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Thursday 17 May 2007

Jeudi 17 mai 2007

Speaker
Honourable Michael A. Brown

Président
L'honorable Michael A. Brown

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LEGISLATIVE ASSEMBLY
OF ONTARIO

Thursday 17 May 2007

ASSEMBLÉE LÉGISLATIVE
DE L'ONTARIO

Jeudi 17 mai 2007

*The House met at 1000.
Prayers.*

PRIVATE MEMBERS'
PUBLIC BUSINESS

MINING TAX

Mr. Ernie Hardeman (Oxford): I move that, in the opinion of this House, the government must do more to protect Ontario jobs and, as a first step, should repeal the section of Bill 187, An Act respecting budget measures, interim appropriations and other matters, 2007, that imposes a 13% tax on diamond mines.

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

Mr. Hardeman: I'm pleased to bring forward this resolution today because, sadly, over the past four years, jobs have not been the priority of the McGuinty government. Ontario has lost 137,000 manufacturing jobs since the beginning of 2005. Over 13,000 of those manufacturing jobs were lost last month alone. Clearly, there is a problem that the Liberal government should be addressing.

These are not just numbers. They're real people who are struggling to make ends meet without a paycheque. They're people who are going to have to go to their savings or take out loans to pay their mortgage, and the government is ignoring them. They are focused on slush funds and trying to prop up their promise-breaking government instead of taking action to help the people of Ontario.

Last week in my riding, 55 workers at the Collins and Aikman plant received layoff notices. The company has said that by the end of July they will have about 150 people laid off. When I met with the Oxford labour council last week, the number one issue they raised was the loss of manufacturing jobs.

In December 2005, my colleague from Halton introduced a resolution calling on this government to develop a jobs plan. Although the resolution was passed unanimously, there has been no action by the McGuinty government to create that plan. I want to point out the part of the resolution that called for the plan to come forward immediately.

I recently did a survey of business people in my riding to see what were some of the biggest challenges facing

businesses today. I asked them whether they needed a jobs plan, and 93.3% of the people who responded said they felt a jobs plan was "somewhat" or "very" necessary. In the same survey, 86.7% of respondents said that Ontario taxes are too high.

So what does this government do? When an international company chooses to invest in Ontario and create jobs, the McGuinty government, without consultation or warning, more than doubles the taxes on Ontario's first diamond mine; they went from 5% to 13%.

I know that a lot of people think of diamonds as a luxury item and aren't that concerned by the increased tax. But what we are really talking about isn't diamonds; it's jobs and investment. De Beers is spending almost \$1 billion in Ontario. That is a lot of money going into our economy. There are construction jobs building the processing plant, workshops, winter roads, a warehouse and accommodations. In addition, there will be 400 jobs when the mine is in full operation, and those jobs will have many more spinoff jobs. Those 400 people need new cars to get to work, clothing, food and housing, and now they can afford to buy a few extra items. All of that creates jobs. That is what the McGuinty government just doubled the taxes on.

This is an area of the north that really needs those jobs and needs the money in the local economy. In response to the tax increase, the mayor of Moosonee, Wayne Taipale, asked, "Are they trying to kill the north? What are they trying to do? Stop the development?"

Dalton McGuinty tries to tell us that he's taking this money to help the people of Ontario, but the people of northern Ontario will tell you that the help they need is getting and keeping jobs in northern Ontario. The First Nations will tell you that they are already being helped through their agreement with De Beers and that this is their money that the government is taking.

In fact, Mike Carpenter, chief of the Attawapiskat First Nation, said:

"We believe that this increase constitutes little more than a tax grab by the McGuinty government, and it will not benefit our First Nation or others throughout northern Ontario.

"De Beers Canada's diamond mine is the first and only opportunity our community has ever had to break free of our soul-destroying poverty. This diamond royalty tax will steal the future of our children. Premier McGuinty ... must honour his government's original agreement with us and take back this tax."

The Northwestern Ontario Municipal Association passed a resolution that petitioned the government "to

amend the Ontario Mining Act to include diamonds on the same royalty basis as all other minerals.”

Perhaps, if the government had consulted on this change, they would have heard these views and realized that this was a mistake. It was done with so little consultation that the Minister of Northern Development and Mines didn't even know about the increase before it happened.

By increasing this tax without warning, Dalton McGuinty sent a message to the international mining and business community. It says, “We don't want your investment in Ontario.” It says, “If you invest in Ontario, be prepared, for your tax rate could double overnight with no warning.” It says that businesses looking to invest here can't trust the Ontario government.

This is one of the issues for De Beers: the ability to count on the government to keep their commitment. In a presentation to the finance committee, James Gowans, president and CEO of De Beers Canada said, “We thought we had a commitment from the Ontario government as late as when Premier McGuinty and three cabinet ministers reiterated their commitment to the royalties from the Ontario Mining Tax Act, and in fact the remote royalty when they were involved in the groundbreaking ceremonies at the end of June last year.”

McGuinty actually boasted about the mining rates being among the lowest in Canada in a news release at the Victor mine groundbreaking.

You would think that would have meant something. You can see how this company might be shocked that, less than a year later, the same Premier would more than double the tax rate. At this point, De Beers has put a lot of money into the Victor mine project and is probably here to stay. But the company has been spending on exploration in the north, looking for more mine locations and all the jobs that come with them. After this announcement, they are reconsidering that decision.

Sadly, members of the Legislature probably aren't shocked to hear that McGuinty broke another promise and another commitment. We know that he has broken many promises to the people of Ontario, so one more probably doesn't matter that much to him. We all remember 2003, when he looked us in the eye and said, “I will not raise your taxes.” He didn't tell that to just a few people. He didn't tell it just to the Legislature. He did it with a commercial on television. He told every single Ontarian, “I will not raise your taxes.” It sends a signal to companies—and, incidentally, the people believed him when he said that; a lot of people believed him when he said that. But it sends a signal to the companies that are considering investing here, now that he has broken all these promises. In an article in the Sault Star, the mayor of Timmins, Tom Laughren said, “There is a lot of exploration going on in the north, specifically for diamonds. My fear is it may trigger people to look elsewhere just because the tax regime will be uncertain.”

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In Oxford, we have been lucky to attract some international investment, including a new Toyota plant that is

currently under construction. There was a lot of competition for that plant. If Toyota had thought that their taxes could more than double without warning, I'm not sure they would have chosen to locate in Ontario, and all those jobs could have gone somewhere else. There is no point in the Premier spending taxpayers' dollars on international junkets when he is going to treat companies that invest here like that.

On this side of the House, we know how important jobs are. We are willing to do the work to bring them to Ontario and to keep them here. There is no need for the government to go ahead with doubling the taxes on this mine. They can admit they were wrong and show the international community that this is still a good place to invest.

Repealing the section of Bill 187, An Act respecting Budget measures, interim appropriations and other matters, that imposes a 13% tax on diamond mines is a good first step in protecting Ontario jobs. But it is just a first step. The government needs to do more to reduce red tape and make this the kind of province where business can grow, and international businesses can choose to invest. We know that in today's global economy, companies have a lot of choices on where they will invest. You need to be competitive to attract investment, and part of that is providing stability.

Our leader, John Tory, has committed that, if elected, our government would do the right thing and roll back this tax increase to protect those jobs and bring more jobs and investment to Ontario. I urge all members in this Legislature to support this resolution and send the message that Ontario is open for business and we want jobs and investment here.

I want to say again, I think it's time we send a message out to the world that when Ontario makes a commitment, Ontario stands behind the commitment. It's not good enough to say something to get elected and then renege on it when the time comes to deliver on that. I think people who invest here have a right to expect that when they are told what the tax rate will be, that tax rate will not, without consultation, without any further ado, be more than doubled, from 5% to 13%. That is almost a 150% increase in tax rates without telling them it was going to happen. I think it's atrocious. I also think it takes away the confidence people have in investing in our economy and building the jobs that the people of Oxford county and the people of the rest of Ontario need to ensure a lifestyle that we have grown accustomed to and we want to keep.

Thank you very much for the time, Mr. Speaker. We look forward to further debate and to the support of all members of the House to start the building of that confidence back in our future.

The Deputy Speaker: Further debate?

Mr. Bob Delaney (Mississauga West): On a point of order, Mr. Speaker: I do not believe we have quorum in the House at present.

The Deputy Speaker ordered the bells rung.

The Deputy Clerk (Mr. Todd Decker): A quorum is now present, Speaker.

The Deputy Speaker: Member for Mississauga West, you have the floor.

Mr. Delaney: Thank you very much, Speaker.

It's a pleasure to talk about the resolution by my colleague from Oxford, a gentleman whose company I enjoy and whose opinions I respect in general, but I often wondered, why did he just read the speaking notes that people sent in? Here is a member whose riding is now going to be the home of the world's most sought-after auto plant. When Toyota Motor had a chance to locate its new plant, everyone in the world wanted this particular plant. The Europeans wanted it; the Americans wanted it. But the difference is that when Toyota had a chance to build that plant, Toyota wanted Woodstock; Toyota wanted Ontario. They chose to build an auto plant and to build jobs and to build careers and to build families and to build communities in that member's riding—and that member has been decrying the flight of jobs, even while his own riding is a net beneficiary.

Now, this is not the early 20th century and it's not the industrial revolution. The reality in which we live, in the 21st century, is that the nature of work continues to evolve, and that change has generally been a good one. It's been from work that focuses on muscle to work that focuses on brainpower. That's one area in which Ontario has a unique advantage. Thanks to this government's five-year, \$6.2-billion investment in post-secondary education, we have been growing the kind of people that the member for Oxford is going to be employing in the plant that Toyota has been building in his riding. We've been growing people who can add value to what's done with machine work.

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It's not as if Ontario is the only jurisdiction in the world that is struggling with manufacturing jobs. Automation, computerization and the changing nature of the type of goods that people are buying are costing every jurisdiction in the world the old-fashioned factory-type jobs. Our major colleague—I don't like to look upon them as a competitor, because we share more in common with the state of Michigan than we differ—Michigan lost far more jobs than Ontario last year. We take no joy in Michigan losing jobs, any more than they do in Ontario losing jobs. About one out of every nine manufacturing jobs in the United States has left. In Japan, one out of six manufacturing jobs has disappeared. It's not as if they're vanishing off the face of the map. It's that they're being replaced by value-added jobs. The types of jobs that Ontario has been losing are ones that generally pay in the range of \$8 to \$15 an hour, but the net 322,500 new jobs—net new jobs—that Ontario has created generally pay in the neighbourhood of \$15 to \$40 an hour. Yes, we're losing low-end jobs, but on a net basis we are gaining more jobs, and those jobs that we are gaining are better-paying, better-trained jobs. Those are the ones that we should be protecting.

Here are some of the changes that the member for Oxford perhaps overlooked: Ontario's budget is in balance. It's going to stay in balance, God willing and no

major economic storm on the horizon. It is sustainably in balance. We're not having to sell highways. We're not having to sell assets. Ontario's budget is in balance because this government has finally got a grip on Ontario's finances. It's been in balance for two years. It's been in balance without having to use the reserve, and as Ontario continues to go forward, the budget that the member was criticizing is ensuring that Ontario's finances will stay in balance whether or not we need the reserve.

Those are some of the areas in which Ontario has progressed. Those are some of the reasons that people should have confidence in the Ontario that they live in, confidence that it's going to remain a leader, confidence that Ontario as we know it is going to continue to be Canada's job driver and economic leader for generations to come.

Mr. Norm Miller (Parry Sound–Muskoka): It's my pleasure to join in the debate this morning. This morning we're debating Ernie Hardeman's resolution. I won't read the whole thing, but it calls to repeal the section of Bill 187, An Act respecting Budget measures, interim appropriations and other matters, 2007, that imposes a 13% tax on diamond mines.

The Liberal 2007 budget introduced a new diamond mining tax that could see current and future projects pay out up to 13% of the total value of diamonds mined in the province. Prior to the budget, diamond mines were subject to the same tax rates under the Mining Tax Act, which includes a stipulation that a mining project in northern Ontario only pay 5%.

I attended the Meet the Miners reception here a month or so ago, and it really demonstrated the business reaction to this new tax. Most of the time, these receptions are very light affairs. This was held down in the legislative dining room, and De Beers had a booth set up there. I arrived just as the minister was starting to speak. He talked about how he consulted with industry before, after and on a continuing basis.

Right after the Minister of Northern Development and Mines spoke—that's Mr. Bartolucci—then a De Beers representative spoke. He was trying to be nice. He was trying, as people usually do at these receptions, to be polite and not bring up too much politics, but he just couldn't help himself. He kept coming back to the fact that this tax was brought in on the industry without any warning and the effect that this tax will have. He talked about the tax as a Third World tax. He also pointed to their booth, and said, "Go have a look at those diamonds." There is only one diamond mine about to open in Ontario and that's the De Beers Victor Project west of Attawapiskat. He said, "Have a look at the diamonds, because this may be the only diamond mine that ever opens in Ontario." That's the sort of effect this tax can have. When you surprise business, when you change the rules in the middle of the game, after they've invested \$1 billion to find the mine and develop it, then they don't feel safe in terms of investing future money in projects. And not only that, but they make their plans on a business case based on stable taxes.

This representative of De Beers went on to say that he's got e-mails. At that point, he had many e-mails from his head office sitting there and he just didn't know how he was going to answer them, because he had sold the company on investing in Ontario based on the fact that we have stable government, that we have stable taxation, and here this government, the McGuinty government, goes and changes the rules after the company invests \$1 billion, just as the diamond mine is about to open. It really was an underhanded trick that they pulled on this company. So he had all these e-mails sitting there and he didn't know what to say. He didn't know how he was going to respond, because he had sold the company on investing in Ontario based on the fact that there have historically been stable taxation policies.

It's not just De Beers that were surprised by this move. First Nations: Attawapiskat Chief Mike Carpenter, Grand Chief Stan Louttit of the Mushkegowuk Tribal Council, and Nishnawbe Aski Nation Grand Chief Stan Beardy have all expressed their concern, because the Attawapiskat First Nation has negotiated an impact benefit agreement with De Beers. Having been to Attawapiskat with a legislative committee, it's an impoverished community. This mine means hope to that community and hope to other remote northern First Nations. This change, without any consultation with First Nations, is not going to benefit them.

Attawapiskat Chief Mike Carpenter says this diamond royalty is a step backwards. "We have been trying for years to get some form of revenue sharing and instead of moving forward on that file, the Ontario government decides to take the money themselves. That means there's less money to go around." That was Attawapiskat Chief Mike Carpenter.

Finally, in the short five minutes I have to speak, I'd like to point out that this is yet another broken promise by the McGuinty Liberal government. Dalton McGuinty was one the one who looked into the TV cameras and filmed the ads saying, "I won't raise your taxes," and that he wouldn't bring in any new taxes. Not only did they do that in this case, but they did it without consultations with First Nations and without warning to industry. It's very much a short-sighted tax grab that will hurt this province, that will hurt northern Ontario, and that's why I support the resolution put forward by Mr. Hardeman wholeheartedly.

Mr. Gilles Bisson (Timmins–James Bay): I've got to say that I'm not exactly thrilled and happy to be here this morning debating this particular issue, because I would never have thought that any government in this province would have done what this government did in the last budget in regard to changing the game when it comes to how we apply royalties to mining projects in Ontario.

Every government up to now has understood that mining is a very expensive business. Let me make it really simple. If you're trying to find one mine somewhere in northern Ontario, you have to do a lot of exploration. There has to be a lot of money spent and a lot of drilling done on numerous properties in order to, if you're lucky,

find a property after spending literally millions of dollars on drilling.

In the case of the De Beers Victor Project up in Attawapiskat, that project is probably about a 25-year cycle from the time that we first noticed diamonds in the sediment, or what would indicate diamonds in the sediment of the Attawapiskat River, to the time that we actually spend literally millions of dollars in order to do some exploration up there, to getting the mine. There are literally in the hundreds of millions of dollars spent in exploration to find one mine.

The point that the government seems to not realize is that if you change the game on the mining companies when it comes to what they understood the cost of royalties would be when they decided to invest and build a mine to the time that you open it up, you're really sending a message out to the investment community that this is not a good place for them to do investments because the government is unstable when it comes to its taxation regime.

The big problem here—there are a number of problems, but I want to try to lay them out. The first one is that De Beers made a decision to invest literally \$1 billion to build the Victor diamond project based on the economics of the project. Included in the economics of the project was the 5% royalty.

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The Premier of Ontario was up in Attawapiskat. In fact, my good friend over here, Al Simard, might have been there, because he works on construction up at the De Beers project. He basically went to Attawapiskat, to the Victor diamond project, was there for the groundbreaking ceremony of the construction of the mine and said at the time that one of the reasons De Beers made the decision to go ahead was because Ontario had a royalty policy that if you built a mine in a remote location, you didn't pay 10% royalty, you paid 5% royalty. That was one of the key reasons De Beers made the investment.

The Premier recognized that when he did the groundbreaking. That's why it's so surprising that his Minister of Finance—and ultimately him—have decided to increase the diamond royalties from 5% to 13%, thus tripling the royalties.

The first point is that the Premier has done a flip-flop yet again: has gone up to the site, said that the reason the project is going ahead is because of the 5% royalty tax, and at the end of the day the government flip-flopped and decided to do completely the opposite of what they said to De Beers. I wonder if any diamond company would actually open a project knowing that the royalty would triple. I think it would have weighed very heavily against a decision to go ahead.

The other thing is this whole sense of the change of game. You guys have decided, two thirds into the process of constructing a mine, to change the taxation system in order to take advantage of the situation. I think that sends a very bad message, and I was talked to earlier, in regard to what that means for those people in the mining industry.

I want to put this really simply. The Victor Project—does anybody know where the Victor Project is, by the way? It's up on the James Bay coast, west of Attawapiskat. There are no roads, no infrastructure. It's basically out in the middle of a swamp. To build a mine in such a location is a fairly expensive thing to do. You've got to fly all the men and materials in. You have a winter road that, if you're lucky, runs maybe 90 days—about 60 days this year—to haul most of the heavy equipment and materials to the site. It's a very expensive place to build a mine, and I would say it probably adds about 30% to 40% of the cost of building a mine up in Attawapiskat versus building it around Sudbury or Timmins.

That's the reason we had the diamond royalty, along with all other mining royalties, set at 5% north of Highway 11. We said, "If you build a mine in a remote area, we're going to offset some of your costs by lowering the mining royalty from 10% to 5%." What you're effectively doing now is moving from 5% to 13%. You're not even giving diamonds the same treatment they would get if they were a mine operating in an unremote area; you're allowing them to pay more.

This brings me to the point that I can go up and start a gold mine next to the Victor Project—this is the really unfair part about this. Placer Dome could find gold two feet away from the Attawapiskat property and decide to build a gold mine there. Once they bring that project into production, they're going to pay a 5% royalty on what is extracted from the ground.

The aggregate pits in the province of Ontario—we don't say, "Because you're in Peterborough and this pit is down in Lindsay, you're going to pay a different royalty to the province when it comes to aggregate." We have one price. Why do you all of a sudden have this policy that we have a royalty that's special for diamonds versus all other kinds of mining? At the end of the day, they make the same amount of money. Just because it's diamonds doesn't mean that they make more money; it's based on the economics: X amount of dollars to build the mine, amortize the cost of building the mine versus what comes out of the ground, and that comes up to whether you profit or not. Whether it's gold or diamonds makes very little difference; it's a question of how much return you can get for your investment. Basing it on diamonds or gold makes no difference as far as how you mine or what you do or what your costs are; they're basically the same.

The first thing is that it's really unfair from the perspective of, why should you say we have a different mining royalty tax regime for diamonds versus gold? It should be the same for all. If the province wants to increase royalties, that's one thing. If you said, "We're moving from 5% to 6% or 7% on remote mines and 10% to 11% or 12% on non-remote mines," we could have the discussion. There may be a logical reason for doing that. But you don't treat one differently than the other.

Let me put it this way: The member from Mississauga West talked about the automotive industry. How would

you feel if we had a policy in the province of Ontario that said, "General Motors gets charged this rate and Ford pays a different one"? Nobody in this province would ever stand for that. You would never say, "Taxation rates should be different based on if you're Ford or GM." We have one taxation rate for the auto industry, and the taxes they pay are based on their output and their profitability. They basically pay the same rate. They may pay more or less tax, based on their profitability, but the rates are the same. So why do we have different rates in mining and allow that to happen when we don't have different rates of tax when it comes to the automotive industry, the manufacturing industry, the petrochemical industry or any other? This is clearly a question where the government is saying, "We can go in and scoop some more money because they're diamonds and we're going to take advantage of the big, bad, old diamond industry," which I think is very wrong.

This brings me to one of the points that the minister keeps on getting up about: The Minister of Finance has been getting up, day after day, answering the questions in the House and trying to paint De Beers as a bad corporate employer or a bad company, and somehow or other, they're the big, bad old De Beers and why the hell are we all siding with them? I find that, quite frankly, reprehensible on the part of the government. De Beers is like any other corporation in Ontario that does business. They follow the rules of Ontario, and they do what they have to do based on what our laws are here. They're a good corporate employer in northern Ontario, and for you, all of a sudden, to turn around and try to demean them, I think is very much beneath the Minister of Finance, the Premier and this government. The issue is that this particular tax, at the end of the day, is going to be harmful.

I want to get to the last part of this, and that is the First Nations component, which is one of the parts that this government is very much not understanding. The community of Attawapiskat was asked some six to seven years ago to negotiate with De Beers an impact benefit agreement. Everybody in government is asking the First Nations to come to the table to talk about development. There is somehow this perception out in Ontario that First Nations don't want development. First of all, I want to say that's not true. First Nations want development, but they want to have development in which they have some say about how it's going to move forward and in which they're going to have an ability to share in the revenue.

If you open up any plant anywhere in Ontario, there's an automatic right for municipalities to get taxation from that plant so that you can get benefits to build up infrastructure in your community: better schools, better roads, better water plants etc. If you're a First Nations community, there's no such mechanism, so De Beers and Attawapiskat had to negotiate an IBA on their own. And I want to say this: De Beers didn't have to do it. De Beers understood from a corporate perspective that if they wanted to develop this project, they had to negotiate with the Attawapiskat First Nations band. Over a period of six

or seven years—it started, first of all, with Chief Ignace Gull; it continued through the process with Theresa Hall; and it was concluded under Mike Carpenter, the current chief of Attawapiskat. There was a negotiating team that was put in place by the Attawapiskat band, led by Thomas Tookate, and they negotiated, along with a number of people at De Beers, to come to an understanding in their impact benefit agreement.

The first point that I want to make is this: What message is this government sending to First Nations if you change the rules at the end of the game? You're saying to all First Nations out there that are interested in doing development, "Go out and negotiate a deal, but by the way, when your deal is done, we're going to come in and scoop money out of your deal, and we're going to fill our pockets at Queen's Park at the expense of the First Nations, of the corporations and of the workers who work at those projects."

That's a really bad message to be sending. We should be trying to encourage First Nations to get involved in development, and to do that, we should do some automatic things around land use planning and also around the issue of revenue sharing, but because we don't have that, we're forced to negotiate impact benefit agreements. So here you've got a situation where the Attawapiskat band, in good faith, sat down with De Beers, and there were some very tough and intense negotiations. De Beers—I'll give them some credit—have been pretty progressive about how to deal with this. They've really tried to fulfill and meet the needs of the First Nations community to the extent they could. At no time did the province ever do anything to help mitigate those costs in any way. And here we are; we finally got an agreement.

Chief Mike Carpenter, Thomas Tookate and others stood in front of the community—I think it was two years ago—and asked the community to vote on the final IBA. Over 80% of the community voted yes. Imagine how you feel today if you live in Attawapiskat and the game has been changed because this government is coming in, by way of increased royalties, and scooping money from the profitability of De Beers, which will impact the IBA, because part of your IBA is dependent on how much money and profit De Beers makes.

So I say to you that you've basically done two things. You've taken money away from Attawapiskat and other communities like Kashechewan, Fort Albany, Moosonee and Moose Factory, and have taken money directly from those communities that stood to benefit. I say to you: Shame for that. You're sending a negative message when it comes to First Nations negotiating with companies like De Beers when it comes to development. This is the first time in a long time we've seen the economic activity that we saw on the James Bay coast. If you go into the town of Moosonee today, there is all kinds of activity.

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Go talk to the mayor of Moosonee. Go talk to the chamber of commerce. Go talk to the citizens of Moosonee. There's more activity in Moosonee today because of the activities of De Beers. It's the jumping-off point,

once you get to James Bay, to clear equipment to get up to the site. It is the first time we're seeing a bit of an economic boom on James Bay in communities like Moosonee. Imagine what it means to communities like Fort Albany, Kashechewan, Attawapiskat, Moose Factory and Marten Falls. There's an opportunity for employment. For the first time ever, there's a large opportunity to employ people in real jobs that pay big dollars. You can make darn good money working as a journeyman, as a miner or whatever it might be at the De Beers site, either on construction or when the mine goes into operation, and part of the IBA includes training.

Here we have the opportunity to give First Nations people the opportunity for employment, and what you're doing by way of this particular diamond tax royalty is that you're telling De Beers and everyone else in the diamond industry, "Don't come and invest in Ontario for more diamond exploration." Because this pit will close. There's about a 10- to 12-year life cycle on the pit they're currently going to be mining up at the Victor project. Part of the success we need up in James Bay is for more diamond exploration to happen. If you spend money on exploration, we will find other Kimberley pipes. That's where you find these diamonds. Then, in the end we would be in a position to utilize the infrastructure of the De Beers mining camp to mine other pits. But De Beers has already said it. They were downstairs in the Legislature when the president of De Beers came before the Minister of Natural Resources, the Minister of Northern Development and Mines and all other members who were assembled during mining week and said, "Look in the back; there's a display. That is the first diamond mine to be opened in the province of Ontario and, by Lord, it's going to be the last under this regime."

They're the guys, the Canadian division of De Beers, who had to convince De Beers international to spend over \$1 billion to build this project. They had a lot of explaining to do after the De Beers diamond tax was put in this particular budget. It's going to be very questionable if that company and others are going to spend the money they need to spend on exploration to continue looking for diamonds in Ontario. You've basically put a sign outside of Ontario that says, "Don't invest here."

You have a chance this morning, by way of this motion, to vote with the Conservatives and with the New Democrats to support this motion in opposition of the budget measure in Bill 187. I urge members to do it. For the first time, you've got something good going on up on the James Bay coast. Aboriginal people will get employment. We're asking you not to turn your backs on them.

The other thing I find very bizarre in this debate is, where are the Liberal northern members? Of anybody, they should be the ones explaining it here. I have no disrespect towards the other members speaking, but I would love to hear a northern member from the Liberal the caucus speak on this.

Mr. John Milloy (Kitchener Centre): It's a pleasure to stand here today and speak on the resolution brought forward by my colleague Mr. Hardeman.

In essence, the way I read the resolution, it really can be looked at two ways: first, obviously, the specific items around Bill 187 and the royalty regime on diamond mines.

I think it's important to put on the record a few things. First of all, the proposed changes in Bill 187, actually in the guise of a substitute—I had a chance to sit on the committee for an afternoon when this particular item was being discussed and had a good opportunity as a member to learn a lot about the ins and outs. The proposed changes in this legislation would see the same royalty regime in Ontario that exists in other parts of the country, such as in the Northwest Territories and Nunavut. In other words, we're talking about a level playing field. We're talking about the same tax regime that exists throughout the country.

We're also proposing that the government exclude diamonds from Ontario's mining tax. As the Minister of Finance has said in the House a number of times, over the next few months we'll be working with the mining industry to finalize regulations. The Minister of Finance said that certainly a lot of the sensitivities that have been raised today, that have been raised in question period, are going to be taken into account as the regulations go forward. That deals with that part of the resolution, the very specific part on Bill 187.

But when you look at the larger thrust, what it's really saying is that in order to create jobs in this province, we need to cut taxes. For me, as a great observer of politics over the last four years and a front-line participant, it was a bit of back to the future, the Mike Harris mantra that it's all about cutting taxes. By that, I don't mean that it's not important to have a competitive tax regime. I think everyone in the province recognizes the need to have taxes as low as is reasonable, but the big difference between this side of the House and that side is the definition of "reasonable."

What we saw across the way when Mr. Harris came in was tax cuts that were not reasonable. We saw tax cuts that added to the provincial debt. We saw tax cuts that were paid for by cuts to health care, cuts to education and cuts to the Ministry of the Environment. We saw tax cuts that were covered up by the sale of Highway 407, a last-minute fire sale so that they could go to the people of the province and say they had balanced the budget.

Finally, we saw a \$5.6-billion deficit which was hidden from the people of Ontario in the last election campaign. I heard Mr. Eves on television say over and over again that the budget was balanced, and we came and found out that it wasn't. It's that sort of approach that shows the difference between what's reasonable and what's not.

On our side, we have nothing against lower taxes. In fact, we've been moving in a number of ways to make it more competitive. We've speeded up the elimination of the capital tax by 2010. We've reduced the business education tax rates. I must say that the morning after the budget I had a chance to address a breakfast at the chamber of commerce, which was well attended. It was

one of the number one things that the business community applauded our government for in the last budget: the fact that we were dealing with business education tax rates. We've extended the apprenticeship training tax credit—again, very much welcome in the business community. These are reasonable steps by our government to lower the tax rate to make Ontario more competitive but at the same time to make key investments, and those key investments have been in areas like research and innovation and also in areas like education. This comes full circle, I guess, to the thrust of Mr. Hardeman's resolution today, which is about maintaining jobs in Ontario, attracting jobs to Ontario and creating jobs in Ontario.

It's very interesting; on Monday morning I had a chance to go to Conestoga College, which serves my community, one of the best community colleges in the province. I had a chance to make an announcement of some additional funding from this government in order to improve their infrastructure and also improve the quality of education and the number of students who go there. All the speeches that were made, both by community representatives and representatives of the college, pointed out how institutions like Conestoga College are so key to ensuring prosperity in this province by providing the sort of skilled workforce which is going to allow our companies to be competitive. It's investments like that, as well as the sorts of tax cuts we're talking about—it's that balance which is going to serve to ensure prosperity in Ontario.

The sad part about it all was that since we came to power, we've seen funding to Conestoga College increase by 33%, and under the previous government you saw funding decrease over the eight years they were in power. Instead of talking about how we're going to build on a platform going forward, unfortunately last Monday we were playing a bit of catch-up. But over the last four years you've seen that catch-up take place. You're starting to see the building blocks in place to ensure that we've laid a real foundation for Ontario's prosperity going forward. That's why the thrust of Mr. Hardeman's resolution, both in a specific way and in a general way, is something I can't support.

Ms. Laurie Scott (Haliburton–Victoria–Brock): I'm pleased to rise this morning to speak on the private member's resolution brought forward by my colleague from Oxford that says, "That, in the opinion of this House, the government must do more to protect Ontario jobs and as a first step should repeal the section of Bill 187, An Act respecting budget measures, interim appropriations and other matters, 2007, that imposes a 13% tax on diamond mines."

I fully support this resolution. We speak in the House all the time about the job losses that Ontario has incurred. The manufacturing sector alone had over 137,000 job losses; 13,000 last month alone. I spoke this month about the loss of my manufacturing plant at Fleetwood, in Lindsay, and the possible loss of more companies in the Lindsay and Victoria-Haliburton area because of the loss of that one plant, and how this government has sat there

and let this happen. By imposing this improper mining tax without notice on De Beers, that is trying to stimulate jobs in the northern community—the case the member from Timmins–James Bay spoke so passionately about—what message are you not getting over there? You speak, but we certainly don't believe it and we don't see it on the ground, of the good things you're doing for Ontario and the economy. Why are the job losses occurring, then?

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You slam the previous government. We were the leader in North America in job creation. So your comments are so unfounded and so ridiculous. I mean, you haven't seen a tax increase that you didn't like, that you didn't embrace: "How can we make more tax increases?"

The member from Kitchener Centre speaks that he was at the chamber of commerce. Well, you should listen a little bit more intensely about how they feel about the climate in Ontario and how we're driving jobs out of Ontario and what changes they'd like to see, because it's not the same message that the McGuinty Liberals are grabbing. You're consistent, I have to say, on breaking promises. I have to say you're consistent on breaking promises.

What about the single largest health tax? You said, "I won't raise your taxes." The single largest tax grab in the history of the province was under Dalton McGuinty, only weeks after he'd done the advertisement and signed the paper that he wouldn't increase your taxes. They increased spending by \$22 billion in less than four years. Just today we hear the high-class view of himself, that he deserves over a million dollars in flights, flying over all those areas that have lost their jobs. It's just incredible, the arrogance that this government shows, and the disrespect for taxpayers' money.

We've brought forward ideas in this House. It was supported by all parties, about a job strategy for Ontario, because the facts are out there, the loss of jobs in Ontario. We all need to work together to create more jobs, to create an environment for jobs. So when the government slips in this little increased tax for the diamond mine that's going to help job creation in rural, remote areas that so desperately need jobs? I don't think so. What were you thinking over there? How could you do it to the First Nations, the aboriginals who are working with De Beers, trying to pull themselves up, trying to get jobs, trying to make better places in their communities, cleaner water, better housing, better education?

Interjections.

Ms. Scott: You're taking that away from them in this tax and you've been disrespectful to the people of Ontario—

The Deputy Speaker: Member for Peterborough, you're out of your seat.

Ms. Scott: —with the amount of job losses that have gone on. It just blows me away that you people can ignore job creation opportunities. We've brought forward a job strategy plan. You supported it. An eastern Ontario secretariat—we've lost tons and tons of manufacturing jobs. An eastern Ontario economic development fund,

even, similar to the northern development fund: You've ignored that. You're ignoring eastern Ontario and now you are slamming northern Ontario with this diamond tax, this hidden tax, singling out De Beers like they're not a good company, and they've been working with aboriginals and First Nations. Do you think you're helping them? This is an incredibly arrogant move on the part of the government and I want the people of Ontario to know the message for the Dalton McGuinty government: Stop driving jobs out of Ontario.

Mr. Tim Hudak (Erie–Lincoln): I'm pleased to join in support of my colleague from Oxford, who brings forward a very sensible and important and timely resolution to the House today. You know, I was proud to have been the mines minister when the Mike Harris government brought in a forward-looking and powerful plan to re-energize mineral exploration and production in the province of Ontario. We cut the mining tax rate to among the lowest in Canada. We brought in a special bonus for remote mines to encourage projects just like the Victor mine, in partnership with First Nations. We invested in exploration technology. As a result, we saw new mines opening up in the province of Ontario. We saw rejuvenation of exploration activity, and now, when you go back to places, whether they be Timmins, Sudbury or just outside of Attawapiskat, we're seeing activity in the mineral sector.

Now Dalton McGuinty decides to take us back to the bad old days by arbitrarily hiking the tax on the Victor mine in the most sneaky, underhanded way: no consultation, no indication to the industry, and Dalton McGuinty himself there at the groundbreaking ceremony a year or a year and a half ago boasting about the remote mine tax, saying, "Come on in; we've got this lower tax rate. Make your investments in the province of Ontario." That's what he said when he was there at the site. When he came back to Toronto, Dalton McGuinty betrayed investors, betrayed those working there, betrayed municipalities like Timmins and Moosonee, and betrayed First Nations that had benefit impact agreements, that had put their trust in the province to keep its word. Dalton McGuinty betrayed them by again breaking a promise, and this was one bald-faced broken promise. He actually was there at the site, construction cap on his head, shovel in hand, boasting about the lower tax rate. He sneaks back here to the capital and raises taxes on this project after hundreds of millions of dollars in investment were already made.

Look at some of these investments: \$150 million to help get services to the mine; \$9.9 million in pre-employment training for coastal communities; an almost \$1-million training centre built by De Beers in Attawapiskat; \$50 million to \$70 million for winter roads to provide access. The lower mining taxes and the remote mining tax were paying dividends for the province of Ontario. Dalton McGuinty can't help himself: He broke a promise and jacked up the tax rates—a double whammy on projects like this. It will send a chilling signal to the international community on further mineral investment in Dalton McGuinty's Ontario.

Members may not know this, but Chile was the second-ranked jurisdiction for mineral investment, according to a Fraser Institute survey. Chile did something similarly sneaky and underhanded, Dalton-McGuinty-esque, and their rating plummeted to 14th in the world when they brought in a surprise royalty. Under the Mike Harris government, we took Ontario from down the list to the number one jurisdiction for mineral investment, first in Canada, then in North America, then in the entire world, and projects like this came forward as a result. Dalton McGuinty is taking us backwards.

I've got to think—and I know my colleague from Perth–Middlesex is a sensible fellow. I know he listens to the arguments here in the Legislature, and he would know what a bunch of hooey Dalton McGuinty's argument is, that we have to have our tax rate the same as every other jurisdiction in Canada. My goodness. We have a mine in Northwest Territories; we've got the Victor mine. The other provinces don't have diamond mines. I can't use the proper word for it, Mr. Speaker, but that is far off the target of the truth when he describes the situation as having the same tax regime as the rest of Canada. What a bunch of nonsense.

Secondly, why it's in Ontario's interest to find the highest tax rate available and take us to that level is beyond me. It's beyond me. Where is the logic in saying, "There's some other mine out there that has a higher tax rate. Therefore, we're going to increase our taxes"? I don't know if he's worried about people smuggling diamonds from one territory to another, reburying them and then unearthing them, but you'd think, if anything, it would work in Ontario's favour if that were the case, because our taxes would be lower. What a bunch of nonsense and hooey from the finance minister and this Premier in trying to describe what is nothing but a naked tax grab, Dalton McGuinty robbing First Nations and individuals who are going to work there of their livelihood, and Greg Sorbara driving the getaway car. There's no doubt that if we want to have mineral investment in remote areas to bring prosperity and economic development to First Nations communities and northern municipalities, you need to have an attractive business environment.

Hugo Chávez himself, in Venezuela, would not even have done this. At least Chávez would have gone in the front door and nationalized the company. At least Chávez would have done that. Dalton McGuinty sneaks in the back door with nobody looking, and behind closed doors jacks up the tax rates. And it's not just Ontario, my friends, that is concerned about this; the international investment community is going to look at Ontario sideways, and there's no doubt that future Victor mines are in jeopardy, because you just can't trust a word that the Premier says. If he was there himself and made this promise and then broke that promise several months later, what does that say about future investment in the area? I know my colleagues, all intelligent individuals, will see the nonsense in the Premier's description of how he could possibly justify this.

Mr. John Wilkinson (Perth–Middlesex): I'm very glad to enter into the debate about—what is it? The parliamentary term, I guess, is "hooey," I believe the member from Erie–Lincoln wants to talk about. I'll tell you what's hooey about this. It's that the Progressive Conservative Party and the NDP are in cahoots. I believe I've heard their platform, that they're going to go to the people of Ontario and say, "We are going to repeal Bill 187, the section regarding diamonds. We don't think the royalty rate in Ontario should be the same as the Northwest Territories; we believe that it should be substantially lower. We don't think that those taxes should be applied to, say, for example, a new hospital in Woodstock or a new nursing home in Tavistock. No, no, we shouldn't do that. Instead, what we should do is we should have it at 5%." They fail to recognize the reality on the ground.

I was just reading in Osprey Media, the Northern News—do you know what was announced just yesterday? Because I heard the opposition say, "Oh, this has just put a chill on diamond exploration across the great province of Ontario." Well, I read in Osprey, the Northern News in the Kirkland Lake area, just yesterday, that "Stornoway Diamond Corp. will spend \$1 million on exploration of its Timiskaming diamond project, located in Ontario and Quebec. In total the company has committed \$23 million in 2007...."

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I say to my friend the member from Oxford, if the good people listening to this debate have been paying attention, they would have said that there was a chill, that there was no exploration going on whatsoever, that the measure by the minister has somehow created a chill. But I see companies right now announcing, quite proudly, that they're going to be doing even more exploration right here in the province of Ontario. So that's interesting. But you know, I can understand that, because it is from a party that ran and hid a \$5.5-billion deficit. I can understand that they have trouble with this.

They say, for example, that we're losing jobs, because they don't understand the very simple accounting principle of net; in other words, the economy will always have in areas jobs that are shed and other areas where jobs will be gained. While we've been in power, the net number is well in excess of 300,000. Yes, there's always going to be some dislocation, but if you listen to the nabobs of negativity over there, you'd think the province was going to hell in a handbasket. But in reality, what's happening is that there are more people working today than there were before. And do you know how we do that? We actually have a balanced budget, something that both Mr. Eves and Ms. Ecker were incapable of while they were trying to run this place, because they were running around hiding a deficit: "Peekaboo. We don't have a deficit in this province."

I look forward to the platforms of both the NDP and the Conservatives, where they're going to explain to people how they can cut this diamond royalty, because I'm pretty sure I heard a promise there that that's going to be in their platforms. So we'll all be eager to see

whether or not Mr. Tory is going to eschew any type of revenue from diamonds and reduce that down—and for diamonds that are owned by whom? It's a natural resource. They're owned by all the people of Ontario. Are we all going to be able to do that? Are we all going to be able to participate, or is there going to be a special rate?

I find it really difficult that the opposition is going to say, on the one hand, "We believe that we can spend more money," and on the other hand, they think Ontario should have a rate of royalty on diamonds that is some 40% of what it is in the Northwest Territories. I know that the James Bay area is rural and remote, but so is the Northwest Territories.

I think it's very important for us to stand in our place and decide whether we're supporting Bill 187. I know I voted for it; I know the opposition voted against it. So I'm assuming that's going to be in their platform.

We said that the royalty can be up to 13%. There's a sliding scale. I know there are regulations that are being developed. I can understand why some of the industry would portray doom and gloom, but I particularly understand why my partisan friends opposite are trying to make an issue out of this. But we'll see when they release their platform exactly where they stand on this, because our position is very clear.

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

Mr. Hardeman: I want to thank all the members who spoke both for and against the resolution. I'm sure that those who spoke against it, having heard the others, will seriously reconsider their position and vote for this resolution because of the positive impact it will have on mining and mining exploration.

The members opposite pointed out that they have one article that says someone is still doing some exploration. We have nothing but articles on this side from every paper in northern Ontario that say they are opposed to what the government is doing on this issue.

I just want to point out too that the members of the government side, though they kept talking about how they weren't going to support this resolution and how they didn't think it was the right thing to do, came up with absolutely no good reason why this tax needed to be increased, other than they found somewhere else that has a higher tax. They said, "My gosh, if the government in the Northwest Territories can get away with getting that much tax, I guess we want it too," and so up it goes.

I think it's also very important to point out—and the member from Timmins–James Bay was very eloquent in his presentation—the difference between a diamond mine and a gold mine that are side by side, and the fact that this change increases the diamond mine from 5% to 13%, a 150% increase, where the gold mine right next door still has the same rate. I'm sure that when the McGuinty government finds out that that's the case, they will start looking for where we can find a place in the world where taxes on gold mines are higher, and they will be implementing an increased tax on gold mines.

Lastly, I think what's most important about this resolution this morning is not the level of taxation, but it's the Premier and being able to believe anything he says. He goes to the ribbon-cutting and says, "I think the reason this company is investing in our economy is because of the low tax rate we have on diamond mines." Then he rushes back and says, "Greg, they've got the shovel in the ground. They can't get away now. Raise it up. This is a great place to grab a whole bunch of money because they can't do anything about it." When the rest of the world sees that that's how this government does business, they will not be investing in our communities and we will not be getting the jobs we require.

GO TRANSIT

Mr. Paul Ferreira (York South–Weston): I move that, in the opinion of this House, the government of Ontario should, on a priority basis:

Increase access to public GO Transit service to all communities served by the Georgetown south rail corridor;

Revive the previous GO Transit expansion environmental assessment requiring only one additional track to expand GO service on the Georgetown south rail corridor; and

Separate all GO Transit aspects of the current Georgetown south rail corridor environmental assessment from all aspects of the private, high-speed, air-rail link Blue22 environmental assessment.

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

Mr. Ferreira: I rise this morning to speak on a matter of significant importance, not just to my constituents in York South–Weston but to tens of thousands of Ontarians living in northwest Toronto and elsewhere along the Georgetown south rail corridor.

As members here and regular viewers at home will know, I have devoted considerable time in this House talking about the need for better public transit in my part of Toronto. Communities in my riding, and in places like northern Etobicoke and north Peel and Halton regions, are presently underserved by public transit.

I am certain that government members here this morning will point to the proposed subway extension to York University. That is a worthy project, but the geographic location of that line does not improve the public transit capacity in my riding, nor in the northwest quadrant of Toronto and beyond.

My riding is, however, served by GO Transit trains along the Georgetown south rail corridor, which covers communities along the line from Georgetown to Union Station in downtown Toronto and includes a stop in the village of Weston in my riding.

For many years now, communities along this line have been underserved and the present capacity is strained. Currently, GO Transit service along the Georgetown south corridor consists of 10 trains inbound toward

Union Station and nine trains outbound towards Georgetown each weekday. Most of these trains are during rush hour. There is no weekend service along the line.

I have taken GO Transit on this line many, many times. Back when I lived in Brampton and worked out of the CBC building on Front Street, I would take the train twice each day. That was 10 years ago, and the rush hour trains even then were packed with commuters standing for the duration of a long ride. Commuter congestion has only increased during the intervening years.

The recognition of an urgent need for increased service on this line isn't a new one. Back in the early 1990s, the NDP government of the day initiated an environmental assessment to look at improvements to GO service along the Georgetown corridor. That EA was completed in 1994 and it forecast a strong increase in demand for GO service along the line due to general population and employment growth.

The EA called for the addition of four new stations, including one in my riding to be built near Eglinton Avenue West in the community of Mount Dennis, which was to be called York City Centre. The EA also called for the construction of an additional track along the corridor to serve the increased number of GO trains and reduce the sharing of existing track infrastructure with freight trains.

The EA involved extensive public consultations with affected residents and its recommendations received glowing public review. One resident who participated in the process back then said, "A great idea, 20 years late though ... this expansion will greatly help people who need jobs." Another said, "This is a most welcome improvement to rapid transit in the northwest metro corridor. The integration with Eglinton West RT is superb planning. Let's keep moving toward implementation!"

1110

These residents, as it turned out, were well ahead of their time. Here now, 13 years later, the vast majority of the recommendations of that EA have not been acted upon. We had, unfortunately, in the province of Ontario a government from 1995 to 2003 that did not place public transit on its list of priorities, and thus the GO expansion plans were derailed.

We do have, today, a new EA regarding the Georgetown south rail corridor. However, this EA appears to be stalled by the present government. The EA is not only examining expanded GO service along the corridor, it is also looking at the possibility of a publicly subsidized, privately operated, high-speed train, the now very well-known Blue22, which would run between Union Station and Pearson airport.

This Blue22 would not stop in any of the communities in my riding or anywhere else along the line, save for, perhaps, a stop at the Bloor and Dundas subway station here in the city of Toronto. It would run along the line every seven and a half minutes, 20 hours a day, 365 days of the year. To hop aboard, it would set you back the princely sum of approximately \$20, give or take a buck

or two. The Blue22 fleet would consist of several 50-year-old refurbished diesel cars—not exactly modern-age technology.

Blue22 would not be public transit. It would be a private service, operated by a very well-heeled private consortium led by the Liberal-friendly folks at SNC-Lavalin. Yet it would cost taxpayers upwards of \$1 billion to provide the necessary track upgrades along the line. Residents and business owners in my riding have been quite clear in their opposition to Blue22, which would pollute our neighbourhoods, lead to greatly diminished property values—real estate brokers have estimated up to a 40% drop in values—while offering very little in the way of spinoff benefits to the local community. To add insult to injury, the initial concept for Blue22 would force the closure of three main streets in the village of Weston, cutting off the residential district from an already struggling business strip along Weston Road.

The opposition to this flawed idea is so fierce that more than 3,000 people showed up at one public meeting. The community has continued its stiff opposition to Blue22. They have been unfairly dubbed, in some quarters, as NIMBYites. That is the furthest thing from the truth. The people of Weston, Mount Dennis and other communities along the line welcome improved transportation in our part of the city, but it must be improved public transportation that serves the needs of local residents and business owners. One of the reasons they elected me on February 8 was so that I could deliver their message. That's what I'm doing here this morning and what I have done repeatedly in this House since I first arrived here.

Just yesterday, I asked yet another question of the Minister of the Environment on this very issue. She is responsible, as we know, for the current environmental assessment process. Her ministry has been stalling on its decision regarding the terms of reference that would provide the framework for the current EA. We were initially told that the decision on the TOR would come down in late January. Of course, there was the small matter of the by-election in York South-Weston in early February. The fate of Blue22 was the local key issue. We learned through an e-mail during the campaign that the ministry would release its decision on the TOR the day after the vote. When that news made the front page of the local community newspaper, the Ministry of the Environment started to backpedal. The furious backpedalling has continued for the past three months, and it would appear by the non-answers that I get here in this House that not even the minister knows when that decision will be made.

The unfortunate part of all of this is that for every day that the minister and this government stall, the longer the commuters along the Georgetown corridor must wait for improved service. The too few trains get more congested by the day, the gridlock caused by those who can't squeeze on to the trains increases by the day, pollution gets worse and Toronto gets its first smog day of the season in early May. That's the reality.

Yesterday, in response to my question, the minister urged me to “take a significant and relevant stand” on public transit. I hope the minister is at least tuning in right now. Perhaps she has missed it, but that is what I have been doing since my very first day here and it is what I am proud to be doing on behalf of my constituents here this morning.

With this resolution, I am asking this government to take a significant and relevant stand on improved public transit in a part of Toronto and the GTA that desperately needs it. I am asking this government to unbundle the GO Transit expansion plans from the deeply flawed Blue22 EA. I am asking this government to dust off the perfectly good EA that was completed more than a decade ago and fully implement its recommendations so we can move ahead with delivering real and meaningful investment in public transit.

If this government is serious about its commitment to public transit, it will support my resolution this morning. I am afraid, however, that their commitment is rather thin—postcard and photo op thin. If that’s not the case, then I challenge government members, the ones in this House this morning, to rise from their seats and vote in favour of my resolution, which would immediately provide the impetus for much-needed, long overdue expansion of public transit along the Georgetown south corridor. Thank you.

The Deputy Speaker: Further debate?

Mrs. Linda Jeffrey (Brampton Centre): I am pleased to have the opportunity to join in the debate today on the proposal by the member for York South–Weston relating to: “Increase access to public GO Transit service to all communities served by the Georgetown south rail corridor,” including my own community of Brampton.

GO transit is one of Canada’s first—and Ontario’s only—interregional public transit systems, established to link Toronto with the surrounding areas of the greater Toronto area. I understand it carries 44 million passengers a year on an extensive network of trains and buses that is one of North America’s premier transportation systems. We’ve been truly blessed with one of North America’s finest transportation networks and strongest transit systems.

But in recent years, I think we’ve all noticed an increase in population that changes those travel demands for Malton, Brampton and Georgetown, and it can no longer be accommodated on the existing transportation system. We all know first-hand how congested the existing roads and freeways are for both automobile travel and bus transit. GO transit can no longer accommodate the current demand on the existing infrastructure. Projected commuter ridership from Brampton to Toronto is increasing exponentially, from today’s 15,000 daily trips to over 27,000 daily trips by 2015. It’s no wonder that many of my constituents in Brampton Centre feel that our current transportation system has failed them and hasn’t kept pace with the demands of the community and others that extend beyond my community in the Georgetown south corridor.

The present service provided in Brampton appears to me to be at or near capacity, with standing room only on very many trips. This capacity cannot be increased without significant rail infrastructure improvements in the corridor. My own experience is that in the first year at this Legislature I tried to take the GO train, not realizing how late some of the trips were. At the end of the day, we finish here so late that there is no train service. Even if you finished at 6, you’d sometimes have a hard time getting to the last train going to Brampton, which is at 6:45, so then you’re stuck with the bus. Sometimes the bus doesn’t make it all the way down to downtown Brampton, and I have to go to the Bramalea station and catch another bus to downtown Brampton to get a car home. It doesn’t fit the lifestyle I have, and my guess is that there are a lot of businesses and business owners that have to travel to Toronto that can’t meet that schedule either. It certainly doesn’t fit the needs of the kind of commuter we have now.

The present service clearly needs assistance, and that’s why the expansion of GO service in the Georgetown corridor is critical to meet the current and future demands of my community and others that share that same corridor.

Our government is serious about public transit and we do recognize the importance of investing adequate capital funding in safe, reliable, efficient transit systems, which is the key to building a strong and prosperous community around Brampton and across Ontario. We as a government have invested \$1.3 billion since coming to office in 2003. That sounds pretty serious to me. We’ve invested in GO Transit, as well as developing partnerships with both the federal and municipal governments to work with GO Transit to ensure that the expansion program, which includes the proposed project along the Georgetown corridor, is completed by 2010. The completion of these projects is essential to better accommodate the 44-million-plus current riders across this province, and these riders are expected to double in the next 20 to 30 years. Long-term funding is essential to improve public transportation that will reduce the gridlock that we all know about, improve our environment and preserve the quality of life for the residents of Brampton—the people I represent—and for everybody in this House and the communities they represent across the province.

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The proposed project along the Georgetown corridor would see improvements in rail infrastructure along GO’s Georgetown line, which would see additional tracks being added between Bramalea and the recently built Mount Pleasant GO station, which I had the pleasure to be at and never thought I would see happen in my lifetime, but this government made it happen. Improvements like a new layover facility near the new Mount Pleasant station and several road-rail bridges in the Georgetown corridor increased track capacity for both the proposed air-rail link Blue22 service and future GO Transit rail service.

The additional services and improved systems would reduce travel time, increase reliability, safety and access-

ibility for commuters and would have a positive long-term impact on the residents of my community by reducing their stress levels during travel—which I think we all experience—and ensuring that people arrive home in a timely fashion so they have more time with their friends and families.

This proposal to increase access to public GO Transit service to all communities served by the Georgetown south rail corridor has the full support of not only myself and our government but the city of Brampton and the region of Peel. City council and staff have been diligent in their advocacy on this issue and have been following the GO Transit environmental assessment study with great interest, as it would enhance service in Brampton. Brampton city council has endorsed the environmental assessment and preliminary design study for the Georgetown north rail corridor to plan for the expansion of the Georgetown commuter rail service to provide for eventual two-way, all-day GO train service through the city of Brampton.

The regional chair, however, has expressed serious concerns regarding the delays and potential future delays to the Georgetown south corridor service expansion project. The region is committed to ensuring that Peel's long-term needs for frequent, all-day, two-way commuter rail service and transit access to the Lester B. Pearson airport are not jeopardized and that regional staff will continue to work with the GO Transit project team on the environmental assessment study to help support and expedite the project.

The environmental assessment study has two components, as I understand it. One examines proposed improvements along GO's Georgetown south rail corridor that would meet the increasing demand and future needs for the GO train service to communities such as Brampton along the corridor running between Halton and Peel regions and the city of Toronto. The second is to examine alternatives—both within and outside the Georgetown south rail corridor—for an airport transportation link, including the proposed air-rail link service between Union Station and Lester B. Pearson International Airport.

The potential for excessive delays in introducing additional commuter rail services due to the linking of the environmental assessment for the Georgetown GO rail service expansion project with the airport transportation link project is an ongoing concern. Considerable public opposition to various aspects of the airport transportation link project has already resulted in the termination of the original class environmental assessment and a bump up to the individual environmental assessment. My concern is that the current proposed approach of combining the environmental assessment processes for the two projects into one could lead to further delays. Under this approach, problems with the airport transportation link project or part of the project could delay or even jeopardize GO Georgetown service expansion, which would have a negative effect on my constituents and our local economy.

Although GO Transit is obligated to conduct the environmental assessment work required for the GO rail

improvements to the Georgetown corridor and for the air-rail link, we should remain committed to an open and transparent process that considers the communities' concerns.

It is my understanding that no single alternative has been selected at this point and that any decisions regarding the structure of the environmental assessment would have to go through the Ministry of the Environment.

By investing in the GO Transit expansion program and by expanding service along the Georgetown south rail corridor, we will enable a larger portion of commuters in Brampton to use public transit instead of private automobiles. That's why I support Mr. Ferreira's motion to prioritize access to public GO Transit service to all communities served by the Georgetown south rail corridor.

In order to avoid any future delays to the GO expansion project along the Georgetown rail line, we need to move quickly to accommodate the current and projected future ridership. This expansion is important and is key to building a strong and prosperous Peel and, in particular, the riding of Brampton Centre.

Mrs. Joyce Savoline (Burlington): I'm pleased to stand to support the member from York South–Weston. As a proud previous member of the GO Transit board, I had some awareness of this project while I sat on the board. I want to say that there was a lot of discussion. The good people of York South–Weston did come to the GO board to make a presentation and the points are valid and well taken.

GO Transit is probably one of the safest and cheapest commuter rail systems in North America, and we as a province ought to be very proud of it. As we're talking about the Georgetown rail corridor, I want to be sure—at the remote possibility that there are any folks here from Georgetown or who may be listening to this broadcast later in the day—that this does not mean there's going to be increased train service to Georgetown. This increase of train service, should it go forward, would be to Brampton only. I just wanted to get that out of the way.

I too feel it's important to separate the two projects, because I don't believe the air-rail link project has met its time. I think that is a project for the future, given the challenges and the priorities that exist for projects and for funding here in the greater Toronto area for GO Transit and other modes of public transit. I'm a huge supporter of public transit, but it has to be convenient, it has to be safe and it has to be the kind of cost our residents can afford.

Whose interests are being met by the air-rail link? The public has concerns. Are their interests being met? There has to be some certainty for our government that the province's interests are being met. Also, there has to be some certainty to the private sector, which is going to be involved here, that the game will not change halfway in the middle of the game.

I feel that this project has jumped the queue in a priority list. I feel there are priorities in our province, in our GO system, that stand far higher than this air-rail link. I think it would behoove the government to do an

audit of exactly how many cars would be taken off the road if the air-rail link project went forward. In fact, it would behoove the government to do an audit on any grant in public transit to any municipality to make sure the money is being spent to take cars off the road. With the millions and billions of dollars we have spent for public transit, we have no idea whether or not we are in fact taking cars off the road, so I think it would be a really good idea for us to monitor how the money is spent and whether we get our money's worth.

We know that gridlock is a cost to our economy of about \$2 billion a year, and that is substantial.

I feel that this air-rail link began under the previous federal government when the Minister of Transport at that time wanted to leave a legacy as he left his office. I think this air-rail link is that legacy, but it's not well thought out. The numbers have not been crunched. We cannot be confident that the system will support taking cars off the road. I live in Burlington. Would I pack my suitcase, kids in tow, get on a GO train, go to Union Station and get on yet another train to go to the airport? I don't think so. So who is this rail link serving? How much are we going to get? What kind of bang are we going to get for our buck?

1130

I think that this project is out of touch and that we have been pulled into a flawed federal scheme that began with the previous government. This is one of those ad hoc projects that really jumped the queue in a list of some very serious priorities that would have made a difference in the greater Toronto area, and even the wider greater Toronto area, because we're now looking at points beyond what is known to be the greater Toronto boundary. We're looking beyond into Sudbury, Peterborough, Niagara, and even Waterloo and Guelph to see how we can service people and take people off the roads, because that's what the goal should be. This project, I don't think, does that.

Inasmuch as the EA is part of this battle, I think another very important battle is to say, why the air-rail link now? Why are we doing this now? What benefit is it to us for the cost that's going to be involved and for the disruption that it's going to cause to residents in the area? It's going to split communities—communities that have existed there for years, scores of years. So I think that if we go ahead and spend this money, it goes under the category of government waste, and it will be yet another one-off project to satisfy somebody. There'll be a great ribbon-cutting and a name on a plaque, and away we go.

In finishing my comments, I want to say that I support what the member from York South–Weston has brought forward and I'm all for public transit. I think it's very important for us to deliver on projects that get people out of their cars and into public transit. The air-rail link is not one of those projects.

Mr. Rosario Marchese (Trinity–Spadina): I just want to speak for a short while to support the member from York South–Weston by way of his resolution and by way of his defence of his community in York South–Weston. GO Transit is proposing to lay down two new

tracks, in addition to the existing three tracks, to allow a train to connect Pearson airport and Union Station. Blue22 is the name they give the train, which I suspect means the price that they charge—

Mr. Ferreira: Twenty-two minutes.

Mr. Marchese: I thought it was the charge that they pay. It's the 22 minutes it takes to get from downtown to the airport.

Mr. Ferreira: The trains are blue.

Mr. Marchese: And the trains are blue.

While it seems like a good idea on paper, nobody has talked about the impact it has on the good people in Weston region. Residents have worked around the inconvenience of the railway tracks for a long time and they did this with grace and, yes, complaining, but they lived with it for a long, long time. There was never enough money, it seems, to make bridges over or underpasses under the tracks. It seems that we didn't have enough Rosedale residents in the area to give it adequate muscle to urge the politicians of the time to build the bridges or the underpasses under the tracks. I suspect that if we had a couple of Rosedale types, with all due respect, we would get their voices heard and politicians would listen.

Unfortunately, the community from the area has never been so lucky, until we got people like my friend Paul Ferreira from York South–Weston, who has put up a strong defence, with the thousands and thousands of people that have gone to these meetings, urging not just an environmental review process—a thorough one—but urging them to stop something that has very little convenience to the community. What we have in the community is a lack of recreation centres; as some other writer mentioned, limited child care facilities; very few places for seniors to hang out. We know they won't even stop at Weston. They won't even get a benefit from this train, because it won't stop there. They, these poor residents, are being gouged at the pumps, with gasoline prices going up and up. They have poor transit service, as far as I understand very little public transit service, and very poor at that, so at the end of the day you say to yourself, what do the good people of York South–Weston get out of this? They don't get very much. What we know is that many roads are going to be closed. Thanks very much for getting this train to start at Union Station and cut right through the York South–Weston region and go straight to the airport. It will benefit some people; it will certainly benefit SNC-Lavalin, who is a publicly subsidized, privately owned company. They're going to make a few bucks, no doubt. But we haven't talked very much about what is to be had, what is to be gained for the working people of York South–Weston. From the looks of it, and the debate that I have witnessed over the last couple of years, we get nothing.

This resolution is an attempt to speak to the problems and to the need for public transit in York South–Weston, and to the need for federal politicians and provincial politicians to review how we help a community that is in desperate need of public transit, rather than a train that is going to cut through their region and cause greater problems to them with very few benefits.

Mr. Bob Delaney (Mississauga West): It was a very interesting motion. Some of my comments have been made by some of the other members. But there are three words in it that I am grappling with. They are “a priority basis.” The member for Brampton Centre, an excellent member who very diligently represents her constituents in Peel region and shares some of the same problems that I do, has made some of these points. Let me emphasize them from my vantage point living in Mississauga.

The people I serve live on the Milton GO line. The Milton GO line has five trains in the morning, five trains in the evening, and they are all full to capacity, every single one of them. Very much like the member for York South–Weston, we are also served by GO bus service. The bus service, admittedly, is very good. But if we really need to get people out of their cars, and people are willing to get out of their cars, we have to be able to get them from where they are to where they want to be and back at the times they want to get back. Many people will say, “I don’t mind getting out of my car, but I don’t want to get out of my car to get into a bus to sit in the same traffic that I would sit in if I drove my car.”

It’s for that reason that in the government’s 2006-07 budget we set out a long-term plan for developing public infrastructure, and especially public transit. There were a number of services that received a significant amount of funding—one of them in my own city of Mississauga, the Mississauga Transitway; the Brampton AcceleRide—but we also set up the framework in the Greater Toronto Transit Authority to begin to address such issues as the member for York South–Weston raises.

I ask the member rhetorically, should his project, its merits and its drawbacks notwithstanding, be the basis for GO Transit to say, “Drop what you’re doing, forget your capital plan, look after me first”? I’m not sure that’s quite the case. If indeed there needs to be an additional track, should it be on this line or should it be on the line that serves Milton? Should it be on a line for Milton and Oakville? Should it be on the line that’s serving the areas where more people are moving to, where more of those cars are getting on the road—not because people want to get their cars on the road but because there’s no other way to get downtown?

1140

Very much like the member for Brampton Centre, I love to take the GO train. Whenever I can, whenever this House rises at 6, I’ll take the GO train in in the morning and skip that wretched traffic. Sometimes I can make the 6:10 GO train back to either Meadowvale or Streetsville, but very often I’ll have to take the Lakeshore express to Clarkson and get my significant other to pick me up from Clarkson because there is no train back along the Milton line.

But this member says that his solution in York South–Weston should be the priority and not the area where 15,000 to 20,000 people a year are moving to in western Mississauga. That could be a problem. That may be what we should be debating. Is this indeed the priority or is it simply one of the priorities? Isn’t it something that perhaps GO Transit in its capital plan should be consider-

ing? Wouldn’t it be better if, within the framework of the GTA, GO Transit took a look at the entire region’s needs and looked at it in the form of its capital plan and said, “These are the priorities. These are the timelines”? But the member says, “Look after the Georgetown south rail corridor and do it right now.”

I have a little note here on what GO does supply in the York South–Weston area: four trains into Toronto in the morning; four trains back toward Georgetown in the afternoon. Between Bramalea GO and Toronto there are the 10 trains, four as previously mentioned, plus an additional three during rush hour, plus an additional three in the off-peak hours. On the Milton line we get nothing off peak—nothing. We have five in the morning and five in the afternoon, and by the time you get to the third stop, which is Streetsville, you can hardly find a seat anymore. It used to be that you could get as far as Erindale and still get a seat, but it’s harder and harder now to find a seat if you get on the train at Erindale.

But the member says, on a priority basis, “Me first.” There are indeed others of us, and I think the best solution would be not to say, “Me first before anybody else,” but to say, “Let us all co-operate,” because this is private members’ time and we are not here to put on our party colours. We are here to ask, “What is the best thing for the province of Ontario?”

While the member relates some needs which, from what I have heard this morning, seem to be perfectly legitimate needs, my suggestion to him would be, would it not be better to sit down and look at the entire area served by GO Transit and decide, if we are going to build an additional track, where that track should be built first? Undoubtedly, we need a lot more capital expansion, but this one is perhaps a little bit too narrow, saying, “Look after York South–Weston.” Why not look after Peel, Halton and Durham regions and consider that in the same plan that we are in looking after York South–Weston? Other than that, it seems to be a fine resolution.

Mr. Ted Chudleigh (Halton): The previous speaker seems to be suggesting that we need an overall commission to look at this, maybe an authority, and I could come up with a name. I think maybe we should call it the Greater Toronto Transportation Authority. Oh, maybe one was announced by the Liberal government. Maybe we already have one. I think we have a chairman, the former mayor of Burlington. However, I don’t believe it’s doing anything. I don’t think they have a budget and I don’t think they have any employees.

It’s a sort of authority because it doesn’t really have any authority and it doesn’t have any budget. It does have a chairman, but the chairman is not all that busy. I would agree with the member from Mississauga West that that’s kind of what we need and we kind of have one, but it’s not going anywhere. Nothing is happening with it.

But this proposed resolution from the member for York South–Weston is indeed a good one, especially as it deals with increased capacity on the Georgetown south GO rail corridor. Although that increased capacity doesn’t go to Georgetown yet, it certainly has the potential of going to Georgetown at some time in the future.

Increased public transit, of course, is one of the solutions to the gridlock that is costing business, commuters and family life. Stress and health care and everything else in the greater Toronto area are costing them a great deal in dollars and in the well-being of individuals within the public. It's costing us in every way.

Of course, public transit is one of the solutions to that gridlock. It's one of the solutions that has to be looked at very carefully, and in this particular project, looking at it very carefully has taken an inordinate amount of time. That is one of the problems we have. When these projects come along, everybody says, "Yes, yes, we need them. They're a good thing," and as the member for Burlington pointed out, when you take the cost analysis of it—how much does it cost to pry someone out of their car?—this project, obviously, the GO Transit project, would be a good one that I think would come out well in that cost comparison. Whereas the so-called Blue line link—Blue line, I think it's a mine actually. Somebody's going to mine some money out of it, but I don't think it's going to take very many cars off the road. It's perhaps not as much a line as it is a mine, and with the number of studies that have gone on with this particular project, that mine is kicking out lots of returns for people doing those studies. I don't think it's going to provide a very realistic alternative.

A high-speed rail line would be a wonderful thing for the GTA, but I would suggest that the heaviest commuter traffic we have in the GTA is along the 401. If you're going to have a high-speed, high-capacity public transit line, certainly the 401 corridor would be the highest priority for me. As you're sitting in your car on the 401, watching a high-speed train, or rail, or some public conveyance going by at high speed, I think it would certainly encourage you very quickly to reconsider your options and perhaps leave your car at home, or at least leave your car in a very large parking lot somewhere and get on the high-speed train that would take you to your destination.

Having all of those facilities coordinated, of course, is another wonderful thought. It would require an overall authority to coordinate those things, and if the GTTA—Greater Toronto Transportation Authority—were ever to be given a mandate and a budget and a staff to do those kinds of things, I think it could probably do a very good job of it. But as it sits in its infancy, it doesn't seem to be moving ahead very quickly or with very much enthusiasm from this particular government.

Talking of public transit as a solution to gridlock—yes, that is a solution to gridlock, or one aspect of that solution. I know that Ontarians have a long-term love affair with their cars, and it's always popular from a political point of view to talk about building more roads. I think anyone who has studied the problems of gridlock would agree that it would be absolutely impossible to build enough roads to handle the kinds of traffic generated in high-density populated areas such as the New York to Washington corridor, the Los Angeles area, Chicago area, or indeed, the Toronto area. I think those four areas are the four highest-density areas in North

America. So the GTA problem of gridlock is one that is mirrored in the other three huge metropolitan areas in North America.

I think one of the alternatives to gridlock and public transit is also the ability to decentralize this province. Ontario is a very large province. The fact that we have focused our growth in the GTA area is one that has brought about continuing, growing problems in the ability to move people from one side of the city to the other, to move freight in and out of the city. We've seen most of the industrial base of Toronto move out of Toronto because they can't get their supplies into their factory in just-in-time delivery, and they can't get their product shipped out of the city with anywhere near efficient time use. So you've seen most of that manufacturing base move out into the suburbs or into the nearby towns, in order to accomplish that just-in-time delivery or the meaningful or reasonable communications with the road links and rail links that exist in those areas.

So probably a decentralization of the province in general, moving it into the London-Chatham-Windsor corridor, into the Peterborough-Belleville-Cornwall-Kingston corridor, moving it north into Barrie and north of Barrie, into those areas to encourage growth in those areas, to decentralize the Toronto area, the GTA, would be a longer-term solution to what is going to continue to be a growing problem until it is faced square on.

As with most of the issues that face us today, there is no single issue, there is no single solution, but there are multiple solutions. I would suggest that doing what we can with roads and encouraging the efficient production of growth and building of public transit and the decentralization of the GTA would be the solutions to those problems.

1150

Mr. Peter Tabuns (Toronto-Danforth): It's my pleasure to speak in support of the resolution put forward by my colleague Mr. Ferreira.

It's interesting to look at this whole issue from two angles. One is what I will refer to as fun with environmental assessments. The other is the whole question of transportation and the need for transit—adequately funded, properly planned, put-in-place-on-time transit.

First, in terms of fun with environmental assessments, this environmental assessment that Mr. Ferreira's motion refers to is one that seems to keep getting put off. It was certainly my understanding at the end of last year that this environmental assessment would be announced in February. Then the by-election came down and that date for the environmental assessment was pushed off. We have a provincial election coming on. It may well be that it's pushed off again. Clearly, this is a hot issue.

But it isn't just this issue where environmental assessments have been pushed off. The integrated power supply plan—the Minister of the Environment exempted one of the largest decisions Ontario is ever going to make in its history from a full environmental assessment, so that the decisions that will have to be made in as intelligent and rational and environmentally friendly a way as possible will be deprived of the forum that in fact the

decision should take place in. I see that decision around the power supply plan being solely politically driven, and the same in this case; I see another politically driven decision.

In my riding, on the Portlands Energy Centre, which was proposed starting at the end of 2003, we in our community asked for an environmental assessment. We were told that, no, it was impossible; the time was too short. But lo and behold, in the initial RFP process, the Portlands Energy Centre failed to make the cut and then it was another nine months to a year before a decision was made to go ahead—nine months to a year, when in fact an environmental assessment could have been held and frankly, in my opinion, a decision could have been rejected that will be seen to be a problem for the long term for this city.

So those are two significant areas where environmental assessments have been pushed aside when they were needed, and yet again we have another. There is an environmental assessment. It was done, completed in 1994. The facts at hand, the arguments that were made, are all on the record. What remains, given the transit crunch that we have in this city, in this region, is to proceed with the environmental assessment and not have us knocked off kilter, not have us knocked off track, as it were, by this Blue22 proposal, which frankly is, on the face of it, very questionable. If it's going to have an assessment, by all means convene an assessment and get rolling on it. But we have an assessment on the GO trains already in place; we have a need already there. We need to move forward.

I was in estimates over the last few days. As part of the estimates, we were looking at the transportation needs in the greater Toronto area. The Neptis Foundation, in 2002, did a study of transit needs in the GTA, a study of transportation issues in the GTA, in the period 2000 to 2031. On a business-as-usual basis, assuming that the way we've continued to approach things over the last decade will continue on into the future, they show a very dramatic increase in greenhouse gas emissions in this region over the next 25 years. As we all know, we're looking at dramatically increased travel times—another way of putting that is dramatically slower travel times—for people in this region.

We need the GO Transit to go ahead. Blue22 is not going to address those key issues. Ms. Savoline addressed that, the fact that we're looking at a spread-out demand for access to the airport. If we have a route to the airport and a rail route, and a rail route makes sense to me, let's have an environmental assessment. Let's look at multiple options. Let's look at one that has the best impact in terms of benefit for the environment and benefit for the population as a whole. Let's not hold this community in suspense forever, saying to them, "Well, after the next election we'll get around to the environmental assessment. No, after the next election we'll get around to the environmental assessment." It doesn't make sense.

I understand that there is an interest on the part of the proponent to have their assessment bundled in with GO

train assessment. Obviously, you get to surf on, to ride on, the shoulders of a project that already has approvals, support, and analysis that shows that it's useful and makes sense. So why not try to ride on those coattails?

Let's adopt the resolution that's been put forward by my colleague. Let's make sure that those GO trains get built, get put in place. We've already heard people speak this morning about the need for the existing transit. Let's put them in place and let's go forward.

The Deputy Speaker: Further debate? The member for York South–Weston.

Mr. Ferreira: Mr. Speaker, I will use the remainder of our time and then wrap up with my two-minute summation.

I want to use the next few minutes to respond to some of the very thoughtful comments that were made by members from across the greater Toronto area. We heard from the members from Brampton Centre, Burlington, Trinity–Spadina, Mississauga West, Halton and Toronto–Danforth. I think it's quite evident that we all believe there must be greater investment in public transit across the region of greater Toronto. In fact, there is tremendous economic benefit to be gained by investing in public transit. We know the negative effect that gridlock has on our economic development, on the economic standing of our region, and we know the positive impact that investment in real public transit can have.

The member from Brampton Centre acknowledged in her very thoughtful comments the tremendous growth—I believe her word was “exponential”—that she has seen in the need for and the use of GO Transit services in her community of Brampton, a community that I grew up in. As she well knows, by having the Blue22 proposal bundled in with the GO Transit expansion plans on the Georgetown line, what we've seen is unnecessary delay.

The public has been in an uproar over the possibility of private trains—publicly subsidized to the tune of almost \$1 billion—running through their community without stopping in that community, without leaving any tangible benefit behind in that community except for diesel fumes. And that's not acceptable to the people of my community. That's why they have been so concerned about this issue and why they have come out in such large numbers. It's also why we are seeing this unnecessary delay in expanding service along that line.

This leads me to my response to the member from Mississauga West. His concern was with the words “on a priority basis,” and perhaps feeling that I was suggesting that the Georgetown line be bumped ahead of all of the other projects. In fact, expansion plans are under way across the entire GO network, and in some places that expansion is near completion. The unfortunate reality is that along the Georgetown line, because of the bundling with the Blue22, that line and the commuters on that line are being penalized. They're being forced to wait, and we are all ready. Just on the acceptance of the terms of reference, the TOR document, that has already caused a delay of several months. That document was submitted to the Minister of the Environment late last year, in late November. A response was expected back within six weeks. I

outlined the timeline earlier. We were expecting a response in late January; it did not come. We were told a response would come in early February; it did not come then. We are now in the middle of May and we still have no indication whatsoever on when this government is prepared to act on the terms of reference for the environmental assessment, which is why I say, "Let's take that 1994 assessment, let's pull it off the bookshelf, let's blow the dust off and let's utilize that environmental assessment."

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It calls for the added infrastructure of one track along the line. That is all we require to be able to deliver expanded GO train service, not just for the people of York South–Weston in the station in Weston but also to Bramalea, Malton, Etobicoke North, Brampton and further into Halton, into Georgetown, into the riding of the member from Halton. That's why this is so important and it's why I think I am about to receive the support of members from all parties on this initiative.

I want to say, before my initial time runs out here, that I know the good work the member from Burlington, who sat on the GO board, did and other GO board members did in raising concerns about how the Blue22 plans would unfairly impact—

Interjections.

The Deputy Speaker: I have to hear the member speak and I'd like your co-operation in doing that.

Mr. Ferreira: I want to thank the member from Burlington for her presentation and her fine work when she served as a member of the GO board in expressing her concerns about Blue22 and its impact on expanded GO service.

The Deputy Speaker: Are you—

Mr. Ferreira: I thought you were going to pause, Mr. Speaker.

I want to close by thanking the people of York South–Weston who have, over the past two and a half years, engaged themselves on this issue. As we know, the various levels of government were trying to sweep this project under the rug. It was initially announced as a federal government initiative in 2000 by then-federal Transport Minister Collette.

Our community was kept in the dark for almost five years, but when activists in the community raised this issue and brought it forward to the community, the community rallied like I have never seen it rally before. We had meetings where thousands of local residents came and expressed their opinion, and they applied a little bit of political pressure. That's why we now have a full-fledged environmental assessment process.

It's also why we have a government now that is trying to avoid dealing with this issue. They've had a number of months to deal with it. All indications are that they may decide this is too hot a political potato to deal with anytime soon, and that means perhaps after October 10. They may not have the chance to deal with it after October 10, and the unfortunate result is that the people

who need the Georgetown GO service to be expanded will be forced to wait and wait and wait.

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

MINING TAX

The Deputy Speaker (Mr. Bruce Crozier): We shall first deal with ballot item number 8, standing in the name of Mr. Hardeman.

Mr. Hardeman has moved private member's notice of motion number 64. Is it the pleasure of the House that the motion carry?

All those in favour, say "aye."

All those opposed, say "nay."

In my opinion, the ayes have it.

We will call in the members after dealing with the next item.

GO TRANSIT

The Deputy Speaker (Mr. Bruce Crozier): We shall now deal with ballot item number 9, standing in the name of Mr. Ferreira.

Mr. Ferreira has moved private member's notice of motion number 61. 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.

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

The division bells rang from 1205 to 1210.

MINING TAX

The Deputy Speaker (Mr. Bruce Crozier): Mr. Hardeman has moved private member's notice of motion number 64. All those in favour, please stand.

Ayes

Arnott, Ted	Hardeman, Ernie	Savoline, Joyce
Bisson, Gilles	Hudak, Tim	Scott, Laurie
Chudleigh, Ted	Marchese, Rosario	Tabuns, Peter
DiNovo, Cheri	Martel, Shelley	Tascona, Joseph N.
Elliott, Christine	Miller, Norm	Wilson, Jim
Ferreira, Paul	Munro, Julia	Witmer, Elizabeth
Hampton, Howard	Prue, Michael	Yakubuski, John

The Deputy Speaker: All those opposed, please stand.

Nays

Balkissoon, Bas	Jeffrey, Linda	Phillips, Gerry
Bradley, James J.	Lalonde, Jean-Marc	Racco, Mario G.
Chan, Michael	Leal, Jeff	Rinaldi, Lou
Delaney, Bob	Levac, Dave	Ruprecht, Tony
Dombrowsky, Leona	Marsales, Judy	Sergio, Mario
Duguid, Brad	Milloy, John	Smitherman, George
Flynn, Kevin Daniel	Mitchell, Carol	Van Bommel, Maria
Gerretsen, John	Mossop, Jennifer F.	Wilkinson, John

The Clerk of the Assembly (Ms. Deborah Deller): The ayes are 21; the nays are 24.

The Deputy Speaker: I declare the motion lost.

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 1212 to 1330.

MEMBERS' STATEMENTS

The Speaker (Hon. Michael A. Brown): Members' statements.

Failure of sound system.

The Speaker: The microphones are down. We will recess for 10 minutes.

The House recessed from 1333 to 1344.

The Speaker: I thank members for their patience. We will start again. The member for Renfrew–Nipissing–Pembroke.

PREMIER'S SPENDING

Mr. John Yakabuski (Renfrew–Nipissing–Pembroke): We learned today through a freedom of information request that Premier McGuinty has used government aircraft flights costing \$1 million since taking office, while only claiming \$2,913 in air travel. Air McGuinty funnels all these other flights through the MNR, thereby avoiding the need to account for their cost. It is no wonder the Minister of Natural Resources has ordered conservation officers to stay in their offices and out of the field. He is spending a good part of his budget keeping his boss above the clouds and beyond the reach of public accounts.

The records further show that many of these flights, at exorbitant cost to the taxpayer, were for nothing more than partisan photo ops to spread the Liberal message. What the people haven't been told in the latest story of Liberal disregard for taxpayers' money is that when the Premier flies high, his entire entourage of security people also travel by ground. That's right. His fleet of SUVs, with the full complement of security officers, drive to meet him at the airport, take him to his photo op, drive him back to the airport and then return to Queen's Park. Of course, he will also have the remaining SUVs in the fleet take him to the airport in Toronto and pick him up when he returns.

I feel that it is high time—no pun intended—that the true cost of the Premier's travel be made public, just as it is for other members of the Legislature. This would be in keeping with the practice in other provinces. The people have a right to know just how much it costs them for a Dalton McGuinty photo op.

Mr. Dave Levac (Brant): On a point of order, Mr. Speaker: Under standing order section VI, "Rules of Debate": "In debate, a member shall be called to order by the Speaker if he or she ... (h) makes allegations against another member." I was listening very carefully, twice

now, to the member's comments, and a couple of the comments—not all of them, but a couple of them—made an allegation of impropriety regarding party politics versus his business. I would think that allegation is not acceptable.

Mr. Peter Kormos (Niagara Centre): To that point of order, Speaker: With all due respect to you and to the government whip, this effort to merely censor members doesn't constitute a point of order. In fact, this whole business of rising on phony points of order should be sanctioned by the Speaker to protect us from the technique, the tactic of this being used during speech-making, for instance, during debate, to cut into opposition members' legitimate time slots, be they the one-hour time slots or the 20-minute time slots. These are phony points of order. They shouldn't be tolerated.

The Speaker (Hon. Michael A. Brown): On the same point of order? The member for Brant.

Mr. Levac: While I appreciate the member for Niagara Centre's comments on that, I will make it perfectly clear that I did wait until the member was finished. I also was going to wait until after the entire section so I could bring this up.

But to say this is a phony point of order—it's not, because I am making reference to a specific comment made in the member's statement. The specific comment the member made was allegations of party politics versus his business time. His reference was an allegation that would be subject to Integrity Commissioner response. So I would say this is a very serious allegation and I would say this is a serious point of order to be made.

Mr. Gilles Bisson (Timmins–James Bay): Further on that point of order, Mr. Speaker, you know I'm not normally one to get up on points of order, but on that one I've got to make the following point: There have been a number of times now, two or three that I can recall in the last week or so, where the government whip has gotten up on similar points of order, trying to limit the ability of opposition members to do their jobs and point out issues that are maybe sometimes seen negatively by the public.

We know that the tenet of Parliament works this way: The government has the right to introduce legislation and, in the end, as a majority government, has the right to pass legislation by right of their majority. But this speaks to the right of the opposition. The opposition in the British Parliamentary system has a very important role, and that is to keep an eye on the government and to make sure that the government is looked at through the scrutiny of the opposition, through the standing orders.

I would point out that when we bring school groups into this chamber to see what we do here, we always point out, if you take a look up at the other end, that you have the owl on the opposition side of the benches to keep an eye on the government. For the whip to say that this member was doing something beyond what's allowed in the standing orders is, quite frankly, shameful and regrettable, and I hope he withdraws.

The Speaker: I appreciate the comments on the point of order raised by the chief government whip and the

members for Niagara Centre and Timmins–James Bay. In listening carefully to the remarks made by the member from Renfrew–Nipissing–Pembroke, I did not detect the fact that he may have gone across the line. I will have a look in Hansard later to see if that's true, but on the face of it, I did not believe that to be true.

1350

Secondly, to points of order: Points of order are always in order and can easily be done in a period where we have 90 seconds for each member to make their statement. No one lost any time. No one was interrupted. It seems to me that that's fair to members on all sides. But I would caution members that we need to not only respect the words in the standing orders and our precedents and practices, but to respect the intent of those very same traditions that we have. So on all sides, I ask for your co-operation as we move forward to the next statement.

Mr. Yakabuski: On that point of order, Mr. Speaker: I want to thank you for your intervention and your ruling. I appreciate that.

WOMEN'S SHELTERS

Mr. Jeff Leal (Peterborough): I'm pleased to rise in the House today to speak to the nearly \$1-million investment made by the McGuinty government for a women's shelter in Peterborough. The YWCA of Peterborough, Victoria and Haliburton will use these funds to build, renovate, maintain and repair a shelter facility that supports women and their children fleeing domestic violence.

I would like to take a moment to share some of the comments made by Lynn Zimmer, the executive director of the Peterborough, Victoria and Haliburton YWCA. Ms. Zimmer writes:

"This grant has restored our belief in miracles." That's right, Mr. Speaker, "miracles." "Although we've been moving resolutely toward the goal of a new shelter, it has at times seemed like an overwhelming task beset by barriers."

"This marvellous grant suddenly makes everything seem possible. We can imagine success. And the news has already inspired community members to come forward with donations and offers of help."

The McGuinty government firmly believes that the victims of domestic violence deserve all the support we can give them, and that is why this investment is so important to the community of Peterborough.

Mr. Gilles Bisson (Timmins–James Bay): Mr. Speaker, on a point of order: I was just wondering if that announcement was done by way of the Premier with King Air from Sault Ste. Marie, and if that could be shown through the—

The Speaker (Hon. Michael A. Brown): That's not a point of order.

PREMIER'S SPENDING

Mr. Robert W. Runciman (Leeds–Grenville): Today's revelation that Dalton McGuinty is once again

misusing taxpayers' dollars should not come as a surprise to anyone. The Liberal re-election team would like to portray Mr. McGuinty as average Joe Citizen, but his lifestyle since becoming Premier belies that. How many average Joes can spend \$1 million of someone else's money flying around the province for photo ops or to avoid gridlock on GTA highways? How many average Joes live in a tony Toronto neighbourhood in a taxpayer-subsidized mansion? How many average Joes require 10 OPP vehicles for security purposes, at taxpayers' expense? How many average Joes pay \$75 for a haircut?

Once upon a time, Dalton McGuinty may have been an average Joe, but his elevation to the Premier's office brought with it taxpayer-paid temptations that he has been unable to resist. This is a presidential Premier, another Liberal who believes he is entitled to his entitlements. Come October 10, the real average Joes, many of whom have lost their good jobs under Dalton's watch, will say "Enough abuse of our money" and show him the door.

ELECTRICITY SUPPLY

Mr. Peter Tabuns (Toronto–Danforth): Community mobilization against the possible third Toronto hydro line has triggered a series of interesting reactions on the part of the Minister of Energy and his staff in a bid to downplay this potential spinoff consequence of the Liberals' approach to electricity planning. In the wake of the first community meeting on the issue, ministry staff said that Pape Avenue was no longer a possible site for a transmission corridor. But, upon further questioning, they would not rule out the possibility of a potential route coming through other east end locations.

The Minister of Energy, in his latest effort to downplay the potential corridor, has mused about conservation and efficiency as a possible means to address Toronto's electricity security rather than another transmission line. This is an approach that the mayor, a number of city councillors, local residents and sustainable-energy experts have long pressed for, but it's missing in the government's electricity plan directives what shape that Toronto's electricity-use patterns are going to be. Different analyses on the government's electricity strategy released last year conclude that it underutilizes demand response, conservation and efficiency. However, mounting community pressure around the third Toronto line could produce the needed shifts toward investing in programs that reduce our electricity use.

DESTINATION IMAGINATION

Mr. Wayne Arthurs (Pickering–Ajax–Uxbridge): It's my pleasure to share with you today some of the impressive achievements of young people in my riding of Pickering–Ajax–Uxbridge. A number of students from William Dunbar, Frenchman's Bay and Westcreek public schools in Pickering have demonstrated outstanding creativity and initiative as participants in the Destination

ImagiNation program. They're with us today in the east gallery.

Destination ImagiNation is a community-based, school-friendly organization that encourages children to develop their creativity, teamwork and problem-solving skills. Teams work together to solve technical, artistic and scientific challenges and then present their solutions as skits.

As an extracurricular activity, it requires many hours of preparation and hard work, and I commend these students for their dedication and enthusiasm. I also wanted to praise the parents and teachers who have supported these children throughout each of the challenges. On March 31, these schools competed at the Ontario Creativity Festival and Tournament and won both the elementary and middle levels. They will now compete at the global finals in Tennessee, from May 23 to 27, among 8,000 other young people from over 13 different countries.

I'm proud of our students. I want to wish them the best of luck at the global finals and hope you will welcome them to the chamber.

PREMIER'S SPENDING

Mr. Tim Hudak (Erie—Lincoln): It's a special day because Premier McGuinty has finally followed through on a promise. After four years of promises to reduce gridlock, Dalton McGuinty has come up with a solution to avoid the stop-and-go on the Queen Elizabeth Way, the 401 and the 403. Dalton McGuinty has redefined the term "puddle jumping." In fact, Air McGuinty will be flying from Toronto to Hamilton, Toronto to Niagara and Toronto to Peterborough on a regular basis, the catch being that you have to be the Premier himself or one of his staff to get a ride on one of these taxpayer-funded flights.

While Premier McGuinty is sitting comfortably in his private plane, flying over families who are waving their pink slips, we've seen some 140,000 well-paying manufacturing jobs flee the province of Ontario. Local job losses in Hamilton and Niagara include the Port Weller Dry Docks—250 jobs gone; Blue Bird Corp. in Brantford—130 jobs gone; Slater Steel in Hamilton—360 jobs gone, and maybe he can see all those pink slips from 5,000 feet.

The other interesting thing: I think we finally found out how close Dalton McGuinty has actually been to Caledonia. When he's flying into Mount Hope, he's pretty close. He's just 5,000 feet above the ground and the occupation in Caledonia. This is a Premier with the largest entourage in the history of the province of Ontario. He's gone so Hollywood that he makes Paris Hilton look grounded.

WORLD HYPERTENSION DAY

Mr. Lou Rinaldi (Northumberland): I rise today to tell the House about World Hypertension Day. Hypertension is commonly referred to as high blood pressure.

Persistent hypertension is one of the risk factors for strokes, heart attacks, heart failure and arterial aneurysms. Ontarians can help reduce hypertension by maintaining a healthy weight, eating healthy foods, minimizing their alcohol intake and leading active lives.

I would like to comment on the work of McGuinty's government and the first-ever Minister of Health Promotion, Jim Watson. He has worked so hard to ensure Ontarians are getting the message that they can play a huge role in getting their wait times down and staying out of the hospital by leading healthy, active lives.

I'd also like to extend a sincere thank you to the Heart and Stroke Foundation of Ontario and their outstanding CEO, Rocco Rossi. This organization is delivering a stroke and hypertension advertising campaign that works. The total stroke visits per month to the regional stroke centres increased by 23%, from an average of 353 per month preceding the campaign in 2003 to 433 per month in 2005. The number of individuals arriving at stroke centres within the critical two and a half hours of stroke onset increased 54%, from an average of 100 per month before the campaign started to an average of 154 per month during the second campaign.

1400

NATIONAL DAY AGAINST HOMOPHOBIA

Mrs. Liz Sandals (Guelph—Wellington): I rise in the House today to recognize the National Day Against Homophobia. This day once again highlights the need to end homophobia in the workplace and in our schools. Helen Keller once said, "The highest result of education is tolerance," and where better to teach tolerance than in our school systems?

Many strides have been made in the past several years towards accepting gays, lesbians and transgendered people as equals in our community, but we still have work to do. Our safe schools action team found that bullying among students is frequently associated with homophobia. We must make clear that any negative targeting towards lesbian, gay, bisexual or transgendered students, in particular where it includes physical, verbal, social or cyber bullying, is simply unacceptable.

Last month, our government introduced legislation aimed at amending the Education Act. The proposed legislation would make all forms of bullying an infraction that could lead to suspension. Intervention in the bullying behaviour would be mandatory. We all need to take individual responsibility and speak out against homophobic behaviour when and where we see it: in the workplace, in the classroom or on the playground. I look forward to the day when a National Day Against Homophobia is no longer required.

ENDANGERED SPECIES LEGISLATION

Mr. John Wilkinson (Perth—Middlesex): I have always asked the question in this House: Who is driving

the bus over at the Progressive Conservative caucus? I take a look in Canadian Oxford, and they say, under the definition of “leader,” “A person followed by others.”

Well, let’s talk about leadership. We have in the progressive convertible caucus their environmental leader, their critic for the environment, the member for Haliburton–Victoria–Brock, and what did she do last night in regard to the Endangered Species Act, the gold plate standard here in North America? She votes against it and leads three other members to vote against her leader. Then we have the leader in waiting, the member for Erie–Lincoln. He knows enough that he should vote for that bill because one day his ambition may take him someplace else. So he knows enough. But then, of course, we have the leader in absentia. Where is the leader of the official opposition, who tells the press, within minutes, that he is going to—

Interjections.

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

The member for Parry Sound–Muskoka.

Mr. Norm Miller (Parry Sound–Muskoka): On a point of order, Mr. Speaker: I believe the member was making reference to a person’s attendance here in this place, and that is not in order.

The Speaker: Well, of course it is never in order to speak about a member’s presence or absence from this place.

Interjections.

The Speaker: Order. The member will refrain from making any statements about a member being absent.

Mr. Wilkinson: Absolutely, Mr. Speaker. I wouldn’t want to do that, because I, like everybody else in the press and across Ontario, can actually read the Hansard of a vote that happened to be held in this place just last night, and in that Hansard it tells us which members care enough about an issue to show up and which ones do not. It also tells us very clearly that on this side of the House we voted for the Endangered Species Act, unlike perhaps some others, and I give full credit to the wannabe leader of the environment, the leader-to-be and the leader in absentia.

LEGISLATIVE PAGES

The Speaker (Hon. Michael A. Brown): Today is an important day as we say goodbye and thank you to our group of pages who have served us so well over the past weeks.

VISITORS

Ms. Judy Marsales (Hamilton West): On a point of order, Mr. Speaker: We were happy to welcome Canadian Martyrs School to Queen’s Park this afternoon. Unfortunately, they just had to leave a minute ago but I wanted to recognize their attendance with their teacher, Mrs. Rema Passarelli—a terrific group of students.

Mr. Gilles Bisson (Timmins–James Bay): On a point of order, Mr. Speaker: I don’t often get a chance to welcome people to Queen’s Park from my riding, because it’s so far away. But I do have with me here today two individuals—one from Kapuskasing, Al Simard, president of STRONG, along with J.C. Nolet from the town of Smooth Rock Falls. I welcome them to the chamber.

Mr. Michael Prue (Beaches–East York): On a point of order, Mr. Speaker: It’s my privilege today to invite to the House three people—Jean Perkins; Ruth Marchese, who I think may be related to our friend here from Trinity–Spadina; and John Orrett—who are all here to watch the Legislature perform so smoothly and flawlessly this afternoon.

The Speaker (Hon. Michael A. Brown): I hope your guess is correct.

Mr. Peter Kormos (Niagara Centre): On a point of order, Mr. Speaker: I want to welcome Rob and Sherry Wightman of Welland. Now, they’re not here, but they’d like to be here.

INTRODUCTION OF BILLS

GAS PRICES NOTICE ACT, 2007

LOI DE 2007

SUR LES PRÉAVIS D’AUGMENTATION DU PRIX DE L’ESSENCE

Mr. Tascona moved first reading of the following bill:

Bill 228, An Act to require advance notice of gasoline price increases / Projet de loi 228, Loi exigeant que soit donné un préavis en cas d’augmentation du prix de l’essence.

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

The member may wish to make a brief statement.

Mr. Joseph N. Tascona (Barrie–Simcoe–Bradford): The bill enacts the Gas Prices Notice Act, which requires retailers to provide advance notice of 72 hours to the public of any increase in the price at which gasoline will be sold and also requires reasons for the increase, and there are penalties for not providing that notice.

HIGHWAY TRAFFIC AMENDMENT ACT (MUFFLER NOISE), 2007

LOI DE 2007 MODIFIANT LE CODE DE LA ROUTE (BRUIT DE SILENCIEUX)

Mr. Ruprecht moved first reading of the following bill:

Bill 229, An Act to amend the Highway Traffic Act with respect to muffler noise / Projet de loi 229, Loi modifiant le Code de la route en ce qui a trait au bruit émanant de silencieux.

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

The member may wish to make a brief statement.

Mr. Tony Ruprecht (Davenport): This bill amends the Highway Traffic Act to prohibit the operation of a motor vehicle or motor-assisted bicycle that is not equipped with an operational muffler in good working order that prevents excessive or unusual noise and smoke. Installation and modification of mufflers to increase sound output is also prohibited, as is the operation of a motor vehicle or motor-assisted bicycle that produces noise above the allowed level. All Ontarians have the right to a good night's sleep without being woken up by the excessive noise of modified mufflers.

1410

ORAL QUESTIONS

PREMIER'S SPENDING

Mr. John Tory (Leader of the Opposition): My question is for the Premier, and it concerns the information that has come into the public domain today about the use of government aircraft. Information obtained by the Hamilton Spectator indicates that flights for the Premier alone aboard private government aircraft cost taxpayers more than \$1 million since he took office. There are all kinds of potential concerns about this: disrespect for taxpayers' money, lack of example as thousands of people lose their jobs, environmental concerns and so on. But let's start with another one: lack of transparency.

This issue has been debated here before over the years. In the case of this particular set of facts coming out, the Premier's own filings show an expense of only \$2,913 for the use of these planes versus the actual cost, reported in the press, apparently of \$1 million. Does the Premier think it's fair for taxpayers to have the published record in the public accounts show an expenditure of \$2,913 when the real number, which is much harder to get at, is \$1 million?

Hon. Dalton McGuinty (Premier, Minister of Research and Innovation): I think the real issue here is this: The people of Ontario work very hard, and they expect me to do the same on their behalf. That requires that from time to time I remove myself from the precinct. It requires that I leave the city of Toronto. This is a big province. It requires that I travel to other places. For example, just today, I delivered a speech at 8 o'clock this morning. That was followed by meetings here at Queen's Park. I delivered a speech at noon, and that was followed by meetings, followed by question period. That will be followed by more meetings, and I will deliver a speech later tonight. Fortunately, all of that work today is done within the GTA and I can manage it by car. But from time to time, I'm required to use an airplane. I think the people of Ontario would expect that in order for me to accomplish their business, I will do whatever is necessary to that end.

Mr. Tory: Again, with respect, my question to the Premier wasn't about the legitimacy of any particular flight—there are occasions when it is quite legitimate to use planes—my question was about transparency, where we have to find out from a newspaper article who used what planes when. I will quote what the Spectator starts its story with today: "It takes about 90 minutes at the speed limit to drive from Queen's Park to Niagara Falls. But on August 8, 2006, that was too long for Premier Dalton McGuinty. So he ordered up a \$2,000-an-hour government plane, had it flown empty from Sault Ste. Marie to the Toronto Island airport, then hopped a 10-minute ride to the ... St. Catharines/Niagara airport in Virgil."

This gives a new meaning to the expression "puddle jumper." If the Wright brothers were looking for someone to adopt, the Premier would be a shoe-in.

When you meet tourism operators in Niagara, people at our own casino indicate there is a problem with customers coming down there to do tourism activities and go to the casino because of gridlock on the Queen Elizabeth Way. Doesn't the Premier think we might have a better example of leading by example if this information was made public so people could judge for themselves exactly what you just talked about? We could all see who is using the planes and when.

Hon. Mr. McGuinty: So that Ontarians better understand, there are two so-called government planes—there is no plane specific to the Premier. Those two planes are shared, at this point in time, by 26 cabinet ministers, one Premier and one Lieutenant Governor.

By way of comparison, during the first three years of our government, I have used the airplane for 323 hours. During the first three years under the Mike Harris government, Premier Harris used it for 479 hours. Those may have been very legitimate on the part of Premier Harris.

Again, I think there is a reasonable, legitimate expectation on the part of the people of Ontario that their Premiers will work as hard as they can, that they will do business in a way that is expeditious, timely, thorough and vigorous on their behalf. That's what I have done, and that's what I will continue to do.

Mr. Tory: The question was about transparency, not about the Premier's hard work, not about the legitimacy of the flights. The question was about transparency. The fact is that what we've got here are some flights written up in the newspaper—I didn't make this stuff up; its in the newspaper—suggesting there were flights taken that would be empty planes flying around. Some of these flights were so short that if they were in Aeroplan, you'd have to give the points back.

If we want some discipline, if we want some openness, if we want people to be able to see that the flights that are being used, by any Premier, are indeed legitimate flights, then it's a very simple thing we have to do in order to accomplish that, and that is for the Premier to stand in his place and say that, consistent with what is done in other provinces, this information will be made

available on the Internet for all to see. Will the Premier do that?

Hon. Mr. McGuinty: The leader of the official opposition will know that this information is available through freedom of information. But he may not recall—and I'll just read the headline from the Toronto Sun from July 19, 2002: "Tories Deny Access to Plane Logs"—just by way of comparison.

Further to complying with freedom-of-information requests, you will also know that we have, by way of bringing about greater transparency and accountability, widened salary disclosure provisions in Ontario—that's why we know what hydro officials are getting paid now; we've given more powers to the auditor—that's why the auditor was able to conduct a review of children's aid societies; we've banned partisan advertising; and there's a new law that requires that the provincial auditor look at the public finances to reveal their true state prior to an election, so no government can ever hide a \$5.5-billion deficit again. So if we're going to compare who is most committed to transparency—

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

Mr. Tory: My question is for the Premier, and again it's on the same topic. What we're talking about here is a simple act that the Premier can undertake, to say, in addition to those other measures you just outlined, that it would be a simple matter, as has been done in other provinces, to make this information on the flight logs available on the Internet so everybody could see.

We have, according to the Hamilton Spectator, records of flights to Hamilton. We have all kinds of flights to and from Ottawa where, according to the Spectator, there are 50 flights a day on commercial airplanes. There's even a suggestion in the Spectator article that the plane was used to go to a Liberal Party event.

In Alberta, the government, for example, publishes this information right away, immediately, online, on the Internet for everybody to see. My question was very simple, and I'll ask it again: Why would the Premier not undertake to make that information available to the public of Ontario so they don't have to go to the time and expense of using the freedom-of-information system? If it's good enough for Alberta, why not for us?

Hon. Mr. McGuinty: First of all, I understand that Premier Stelmach is in fact considering that, but that it's not in place now. But that information is available here in Ontario through the freedom-of-information system.

The leader of the official opposition makes reference to empty flights. I want to remind him that from January 2 to August 3 under the Conservative government—that's a full 18 months—there were 96 empty flights: Helen Johns authorized an empty flight from Halifax to Toronto; Jim Wilson, 11 empty flights; Bob Runciman, five empty flights; Tim Hudak, two empty flights. That does not say that those flights were unnecessary. The fact of the matter is, those airplanes can be stored in different places, and from time to time, it's important that you bring those airplanes to you so that you can continue with

government business. That's just the nature of it, and the leader of the official opposition, I know full well, understands that.

Mr. Tory: Whatever the number was that the Premier just cited in respect of the previous government—and we know what happened to the previous government. But now we have—

Interjections.

The Speaker: Order. Minister of Education.

Interjection.

The Speaker: The Minister of Economic Development and Trade will come to order.

Interjection.

The Speaker: Minister of Municipal Affairs, order.

Order, government House leader.

Leader of the Opposition.

1420

Mr. Tory: I'm merely making the point that whatever happened under the previous government, the people had their chance to have judgment on that. I guess what I'm trying to get at here is—

Interjections.

The Speaker: This cannot happen. When I sit down, we don't start to make noise.

Leader of the Opposition.

Mr. Tory: What the Premier would have us believe is that somehow that number of empty flights, and the one that's cited here, 194 times since the Premier took office, that either of those numbers are wrong. The point I'm making in all of my questions so far today has not been about whether those flights were right or wrong, but about the issue of transparency and why the Premier wouldn't stand on his feet and agree to make all of these records public so everybody could then make their own judgment as to whether the empty flights were good, bad or indifferent, however many there were under the Premier's government or anybody else's.

So my question is the same: Doesn't the Premier think it's time to make these flight records available to the public on the Internet, as is done elsewhere, so the public can look at this information? I think it will act as well as a discipline on people using the planes, knowing that it will be made public and that they'll have to account for it. Why wouldn't the Premier agree to that?

Hon. Mr. McGuinty: The leader of the official opposition makes reference to the defeat of the former Conservative government. He disparages his seatmates who formed part of that government quite willingly, and he somehow believes that—well, let me just tell him. Mike Harris and the former Conservative government were not defeated because of the way they used airplanes. They were defeated because they lost sight of the priorities of the people of Ontario, particularly their health care system, their public education, their infrastructure, and the responsibility of their government to put their shoulder to the wheel and improve the quality of the economy and the quality of jobs available to the people of Ontario.

When I get on an airplane, that's what I'm working on. It's their health care, their education, their economy, their infrastructure, their quality of life, their society. That is what I'm doing on behalf of Ontarians.

Mr. Tory: The point I'm making is, the Premier just left one thing out, and that is that you are flying on those airplanes paid for by their money, and that is why this information should properly be made public. If the Premier is in fact flying on the planes working on people's health care, education and all the rest, he is still flying on those planes using the taxpayers' money, and that is why it should be treated to the same transparency as many other things are, and in this case it should be and easily could be made available to people on the Internet. For that matter, I'll add to that that we don't know from the Hamilton Spectator article, because the freedom of information did not make it available, who was on those planes besides the Premier, when they had somebody on them at all.

The question would be, why wouldn't the Premier agree at the same time to make the records available of the flights and who was on the planes so that everybody will see? It's all transparent. It's the same as they do in other provinces. Why would the Premier not agree to that?

Hon. Mr. McGuinty: The leader of the official opposition promised us that he was going to raise the level of debate in this place to a higher level, but it's been 147 days since he's asked a question about schools. There are 4,800 schools in Ontario providing education to nearly two million students. You'd think that would be of passing interest to the leader of the official opposition. He hasn't asked a single question on children in 156 days now. He hasn't asked a single question on hospitals in 57 days. There are over 150 hospitals. He doesn't want to ask about our shorter wait times. The more audiences I have the privilege of speaking to, the more they talk to me about the environment and climate change. The leader of the official opposition would rather talk about airplane usage rather than the single greatest challenge facing humanity at the beginning of the 21st century, which is climate change.

I will continue to work hard on behalf of the people of Ontario. I will continue to do the people's business. And from time to time, as and when required and in a prudent and responsible way, I will also use the people's airplane.

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

Mr. Howard Hampton (Kenora–Rainy River): My question is for the Premier. Premier, can you tell us how long it takes to drive from Toronto to Hamilton on an average day?

Hon. Mr. McGuinty: Again, on behalf of the people of Ontario, sometimes I'm required to be in two or three different places at the same time, and that requires that I use the plane to do that. I'm not going to apologize for that; in fact, I know that the people of Ontario would expect me to do their business and to be in as many places as I possibly can on one particular day. That's why

I have used the plane on occasion to travel to Hamilton. I will do that in the future, if and when it is required and if time does not permit me to travel by car.

Mr. Hampton: I appreciate that the Premier might not know how long it takes to drive from Toronto to Hamilton, but for his information, on an average day it will take an hour or a little more. The last time I drove to Hamilton and back, it took about \$15 for gas. Can the Premier tell people—

Interjections.

The Speaker: The Minister of the Environment will come to order. The Minister of Intergovernmental Affairs will come to order.

Interjections.

The Speaker: I need to be able to hear the question. The member needs to be able to place the question in a manner that is respectful. Leader of the—

Interjections.

The Speaker: Order. I haven't even sat down yet, and the Minister of Training, Colleges and Universities has input that I don't need. Leader of the third party.

Mr. Hampton: Since the Premier can't tell us how long it takes to drive from Toronto to Hamilton, maybe he can tell us how much of the public's money he spent on October 24, 2004, to fly from Toronto to Hamilton.

Hon. Mr. McGuinty: Again, from time to time, I—as well as other cabinet ministers, and the Lieutenant Governor, for that matter—require the use of the government plane.

We think it's really important that we do that in a way that is responsible, prudent and in keeping with the legitimate expectations of the people of Ontario. My sense of the people of Ontario is that they want us to work as hard as we can to improve the quality of their public services to the best of our ability and to do so in the execution of our responsibilities in a way that's financially responsible. I think that's exactly what they expect of us, and that's exactly what we're doing on their behalf.

Mr. Hampton: Premier, I'm told that October 24, 2004, was a Sunday, a day on which the traffic between Toronto and Hamilton would have been relatively light, and according to the Hamilton Spectator, your flight to Hamilton and back would have cost about \$10,000.

So, Premier, my question is this: Can you tell people across Ontario why it costs about 600 times more for the Premier of Ontario to go between Toronto and Hamilton than it costs the average working person?

Hon. Mr. McGuinty: I can't recall on October 24 of which year how many events I had scheduled for that day. But I can say again that I understand how hard our families work. I understand the sacrifices made when they pay their taxes. I understand that that imposes a heavy corresponding responsibility on me and my colleagues in government to do the very best that we can to manage the privileged position in which we find ourselves.

From time to time, yes, I do have need of the government airplane. I share that with all of my cabinet and I

share that with the Lieutenant Governor, and I will continue to do so in a responsible and prudent manner.

Mr. Hampton: Premier, the fact that you may have to use the government plane from time to time—I don't think people take issue with that. But I think most people across Ontario would say, "Isn't it passing strange that on a Sunday afternoon, when traffic is relatively light, the Premier would spend \$10,000 of public money to fly from Toronto to Hamilton?" But what's even more interesting is that our critic in estimates asked several questions of you and your officials about how much you were using the government plane, and we got no answers. In fact, nowhere was this disclosed. It had to go through freedom of information. So my question to the Premier is this: If you think you needed to fly from Toronto to Hamilton, why did you try to hide it from public disclosure?

1430

Hon. Mr. McGuinty: That kind of information is available through freedom-of-information-request channels. I don't hide the fact that, from time to time, I use the government airplane. Again, I share that with the cabinet. Those two airplanes are also made available for emergency purposes for the benefit of all Ontarians. But from time to time, I need to be places where I've got to get there really fast, and I've got to get to other places subsequent to that just as quickly. It's a big province, there's a lot of ground to cover, and there is, Ontarians would tell me, no substitute for being physically present in their community from time to time. You cannot govern this province by staying exclusively within Toronto or the greater Toronto area; you've got to get around. And the way that we do that is in keeping with the expectations of the people of Ontario. They work hard; we need to work hard on their behalf. They're responsible with their limited dollars, and we have to be just as responsible with the limited dollars that they give us.

Mr. Hampton: We did some checking: It takes about a half an hour to get from your office at Queen's Park down to Toronto harbour, take the ferry across and get on a plane. Then it takes about 15 or 20 minutes to fly to Hamilton, land the plane, another 10 minutes to get the plane in and get off it, and then about 15 minutes to drive to downtown Hamilton. In that time, you could have easily driven from Toronto to Hamilton.

But my question is this: In other provinces, every flight that Premiers and cabinet ministers take is fully disclosed on the Internet. We asked repeatedly at estimates about how much you were using the government plane, how much it was costing, and we got no answers. So Premier, if you think you needed to use the government plane to fly from Toronto to Hamilton, why did you try to hide it? Why did it have to go through freedom of information to get that kind of disclosure?

Hon. Mr. McGuinty: If my memory serves me right, I recall the issue of the day when somebody asked then-Premier Bob Rae why he'd used a government helicopter to go to his cottage.

We all understand that we have to behave responsibly in our management of Ontario tax dollars. We all under-

stand—at least, I like to think that we all understand—how hard our families work to make ends meet, the sacrifices required in order to pay their taxes, and we have a corresponding responsibility in government to manage their money prudently and responsibly. That's something I assume we all share.

Now, how do we reconcile that with airplane use? Well, from time to time, in order to do the people's business, you've got to use an airplane. It's a big province, and you've got to move around. You've got to get to a number of places, and you've got to get from one place to another quickly. That's what I've had to do in the past, and I will continue to do that in the future on behalf of the people of Ontario.

Mr. Hampton: Premier, if you're referring to Rose-dale Bob, the wannabe leader of the federal Liberal Party, to justify your situation, good luck to you.

Working families across Ontario are indeed struggling, and they'd like to see some real leadership from the McGuinty government. But when they look at the McGuinty government, what they see are McGuinty Liberals helping themselves to \$10,000 flights between Toronto and Hamilton, McGuinty Liberals helping themselves to government grants for Liberal friends, and McGuinty Liberals helping themselves to \$40,000-a-year pay raises.

I say again to you, Premier—you seek to justify this—tell us this: When our member from York South-Weston asked repeated questions in estimates committee about how much you were using the government plane, about how much it costs, why did you refuse to answer at every turn? Why did we have to go—

The Speaker: The question has been asked. Premier?

Hon. Mr. McGuinty: The leader of the NDP may be quick to distance himself from Bob Rae, although at one particular time he was proud to run under that ticket and proud to serve under him in his government. I was very proud of the work that Bob Rae did on behalf of the people of Ontario in laying the foundation for our Reaching Higher plan, which is resulting in an additional \$6.2-billion investment in post-secondary education. I'm also proud to have retained the services of Ernie Eves, who's performing remarkably well in terms of helping us to attract still more foreign direct investment into our province.

On the subject of the airplane, I know it's a sensitive issue to my friends. I will continue to use the airplane in the same way I've used it in the past: in a responsible and prudent way, in keeping with the very legitimate expectations of the people of Ontario. They work hard, they want me to work hard for them and they want me to do the people's business—

The Speaker: Thank you. New question?

Mr. Tim Hudak (Erie-Lincoln): A question to the Premier: Today's Hamilton Spectator reports that Dalton McGuinty has gone Hollywood—big time. He is regularly taking short-hop flights from Toronto to Hamilton, Toronto to Niagara, and Toronto to Peterborough. In fact, Premier, if these flights were any shorter, you'd probably qualify for a Metropass.

I have two questions for the Premier. First, how can the Premier justify using taxpayer dollars for these short-hops when we're seeing 140,000 well-paying manufacturing jobs flee the province of Ontario under Dalton McGuinty, including many in Hamilton and Niagara? Secondly, Premier, when you fly from Hamilton to Toronto, do you get jet lag?

Hon. Mr. McGuinty: It's cute and it's contrived. They put significant work into that, I could tell. But there are still no questions about schools, no questions about hospitals, no questions about health care, no questions about our most vulnerable, no questions about the environment, no questions about those kinds of things that I would argue weigh heavily on the minds of Ontarians. I am pleased to continue to take questions from the official opposition and the NDP, but at some point, I would hope that they're going to ask about those kinds of things that concern Ontarians in a very direct and immediate sense.

Mr. Hudak: With respect to the Premier, I asked you very clearly how you can justify these short-hop flights in light of 140,000 well-paying manufacturing jobs in Ontario fleeing. It's not on your list, notably, when you listed what you want to be questioned on, but I'm going to ask you again about that. When you look at Hamilton and Niagara: Stelco, 700 jobs shed; Dana auto parts in Thorold, 537 jobs; Slater Steel in Hamilton, 360 jobs; Blue Bird Corp. in Brantford, 130 jobs. The list goes on and on. And, Premier, when you're landing at those airports, they're not exactly waving with fondness. They're waving pink slips from these well-paying manufacturing jobs that have fled the province of Ontario under your high-tax, high-energy, runaway spending regime.

Premier, you promised some time ago for a plan to bring these jobs back to Ontario. Instead, we see you wasting dollars on these flights. Premier, look into the eyes of those folks in Hamilton and Niagara who were laid off and justify these short-hop flights.

Hon. Mr. McGuinty: We're really proud of the work we've been able to do with the people of Hamilton. We invested tens of millions of dollars and over a year and a half of intensive negotiations to restore Stelco to its vitality and its strength and its vigour and to preserve those jobs.

There's more good news happening. In addition to the 320,000 net new jobs—75% of which are full time—in Guelph recently there was an announcement: Skyjack is investing in new products and technology, a \$25-million investment. They're creating over 350 new jobs. Superior Propane has just announced that they're moving their administration from Calgary to Thunder Bay. That's up to 100 new jobs. They looked at 12 different cities across North America and they chose Thunder Bay. And my Minister of Economic Development and Trade tells me that we are now in active discussions with GM to land a new \$400-million investment in St. Catharines. There is good news to be had here.

1440

The Speaker: New question?

Mr. Peter Kormos (Niagara Centre): To the Premier: Every day working people drive from Niagara to

Toronto to work and then drive back home again in the evening. I drive to Welland regularly from Toronto. My colleague from Hamilton East drives, takes the GO train or takes the GO bus to Hamilton. Your Minister of Tourism drives along the QEW back and forth to Niagara. I ask, is the Premier so out of touch with working people in this province that he's got to take a 10- to 15-minute flight to get to Niagara Falls?

Hon. Mr. McGuinty: I've had the great good fortune, as Premier, to be driven more times than I want to recall to Hamilton, St. Catharines and Niagara Falls. But from time to time, I've got to get there really fast and I've got to get back really fast, or I've got to get to another community in Ontario very fast. You would understand that, Mr. Speaker, because you are in part of the great northern Ontario and you understand distances.

So from time to time, yes, I will be called upon to use a plane. But overwhelmingly, I'm riding in the back of the car, where, frankly, more often it's much more comfortable and much easier to get work done. But from time to time, as I say, time simply requires that I get into an airplane, get to someplace fast and get to another place just as fast.

Mr. Kormos: If the Premier really wanted to get to Niagara Falls fast, he would have had Bradley drive him. Maybe the Premier took the plane to Niagara Falls, Ontario, because he didn't think he could afford the gas prices.

You may not be aware of this, but GO Transit from Toronto to Hamilton costs \$17.70. Page, will you take the Premier a timetable? Come on, take the Premier a timetable for GO Transit.

Look, working folks in this province are working hard, the ones who still have jobs. They're paying taxes. They don't get a break. The Premier gives himself a \$40,000 annual salary increase, and now he's flying high on the government plane on the taxpayer's tab. Is the use of the government plane for a 10-minute flight gluttony or is it merely the Premier's flight fetish?

Hon. Mr. McGuinty: Again, whenever it's possible, I will drive to places like Hamilton, St. Catharines, Niagara Falls, Peterborough and points in between. But from time to time, I've got to get there really fast and I've got to get to some place subsequent to that really fast as well.

Speaker, you would understand what I'm talking about, because you've had the opportunity to be inside, I believe, one of those government planes. They are not the lap of luxury. They are not jets. They may be four or four and a half feet tall; I cannot stand up in those things. If we encounter any turbulence at all, I have to crunch down, because the first time we had turbulence, my head struck the ceiling and I had a headache for about three days. We're not talking about the lap of luxury in these airplanes. So if there is a choice, for a short hop, I always prefer to go in a car. But from time to time, I've got to get someplace fast and return to some other place quickly.

AUTISM TREATMENT

Mr. Dave Levac (Brant): My question is for the Minister of Education. As a former educator and a principal, I know that our government has ended the Conservative cut-off age of six for students with autism. We increased the number of children receiving IBI services by 105%, we tripled the support for children with autism and their families since 2003-04, and we increased funding to nearly \$130 million in 2007-08.

I would like to pose to the minister a very simple question. So far, we've got an improved record of ensuring success for all of our students in Ontario, including our students with autism. What are we going to do to ensure that the needs of our students and kids with autism are taken care of in our schools?

Hon. Kathleen O. Wynne (Minister of Education): I was very pleased to be able to announce today nearly six million new dollars being invested in new autism initiatives to help students succeed.

Interjection: Hear, hear. Great news.

Hon. Ms. Wynne: It is great news, and it's particularly great news because of what this money is going to go towards.

First of all, we have issued a policy program memorandum to the system that will require boards to provide ABA, which is applied behaviour analysis, in their schools, and we are providing funding for the training—\$1 million for training for teachers, education assistants, education professionals—over the summer before Labour Day so that teachers and education assistants can be ready in the fall; \$2 million for collaborative programming, cross-ministry programming that will allow for a continuum of service; and, thirdly, we've provided \$2.7 million for the Geneva Centre to continue training into the fall to build capacity in the system.

Mr. Levac: I want to thank the minister for the steps that she's taking to improve the situation for the kids with autism, and I think it's appreciated by those who receive any assistance at all. I appreciate that very much.

One of the interesting things I learned, though, today from the front page of the Toronto Star was about summer camps for children with autism. It seems that the federal Conservative government cut the funding for that program this year. Minister, these camps provide help to families and kids to train new workers and to provide a home for those kids during the summertime. I think the federal government has made a very large mistake.

I do want to provide you with this challenge, though: I don't want to count on the Conservative federal government; I want to know what we can do as a provincial government. So I ask the minister if she can tell us if our government can step in where the Conservatives have failed those children.

Hon. Ms. Wynne: To the Minister of Children and Youth Services.

Hon. Mary Anne V. Chambers (Minister of Children and Youth Services): I was actually very surprised to read that article this morning. I would like

the Yes I Can! organization to know that I have asked my ministry officials to work with them for their summer camp, and I look forward to being able to confirm with them that we will make sure that summer camp continues for these kids. We, the government of Ontario, will invest the \$38,000 that they have lost in order to ensure that these kids can continue to have a summer camp.

I also think it is wonderful that these university students have the opportunity to work at this camp, because we know in this province that we have to build the capacity of the system to support kids with autism, and hopefully these university students will go on to be therapists.

PREMIER'S SPENDING

Mrs. Elizabeth Witmer (Kitchener-Waterloo): My question is also to the Premier. You've talked in here today about the fact that you're very busy and sometimes you need to be in many different places throughout the course of a day.

I would like to remind you that all 103 people in this House have many days when we need to be in many, many different places. However, I would also remind you that we don't have the luxury of an airplane. In fact, earlier this week the member from Nickel Belt and I spent over four hours on the road at the end of the day to address some stakeholders. This is what we go through. We all try to do what we can and, sometimes, because we don't have a private plane, we have to say no.

What we're asking you today is, simply, will you agree to post on the Internet? Will you be accountable and will you be transparent to the taxpayers of this province and post the information as to your flying times and whom you're flying with?

Hon. Dalton McGuinty (Premier, Minister of Research and Innovation): The member opposite tells us that she spends a lot of time working, as does each and every one of the members here. Whether you're in opposition or in government, the responsibilities here can be onerous. I know; I spent 13 years in opposition. I have fond memories, but with no eagerness to return.

I can say that there's just the one Premier and the office—it's not the individual—requires that there are things that you must do that nobody else can do. And that requires that I do a considerable amount of travel. Where I can accomplish that in a car expeditiously, I will do that, but from time to time my responsibilities simply require that I use the government plane, and I do that.

1450

Mrs. Witmer: I want to go back to the question I just asked. As I say, it's not about using the plane; it's about making sure that taxpayers in the province are aware of what is happening, that you lead by example, show transparency, show that you're accountable for their money. I ask you again, will you put this information on the Internet so everyone will know what's going on?

Hon. Mr. McGuinty: I want to remind the honourable member again that they fought tooth and nail

against releasing information under the freedom of information act when it came to gaining access to airplane logs. That information was obtained; it is accessible by the public, hence the basis for the questions here today. I think it's important that Ontarians be entitled to put questions to me about the use of their airplane. It is a privilege for me to be able to use that airplane, and I treat it as such, and I do use it from time to time in keeping with my responsibilities.

The Speaker (Hon. Michael A. Brown): New question. The member from Timmins–James Bay.

Mr. Gilles Bisson (Timmins–James Bay): My question is to the Premier. You would know that I'm both a pilot and own my own aircraft. You will also know that within my constituency, I often have to use my own aircraft to fly to communities such as Attawapiskat, Moosonee and others. I want to propose the following: I would never utilize my own aircraft to fly from Toronto to Hamilton for one simple reason: By the time I leave Queen's Park, get to Toronto Island Airport, get clearance, take off and land in Hamilton, get out of the aircraft, find a car and drive downtown, I can get to Hamilton much faster. If I can figure that out from the opposition benches, how can you justify using a King Air for 10,000 bucks to get to Hamilton when you can do it faster by car?

Hon. Mr. McGuinty: Again, if a car is faster, I'll use a car. But it depends on how many events I have on a particular day and how many parts of the province I'm expected to be in and how many commitments I've made to Ontarians to be in their communities. I know there's always a lot of fun to be had with these kinds of things, but I have faith in the people of Ontario. Their expectations are legitimate and reasonable. They want me to use the plane only so much as is necessary, and that's what I do. They want me to understand that for me to use their airplane is a privilege, but it's also part of my responsibilities to use that to accomplish their ends, and I do that. I welcome the questions, but I will continue to use the airplane in the future in the same way I have used it in the past: prudently and responsibly.

Mr. Bisson: Premier, I'll tell you that I, as a member of this assembly, have to account for any travel I do, because I'm subject to the act. For the travel I do as a member, the mileage is recorded. But if I charter in my riding, I have to produce manifests under the rules of the House—check with the Board of Internal Economy; that's the case. It's an issue of transparency.

I have no argument with the Premier utilizing government aircraft. I charter aircraft in my riding. I use my own airplane. I understand the issue. But the issue is transparency. And one way to make sure that people are not using those privileges excessively is to make sure we have a transparent way of being able to account for how we utilize services such as aircraft. So I ask, why would you not live by the same rules that the leaders of the opposition have to live by, and other members in this House, when it comes to transparency and being able to produce the manifests and why you had to use the aircraft and when?

Hon. Mr. McGuinty: Again, there are two airplanes to accommodate 26 cabinet ministers, one Premier and one Lieutenant Governor. It's a big province, and from time to time we've got to use those airplanes in order to carry out government business. Perhaps the NDP would be satisfied if I were to walk to different communities in the province of Ontario. They may resent the fact that I have an OPP driver. But that's part and parcel of privileges associated with the Office of the Premier. They're responsible; I will continue to use those in a responsible and prudent way, and I will not lose sight of just how hard Ontario families work and how hard they work to sacrifice the tax we use here, and we will continue to use those revenues in a responsible way to their benefit.

SMOKE-FREE ONTARIO

Mr. Bob Delaney (Mississauga West): I have a question for the Minister of Health Promotion. About a year ago, we stood in this House and passed the historic Smoke-Free Ontario Act, and in that year, in the riding of Mississauga West, I have heard nothing but good things about it. My city councillors have come to me to say, "Finally, we have a level playing field when it comes to commercial businesses." People have come to me and said, "Finally, we can go into a place without worrying about the smell of stale cigarette smoke."

Many forward-thinking jurisdictions are joining Ontario; for example, Quebec, Ireland and Paris. I'm very proud of our new legislation and the fact that we continue to be at the cutting edge. Can you tell me what other good things are happening in Ontario as a result of the implementation of the Smoke-Free Ontario Act?

Hon. Jim Watson (Minister of Health Promotion): I want to thank the honourable member from Mississauga West. I have some good news to report. Thanks to the willpower of the people of Ontario, our community partners and the McGuinty government's record investments in the smoke-free Ontario strategy, tobacco consumption rates are down 18.7% in the province of Ontario.

But while we celebrate this good news, I have to remind members, and those members of the public who are watching, the only political party that did not support this act unanimously was the Tory party. Let me remind the members who didn't vote for this: Renfrew–Nipissing–Pembroke; Erie–Lincoln; Oak Ridges; Bruce–Grey–Owen Sound; Oxford; and Haldimand–Norfolk–Brant.

The latest self-appointed superstar of the Tory party, Mr. Randy Hillier, has some interesting comments on the Smoke-Free Ontario Act. When asked about selling illegal tobacco, he said, "We'll break the law." He was in Smith Falls encouraging the opening of a smoking lounge—

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

Mr. Delaney: As a supplementary, some of my constituents occasionally reference an entity called

Mychoice. My understanding is that Mychoice is funded by big tobacco, and that organization is trying its best to tarnish our government's reputation for taking a reasonable, commendable and forward-thinking stand against the tobacco industry.

I'm worried about any campaign to tarnish the image of people who are trying to stop smoking. Can you tell me why it is that Mychoice continues to have news conferences here at Queen's Park, and if indeed they pose a threat to the Smoke-Free Ontario Act?

Hon. Mr. Watson: Every time Mychoice, which is funded 100% by the big tobacco industry, has a press conference, you know who they call on to sponsor the press conference? It's the two tobacco lobbyists within the Tory caucus: Tobacco Tim and Tobacco Toby. They're the ones who sponsor the press conference room. It's sad that the Leader of the Opposition does not stand up and denounce the association of his party with big tobacco and an organization that's determined to undermine and scrap the Smoke-Free Ontario Act.

In Ottawa, the Prime Minister doesn't let his caucus speak, but here in Ontario, the PC caucus doesn't let their leader speak. I urge the Leader of the Opposition to stand up to the renegades within his party, stand with us—with Heart and Stroke, the Canadian Cancer Society and the diabetes association—as we prevent thousands and thousands of people from even starting to smoke in the first place.

Interjections.

The Speaker: Order. We're wasting time.
New question?

1500

PREMIER'S SPENDING

Mr. John Yakabuski (Renfrew–Nipissing–Pembroke): My question is for the Premier. Premier, what we've seen today is just another example of your government's disregard for hard-working taxpayers and their money, many of whom have lost their jobs under your watch, 140,000 in the manufacturing sector alone. Let's take a look at Windsor: 1,300 at DaimlerChrysler, 1,200 at Ford and hundreds more in the hospitality sector are going or gone. How does the Premier square that with his practice of spending a million dollars on flights simply to avoid the traffic on the highways?

Hon. Dalton McGuinty (Premier, Minister of Research and Innovation): I always appreciate the rhetorical flourishes of my friend from the Ottawa Valley, which has a wonderful tradition in terms of producing good speakers.

I want to remind my friend opposite of something from July 19, 2002. There was an article in the Toronto Sun at that time, "Who's Flyin' Now? Tories Deny Access to Plane Logs." It goes on to say: "Ontario's Ministry of Natural Resources, which maintains the planes, has declined freedom of information requests from at least two media outlets requesting the lists. The issue failed to be resolved in an appeal by one applicant and is

currently headed for the next level of dispute called adjudication." The government of the day worked as hard as it possibly could to deny access to information which otherwise would have been made available through freedom-of-information requests.

The information has been made available through that system. It has been made available to the Hamilton Spectator, and that's the information that is out there today.

Mr. Yakabuski: Premier, what we have in practice, and what I'm sure the people of Windsor would like to be made aware of if they're not already, are practices such as that by the Minister of Economic Development and Trade, who took a government flight to Windsor and gave her husband a ride on the way back to Toronto at the taxpayers' expense.

Premier, if you want to end the questions around that kind of use of your planes, why don't you do the opposite of what you're chastising the former government for and release those logs and make them available to the public? The people have the right to decide whether your use of the plane is one that is justified or whether you're simply trying to avoid the gridlock that you've helped create in this province.

Hon. Mr. McGuinty: I've said it several times, and I'm pleased to continue saying it—although I hope at some point in time there'll be a question about health care, education, something about supports for the vulnerable, something about climate change and the environment generally. But what I can say is that from time to time I will be called upon, in keeping with the effective execution of my responsibilities, just carrying out my job, to take one of the government planes, and I do that. I've done that in the past. If it's faster for me to get in the car, believe me, I prefer to do that. But from time to time, I am required to be somewhere quickly and somewhere else beyond that just as quickly. That requires that I use the government plane, but I do so in a way that's prudent and responsible.

NORTHERN ONTARIO

Mr. Gilles Bisson (Timmins–James Bay): I have a question to the Premier. Premier, in the galleries today are two individuals from northern Ontario, one is Al Strong, the president—I do that all the time. One is Al Simard, the president of STRONG—

Interjection.

Mr. Bisson: No, I know him quite well—along with J.C. Nolet, who is the vice-president of STRONG. This is a community group that was born out of the experience of Opasatika losing their only employer. STRONG has signed more than 6,000 members across northeastern and northwestern Ontario and has been working to advocate on behalf of the north to have policies that would help mitigate the job losses that we've seen in the northern Ontario forest industry. They have communicated with a number of municipalities across the north and asked for resolutions to be sent to this government that call for the government to do a few things. One is to make sure that

when a mill shuts down, the trees, the timber that's associated with that mill stays with the community, and the forest company is not allowed to take off and bring the trees where they want them, and number two, to make sure that, at end of the day, we have regional electricity policies when it comes to regional pricing in northern Ontario. I would like to send over, through the page, these particular resolutions and ask you, are you prepared to support what over 50 municipalities in the north are asking—

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

Hon. Dalton McGuinty (Premier, Minister of Research and Innovation): I'm pleased to take the question and pleased to receive the resolutions. It appears to be a fairly impressive package of materials, so obviously I cannot speak to that in any detail, having received it just now.

But what I can say to our visitors who are here from the north and to my colleague opposite is that we will continue to work with northern Ontarians. We will continue to do the kinds of things we've been doing in the past, including putting in place our \$1-billion forest sector strategy. We also have in place a \$1.8-billion, five-year northern Ontario highway strategy, the first commitment of its kind for northern highways. I'm also pleased to report that we've invested over \$1 billion in hospitals and health capital in communities like Sault Ste. Marie, North Bay, Timmins, Mattawa, Thunder Bay and Sudbury. Is there more work to be done? Of course there is, but we remain very much committed to working in a collaborative way with the people of northern Ontario.

Mr. Bisson: The problem, Premier, is that there will be nobody left working in northern Ontario once we're finished with what your government has started in not assisting these communities. You have over 50 municipalities that have sent you resolutions. These are 50 municipalities that have municipal councillors, elected by the people of their communities, who are asking you to do a number of specific things that have been asked of you before.

I ask you again. We need help in northern Ontario. We're asking you, specifically on public policy, to ensure that, if a mill shuts down, the timber is not reallocated away from that community. Are you prepared today, here in this House, to say yes to those 50 municipalities that are asking you to do so?

Hon. Mr. McGuinty: That's a question I will happily refer to the Minister of Natural Resources and get his best advice on that, because I'm not familiar with the specifics of the issue.

But what I can say, again, is that we will continue to work with the people of northern Ontario. I'm just not nearly as pessimistic as my colleague is. The fact of the matter is, there are some really good things happening in northern Ontario, and some significant job creation has been taking place in northern Ontario. We will continue to find ways to work with northerners.

One thing we did, for example, is that we created a new Northern Ontario Medical School. It was the first new medical school to open up in Canada in over 30 years. We have expanded and refocused \$60 million into our northern Ontario heritage fund to foster job creation. We have \$166 million for northern infrastructure in things like roads, bridges, water, recreation and culture, and community energy projects. The north is filled with great potential, and we will continue to work with—

The Speaker: Thank you. New question.

SUPPLY MANAGEMENT

Mr. John Wilkinson (Perth–Middlesex): My question is for the Minister of Agriculture, Food and Rural Affairs. I know that due to your leadership, the leadership of the Premier and my good friend the member for Lambton–Kent–Middlesex, each and every member of our caucus has signed the FarmGate5 pledge, unlike members opposite in the Progressive Conservative Party, where I see that there are three members missing in action. Actually one of their members, the member from Oak Ridges, signed the pledge and then got up in this House and said that he thought supply management could be optional. In Perth county, we know there is nothing that is optional about supply management.

My question to the minister is this: Given the importance in Perth county of supply management, what are we, on our side of the House, doing to support supply management? That is a crucial issue in the upcoming election.

Hon. Leona Dombrowsky (Minister of Agriculture, Food and Rural Affairs): I'm always happy to receive a question from the member from Perth–Middlesex, who really understands the agriculture industry and works so very hard in his constituency. He truly does.

With respect to his concern about support for supply management in Ontario, he's very justified in voicing this, and I'm very proud that our government introduced a motion in this Legislature and that it was supported by all parties. We are committed.

I'm very happy to report as well that I represented this government at the World Trade Organization's talks in Hong Kong to make it very clear that the province of Ontario is absolutely committed to supply management.

What I also hear from supply management farmers is that they are also looking for additional supports. What I can say, in terms of the financial support that this government has put toward all farmers: We have spent, in our four years in office, as much as the previous government spent—

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

Interjections.

The Speaker: Order. The member from Niagara Centre is being more than helpful. The member for Perth–Middlesex.

1510

Mr. Wilkinson: On behalf of all of my constituents, particularly those in supply management, I want to thank

the minister for her stalwart support of supply management in our province. I know that my phone has been ringing off the hook because there is some concern in Perth county, farmers in Middlesex and in Wellington, about the fact that the federal Conservatives seem to be undermining supply management, particularly out west. Then I hear about a new candidate in the new riding of Lanark–Frontenac–Lennox and Addington, someone who purports to be a Conservative, who says that he is going to have a very strong influence on the platform of the Progressive Conservative Party in the next election. I know that he doesn't support supply management; he has said that over and over again.

I want to ask the minister: What can she do to reassure all of the members, particularly in our party, who have all signed the FarmGate5 pledge, exactly what we need to do to make sure that the disastrous policy they're planning over there is never perpetrated—

The Speaker: The question has been asked. Minister?

Hon. Mrs. Dombrowsky: What I can say to the honourable member is that he should communicate to the farmers in his riding that under a McGuinty government we are absolutely, 100%, committed to supporting supply management in this province. I think that he has raised a very valid concern in that the Conservative candidate for Lanark–Frontenac–Lennox and Addington has made it very clear that he's no friend to supply management. In fact, Randy Hillier has indicated that he deplors the supply management sector and he calls farmers in that sector "welfare farmers." He indicates that supply management is a false security for farmers and that farmers are foolish to believe that supply management will provide prosperity.

We in the McGuinty government know that supply management does provide prosperity. We are committed to supply management. I'm concerned because Randy Hillier has indicated he's going to be advising the opposition leader on their ag. policy. I think it's important that people know—

The Speaker: Thank you. New question.

ONTARIO ECONOMY

Ms. Laurie Scott (Haliburton–Victoria–Brock): I have a question for the Premier. Premier, much has been said, and rightly said, about the \$1 million of taxpayers' money that you feel you're entitled to for these puddle-jumping flights to Niagara and Peterborough. Over 140,000 manufacturing job losses have happened under your watch. Some of those losses happened in Peterborough, including the closure of MasterBrand Cabinets, National Grocers service, Transcontinental Book Printing and, most recently in my riding in Lindsay, Fleetwood.

Premier, at one point you referred to these job losses as a hiccup. It's nothing like the cabin-pressure hiccups that you're so familiar with. When are you going to show some respect for the taxpayers' money and the members of this Legislature, which you have promised to do, come out from above the clouds and bring forward the com-

prehensive jobs plan that members from all parties voted for over 16 months ago? Premier, when are you going to bring that jobs strategy forward?

Hon. Dalton McGuinty (Premier, Minister of Research and Innovation): I thank the member for the question. But let me say that one of the reasons that I use the airplane is to work as hard as I can to bring new jobs to Ontario and to go to different communities and speak with them about their economic potential, to meet with people who are working hard on the ground, and for our government to act in a complementary way. So whether you're talking about our auto sector strategy, our forestry sector strategy, our advanced manufacturing strategy or our agriculture strategy, you're talking billions of dollars there. We're working as hard as we can, together with Ontarians, to enhance the quality of their local economies to ensure that they have jobs that will sustain them long into the future. That's part and parcel of the trip that I take by airplane.

VISITORS

Hon. Caroline Di Cocco (Minister of Culture): On a point of order, Mr. Speaker: I am really pleased to have visiting me today my grandchildren, Olivia Rose and Matteo, with their mom, Kimberly, and my husband, Don.

The Speaker (Hon. Michael A. Brown): At this point, I would like to bring to the attention of members that the clock on this side of the chamber is not totally functional, and while it does provide countdown time, it does not tell the real time. You will need to use the clock at the end of the chamber if you are trying to tell the time of day.

PETITIONS

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've signed that petition and I agree with it.

WORKPLACE SAFETY

Ms. Cheri DiNovo (Parkdale–High Park): “To the Legislative Assembly of Ontario:

“Whereas the laws that govern health and safety in the workplace do not address the prevention of psychological harassment and all forms of psychological abuse in the workplace, this is a request for the Legislative Assembly of Ontario to enact the following bill:

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

“To implement ‘the province of Ontario non-violent obligation in the workplace now—mental health bill’ in order to protect Ontario workers from psychological harassment and all forms of psychological abuse in the workplace.

“Repeated psychological trauma, consciously or unconsciously induced in a workplace, can result in trauma and post-traumatic stress disorder. Post-traumatic stress disorder is a serious psychiatric injury. Workplace psychological trauma can result in suicide. This bill protects the mental health of Ontario workers. This bill puts the responsibility on employers to ensure psychologically healthy workplaces.”

I agree with this petition and affix my signature hereto.

GTA POOLING

Mr. Kuldip Kular (Bramalea–Gore–Malton–Springdale): This petition is to the Ontario Legislative Assembly:

“End GTA Pooling: Pass Ontario Budget

“Whereas the city of Mississauga faces a long-term labour shortage, resulting in some 60,000 more people commuting into the city of Mississauga than leave Mississauga to earn their living and support their families each and every day; and

“Whereas 10 years ago the Ontario government of that day introduced the concept of GTA pooling, whereby funds are taken from the municipalities surrounding the city of Toronto and channelled into the city of Toronto without benefit or accountability to the taxpayers of those fast-growing cities, which face big-city needs and issues of their own; and

“Whereas GTA pooling places an additional tax burden on the municipal property tax bases of some \$40 million each and every year to the city of Mississauga; and

“Whereas the government of Ontario in its 2007-08 budget proposes to completely eliminate GTA pooling during a seven-year span beginning in fiscal year 2007-

08, and that as pooling is phased out, Ontario will take responsibility for social assistance and social housing costs currently funded by GTA pooling;

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

“That all parties within the government of Ontario support the swift passage of the 2007-08 Ontario budget and ensure that its provisions ending GTA pooling are implemented.”

I agree with the petitioners, and I put my signature on it as well.

POPE JOHN PAUL II

Mr. Ted Chudleigh (Halton): “Whereas the legacy of Pope John Paul II reflects his lifelong commitment to international understanding, peace and the defence of equality and human rights;

“Whereas his legacy has an all-embracing meaning that is particularly relevant to Canada’s multi-faith and multicultural traditions; ...

“Therefore we, the undersigned, petition the Parliament of Ontario to grant speedy passage into law of the private member’s bill by Oak Ridges MPP Frank Klees entitled An Act to proclaim Pope John Paul II Day.”

I agree with this petition, and I’d be pleased to give it to Ali to take to the table.

1520

NORTHERN ONTARIO

The Speaker (Hon. Michael A. Brown): Petitions? The member for Timmins–James Bay.

Mr. Gilles Bisson (Timmins–James Bay): Oh, them Tories are trying to block my way here to be recognized.

I have a petition signed by literally thousands of people from the Kapuskasing area and probably further than that, and it reads as follows:

“Whereas the McGuinty government has failed to protect the interests of communities in northern Ontario by allowing companies to shut down mills and redirect wood supplies outside the local region; and

“Whereas the current Ontario Liberal government has continued to implement disastrous energy policies that are crippling northern Ontario industries; and

“Whereas the McGuinty government supports Stephen Harper’s unfair and unsustainable softwood lumber agreement with the United States; and

“Whereas the McGuinty Liberal government has failed to pursue the return of unfair and illegal tariffs on softwood lumber that should be returned in full; and

“Whereas the Liberal government has neglected to adequately promote the development of value added initiatives to maintain employment levels and to reinvest the wealth generated in northern Ontario; and

“Whereas the Liberals have disregarded potential solutions put forth by industries, unions, communities, and the citizens of northern Ontario;

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

“To reverse the policies outlined above that are destroying the economic and social fabric of northern Ontario and to implement policies that protect workers in the forestry and mining sectors; and

“To make sure that wood harvested in the vicinity of existing forest-dependent communities is processed locally as much as is practical and is traded for the best end use to ensure fair and equitable exchange of fibre; and

“To implement regional energy pricing policies that utilize hydroelectricity surpluses generated in northern Ontario for economic development initiatives that are”—

Mr. Tim Hudak (Erie–Lincoln): Is that all the pages?

Mr. Bisson: Not all the pages; there’s lots of problems in northern Ontario.

Mr. Hudak: I understand.

Mr. Bisson: There we go—“aimed at stabilizing northern Ontario economies; and

“To promote value added initiatives to build solid foundations for forest industries in northern Ontario before it’s totally decimated; and

“To refuse to allow companies to separate hydro dams from lumber and pulp and paper operations; and

“To initiate and implement sectoral strategies to ensure that communities in northern Ontario remain sustainable despite inevitable economic downturns and recycle primary resources in industry.”

I am signing that petition, along with thousands of northerners.

PARENTING EDUCATION

Mr. Kevin Daniel Flynn (Oakville): “Whereas effective parenting practices do not come instinctively and parenting is our most crucial social role, parenting and human development courses need to be taught to all secondary school students. Parenting education will: reduce teen pregnancies; reduce the rate of costly fetal alcohol spectrum disorders and increase the number of healthy pregnancies; reduce the number of costly social problems related to ineffective parenting practices; and improve the ‘social fabric’ of Ontario to create a more civil society. Parenting education for students is considered to be socially valuable by a majority of adults of voting age and should be included as a mandatory credit course within the Ontario curriculum;

“We, the undersigned, petition the Legislative Assembly of Ontario to amend the requirements for the Ontario secondary school diploma” to include one senior level course in parenting education as a compulsory credit.

I agree with this and will sign it and pass it off to Dillon.

ONTARIO SOCIETY FOR THE PREVENTION OF CRUELTY TO ANIMALS

Mr. Ernie Hardeman (Oxford): I have a petition to the Legislative Assembly of Ontario:

“Whereas the Ontario Society for the Prevention of Cruelty to Animals (OSPCA) is a registered charity and private police force autonomously enforcing federal, provincial and municipal animal laws under the provincial animal act without any type of provincial oversight or accountability mechanism in place; and

“Whereas, in 2006, resigned OSPCA director and treasurer Garnet Lasby stated, ‘Government, not the humane society, should be in charge of enforcing laws to protect animals and to prosecute offenders’; and

“Whereas, in 1989, the Ontario Federation of Agriculture (OFA) formally requested the province ... to remove police powers from the OSPCA; and

“Whereas, in 2006, the Ontario Farm Animal Council (OFAC) stated, ‘The number of questions and complaints from the farm community about specific cases and the current enforcement system continues to increase’; and

“Whereas the Animal Care Review Board, a tribunal staffed by volunteers, is the only OSPCA appeals mechanism available outside the court system; and

“Whereas the OSPCA recently received \$1.8 million from the province and is lobbying for additional long-term stable funding;

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

“(1) That the Legislative Assembly direct the provincial government to ensure that members of the Animal Care Review Board tribunal are adequately trained in accepted provincial livestock practices and have some legal training to rule competently on issues brought before them; and

“(2) That the Legislative Assembly direct the provincial government to investigate the resignation of 29 OSPCA directors ... who in May 2006 urged ‘the province to step in and investigate insane abuse and animal cruelty charges’; and

“(3) That the Legislative Assembly direct the provincial government to appoint an ombudsman to investigate allegations of abuses of police powers against the OSPCA.”

Thank you very much for allowing me to present this petition on behalf of my constituents.

SOCIAL SERVICES FUNDING

Mr. Peter Fonseca (Mississauga East): A petition to the Legislative Assembly of Ontario:

“Fairness for Families in the 905 Belt

“Whereas the population of the greater Toronto region will increase by an estimated four million more people in the next generation, with the bulk of that growth coming in the 905 belt of fast-growing cities located north, east and west of Metro Toronto; and

“Whereas these cities are already large and dynamic population units, with big-city issues and big-city needs, requiring big-city resources to implement big-city solutions to social issues and human services needs;

“Whereas the 2007-08 Ontario budget proposes aggressive and badly needed increases in operating funding to build and strengthen capacity in developmental and social services agencies and to invest in helping the young, the weak, the needy and the vulnerable; and

“Whereas the social and human services sectors in the 905 belt have historically received per capital funding far below that of other regions despite facing far greater growth in the populations they serve, and this per capita funding gap has increased in the last four years;

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

“That the 2007-08 Ontario budget implementing measures to strengthen Ontario’s families be passed without delay, and that the first priority for the allocation of new funding in meeting the government of Ontario’s commitment to fairness for families flow to the social services agencies serving cities within the 905 belt, and that funding for programs to serve the 905 belt be allocated to established or growing agencies located within the 905 belt.”

I agree with this and sign my name to the petition. It will be delivered by page Rhiannon.

POPE JOHN PAUL II

Mr. John Yakabuski (Renfrew–Nipissing–Pembroke): I have a petition to the Parliament of Ontario.

“Whereas the legacy of Pope John Paul II reflects his lifelong commitment to international understanding, peace and the defence of equality and human rights;

“Whereas his legacy has an all-embracing meaning that is particularly relevant to Canada’s multi-faith and multicultural traditions;

“Whereas, as one of the great spiritual leaders of contemporary times, Pope John Paul II visited Ontario during his pontificate of more than 25 years and, on his visits, was enthusiastically greeted by Ontario’s diverse religious and cultural communities;

“Therefore we, the undersigned, petition the Parliament of Ontario to grant speedy passage into law of the private member’s bill by Oak Ridges MPP Frank Klees entitled An Act to proclaim Pope John Paul II Day.”

I support that petition, and I send it down with page Zachary.

REGULATION OF ZOOS

Mr. Jeff Leal (Peterborough): I have a petition today from the folks in Courtice, Bowmanville, Ajax, Oshawa and Peterborough.

“Whereas Ontario has the weakest zoo laws in the country; and

“Whereas existing zoo regulations are vague, unenforceable and only apply to native wildlife; and

“Whereas there are no mandatory standards to ensure adequate care and housing for zoo animals or the health and safety of animals, zoo staff, the visiting public or neighbouring communities; and

“Whereas several people have been injured by captive wildlife, and zoo escapes are frequent in Ontario; and

“Whereas these same regulatory gaps were affirmed recently by the Environmental Commissioner of Ontario in his annual report;

“We, the undersigned, petition the Legislative Assembly of Ontario to support MPP David Zimmer’s bill, the Regulation of Zoos Act.”

I support this and will affix my signature to it.

POPE JOHN PAUL II

Mr. Frank Klees (Oak Ridges): I’m pleased to present this petition to the Legislature, signed by more 500 students at St. Michael’s College School in Toronto. It reads as follows:

“Whereas the legacy of Pope John Paul II reflects his lifelong commitment to international understanding, peace and the defence of equality and human rights;

“Whereas his legacy has an all-embracing meaning that is particularly relevant to Canada’s multi-faith and multicultural traditions;

“Whereas, as one of the great spiritual leaders of contemporary times, Pope John Paul II visited Ontario during his pontificate of more than 25 years and, on his visits, was enthusiastically greeted by Ontario’s diverse religious and cultural communities;

“Therefore we, the undersigned, petition the Parliament of Ontario to grant speedy passage into law of the private member’s bill by Oak Ridges MPP Frank Klees entitled An Act to proclaim Pope John Paul II Day.”

As the proud proponent of this bill, I’m pleased to affix my signature.

1530

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 the week of May 28.

On Monday, May 28, 2007, in the afternoon, third reading of Bill 171, Health System Improvements Act; in the evening, third reading of Bill 203, the road safety act.

On Tuesday, May 29, 2007, in the afternoon is the PC opposition day.

On the rest of the week, the House leaders are in conversation as to how we can order the business of the House in the most appropriate fashion.

ORDERS OF THE DAY

PROVINCIAL ADVOCATE FOR CHILDREN AND YOUTH ACT, 2007

LOI DE 2007 SUR L'INTERVENANT PROVINCIAL EN FAVEUR DES ENFANTS ET DES JEUNES

Mrs. Chambers moved third reading of the following bill:

Bill 165, An Act to establish and provide for the office of the Provincial Advocate for Children and Youth /
Projet de loi 165, Loi visant à créer la charge d'intervenant provincial en faveur des enfants et des jeunes et à y pourvoir.

Hon. Mary Anne V. Chambers (Minister of Children and Youth Services): Mr. Speaker, I rise today on Bill 165, An Act to establish and provide for the office of the Provincial Advocate for Children and Youth, for its third reading in this House.

If passed, this legislation will be a significant step forward in providing better protection for Ontario's children and youth. At present, the Office of Child and Family Service Advocacy receives more than 3,000 calls every year. These calls come from some of our most vulnerable children and youth. These children and youth deserve to be heard by someone who can advocate on their behalf.

That is what this legislation is all about. It is a fulfillment of a commitment our government made to these children and youth while in opposition. We wanted a child advocate for Ontario who would speak for children and youth who may be unable to bring their issues forward on their own behalf. We wanted to help ensure that no government would be able to suppress the voice of the child advocate. We wanted the rights of our children and youth to never have to be subject to political interference. We wanted a child advocate who would be an independent officer of the Legislature, as independent as Ontario's Auditor General and the Ombudsman, to speak on behalf of our children. We wanted this independent child and youth advocate to report to the Legislative Assembly. We wanted the appointment of the child advocate to take place through an all-party legislative committee.

The proposed legislation will meet these commitments. The independent child advocate would provide a caring voice for a range of children and youth who are seeking or receiving services. She or he would speak for young people who are seeking or receiving services in the youth justice system, in the children's mental health or complex-special-needs systems, in the child protection and well-being system, and in provincial and demonstration schools for the deaf, blind, deaf-blind and learning disabled.

We have taken a number of steps to strengthen this legislation since we last presented it to the House. I would like to thank some of the people who have made

our work possible. Moving this proposed legislation forward would not have been possible without Ontario's current child advocate, Judy Finlay, who is in the gallery with us today. For the past 16 years, Judy Finlay has listened to the fears, concerns and wishes of Ontario's children and youth. She has helped deepen my own understanding of the significant challenges that some of Ontario's children and youth face every day. The advocate has also provided invaluable advice to our government in the drafting and strengthening of this legislation.

Judy Finlay was the first individual to appear before the standing committee during public hearings and was instrumental in setting up consultations with children and youth, inspiring them to share their stories, their concerns and their advice with the committee.

Our efforts to strengthen this vital legislation have been guided by input from several deputants who appeared or made submissions during the standing committee's public hearings on Bill 165.

I would like to thank all those individuals, some of whom are here with us today, who took the time to share their advice and their experiences during the public hearings for this legislation.

I would also like to thank the two opposition critics for children and youth, the member for Hamilton East and the member for Nepean-Carleton, for their work in strengthening this bill.

Our government has listened. We have brought forward substantive amendments in response to important issues that were raised during debate and public hearings. We also accepted opposition amendments that further support the intent of this legislation, which is to give our children and youth the voice they deserve.

At this time, I would like to go through some of the amendments. I will also explain how the original legislation in fact already addressed some concerns. We heard that we could improve Bill 165 by including purpose and principles statements at the outset of the legislation. These statements would provide Ontario's children and youth with a plain-language description of the work and role of the advocate. We agree. Bill 165 now includes a purpose statement and a principles statement that sum up in plain language the main functions and goals of the independent advocate. These refer to the principles expressed in the United Nations Convention on the Rights of the Child in interpreting and applying the act. They also refer to the advocate's role of providing an independent voice for children and youth, including First Nations children and youth and children with special needs.

The substance of these statements was developed in consultation with the current advocate and a group of children and youth with whom she works. We heard from some, including the opposition, that the legislation had stipulations that could potentially have compromised the perception of the advocate's independence. We listened to these concerns and amended the legislation accordingly.

We have removed the requirement of the advocate to consult the minister or administrative head before form-

ing a final opinion. We have also removed the requirement for the advocate to provide the government with a copy of special or annual reports at least 30 days in advance.

The process of appointing the advocate also received some attention during debate on this legislation.

Our government's commitment has always been to a selection process by an all-party committee of the Legislative Assembly, as is the case for other independent officers of the Legislature. The language in the legislation is based on the advice of the Office of the Clerk of the Legislative Assembly and is consistent with the language found in legislation for other independent officers of this Legislature.

1540

The operational practice of the assembly remains. Independent officers of the Legislature, such as a new independent child advocate, are selected by an all-party legislative committee.

During debate and public hearings, a number of concerns were also raised about which groups of children and youth would be included within the new independent advocate's scope. It has always been our government's intent to enable the independent advocate to provide advocacy services to the same groups served today by the current advocate. We have enshrined this intent in the legislation by introducing amendments to include children and youth attending provincial and demonstration schools for the deaf, blind, deaf-blind and severely learning disabled. We have done the same for youth in court holding cells and youth who are being transported to and from holding cells.

We were asked by some to add provisions specifying that the advocate is to provide services to youth in community supervision programs such as young people on probation under the Youth Criminal Justice Act. I am pleased to confirm that under the original legislation, these youth would continue to receive services.

I am also pleased to confirm that youth who have left formal care but are receiving approved services are covered by the legislation. They would continue to receive services from the independent advocate.

We recognize that the independent advocate needs to be able to have the means by which to access children and youth and their records in order to provide appropriate advocacy for these and other children and youth.

In addition, we heard from many that the children and youth whom the advocate serves must be aware of the existence of the advocate and also must be afforded the means by which to contact the advocate privately and without delay. Bill 165 now includes a subsection that speaks to the concerns around means and also speaks to the onus on the service providers and agencies to provide the advocate with access to children and youth who wish to meet with him or her privately and without unreasonable delay.

During public hearings, we heard some concerns that the requirement for the advocate to provide advance notice to service providers of a planned visit could lead

to unintended consequences, such as preventing the advocate from having a true impression of the children's normal environment. We agree. That requirement no longer exists in Bill 165.

We have also included an amendment that places a duty on agencies and service providers to provide the advocate with access to children and youth during systemic reviews.

We carefully drafted the access-to-records provisions of the legislation in consultation with the Information and Privacy Commissioner to ensure that the privacy and other legal rights of the child are protected. The legislation provides the advocate with access to a child or youth's private records, provided that the child or youth provides consent. The discretion to determine the child or youth's capacity to provide consent rests with the advocate.

I would also like to take this opportunity to address a scenario where an adult may wish to bring forward a complaint on behalf of a child or youth who is unable to do so. The legislation intentionally supports a partnership between the advocate and the children and youth he or she serves.

While the work of an independent advocate would be driven by the voices of children and youth, this legislation does provide the advocate with the power to conduct a review on his or her own initiative. The advocate could, for example, review a complaint brought forward on behalf of a child or youth. The advocate would also have the discretion to follow up privately with a child or youth who has withdrawn a complaint.

I would now like to address another issue which some deputants called for during the public hearings: the issue of investigative powers. An advocate with investigative powers would have to be neutral when conducting an investigation, but as the current advocate, who opposes investigative powers, explains, the advocate is not neutral. The advocate is charged to speak on behalf of children and youth.

During public hearings, a number of First Nations leaders and service providers spoke in support of a deputy advocate for First Nations children and youth. As Minister of Children and Youth Services, I have spent a great deal of time listening to the concerns of First Nations people. These individuals are concerned by the disproportionate representation of First Nations children and youth in our child protection and youth justice systems. They speak of their ongoing commitment to maintaining cultural ties and traditions among the younger generation.

Last summer, I had the opportunity to travel with the current advocate to five remote First Nations reserves in northern Ontario. It was an experience that I will not forget. The current advocate has done tremendous work in supporting our First Nations children and youth. We support the idea of a deputy advocate to see that this work continues; however, we also believe that the new independent advocate should have the discretion to create such a position. Our government was therefore pleased to

support a motion brought forward by the official opposition that enables the advocate to appoint deputies if he or she chooses, including a deputy for aboriginal children and youth.

In addition, the current legislation provides the advocate with the power to strike committees as he or she sees fit. We support the advocate's abilities to strike committees, but do not wish to be overly prescriptive, thereby limiting the independent advocate's discretion to do so.

We were also pleased to support an amendment brought forward by the third party requiring the advocate to have significant experience in areas such as children's mental health, child welfare, developmental services, youth justice education and pediatric health services. The children and youth of our province will be well-served by an independent advocate well-versed in children's issues.

I am privileged to have this exceptional opportunity to demonstrate our government's support for Ontario's most vulnerable children and youth. If passed, we are committed to moving quickly to proclaim and implement this legislation. I know we can work together to make sure that no government, current or future, will be able to suppress the voices of our children, voices that can be amplified through the voice of the child advocate. I call on all members of the House today to join me in supporting this groundbreaking, historic legislation.

The Acting Speaker (Mr. John Milloy): Questions and comments?

Ms. Andrea Horwath (Hamilton East): I appreciate the minister's overview of some of the changes that were made to Bill 165, from the initial draft of the bill to where we ended up today, with a third reading bill that has substantially changed—although, in my opinion, still needs some fine-tuning, if you want to call it that. Nonetheless, I will be having an opportunity very shortly to provide some comments on not only what I think was done right in terms of amendments to this bill, but things that I still have concerns about that remain outstanding. I'm not going to get into any of the details of that at this point in time, except to say that I think the minister appropriately mentioned some of the real concerns that had been raised by the critics and others after that second reading debate, and we saw many amendments come during clause-by-clause. I know there are stakeholders today who are still concerned that further amendments weren't accepted, but that's the cut and thrust of what happens in committee. I look forward to talking in a little more detail in 20 minutes or so about what my concerns are with the bill.

1550

Having said that, it was an extremely challenging process for us to go through the public hearings portion of committee, with the knowledge that the work had not been done in advance, particularly with the young people of this province. I'll mention that again a little later on. It was a missed opportunity where there could have been a full engagement of young people in the province of Ontario, particularly those who are affected by this bill, to really participate in its crafting. Unfortunately, the

government didn't see fit to do that, and that is a loss that we will never gain back.

Hon. Harinder S. Takhar (Minister of Small Business and Entrepreneurship): Actually, I heard the minister talking about this bill and how she has accommodated most of the concerns of both parties of the opposition. This, in my view, is a very historic bill. It will actually protect the rights of our children.

The minister also talked about the powers that this advocate general will have and how independent this advocate general will be, like the Auditor General in Ontario. I think that is what is required, because then you will not be able to suppress the voices of the children. That has been missing for a very long time, and that's exactly what the minister is providing.

She's also making accommodation to the other things, like appointing the deputy advocate general, if that is required, or expanding the committees if that is required, but she is leaving that up to the advocate general so that he can have some participation in order to serve the children. The whole purpose here is how we serve the children of our province and that they are not subjected to mishandling of any kind.

What we are doing with this legislation is, we have strengthened this legislation through the committee process, as the minister pointed out before. We have included a purpose-and-principle statement that speaks to children and youth, and that was drafted in consultation with the current advocate and a group of children and youth that she serves.

We removed the requirement for the advocate to provide a copy of his or her special report 30 days in advance of the report. I think these are the advancements in the legislation which will serve our children quite well as we move forward in this province.

Mr. Ted Chudleigh (Halton): I'm pleased to support this legislation as it's finally come before the House. The Progressive Conservative Party is proud to have been the first to introduce a child advocate in Ontario, under the premiership of Bill Davis. Those were great days in Ontario.

The McGuinty Liberals have been dithering and delaying on the children and youth file and, quite frankly, it's been a long time coming and it's quite unacceptable. The Liberals made a promise in 2003, and then they stalled by commissioning private consultants to undertake a review. Almost two years after the initial promise, the Liberals stated that legislation was imminent, and that imminent legislation from there took almost 20 months—almost two years for imminent legislation to be introduced in this House. It took more than three years, after the initial promise, for them to follow through. That's a long time.

Children in this province have not been well served during that time. In the province of Ontario they've suffered under the Liberals' ineffective and unfocused government, as revealed last December, when the Auditor General's review of children's aid societies in Ontario found this government and its management

wanting. I would suggest that children in Ontario deserve better and more timely advice and support and protection than this government has been able to afford them.

Mr. Dave Levac (Brant): I appreciate the opportunity to support the minister in her very, very hard work with children in our province. Contrary to what was just said, first of all, that this is an empty glass, I prefer to see it as a full glass in terms of dealing with our children. If that's support, I sure as heck would not want to hear non-support.

Anyway, let me focus specifically on what's being talked about tonight. I think what we're talking about is that there isn't one person in this place who does not want our children protected. Let's get that on the record and put that to bed. There isn't anyone that has a monopoly on how children are treated. There isn't anyone in this place or outside of this province that has a monopoly on what the best ideas or the worst ideas are.

I want to support the minister on this simply because it's the right thing to do. A bill—and I keep saying this in this place—a single bill does not have all the answers. There are amendments to bills, there are bill modifications, there are removals of bills. If anyone thinks that anybody in this place, in all parties, can write the perfect bill, show me. Let's be real; let's be honest. We're talking about an evolution and a fluid motion forward for the protection of the people of Ontario and, in this case, specifically our children.

I want to go on record as saying to our stakeholders and to the people who have dedicated their lives—and I say this sincerely—to protecting and caring for children, thank you very much. It's an important point that we sometimes miss. We sometimes miss that there's an awful lot of people out there—specifically the parents, contrary to what some people try to portray parents as, and all of the other stakeholders—who have a passion for ensuring our children are safe and secure. I thank the minister for bringing this legislation forward—

The Acting Speaker: Thank you. The minister has two minutes to respond.

Hon. Mrs. Chambers: I would like to use these two minutes, actually, to recognize some of the people who are with us here today. We have the advocate, Judy Finlay, and a couple people from her office—well, at least one from her office: Ashraf Shah. Not here? I really should say that any suggestion that children have not been well served over the past almost four years is really very, very unfortunate, and maybe just a matter of ignorance, because we have a fantastic advocate and advocate's office right now.

I would also like to recognize representatives from Voices for Children: Irwin Elman—is Irwin here? Oh, there's Irwin; it's good to see you—Stephanie Ma and Kathy Vine. From the Ontario Association of Children's Aid Societies: Adam Diamond—where's Adam? It's good to see you, Adam—Amanda Rose, Virginia Rowden and Sophia Kolaroff. From Defence for Children International, which made a substantial submission on behalf of children and youth in this province, we have

Agnes Samler and Matthew Geigen-Miller. And there have been others who have come from time to time.

I want to thank you for your work on this. You are wonderful partners to have. I hope you realize that this is in fact legacy work that you have done. I'm very pleased to have the opportunity and the privilege to work with partners like these who care so much about children and youth.

ROYAL ASSENT SANCTION ROYALE

The Acting Speaker (Mr. John Milloy): I beg to inform the House that in the name of Her Majesty the Queen, His Honour the Lieutenant Governor has been pleased to assent to certain bills in his office.

The Deputy Clerk (Mr. Todd Decker): The following are the titles of the bills to which His Honour did assent:

Bill 69, An Act to allow for information sharing about regulated organizations to improve efficiency in the administration and enforcement of regulatory legislation and to make consequential amendments to other Acts / *Projet de loi 69, Loi permettant l'échange de renseignements sur les organismes réglementés afin de rendre plus efficaces l'application et l'exécution de la législation de nature réglementaire et apportant des modifications corrélatives à d'autres lois.*

1600

Bill 103, An Act to establish an Independent Police Review Director and create a new public complaints process by amending the Police Services Act / *Projet de loi 103, Loi visant à créer le poste de directeur indépendant d'examen de la police et à créer une nouvelle procédure de traitement des plaintes du public en modifiant la Loi sur les services policiers.*

Bill 184, An Act to protect species at risk and to make related changes to other Acts / *Projet de loi 184, Loi visant à protéger les espèces en péril et à apporter des modifications connexes à d'autres lois.*

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.*

PROVINCIAL ADVOCATE FOR CHILDREN AND YOUTH ACT, 2007 (CONTINUED)

LOI DE 2007 SUR L'INTERVENANT PROVINCIAL EN FAVEUR DES ENFANTS ET DES JEUNES (SUITE)

The Acting Speaker (Mr. Joseph N. Tascona): Further debate?

Mrs. Elizabeth Witmer (Kitchener–Waterloo): It's a privilege for me to be able to participate in this the third reading of Bill 165, which basically is a bill that is going

to create an independent officer of the Legislature responsible for providing advocacy services to children and youth who are—Mr. Speaker, I need to get unanimous consent to defer our critic's leadoff speech on this bill.

The Acting Speaker: Madam Witmer has asked for unanimous consent to defer the lead. Is there unanimous consent? Agreed.

Hon. James J. Bradley (Minister of Tourism, Minister responsible for seniors, Government House Leader): It's only because Madam Witmer is asking for it, though.

Mrs. Witmer: Thank you very much. I appreciate that. Our critic will take her rightful place. Anyway, as I say, I am pleased to participate in this third reading debate of Bill 165. I'm also very pleased to say that our party will be supporting the bill as it has been amended by the standing committee on justice policy. We will move forward from there.

I think this is an issue that people in this province and people in this House take very seriously. I want to begin by expressing my appreciation to all the individuals who have worked hard, have listened to the concerns that have been expressed and have brought us to a point where the bill is today going into the final and the third reading. I think people in the House and throughout the province all have a genuine desire to make sure that children and youth in this province certainly are protected and everything is done in order to make sure that their rights are protected.

We have had an opportunity, and I want to congratulate our critic, the member for Nepean—Carleton, Lisa MacLeod. She has been a very passionate advocate on behalf of children since she was elected in a by-election. She has engaged in consultations herself on this legislation, and I know that as a result of her very hard work, she was able to persuade and convince the Liberal government to make some very substantial changes to the bill in order to ensure that it would protect Ontario's most vulnerable children. So I do want to congratulate my colleague for her hard work.

Now, Cathy Vine, the executive director of Voice for Children, has pointed out that "Ontario's most vulnerable children and youth—approximately 25,000 in government care through children's aid societies, in mental health systems, in residential schools for the hearing or visually impaired, in detention or police custody or other settings—depend on a system that too often fails them utterly." I guess this bill is all about doing the right thing for those children.

We believe that certainly we in this House have a duty of protection, and it is important to establish this new office of the child and youth advocate. Our record as Progressive Conservatives regarding the child advocate is a long one and a proud one. It was our Premier, Bill Davis, in 1984 who introduced the child advocate in the province of Ontario. Premier Davis established the interministerial provincial advisory committee in 1977 by which we are now able to have ministries work across

boundaries to provide a forum for agencies and families to enable better access for children. It was in 1978 that Premier Davis established Canada's first provincial advocacy office, the Office of Child and Family Services Advocacy, which was later entrenched in legislation when Mr. Davis's government introduced the Child and Family Services Act. Premier Davis was the first in this province to envision a government body which would bring together expertise in the areas of child welfare, children's mental health, developmental disability, youth justice, education, health, family treatment and children's rights in order to best serve Ontario's children. It is because of the vision and the leadership of former Premier William Davis that Ontario's child advocate became a model for governments across this country.

I am always pleased to hearken back to the leadership provided by Premier Davis, because I can remember as a teacher in the province of Ontario the very, very sincere commitment, the passionate commitment that he did have to children in Ontario. I know that our current leader, John Tory, worked very closely with Mr. Davis in many of the areas that I have just spoken about.

Bill 165 would create, when it's passed, an independent officer of the Legislature responsible for providing advocacy services to children and youth who are seeking or receiving services under the Child and Family Services Act. This bill repeals certain provisions of the CFSA and makes consequential amendments to that act. I am very pleased in my community at the work that is undertaken by children and family services. I know that the changes that are being made here will certainly be well-received by our community. Particularly, Bill 165 establishes the position of Provincial Advocate For Children And Youth. The appointed advocate is an officer of the Legislative Assembly, and the functions of the advocate are to:

"(a) provide advocacy to children and youth who are seeking or receiving approved services under the Child and Family Services Act;

"(b) provide advocacy to young persons who are being dealt with under the Ministry of Correctional Services Act;

"(c) promote the rights under part V of the Child and Family Services Act of children in care and the rights under part V of the Ministry of Correctional Services Act of young persons in custody;...

"(d) provide any other advocacy that is permitted under the regulations or any other act."

I know that one of the concerns that our party has had is about the long time period involved in finally bringing this legislation forward. It was first in July 2003 that the Liberal government issued a press release promising that they would pass legislation creating an independent office of the child advocate that would report to the Legislature rather than the government. After that time, in July 2003, there was research done to study the Child and Family Services Act and to develop recommendations. I know that the review was delivered to the Minister of Children and Youth Services in 2004. During

that time period—and I think you can see it's almost four years since the promise was made that we're now at a place in May, as I say, four years later, finally where we're seeing the government move forward with the creation of this independent child advocate.

1610

One of the things that unfortunately happened during this long period of time is that I know there were colleagues in this House who were disappointed that they weren't involved in consultations or in preparation of the report. This report didn't come forward in 2004 or 2005 or 2006. In fact, it is more recently that, finally, this report from 2004 has seen the light of day, and the government has now moved forward with the legislation. I know that was some of the concern that we did hear: the long period of time—almost four years—that it has taken us to get where we are today. The other concern that was expressed was the lack of opportunity for consultation with those people who obviously had an interest in being involved in a bill and in these children whom we obviously want to protect.

Our party also had some concerns with Bill 165 as we went into the public hearings. As I say, we were pleased with the bill. We do believe it addressed some key issues that were lacking in the current system. But we did still have concerns and questions, and that's why we were pleased that the public hearings did take place and that the public had an opportunity for further input.

Some of the concerns we had going into the public hearings that I just want to reiterate at this time are as follows:

(1) The lack of consultation, not just with those MPPs in this House, but also with certain stakeholders.

(2) Some concern originally that the bill didn't have investigative powers or the ability to summon witnesses or to summon evidence, and that it had no ability to review child deaths.

(3) A concern about children's access to the advocate not being guaranteed, and entrance to facilities by the advocate being restricted.

(4) That although the scope and mandate of this office is broad, the bill still manages to leave out two groups that are presently protected by the current office of the children's advocate.

So those were some of the concerns that our party had coming into the public hearings. I know that it was the public hearings and the public input—and they were important—that allowed our critic, my colleague from Nepean–Carleton, Lisa MacLeod, to do some excellent work in bringing forward amendments that addressed the concerns of those who made representation. I believe that, to a certain degree through her efforts, and certainly the efforts of those who appeared before the committee, many of the very serious concerns and reservations of the bill have been corrected. I guess this speaks for the need, when you're introducing a bill, to as soon as possible have consultations with stakeholders and with your colleagues in the House. I think that's important.

Our member from Nepean–Carleton was, as she always is, persistent, and she was firm. The child advo-

cate now is going to have the ability to appoint deputies. Why is this important? It's important for the children at risk who live outside of the city of Toronto, or it's important for those children who live in the aboriginal communities. In fact, it was my colleague the member for Nepean–Carleton who garnered support from all sides in this House—and I appreciate the co-operation—to send this bill back to committee for just this reason, and that is to make sure that we had those deputies in place in order that the needs of all the children living in this province, particularly those outside of Toronto, could be addressed. This change to the bill was absolutely necessary. It was recommended to the members of the committee on justice policy by the Canadian Foundation for Children, Youth and the Law. This change was required because there are areas of the province which may require special attention by the provincial advocate in respect to the most vulnerable children in the province. It was their belief and our belief that the advocate should have the ability to appoint deputies to focus on the areas where we have some very, very extraordinary needs.

In addition to this change, the appointment of deputies, we are pleased that the bill was sent back to committee in order to include an amendment that empowers the child advocate with the ability to enter the premises of an agency or a service provider in order to speak with the child. We still have some concerns about the bill, but we are pleased that that change has been made.

I want to just go back to the lack of consultation because we have heard there were groups who didn't have an opportunity to be consulted and they wanted to help.

In fact, let me read an excerpt from the Child Advocacy Renewal report written by Defence for Children International in 2006 on the Liberal government's process of consultations. Again, they express in here, "The Ontario government does not appear to have conducted any other major consultation on research projects regarding its commitment to strengthen child advocacy." For whatever reason—I haven't been that closely involved with this legislation—it does appear that that has been a concern.

One of the other components missing from this bill currently, despite the fact that we have seen some great amendments added by the government which are very much appreciated, is that there is still a desire on the part of many that the bill should have included a children's bill of rights, clearly demonstrating what rights a child in Ontario is entitled to, such as the stipulation of the degree of access a child would have to the new child advocate. There is still concern surrounding the fact this new legislation has no provision to guarantee that children have access to the advocate. Children, under the mandate of the advocate, do not have the right, currently, to have a private conversation with the advocate's office. They do not even have a right to know about the existence of the advocate.

Michael Cochrane, a lawyer from Toronto who practises civil litigation with an emphasis on family law,

I understand, made a very good case to the standing committee on justice policy as to why a children's bill of rights would be beneficial. I just want to read his remarks into the record. He says:

"Over the last few years, I've been involved in dealing with some of the human wreckage that comes about from perhaps not having something like a children's advocate in place. In particular, I was involved with several hundred students who went to the schools for the deaf in Ontario. I don't know if any of you are aware of it, but the Ontario government paid out about \$8 million in compensation to deaf students who were physically and sexually abused in the schools for the deaf. I was also involved with the claims against the Robarts School in London, Ontario—again, deaf children sexually abused by teachers.

"Another project I was involved with that seems completely unrelated to those things, but you'll see in a moment why it is related—I was the chair of the task force in Ontario that designed the Environmental Bill of Rights. One of the things that was built into the Environmental Bill of Rights was the Environmental Commissioner's office. I would urge you to look to the Environmental Commissioner's office as a model for the way in which the children's advocate is structured. The Environmental Commissioner is the linchpin for the way in which the Environmental Bill of Rights is implemented in Ontario. That office ... right now watches over the way in which environmental rights are protected and has acted very much like a pitchfork in the rear ends of government and other people who would abuse Ontario's natural environment.

"I mention those only because, if it were up to me, the children's advocate office would be a part of a children's bill of rights for Ontario and the office would be watching over the implementation of that bill of rights.... Right now, citizens in this province are better equipped to act to protect the environment than they are to protect children."

1620

That is the end of his quote, and I think that speaks to the issue itself of the need for a children's bill of rights.

Currently, the child advocate takes over 3,000 calls each year from children at risk and others who are in need of advocacy. The majority of the calls are about standards of practice for children living in residential care, peer-on-peer violence, children living at home with special needs, and aboriginal child welfare.

In conclusion, we still support the idea of a children's bill of rights in order to protect Ontario's most vulnerable children. But, having said that, I am pleased that there were public hearings. I appreciate the input of all those individuals who are so concerned about vulnerable children. I certainly appreciate the minister listening to the concerns brought forward by our critic. As I say, we will be supporting this legislation.

The Acting Speaker: It's time for questions and comments. The Chair recognizes the member from Hamilton East.

Ms. Horwath: I just want to congratulate the member for her comments on the bill. It's kind of difficult to be the first person to speak in a debate if you're not the critic, and that's why we often like our critics to go first. But the member did an admirable job, I think, in laying out the role that her critic, the member for Ottawa–Nepean, played as the other critic for this bill. I think she appropriately gave credit where credit was due in terms of the work that was done and also outlined some of the issues that were problematic, some of the issues that were fixed, and some of the issues that remain problematic. Of course, I look forward to following in that vein myself in a very few short minutes.

I think it's positive that the opposition is supporting this bill, notwithstanding its flaws. I think that shows that the people, around this place anyway, would agree on one thing for sure, and that is that the time for an independent office for the child and youth advocate in the province of Ontario is long overdue. Notwithstanding the fact that there are some problems that remain, the fact of the matter is it's no longer appropriate to delay getting that office to be independent. I would expect that in the independent office we will see some real activity, engaging young people in bringing forward suggestions and recommendations for positive change that we will be expected to, I'm sure, look at as the future rolls out and we determine whether or not the bill we're going to pass today is going to meet the needs of children and youth in Ontario. But it certainly is, I think, a start. That's what the member reflected in her remarks, and certainly that's what we heard from stakeholders after the clause-by-clause debate.

I look forward to putting my remarks on the record very shortly.

The Acting Speaker: The Chair recognizes the member from Scarborough Southwest.

Mr. Lorenzo Berardinetti (Scarborough Southwest): Thank you, Mr. Speaker, and I am glad to see you in the chair again, knowing the good work you did last week in mentioning Mother's Day. I did forget to mention my mother-in-law, which got me into some trouble. So I will mention a belated happy Mother's Day to my mother-in-law, to keep her happy and my family happy as well.

Interjection.

Mr. Berardinetti: Yes, that's right, Mr. Duguid.

Very briefly, I had the opportunity to sit on this committee as well, and I just wanted to say a few short things. First of all, the members of the committee did, I think, a really good job of canvassing and covering and asking questions of the deputants. We had a lot of younger deputants who came, who flew in from around the province. We had a very good set of presentations. The government members as well as the representative from the NDP, Ms. Horwath, and the representative from the Conservative Party, whose name just slips me for a moment—Christine Elliott—did an excellent job. All of them did, in asking questions. As Chair, I had the opportunity to have a little bit of latitude at least, because some of these kids had flown in from northern parts of Ontario

and they made their concerns quite clear. The minister, as well, has to be congratulated, because she was listening. She's been on this debate from the very beginning. When changes were required, the minister brought them forward. So the key is that we now have in place a bill that, if passed, will ensure that no current or future government could interfere with the ability of the child advocate to speak on behalf of children and youth.

After hearing them speak and after seeing them do their presentations, I know there is a group of young people out there that one day could make an excellent group of politicians. They really advocated their points well, and were listened to. I congratulate them all for their excellent presentations once again.

Mr. Chudleigh: I'd like to congratulate the member from Kitchener–Waterloo on her great dissertation on this bill. As she pointed out, we are strongly supportive of this. It's perhaps somewhat overdue, but it's a bill that is needed to ensure that the most vulnerable—if you could imagine children in our society who are either in foster homes or in correctional services, and what their needs are, and how their needs so differ from perhaps other children in our society who are being raised in their homes by their parents. Those children have very, very special needs. I'm sure this child advocate who will be appointed will be a huge step forward in ensuring that those children receive the kinds of assistance they need.

Even though this bill took so long to come to the Legislature—it was announced, I guess, in March 2005 and it was said at the introduction of the legislation that they would introduce it that spring. Well, the spring came and the spring went and the fall session came and the fall session went. Then the next spring session came and the next spring session went. Then finally, in the fall, on November 30, 2006, after Minister Chambers had been appointed, Bill 165 was introduced, and the imminent timing was actually 21 months before the bill was introduced. It would have been wonderful to have that 21-month period, or at least some portion of it, available to do further consultations on this legislation to make it even better than it is today.

Mr. Brad Duguid (Scarborough Centre): I am delighted to stand up in support of Bill 165. I want to begin by thanking Minister Chambers, who I'll have the opportunity to formally thank next October, because with the shifting of boundaries out in Scarborough, her boundary now has shifted past my house about 200 feet. Now I'll be outside of my own riding and I'll be able to ensure that I acknowledge all her good work by voting for her next October.

I want to thank her for her passionate advocacy for young people through this bill, which certainly provides that, but through a number of the other initiatives that she has worked so hard to provide to young people in my riding in Scarborough, across the city of Toronto and right across Ontario, when it comes to providing young people with job opportunities, with summer job opportunities and ensuring that our challenge fund is being utilized in the best possible way to provide outreach

opportunities as well for our young people. So I want to thank her for all her good work.

Our young people do need advocates. This is a part of our population that, while I think they're very capable of speaking for themselves, in past history it's been an area of the population that sometimes has been ignored. I think it's incumbent on all three parties, not only here today but in our ongoing efforts here in this place, to listen to the voice of our young people.

I've had the opportunity to do that on two recent occasions. In this two-minute session I won't have the opportunity to speak in detail about it, but I had the opportunity to host a youth Parliament in my area at the Scarborough Civic Centre with Woburn Collegiate and Cedarbrae Collegiate. I've got to tell you that the quality of debate among these young people, the level of knowledge, was absolutely awesome. These young people know what they're talking about. They're not only great leaders for our future; they're great leaders for the present. We should listen to what they have to say and we should act on it.

1630

The Acting Speaker: It's time for a reply. The Chair recognizes the member from Kitchener–Waterloo.

Mrs. Witmer: I appreciate the participation in this debate of the member for Hamilton East, who I know has always been a very passionate advocate for our children and youth. I know that we all look forward to hearing her comments in the future. I appreciate the comments of the member for Scarborough Southwest, those of the member for Scarborough Centre and of course my own colleague the member for Halton.

I think what we've heard today is that no matter where you sit in this House and no matter which party you represent, there is a passionate commitment to children in Ontario. There is support to make this advocate an independent officer who is going to report directly to the Legislature.

Recently I've had the opportunity to be involved in a conversation with someone who has been involved with children in a country in another part of the world. We are very fortunate that all of us here are so committed and so dedicated to making sure that our children have access to this advocate who is going to be there to protect them no matter what the situation will be.

I think this is a good day for this House. I want to congratulate everybody who has worked so very hard. Yes, maybe it did take the four years—sometimes it takes a little bit longer than we want—but at least before the election this bill will have passed, and it will be the children and our youth in this province who will be the beneficiaries. Congratulations to everyone who's worked so hard to make this a reality.

The Acting Speaker: Time for further debate.

Ms. Horwath: I'd like to start out by asking for unanimous consent. I've had recent surgery on my foot and it's very sore. I'm going to do my entire one hour standing up, but if there comes a time when I need to sit down, I would ask members to allow me to finish my speech sitting if it's necessary.

The Acting Speaker: Is there unanimous consent? It's agreed.

Ms. Horwath: I appreciate that, Mr. Speaker. Now my colleague is back and I've taken all his space and I apologize for that. My friend from Trinity-Spadina has come to join me.

I want to start out by saying to the government and to the minister that, through the committee hearings and clause-by-clause debate of Bill 165, An Act to establish and provide for the office of the Provincial Advocate for Children and Youth, this bill went from being what I thought was a bit of a disaster—in fact, the original bill I think was a bit of a sham, actually kind of an embarrassment—to something, after the clause-by-clause, after the public hearings, after the work that was done even on the second attempt at clause-by-clause, that at the very least is considered to be a step in the right direction by the stakeholders who have participated in getting us this far.

In fact, members of this chamber might recall that second reading of Bill 165, perhaps in its original text at that time, in my opinion anyway, could have been described as somewhat of a smokescreen. I say that because you might recall that there was a controversy swirling around this place during the time this bill was brought forward. You may recall that portions of the Auditor General's December 6, 2006, report had been leaked around the time that this bill came forward. Chapter 3 in particular was a damning review of a lack of accountability of children's aid societies in this province. So what was happening was that there was a report that was leaked. There was a lot of negative media attention on the minister. This bill, as has been mentioned already by the opposition—we were waiting with bated breath for the bill to finally at some point be tabled in this Legislature, but it was in the context of this other controversy that we finally got to see a bill come forward dealing with the independence of the child advocate. I raise that because it was an interesting study in what can go on around here in terms of how governments deflect criticism on important issues.

This report was leaked about a week before the official tabling of the report by the Auditor General for the province of Ontario. In the report there was a significant criticism of lack of accountability in terms of financial and reporting measures with the children's aid societies and the Ministry of Children and Youth Services. The information, as I mentioned, started to leak out about a week before the actual report. So around November 27 we started to see some media scrums and some pretty heavy-duty questioning of the minister, both from media and from critics in this House. The heat was on the minister, absolutely, to come up with the answers in that week prior to the official unveiling of the Auditor General's report. But interestingly enough, no matter how many questions were asked, the minister simply refused to respond to the report because it had not yet been officially tabled. So she had been asked many, many times, and many, many times she refused to answer. She simply declined to respond. She said, "No, I won't do it.

I'm not responding until next week when the official report of the auditor comes out."

Things really did start to get pretty hot around this place at that time. Reporters and citizens and critics—everybody—wanted answers from the minister about what was contained in that Auditor General's report. But instead of answers, the minister searched around desperately for a way to douse the flames of what was happening around here. So the Liberals reached into their bag of tricks and pulled out Bill 165, and what a shame that is. What a shame that that's why this finally came forward: to deflect the government from the criticisms around the Auditor General's report.

But let me stop to make two quick points about the Auditor General's report on the children's aid societies. The first one is that it was actually a value-for-money report. What happened is that the Auditor General reviewed basically what the expenditure patterns were of some—not all—of the province's children's aid societies. In fact, it's interesting, because as André Marin, our Ombudsman, stated at the time, the Auditor General's report really is just a value-for-money—I shouldn't say "just," but it's a value-for-money kind of review. So it doesn't really dig into some of the systemic issues that could perhaps be unveiled by someone like an Ombudsman. In fact, our Ombudsman said something to the effect that it provides an opportunity to count paper clips and determine if dollars are being wasted, which of course was found to be the fact, and even to outline problems with the lines of authority or approval or accountability that might or might not exist, which of course was also found to be the situation in some—not all; in some—of the cases with the children's aid societies that were reviewed. Again, not all were, but some were.

What the Auditor General's report couldn't do, what it doesn't do and what it can never do is deal with the quality of services, the efficacy of the work that's being done, for example, in the children's aid societies. The reason I raise this issue in the context of this bill is because the insights into the systems themselves, the systems like children's aid, for example, could not be reviewed or looked at by the Auditor General. In fact, the person who can do that kind of work, the person who can look at the systemic issues and the problems of an organization like a children's aid society, should really be the Ombudsman of Ontario. But we know that the Ombudsman in Ontario has not got the power to do those kinds of reviews on child welfare issues, child protection issues. He simply does not have the ability to look into children's aid societies particularly in the province of Ontario. He is not allowed to investigate these matters. So a system whose flaws, unfortunately, have led to unthinkable abuse and tragedy for some of Ontario's most vulnerable children. I think of children like Jeffrey Baldwin, like Jay, who was overmedicated significantly while under the care of the children's aid society, and like Randall Dewley. I raise this now, in the beginning of my remarks on Bill 165, because even the current child

advocate believes, as does the Ombudsman, as do stakeholders, as does the NDP caucus, that Bill 165 is only half the answer.

1640

An independent child advocate needs to have the corollary support of the Ombudsman's office to truly ensure that our province's most vulnerable children are being properly cared for and served. I know that by raising this issue, it raised the ire of the minister, and I can understand why. It's all too coincidental, the way things unfolded in this province when the bill was brought forward. I'm going to speak to that in more detail a little bit later on.

What I want to do right now is quote from the news release that the Ombudsman put out when Bill 165 was brought forward. After congratulating the minister, and rightly so, in bringing forward the bill, he goes on to say:

"Bill 165, the Provincial Advocate for Children and Youth Act, takes only 'baby steps' toward an effective system of child protection," Mr. Marin says in his submissions to the standing committee on justice policy, which is holding hearings on the bill this week. The advocate may speak for children, but unlike an ombudsman, will have no investigative powers. 'An advocate is as much an ombudsman as an apple is an orange.'

"Yet Ontario's Ombudsman is unable to investigate the hundreds of complaints to his office about children's aid societies each year (more than 600 in 2006-07) because they remain outside of his jurisdiction. Cases that should be investigated are effectively thrown away. Mr. Marin says: 'Despite all the government's rhetoric that "children are our future," we in Ontario are choosing to rid ourselves of hundreds of these serious allegations every year by taking a trip to the dumpster and looking the other way.' Ontario is the only province in Canada where children's aid societies escape such scrutiny, he notes. 'However you slice, chop or spin it, there is no contest as to which province finishes dead last in investigating children's complaints. Ontario does.'"

He goes on to suggest that in fact an amendment needs to be made to Bill 165 that would give the Ombudsman oversight for children's aid societies in the province of Ontario, just to bring us up to the same level of accountability for our most vulnerable children, as exists in every other province of this country. But did the government do that? No, they did not. When you look at the first draft of this bill, it is not in there. It is not in there to have the ombudsman's oversight of children's aid societies. It does not exist. So what did I do? Of course I brought the amendment forward to clause-by-clause. That's the process. When you see something missing in a bill, you bring an amendment, so I brought the amendment. It was amendment number 8, which said, on section 1.1 of the bill:

"I move that the bill be amended by adding the following section:

"Ombudsman

"1.1 Without detracting from the powers of the advocate under this act, the Ombudsman appointed under

the Ombudsman Act has full oversight over all services for children, including child welfare and youth justice."

Guess what happened, Mr. Speaker? You don't need to guess. All you need to do is look at the bill we're debating in front of us, the amended bill, to see that the government members, who of course have the majority by virtue of being the government, have voted down the amendment to have ombudsman oversight on children's aid, child welfare matters and youth justice matters. They voted it down.

It has become a bit of a pattern with this government. Interestingly enough I was listening to my colleague Shelley Martel recently discussing another bill, a health-related bill that she was the critic for. She had raised the issue of ombudsman oversight in another area, and that was the area of long-term care. There is no reason why the province of Ontario should not be a leader in terms of accountability, in terms of transparency, in terms of giving people an opportunity to have someone to go to when they're concerned about, when they want to complain about and when they're worried about the quality of services being provided by government in this province. We are at the back of the pack, and there's no reason for it, so at every chance and every opportunity, New Democrats are raising that issue in this Legislature. We're raising it with individual bills and we're even bringing some of our own bills. We bring amendments when we see it's necessary, like my colleague from the Nickel Belt riding brought the other day in regard to Bill 140, the long-term-care act. She brought one as well on Bill 171, another health care bill that she was dealing with, trying to get ombudsman oversight in the health sector. We know, in fact, that that has been in the news recently, the issue of ombudsman oversight in the health care sector, because we know very well that people have a very difficult time trying to navigate the health care system to find out how to get their issues resolved.

Similarly, my friend from the riding of Trinity-Spadina brought forward a private member's bill to try to get Ombudsman oversight in the school boards and in the education sector, recognizing that that's another system where, although we dedicate many, many dollars to it in terms of our budget, we have very little ability to dig into where the problems might be because there is no independent oversight measure.

I brought one of my own separate private member's bills on ombudsman oversight, and that was in the context of another bill from this minister, Bill 210. That was the bill on amendments to the Child and Family Services Act. When I brought that particular private member's bill forward, I brought it knowing that the minister wasn't going to be doing any amendments to Bill 210 either, and that's problematic. I have another private member's bill on the hospital sector as well.

So every time we try to raise how important it is to have Ombudsman oversight, it gets shot down by the government members, and I really don't know why. I really think the Ombudsman has a very important job to do in the province of Ontario. Certainly other provinces

see that job as important because they've given their Ombudsman the opportunity to review almost everything that's provided in terms of government services in these other provinces. Why can't Ontario do the same? Certainly at times it has been an embarrassment for the government, but if a little bit of embarrassment means that we have the kinds of services that we need and deserve in this province, then embarrassment it should be, and we should get on to the business of making sure that the services we provide the people of Ontario are appropriately delivered.

I'm going to say one last thing about the Auditor General's report, and it's this: I want to take the time to thank the Auditor General for tabling the report when he did, late last year. I really think that the minister was having a difficult time convincing the cabinet any time at all in the last few months leading up to the end of their mandate that they were going to be able to get this legislation tabled. I suspect that both the previous minister and the current minister had long been aware that the independent child advocate was simply not important enough to Dalton McGuinty and the powers that be around the cabinet table to bring it forward. This bill could have quite easily fallen off the table. This bill could have been quite easily one of the promises that the Liberals felt comfortable breaking. So I want to thank Mr. McCarter publicly, because I really do believe that if the minister wasn't so interested in deflecting his report, if the government didn't need to go searching into that bag of tricks for a smokescreen to take the sting out of that report, we wouldn't be here today at third reading debate.

Why do I say that? Again, I know that that offends the minister, but you just have to look at the track record of false starts and broken commitments around getting this initiative off the ground. The member from Kitchener-Waterloo made those remarks as well in her speech, as did some of the other Conservative members. The bottom line is, this independent office of the child advocate was promised in pre-election rhetoric back in 2003 before the election even took place. It took months and months and years and years to even have a bill tabled in this House at pretty much the 11th hour of this government and only in the context of this other report that was embarrassing the government. So I say to Mr. McCarter that I appreciate that he did bring that report forward, because it was that that gave the push to the government to say, "You have to do something positive on the children's file, and that means the child advocate bill has to come forward." I think that in some ways Mr. McCarter should be being thanked by the Minister of Children and Youth Services, and the previous one as well, because they were unable to put the push on to get this bill forward, and his work certainly did get it there.

Did we see anything from after the election until the end of December 2004? No, we didn't. Did we see anything from January, February? No. On March 8, 2005, we had the previous minister waxing eloquent about how there was a bill on its way, how it was coming

soon. She made all the announcements, but guess what? The bill never came. It didn't come all through to the end of that session. At the end of December 2005 we didn't see it, and in the spring of 2006 we didn't see it, and the fall of 2006 it still wasn't there. Finally, within a couple of days of the Auditor General's report, the bill got tabled. So that's where we are now.

1650

I think it's important to consider that the bill was tabled on November 30, 2006, and it was really a mere shell of a bill. If it wasn't such an important and serious issue in the province of Ontario, I would say that the bill that was tabled was almost a joke. I have heard through the grapevine that it didn't have to be so. I've heard that the minister's staff had been privy to detailed and comprehensive information, and probably even draft language, that could have formed the basis of a spectacular and cutting-edge piece of legislation for children and youth in this province. I've heard that many hundreds of hours had been invested by the very best minds to put together draft legislation—legislation that has never seen the light of day; language that has disappeared off the face of the earth, disappeared in the wake of a hasty reach of the minister's arm into a bag of tricks that pulled out a pathetic and weak bill that, frankly, shocked all of the dedicated people who had been working on these issues in our province for so long. People like Judy Finlay herself, people like Voices for Children, Defence for Children International, Youth Canada, Justice for Children and Youth and so many others were absolutely shocked to see the paltry excuse for a bill that this minister tabled in such haste back in November.

In fact, one only needs to review the many changes that were made. The bill itself is some 11 pages, I think, is how big this bill is. It's fairly short. Almost 80 amendments were tabled during clause-by-clause; 79 amendments were tabled during clause-by-clause. I have to say that that clause-by-clause was quite an interesting and somewhat bizarre process. Things didn't go as smoothly as they normally do when it comes to the committee hearings, clause-by-clause and then back for third reading.

I think what really happened is that in the rush to get Bill 165 here, it wasn't really reviewed in any great detail prior to the tabling of the actual bill. I submit that, notwithstanding the surgery performed on the bill during clause-by-clause, there are still some gaping wounds that need to be attended to when it comes to having an independent child advocate who is guaranteed all the resources and tools needed to do the job that youth deserve. I say this because what we ended up doing, in going through the clause-by-clause debate, is fixing up a lot of the problems.

I say to you that it's unfortunate, because it's not new information that came to the committee during clause-by-clause. In fact, it's information that had been long-standing knowledge, theoretically, anyway. My understanding is that that knowledge and information existed in the minister's office—in the ministry offices—for

quite some time. The thing that's problematic and disconcerting is that in their rush to get Bill 165 tabled, because they had taken so long to finally make it a priority, which they never did do on their own—they needed the push of the Auditor General, but that's fine. They got a push from the Auditor General, reached over and grabbed the bill and put it forward, but guess what? It wasn't a bill that had had any work done on it. It was probably some draft from 100 years ago that they pulled off a shelf somewhere and threw on the table, not realizing—"Oh gee, we forgot to put the most up-to-date bill in place." That's the only excuse I can think for it happening the way it did. I really do not believe that the minister would table a bill that had none, really, of the issues addressed that the stakeholders had been bringing forward that were so important.

I should probably take the time at this point to actually congratulate the government on having really listened during the public hearings first, and the clause-by-clause debate, and bringing forward some really important amendments to the bill. So at the end of the day, notwithstanding my criticisms about how we got here and where we are and the fact that the bill is not perfect, the minister does have to be congratulated for bringing forward amendments, some that I raised in debate, some that my friend from Trinity-Spadina raised in second reading debate, some that the member from Ottawa-Nepean raised during second reading debate and some of the amendments that were raised by the people who made presentations at the hearings. I do think it's appropriate to acknowledge and recognize that those amendments were brought.

I want to start with the very first one, which was an amendment that both myself and the other critic raised, which was the fact that the bill was silent on having any real purpose or principles or any outlining of what it was all about. The government did bring forward amendments—it's on, actually, the first page of the bill—outlining what the purpose of having an independent office of the child advocate is: What is the purpose of having this office? Then, a little later on, it goes on to talk about some of the principles to be applied.

I brought a motion forward that was some two and a half pages long that outlines those very issues. The member from the Conservative caucus, the critic for that caucus, brought forward amendments of that nature as well, and so did the government. The government's amendment was a little bit more streamlined, let's say, than the ones that I brought forward or the ones that the Conservative critic brought forward, but nonetheless, they're here. They're in the bill. There is actually a part of the bill that speaks to what the purpose is of having an independent child advocate, and I think that that's a positive thing. I really do believe that that's a positive thing.

They also brought forward some amendments that talk about specifically the principles that are to be applied. Here's where the government took the opportunity to include, in the language of the bill, a number of really

important issues that had been stated over and over again by stakeholders at committee. Those issues include having a very upfront, literal reference to the United Nations Convention on the Rights of the Child. That's in here. I congratulate the government for doing that, as well as having reference to, in those principles, a discussion about the provincial Advocate for Children And Youth "being an exemplar for meaningful participation of children and youth through all aspects of its advocacy services"—in other words, acknowledging in the language of the bill that the mandate of the office of the independent child advocate has always got to be informed by the very young people that it purports to represent or be a voice for. That's an extremely important amendment. I wasn't sure that that was going to get in there, but I have to congratulate the government on putting that in there. I think it's an extremely important principle, and I'm very pleased that they decided to put in an amendment that articulates that principle.

There are other things as well that the government approved in terms of amendments that I brought forward. One of the ones was specifically talking about that, when the next appointment comes forward for the new child advocate after the transitional period, there need to be certain commitments made in the legislation that that new advocate will have a certain history, if you will, or a certain resumé or curriculum vitae in terms of experience in various areas of work with children in the province of Ontario. That's in there too. I know that the member from Kitchener-Waterloo spoke about some of the amendments that were raised by her.

We went through the process of the hearings, and we had a number of amendments made. I could go on and on. There are several here that I had highlighted as ones that I saw as being positive, but every time I look at the clock I get worried that I'm going to run out of time because I'm only on page 2 of my 12-page speech. No, I'm just kidding.

Nonetheless, what I did find interesting was that, notwithstanding the clause-by-clause, where we went through a process of back-and-forthing around adding language that more appropriately reflected what we thought would be a bill that was meeting all the tests, if you will, of a good child advocate independent office, at the end of the day we came out of those clause-by-clause hearings and some of us were a little bit shell-shocked, I have to say, because it appeared that at the end of that day of clause-by-clause, there were some glaring problems with the bill that had been finalized that day. As it turns out, somehow the government was convinced that that in fact was the case, because after the bill had been ordered for third reading, it had to come out of that order for third reading. In fact, we had second reading debate on April 2. It was referred to committee on that same day. We did hearings on April 25 and April 26. On May 3, we did clause-by-clause. On May 3, it was then reported to the House and ordered for third reading. Then about a week later, on May 10, it was discharged from third reading and it was ordered back to the standing committee.

1700

That is apparently quite an unusual move. That, apparently, does not happen very often around here. Why did it happen in this case? I submit that it happened in this case because of the very issues that I was raising initially—that the minister didn't really want to hear—and that is that, notwithstanding the fact that it took a long time to get here, the bill that was actually tabled in this Legislature was so un-well-thought out, so inappropriate and so lacked any kind of consultation prior to the first draft being put forward, it was inevitable that after a rigorous clause-by-clause things got missed. The government simply didn't have its eye on the ball and wasn't very committed to making sure we had the best possible bill in front of us to go through clause by clause. So at the end of the day there were some glaring holes in the bill, some real problems. To this day, I still think there are some problems, and I'm going to get to them in a minute.

What happened on May 10 is that the bill got ordered back to the committee, we had another hastily organized committee meeting on May 14 and reconsidered the bill, had to go through all of the clauses again and finally did end up reporting the bill back on May 14. Here we are today in the final third reading debate of the bill.

Although the government cleared up some of the concerns in that clause-by-clause the first time around and, in fact, went back to the drawing board and did some more work afterwards, I really believe that the government really didn't do what they needed to do initially, and that's why we ended up in the embarrassing situation of having to go back to clause-by-clause. What they did was they cleared up a number of the issues that stakeholders had raised, a number of concerns had been dealt with, but I say that there are gaping wounds because, in fact, there are.

One of those wounds has already been discussed at some length and that's the issue of a lack of Ombudsman oversight. I've read the clause into the record that I had put forward as an amendment that did not get accepted by the government.

Also, there was another issue that had been raised by a number of stakeholders about the young people who would be able to receive service from the independent advocate. The minister, in her opening remarks, stated that all the children who currently receive services from the office of the advocate are going to continue to receive services from the office of the advocate. But something very disturbing came to light in clause-by-clause. It has to do with section 13 of the bill—I have it in front of me and so I'm going to read it out—which outlines, under the heading "Functions":

"The functions of the advocate are to provide advocacy to children"—it goes on, (a), (b), (c), and then section (c) is amended. The government put an amendment in. It says that the function is to:

"(c.1) provide advocacy in accordance with clause 14(1)(j.1) to children who are pupils of provincial schools for the deaf, schools for the blind, or demonstration schools under section 13 of the Education Act;" and

"(c.2) provide advocacy in accordance with clause 14(1)(j.2) to children and youth with respect to matters that arise while held in court holding cells and being transported to and from court holding cells."

These two issues were raised consistently, I might add, by the child advocate, by Voices for Children, by Defence for Children International, by Justice for Children and Youth. It was an issue that was contentious from the get-go, from the minute the bill was tabled in the House in its first reading form.

The government, as I was saying, put some positive amendments in. They heard that criticism and they put that amendment in to cover off children in these particular situations—schools for the deaf, schools for the blind, demonstration schools, children in custody—and I think that's a positive thing. But the rub comes when you look a little further on in the bill and you look at this clause 14(1)(j.1). When you go to subsection 14(1), which talks about the powers of the advocate, and you go to clause (j.1), it says that the advocate can "receive and respond to complaints from children who are pupils of provincial schools for the deaf, schools for the blind or demonstration schools under section 13 of the Education Act and use informal methods to resolve those complaints."

So what does that mean? That means that the government is putting in black and white right in the letter of this bill that those children who are in schools for the deaf, schools for the blind and demonstration schools under section 13 of the Education Act are not allowed to have the same level of advocacy service as other children who are outlined in this bill.

How can that be, Mr. Speaker? How can a government in the year 2007 bring forward legislation that literally discriminates against those children? I don't understand it. I was absolutely shocked when I followed along and found out that while the government, on the one hand—and the minister said it in her remarks—proudly says they're providing for those particular children in the bill, you just need to roll your eyes to the other side of the page, to the very next section, section 14, to find out that no, in fact, they're not, at least not at the same level as all other children in this province can expect. That is absolutely unacceptable. It's absolutely unbelievable that the bill actually states in black and white, in plain English, that deaf children and children who are blind are only allowed informal advocacy, as opposed to the full services of the office that all other children are privy to. How gross is that? How unbelievable that such a thing could be deliberately done in the province of Ontario in 2007, by a government, no less, that has been so studious about pretending to be committed to getting rid of barriers in this province for people with disabilities. They talk one talk and then they walk a different walk when it comes to actually putting things in place that make a difference for real people. Do you remember the number of that bill, the one getting rid of barriers for people with disabilities, where they say that over 20 years we're eventually going to maybe get to be a barrier-free

Ontario? For these kids, their barriers are being put right in the legislation. They're being told, "You have a barrier. You're not allowed to get the same level of service as other kids in this province," and that is something that is absolutely unbelievable.

In fact, we heard from people about this issue. We heard from Gary Malkowski from the Canadian Hearing Society and Chris Kenopic from ASL services for deaf children in Ontario. Do you know what they said? They came to our committee and told our committee that these demonstration schools and schools for the deaf, and also regular schools, need to have the child advocate services available to them. Mr. Malkowski went on to give a pretty passionate description of the particular vulnerability that deaf children have, specifically to sexual abuse, for example. He went on to describe how important it is, and he went on to describe in a very passionate way some of his own experiences as a deaf person in terms of vulnerability to abuse. And yet the government still does not see fit to provide the level of advocacy for those children in particular, and that is absolutely unacceptable. It's wrong and it deserves to be challenged.

I say to you, Mr. Speaker, that it likely will be challenged. I don't imagine that this bill will get very far after receiving royal assent and being in force before it's going to have a charter challenge. I can't see how it cannot have a charter challenge. I don't understand why a government would put forward a bill when we would know that it likely will get a charter challenge because it sets out a different level of service based on disability. That's just bizarre and backwards, and I don't understand it.

1710

I was kind of scratching my head, thinking, "What is it? Why is this such a big problem? What's the issue here?" The only thing I could come up with is that perhaps the Minister of Education had a problem with it. Perhaps because it speaks about the Education Act, the Minister of Education didn't want to see that particular language in the bill. That's quite possible. Who knows? I don't know. They know. The Minister of Children and Youth Services knows. The Minister of Education knows. I don't know whether any other Liberal members know. It would probably be an interesting exercise for you to ask your ministers and find out why it is that they decided to keep that discriminatory language in the bill. But from my perspective it's wrong and it doesn't belong in there. It's absolutely an egregious slap in the face to deaf children and blind children that they can't have the same kind of services that other kids have. That's just absolutely inappropriate.

One of the things the government did do in the amendments was they talked about the opportunity to perhaps establish deputy advocates, and that's a good thing. Unfortunately, I actually had asked for something much more proactive. I had asked that the legislation itself speak specifically to a First Nations deputy advocate. We heard from First Nations communities. They came and spoke to us. They travelled great distances. These young people were absolutely phenomenal, absolutely amazing,

and the presentations they made were so powerful and so moving, I just can't describe it. In the context of what those young people had to say to us and in the knowledge that First Nations children, that aboriginal kids, are far overrepresented in terms of the proportion of their population and the population of kids in the child welfare system—we know that that's the case. We know that aboriginal kids, First Nations kids, are far, far overrepresented in these systems. We also know that these children in the province of Ontario have some of the worst living standards that exist in our entire country, that exist on the continent, really, and that exist in the world. We know these kids have challenges that you wouldn't believe. We know that their education is meagre compared to what the rest of the children of this province have come to expect. Those children deserve the same. We know that their nutrition is not taken care of. We know that they have significant problems when it comes to the bare necessities, the basic necessities that we would expect all children in a country like Canada and a province like Ontario to have access to. They don't have access to them.

So First Nations communities came to the committee and they said, "Look, it only makes sense. It's only right that we have a deputy advocate for First Nations children who is situated closer to those remote communities in the north and who specifically would have an understanding of the customs and of the lifestyle and of the culture and of the languages"—the cultures, I should say—"that are part of our First Nations diaspora." That's what they wanted. I think that's what, at the very least, we should have provided them in this bill.

Granted, the bill does speak to the opportunity for the advocate to establish deputies. That's fine. And it speaks to, for example, deputies for First Nations and for special needs. That's all great and that's all positive. But the rub is, unless it's specifically in the legislation requiring that to happen—the way that the independent office of the advocate gets funded is through a mechanism here called BOIE, Board of Internal Economy. So the advocate would submit a budget to the Board of Internal Economy. The Board of Internal Economy approves the budget or doesn't, or negotiates the budget. If the legislation was clear and articulated straight out the requirement that this deputy position for First Nations kids be established, then when the advocate comes to the Board of Internal Economy for their budget, clearly part of that budget needs to include the establishment and the resourcing of that office for that purpose. The way it sits now is that there is really no assurance that in fact any deputy that the child advocate decides to recommend or suggest will get the funding necessary through BOIE. I would hope that would happen, but it's not in the legislation in a strong way, the way it should be, in my opinion. So I think that's an opportunity we missed. I was hoping we would be able to make it very clear in the legislation that that needed to happen.

Who else was left out? We know that deaf children in schools for the deaf and blind children in schools for the

blind and demonstration schools were left out. We know that, likely, First Nations kids are going to be left out. Who else? Interestingly enough, there's a group of kids who receive services and, after aging out, after turning 18, 19 or 20, are still able to receive some services. They're on this program called extended maintenance and care agreements. Basically it allows them to continue even though they are no longer a child or a youth because they are no longer under the age of 18. They may still be getting services to help support them to, for example, finish their education, go to college or university. It basically gives these kids a fighting chance to get through their early adult years without having all supports pulled out from under them. So that's a good thing.

The thing that's problematic is that the bill doesn't include those young people, those youth, those young adults. It doesn't include them in terms of their having the availability to access the child advocate. What sense does that make? We know that they're still receiving services through the Ministry of Children and Youth, right? We know that they're still receiving some of those services. If something goes wrong or if there's a problem, or if somebody tries to take those services away and they haven't been properly notified, or they don't believe that it's appropriate for those services to be removed from them or withdrawn, they have no recourse. At least, they don't have the recourse of calling up the child advocate and expecting services in the same way they had been receiving them before they turned 18. So it makes one wonder whether that might be another charter challenge. Maybe that will be, maybe on the basis of age, if they're being discriminated against on the basis of age, because they still get the services provided from children and youth services, so why can they not get the services of the advocate? I don't know. I don't know why that was left out. It was raised as an issue. It was raised as something that should be included, and for some reason it wasn't included. That is also problematic. So that's one of the places that I thought the bill fell short, and one of the things that I think the government missed in terms of putting together a bill that we could all know was covering all the bases.

There's another interesting problem with the bill. Again, it's a problem around the extent to which the advocate, in the role of doing systemic reviews—so the advocate can respond and is responding, and this gives the advocate the right, the ability, the opportunity to respond to children who call and want and need the services of the advocate. It puts an onus on service providers and agencies to make sure that young people know about their right to the advocate and are given the opportunity to make the call to the advocate. Again there were some amendments made, and I have to congratulate the government on that. There were changes made that allow that to happen in a much clearer way than in the initial draft of the bill. It's important to put that on the record, and I do acknowledge that those changes were made.

But the thing that's problematic is that during the process of the clause-by-clause, at the end of the day,

when you read the bill, nowhere do you see the as-of-right opportunity of the advocate to get documents, records or information from agencies and service providers. While the advocate can enter premises to meet with a child and communicate with a child, it doesn't say that the advocate can enter premises to obtain documents or records and it doesn't say that there's any obligation, necessarily, for those records or documents to be provided. If the advocate needs to do a systemic review or look at some agency or some series of agencies, or some services that are provided by a number of different agencies, the bill stymies that ability to do that very effectively and quickly.

1720

In discussing this omission, I think the government refers to the fact that the ability to do a review is outlined at the beginning of the bill and what some of the powers are of the advocate, so they rely on that to say, "Well, that's good enough." That supposes, then, that all of this information is to be made available. But the problem occurs: What if it isn't made available? If it isn't made available, what ends up happening is that the advocate then has to step back and go to a whole different process, perhaps a judicial review even, in order to get access to documents and records that would assist with a systemic review.

It seems to me that if we really were intent upon making sure that the child advocate had all of the tools at hand to do the job that we so expect and the job that our children deserve and need in the province, we wouldn't be forcing the advocate to go through extra hoops to be able to do that job effectively.

I am quite concerned that that issue wasn't covered off. In fact, if you look at section 18 of the bill, which is on page 9—I had actually put in an amendment to that section, which is "Protection of privacy and access to information." The amendment that I put was pretty basic, and it explains what I think is missing. I had moved:

"18.1(1) The advocate has the power to examine or copy any record or log book in the possession of an agency, service provider or facility for the purpose of performing his or her functions and powers under this act.

"(2) Nothing in this section abrogates solicitor-client privilege."

I put that in there so that the act would have been clear, had it been an amendment that was accepted, and of course, unfortunately it wasn't accepted. The government members voted down that amendment, but I thought that was an important amendment that would have allowed that very role or job or piece of the advocate's work to be very clarified in the legislation. Unfortunately, it's not there, and so we will only wait and see how that rolls out.

As I mentioned at the beginning of my remarks, the reality is that, notwithstanding many of the problems that I've been raising, I think there has been a fair consensus around this chamber that it's worthwhile to put the bill forward as is. In other words, I don't think there's any

party that's going to be opposing it. I know that we're going to be on the record supporting the bill, notwithstanding its flaws, because we know very well that we need to start somewhere. I'm very, very hopeful that regardless of what party forms the next government in the province of Ontario, it won't take another five or 10 years to add some of the changes as we see the bill go forward. In other words, when we have a bill in front of us, when we have legislation in front of us—I know that the government whip talked about, "Oh, it's all just a starting point; it's all just the beginning; we all recognize that nothing's perfect." I beg to differ. We have an opportunity to do the very best we can for the vulnerable children and youth of this province, and we squandered, in some ways, that opportunity.

For the life of me, I don't know why many of these amendments have not been included. I really am not being obtuse; I don't understand why some of these amendments weren't included. I don't see where it hurts or where it's problematic or difficult to include kids on extended maintenance and care agreements. I don't know why it's difficult to ensure that all children, regardless of where they are in the system, are able to obtain the exact same level of advocacy from the advocate. I don't understand why the government resists having ombudsman oversight, to be that brother or sister role, if you will, to the role of the child advocate, because the child advocate said very clearly and passionately—and actually I met with her about this issue because I was concerned about it myself, and that's the issue about investigative powers. It came up in a discussion that I had with the advocate after the bill had been tabled initially. I know that it has been addressed in some of the submissions, particularly the one from Defence for Children International.

The issue was around—if the advocate is described as having investigative powers, the word "investigation" sets forth an expectation that it's an unbiased process, right? You're attacking this issue, this problem, this concern, from a position of non-bias. That's what an investigation apparently means in the legal sense of the word. What the child advocate convinced me, and I agreed with her after she explained the situation, is that she never wants to be considered to be unbiased. She's a child advocate. She goes into situations with the best interests of the child and with the bias in favour of the child. That's what we are actually asking her to do in her role as an independent child advocate.

I began to understand the difference between the work of a child advocate and the work of someone like an Ombudsman. When I say it's a kind of sister or brother role—as the Ombudsman said, comparing an advocate and an Ombudsman is like comparing apples to oranges. The roles rely on each other. The advocate can go so far, and if the advocate believes that there's something that needs a different perspective or a different set of eyes, then that advocate also has the opportunity to bring in the Ombudsman to help with a particular issue. Of course in this case, in the province of Ontario, unlike every other

province in the country, that doesn't happen, because the Ombudsman in Ontario doesn't have that ability to review children's aid societies in this province. Again, I don't know why that wasn't included as an amendment that the government would have accepted.

I want to conclude by saying there are other issues that I didn't touch on. There's the whole issue of the advocate and her—I keep saying "her" because our current advocate, of course, is Judy Finlay. Interestingly enough, our first advocate for the province of Ontario, Les Horne, actually was available and made remarks to our committee as well during the public hearings process, and we appreciated that very much. But I have to say that although there are many other issues, I think the main ones are access to documents and records and the young people who are still left out, those being the children that I've already described—children in schools for the deaf, schools for the blind, demonstration schools and children aging out, 18 or over. I think that's still a flaw in the bill. Access to records and documents, as I said, is still a big problem. Lack of ombudsman oversight is still a concern.

But I think overall—and I heard from stakeholders loud and clear; I made some calls after clause-by-clause and I determined that people really do want to see the bill go forward, notwithstanding its lumps and bumps. So I'm supporting that as well. I'm saying, you know what? It was my duty, my responsibility, to put on the record some of the concerns that I had. I do that because, notwithstanding the government whip's belief that these things can be put in place and don't need to be perfect—I wish those amendments had been put in place. But I put those things on the record now so that over the next year or two years or, at the outside, three, as we go through the experiences that are going to take place in this province as the independent office gets up and running and begins to provide the services under the auspices of the language provided in this legislation, we will be able to put an eye to some of the remarks that I've raised. We will be able to put an eye to some of the issues that were raised during the hearings process by our stakeholders.

I should actually take the time to say thank you very much to all of those wonderful people, whether they were children's lawyers or advocates for children in their own agencies and organizations, whether they were the young people themselves, whether they were First Nations young people, whether they were the BLOCK Headz from here in Toronto—honestly, it was a fabulous experience to hear what they had to say and to really listen to the issues that they brought forward.

So I really do hope that by putting some of these things on the record, we acknowledge that the bill is not the panacea, that it does, already at this point, have some things that need to be changed, and that regardless of which party forms the government after the next election, there remains unfinished business in the independent office of the child and youth advocate, and that unfinished business is to look to what is going to happen over the next couple of years and make sure that we are prepared to reopen and fix the legislation if the need is identified for that to happen.

1730

It's easy to be flip and say, "Well, nothing's perfect and we can make do." We are going to make do—and we're not being flip. We are going to make do, but the reality is that it's not easy. We saw how tough it was. This government bragged and bragged before they even won the election about how they were going to bring an independent child advocate to the province of Ontario. And we saw how it took not one year, not two years, but three years, and only the firestorm of a scandal around the Auditor General's report on children's aid societies finally got the government to move and table that shell of a bill that it was originally was. So here we are at the end of the process and putting on the record the fact that the bottom line is that the legislation is going to need to be changed. I only hope that some of the members here today are going to be sitting here in a couple of years. Remember that this bill, once it's put in place, is going to need to be reopened and be fixed. I think that if we can leave this chamber knowing that that's an expectation—not of mine and not of anybody else particularly who is sitting here, but of the people that have come and provided so much insightful information and have done so much work on this issue over the years—that's who we're going to have to account to when it comes to making changes eventually, because the bill does not satisfy all of the things it needs to satisfy in terms of being the bill it could have been.

Nonetheless, it is a first step, as many have said. When I did my calling around and talked to different people, they said, "We're not happy"—well, that's not true. They didn't say, "We're not happy." They said, "It's a good first step." That was pretty much what they said. They said, "There are still problems; there are still concerns. We still have things that we need to work out, issues that we're still concerned about. But we don't want the process to stop. We don't want any excuse for this independent office not to be established. It has to be established. It's long overdue." I respect that and I support the work that was done in this province by so many dedicated people. And I say that New Democrats are going to support the bill, notwithstanding its flaws, because at times you have to accept that the government wasn't prepared to go all the way on something but also recommit in supporting this bill. If I'm here after October 10, I'll be keeping a close eye on the evolution, if you will, of the independent office of the child advocate and look forward to hearing over the next 18 months maybe, 12 months, six months, what it's going to be like for the independent office of the child advocate and making sure that the bill we put in place today is actually going to do the job for children and youth in the province of Ontario.

The Acting Speaker: Questions and comments?

Mr. Kevin Daniel Flynn (Oakville): Speaking to Bill 165 today, I think they say that a hallmark of a truly caring society is one that looks after its most vulnerable. One of the high points of my life to date has been the time I spent serving as a board member on the Halton Children's Aid Society board and a few of those years

serving as president. One of the people I was privileged to serve with was Les Horne, the first child advocate in the province of Ontario. I understand Les has gone through some sad times lately, and my thoughts go out to him. But I know that he would find some of the changes and some of the things that are moving ahead in the way that we treat children in the province of Ontario, children who are often in very vulnerable situations—I think Les would very much be in favour of this move and I'm sure will continue to advocate in the future for further improvements. If you look at some of the things that have taken place in this process, amendments have been accepted that have made the legislation stronger.

I think this government has developed a history of shining the light in places where it just hasn't been shone before. Sometimes when you do that, you find things that you don't want to find out. We've had the public auditor take a look at our hospitals, take a look at Ontario Hydro, take a look at children's aid societies. In the upcoming year, they'll be looking at long-term-care homes, they'll be looking at universities, but the point of the matter is that I think if you're going to do that, you need to be prepared to act on it. And certainly I think that the only way you bring independence to the child advocate in Ontario is to make that person an officer of the Legislature, which allows you the independence to move ahead in a way that is going to make some meaningful change. That simply hasn't been the way it has been done in the past.

I'd urge all members to support this bill. It's one that's worthy of support.

Ms. Laurie Scott (Haliburton–Victoria–Brock): I'm pleased to rise today on comments from the member from Hamilton East on Bill 165, the Provincial Advocate for Children and Youth Act, which would make the advocate an independent officer who reports to the Legislature.

She spoke quite passionately about the people who presented at committee, the people who work on behalf of our children—our vulnerable children, our youth—and what we need to do to better protect them. She made a lot of good points about the people who came. We thank them for all the work that they do and all the amendments that they brought forward—a lot, I take it, that weren't successful in being implemented in the bill—to make it a better bill.

She expressed strong concern that the advocate would not be able to have formal investigative powers to get to all the records for documents for the schools for the deaf, the schools for the blind, demonstration schools and for those who are over the age of 18. That's a very important point to make. This bill has taken a long time to come to the Legislature. They promised it, I think, two or three times. Three and a half years into the mandate, it's now here and finally on its third reading just a few weeks before this session will end and we go to the polls. It's a little tragic, when it was to be a priority, that it has taken that long to come forward.

But it is here before us. It's in its third reading. It's a step forward than it was before. I think the present

advocate, Judy Finlay, has done a great job for many, many years on this. But there were comments made from the member from Hamilton East about the fact that there's a lack of Ombudsman oversight. She has made a lot of good points. She spoke very passionately about it. I appreciate the opportunity to speak on this bill before us today.

Mr. Rosario Marchese (Trinity–Spadina): I want to congratulate my colleague from Hamilton East for her thorough review of the bill, including many of the amendments that were made. I want to comment on a statement she made in reference to the member from Brant, because the member from Brant talked about the fact that no political party really has a monopoly on caring for children, and I believe he's right about that. He also said that nothing is perfect, which is true, and no political party can be perfect or any bill perfect. That is true. He then declares that this bill is a good first step, and this is where I differ with the member.

Most bills in this place come only after 10 or 15 years of critics bringing these issues to the attention of government—other people who deal with children's services, who bring the attention of concerns to the government—and it takes 10, 15, 20 years sometimes to be able to get a bill changed. So when you have an opportunity to make good changes, then deal with them, do them.

When you have an opportunity as a government to say, "We are the only province that doesn't have Ombudsman oversight over children's aid," there is no pride in that. There is no honour in that. Introduce that as a significant change, because it's good for you. They don't want to do it, member from Hamilton East, because the Ombudsman would cause problems for any government. That's why they're not doing it.

Also, the government creates informal methods of resolution for people in schools for the deaf and the blind which do not afford them the same level of advocacy. Why would we do that?

When you have an opportunity to make changes that make the bill better, do it, because you're not going to get another chance for 10, 15 or 20 years. That's what the member was saying, and that's what I support.

Mr. Peter Fonseca (Mississauga East): First, I'd like to commend the Minister for Children and Youth Services, as well as Judy Finlay, the present advocate, for the great, tremendous work that they've done, and all the stakeholders who participated in what I feel was the way that this place should flow when it comes to great legislation. It's bringing it forward, taking it to a standing committee, making sure that all parties, all stakeholders, get a chance to speak on the legislation to make it better, bringing forward some of those amendments and making sure that those changes happen so that this House can vote on a piece of legislation that will impact some of our most vulnerable citizens: our children, our kids.

1740

We just passed, a short while ago, a piece of legislation on endangered species—yesterday. We advocate for those who don't have a voice. Animals don't have a

voice, so we in this Legislature do something to protect them. It's the same with our children. Many of our children have so many challenges—mental, physical or others—and they need that strong, neutral voice to be there for them, to make sure there's someone in their corner, fighting for them, making sure their voice is heard on issues like children's mental health, where our government has invested a great deal more money. We're all proud of that.

Children with complex special needs, those who are deaf, deaf and blind, or learning disabled—all of them need this advocate. They need this advocate to be somebody who presents before the Legislature, not to the ministry. I know the previous government, for too long, wanted to muzzle—

The Acting Speaker: Thank you. It's time for a reply.

Ms. Horwath: I want to thank the members from Oakville, Haliburton–Victoria–Brock, Trinity–Spadina and Mississauga East for their remarks, particularly the ones that focused on the bill as it is before us now, not on some of the extraneous pieces but on the actual, real legislation that's before us.

I see we're having some people who were here earlier leaving, particularly the child advocate we have in place currently in the province of Ontario. I want to take my last few minutes on this bill to thank her particularly for all the work she's done. She's the current child advocate. I know there's a section in this bill that provides for her as our interim—there's transitional language that makes her the interim independent child advocate once this bill is passed. That gives me great comfort because I know that Judy Finlay has been a passionate and extremely effective advocate while under the auspices of the ministry. I know that, as we transition to the independent office, there is no one I have more confidence in in terms of setting the right tone, in terms of setting the right framework, if you will, for this to be a very positive, independent office.

In closing my remarks on this bill, I think it's appropriate for me to thank Judy Finlay, to say goodnight and to thank Matthew Geigen-Miller, who's leaving too, and all of the other people who have been here today. Thank you so much for the work you've done. It's certainly a victory for everyone in terms of moving forward. I know that the work you've done is going to continue to inform the independent advocate office over the next several months and years to come.

The Acting Speaker: It's time for further debate.

Mr. Berardinetti: It's a pleasure, as we wind up the clock here, to have an opportunity to say a few words on Bill 165, An Act to establish and provide for the office of the Provincial Advocate for Children and Youth.

I had the pleasure, as I mentioned earlier this afternoon, of being at committee at the time this bill was being debated. We heard for over two days from a number of deputations—actually about two days' worth. We had children's experts come in, and all sorts of other professionals, but the deputations that were most moving and that I think resulted in changes to Bill 165 came from

the young people. A lot of them came from outside of Toronto. We had people from northern Ontario, people from the very far north, people from our native communities and youth groups. As I said earlier—and I'll reiterate it again—their presentations were excellent and very moving and well prepared and I think were very convincing. To those that made presentations and organized presentations, I thank them and I congratulate them on the excellent work that they did in helping to shape up this bill, because in the end this is not a bill for us, it's a bill for them.

On our second day of deputations, towards the end, we heard from some of the native communities on some of the issues that face them. They raised various issues and concerns about wanting an independent advocate and the fact that previously the advocate was not independent and the problems with that. With a non-independent advocate, that person would report back to the ministry or back to the government of the day, and the government could take the report or information from the advocate and not necessarily do anything with it. The key-stone, I think, to this bill is that it provides for an independent auditor who is an officer of the Legislature, a person who has the authority to go out there in the community, meet with youth, make recommendations and begin to find out where the real problems are regarding youth. This bill will provide an independent voice for children and for youth.

I think that nobody should be overlooking the work of the youth advocate. The youth advocate should be self-policed. If we place an ombudsman or another body overlooking the work of the youth advocate, I think it diminishes the power of the youth advocate. That was my second point, that some members of this Legislature seem to want to hand over virtually everything to the Ombudsman. If that becomes the case, why should we bother debating bills? Perhaps the Ombudsman should be running the province, if you like what the Ombudsman is doing. I like some of the reports that have come forward, and some of the information. Obviously, excellent work has been done by the Ombudsman's office. They continue to provide good input into how we operate and whether or not there are requirements for checks and balances. But at some point we've got say, "This is the Ombudsman's job. Other than that, we have independence given to other officials as well."

I feel strongly, for the sake of the youth, that the person here, the youth advocate, be an independent individual, somebody who can speak for children without any kind of limitation or any kind of legislation limiting their powers. I think this legislation meets our commitment that we made to make the advocate an independent officer, as independent as the Auditor General, as independent as possibly can be.

I just want to mention very briefly a few other points. Besides the good work done by those who made presentations—again, they were excellent—I really believe that members of the committee did excellent work too with their questioning and prodding away and digging into the bill. It seemed that everyone was into this bill

and into making changes and making proposals to the bill. We actually took the unprecedented step of taking this bill, after it had finished committee hearings, and bringing it back to committee, on a motion made by the House leader, so that we could add an extra section. If I'm not mistaken, that was a new section 16.1: "If the advocate seeks to enter the premises of an agency or of a service provider to communicate with children or youth, the agency or service provider, as the case may be, shall permit the advocate to do so." That was done when this went back to committee. I think this was something that the opposition wanted to see. We listened. It was their idea. We went back to committee and we added that section. It gives additional powers to the youth advocate, which that person, she or he, may need in the future to enter into premises to do the work that they have to do.

1750

A number of people also spoke about a special need to recognize the north. I think that, without a doubt, that is a requirement. We need the youth advocate to look at the special concerns of youth in the north. Their problems could be different than the problems of people that live in larger cities, places like Toronto, Hamilton, Windsor or Ottawa. We do provide here that the advocate can hire staff and is allowed to delegate authority to staff to do the work that has to be done. I think that's the best way to deal with it. You've got one person who's responsible for everything, who can hire and have people do some of the work that needs to be done to look after perhaps special concerns. I think we addressed that concern in the bill.

We did several other things when we went to committee that were important. We removed the requirement for the advocate to provide a copy of her or his report annually. We removed the requirement for special reports 30 days in advance; we got rid of that. We've enshrined in the legislation the advocate's ability to continue to provide advocacy services to children and youth in provincial demonstration schools and youth in court holding cells. We removed the requirement for the advocate to consult with a minister or ministry before forming a final opinion. This is one of the most important functions, as I mentioned earlier. We passed an opposition amendment that enables the new independent advocate to have deputy advocates, such as a deputy for aboriginal children and youth, if he or she chooses. Once again, input from the opposition was listened to, input from the opposition was implemented, and input from the opposition has now become part of this bill. The government has worked with the opposition parties in a spirit of co-operation—not because it's only good for the Liberals, not because it's bad for the Conservatives or the NDP, but because it's right. That's why we did it: We did it because it was something that was right for the youth of this province.

We are also placing an onus on service providers to ensure that children and youth who are served by the advocate are made aware of the advocate's existence. This issue came up a lot during committee. People didn't know—some of the young people said, "I didn't know

that an advocate existed. I found out from my friend Joe or from my friend Jane.” But we are going to make service providers start advertising, or at least putting out the word that children and youth have the opportunity to communicate with the advocate and are provided with the means by which to contact the advocate, and that the advocate is provided with access to these children and youth. We’ve opened the doors to allow this two-way communication to exist between the advocate and the young people who need the service.

This bill—and I hope it passes soon—would give the powers that are required for the advocate to serve young people who need to be served. We also passed an opposition amendment that would require the new independent advocate to have “significant experience in areas such as children’s mental health, child welfare, developmental services, youth justice, education or pediatric health services.” The children and youth of our province are best served by an independent advocate well versed in children’s issues. So we’re not making this a plum appointment position. We’re not getting somebody out of the community, somebody of a patronage nature to do this job; we’re getting a professional with experience.

There are several good things about the bill. I hope that we can pass this quickly and put it into law—again, not for our benefit, not for the opposition’s benefit, but for the benefit of the children and the people here today who have been listening and who are out there in the community.

I think my time is slowly winding up. With those few comments, I strongly suggest we support it. I think Judy Finlay, the present child advocate, was very supportive of it. Once again, I have to say that the young people did an excellent job in presentations, and the representatives from Hamilton East and Nepean–Carleton, as well as our representative on our side of the committee, the member from Willowdale, did an absolutely excellent job in asking the questions that needed to be asked so that the bill could be modified, strengthened and made into law.

Those are my comments. I hope the bill passes and becomes law.

The Acting Speaker: It being approximately 6 p.m. of the clock, it’s time to adjourn the House. This House stands adjourned until 1:30 p.m. of the clock on Monday, May 28, 2007.

The House adjourned at 1756.

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