condo fees to go up.

**1050**

This was tabled yesterday, and I'm trying to get my head around this as to whether or not to support it. There are some good intentions here, clearly. The main concern that I would have is the cost function that was brought up by the member from Oakville: Who will pay the additional costs of having to do this review board? Who would run it, who would staff it, who would pay for that

board? Because once it's created, it could become quite large. I can think of an example of a condo building where just one person is unhappy for some reason, has a grudge against the condo board, is one of the owners and is unhappy with the way the board functions. So perhaps they would use this mechanism or this review board as a way to hold up the rest of the owners of the condo building and make them pay more in condo fees, by holding them up and forcing some type of litigation or arbitration to take place which could last for years. It could have perhaps nothing to do with the real problems.

Right now, it's the people who have an interest in the building, the actual owners, who form the condominium corporation. They are the ones, as the member from Oakville mentioned earlier, who get together once a month or once in a while to discuss problems with the building. Some that I've seen in my experience are very good at resolving problems and taking care of issues, and some are not that good. The present bill that we have, the Condominium Act, 1998, provides for a system and a way to protect condo unit owners through arbitration, through a system that's in place. Ultimately, if the person is unhappy, they can go to court and deal with it that way.

Any time you make a change, the question you have to ask is, what are the costs of that change? How much more will it cost to make that change? That's my concern. Certainly, as I said, there are some bad condo corporations—I wouldn't say they're bad, but they've had problems dealing with some of the issues in their building and have caused some of the owners in the building to be unhappy, and they end up coming to me as their local elected representative to try to resolve their problems. You know, somebody could get hit with a bill saying they have to pay 10%, 20% or 30% more on their condo fees and they feel it's unjust.

Those are my concerns: the cost and the fact that a condo owner in the building could perhaps take advantage of the new tribunal and try to use it as a way to get back at or to try to hold hostage either the condo board itself or all of the owners in the condo building. That just might be the way things work.

But all in all, I think the intention is good. I wait to see how others speak on the issue. Again, I look forward to—

**The Deputy Speaker:** Thank you.

Further debate? The member for—Mr. Marchese.

**Mr. Marchese:** From Trinity–Spadina, because you're not allowed to name me. Thank you, Speaker.

Just a couple of things in response to what people have said: The members from Oakville and Mississauga West mentioned my newfound interest, as they say. I understand what they're saying. The newfound interest is based on the fact that I have a lot of condominium owners in my riding. We consulted them last year, and as a result of that consultation we got a lot of feedback. Based on that feedback, we thought it was a very timely and useful thing to introduce this bill. If that's a newfound interest, then it's a newfound interest. I'm not sure how you find a new interest when you bring forth

new suggestions or proposals and new laws, but that was my newfound interest.

**Mr. Flynn:** We're okay with that.

**Mr. Marchese:** I'm glad. I'm glad the member from Oakville just spoke to the young people about how other people do politics but he doesn't. It is amusing to see how you can do that, member from Oakville. For someone who can switch parties that easily, I suppose—

**The Deputy Speaker:** Would the member take his chair just for a moment. For the benefit of those watching, I will remind our members that we debate through the Chair.

**Mr. Marchese:** Through you, Speaker, the member from Oakville just scared the kids away. I can't believe it. Then he raises the issue about who will fund this review board. He doesn't talk about whether or not this review board is useful, is an important body to have. His main question—including the member from Scarborough Southwest—is the cost; not the usefulness or the importance of such a review board, but the cost. He doesn't worry about the condominium owners, who at the moment, when dealing with definitions around declarations where the owners have no clue about declarations, which is the constitution of the condominium corporation, have to go to a lawyer and pay \$3,000, \$5,000 to understand what the definition is of a declaration. He's got no problem with that cost. So when the condo owner has to pay that kind of legal fee, that's okay by way of a cost because the condominium owner should absorb that cost.

The point is that condominium owners pay incredible amounts of money to understand the declaration contained within that building. We think it's undue, excessive pressure and cost that you put on a condominium owner. It's not necessary. You can deal with the cost. I understand the member saying he doesn't want to pick it up as a government. So clearly, there is only one other option: that condominium owners pitch into it. That's the other way to do it. It was proposed in 1978 and there was obviously no agreement with that, so it never happened; the review board never happened. But is the member willing to discuss the possibility of a review board as being a good thing and having review officers deal with differences with condominium owners and the developers, or is he in agreement that these condominium owners should go and litigate and pay legal fees and go to court? Because that's the only other option that's left: Leave it as is and force the condominium owner to go to the courts.

We are trying to propose a body of people, with review officers, who could solve problems faster and cheaply. Could some individual condo owner take this board hostage? I don't see how they could do that. The member from Scarborough Southwest raises this as a spectre, as a fear of sorts. I don't understand how it could happen. Some condominium owner takes this issue on, a review person deals with it, and it's done. I don't know what more might happen. I don't know how they could take hostage such a review board or review officers. I

don't see it. He is a lawyer. Maybe he sees something I don't. The point is that declarations vary from building to building and they are expensive, time-consuming, and condo owners feel they have no one to turn to.

Tarion is not the answer for condominium owners. They are not there to defend condominium owners. They don't deal with that kind of problem. That's not, historically, what they have done. But the member from Mississauga West proposes that as a solution, including other consumer organizations. They do not exist. Condominium owners are looking for someone, a review board—I was going to read what a review board does.

“(a) advising and assisting the public in matters relating to condominiums;

“(b) establishing a panel to mediate or arbitrate disputes between

“(i) a declarant and a corporation

“(c) disseminating information for the purpose of educating and advising corporations and unit owners concerning condominium matters and the financial, operating and management practices of corporations.”

That's what the board does. It's not complicated. It's easy. You can easily take this issue to a committee and debate it. If you didn't discuss it in your caucuses—because we all do—if you didn't get that chance to discuss it to your caucuses, we can discuss it in committee.

As to the issue Mr. Tascona raises around the right to damages, section 133, this is what it says, because I've had a chance to get it:

“A corporation or an owner may make an application to the Superior Court of Justice to recover damages from a declarant for any loss sustained as a result of relying on a statement or on information that the declarant is required to provide under this act if the statement or information,

“(a) contains a material statement or material information that is false, deceptive or misleading.”

#### 1100

We believe that should stay. We believe that section should stay because our bill reinforces that particular section.

This is an attempt to deal with some of the questions that were raised, but we are dealing with three matters: making sure that the declarations are standard across the board so you don't have to have a declaration. The constitutions of a corporation vary from one building to the other. It's shouldn't be that way. We should have good-faith disclosure, duty of fair dealing. That's a legal obligation of lawyers, and that's a good thing. We should have a review board with review officers to settle disputes cheaply and faster.

This is useful for condominium owners. It isn't something that I think we should be opposing outright. Take it to the committee and debate it, then bring the condominium owners and developers to the committee so we can hear their views. It shouldn't be something that should frighten the members, for God's sake. I'm urging some of you Liberals to take an independent position on this matter and support this bill.

## BLACK HISTORY MONTH ACT, 2007

### LOI DE 2007 SUR LE MOIS DE L'HISTOIRE DES NOIRS

Mr. Balkissoon moved second reading of the following bill:

Bill 182, An Act to name February in each year Black History Month / Projet de loi 182, Loi visant à désigner le mois de février de chaque année comme Mois de l'histoire des Noirs.

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

**Mr. Bas Balkissoon (Scarborough–Rouge River):** I'm extremely proud today to rise and speak to Bill 182, Black History Month Act, 2007.

February is universally recognized as Black History Month, a month dedicated to celebrating the contributions made by African-Canadians. As the member for Scarborough–Rouge River, a riding formerly held by Mr. Alvin Curling, the first African-Canadian provincial cabinet minister and Speaker of the Legislative Assembly of Ontario, I'm pleased to put forward this legislation.

The origins of Black History Month can be traced back to 1929, when Harvard-educated black historian Carter G. Woodson founded Negro History Week to celebrate this history, contributions and culture of African-Americans.

Fifty years later, during the American bicentennial celebrations in 1979, it was expanded to become National Black History Month. The official recognition in Canada came in the early 1950s, when the Canadian Negro Women's Association successfully petitioned Toronto city council. It was not until the 1970s that the council declared February to be known as Black History Month, in part due to the lobbying of the newly formed Ontario Black History Society.

In January 1993, provincial recognition was given when Lieutenant Governor Hal Jackman issued a proclamation to recognize the 200th anniversary of the passage of legislation prohibiting the importation of slaves into Upper Canada and providing for the gradual abolition of slavery.

December 14, 1995, marked national recognition when Dr. Jean Augustine, the first African-American woman elected to the Parliament of Canada, and subsequently the first African-Canadian federal cabinet minister, requested and received unanimous consent to recognize February as Black History Month.

African-Canadians have had a presence in Canada that dates back further than Samuel de Champlain's first voyage down the St. Lawrence River. However, this part of Canadian history has largely been untold.

According to the 2001 census by Statistics Canada, over 593,000 Canadians identify themselves as black, with the majority of them living in the GTA, Montreal, Ottawa and Halifax.

Today's African-Canadians are largely of Caribbean origin, but also include a growing population from the

African continent and smaller numbers from the Latin American countries.

In celebration of Black History Month, a replica of the historic Underground Railroad Buxton Liberty Bell has been on display since February 14, 2007, for the first time at Queen's Park. In the 1800s, the Buxton settlement represented safety and freedom for hundreds of American slaves escaping through the Underground Railroad.

With 2007 being the 200th anniversary of the Abolition of the Slave Trade Act, I believe it is fitting that we make a point of recognizing February of each year as Black History Month. It provides an opportunity for all Ontarians to celebrate the rich history, culture and heritage of the black community. Ontarians can recall with pride that the first legislation in the British Empire to limit slavery was introduced and passed by our first Lieutenant Governor of Upper Canada, John Graves Simcoe. In 1851, at the First Convention of Coloured Freemen held outside the United States, at Toronto's St. Lawrence Hall, Canada was declared to be the best place in the world for black people to live.

It is important to remember individuals such as Mary Anne Shadd, an educator, newspaper publisher and abolitionist who started the first racially integrated school in Canada, and who was the first female editor, establishing the Provincial Freeman in Windsor, Ontario; and Henry Bibb, a black abolitionist who co-founded the anti-slavery society in 1851 at the St. Lawrence Hall, who established the first black newspaper in Canada, called the Voice of the Fugitive. There was also William Peyton Hubbard, who in 1894 became the first black council member elected to Toronto city council and was re-elected as a council member for 13 successive elections. He served on the board of control and as acting mayor on several occasions.

There have been many distinguished members of the African-Canadian community who have represented their constituents in this chamber, including: Leonard Braithwaite, the first African-Canadian provincial member of Parliament, after being elected in 1963; Alvin Curling, the first cabinet minister and Speaker of the Legislative Assembly; Zanana Akande, the first female African-Canadian cabinet minister; our own Mary Anne Chambers, presently the Minister of Children and Youth Services; and the Honourable Lincoln Alexander, the first African-Canadian Lieutenant Governor of Ontario.

Other community members to be noted are Dr. Alexander Augusta, Anderson Ruffin Abbott, Thornton and Lucie Blackburn, Violet Blackman, Wilson O. Brooks, Elder Washington Christian, Harry Ralph Gairey, Wilson Head, Richard Lloyd Lawrence, Kay Livingstone, James Mink, Donald Willard Moore, Eva Smith, Grace Price Trotman and Lloyd Perry.

I would like to take a moment to also recognize the local efforts of black history celebrations in Scarborough-Rouge River, my riding. In February, several different events were held in my riding to highlight African-Canadian achievements and to teach our youth about the African-Canadian experience that has

shaped the society we live in today. These events include performances by the Scarborough Caribbean and Youth Dance Ensemble and guest speakers at the Malvern Public Library; a youth essay competition on the black experience; discussion groups on black history; and Friday night dinners of traditional Jamaican, African and Caribbean foods at the Malvern Family Resource Centre. Local schools such as Malvern Junior Public School and Lester B. Pearson Collegiate Institute held black history assemblies, made daily announcements on black history facts and even raised \$1,000 to donate to a group working to fight AIDS in Africa.

Black history is a part of every Ontarian's history. I am truly happy to share these tremendous efforts in my riding during February. For all the many reasons stated this morning, let me conclude that I am pleased to table this bill and move second reading. I am sure that all members will join me in supporting Bill 183, a bill that gives official recognition in the province of Ontario to February as Black History Month on an annual basis.

**The Deputy Speaker:** Further debate.

**Mr. Jim Wilson (Simcoe-Grey):** I'm pleased to rise this morning and support my colleague from Scarborough-Rouge River in declaring February Black History Month. Blacks arrived as slaves to Canada as early as 1608, with more than 1,000 black slaves living in Canada by the early 1700s. Many loyalists emigrating from the United States after 1763 brought their slaves with them.

#### 1110

In 1834, the largest early migration of people of African origin into Canada was sparked by changes in British law making all enslaved people free, and the overwhelming response which ensued was the Underground Railroad. The Underground Railroad, as we all know, is not a means of transportation but the name given to a freedom movement relying upon the bravery of free and enslaved Africans and the many actively opposed to slavery, the abolitionists, whether of native, European or African backgrounds.

Today much of what we know about the history of black people in Canada can be found in secondary sources and survives because of the significance the black community has placed on their history. Since its formation in 1990, Sheffield Park Black History and Cultural Museum in Collingwood has celebrated that migration and explores black settlement in the Collingwood area. Sheffield Park is a registered not-for-profit charity established, as I said, in 1990. It's located on a nine-acre site on the shores of Georgian Bay, approximately two miles west of Collingwood, and is open to the public from July 1 to Thanksgiving and to school groups year-round. It's a beautiful site in my riding.

Like many other stories of black Canadians, the stories of those who settled in Collingwood have been pieced together through oral histories passed down through generations and are contained in documents created by a variety of groups, individuals and official sources. Despite the challenges in getting there, which could often

take a year, blacks arriving in Collingwood through the Underground Railroad found support, acceptance, housing, employment and a standard of living that made it possible for the descendants of those in slavery to become citizens of a society that protected their freedoms. The community developed largely around the Heritage Church on 7th Street in Collingwood.

Although considered as free, many Collingwood blacks still had to deal with racism, far more subtle but entrenched in the culture of the day, including denial by design to certain courses of education, jobs and promotion. But despite the barriers, early Collingwood black families were a vibrant, hearty group who lead the way and became part of the local mainstream business community.

Lead by dynamo and educatorCarolynn Wilson, Collingwood's Sheffield Park Black History and Cultural Museum has formally recognized and developed an awareness of the significant accomplishments of the black community in Collingwood through presentations, museum exhibits and educational programming. The key exhibit themes include the African heritage, pioneer life and times, military and the community, and Great Lakes. Many Collingwood blacks worked on the ships built out of the Collingwood shipyards, typically as cooks.

I think Black History Month was best summed up by Rosemary Sadlier of the Black History Society when she wrote, "When the contributions of people of African descent are acknowledged, when the achievements of black people are known, when black people are routinely included or affirmed through our curriculum, our books and the media, and treated with equality, then there will no longer be a need for Black History Month."

Finally, I'd congratulate Carolynn Wilson for all of her work at the Sheffield Park Black History and Cultural Museum, and I encourage all the members watching and the people at home watching to visit the museum and learn more about black history in Collingwood. Again, it's located two miles west of Collingwood on Highway 26.

**Mr. Paul Ferreira (York South–Weston):** I'm glad to rise this morning to speak in favour of this bill that has been put forward by my colleague from the riding of Scarborough–Rouge River. I happened to reference yesterday, during my comments on the motion commemorating the 200th anniversary of the abolishment of the transatlantic slave trade, that I come from a riding where approximately one third of my constituents are of African-Canadian heritage. Certainly, upon my election in February, I had the opportunity to attend a number of events in the riding celebrating Black History Month. It's an important occasion for the community. It's also an important occasion for all Ontarians, I believe, for us to acknowledge the wonderful diversity that makes Ontario, and indeed all of Canada, a special place. Certainly, an initiative like this to formally recognize February as Black History Month would promote a greater awareness and understanding of the diversity that we all cherish and embrace.

I would, however, suggest that a symbolic bill such as this does not quite go far enough. Certainly yesterday, I had the pleasure of speaking to Rosemary Sadlier of the Ontario Black History Society, who said that while symbolic measures like this are important, more needs to be done to ensure that Canadians of African ancestry are given equal access and equal opportunity, to ensure that they are able to get ahead and advance in society.

We've been talking about some of those measures in this House, certainly over the past few days and in the fall sitting. If I may address some of those, I want to bring up the issue of a living wage, of a minimum wage. We know for a fact that of the 1.2 million Ontarians who presently toil away for an \$8 minimum wage, and in some cases less than the \$8 minimum wage—for example, in the hospitality industry—in proportion, a significant number of those 1.2 million Ontarians come from our ethno-cultural communities and from the African-Canadian community.

When we talk about real measures to enhance equal opportunity and equal access and an opportunity to get ahead, we have to look at a real living wage, and that means enhancing the minimum wage to \$10 per hour. There's also the issue of access to affordable post-secondary education. In my riding I speak with, on a regular basis, young people who come from families that work very, very hard, but post-secondary education is priced beyond their means. That's not right. Everyone, regardless of their financial circumstance, should be given the same opportunity to advance themselves through post-secondary education. So when we talk about real measures to ensure that all of us are able to get ahead, it needs to go beyond the symbolic, and the symbolic is what this particular bill is all about.

In my discussions yesterday with Dr. Sadlier, we also talked about what I think is a rather exciting initiative. There is a movement led by the Ontario Black History Society to establish an African-Canadian cultural and history centre. Obviously, that requires some investment. I would say to my colleagues from all parties in this House that that is a project we should all be supporting to help further this movement, this agenda to provide Ontarians of African heritage with the opportunity to reflect on their history, on their shared experiences, but also to give them an opportunity, a place to come together to look towards the future. I would say that that is a noble undertaking that the community has brought forward. Certainly I am prepared to support them in that effort, and I would encourage those here to follow suit.

I want to go back to my riding. I had the distinct pleasure over the course of the recent campaign, and of previous campaigns in my riding where I wasn't as successful as the last time, to receive tremendous support from members of the African-Canadian community in my riding. I do want to take this opportunity—this is my first opportunity to rise in this House to speak for a more prolonged period of time—to thank those members of my riding who supported me and were certainly instrumental in helping me achieve the success that I was able to

achieve on February 8. I wanted to ensure that that was put into the record as we discuss this particular motion.

In closing, again, I want to certainly applaud the initiative. But I want to stress upon this House that we need to go further; that we need to do more to have a truly lasting impact on the lives of those Ontarians who are of African heritage. Thank you very much for your attention.

1120

**Hon. Mike Colle (Minister of Citizenship and Immigration):** Today, we have a most significant private member's bill by the member for Scarborough–Rouge River. I know some people may underestimate the importance of this bill, but it is critically important because just as recently as last year there was a motion put forward by a member of one of the school boards in Ontario to get rid of Black History Month. We therefore have to support this bill to reaffirm our commitment to honouring, learning, understanding and appreciating our black history. It's Canada's history; it's Ontario's history. So I commend the member for Scarborough–Rouge River for introducing this bill, because all of us around this Legislature know how difficult it is when we have basically just one private member's bill to put forward. He has chosen to use this bill for his private member's bill. I commend him for doing that, and I totally support his efforts in reaffirming that Black History Month will be recognized every year in February for years to come, and that will be his legacy.

I want to support this incredibly important initiative because this year especially it matches the remarkable point in history when we recognize the 200th anniversary of the Abolition of the Slave Trade Act. All over the world, jurisdictions like Ontario are going to take time to set up a permanent legacy to include the history of slavery, the perils that blacks all over this world went through for hundreds of years. That is being done for the first time in Ontario. We are following the lead of Great Britain, Scotland, Trinidad-Tobago and Jamaica in reaffirming that slavery was an atrocity beyond words. Hopefully, throughout the course of this year, as we go across Ontario to engage Ontarians, whether they be in Collingwood, in Buxton, in Amherstburg, in Owen Sound, in St. Catharines, communities across this great province will engage in a learning experience on the history and the legacy of slavery to ensure all of our citizens understand more about our history and certainly about our black history.

There are incredibly talented people who have written books that all of us should read that are adding to our wealth of knowledge. I mention Karolyn Smardz Frost, who has written a remarkably captivating book about the Blackburns. I mention the book of Dr. Afua Cooper, *The Hanging of Angélique—the burning of Montreal*. It makes us recall the fact that slavery was practised here, in Upper and Lower Canada, for over 250 years.

That is why recognitions like Black History Month are so critically important: because it is not black history, it is Canadian history. As Dr. Afua Cooper says, this is

untold history, this is silent history that has to be told, because the adage is so true that when we do not respect or know history, we are condemned to repeat the mistakes of history.

Just last night I was at Hallelujah Church on Pacific Avenue in the great city of Toronto with members of the Toronto Police Service, with Inspector Heinz Kuck, who again demonstrated the activities that Torontonians and the people of Ontario engaged in in reflecting on black history and racial discrimination.

Earlier this month, we unveiled the Buxton Bell, which is right here at Queen's Park, which connects the history of the Underground Railroad with Ontario's history. That bell, which is in my colleague Pat Hoy's riding, will be displayed here. On Sunday, it will be up at York University in a significant presentation about the bicentenary, where the Governor General of Canada, Michaëlle Jean, will come to again reflect on the history of slavery in this country.

So there is rich activity, considerable activity taking place academically, culturally and socially that drives up our consciousness. That's why this is significant. It's not just symbolic. This is a statement of legislative force that we need to reaffirm that Black History Month will be part and parcel of Ontario's history for generations to come. That is why we just can't go beyond it and say we need something better. We always need something better, but this is a significant stand that the member from Scarborough–Rouge River has taken to make this an annual recognition. I fully support his leadership on this issue and his long-standing commitment in Scarborough, when he was on council for all those years, to walking the walk, to supporting minority rights, to supporting equity in Scarborough as he has done and as he continues to do here in this Legislature. I commend him for showing that kind of leadership.

**Mr. Pat Hoy (Chatham–Kent Essex):** First of all, I want to thank the member from Scarborough–Rouge River and congratulate him on this thoughtful and very important piece of legislation, this bill that he has brought forward to recognize February each and every year as Black History Month. As persons in this place would know, he could have picked any subject that he wanted to, but he has picked a most significant and important one that deals with the history of Ontario, and I commend him for that.

We must always remember and pay tribute to the contributions that African-Canadians have made to the history of our province. We can always focus on what will happen in the future as well, because with this bill we will be provided with the opportunity to remember, celebrate and educate. I think it's just an excellent initiative, and I know that the members in this Legislature will want to support it. I look forward to that.

Minister Colle mentioned the Liberty Bell. There is a replica of this historic Underground Railroad Buxton Liberty Bell on display for the first time here at Queen's Park; it's down on the first floor. I invite you all to have a look at it if you have not done so already. I thank

Minister Colle, the Minister for Citizenship and Immigration, for his fine work in having this bell brought from Buxton to Queen's Park. The bell has been out of sight for 150 years. At Queen's Park, this means that for the first time members of the public will see this replica.

"During the 1800s, the Buxton settlement represented safety and freedom for thousands of American slaves escaping through the Underground Railroad." That's a quote from Mr. Colle. "For the first time, here at Queen's Park the Liberty Bell and its significance in our history will be shared with Ontarians."

The bell was a gift to the inhabitants of Raleigh Canada West—which is in my riding—from the coloured people of Pittsburgh in 1850. By 1861, an estimated 30,000 slaves had escaped to Canada through this underground railroad.

The Liberty Bell was rung every time a slave reached freedom in Buxton, which was the largest planned fugitive settlement in Canada. The Buxton Museum and the Buxton National Historical Site will be the future home of this bell.

"Black History Month is our time to remember our past and recommit to a future where all people are accepted," said Mr. Colle.

Recently, I attended Road to Freedom, a celebration of Black History Month presented by the Buxton National Historic Site and Museum. It is home to a rich collection of artefacts relating to the history of the Underground Railroad and to early African-Canadian history. As well, the Underground Railroad takes us not only through North Buxton but Amherstburg in the county of Essex and Uncle Tom's Cabin in Lambton-Kent-Middlesex.

The fugitives, most of them penniless, many of them illiterate, carved out new, independent lives. They built homes, schools and churches. They became teachers, business owners and writers.

It is important to recognize the achievements and contributions of the original settlers. Black Canadians play an important part in Ontario's and Canada's unique heritage. Our diversity has made us a model of co-operation and fellowship admired around the world.

I commend the member for bringing this very important piece of legislation to this Legislature.

1130

**Mr. Peter Tabuns (Toronto-Danforth):** I want to start, as others have, by thanking the member for Scarborough-Rouge River for introducing this piece of legislation.

It's true that more is needed than recognition, but recognition in and of itself contributes to a change in our culture and our thinking and contributes to a change, ultimately, in the status of the people in this country, the people in this province, who are of African-Canadian heritage.

February is a time for remembering history that too often is simply buried or set aside.

I grew up in Ontario. I grew up with the standard history textbooks that are used in this province, and quite honestly, when I grew up, the contribution of black

Canadians, African-Canadians, was not particularly written in. It was an invisible piece, other than the Underground Railroad, which was mentioned in passing. That has been changing in Ontario, but the change has been slow.

Frankly, the member is quite correct: We are going to have to use that yearly opportunity in February to refresh people's memories; not just refresh them, but put new facts into those memories.

Yesterday we talked about the anniversary of the bill that initiated the abolition of the slave trade. Frankly, it's very important for us to recognize that the agitation in Britain that eventually led to the abolition of the slave trade rested on a number of pillars. It was not simply an act of generosity on the part of the British Parliament. It reflected, in part, agitation in Britain by former slaves who spoke energetically, strenuously, continuously, to people in Britain who had not understood all that was going on in their name. These were people who took substantial risks by speaking out, substantial risks that they would be kidnapped and sent back into slavery.

What also is generally not recognized about the abolition of the slave trade which is important to understand is that it was the acts of the Africans themselves in the plantations in what is now Haiti and in Jamaica, rising up and seizing what freedom they could—and they rose up in horrendous conditions. They lost lives. Many died terribly. It was the success in Haiti of that revolt, it was the loss in Jamaica of that revolt, that convinced the slave owners who dominated politics in the British Parliament that the jig was up, the time had come. They could no longer hold on to these possessions and expect that the world would continue as it had continued.

Britain, Europe, the white people of the Americas, grew rich from the toil of those African slaves. Sugar in the early 1800s was to the world economy in many ways what oil is today: universally needed, universally used—grown and extracted very cheaply by slave labour. People became wealthy.

Britain, which is graced with beautiful buildings, many beautiful sections of cities and the leisure at the time to develop the arts and music, benefited from the free labour that was provided by people kidnapped in chains, ripped from their families, forced to work until their death.

They rose up. They made the British Parliament give them their freedom, because if the British Parliament had not, they would simply have seized it. That is a reality about black history that has not been commonly taught in schools, not commonly thought about. That whole approach to the African continent, the African populations, African-Canadians, has got to shift in our minds and culture. We have to understand all that has been given and all that has been taken so that we actually will have a free and equal and just society.

I appreciate what has been brought forward. I appreciate the bill that has been brought forward by the member for Scarborough-Rouge River, because it is part of that ongoing cultural shift. Too often, I will read in

newspapers stories about people engaged in crime, “suspects described as black.” Very rarely do I see “suspect described as white.” We need a cultural shift in this province. We need a cultural shift in this country. In part, it is going on, but it needs to be continuously pushed forward, and this bill will help to do that.

**Hon. Mary Anne V. Chambers (Minister of Children and Youth Services):** Yesterday members of this Legislature rose to recognize important events in the history of people of African descent: black people. They recalled some of the atrocities committed against black people over the centuries and recognized the bicentennial of the Abolition of the Slave Trade Act. For the most part, we heard about depressing and distressing acts that made victims of people whose primary misfortune happened to be the colour of their skin. And yes, that was the life, those were the experiences, of my ancestors.

It is said that the members of the Ashanti tribe were dropped off in the Caribbean on islands like Jamaica, the land of my birth—dropped off first before the ships would arrive in North America because the Ashantis had a reputation for being less compliant than their traders wanted them to be. The Ashantis are known even today as a very proud people.

But, today, as I have risen to speak in support of my colleague’s private member’s bill, An Act to name February in each year Black History Month, I need the members of this House to understand that black history goes well beyond the atrocities that characterize the era of slavery and black history goes well beyond the more recent atrocities of apartheid and other manifestations of discrimination on the basis of race.

Indeed, my black history includes reconciliation. As Desmond Tutu, winner of a Nobel peace prize in 1984, declared, “There can be no future without forgiveness.” Because truth, that is, the willingness of those who have victimized others to acknowledge their wrongdoings, and reconciliation, that is, the willingness of those who have been victimized to forgive, together make it possible for humans to move forward as more enlightened members of civil society.

My black history also includes resilience—the remarkable liberating strength of a people who were stripped of their identities but refused to forget who they were; a people who by any definition have overcome what at times have appeared to be insurmountable odds; a strong, confident and often, by necessity, defiant people; people like Rosa Parks, a woman who became the mother of the American civil rights movement when she refused to be subjected to racial segregation when she used the public transit system. She refused to allow dominant society to treat her as a lesser person because of the colour of her skin.

For me, the recognition of Black History Month is about the celebration of a people and their remarkable achievements, achievements that have changed lives and nations forever and for the better. I encourage black youth to be ambitious and to set high expectations for themselves. I tell them that with the opportunities they

now have, I should expect to see them chronicled in books like *Millennium Minds: 100 Black Canadians*, published by Grenadian-born author Patricia Holas, a graduate of the University of Ottawa. I should also be seeing them in future editions of *Who’s Who in Black Canada*, a directory of black success and black excellence in Canada, by Dawn Williams, a graduate of York University, Jamaican by parentage, British by birth, who grew up in Canada. I should also be seeing them in *Who’s Who in Canada*, because our black youth are also Canadians who will be contributing to Canada’s history as time goes by.

#### 1140

The people they can read about in *Millennium Minds* include Mathieu Da Costa, a free man of African descent who in 1608 was contracted to work as an interpreter by Pierre Dugua de Mons, who spearheaded French settlement and trade in areas of eastern Canada. Mathieu Da Costa is recognized as the first person of African origin to have made important contributions to the building of Canada. They can also learn about William Hall, who was the first Nova Scotian, the first seaman, the first black man and only the third Canadian to be awarded the Victoria Cross. The year was 1859.

James Robinson Johnston enrolled at Dalhousie University at 16 years of age and became the first African-Canadian born in Nova Scotia to graduate with a bachelor of law degree. The year was 1898. Elijah McCoy, of “the real McCoy” fame, was born in 1843 to two slaves who had escaped to Canada via the Underground Railroad. He became the inventor of automatic lubrication systems for a variety of industrial and locomotive machines.

Black history is rich with the achievements of amazing people.

**Ms. Cheri DiNovo (Parkdale–High Park):** It is an honour to speak on this. It is an honour to support, as I know all New Democrats do, this private member’s bill from the member for Scarborough–Rouge River.

I wanted to particularly mention a name that is near and dear to all Canadians, or should be, and certainly near and dear to New Democrats, and that’s the name of Rosemary Brown, who was the first woman of colour to be elected to any electoral post. That was in BC; she was an MLA. She also ran for the leadership of the New Democratic Party. And so I would just honour Rosemary Brown on this day.

This is symbolic, but it’s an important symbol. It is symbolic, but it’s a symbol that we should all support.

I want to speak very briefly about something else that we should all support in this House. As I have had the privilege of touring around the greater Toronto area and around the province on Bill 150, the \$10 minimum wage, not in three years but today, I have spoken to rooms full of people of colour. The vast majority of those in the GTA and from all our ridings who have turned out to these public forums are people of colour, and they’ve turned out because it’s their issue. They need a \$10 minimum wage, and they need it today. We know that of

the 200,000 people in Ontario who earn minimum wage, two thirds of them are women, and two thirds of those women are women of colour. This is where the community can really be helped, Mr. Speaker. This is where we can give teeth to this important symbolic gesture.

We can also give teeth to it by building housing, because again, people of colour are the ones hardest hit by the lack of affordable housing. This government has only provided 285 units between \$300 and \$500. We think that needs to change for the people in our midst.

So we ask all parties to be non-partisan about this, to address the concerns of all of those of African-Caribbean and African heritage in our midst, and to build affordable housing and also pass Bill 150, a living-wage bill, today.

**Mr. Frank Klees (Oak Ridges):** I'm pleased to participate in this debate today and will say on behalf of John Tory and the PC caucus that we most certainly support this bill and appreciate the member for Scarborough–Rouge River bringing this forward.

As has been said, it is, of course, symbolic, but it is important that this House take the time to consider not only black history but what the future holds for those who continue to feel the pain, in many ways, of their history. I want to say at the outset that we feel very strongly that we should in fact go beyond acknowledgment and recognition.

I was pleased to see the announcement yesterday by the Minister of Citizenship to recognize, by way of forming a committee, the work that will be done. He has commissioned to ensure that due recognition is given in various ways throughout the province, and has in fact appointed the committee, chaired by Dr. Jean Augustine, to mark the bicentenary of the abolition of slave trade. That was a very positive step. We look forward to seeing the very practical recommendations that will be made by this committee, so that throughout the province we will see in our communities various ways in which young and old can be reminded, can in fact be educated, about this important issue.

What I also want to discuss this morning is the role of the Ontario Black History Society in our province. It, as we all know, continues to promote and foster Black History Month through its programs, increased public awareness of African-Canadian history and the celebration of that rich and living legacy of African-Canadian culture that is an integral part of the Canadian multi-cultural mosaic.

The Ontario government has recognized Black History Month. It did so in 1993, and every Ontario Minister of Citizenship has acknowledged it ever since. It is thanks to the work of the current Ontario Black History Society president, Dr. Rosemary Sadlier, that Black History Month was recognized nationally by the House of Commons in Ottawa on December 5, 1996. This national declaration went into effect in February of the following year. I would like to take this opportunity to acknowledge Dr. Rosemary Sadlier and the Ontario Black History Society for that achievement as well as for all of the work that Dr. Sadlier and her team do throughout the entire

year, and every year, to promote black history in this province, and indeed across Canada.

Now perhaps the member for Scarborough–Rouge River could ask his minister why it is that while, on the one hand, the one-time fund of a million dollars was allocated to the committee that I mentioned previously to mark the anniversary of the act of 1807, the Ontario Black History Society, which does such good work and promotes a large variety of educational programs and informational resources to increase public awareness about all aspects of black history, is, in a word, underutilized by the province and suffers, frankly, from a decided neglect of provincial support for its unique mission? I mention that because I believe that it may be timely for the member to challenge not only the minister, but his government caucus, to consider this as a priority as they go into a new budget year. I would strongly suggest that it may be time to move beyond symbolic gestures, as important as they are, and move beyond proclamations of this respect, especially given the fact that Black History Month has been formally celebrated across Canada for years now.

#### 1150

If this bill's passage is simply to affirm what already is the rule of annual practice in this province, then what does this bill indeed add to our work or to the work of promoting Black History Month, its goals and objectives? So I submit to the member that together with this bill there really should be a commitment to provide the necessary funding for organizations such as the Ontario Black History Society. I call on the member to consider making an amendment to the bill, to make it more comprehensive and to simply do the right thing. I would ask the Ontario Ministries of Education, Citizenship and Immigration, and Tourism to partner fully with the Ontario Black History Society to promote the excellent programs of the society and to support the society in its important work in this regard. If we truly want to honour our province's history and culture, I would then ask the member, and all members of the House, to promote an African-Canadian centre for the study and preservation of Ontario's African historical and cultural legacy for future generations of Ontarians.

In response to the question, "Why have Black History Month?" Rosemary Sadlier has said:

"African-Canadian students need to feel affirmed; need to be aware of the contributions made by other blacks in Canada; need to have role models; need to understand the social forces which have shaped and influenced their community and their identities as a means of feeling connected to the educational experience in various regions in Canada. They need to feel empowered.

"The greater Canadian community needs to know a history of Canada that includes all of the founding and pioneering experiences in order to work from reality rather than perception alone.

"As a people with roots dating back to 1603, African-Canadians have defended, cleared, built and farmed this

country. Their presence is well established but not well known.

“We need a Black History Month in order to help us arrive at an understanding of ourselves as Canadians in the most accurate and complete socio-historical context that we can produce. As a nation with such diversity, all histories need to be known, all voices need to be expressed. Black history provides the binary opposite to all traditional histories. One needs traditional history to engender a common” understanding.

It’s a pleasure to participate in this debate. I look forward to seeing this bill come forward and be adopted by the House and want to thank the member for bringing it forward. We look forward to seeing the desired results of this symbolic gesture today.

**The Deputy Speaker:** Further debate? Mr. Balkissoon, you have up to two minutes to respond.

**Mr. Balkissoon:** I want to thank my colleagues Minister Colle, Minister Chambers and MPP Pat Hoy for their statements of support. I also want to acknowledge the other speakers in the House today for their shared sentiments of support and suggestions: the member from Simcoe–Grey, the member from York South–Weston, the member from Toronto–Danforth, the member from Parkdale–High Park and the member from Oak Ridges.

Let me say that I’m pleased to see so much support in the assembly today for Bill 182, An Act to name February in each year Black History Month. The introduction of this bill is very important, and especially fitting in 2007, as this year marks the 200th anniversary of the Abolition of the Slave Trade Act. With the passing of this bill, all Ontarians can share in the celebrations of African-Canadian achievements in February of each year. I am pleased to introduce Bill 182, so that the Ontario Legislature will formally recognize black history as part of Ontario’s history each and every year in the month of February.

Once again, let me say thank you to those who did their part this February to promote black history in their communities in Ontario.

**The Deputy Speaker:** Thank you to all members. The time provided for private members’ public business has expired.

CONDOMINIUM  
AMENDMENT ACT, 2007  
LOI DE 2007 MODIFIANT LA LOI  
SUR LES CONDOMINIUMS

**The Deputy Speaker (Mr. Bruce Crozier):** We shall first deal with ballot item number 71, standing in the name of Mr. Marchese.

Mr. Marchese has moved second reading of Bill 185, An Act to amend the Condominium Act, 1998. 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. It’s carried.

Pursuant to standing order 96, Mr. Marchese, the bill is referred to the standing committee of the whole House.

**Mr. Rosario Marchese (Trinity–Spadina):** No, the standing committee on general government, please, Speaker.

**The Deputy Speaker:** Mr. Marchese has asked that it be referred to the standing committee on general government. Agreed? Agreed.

BLACK HISTORY MONTH ACT, 2007

LOI DE 2007 SUR LE MOIS  
DE L’HISTOIRE DES NOIRS

**The Deputy Speaker (Mr. Bruce Crozier):** We shall now deal with ballot item number 72, standing in the name of Mr. Balkissoon.

Mr. Balkissoon has moved second reading of Bill 182, An Act to name February in each year Black History Month. Is it the pleasure of the House that the motion carry? Carried.

**Mr. Bas Balkissoon (Scarborough–Rouge River):** I wish the bill to go to the standing committee on the Legislative Assembly.

**The Deputy Speaker:** Mr. Balkissoon has asked that the bill be referred to the standing committee on the Legislative Assembly. Agreed? Agreed.

All matters relating to private members’ public business having been dealt with, I do now leave the chair. The House will resume at 1:30 of the clock.

*The House recessed from 1156 to 1330.*

MEMBERS’ STATEMENTS

JUSTICE SYSTEM

**Mr. Frank Klees (Oak Ridges):** We have a crisis in our justice system. On numerous occasions I’ve raised the issue of backlogs in our courts, be they criminal, family or civil courts, and the Attorney General has no answers except to blame others.

I bring yet one more example of the Attorney General’s mismanagement to his attention. I have here an e-mail from a constituent. I will read it into the record:

“I work for the Ministry of the Attorney General courts in Newmarket. They owe me over 100 hours since January 1, 2007. The Attorney General needs to address this ongoing issue and get employees paid on time and stop holding back our money, which has to be illegal. No other employer would get away with holding back pay for months while people lose their homes. I wonder how many of Michael Bryant’s staff would appreciate having nearly half of their paycheque held back for months.”

I don’t know what’s going on, but what I do know is that people who are working for this Attorney General, working as people who are doing their best, day in and day out, apparently are not even getting paid for the work they do.

I'm calling on the Attorney General, on behalf of my constituents, on behalf of these employees and their court system, to immediately investigate what is happening here and ensure that these people get paid. It's only right.

#### CABINET MEETING

**Ms. Judy Marsales (Hamilton West):** I rise today to celebrate a monumental event which occurred last week. In recognition of the tremendous role Hamilton has played in the history of Ontario, the McGuinty government chose to hold the first-ever cabinet meeting outside of Queen's Park in Hamilton. The cabinet listened to our concerns, made presentations and let the people of Hamilton know that they have friends at Queen's Park.

Hamilton has been working hard to revitalize and re-energize our wonderful city despite our many current challenges. So on behalf of Hamilton, I want to thank Premier McGuinty and all the members of cabinet who met with Hamiltonians. Thank you to Minister Caplan, who met with SISO. Thank you to Minister Chambers, who met with the youth at the YMCA. Thank you to Minister Gerretsen, who met with our mayor and councillors. Thank you to Minister Watson, who celebrated the Heather Crowe Award. Thank you to all the members who attended the Hamilton round table for poverty reduction, and thank you to everyone else who made this cabinet meeting so special.

Hamilton does face difficulties, but we're a strong city with a mighty past and a vision for the future. We thank the cabinet for working with us to turn those obstacles into opportunities. Yes, we have a lot of work to do, but working together we can get it done.

We do not say "thank you" enough to those who demonstrate leadership, so I want to say thank you to Premier McGuinty and to all of the cabinet for joining us in Hamilton for this monumental event.

#### HEALTH PREMIUMS

**Mr. Jim Wilson (Simcoe-Grey):** I rise in the House on budget day to remind Ontarians of the McGuinty government's \$2.5-billion tax grab that they've been paying since the 2004 budget was passed in December of that year. This tax hike represents the largest tax increase in the history of this province.

Since this tax is being poured into the consolidated revenue fund, taxpayers aren't convinced that it's going directly and exclusively to health care.

When the tax was first introduced, the Progressive Conservative opposition asked the McGuinty government to set up a special purpose account for this tax so that where the money actually goes could be tracked. Dalton McGuinty refused to set up this account and be accountable and transparent to all Ontarians for the extra money he's taking out of their pockets.

Since this government has such a poor record of keeping its promises, why should we believe this money is going to health care? Maybe it's being used to pay the

\$5 million that McGuinty is doling out to Tom Parkinson, former head of Hydro One. Perhaps it's going towards the over \$300,000 fee being paid to former Liberal cabinet minister Jane Stewart for doing nothing in Caledonia.

Almost every day, the health minister stands in this House and literally brags about his government's \$2.5-billion tax grab, as though a tax increase is something to flaunt. If you're so proud of this tax, prove that it's going to health care. The onus is on you to do that, to provide clear and direct evidence of exactly where this money is going. Ontarians deserve nothing less, because it's their money.

#### SUDANESE COMMUNITY

**Ms. Andrea Horwath (Hamilton East):** I rise in the House to share with all members the warm welcome I received from the Sudanese community in Hamilton at their International Women's Day celebration on the weekend. I had a wonderful evening and learned much about Sudan itself as a nation and the various regions and what makes them unique. I was also given the privilege of observing some of their cultural dances, hearing music that hails from their country and sampling some of their wonderful food and sweets. I was even honoured with the opportunity of partaking in their coffee, which is so important to their culture that a whole ritual is in place for brewing and serving it. How fitting that it's this week, with the United Nations Day to Eliminate Racial Discrimination, and in my first member's statement after the break I am able to relay the warm and wonderful welcome I received from the Sudanese community in Hamilton.

Thank you to the members of the Sudanese League of Hamilton who took time to explain the many things about the home they left and the one they are trying to make in Hamilton. The great honour I feel in sharing their celebration is matched by my desire to work with and for the Sudanese community on their concerns around poverty of immigrant refugee women, ESL for their children, recognition of their international credentials, obtaining the ever-elusive Canadian experience that they need to get a job, affordable child care, and a \$10 minimum wage. These issues are front and centre for all Hamilton's diverse communities.

On March 13, some 30 people met with myself and my leader, Howard Hampton. We talked about all of those same issues at the Modern Indian Buffet Restaurant on Main Street East in Hamilton. It was an excellent afternoon.

New Democrats know how Ontario can do better, and we're going to keep pushing to make sure it does.

#### SOCIAL SERVICES FUNDING

**Mr. Lou Rinaldi (Northumberland):** I rise today to thank Minister Meilleur for the recent investment in my riding of Northumberland and Quinte West of more than

\$577,000. This almost \$600,000 represents the most significant investment in social service infrastructure that my riding has seen in well over a decade.

Chris Grayson, executive director of Campbellford-Brighton Community Living, and Linda Perkins, administrator of Northumberland Services for Women, joined me in celebrating the disbursement of these funds across the riding. These funds will benefit organizations supporting those living with intellectual and physical disabilities and women and children fleeing domestic violence.

I'm proud of our government's commitment to the social fabric of this province and the shift we've seen in fundamental supports for those who are underprivileged, vulnerable or ill. It's about dignity for all, not just for those who can afford it.

The money was well received. That was for those things that those folks could never do out of their regular budget, whether to fix a leaky roof or to pay somebody or look after something. As I said before, this is the first money of this kind those agencies have ever seen.

#### ACCESS TO HEALTH CARE

**Mrs. Julia Munro (York North):** On Tuesday, the Minister of Health, trying to defend his wait time claims, said in this House that past governments "could not even measure what the wait time was." The Premier said that past governments "wouldn't even measure wait times."

People in my riding do not need a history lesson. They care about how your government is failing today.

Let's look at what impartial commentators think about your wait time numbers. Last December, the Auditor General's report called the wait time numbers "misleading," saying that they should be taken with "a grain of salt."

Also, in December, Advertising Standards Canada, an independent agency, ruled that the Ontario Liberals' television and newspaper ads made "inaccurate claims and omitted relevant information."

Independent agencies have said that large parts of your wait times statistics are worthless. As far as I'm concerned, they are all worthless.

You need to take real action, just like our PC government did when it created the after-hours cancer treatment centre at Sunnybrook Hospital.

Stop using the wait-list crutch. Start taking real action to reduce wait times.

1340

#### ROBERT DICKSON

**Ms. Monique M. Smith (Nipissing):** I was recently saddened to receive the news of the passing of Robert Dickson in Sudbury.

Écrivain primé et professeur émérite au Département d'études françaises et de traduction à l'Université Laurentienne à Sudbury, Robert Dickson a inspiré de nombreux étudiants et artistes. Un des fondateurs de la

première maison d'édition franco-ontarienne, *Prise de parole* de Sudbury, il a grandement contribué à la vie artistique de notre province. Une de ses toutes premières collaborations fut avec le groupe CANO-musique, qui s'est inspiré de son poème « Au nord de notre vie » pour créer, avec lui, l'opus « À la recherche du nord », chanson-phare à laquelle s'identifient plusieurs Franco-Ontariennes et Franco-Ontariens.

M. Dickson a aussi traduit plusieurs ouvrages littéraires du français vers l'anglais et de l'anglais vers le français, notamment certaines pièces du renommé dramaturge Jean-Marc Dalpé. M. Dickson était membre du Comité consultatif ministériel pour les arts et la culture. Mais son œuvre la plus importante est son œuvre littéraire. M. Dickson a publié six recueils de poésie, dont un, *Humains paysages en temps de paix relative*, s'est mérité le Prix littéraire du Gouverneur général en 2002.

Avec votre permission, Monsieur le Président, j'aimerais lire ce chef d'œuvre qu'est « Au nord de notre vie ».

Au nord de notre vie

ici

où la distance

use les cœurs pleins

de la tendresse minerai

de la terre de pierre de forêts et de froid

nous

têtus souterrains et solitaires

lâchons nos cris rauques et rocheux

aux quatre vents

de l'avenir possible

Je ne crois pas qu'il soit nécessaire d'offrir d'explication supplémentaire. C'est un poème qui louange le nord de notre majestueuse province et qui rend hommage aux pionniers qui l'ont développée. Il va sans dire que M. Dickson compte parmi ceux-ci.

#### GARY ALLEN WILSON

**Mr. Lorenzo Berardinetti (Scarborough Southwest):** It's with a heavy heart that I stand here today to inform the House of the passing of one of my constituents and a member of the Toronto Fire Service, Mr. Gary Allen Wilson.

Gary sadly left us on March 16, 2007, succumbing to metastasized colon cancer in the liver and lymph nodes, also known as carcinoma. Survived by his wife, Daniela Nolano, daughter, Christina, and mother, Beatrice, Gary bravely served our community as a captain with the Toronto Fire Service. While visiting Daniela at the funeral home visitation on March 20, I was touched, and so were my colleagues Brad Duguid and Minister Kwinter, by the way she recounted their courageous battle during the final days of his life and all the treatments he went through. Firefighters put their lives on the line every day to keep our communities safe. This work is very dangerous and the repercussions can take years to manifest.

As someone who gave so selflessly to make sure that residents in my community and throughout all of Scarborough and Ontario were kept safe, I would like to take this opportunity for all of us here to remember the life of Gary Allen Wilson, someone who will be sorely missed, and to pass condolences to his family, especially his wife, Daniela.

#### SHANE BERNIER

**Mr. Jim Brownell (Stormont–Dundas–Charlottenburgh):** There is a special little boy in my riding of Stormont–Dundas–Charlottenburgh named Shane Bernier. Shane, who was diagnosed with acute lymphoblastic leukemia when he was nearing the age of five, will be turning eight on May 30 of this year.

Shane has one birthday request. He would like to receive as many birthday cards as possible and is hoping to break the world record. As Shane continues to undergo treatment, this birthday wish has become something he and his whole family look forward to realizing, and indeed thousands of cards have already poured in from around the world.

As the Premier has already done, I would like to encourage every member of this Legislature, their staff and everyone who hears these words to join me in sending a special birthday greeting to Shane. Cards can be sent to Post Office Box 484, Lancaster, Ontario, K0C 1N0.

Part of what makes Ontarians special is our ability to rally together to face difficult situations, whether it is as a community, as was certainly the case during the ice storm of 1998, or for individual causes, as with the thousands of Ontarians who participate in the annual Terry Fox “Run for the Cure.” I invite all Ontarians to once again demonstrate that community spirit by helping to make Shane Bernier’s birthday a special one for him and his family. Once again, P.O. Box 484, Lancaster, Ontario, K0C 1N0, for those who would like to send a card.

#### VISITORS

**The Speaker (Hon. Michael A. Brown):** We have with us in the Speaker’s gallery the Honourable Chaudhry Amir Hussain, Speaker of the National Assembly of the Islamic Republic of Pakistan, and a parliamentary delegation. Accompanying the delegation is Mr. Tassaduq Hussain, Consul General of Pakistan in Toronto. Please join me in warmly welcoming our guests.

#### APPOINTMENT OF CLERK OF THE LEGISLATIVE ASSEMBLY

**The Speaker (Hon. Michael A. Brown):** I beg to inform the House that I have laid upon the table a copy of an order in council appointing Deborah Deller as the Clerk of the Legislative Assembly commencing March 21, 2007.

## ORAL QUESTIONS

### ACCESS TO HEALTH CARE

**Mr. John Yakabuski (Renfrew–Nipissing–Pembroke):** My question is for the Premier. It’s been a week now since the news first broke that the Don Mills Surgical Unit had presented the Dalton McGuinty government with a proposal to alleviate the pain and suffering of Ontarians by performing 1,500 knee replacements. It’s also been about a week since the Dalton McGuinty government rejected the proposal out of hand, even though there’s potential to save the taxpayers \$1.6 million. My question for the Premier is this: Why is he condemning 1,500 people to stay on wait lists that are in some cases as long as over two years? Why won’t you even entertain the notion that there is some merit to this proposal, Premier?

**Hon. George Smitherman (Deputy Premier, Minister of Health and Long-Term Care):** First off, I think the news that is very important for all Ontarians to know is that wait times for hips and knees are down in the province of Ontario; that through the actions of this Premier leading the nation forward on wait times, we’ve invested considerable resource, and the public health care system is responding with tremendous new capacity and tremendous new ways of bringing their work about. They do this on behalf of patients and they do it in community after community across the province.

We will not stand by and support a private model of care which at the end of the day is more expensive—and we’ll talk about that—and, most especially, which deprives our public health care system of the capacity to renew itself and find even better ways of delivering service for people. We’ve made good progress so far. We will continue with our nurses and our doctors to deliver even better performance for the people of Ontario.

**Mr. Yakabuski:** The Premier is going to have to answer the questions eventually because it’s not just us asking. Today alone we’ve got the Sudbury Star, the Kingston Whig-Standard, the Kitchener-Waterloo Record, the Globe and Mail and the National Post, and they all want to know how Dalton McGuinty can claim it’s sound business principles to dismiss out of hand a plan that could save the taxpayers \$1.6 million.

1350

The Whig-Standard writes: “The hypocrisy is breathtaking. The Ontario government, apparently deeming its vague principles more important than alleviating pain for suffering Ontarians...”

I will point out that the Don Mills surgical unit already gets money from this government to perform other procedures, including arthroscopic knee surgeries and cataracts. Why the contradiction?

**Hon. Mr. Smitherman:** First off, we want to say to the people from Kingston, Kitchener-Waterloo and Sudbury that our government believes that the capacity for hips and knees must be created in their communities, not that they should be subjected to a bus ride or an airplane

ride to downtown Toronto to have their knee or their hip fixed. We believe in the public health care system that's doing that work.

On the issue of cost in one of those stories, Sharon Sholzberg-Gray, president and chief executive officer of the Canadian Healthcare Association, said the following: "Some joint replacements are more routine than others." The proposal that came from the Don Mills Surgical Centre was to do the cream of the crop, the easiest procedures. When we look at the apples-and-oranges comparison that they're working on, we conclude easily that providing these services in the public domain is indeed less expensive. Fundamentally, we believe that it is our public health care system, deployed across the province of Ontario, not just in downtown Toronto, that must find even greater capacity to do an even better job for wait times on hips and knees, which are already down 30%.

**Mr. Yakubski:** Your responses are weak-kneed, to say the least.

Here's what they're saying in Kitchener. "We await [your] explanation of why Ontario's public health care system would suffer if this clinic received public funds to provide knee replacements. Let's hear why he rejected a plan to cut wait times and save Ontarians money. And in the absence of a solid explanation, he should review his decision. In the meantime, Smitherman should stop wrapping bad policy decisions in a Canadian flag. It makes for an exceptionally poor bandage."

Why won't you consider the proposal and get grandparents back to their grandkids' hockey games and help thousands of Ontarians get back to work and enjoying life again? Why won't you help these people instead of cutting them off at the knees?

**Hon. Mr. Smitherman:** The honourable member from bluster is here today in full force, but where was he for eight and a half years when that government was unwilling to even measure wait times, much less do anything about them? In three years, under the leadership of our Premier, the line has moved on wait times and wait times are down in Ontario.

Don Mills Surgical Centre's proposal is to pay more and get less. They want to cream off the crop and do the easiest work. We believe, fundamentally, that we must invest in the public health care system, continuing to move forward in Kitchener, in Kingston, in Sudbury, in dozens of locations across the province, unlike the Conservative Party.

It will not be the view of our party that people who need a hip or knee replacement should be shuttled on a bus to downtown Toronto. We will continue to work to invest in local communities, with our nurses and with our doctors, to make even more steady gainful improvements on behalf of the patients who were long-forgotten on your watch.

#### STUDENT SAFETY

**Mr. Norm Miller (Parry Sound–Muskoka):** I have a question for the Minister of Education. Minister, I

recently met with representatives of six student councils in my riding of Parry Sound–Muskoka. These parents expressed concern about supervision of students during lunches and recesses. They are so concerned that they wrote to you at the ministry three times, the last letter dated January 25, 2007. So far, they haven't had a response to any of their letters. So I'm asking you today: What are you going to do to ensure student safety during lunches and recesses?

**Hon. Kathleen O. Wynne (Minister of Education):** I think the member opposite must mean school councils. You're talking about the parent groups? That's right.

I want to assure the member opposite that we've been in conversation with the Ontario Principals' Council and we're very aware of some of the concerns that have been raised. But the fact is that there are thousands more adults in our schools. There are more teachers in every one of our elementary schools. There are 7,800 new support workers in our schools.

One of the things we have done is we have restored the number of adults in our schools. What that means is that 80% of the schools across the province have established supervision schedules. They have schedules in place that the principals have signed off on, and I am absolutely confident that the teachers and the administrators in our schools are keeping our students safe.

**Mr. Miller:** Let me relate to you an incident which took place in one of the schools in my riding. A sick student was being attended to by another student. The child began to have convulsions. Mom arrived at the school within minutes of being called to find her daughter lying in her own vomit, convulsing and in the company of a 10-year-old child. No ambulance had been called and no adult was with the child. This circumstance has caused parents in my area to ask what commitment you are making to ensure that staff at all schools are certified in CPR and first aid?

**Hon. Ms. Wynne:** I don't know the details of the individual case. What I do know is that every school and every school board in this province is required to have supervision schedules signed off by the principals in the schools so that there are qualified adults involved in the supervision of the students. Eighty per cent of the schools in this province have already got supervision schedules in place and we are working on the others. But I can tell you that there's not a principal in this province who isn't concerned about the safety of his or her students in the school. I have every confidence in the adults in our system to keep those students safe.

**The Speaker (Hon. Michael A. Brown):** Final supplementary. The member for Oak Ridges.

**Mr. Frank Klees (Oak Ridges):** You're right, Minister: They are concerned. Here's what Blair Hilts, the president of the Ontario Principals' Council, has to say on the issue:

"There has been a reduction in supervision at both the elementary and secondary levels, creating a supervision gap that has not been adequately filled. That gap has negatively impacted student safety and the learning environment in our schools."

On Monday at John McCrae Public School in Markham, an eight-year-old boy died after collapsing in a stairwell. An investigation into this tragedy is underway.

Minister, will you undertake to report the findings of that investigation back to this House so that we will be able to clearly determine whether that tragedy and other future tragedies like it can be avoided with proper supervision and safety standards, as the Ontario Principals' Council is calling on you to implement?

**Hon. Ms. Wynne:** I am not prepared to take the profound tragedy of one family and make it a political ping-pong ball. That is absolutely not the way I do politics and it's not the manner we do politics on this side of the House.

I just want to read from Lou Rocha, who is the executive director of the Catholic Principals' Council of Ontario, who says:

"There is no doubt that the current government has brought many positive changes to education. The validation comes from those outside Ontario who see the province as a place where government, school boards and schools are aligned for the same moral purpose of improving teaching and learning. There has never been a time in Ontario's history when such a singular goal as been articulated so clearly and consistently across the sector."

I believe that the principals in the schools in our province know what we have done for education in this province. They are working with us, and I look forward to continuing to work with them.

#### EDUCATION FUNDING

**Mr. Rosario Marchese (Trinity-Spadina):** A question to the Premier: Premier, you often claim that education is a priority for you, yet under your general legislative grants for school boards released this past Monday, funding for school operations as a percentage of overall funding will decline to 9.36% in 2007-08 from 9.7% in 2005-06. How can you present yourself as someone concerned with the education system when you won't even ensure that there is adequate funding for school operations?

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

**Hon. Kathleen O. Wynne (Minister of Education):** What we did this week, on Monday, was put \$781 million of new money back in education, and we did that across the board. We put more money in for transportation. We put more money in for special education. We put more money in for school ops. We put more money in for new teachers. We created new grants to respond to the needs that boards had said to us they were facing. We put in a program enhancement grant for music and arts. We put in money for native education.

The reality is that across every part of the funding model we have made changes; we have put in more

money. School boards have more money to work with, and kids are better off in our schools.

**1400**

**Mr. Marchese:** Hundreds of striking support workers from the Durham public school board came to Queen's Park today to send you the message that your cuts to plant operations are not acceptable to them. Education assistants, custodians, secretaries and technical staff are working harder and longer today to try to maintain the school infrastructure and quality of education that you are allowing to deteriorate under your failed education funding formula. Will you stop making frozen-molasses announcements and fix the failed education funding formula so that our support workers can do their job?

**Hon. Ms. Wynne:** Here's the reality. I think it's really important that the people of Ontario understand this. We're dealing with an education system that has lost between 50,000 and 60,000 students in the last few years. That's a huge amount of declining enrolment. In the face of that, we have put into place 7,800 new support workers.

Let's get that straight. We have been losing students from the school system because of demographic shifts in this province. In the face of that, we have put in more than 8,000 more teachers and 7,800 more support workers. What that suggests is that we recognize that school boards have to deal with the infrastructure; that we recognize the value of support workers in our system. I know the value of our secretaries, our EAs and our custodians. That's why there are 7,800 more of them in our system.

**Mr. Marchese:** Minister, school boards cannot take declining enrolment to the bank. And here's the reality. Over the last year, we've seen a number of school boards go to extreme lengths to balance their budgets because of your failure to fix the funding formula. School boards are raiding capital funds. They are putting off much-needed school maintenance. They are selling chocolate bars more than ever under your government and holding skip-a-thons to support their schools. Parents know the value of support workers. You say you do, but if you did, you would be giving school boards the resources they need. When will you deliver a funding formula that will bring back excellence and fairness to our children and to our school boards?

**Hon. Ms. Wynne:** I'm just going to take this opportunity to make it clear that it is not my intention, nor is it the intention of this government, to vilify any of the education workers in our schools.

There are going to continue to be disagreements forever between governments and education, but this government's hallmark is that we believe in publicly funded education. We support the people in our schools. Of course, I'm disappointed that, right now, there is an issue in Durham. My hope is that the board and the education workers will come back to the table and resolve this issue.

What the NDP sees is a political opportunity. This is a political opportunity to them. This has nothing to do with

the students in the class. This has nothing to do with the health of the publicly funded education system.

For us, what is important is that the kids get what they need and that the respect for the workers in the system stays intact. That's what I stand for. That's what this government stands for.

#### AIR-RAIL LINK

**Mr. Paul Ferreira (York South–Weston):** To the Premier: Earlier this week, your Minister of the Environment said something rather curious in response to my question about the high-speed Blue 22 air-rail link between Union Station and Pearson airport. She mentioned that her ministry would discuss the draft terms of reference with GO Transit and—her quote—“various proponents.”

My constituents and I know one of those proponents, SNC-Lavalin, the same outfit that peddles bullets over Baghdad, that conducts toll highway robbery here in Ontario, and has been known to support the Liberal Party.

Premier, my question: For the benefit of my constituents—

#### *Interjections.*

**The Speaker (Hon. Michael A. Brown):** Order. The government House leader will come to order. The Minister of Energy will come to order. The member for Timmins–James Bay will come to order. Order. Look, I'm having great difficulty hearing the member from York South–Weston place his question. Member?

**Mr. Ferreira:** Thank you, Speaker.

Premier, for the benefit of my constituents and those in ridings such as Davenport, Etobicoke North and Etobicoke Centre, could you shed light on who these various proponents are?

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

**Hon. Donna H. Cansfield (Minister of Transportation):** I thank the member for the question. We are, in terms of looking at the issue around the GO train initiative to the air-rail link, involving all of the proponents and all of the constituents in the process. We are currently in review. We have responded to local concerns. GO Transit has been elevated to a project of an individual EA, and all alternatives to both GO expansion and to the air-rail link will be examined and all constituents and all stakeholders will have an opportunity to participate in those open discussions. As the Minister of the Environment indicated yesterday, those terms of reference are with the minister and they are currently under review. All along, this process has been open and transparent, and it will continue to be so as we move forward with the individual EA that has been developed as a result of the concerns brought forward by a number of constituencies.

**Mr. Ferreira:** The minister didn't really answer my question. As we know, it's a provincial environmental assessment process, but I'll add something. The business

plan for Blue 22 as it currently stands does not add up, yet we are throwing away \$300 million of public money to finance it. My question to you, Minister, is this: Will you confirm or deny that gaming interests are among the various proponents? Confirm or deny.

**Hon. Mrs. Cansfield:** Obviously, the member knows more than I do. He obviously knows about the business plan, he knows about the proponents, he's well aware, so maybe he should be answering his own question. What I am saying to you in response is that the process has been open, transparent and is up to an individual EA. All constituencies, all stakeholders, will be involved in that process. The terms of review are with the Minister of the Environment as we speak now, and when the time is appropriate that will be followed through with. Everybody will be involved in that process. It is open; it is transparent. If, in fact, the member has some information that he'd care to share with me, I'd be more than delighted to receive it.

**Mr. Ferreira:** First of all, it gives me delight that on my fourth day in this House a minister of the cabinet says that I may know more than she does. Thank you, Minister. Thank you very much.

Minister, just to inform you, among the initial proponents was the Woodbine Entertainment Group. My constituents want to know, will Blue 22 indeed be a Trojan horse for blackjack 21?

**Hon. Mrs. Cansfield:** I did indicate that the member may have more information than I do about this; I didn't indicate whether or not it would be valid information.

**Hon. Steve Peters (Minister of Labour):** Pretty arrogant over there.

**Hon. Mrs. Cansfield:** Absolutely.

There is a full EA underway. A full EA involves all—I don't know what part of A-L-L the member doesn't understand, but all alternatives are to be investigated. That's part of the process. That process is open; it's transparent. He has the opportunity to participate in it, just as everybody else does. So maybe I'll take back that reference. Maybe I do know more than he does.

#### VISITORS

**The Speaker (Hon. Michael A. Brown):** Stop the clock.

We have with us in the Speaker's gallery a parliamentary delegation from the Gauteng provincial Legislature, the Republic of South Africa, led by Mr. Bhekizwe Nkosi, chairperson of the finance committee.

1410

#### LABOUR DISPUTE

**Mrs. Christine Elliott (Whitby–Ajax):** My question is for the Minister of Education. Minister, only days ago my colleague the member from Oak Ridges had the privilege of inducting you into the Dalton McGuinty promise-breakers club because of your failure on your commitment to cap class sizes. Already it's time to add

two more broken promises to your resumé. During the 2003—

*Interjections.*

**The Speaker (Hon. Michael A. Brown):** Order. I really shouldn't have to remind members that even though it is Thursday afternoon, the same rules apply as they do every other day of the week. I need to be able to, and other members need to be able to, hear members place questions and other ministers respond. So I beg your indulgence for the next 38 minutes and 11 seconds to make sure that happens.

**Mrs. Elliott:** During the 2003 election, Dalton McGuinty promised peace and stability in our schools. He also promised to fix the funding formula, but so much for those two promises.

*Interjections.*

**The Speaker:** The member for Renfrew is not in his seat.

*Interjection.*

**The Speaker:** Minister of Health.

We all know there will be significant events at 4 o'clock, and I'm hoping that all members will be able to attend.

The member for Whitby–Ajax.

**Mrs. Elliott:** Because of your government's inaction and promise-breaking, we now have support staff on strike in the Durham District School Board. You were warned, two years ago, that you were laying the foundation for this when you made the deal with the teachers' union, conveniently forgetting that you have a whole class of people—the custodians, the secretaries, the educational assistants—who provide essential services in our schools. They were here in the hundreds today, and I can tell you what they told me: "There is no peace in the school board system in Ontario." Minister, what are you going to do and when to ensure that the 70,000 schoolchildren in Durham region are going to be able to safely and peacefully go to school?

**Hon. Kathleen O. Wynne (Minister of Education):**

As I have been saying all day today, our first concern is for the students. We are assured that the students in the schools in Durham are in school, they are protected, the board has contingency plans in place, and I'm very confident that they are safe and secure.

But I would say to the member opposite, I don't think this is a line of questioning she wants to go down for too long. I really think that what's going to happen is, she's going to be confronting the fact that over the course of the previous government's time, 26 million learning days were lost by students in this province. There was not a day that went past that teachers, education workers, administrators didn't pick up the newspaper to see what vile thing was being said about them by members of the party opposite.

I have said today in the House that I am disappointed that we are faced with a situation where the workers and the board have not been able to come to a resolution. I look forward to that. But our record—

**The Speaker:** Thank you. Supplementary.

**Mrs. Elliott:** Minister, you say the schools are open. They're open for the time being for some of the students, but the fact of the matter is that students with special needs simply cannot go to school right now. They need their educational assistants to be there for them for basic physical assistance in addition to learning—for toileting, for feeding, for tube feeding, in some cases. The fact of the matter is that their parents cannot send them to school right now.

In addition, it's only a matter of time before they're going to have to close the schools because the sanitary conditions are going to be so unsafe that parents won't be able to send their kids there.

And as you may have heard, there have been some incidents of violence already on the picket line. There have been fist fights; windows are broken. How much longer until the situation is going to escalate?

This is a crisis, Minister, and I ask you again: When are you going to do something about it? The residents of Durham region want to know.

**Hon. Ms. Wynne:** This was the norm under the previous government's tenure. The board has in place a plan for dealing with the students who have special needs. There are extra staff who have been deployed centrally to the schools to help with the students with special needs. Parents at home are being given support to keep their kids at home, but there are resources in the schools if they want to send their kids to school.

This is not an ideal situation. This is not something that is our first choice. I would really hope that the board and the union will get back to the table, that they will resolve this issue. Because as I said, we have put in place more funding for support workers since we have been in office: a 19% increase in funding for support workers; 7,800 new support workers. Our actions speak much louder than the words of the member opposite.

## CONDOMINIUM LEGISLATION

**Mr. Rosario Marchese (Trinity–Spadina):** To the Minister of Government Services: This morning we debated and passed Bill 185, An Act to amend the Condominium Act, 1998. The bill includes protections for condo owners, standard provisions for declarations, good-faith disclosure and mechanisms to settle disputes cheaply and effectively. Most important is the creation of a condominium review board to give condominium owners a voice.

As the number of condos continues to grow, these changes are more necessary than ever. Will you be supporting Bill 185, Mr. Phillips?

**Hon. Gerry Phillips (Minister of Government Services):** Certainly, the government is interested in wherever we can provide the best possible protection for condominium owners, and fair protection. I did receive the bill, I guess yesterday. I would say that there are similar protections already available in the existing bill. So as we look at it, we'll be examining it carefully and

determining whether that's an improvement over what already exists.

I would say that it's possible that the approach proposed in this bill may in fact be more expensive for condominium owners than the existing provisions. It may not be as effective a mechanism for protecting condominium owners as the one that currently exists.

We're interested in improved protection. We'll look very carefully at the bill, but we'll make sure whatever we do is in the best interest of the condominium owners.

**Mr. Marchese:** The member from Mississauga South more or less said the same thing you said today, so it suggests that some of you had time to reflect on the bill. Condos are becoming the option of choice for many young families, hard-working Ontarians who play by the rules. Condo owners need a one-stop shop that will give disclosure packages that are clear and straightforward, declarations with standard provisions, more effective ways to enforce the act, review officers who can resolve disputes faster and cheaper.

Mostly, these young families need a voice. They do not have a voice. They do not have anywhere in law that gives them the protections. That's why this bill was presented. I'm not quite sure where you think they're getting the help and/or the protection other than the courts, which are very, very expensive. That's why we turned to you, and we hope you will support this bill. From the sounds of it, I'm not getting very positive vibes from you, Minister.

**Hon. Mr. Phillips:** I guess I'll say directly to the public what I said a few moments ago. I'm interested in fair and good protection for condominium owners. You introduced the bill yesterday. We debated it today, or the private members' public business debated it today. We normally have a bill far more in advance than that.

1420

I will look at the bill carefully to see if it does represent an improvement. If it represents an improvement, we clearly would proceed with it. But I would just say to you, and particularly the condominium owners, that I'm not necessarily convinced it does. The current procedure may be a cheaper, more effective way of doing it. It may not be, but it may very well be that the current one is better for condominium owners.

We will do what we always do: We will have the best interests of the people of Ontario at heart. If there is a better way of doing it, we will do it. But I would just say to all of us, I'm not convinced, on the basis of looking at it for one day, that it necessarily is an improvement. But that's the way we work. We will always look to improving for the people of Ontario.

#### EDUCATION FUNDING

**Mr. David Oraziotti (Sault Ste. Marie):** My question is for the Minister of Education. Minister, on this side of the House we know full well the importance of a well-funded public education system. As a former teacher who was subjected to the NDP's social contract and who was

continually attacked by the Conservative government, whose education minister deliberately set out to create a crisis in education, I can tell you from the parents and students and teachers that I have been speaking with in Sault Ste. Marie that our investments are making a positive difference. Under a McGuinty government, graduation rates are up, literacy and numeracy scores are up, and primary class sizes are down.

These accomplishments could not have happened without a significant change in the education funding formula. Minister, can you tell us what you've done to ensure that our changes to the funding formula will ensure that every student in Ontario reaches their maximum potential?

**Hon. Kathleen O. Wynne (Minister of Education):** I'm very happy to address the issue of the changes we've made to the funding formula, because they have been fundamental and profound in the sense that they have generated more teachers, so we have more teachers in the system. We've made structural changes to respond to local needs, so the one-size-fits-all formula that was created by the previous government has been changed to reflect northern and rural boards, French-language boards, boards with declining enrolment. This year we've added the program enhancement grant that allows boards to deal with some of their local programs. We've changed the funding formula so that it meets students' needs, like those of aboriginal students. We've got a new grant this year that addresses the needs of First Nations, Metis and Inuit students. We've put more money into the system for school-based funding. We've put money into the system for Good Places to Learn to allow schools to renew their buildings, allow boards to renew their buildings. As a trustee, we spent years in the education sector putting off maintenance because there was no money coming from the provincial government to deal with those issues. That has changed. There is a \$4-billion fund that has been accessed by boards to do repairs. We're reforming the special education formula, improving transportation funding, and also have improved the community access—

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

**Mr. Oraziotti:** You know, I want to commend the minister for doing a fantastic job in education for the people of Ontario. These results are clearly in stark contrast to what we saw the Harris-Eves government inflict on our public education system. Instead of working with students and parents and our education partners, instead of putting the necessary resources in place to help our teachers do a better job, instead of ensuring there was a plan to improve school infrastructure, they sat idly with no plan for student achievement.

We have a plan. It is a comprehensive plan and it's working. The recently announced grants for student needs have been well received in my community. Minister, can you please elaborate on how our government is helping to boost student achievement for students in my riding of Sault Ste. Marie?

**Hon. Ms. Wynne:** I think we should all know that the headline in the *Soo* was “Dalton and Dave Spend 24% More on Your Kids.” The English school boards responsible for the *Soo* received more than \$18 million in new funding since 2003: funding for 66 new teachers; \$9 million more for 106 school repair projects as part of our Good Places to Learn initiative. The scores for tests in Sault Ste. Marie are going up. Since 2003, they’ve gone up 7.5%. I know the member for Sault Ste. Marie will be very happy to know that this is happening across the province. So the good news in Sault Ste. Marie is happening in every corner of the province.

#### HORSE RACING INDUSTRY

**Mr. Joseph N. Tascona (Barrie–Simcoe–Bradford):** My question is for the Minister of Public Infrastructure Renewal. Minister, you should be aware of the tremendous contribution that harness horse racing makes to rural Ontario. Members of the Ontario Harness Horse Association raced at 16 tracks last year and contributed more than \$1 billion to Ontario’s rural and agricultural sectors. The tracks were dark although the slots were still open, and 80 people were laid off at Georgian Downs in my community from January to March during a labour dispute that involved the number of days live racing would occur.

Thankfully, the dispute is over but the pressure to reduce race days is raising serious concerns in rural Ontario and the horse industry. When slot agreements were signed with the OLG, the intention was to link the operation of slots with the success of on-site racing. Minister, why have you taken no measures to ensure this intent is respected?

**Hon. Gerry Phillips (Minister of Government Services):** The issue the member refers to is one that is determined by the Ontario Racing Commission. I think he knows that. They are an independent, arm’s-length organization and they make the determination on the race dates.

In the case of Georgian Downs, I’m very happy that there was an agreement reached. There was a collective dispute going on for some time there between the harness organization and the track. I think the Ontario Racing Commission did step in to help to get that process resolved.

I would say that the Ontario Racing Commission is looking at race dates, what’s in the best long-term interest of the racing industry, and they make that determination.

Finally—and perhaps this will come in the supplementary—we are looking at whether we need to take a strategic look once again at the racing industry. My suspicion is, we very much are likely to do that.

**Mr. Tascona:** You say that the OLG is responsible for enforcing these agreements but the OLG says that enforcement measures are up to the ORC. A downward trend in the number of live racing days would be devastating to the standardbred industry, but the accountability

measures are invisible for the agreements that called for benchmarks to measure the growth of the industry. The ORC is only legislated to deal with racing at the tracks and has no jurisdiction to deal with business arrangements, so there is no direct accountability for these agreements.

As minister, you are responsible for the OLG and the ORC. Why have you taken no action to establish a transparent and accountable relationship between slot agreements and racing dates? The racing was shut down but the slots stayed open for a 90-day strike.

**Hon. Mr. Phillips:** To try and clear up for the public and the Legislature, this Ontario Racing Commission—that’s the ORC, the Ontario Racing Commission. I do have under me the Ontario Racing Commission. They are the arm’s length, the Ontario Racing Commission, not the OLG. I do have that. They set the race dates. That is their responsibility. I’m repeating the answer I gave to your first question, just because by the supplementary I’m not sure you understood the answer.

The Ontario Racing Commission sets those dates. They have the best long-term interests of the racing industry at heart. They make that determination, and rightly so. They also were helpful in getting the two parties together that you talked about at Georgian Downs: the harness race people and the track. Finally, I would say to the member, I anticipate meeting in the next few days with the harness racing people to get their input. But I also am looking—

**The Speaker (Hon. Michael A. Brown):** Thank you. New question. Member for Toronto–Danforth.

#### NUCLEAR ENERGY

**Mr. Peter Tabuns (Toronto–Danforth):** My question is for the Premier. Premier, your \$40-billion nuclear mega-scheme is unacceptable for a host of environmental reasons, one of which is that those plants emit cancer-causing and toxic elements like tritium into Ontario’s ground and surface waters. In Ontario, nuclear power plants can release this cancer-causing agent at a level 10 times higher than in the United States and 70 times higher than in Europe. Today, on World Water Day, will you press the pause button on your \$40-billion nuclear mega-scheme?

**Hon. Dwight Duncan (Minister of Energy):** Our government remains committed to ensuring that Ontarians have an adequate supply of reliable and clean electricity. That’s why we have taken this province from last to first in renewable energy. That is why we have become the leading jurisdiction in North America on conservation initiatives, unlike the member opposite’s party who cancelled all conservation initiatives.

**1430**

We have laid out an integrated power system plan that calls for new sources of power from a variety of sources of supply that is now before the Ontario Energy Board. It will be subject to environmental assessment by the federal regulator. It will be subject to licensing agreement

by the federal regulator. Unlike the member opposite who has laid out no plan, no concept of what to do, whose ideas will probably triple or quadruple the price of electricity in Ontario, we have laid out a plan with details about where our new supply will come from, with full assessment and public scrutiny, in a transparent, open and accountable way—

**The Speaker:** Thank you, Minister. Supplementary?

**Mr. Tabuns:** It's very interesting to me that when you start asking questions about water protection, the Minister of Energy always trumps the environment. In September 2006, Dr. David McKeown, medical officer of health for the city of Toronto, specially asked the McGuinty government to adopt standards for tritium that are more protective of human health. Your Minister of the Environment has not yet acted on that request, has not yet changed that standard. Adopting those standards could pose real problems for nuclear power in this province.

Premier, the question to you is, what are you going to choose? Are you going to protect the nuclear industry or are you going to protect water quality and public health in this province? You've got to rethink your nuclear mega-scheme.

**Hon. Mr. Duncan:** No Premier and no government in the history of Ontario have done more to protect our water supply than the Dalton McGuinty Liberal government in Ontario.

I'm reminded by my colleagues behind me that you voted against those water protection initiatives. Let's talk about the source water protection act. They voted against that. We don't need a lecture from you, sir, with respect. This government has done more to clean up Ontario's water, provide safe, clean water for all Ontarians and, by the way, provide clean, green, renewable electricity in a safe, reliable fashion that all Ontarians are proud of. Put your money where your mouth is and offer up a real plan, not a bunch of ideas that are undefended. Do what this government does; protect water and provide reliable, clean, green, electricity.

#### ACCESS TO HEALTH CARE

**Mr. John Milloy (Kitchener Centre):** My question is to the Minister of Health. As the minister knows, there's been a lot of talk here in the House and even in my own local paper about our government's decision to focus on the public delivery of health care. Of particular issue is whether or not it is in fact cheaper to perform knee surgeries at the Don Mills Surgical Centre or at a public hospital. I want to ask the minister a very direct question. Why has he decided not to accept the proposal from the Don Mills Surgical Centre?

**Hon. George Smitherman (Deputy Premier, Minister of Health and Long-Term Care):** The analysis of the cost saving in the Don Mills Surgical Centre that we've seen so far is superficial. We have been taking a good look at it.

**Mr. John Yakabuski (Renfrew-Nipissing-Pembroke):** You don't understand the meaning of that word.

**Hon. Mr. Smitherman:** You're a problem today. I'm a problem every day; you're a problem today.

In Ontario, our public hospitals do both partial and total knee replacements, and they do those for a blended price of \$6,882 each. Don Mills Surgical Centre's proposal is only to do with the partials, so they've creamed off the easiest cases, which are considered at least 30% easier than the full ones. The net effect of this is they offer us \$5,800. If they were being fair about it, the price would have been \$4,817. The bottom line is that to do these cases in the private sector would indeed cost us almost \$1.5 million more than the public health care system is able to do them for today. And by the way, wait times for knee surgery in the province of Ontario are down by more than 30%.

**Mr. Milloy:** I want to thank the minister for his clarification.

*Interjections.*

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

**Mr. Milloy:** I think it's important that members realize there's no evidence to support the claim that the Don Mills Surgical Centre proposal will save taxpayers money. Yesterday the minister spoke quite extensively about innovation in the public sector. I know in my community at Grand River Hospital, people are waiting less time for knee replacements, while they're waiting less time for cataract surgeries at St. Mary's General Hospital.

I want to ask the minister today, if we followed the Leader of the Opposition's policy of more private delivery of health care, would we be having the type of success that we're seeing today?

**Hon. Mr. Smitherman:** I believe that it's important to drive innovation in the context of the public health care system. We see no evidence that private delivery is a cheaper answer. There's no evidence of that anywhere in the world. We're expanding capacity and driving down prices in the public sector. Here's an example. Today, the Don Mills Surgical—

*Interjection.*

**Hon. Mr. Smitherman:** You're going to like this one; you're going to like it.

The Don Mills Surgical Centre—

*Interjection.*

**Hon. Mr. Smitherman:** You won't like anything—charges us \$750 per eye. Today in the city of Toronto, in the public sector, we've driven prices down to the point that we can get these done for \$575 an eye. So I'm here today to tell all members of the House that innovation in the context of the public health care system will allow us to reallocate these volumes from the Don Mills Surgical Centre next year to have these additional cataract volumes provided less expensively in the high-quality environment in the public health care system, evidence of lower prices, higher volumes and that wait times for cataracts are down by 41.2%.

## SCHOOL FACILITIES

**Mr. Robert W. Runciman (Leeds–Grenville):** I have a question for the Minister of Education. Minister, a couple weeks ago our education critic, the member for Oak Ridges, and I had the opportunity to tour North Grenville District High School in the town of Kemptonville. That school was built in 1936 and it's had a number of additions over the years. It's faced with multiple levels, no full accessibility for the handicapped, no front entrance or foyer, no proper cafeteria, poor air quality, quantities of asbestos—a significant range of challenges in that particular school. Minister, I'm just wondering if you are aware of it. The municipality and the school board have contacted your predecessors and have received no responses. Can you give any indication to the community today just what the possibility of replacement for that aged facility might be?

**Hon. Kathleen O. Wynne (Minister of Education):** A letter has gone to the board on this issue. The member opposite has been copied on the letter. My understanding is that this school has been put on the list of the “prohibitive to repair” candidates. Right now we're in the process of consolidating the list of “prohibitive to repair” schools that boards are proposing. My understanding is that the board has put this school on the list and they've done everything they can to get the attention that the school needs.

**Mr. Runciman:** I'm not sure; perhaps the minister, in her response to the supplementary, can expand on what “prohibitive to repair” means in real terms. I guess the concern was that there was a letter sent from the fire chief in Kemptonville to your predecessor in 2006, and in part it stated, “The original part of the school has had several additions over the years, creating nothing short of a complicated ‘maze.’ If a fire were to start in one of the lower areas of the school, it would be very difficult not to have occupants of the building be in great jeopardy due to the smoke travel.” So I think we're all heartened by your response, but obviously we'd like to have elaboration in terms of, what does this really mean to the community? When can we expect to see a decision on this?

**Hon. Ms. Wynne:** Just on the first part of the question, “prohibitive to repair” is defined as those costs of bringing a school up to ministry renewal standards that would be greater than 65% of the replacement costs. So in other words, it would cost more to replace or as much as to replace as to renew. What we're asking boards to do is to identify the schools that they believe are in that category.

I can't say exactly when the final decisions will be made, and I can't guarantee which schools in which boards are going to be dealt with. But the board, as I said in my letter that you've received a copy of, has done exactly what it should do in terms of bringing to the notice of the ministry the concerns around this school. As the ministry consolidates its list, the board will be informed of the funding that it will get.

1440

## PAPER MILL

**Mr. Gilles Bisson (Timmins–James Bay):** My question is to the Minister of Natural Resources. Minister, you will know that Abitibi-Price in Iroquois Falls has applied to your ministry in order to transfer the water lease agreements from the corporate entity of Abitibi to a new corporate entity at some future date. Can you confirm to this House today if in fact your ministry has transferred the water right agreements to that new entity?

**Hon. David Ramsay (Minister of Natural Resources, minister responsible for aboriginal affairs):** I very much appreciate getting the question today so that we can maybe clear up what might have been a misunderstanding between evidence that was given to the OMB hearing and a letter from our legal department to Roger Hardy, the president of the union at Abitibi.

This summer, when Abitibi indicated that they were going to form an affiliate company for the power part of their operation, which they're allowed to do under the water lease, the water lease was transferred into the new name. Subsequent to that, they announced a partnership with Caisse de dépôt, etc. Nothing has happened since then, but the name change was done in August.

**Mr. Bisson:** You're confirming in the House today that your ministry has effectively transferred the water lease agreement from Abitibi to the new company, if I understand what you have just said. This is contrary to the wishes of the community, the union and the municipal council because they know far too well that, once dams are transferred away from Abitibi, there will be far more money to be made making electricity than there will be at times to produce paper. My question to you is a simple one from the people of Iroquois Falls and the people of your constituency: Why did you sell them down the road?

**Hon. Mr. Ramsay:** As the member knows and as all the union executive knows, whom I met with, and the town council, about eight weeks ago, in the 2003 water lease agreement that was signed by the previous government there was provision for the potential of an affiliate company, if they wished to do so, of no more than 25% new ownership in that company. Abitibi Consolidated decided to exercise that option, and they had the legal right to do so without seeking any permission. That was according to the water lease agreement that was signed in 2003 before this government came to power.

## TRAFFIC CONTROL

**Mr. Mario Sergio (York West):** My question is for the Minister of Transportation. In my area of York West, York University is a city within a city. Over 51,000 students and over 9,000 faculty and staff frequent the campuses daily, using 1,660 buses and 32,000 vehicles to help them in their commute. This volume of traffic seems to worsen the congestion that commuters have to face

daily and also presents a challenge to our environment. Minister, what has this government done to address these challenges for the folks of my riding?

**Hon. Donna H. Cansfield (Minister of Transportation):** I'd like to thank the member for the question.

On March 6, I'm very pleased to say that the federal government came to the table with their portion of the share for the Toronto subway into York; \$670 million, as you know, came out of our budget last year and has been waiting for that federal contribution for some time. However, we are pleased that it is here.

It is the first time that there will be regional transportation that will go from the 416 into the 905 area—the first time ever. The 65,000 students who are participants at York University will have an alternative mode of transportation to reduce bus congestion and reduce the cars that go into that campus. But even more so, it helps to spur economic development into the next region as well.

We're very pleased that our federal partners have come to the table, and we look forward to the Toronto-York subway having the shovel in the ground in the not-too-distant future.

**Mr. Sergio:** I know that folks in my riding and across the GTA are thrilled to see a government that is taking action and making investments in public transit. Minister, although the York-Spadina subway extension is vital to those commuters making their way to university and work in the area, this is not the only challenge. We all know that congestion continues to be a challenge throughout the GTA. Can you tell the members of this House how the McGuinty government is working toward meeting the wider challenge?

**Hon. Mrs. Cansfield:** The best answer is a comparison. The previous government put in \$52 million all the time they were in government. This year alone, we've put \$260 million in public transit—\$260 million just for this year alone. What we've been able to do is deliver on those commitments: two cents of the gas tax money to municipal transit; \$1.6 billion in the gas fund to the municipalities by 2010.

We've created the Greater Toronto Transit Authority, we've promoted car pooling with \$127 million in the HOV lanes alone, and we're looking to expand that within the 403, the 400, the 404. The best part is that we're working together with those municipal partners to make a difference in how public transit can improve the congestion around this province, not only in this large city but in other large cities. It's another example of how the McGuinty government actually works with people to get things done.

#### MINISTRY OF NATURAL RESOURCES

**Mr. Norm Miller (Parry Sound–Muskoka):** I have a question for the Minister of Natural Resources. Minister, since taking the reins of the ministry, the MNR now shares a unique similarity with high school bands, scouting and Girl Guide troops and a host of other groups:

You're all relying on bottle drives and bake sales to raise money. Minister, aren't you the least little bit embarrassed that staff have to resort to these kinds of measures to do their jobs?

**Hon. David Ramsay (Minister of Natural Resources, minister responsible for aboriginal affairs):** It's ironic you ask that on this day because, as you know, the McGuinty government launches its new budget for fiscal 2007-08 this afternoon. As I had mentioned to the Ontario Federation of Anglers and Hunters when I got a similar question from the floor, I have been working with the government and the finance minister about the various challenges that MNR has. As I said to them there, I'll say to you now: I'm confident that this government understands the challenges that the Ministry of Natural Resources has and I'm confident that we're going to have the capacity to do the job as we have had the capacity to do the job. I want to assure the member that we are fulfilling all of our responsibilities.

**Mr. Miller:** Minister, Dalton McGuinty made a promise to properly fund the Ministry of Natural Resources in 2003. It's now 2007, so it's about darn time he kept that promise, in your last year of government.

Minister, I'd like to refer you to an article in the *Ottawa Citizen*, January 31, 2007: "What on earth is going on with the Ministry of Natural Resources?" Kelly Egan writes about conservation officers "stuck in their offices for weeks" because there isn't any money to gas up the trucks. Officers are restricted as to how much and what kind of patrolling they can do. In one region, COs had sufficient funds to patrol about 1,200 kilometres a month. In November, you brought the hammer down and notified officers that they were limited to joint patrols, court commitments and follow-up investigations.

Let's be clear. It's not because these people don't want to do their jobs. They love their work, they take it seriously, but they're afraid to speak out for fear of reprisals. Robert Pye, the communications coordinator of the Ontario Federation of Anglers and Hunters, states: "This is not just a hunting and fishing issue. It's an issue for anyone who cares about our natural resources."

Minister, I'm here to ask you, on behalf of conservation officers: When are you going to take your mandate seriously and fund conservation officers fully and properly?

**Hon. Mr. Ramsay:** As I've said to the member of the House, this past year we have spent about the same amount of money as we did the year before in enforcement. In fact, not only have we spent the same amount of money, we do it in a smarter way now. We have much more reliance on intelligence work because we have a beefed-up intelligence unit and so we're more strategic in our enforcement approach, so we get better compliance.

**Hon. James J. Bradley (Minister of Tourism, minister responsible for seniors, Government House Leader):** The Conservatives cut it by 46%, I remember.

**Hon. Mr. Ramsay:** I very much appreciate the member for St. Catharines coaching me on these responses because he's supportive of the Ministry of

Natural Resources and our enforcement and compliance unit. I would assure the member that we're doing the job out there to make sure that our natural resources are protected.

#### ANIMAL PROTECTION

**Mr. Paul Ferreira (York South–Weston):** I guess it's my lucky day. I get a second go-round with the Premier.

Ontarians were recently horrified to learn that their pets are threatened by tainted food. They would be even more horrified to know that Ontario is now the only province in Canada where lost family pets that end up in pounds can be sold off within 72 hours to research laboratories. Premier, will you, as the Animal Alliance of Canada has asked, remove all references to dogs and cats from the Animals for Research Act?

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

**Hon. Monte Kwinter (Minister of Community Safety and Correctional Services):** I thank the member for the question. I am sure the member should know that the Ontario Society for the Prevention of Cruelty to Animals Act, which comes under my ministry, deals with the enforcement of the animal rights movement. That is under the direct responsibility of the independent societies for the prevention of cruelty to animals. We do not control them. They are stand-alone organizations. They do what they do in conjunction with humane societies, and we provide them with funding so they can do the enforcement. Any questions that you have about how they do that should be directed to them.

1450

**Mr. Ferreira:** That's not the act that I was asking about. I'm going to repeat it for you: the Animals for Research Act is the act I'm asking about. It permits municipal pounds to sell dogs for \$6 each and cats for \$2 each to medical laboratories if they are not claimed within 72 hours. Ontario is the only province that has this on the books. Will you work with me to change the law?

**Hon. Mr. Kwinter:** As I pointed out earlier, my responsibilities are for the Ontario Society for the Prevention of Cruelty to Animals Act. That is covered in the legislation. We provide funding—\$119,000 a year for enforcement, enforcement officers—and that is where my responsibility is. The other issues are issues that I'd be happy to look into for you, but I can just tell you that that is not covered in our particular act.

#### BUSINESS OF THE HOUSE

**Hon. James J. Bradley (Minister of Tourism, minister responsible for seniors, Government House Leader):** Pursuant to standing order 55, I rise to give the Legislature the business of the House for next week. I know there was a change in something and it's right here, so I've got it.

Monday afternoon, budget debate, the official opposition response; and in the evening, second reading of Bill 171, Health System Improvements Act.

Tuesday afternoon, budget debate, the third party response; and in the evening, concurrences and the Supply Act.

Wednesday afternoon, second reading of Bill 184, Endangered Species Act; and in the evening, second reading of Bill 165, Provincial Advocate for Children and Youth Act.

Thursday afternoon, third reading of Bill 140, Long-Term Care Homes Act.

#### PETITIONS

##### LONG-TERM CARE

**Mr. Bill Murdoch (Bruce–Grey–Owen Sound):** I have a petition to the Legislative Assembly of Ontario:

“Whereas Ontario will not meet the needs of its aging population and ensure access to hospital services unless long-term-care homes can provide the care and services that residents need; and

“Whereas staff are now run off their feet trying to keep up and homes are unable to provide the full range of care and programs that residents need or the menu choices that meet their expectations; and

“Whereas dietary, housekeeping and other services that residents and their families value are being put at risk by increasing operating costs; and

“Whereas some 35,000 residents still live in older homes, many with three- and four-bed ward rooms and wheelchair-inaccessible washrooms; and

“Whereas, on November 23, 2006, this Legislature unanimously passed a private member's motion asking the government to introduce a capital renewal program for B and C homes; and

“Whereas such a program is required to support the limited-term licensing provisions in the proposed new Long-Term Care Homes Act;

“We, the undersigned, petition the Legislative Assembly of Ontario to increase long-term-care operating funding by \$390 million in 2007 and \$214 million in 2008 to provide an additional 30 minutes of resident care, enhance programs and meal menus and address other operating cost pressures, and introduce a capital renewal and retrofit program for all B and C homes, beginning with committing to provide \$9.5 million this year to renew the first 2,500 beds.”

I've also signed this.

**The Speaker (Hon. Michael A. Brown):** Petitions?

**Mr. Paul Ferreira (York South–Weston):** My friend from Owen Sound has stolen some of my thunder, since my petition deals with the same issue. So I'll take a bit of time to acknowledge a constituent who is here. Ms. Sylvina Hollingsworth has been a lifelong tenant activist

and has contributed greatly to improving the quality of life in York South–Weston. Thank you, Sylvina.

From 164 of my constituents at Leisureworld on Lawrence Avenue, I will read the following:

“We, the undersigned, petition the Legislative Assembly of Ontario to increase long-term-care operating funding by \$390 million in 2007 and \$214 million in 2008 to provide an additional 30 minutes of resident care, enhance programs and meal menus and address other operating cost pressures, and introduce a capital renewal and retrofit program for all B and C homes, beginning with committing to provide \$9.5 million this year”—hopefully in the budget to come—“to renew the first 2,500 beds.”

I proudly affix my signature to the petition.

#### SHEHRAZAD NON-PROFIT HOUSING INC.

**Mr. John Milloy (Kitchener Centre):** “To the Legislative Assembly of Ontario:

“Whereas the Ontario Ministry of Municipal Affairs and Housing terminated all government subsidies to Shehrazad Non-Profit Housing Inc. in the fall of 2003; and

“Whereas the termination of subsidies caused great financial hardship to the corporation and substantially reduced its ability to fund capital repairs and ongoing expenses; and

“Whereas the government of Ontario should restore full funding and all subsidies to Shehrazad Non-Profit Housing Inc. and reaffirm its commitment to non-profit housing in relation to 45 Howe Drive and 31 Oprington Drive, Kitchener;

“We, the undersigned, petition the Legislative Assembly of Ontario to immediately restore all subsidies to Shehrazad Non-Profit Housing Inc. and to reaffirm its commitment to non-profit housing at 45 Howe Drive and 31 Oprington Drive, Kitchener.”

#### LABORATORY SERVICES

**Mr. Norm Miller (Parry Sound–Muskoka):** I have a number of petitions to do with Muskoka Algonquin Healthcare lab services. They read:

“To the Legislative Assembly of Ontario:

“Whereas the residents of the communities served by Muskoka Algonquin Healthcare ... wish to maintain current community lab services; and

“Whereas maintaining community lab services promotes physician retention and benefits family health teams; and

“Whereas the funding of community lab services is currently a strain on the operating budget of Muskoka Algonquin Healthcare; and

“Whereas demand for health services is expected to continue to rise with a growing retirement population in Muskoka-East Parry Sound; and

“Whereas the operating budget for Muskoka Algonquin Healthcare needs to reflect the growing demand for service in the communities of Muskoka-East Parry Sound;

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

“That the McGuinty government and the Minister of Health increase the operating budget of Muskoka Algonquin Healthcare to permit continued operation of community lab services.”

I support this petition.

#### LONG-TERM CARE

**Mr. Jean-Marc Lalonde (Glengarry–Prescott–Russell):** I have a petition that came to me from the people of Cumberland, Navan and Orléans. Due to the fact that my petition is identical to the one read by the members from Bruce–Grey–Owen Sound and York South–Weston, I’d just like to table this petition with the Clerk of this assembly.

**Mr. Ernie Hardeman (Oxford):** I have here a petition that also deals with the issue of long-term care. It’s signed by a lot of people in my constituency, so it’s obviously a major issue in the province of Ontario. I do want to read it into the record.

“Petition to the Legislative Assembly of Ontario:

“We, the undersigned, petition the Legislative Assembly of Ontario to increase long-term-care operating funding by \$390 million in 2007 and \$214 million in 2008 to provide an additional 30 minutes of resident care, enhance programs and meal menus and address other operating cost pressures, and introduce a capital renewal and retrofit program for all B and C homes, beginning with committing to provide \$9.5 million this year to renew the first 2,500 beds.”

I’ve received this from a number of nursing homes in my riding.

#### ADULT LITERACY

**Mr. Tony Ruprecht (Davenport):** This is to the Legislative Assembly of Ontario. It reads as follows:

“Whereas investing in adult literacy initiatives will give more Ontarians the opportunity to upgrade their skills and gain the training they need to reach their full potential; and

“Whereas, through these funding initiatives, Ontarians will have greater accessibility to post-secondary education and valuable apprenticeship programs that will put them on the right track to gaining the jobs in their field of choice; and

“Whereas the McGuinty government is providing new support for adult literacy by expanding academic upgrading services to help workers build strong literacy and numeracy skills so they are able to perform at a higher level, thereby enhancing our workforce and our economy;”—

*Interjection.*

**Mr. Ruprecht:** I'm happy that you agree with that as well.

"Whereas the McGuinty government is investing \$6.2 billion more into post-secondary education and training by 2009-10;

"We, the undersigned, petition the Legislative Assembly of Ontario to support the McGuinty government's efforts in providing funding to adult literacy initiatives in order to both help Ontarians to meet their full potential as well as to strengthen Ontario's economy."

I'm delighted to sign this petition; I certainly agree with it.

1500

#### LONG-TERM CARE

**Mr. Gerry Martiniuk (Cambridge):** I have a petition provided by Riverbend Place and St. Andrew's Terrace in Cambridge. It is the same as members ahead of me have read, and I'll just read the prayer for relief rather than the preamble.

"We, the undersigned, petition the Legislative Assembly of Ontario to increase long-term-care operating funding by \$390 million in 2007 and \$214 million in 2008 to provide an additional 30 minutes of resident care, enhance programs and meal menus and address other operating cost pressures, and introduce a capital renewal and retrofit program for all B and C homes, beginning with committing to provide \$9.5 million this year to renew the first 2,500 beds."

As I agree with this petition, I affix my name thereto.

**The Speaker (Hon. Michael A. Brown):** Petitions? The member for Davenport.

#### PUBLIC EDUCATION

**Mr. Tony Ruprecht (Davenport):** I appreciate that you recognized me again, Mr. Speaker. That's very good of you today. This petition is to the Parliament of Ontario. It reads as follows:

"Whereas the people of Ontario demand a quality public education system that will give our children the tools to compete with the world; and

"Whereas Premier McGuinty and the Liberal caucus are fighting for our future by implementing a positive plan to improve our public schools, including smaller class sizes;

"Whereas the Conservative Party and John Tory want to take millions from public education to literally pay people to withdraw their children from the public system and send them to elite private schools;

"We, the undersigned, petition the Legislative Assembly of Ontario to support Premier McGuinty in his commitment to giving our children a ladder to success through excellent public education and not spend taxpayer dollars to benefit the few who can afford private school tuitions."

Since I agree, I am more than delighted to sign my name to this petition.

#### LAKERIDGE HEALTH

**Mr. John O'Toole (Durham):** I'd like to take this occasion to extend my congratulations to Ms. Deller, our new Clerk of the Ontario Legislative Assembly, and also present a petition on behalf of the riding of Durham which reads as follows:

"Whereas we, the undersigned, believe that Lakeridge Health should have full funding and not be facing an \$8-million shortfall;

"Whereas this would affect many programs, including the mental health program at Lakeridge Health;

"Therefore, be it resolved that we, the undersigned, respectfully petition the Legislative Assembly of Ontario to fully fund the \$8-million shortfall for Lakeridge Health."

I'm pleased to present and sign this in support of my constituents.

#### STEVENSON MEMORIAL HOSPITAL

**Mr. Jim Wilson (Simcoe-Grey):** "To the Legislative Assembly of Ontario:

"Whereas Stevenson Memorial Hospital needs \$1.4 million in new funding over the next three years to get its birthing unit reopened and to ensure that they can recruit enough obstetricians and health care providers to supply a stable and ongoing service for expectant mothers in our area; and

"Whereas forcing expectant mothers to drive to Newmarket, Barrie or Orangeville to give birth is not only unacceptable, it is a potential safety hazard; and

"Whereas Stevenson Memorial Hospital cannot reopen the unit under its current budget and the McGuinty government has been unresponsive to repeated requests for new funding;

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

"That the McGuinty Liberal government immediately provide the required \$1.4 million in new funding to Stevenson Memorial Hospital so that the local birthing unit can reopen and so that mothers can give birth in Alliston."

I agree with that petition and I've signed it.

**The Speaker (Hon. Michael A. Brown):** Petitions? The member for Davenport.

#### GO TRANSIT TUNNEL

**Mr. Tony Ruprecht (Davenport):** Mr. Speaker, I appreciate your recognizing me today on this very auspicious day. I have a petition which is addressed to the Parliament of Ontario, the minister of infrastructure services and the Minister of Transportation. It reads as follows:

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

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

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

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

Again, I certainly agree with this petition, and I’m delighted to sign my name to it.

#### LAKERIDGE HEALTH

**Mrs. Christine Elliott (Whitby–Ajax):** I have a petition arising out of a community meeting organized for this purpose by Mr. Paul Taylor.

“To the Legislative Assembly of Ontario:

“Whereas we, the undersigned, believe that Lakeridge Health should have full funding and not be facing an \$8-million shortfall;

“Whereas this would affect many programs, including the mental health program at Lakeridge Health;

“Therefore, be it resolved that we, the undersigned, respectfully petition the Legislative Assembly of Ontario to fully fund the \$8-million shortfall for Lakeridge Health.”

I certainly agree with this petition, and I’ll affix my signature to it.

#### LABORATORY SERVICES

**Mr. Norm Miller (Parry Sound–Muskoka):** I have hundreds of petitions to support community lab services at Muskoka Algonquin Healthcare, and the petitions read:

“Whereas the Muskoka Algonquin Healthcare (MAHC) has indicated its support for moving significant parts of its laboratory operations to the Royal Victoria Hospital in Barrie; and

“Whereas Muskoka Algonquin Healthcare has indicated that it intends to cease doing community-based lab work if it does not receive \$150,000 more in funding from the province of Ontario; and

“Whereas the impact of such decisions would negatively affect timely health care delivery to residents of Muskoka, while increasing the overall cost to taxpayers;

“We, the undersigned, petition the Legislative Assembly of Ontario to work with Muskoka Algonquin Healthcare to maintain hospital and community-based lab services at the existing facilities in Bracebridge and Huntsville, including restoration of lab services that have recently been contracted out to hospitals in Sudbury and Barrie.”

I affix my signature and support this petition.

**The Speaker (Hon. Michael A. Brown):** This completes the time allotted for petitions.

#### NOTICE OF DISSATISFACTION

**The Speaker (Hon. Michael A. Brown):** Pursuant to standing order 37(a), the member for Barrie–Simcoe–Bradford has given notice of his dissatisfaction with the answer to his question given by the Minister of Government Services concerning slot machines and horse racing. This matter will be debated today at 6 p.m.

**Hon. James J. Bradley (Minister of Tourism, minister responsible for seniors, Government House Leader):** On a point of order, Mr. Speaker: I believe we have unanimous consent to suspend proceedings until 4 p.m.

**The Speaker:** Mr. Bradley has asked for unanimous consent to suspend proceedings until 4 p.m. Agreed? Agreed.

*The House suspended proceedings from 1508 to 1603.*

#### ORDERS OF THE DAY

##### 2007 ONTARIO BUDGET

##### BUDGET DE L’ONTARIO DE 2007

**Hon. Greg Sorbara (Minister of Finance, Chair of the Management Board of Cabinet):** I move, seconded by Mr. McGuinty, that this House approves in general the budgetary policy of the government.

**The Speaker (Hon. Michael A. Brown):** Mr. Sorbara has moved, seconded by Mr. McGuinty, that this House approves in general the budgetary policy of the government.

I would ask the indulgence of the House as the pages deliver the budget.

Have all members received a copy of the budget?

Minister of Finance.

**Hon. Mr. Sorbara:** I am pleased to present Ontario’s 2007 budget.

It’s a budget that we can all celebrate.

It ushers in an era of new economic strength in Ontario, an era as welcome as spring itself.

It’s rooted in the values that we share.

It’s based on the hard work and the commitment of nearly 13 million people, and it is driven by our government’s determination to build a stronger Ontario.

We began three and a half years ago with a challenging mandate:

- Strengthen health care and education;
- Grow a more vibrant economy; and
- Bring our finances back to health.

We've made real progress.

Our schools are better places to learn.

Our colleges and universities are expanding.

Our health care system is both healthier and more responsive.

We're building new infrastructure across the province.

Our economy is growing again.

And today, we leave behind the deficits that we inherited.

Today, we begin an era of balanced budgets and sustainable surpluses.

Surpluses that strengthen our very economic fabric.

Aujourd'hui, nous amorçons une ère de budgets équilibrés et d'excédents soutenus.

Ces excédents renforceront vraiment notre tissu économique.

Ontario's new economic strength is an opportunity for us to become an even stronger province.

That journey begins today with this budget.

We expand opportunity for Ontario's most vulnerable people.

We direct new resources to enhance public services.

We strengthen our economic capacity, community by community, right across the province.

And we launch initiatives for a greener Ontario.

Nous accroissons les possibilités pour les citoyennes et citoyens les plus vulnérables de l'Ontario.

Nous allouons de nouvelles ressources pour améliorer les services publics, et en même temps, nous renforçons notre capacité économique.

The clearest evidence of our new economic strength is the province's return to financial health.

In October 2003, we inherited a deficit of \$5.5 billion.

Today, we table a balanced budget.

Aujourd'hui, il s'agit d'un budget équilibré.

We've made progress in each year.

For the year that's just ending, we now anticipate a surplus of \$310 million.

For 2007-08, we project a surplus if, as we expect, the reserve will not be required.

In 2008-09 and 2009-10, we are planning for surpluses even after providing for a healthy reserve.

Indeed, our government is on track to post five consecutive surpluses.

Cinq excédants consécutifs.

Our debt-to-GDP ratio will be at its lowest level in 13 years.

Economists understand what a positive indicator that is.

But every one of us knows how important it is to be prudent managers of the public's money.

We promised, for example, to find \$750 million in savings by 2007-08. We actually saved more than \$800 million.

Ontario is now the second-lowest among provinces in per capita spending on administration.

And Ontario is now the national leader when it comes to coordinating more efficient expenditures by our partners in the broader public sector.

At the same time as we have been prudent managers of our finances, we have been persistent in our fight for fairness from the federal government.

**1610**

It was the Premier who took on this issue, and it was the Premier who negotiated the greatest improvement to fiscal fairness since the era of Lester Pearson and John Robarts.

In recent weeks, we have reached agreement on federal funding for the environment and for public transit.

That agreement is evidence enough that when governments work together, we can make real progress.

Sir, another sign of Ontario's new economic strength is the steady growth of our economy in the face of fierce competition.

With the exception of the fall of 2006—when North America experienced a cooler economic climate—Ontario's economy has been growing at a healthy rate.

And so has job creation.

Since 2003, the Ontario economy has added some 327,000 net new jobs.

Over the next three years, we expect to see another 270,000 new jobs created.

Employment growth and higher wages have increased the personal incomes of Ontarians by more than 14% over the past three years.

More jobs, and better jobs, mean that people have more money in their pockets.

At the same time, businesses have shown their faith in the economy by investing almost \$147 billion in business expansion.

Private sector forecasters expect Ontario's economic growth to strengthen from 2007 to 2009.

The Ministry of Finance forecasts growth of 1.6% in 2007, 2.8% in 2008 and 3.1% in 2009.

Our responsibility is to ensure that this new economic strength provides for the lives of our people and improves their lives.

We continue that mission today with new resources for Ontario's children.

Nous poursuivons cette mission avec de nouvelles ressources pour les enfants de l'Ontario.

The Premier has said that helping children in poverty must be a top priority for us.

In his words, it is both a social and an economic imperative.

So today we are introducing the Ontario child benefit for children in low-income families.

Nous proposons aujourd'hui d'instaurer la Prestation ontarienne pour enfants, destinée aux enfants de familles à faible revenu.

The Ontario child benefit would expand opportunity for 600,000 families—and nearly 1.3 million children.

It would provide for children in every low-income family, whether their parents are working or not.

Over five years we plan to invest an additional \$2.1 billion in our province's children.

It would mean that parents would be able to move off welfare without worrying about losing benefits for their kids.

The OCB will begin this July, with a down payment of up to \$250 per child.

By 2011, low-income families would receive up to \$1,100 per child every year.

I want to tell you that these reforms go well beyond ending the clawback of the national child benefit supplement.

Indeed, we are investing. We plan to invest four times as much money to help over twice as many children.

The new Ontario child benefit has a broad base of support across the province. Indeed, it has been endorsed publicly by three former Premiers: William Davis, David Peterson and Robert Rae.

While many, many people have worked to make the OCB a reality, I would like to single out and thank two MPPs for their passionate advocacy for children and low-income families: the member for London North Centre, Deborah Matthews, and the Minister of Education and member for Don Valley West, Kathleen Wynne.

In concert with our transformation of our support system, once again we will increase by 2% the benefits we provide to those receiving Ontario disability support and Ontario Works payments.

We are also going to provide new funding for children's treatment centres and for children's mental health.

We are allocating an additional \$25 million this year in new funding to support better child care. A year later, in 2008–09, that funding will double to \$50 million.

Finally, I am delighted to announce our intention to establish a College of Early Childhood Educators. It would ensure high standards of quality throughout our child care system.

When we created the Ministry of Children and Youth Services, we did so to improve the health and well-being of children.

The steps we are taking today in this budget go a long way to meeting that purpose.

At the same time, there are other challenges to be met.

Ontario's new economic strength must provide fairly for Ontario's lowest-paid workers. The minimum wage in Ontario had been frozen for nine years when we were elected in October 2003.

Le salaire minimum en Ontario avait été gelé pendant neuf ans.

We raised it to \$8 an hour in four annual steps.

Today, I am announcing our plan to raise the minimum wage to \$10.25 per hour. We will do so—

*Applause.*

**Hon. Mr. Sorbara:** We will do that with increases of 75 cents per hour on March 31 in each of the next three years.

**1620**

Nothing is more important to working families than access to affordable housing.

In the words of one housing advocate, "It all begins with an address."

In this budget, we are providing an additional \$392 million to better house Ontario families.

—Over 27,000 low-income working families will receive \$100 a month in housing supplements. That will bring the total number of families we help to 35,000.

—We are also providing \$127 million to Ontario municipalities to build new affordable homes and rehabilitate existing ones.

—And this budget also provides funds to build over 1,000 off-reserve homes for aboriginal families.

Workers injured on the job deserve our support.

Many of them have benefits that have not kept pace.

We propose to improve WSIB benefits for about 155,000 injured workers.

The increase would be 2.5% each year for the next three years.

Mr. Speaker, as you know, access to justice is the hallmark of a strong liberal democracy.

During my own 19 pre-budget consultations, I heard repeatedly about the constrained state of our legal aid system.

Today we are providing an additional \$51 million over three years to expand access to legal aid.

We're also adding 30 new justices of the peace to ensure that the work of our courts is more timely.

We will be supporting the new Human Rights Legal Support Centre with an additional \$8 million over three years.

Finally, we are providing some \$49 million over three years for victims of crime through the Criminal Injuries Compensation Board even as we review how we improve that system.

During our consultations, we heard a clear message from seniors: "Help us stay in our homes and give us greater access to our money."

This budget responds in several ways.

For the fourth year in a row, we plan to enhance the Ontario property and sales tax credit for low-income seniors.

And I believe that seniors will welcome our reforms to Ontario's property assessment system.

We are also proposing a new life income fund that would increase access of pensioners to their money.

And we plan to allow seniors to reduce their income tax through the new income-splitting rules proposed by the federal government. This will result in an Ontario tax savings of \$170 million in this year alone.

A good indicator of how well we care for one another in a civil society is the support we provide for developmental services.

Pre-budget consultations confirmed for me that this sector needed additional support.

So in this budget, we propose to invest an additional \$200 million over the next four years to strengthen developmental services.

Nous proposons d'affecter 200 \$ millions de dollars à l'expansion des services aux personnes ayant une déficience intellectuelle.

We will also provide \$7 million in urgently needed capital funding.

Our plan three and a half years ago was to provide better schools and better health care.

That work continues today.

Notre plan il y a trois ans et demi visait l'amélioration des écoles et des soins de santé.

Nos efforts en ce sens se poursuivent aujourd'hui.

We are increasing health spending to \$37.9 billion, and that represents a 29% increase since 2003–04.

With additional funds, we can include pediatric surgeries in our wait time strategy, because our children will get the surgeries that they need when they need them.

More funding means Ontario is getting 8,000 nurses.

It means that new hospitals will be opening in Brampton, in Penetanguishene, in Smiths Falls and in North Bay, to name a few.

Additional funding will mean more family doctors.

It means 400,000 kids will receive free immunizations.

By any measure, our health care system is growing stronger. Our job is to make sure that trend continues.

The Quest for Gold lottery provides Ontario's amateur athletes with direct financial support.

Today I am announcing that this funding will continue with a dedicated \$10-million fund.

Now our athletes and their families can concentrate more on athletic success and less on worrying about paying the bills.

We're joined in the House today by Jamie Sinclair and Neil Sinclair. They've just returned from the Canada Winter Games in Whitehorse where, earlier this month, Team Ontario recaptured the Canada Games flag for the first time in eight years. Would you please welcome them to the House.

*Applause.*

**Hon. Mr. Sorbara:** We are also increasing support for education in the coming year.

This budget allocates an additional \$781 million in grants for student needs. That's up 17% since 2003–04.

The average per-student funding in 2008–09 will be almost \$9,700.

That represents an increase of 22% since we took office.

It also means that almost all of our children in the primary grades are in smaller classes.

It means better test scores, and it means higher graduation rates.

It means better public education in the province of Ontario.

Two years ago, the centrepiece of our budget was Reaching Higher, a dramatic plan to improve post-secondary education in Ontario.

It has been a huge success.

In the coming year, operating grants to colleges and universities will rise to \$4 billion. That is an increase of almost 40% since 2003–04.

We will provide an additional \$390 million for post-secondary institutions to help with more classrooms, higher enrolments and more training.

**1630**

Our investment means that by next year, a record half a million students will be enrolled in colleges, universities and apprenticeship programs.

At the same time as we're making these investments, we're managing government more efficiently.

We are helping hospitals, universities, colleges and other institutions save money by streamlining purchases.

We've hired more people in areas that are crucial to everyone's well-being: more water, food and meat inspectors; more health care workers; more teachers; more security, probation and parole officers.

And we have even introduced a money-back guarantee for quick delivery of birth, marriage and death certificates.

These new investments will make a real difference in the everyday lives of families, students, seniors and children in every corner of the province.

They strengthen the very fabric of our society.

Ontario's new economic strength allows us to expand economic opportunity.

We are making improvements in almost every area of public policy.

We are reforming and reducing business education taxes. We propose a fairer property tax assessment system. We strengthen various sectors of our economy and we are investing more in innovation.

Nous réformons et réduisons l'impôt scolaire applicable aux entreprises. Nous proposons un système d'évaluation foncière plus équitable. Nous renforçons différents secteurs de notre économie et nous investissons davantage dans l'innovation.

Taxpayers and municipalities have told us that they want a property tax assessment system that is predictable and fair.

In this budget we introduce a better property tax assessment system based on a four-year cycle.

Avec ce budget, nous instaurons un meilleur système d'évaluation foncière qui repose sur un cycle de quatre ans.

It would begin in 2009 with the next reassessment. Any increase in value resulting from a reassessment would be phased in over four years. But reassessment decreases would apply immediately.

In the months ahead we will be working with municipalities to ensure that the details of the new system meet their needs.

But we are sure today that the reforms we propose will be welcomed by every homeowner in the province.

It would be welcomed particularly by those who thought that the only solution to assessment volatility was to impose an arbitrary cap—one that, as it turns out, would tend to favour the more affluent.

At the same time, we propose to cut higher business education tax rates and to make that system fairer.

Nous proposons de réduire les taux élevés de l'impôt scolaire applicable aux entreprises et de rendre le système plus équitable.

Len Crispino of the Ontario Chamber of Commerce and Catherine Swift of the Canadian Federation of Independent Business identified this as a top priority.

It's easy to see why. It's simply unfair that a business in London pays business education tax at rates that are much higher than businesses across the way in Middlesex.

Unfair business education taxes have put communities like London, Windsor, Thunder Bay, Ottawa and others at an economic disadvantage. That has to stop.

Over the course of seven years, we will reduce business education tax rates in all municipalities where rates are higher than 1.6%—in other words, in most municipalities across the province.

Once that system is fully implemented, more than 500,000 Ontario businesses will benefit from this reduction.

No business will pay more under this plan.

What's more, new construction will benefit immediately from the 1.6% rate.

By 2014, business education taxes will have been reduced by \$540 million.

That is a significant saving, especially for small and medium-sized businesses.

We also plan to phase out social services pooling in the greater Toronto area.

Pooling has been an unfair burden on so many property taxpayers in municipalities in the greater Toronto area.

It will mean a \$200-million saving for those same municipalities.

It also means that, once again, we are uploading costs, while the previous administration downloaded.

A fairer, more competitive tax system is one of the best ways to encourage economic growth.

Later today, I will introduce legislation to eliminate the capital tax in Ontario on July 1, 2010. That is fully 18 months earlier than we had planned.

Our economy thrives when we turn great ideas into well-paying jobs.

That's why, under Premier McGuinty's leadership, we're already investing some \$1.7 billion over five years in research and innovation.

This year, for example, we will be providing \$57 million in funding to a number of institutions that work on groundbreaking environmental research projects.

One of those projects, at the University of Guelph, is looking, believe it or not, at how to make car parts from corn and wheat.

Innovation begins right here at home.

In this budget, we are announcing a \$50-million investment in Magna's innovation, training and commercialization centre.

It is a new global research and commercialization centre right here in Ontario.

Their first projects will focus on smarter manufacturing and more environmentally friendly cars.

Mr. Speaker, I want to remind you that we are investing, in 2007-08, almost \$6 billion in new infrastructure.

**1640**

At the same time, we will also be moving ahead with the provincial-municipal fiscal and service delivery review, a process that will help determine the best way to fund and deliver services with our municipal partners.

We will continue to add strength to the key economic sectors and regions of the province, with dozens of new initiatives.

The province will create a new Ontario Manufacturing Council. The council will help increase the competitiveness of our manufacturers.

We are increasing the flexibility of the advanced manufacturing investment strategy so that more companies will qualify for support. That will help more manufacturers invest in more new technologies.

Manufacturers will also benefit from the expanded eligibility of the apprenticeship training tax credit, which we plan to extend until 2012.

Communities across Ontario will benefit from a 20% increase in annual funding for the Ontario Trillium Foundation.

We're also going to increase annual funding for the Ontario Arts Council by 38%. That's going to help over 10,000 arts organizations across Ontario.

We're providing more support for Ontario's libraries—some \$5 million in 2006-07.

We're making \$41 million available in new investments for various community, social, sports and recreation facilities.

Finally, because tourism is such an important part of our economy, we are providing additional resources to foster its growth—for example, a new convention centre in Niagara Falls.

I want to recognize my colleague the MPP for Niagara Falls, Kim Craiton, who, despite facing his own battles, has never stopped fighting on behalf of his constituents.

We're also taking specific measures to strengthen Ontario's northern and rural communities.

Nous prenons également certaines mesures pour renforcer les collectivités rurales et celles du nord de la province.

We're doubling our rural infrastructure investment initiative to \$140 million for improvements to water systems, roads, bridges and other priorities.

We'll be investing \$10 million to help expand broadband coverage in rural Ontario.

Today I am delighted to announce the appointment of a northwestern Ontario economic facilitator. His mandate will be to work with local people and businesses to help inspire a new generation of growth in the northwest. I am delighted that Bob Rosehart, president of Wilfrid Laurier University, has agreed to act as the facilitator. Dr.

Rosehart knows northwestern Ontario like few other people. He is with us in the gallery today and I would ask members to welcome him.

We are working on a variety of measures to secure the jobs of Ontario's forestry sector. This government is providing over \$1 billion in support for the forestry sector through initiatives like the forest sector prosperity fund.

Ontario farmers are the chief stewards of much of Ontario's arable land mass. They are also a vital part of our economy.

Since we came to office, we've provided over \$1 billion for farm income stabilization.

That's in addition to the tax measures that continue to save farming families hundreds of millions of dollars every year.

In this budget, we're making investments to expand the marketing of our agricultural products as well as provide financial support for the Ontario Bio-Auto Council and the BioCar initiative.

In the same speech in which the Premier spoke of child poverty, he urged another priority on Ontarians: the need for a climate change plan to create an Ontario that is less dependent on carbon—a greener Ontario.

Il s'agit alors d'établir un plan de lutte contre le changement climatique pour rendre l'Ontario moins tributaire du carbone et en faire un territoire plus vert.

In the Premier's own words, "It is an area where Ontario is commissioned by history to lead."

We have made real progress already.

We protected a greenbelt the size of Prince Edward Island.

We've invested billions in public transit.

We've reshaped development in southern Ontario with our award-winning Places to Grow plan.

We've brought in new laws and hired more personnel to ensure the safety of the water we drink.

We've added ethanol to our gasoline and initiated the fastest-growing alternative energy program in North America.

But there is much more to do.

Later this session, the Premier will present a detailed climate change plan to this House.

It will allow Ontario to take full responsibility for the defining challenge of our generation.

In the meantime, we are taking some important initial steps.

We are going to provide \$2 million to Trees Ontario—enough to plant over a million trees—because trees help reduce greenhouse gases.

We are going to provide homeowners with rebates of up to \$150 to help pay for individual home energy audits.

We are investing in the research and innovation needed to ensure that Ontario's automobile sector can be a global leader when it comes to alternative fuels and clean car technology.

If the recent federal budget is passed by Parliament, we will receive some \$586 million from the federal clean air and climate change trust.

Some of these funds will be dedicated to projects already underway. Some will support close to \$125 million in new initiatives in this budget. More than \$200 million will be allocated later for new projects.

I wish to close with an expression of gratitude: to say thank you to the people of this province. It's your inventiveness, your ambition, your hard work that has brought this province to an era of new economic strength.

**1650**

Merci d'abord aux gens de l'Ontario. C'est votre esprit inventif, votre ambition et votre ténacité qui ont permis à l'Ontario de retrouver sa vigueur économique.

I would also like to thank the thousands and thousands of women and men in the Ontario public service and the broader public sector who work with such passion and commitment every day of the year. Ontario's better public services are a tribute to you.

I want to say thanks also to the tireless tribe in the Ministry of Finance who worked with such energy to make this budget a powerful statement of our values and a fine description of our future together.

Within months, we will seek a new mandate from the people of Ontario.

And within weeks we will present the province's first ever pre-election financial report.

It will make the province's finances more transparent to political parties, to citizens and to voters.

That report, I believe, will confirm the central theme of this budget—that we are beginning an era of new economic strength in Ontario.

We are proud of our accomplishments thus far.

Ontario is growing again.

But there is much more to do and my preference is to look forward.

Yes, our schools are better, but we want to ensure that every child has a better chance to succeed.

Yes, wait times are shorter, but we want our health care system to be at its very best.

Yes, post-secondary education is expanding, but so too are the frontiers of knowledge.

Yes, we have eliminated the deficit, but that represents a beginning, not an end.

Yes, Ontario is in an era of new economic strength. But we ought not to rest.

There are timbers and hammers that await our hand.

And a still stronger future is within our grasp.

Thank you, Mr. Speaker.

**The Speaker:** Further debate? The member for Leeds–Grenville.

**Mr. Robert W. Runciman (Leeds–Grenville):** I move adjournment of the debate.

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

The Minister of Finance.

**Hon. Mr. Sorbara:** I request that the House revert to introduction of bills.

**INTRODUCTION OF BILLS****BUDGET MEASURES AND INTERIM  
APPROPRIATION ACT, 2007****LOI DE 2007 SUR LES MESURES  
BUDGÉTAIRES ET L'AFFECTATION  
ANTICIPÉE DE CRÉDITS**

Mr. Sorbara moved first reading of the following bill:

Bill 187, An Act respecting Budget measures, interim appropriations and other matters / Projet de loi 187, Loi concernant les mesures budgétaires, l'affectation anticipée de crédits et d'autres questions.

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

**SUPPLEMENTARY ESTIMATES**

**Hon. Greg Sorbara (Minister of Finance, Chair of the Management Board of Cabinet):** Mr. Speaker, I have a message from His Honour.

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

**Hon. James J. Bradley (Minister of Tourism, minister responsible for seniors, Government House Leader):** Mr. Speaker, I move adjournment of the House.

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

*The House adjourned at 1657.*

**LEGISLATIVE ASSEMBLY OF ONTARIO**  
**ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO**

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

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

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

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

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

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