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**Official Report
of Debates
(Hansard)**

**Journal
des débats
(Hansard)**

Monday 28 April 2008

Lundi 28 avril 2008

Speaker
Honourable Steve Peters

Président
L'honorable Steve Peters

Clerk
Deborah Deller

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LEGISLATIVE ASSEMBLY OF ONTARIO

Monday 28 April 2008

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Lundi 28 avril 2008

*The House met at 1330.
Prayers.*

MEMBERS' STATEMENTS

LEGISLATIVE REFORM

Mr. Ernie Hardeman: The problem with the proposed new standing orders is not the number of hours in the Legislature, as the Premier likes to imply. I will be here as early as he would like me to start. I don't know any member on either side who got into politics to work less hours. I object to the concept that the only time members of this House are working is when they're in the Legislature. When question period ends, the Premier and most of his cabinet ministers are out the door. Does that mean they have finished work for the day?

Part of my job is commuting from Woodstock when the Legislature is sitting. I still stop to talk to my constituents who are in Tim Hortons at 5 a.m. I still drive back to events in Oxford in the evenings and spend my weekends, like most MPPs, going to events, anniversaries and birthdays. I'm not asking for a reward. I think the people of Oxford gave me that reward by re-electing me.

I'm asking the Premier to give the members of this House respect by acknowledging that our objections to these proposed standing order changes is that he is decreasing democracy instead of making the Legislature work better. We don't need more hours of debate if cabinet ministers won't listen and fix the problems that are raised. We don't need more private members' public business if the government House leader blocks private members' bills from ever moving forward. We don't need to move question period if the government refuses to answer any questions and just throws back rhetoric and insults. We need a real debate about how to improve the Legislature, with input from all parties, where every member gets the respect they deserve.

VOLUNTEER SERVICE AWARDS

Mrs. Linda Jeffrey: I presided recently over two Ontario Volunteer Service Awards ceremonies held in Mississauga, where a total of 252 outstanding volunteers were honoured, individuals who had given in excess of 3,200 total years of service to agencies and individuals within the Peel region. I'm proud to say that many of my constituents of Brampton–Springdale received awards for

their outstanding volunteer service. I'd also like to congratulate them all on being so generous with their time.

The time that Ontario volunteers give to volunteerism is valued at over \$10 billion annually by Statistics Canada—individuals like Peter Murphy, our local town crier, who volunteers his time at the Peel Heritage Complex, which is a museum and art gallery and houses the original Peel county courthouse. As the official town crier, Mr. Murphy makes formal announcements or proclamations on behalf of the mayor and city council at all important functions. He understands the importance that pageantry and elegance add to the event and acts as a unique community ambassador.

This month, thousands of people will be recognized for their good deeds at 46 Ontario Volunteer Service Awards ceremonies in 35 communities across the province. When Ontarians volunteer, they're donating their time and their talent to build and strengthen our community, one person at a time. I'd like to thank all those individuals who make a positive impact on others.

LEGISLATIVE REFORM

Mr. Norm Miller: Despite concerns raised by journalists, academics and members of this Legislature, the government is still willing to push ahead with its changes to the standing orders designed to avoid public scrutiny and erode democratic accountability. In an unprecedented move, members of the press galley have written a letter highlighting their grave misgivings with the new schedule, which would limit reporters' access to cabinet ministers and the Premier.

University of Toronto professor Graham White noted that effective questions require time for planning, research and reflection, something that would be severely undermined under the proposed changes.

Question period remains the most visible and effective mechanism for holding a government to account, and the proposed changes diminish its importance.

This is about more than simple changes to rules of debate; it is about maintaining democratic accountability, and that is something that all Ontarians should be very concerned about.

If the government is serious about making this Legislature more effective and family-friendly, it will listen to the many voices who oppose these changes and will stop using its majority to change the rules of the House for its own benefit.

DAY OF MOURNING

Mr. Paul Miller: On April 7, 1988, an NDP resolution introduced in the Ontario Legislature recognized April 28 as a provincial day of mourning and noted that, at that time, 1,000 Canadian workers were killed on the job each year, with thousands more injured, many of them permanently. Many thousands of other workers suffer work-related disease, often leading to death.

In 1991, an NDP-sponsored federal private member's bill was enacted proclaiming April 28 of each year as a national day of mourning. According to the International Confederation of Free Trade Unions, commemoration activities are now held in nearly 100 countries.

Many young people are about to head out to their first summer jobs, and I worry about them. As parents, we caution our children on how to make the best of their first jobs, but unless our children are heading into unknown fields, such as a tree planting job, we may not think to raise workplace safety issues with them. I encourage parents to think about the safety concerns that their children could face and to discuss these with them before they leave for their first day at work.

I encourage employers to think very carefully about the dangers that young and new workers could be facing.

April 28 provides a time when all Canadians and people throughout the world can jointly pay respect to those working people who have died or suffered injuries or diseases on the job.

While we mourn the dead and remember the injured, we must dedicate ourselves to fight for the living and prevent this terrible escalating and unnecessary toll.

For those workers who have been injured on the job, I will continue my efforts to get the many flawed processes fixed so that the insurance protection that you rightly deserve works for you.

To those injured and deceased workers and their families, on this day we think of you and commit to you our best efforts to learn from your stories and to fight for the changes necessary to protect workers.

GEORGE JEFFREY CHILDREN'S CENTRE

Mr. Bill Mauro: I rise today to speak about the great work being done in my riding by the George Jeffrey Children's Centre and Fresh Air Experience.

Last Thursday, the northern Ontario heritage fund provided an additional \$1 million to the George Jeffrey Children's Foundation to aid in the construction of a new and larger state-of-the-art children's centre for Thunder Bay. This brings the McGuinty government's total investment in the George Jeffrey Children's Centre up to \$7.3 million.

It's a very important service for our community. I'm pleased that the new 35,000-square-foot facility will expand its services for children with disabilities. Programs will include physiotherapy and speech language pathology for more than 1,000 children each year. In addition,

this project will create jobs and help recruit new health professionals to the region.

Adding to this contribution is our local Fresh Air Experience 10K fundraiser. This year's run was the 29th edition of the event. I had the pleasure of participating with approximately 300 other runners, who were successful in raising thousands of dollars to help support the George Jeffrey Children's Centre. I congratulate overall winners Jonathan Balabuck and Nikki Wilberforce.

I'd also like to take this opportunity to acknowledge the staff and volunteers who helped organize and participate in this great cause. I'd specifically like to congratulate board chair Bob Speer; the centre's executive director, Eiji Tsubouchi; and Fresh Air Experience manager Al Cranston. Without the efforts of these tireless volunteers, none of this would be possible.

We all look forward to the completion of this incredible new facility in mid-October.

LEGISLATIVE REFORM

Mrs. Julia Munro: This Liberal government wants question period held early in the day so that neither the opposition nor the media has the time to prepare.

Opposition members do not have the staff or resources of government ministers; neither do journalists. Other Parliaments and Legislatures recognize these facts. Federal question period starts at about 2:15; Alberta, Manitoba and Newfoundland start at about 1:30; BC at 1:50; and Nova Scotia, Quebec and Prince Edward Island, all after noon. Saskatchewan meets at 10:30 on Thursday but 2 p.m. on Monday to Wednesday.

1340

In Australia and New Zealand, questions are at 2 p.m. In Britain, question period is in the morning for half the week, but the British Prime Minister only answers questions one day a week in the afternoon. Ministers only have to answer one day every two weeks.

What is so different about Ontario that we need the earliest question period? I can tell you what is different: We have a government that is trying to erode the ability of the opposition and the media to hold them to account. And if they restrict our right to hold them to account, they restrict the right of the public to know what their government is doing.

EDUCATION

Mr. Yasir Naqvi: The McGuinty government takes great pride in how far we have come in terms of our public education system. After years of Conservative rule, when classrooms were in chaos, this government has restored peace and stability in schools, which has allowed our students to excel.

For instance, in the Ottawa Catholic School Board, test scores for grade 3 reading, writing and math have increased by an average of 14 percentage points since 2003, while the test scores for grade 6 reading, writing and math have increased by an average of nine percent-

age points since 2003. In the Ottawa-Carleton District School Board, test scores for grade 3 reading, writing and math have increased by an average of 16 percentage points since 2003, and the board's test scores for grade 6 reading, writing and math have increased by an average of eight percentage points since 2003.

I congratulate Lynn Scott, chair of the Ottawa-Carleton District School Board, and Kathy Ablett, chair of the Ottawa Catholic School Board, for these great achievements. Gone are the days when the Conservatives antagonized teachers, leading to constant strikes and no after-school activities.

We promised Ontario students in 2003 that we would rebuild our education system; that is exactly what we are doing. While test scores are only one measure of success, our students are clearly on their way to reaching their full potential. More students are now graduating from high school, gaining a solid foundation in reading, writing and math and getting more of the individual attention they need to succeed.

POLICE OFFICERS

Mr. Mike Colle: I'd like to welcome the police chiefs from across Ontario here with us today, along with the police services chairs who are here from across Ontario.

We know that Ontario's police forces are the cornerstones of community safety. As part of our commitment to stronger and safer communities, this government has invested more than \$37 million annually to help municipalities hire 1,000 new police officers. Every one of these 1,000 police officers is on the job, making our communities safer 24/7. We are also continuing to fund the previous government's 1,000 officers program. Under the McGuinty government, these officers are being funded in perpetuity, ensuring that our towns and cities can plan for the long term. Altogether, that's \$2 billion towards putting 2,000 officers on the streets of Ontario.

I'm quite pleased that Toronto was allocated 250 officers from our 1,000 officers program. This was on top of the 251 officers that we fund in perpetuity. Thanks to the 8,000 men and women in our police service here in Toronto, Toronto's crime rate is among the lowest in the country.

But just because crime rates are lower doesn't mean we can be complacent for one minute. This government is determined to keep our communities safe, and I'm certain that this determination is shared with the police services not only in Toronto but in every community across Ontario.

We're here again to welcome our police chiefs and the chairs of police services because we really value their contribution.

VOLUNTEERS

Mr. Phil McNeely: I'm pleased to rise in this House and welcome to Queen's Park the recipients of the June Callwood Outstanding Achievement Award for Voluntar-

ism in Ontario. They will be arriving shortly from the awards ceremony this morning. There are 15 recipients of the award, and I thank all of them for their outstanding contributions.

I would like to recognize the Premier for his leadership in renaming the award after such an outstanding Ontarian. Thank you also, Minister Chan, for organizing such an important event, and for the minister's leadership in promoting volunteerism in Ontario.

Here today to receive the awards—and they'll soon be at Queen's Park: president Lori Nash from Orléans; secretary Charlene Elgee, also from Orléans; Karen Luttrell, public relations with the library; and Cathy MacDonald of the Nepean committee. Upon hearing that 10 of Ontario's public libraries were facing closure last year due to budget constraints, Lori and the Friends of the Ottawa Public Library Association rallied together to raise public awareness and lobby the city of Ottawa. Their SOS postcard campaign resulted in thousands of postcards sent by the public to Ottawa city council demanding that no libraries be closed and that library funding not be cut.

Council responded, announcing that all Ottawa public libraries would remain open. Ottawa Councillor Jan Harder, chair of the Ottawa Public Library board, and Barbara Clubb, Ottawa's city librarian, were so impressed with the group that they nominated the Friends for this prestigious award.

Congratulations again, Lori, Charlene, Karen and Cathy, for your well-deserved reward.

WEARING OF PINS

Mrs. Linda Jeffrey: On a point of order, Mr. Speaker: I would ask for unanimous consent for all members to wear the black and yellow pins that honour the National Day of Mourning today in the House.

The Speaker (Hon. Steve Peters): Agreed? Agreed.

SPECIAL REPORT, OMBUDSMAN

The Speaker (Hon. Steve Peters): I beg to inform the House that I have laid upon the table a report of the Ombudsman of Ontario entitled Don't Let the Sun Go Down on Me: Opening the Door on the Elton John Ticket Scandal: Investigation into City of Greater Sudbury Council Closed Meeting of February 20, 2008.

VISITORS

The Speaker (Hon. Steve Peters): On behalf of a number of members, I'd like to introduce some guests who are with us today.

On behalf of the members for Hamilton Centre and Hamilton East-Stoney Creek, Bernie Morelli, chair of the Hamilton Police Services Board and chair of the Ontario Association of Police Services Boards, in the east members' gallery.

On behalf of the leader of Her Majesty's loyal opposition, in the west members' gallery, we'd like to welcome Senator Bert Brown and his wife, Alice.

On behalf of the member for Thunder Bay–Superior North, we'd like to welcome his sister, Sarah Gravelle McKenzie, and his niece, Rebecca Campbell, visiting from Winnipeg, in the west members' gallery.

On behalf of the member for Mississauga South, in the west gallery, we'd like to welcome Henry Dennis and Julian Forte.

On behalf of the member for Burlington, we'd like to welcome, in the west members' gallery, Michael Marsan, a co-op student working at the member's constituency office.

On behalf of the member for Markham–Unionville, we'd like to welcome today to the Legislature the recipients of the June Callwood Outstanding Achievement Award for Voluntarism in Ontario: Dr. Daniel C. Andreae, Jack Byers, Dr. Balliram Cadee, Eileen Clifford, Margaret Everett, Robert Ewing, the Friends of the Ottawa Public Library Association, Barry Fuller, the Grand Valley Educational Society, Peter Henderson, Joan Jones, the Palliative Care Volunteers of Royal Victoria Hospital, the Vittoria and District Foundation, Andrea Tipping and James Valitchaka.

As well, I'll take this opportunity to welcome a former member for Mississauga West of the 34th and 35th Parliaments, the honourable Steve Mahoney.

Please extend a welcome to all of our guests here in the chamber today.

MOTIONS

HOUSE SITTINGS

Hon. David Caplan: I move that, pursuant to standing order 9(c)(i), the House shall meet from 6:45 till 9:30 p.m. on Monday, April 28, for the purpose of conducting government business.

The Speaker (Hon. Steve Peters): All those in favour will say "aye."

All those opposed will say "nay."

In my opinion, the ayes have it.

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

The division bells rang from 1349 to 1354.

The Speaker (Hon. Steve Peters): Mr. Caplan has moved government notice of motion number 62. All those in favour will rise one at a time and be recognized by the Clerk.

Ayes

Aggelonitis, Sophia	Flynn, Kevin Daniel	Moridi, Reza
Albanese, Laura	Fonseca, Peter	Naqvi, Yasir
Arthurs, Wayne	Gravelle, Michael	Oraziotti, David
Balkissoon, Bas	Hoy, Pat	Pupatello, Sandra
Bentley, Christopher	Jaczek, Helena	Qaadri, Shafiq
Best, Margaret	Jeffrey, Linda	Ramal, Khalil
Broten, Laurel C.	Kular, Kuldip	Ramsay, David
Caplan, David	Kwinter, Monte	Rinaldi, Lou

Carroll, Aileen	Lalonde, Jean-Marc
Chan, Michael	Leal, Jeff
Colle, Mike	Levac, Dave
Crozier, Bruce	Mangat, Amrit
Dhillon, Vic	Matthews, Deborah
Dombrowsky, Leona	Mauro, Bill
Duguid, Brad	McNeely, Phil
Duncan, Dwight	Meilleur, Madeleine

Ruprecht, Tony
Sandals, Liz
Smith, Monique
Sousa, Charles
Van Bommel, Maria
Watson, Jim
Wynne, Kathleen O.
Zimmer, David

The Speaker (Hon. Steve Peters): All those opposed?

Nays

Chudleigh, Ted	Kormos, Peter	Prue, Michael
Dunlop, Garfield	Marchese, Rosario	Savoline, Joyce
Hardeman, Ernie	Miller, Norm	Tabuns, Peter
Horwath, Andrea	Miller, Paul	Yakabuski, John
Jones, Sylvia	Munro, Julia	

The Clerk of the Assembly (Ms. Deborah Deller): The ayes are 48; the nays are 14.

The Speaker (Hon. Steve Peters): I declare the motion carried.

Agreed to.

STATEMENTS BY THE MINISTRY AND RESPONSES

EDUCATION WEEK

SEMAINE DE L'ÉDUCATION

Hon. Kathleen O. Wynne: Today is a very special day in Ontario. We're celebrating Education Week and the success of our students.

Nous voulons un Ontario mieux instruit et plus hautement qualifié. C'est pourquoi nous sommes si déterminés à améliorer les connaissances et les compétences des Ontariennes et Ontariens.

When we provide our young people with the skills they need to succeed, we get the best workers who land the best jobs, who in turn build the strongest economy.

I recently released our vision paper Energizing Ontario Education, which presents our plan to continue building and energizing education in Ontario. It outlines how we will continue working with our partners in education to reach every student and to improve the publicly funded education system for Ontario's two million students.

J'ai le plaisir de dire qu'ensemble, avec l'aide de nos partenaires en éducation, nous aidons davantage d'élèves à réussir; nous bâtissons donc un avenir plus brillant pour l'Ontario.

At the high school level, more students are graduating and building a better future for themselves. Recently, we announced that 75% of kids are now graduating. That's 10,500 students more every year.

Clearly, Ontario has a great story to tell, and in honour of Education Week, I'm pleased to share the results of a pan-Canadian study released today; that's the pan-Canadian assessment program, or PCAP. This study shows

that our province's 13-year-old English-language students performed significantly better than students in all other provinces and territories in reading—across the country. In fact, 90% of Ontario's English-language students were at or above the expected level of achievement in reading. Ontario's English-language students scored at the Canadian average in science and were the only ones to score above the Canadian average in math.

I'm also pleased to say that Ontario's French-language students demonstrated a good level of achievement in each subject. Some 81% of Ontario's French-language students were at or above the expected level of achievement in reading.

These results all demonstrate that our government's education investments are paying off with positive results for students.

This is the third report in a row that demonstrates that Ontario students have excellent literacy skills. Ontario ranked among the top two jurisdictions in two recent reports: the Progress in International Reading Literacy Study and the Programme for International Student Assessment study.

In addition, the majority of results on all grades 3 and 6 Ontario reading, writing and math tests have improved by at least 10 percentage points since 2003.

1400

Les élèves de l'Ontario réalisent des exploits parce que nous avons pris l'engagement d'aider chacun d'entre eux à réaliser son plein potentiel. Congratulations to students, parents and educators on the work they've done to achieve such great results.

Monsieur le Président, je vous invite à applaudir avec moi les élèves de l'Ontario pour tous leurs succès en éducation and join me in celebrating Education Week in Ontario. Together, we'll continue to build the best possible publicly funded education system—one that inspires confidence in our communities and success in our students.

AGRI-FOOD INDUSTRY

Hon. Leona Dombrowsky: Today I am pleased to inform the Legislature that my ministry's highly successful and productive partnership with the University of Guelph has been renewed and improved. I want to thank the member from Guelph, Liz Sandals, for joining me this morning at the arboretum at the university to mark this new partnership with the president, Alastair Summerlee, staff from the University of Guelph and several agri-food stakeholders.

The agri-food industry currently contributes \$30 billion to the provincial economy and employs more than 700,000 people. It is and will continue to be vital to the province's future.

This partnership contributes to that success and benefits all Ontarians. For instance:

—The combination of government, industry and academia has resulted in many research breakthroughs, such as omega 3 eggs and DHA milk;

—Laboratory testing by highly skilled scientists and staff at the university protect the food, our health and Ontario's reputation in global markets; and

—New, hardier crops and the latest production techniques improve farmers' profitability and our food choices.

There are many more contributions that the partnership has made to our quality of life and the prosperity of our agri-food sector. Today, I am happy to outline some of the new directions that we are taking.

First, we had the 2008 Ontario budget announcement of \$56 million in one-time funding this year at the University of Guelph. I want to thank my colleague the Minister of Finance for recognizing the important work that the university does. This funding will go toward new research and innovation in areas like environmental protection and developing food health; an investment in animal health to help deal with emerging hazards; and improving veterinary training and placement to meet industry needs.

Today in Guelph, I announced that we have also signed the new university-Ontario Ministry of Agriculture, Food and Rural Affairs agreement. This agreement will provide approximately \$300 million over the next five years for ongoing work. That is very good news. The research will be aligned with forward-looking priorities worked out with the help of our industry-led Agricultural Research Institute of Ontario. With this investment, our government has given the University of Guelph a very strong boost, and we've provided them with stable funding that is predictable for the future.

I want to thank the many people at the Ontario Ministry of Agriculture, Food and Rural Affairs and the University of Guelph who spent long hours negotiating this agreement. I know that our agri-food sector and rural communities will benefit greatly over the long term. We're exploring new horizons and opportunities like car parts made from plant material; alternative fuels; new, hardier crops and new nutritionally enhanced food; better protection from diseases; and faster responses to emergencies.

Ontario can and will build on its position as a leader in agri-food innovation because we have the advantage of this unique partnership.

NATIONAL VOLUNTEER WEEK

Hon. Michael Chan: National Volunteer Week is April 27 to May 3. This week is about inspiring, recognizing and encouraging people to volunteer. Volunteers are the lifeblood and heart of our communities. Ontario has a long tradition of volunteerism, and today volunteerism is one of the most important factors of modern life.

More than five million Ontarians volunteer every year. They give over 800 million hours of their time annually. They support many different areas in our communities, including arts, sports clubs, food banks, shelters, the environment, international relief efforts, services to newcomers—and the list goes on.

Ontario values volunteers. We recognize and honour them through a wide variety of programs. This week we salute hundreds of volunteers through three different awards ceremonies: the Volunteer Service Awards for five to 60 years of continuous service to an organization; the Ontario Medal for Young Volunteers, given to youth between the ages of 15 and 24, which will be presented on Friday, May 2; and we are privileged to have with us this afternoon the recipients of the June Callwood Award for Outstanding Achievement in Voluntarism in Ontario. I was privileged to be joined by the Premier this morning to present these volunteers with their awards.

This year, the Ontario government is focusing on young people for National Volunteer Week. We have issued a challenge to youth to volunteer and change the world. This is an exciting call to action for 14- to 18-year-olds to discover their power to make a difference. We call on them to volunteer individually or in groups during National Volunteer Week. The Ontario Volunteer Centre Network is helping us to promote the challenge in seven communities: Guelph, Hamilton, Kingston, Kitchener-Waterloo, Markham, Ottawa and Timmins.

ChangeTheWorld is another way the Ontario government is working to strengthen voluntarism in this province. We are also funding several programs aimed at increasing newcomer participation in the volunteer tradition.

I urge all members to support youth voluntarism province-wide. It is one of the highest expressions of good citizenship and of being part of the community. Youth are the future of our communities—our future leaders and volunteers.

POLICE SERVICES

Hon. Rick Bartolucci: I rise today with great pleasure to pay tribute to two of my ministry's key partners in the critical job of keeping Ontarians safe. Today is Queen's Park Day for both the Ontario Association of Police Services Boards and the Ontario Association of Chiefs of Police.

Permit me to acknowledge the presence in the gallery of representatives from both organizations. Representing the Ontario Association of Police Services Boards, we have Mr. Bernie Morelli, the outgoing president, and Mary Smiley, the incoming president. Representing the Ontario Association of Chiefs of Police, we have Chief William Blair of the Toronto Police Service, and Chief Ian Davidson of the Greater Sudbury Police Service, the first vice-president.

I would also like to welcome all the members who are in the gallery, and I want, on behalf of everyone in this Legislature, to thank you for the great work that you do.

This is the first time we are hosting these organizations jointly for Queen's Park Day, and I am delighted to welcome them to Queen's Park. Today we recognize them for the important leadership role they play and thank them for their significant contributions to law enforcement in Ontario. Ontario is a safe place to live due

in large part to the work of the police chiefs and their employers, the police services boards. I want to thank them on behalf of the people of Ontario for the commitment they bring to their job.

Queen's Park days are a chance for legislators on both sides of the House to engage with key stakeholders in constructive dialogue, and it's through days like this one that we continue to build on partnerships that have proven to be strong and productive over many years.

Both of these organizations are concerned about crime and the safety of Ontarians. So too is the McGuinty government. We are proud of the many initiatives that we have undertaken to advance that agenda and of the level of collaboration with these organizations, our partners, that has helped accomplish our objectives.

The Ontario Association of Police Services Boards and the Ontario Association of Chiefs of Police have welcomed the government's efforts to help them hire more police officers to keep our communities safe. Through our Safer Communities-1,000 Officers program, an additional 1,000 police officers have been working in Ontario communities since 2003. We have committed more than \$37 million per year in permanent funding to this program. Moreover, we have made funding permanent for a previous program for additional officers that was due to expire after five years. Together, both programs have delivered over 2,000 new officers with total provincial funding of \$68 million per year, and that's in perpetuity. In doing this, we have responded to the needs expressed by our police partners.

1410

Recently, Premier McGuinty announced Ontario's participation in the federal government's police officers' recruitment fund. Ontario's share of that fund, \$156 million over five years, is, to be honest, woefully inadequate. The program announced by the federal government is a limited five-year program that falls short of the mark. However, we will make the best use of these limited funds while we continue to lobby the federal government to provide full funding for Ontario's fair share of the number of officers promised. We're also asking the federal government to make the funding permanent so that police services boards and their communities can continue to have the services of these additional officers after five years.

I welcome Queen's Park Day as an opportunity for my colleagues on both sides of the House to participate in an important dialogue regarding issues such as this, and I appreciate this occasion to tell these valuable partners how much we value their work and to thank them for all they do to keep us safe. Our government will continue to work to ensure that our partnership with the OACP and the OAPSB continue to thrive.

The Speaker (Hon. Steve Peters): Statements by ministries? Responses?

EDUCATION WEEK

Mrs. Joyce Savoline: I rise in the House today to applaud the efforts of the students, teachers and parents

across the province of Ontario who have worked hard to achieve the excellent Pan-Canadian Assessment Program scores. After careful examination of the PCAP report, there are a few questions that beg the minister's attention. It would be interesting to know why the results of the French-language students were not as strong as the results of the English-language students. And, in the face of declining enrolment and school closures throughout Ontario, how will rural students be able to continue to exceed Canadian averages if they are forced to spend more time in transit?

While this report provides legislators, school boards, teachers and principals with a snapshot of our children's progress in various subjects, the value of this report is only what we learn from it. We must delve deeper into the questions that it has raised. I urge the minister to report back to this Legislature with a plan to improve the areas of opportunity within the report for our children and for our grandchildren.

AGRI-FOOD INDUSTRY

Mr. Ernie Hardeman: I want to start by commending the University of Guelph for all the good work that they do. I wish I could believe that this funding would be implemented properly, but after seeing the many problems of the cattle, hog and horticulture program, I have concerns. The minister used old data. Farmers who had sold their stock and retired got cheques, but young and expanding farmers who needed money to stay in business and feed their families didn't qualify.

I heard from a greenhouse operator in Leamington that had expanded from four acres to 29 acres. They should be Ontario's success story, but the McGuinty government program didn't take into the account the expansion, so they got \$165,000 less than they were expecting and needed. I heard from one farmer who didn't apply for the federal cost of production payment because he would have received less than \$100, but now he doesn't qualify for the provincial program. There's no application and no appeal.

I support the University of Guelph, but because of all these examples of farmers that this government has failed, I get concerned when this minister takes out her chequebook—or should I say her announcement book?

NATIONAL VOLUNTEER WEEK

Mr. Peter Shurman: It gives me great pleasure to rise and respond to the Minister of Citizenship and Immigration on his recognition of National Volunteer Week and all the great volunteers and the work they do throughout our society. Events are being held across Ontario, indeed Canada, celebrating volunteers. You find volunteers in every facet of our society: in our schools, in our hospitals and in our volunteer fire services. Just check out what's happening in our churches, our synagogues, our mosques and our temples. We have volunteer leaders for Scouts, Guides, athletic clubs and my own

favourite volunteer effort, VoicePrint, the national reading service for the sight-impaired.

Our society could not exist without volunteers. You cannot buy what they contribute. I commend the minister for his good words and add my thanks to all volunteers for their dedication. I too invite our younger volunteers to change the world.

POLICE SERVICES

Mr. Garfield Dunlop: I would like to welcome the OACP and the Association of Police Services Boards to Queen's Park today as well. Thank you very much for the fine work you do. In particular, I'd like to welcome Chief Paul Hamelin from Midland Police Services, a former president of the OACP, who is here with us as well.

The comments coming out of the Minister of Community Safety and Correctional Services amused me. He takes credit for the 2,000 police officers that were added to Ontario. First of all, it was the Tory government that added the first 1,000 police officers, and without the pressure we put on this government, they would not be here today. We continually put the pressure on—you know it—and we take credit for making sure those 1,000 police officers are in place today.

Now let's talk about the \$156 million from the federal government that, a few days before the announcement, they were adamantly opposed to, but finally they signed on. I guess they're embarrassed by it, but imagine not being willing to take \$156 million. Can you imagine that? If that money was spent wisely, and they started right today, there would be 1,000 new police officers in the province of Ontario at the end of five years: 500 for these police services we see here today and 500 for the non-municipal contract policing of the OPP. That's what we should have happen—not embarrassing the federal government every time they get an opportunity. If they could possibly negotiate with the federal government, it might have been sustainable funding. We'll make sure, when we're back in government, that we will have sustainable funding from the federal government.

POLICE SERVICES

Mr. Peter Kormos: New Democrats join in welcoming the chiefs of police and police services board members here to Queen's Park. It's particularly challenging for these boards and administration and police services across this province as municipal funding becomes more and more difficult—municipalities still absorbing huge amounts of downloaded burden—policing becoming more complex, more sophisticated and still having as its primary need staffing, adequate levels of police officers out there protecting our communities, our neighbourhoods and our families.

I, on behalf of New Democrats, want to take the opportunity to raise these special concerns around native policing. Howard Hampton from Kenora–Rainy River and the member from Timmins–James Bay remind this

House on a regular basis of impoverished police forces who struggle with broken tools or no tools. Surely there can't be anything more discouraging to cops, police officers across this province, than to work hard, charge accused people with good offences and have them walk out of court, never mind with a slap on the wrist but, more apparently, with a pat on the head.

AGRI-FOOD INDUSTRY

Mr. Howard Hampton: To respond to the Minister of Agriculture and Food, I was hoping we would hear from the minister today something which would address the real needs of farmers who are facing difficulty. We know, for example, that hog and cattle farmers are in crisis as the cost of feed and energy skyrocket. The family farmer continues to be driven off the land under the pretence of efficiency and progress. That's what I was hoping to hear, and we still need to hear from the McGuinty government as more and more farmers are forced to leave their farm activities.

EDUCATION WEEK

Mr. Rosario Marchese: I'm happy to respond to the statement made by the Minister of Education. We say that any time Ontario students perform well, the results are to be applauded and credit must be given to the students, their parents and all the educators who contributed to the success. But many students, parents and educators share our concern that test scores have completely taken over as the only indicator of success that the government wants to talk about. In fact, I say that the government is obsessed with test scores. Just like the previous government, they're mesmerized by them. They're seduced by test scores.

1420

I want to tell you that it's ironic that the British, who started this test-scoring with a great deal of zeal, are now getting out of the business; and it's interesting that as they are getting out, we are getting in with a greater obsession than ever before. We do so spending a great deal of money on test scores. Why wouldn't we be focusing on so many other areas that we need to lend our attention to, such as ESL? English as a second language is a serious problem all over Ontario, particularly in Toronto and the GTA. We know there are more and more students coming from other countries who need ESL teachers, yet we have fewer ESL teachers than ever before.

"Why?" is the question. Why isn't the minister coming into this House saying, "This is how we're dealing with that problem"? Yet, over and over again, the minister comes into this House talking about test scores, how well we are doing on test scores, and very little on some of the other areas.

Talk about special education. How many kids are waiting in line to get identification, placement and review committees in place so that we can understand what the

problems of these kids are and what we need to do about it? How many kids are languishing in a regular classroom, waiting for special ed? Thousands and thousands, as former minister Kennedy used to say, and now under this government we seem to have forgotten the needs of special-education kids.

How many physical education teachers did we have at one time that we no longer have? Sixty-five per cent of our classrooms have no physical education teachers. Is this not a concern, when parents worry about the health of their kids?

Is it not a worry that parents are raising \$600 million out of their own pockets to contribute to the regular classroom because we're not getting the funding that we need? How come we don't talk about those issues?

These are issues that deserve our attention, including the fact that there are so many poor kids who come to our schools hungry. We're not talking about how that affects learning and what the government is doing in collaboration with other ministries to make sure that we serve the needs of all these kids. We are obsessed with test scores, and we're forcing our teachers to be obsessed with test scores, at the expense of so much else that is needed in the schools.

DAY OF MOURNING

Hon. David Caplan: On a point of order, Mr. Speaker: I believe we have unanimous consent for a member of each party to speak for up to five minutes regarding the day of mourning for workers killed and injured on the job.

The Speaker (Hon. Steve Peters): Agreed? Agreed.

Hon. Brad Duguid: I just want to begin by acknowledging today in the gallery, as you did, Mr. Speaker, our chair of the WSIB, Steve Mahoney, who joined me on the front lawns this morning. I thank him for being with us here today, and I thank him for his passion and leadership in working very hard, collectively with all of us, to reduce workplace injuries.

Today is the day we pause to honour and remember all workers who have been killed or injured on the job. Today is the day of mourning. It was first established by the Canadian Labour Congress 24 years ago and has been adopted by our federal government and some 80 nations around the world. The day of mourning was established to mark an important event for workers. It was on April 28, 1914, that this Legislature, the Ontario Legislature, passed the first Workers' Compensation Act.

Today is not only a day to remember and honour; it is a time for all of us to reaffirm our commitment to do whatever we can to prevent workplace fatalities, injuries and illnesses. In 2008, 101 Ontarians lost their lives because of traumatic workplace injuries. Of those 101 fatalities, 10 were young workers, workers who were just starting out their careers. In 2006, more than 260,000 workers were injured on the job. Some were fortunate and returned to their jobs; others did not. For many, their injuries changed their lives forever.

It's not only the injured worker who is affected; workplace injuries also have a lasting impact on their families. These are people, not statistics. These are family, friends, colleagues—integral members of our communities. The human toll caused by workplace deaths, injuries and illnesses is immense. This is why governments must constantly strive to make strong advances in improving workplace health and safety.

Our government made a commitment to reduce workplace injuries by 20% between the years 2003 and 2008. We hired an additional 200 health and safety inspectors, we focused inspectors on workplaces with the worst health and safety records, and we worked and continue to work with our health and safety partners such as the WSIB and the safe workplace associations to instill a culture of prevention in all workplaces. That, indeed, is the key. Regulation and enforcement alone is not enough; we have to change society's mindset. Workplace injuries cannot be seen as just another cost of doing business; workplace injuries must become socially unacceptable and socially intolerable.

Already, students receive health and safety training in all grades. This is terrific. This will lead to new generations for whom working safely is simply a matter of course.

As we honour the dead and injured today, we must remember that all of us here in this House have a duty to advance workplace health and safety. We do this by passing laws that will go a long way to improving working conditions. We must also use our considerable influence in our communities to promote workplace health and safety. We all must be leaders in this area.

Earlier today, I had the opportunity to address a gathering on the front lawn of the Legislature. I reaffirmed our collective commitment to workplace health and safety. I pledged to do what we can to reduce even further workplace fatalities, injuries and illnesses.

Shortly, we will observe a moment of silence for those who have died or been injured in the workplace. During that moment, we must pledge to ourselves that these deaths and injuries will never be forgotten. The best way we can honour those who have suffered is to do what we can to prevent tragedies. We owe it to them and we owe it to all the workers in this province.

Mr. Ted Arnott: I consider it an honour to have been asked to speak this afternoon on behalf of our caucus in remembering workers who have suffered serious injury in the workplace. Today in this House, we remember and acknowledge that these tragic occurrences exact a horrifying toll on workers, on their families, and, in a broader sense, on the social and economic fabric of our whole province.

This House remembers all of those who left their homes in the morning for what they anticipated would be nothing more than a routine day of work, and we express our sincere and heartfelt condolences to their friends, colleagues, families, and everyone else affected by the tragedies that have happened.

Today is also an opportunity for us to reaffirm our commitment to the prevention of illness and injury in the workplace and to express our renewed resolve to do everything possible to prevent further fatalities. As my colleague the member for Kitchener–Waterloo said in this House 17 years ago, “As we mourn the men and women who have died and been injured, each one of us should reflect on the work that has been done by our predecessors in the establishment of the workers’ compensation system, the passage of the Occupational Health and Safety Act and the other measures which this Legislature has taken over the years in an attempt to minimize the risk of death or injury to workers. However, although much has been done, there is much, much more that must be done in the future.”

Those words ring as true today as they did in 1991. We know that it's important for us to remember, but we also know that it is incumbent upon us as legislators to always act in the best interests of Ontarians. Let this be our vision: an Ontario where every workplace is safe, where every worker is treated with fairness and dignity and where avoidable workplace accidents causing serious injury are no more.

Mr. Peter Kormos: Mourn for the dead, fight for the living—now more than ever. New Democrats solidly join workers and their families across this province on this, the 24th anniversary of the National Day of Mourning, as we recall the broken bodies, the poisoned blood and the lost lives of working women and men in this province. And the devastation is far from over, because this year alone, yet another 378 Ontario workers were carried by pallbearers to 378 graves.

There were 333,938 compensation claims. Add to that probably approximately 6,000 more who don't fall into one of the statistical categories. New Democrats reject the proposition of “accident.” See, an accident is—well, it's an accident. It's a bolt of lightning. It's something that can't be stopped, something that can't be prevented. There isn't one of us who has gone through a workers' comp file with one of our constituents and who doesn't understand in very short order—you learn, only a few pages into it—that any workplace death or injury is preventable.

We have, quite frankly, come here with more lip service. Oh, we can shed tears, we can express regret and we can talk about the unfairness of a working woman or man not being able to come home in the evening, at the end of their shift, as they were able to leave that home in the morning. It's not enough just to mourn; the command, the demand, on us is to fight for the living.

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We know that unionized workplaces are safer workplaces—end of story. That's a given. That's an absolute. It's not negotiable. It's not debatable. What that means is that every worker in this province, including agricultural workers, including part-time workers, has got to be given the right to belong to a union and to bargain issues—not just wages, but workplace health and safety, benefits, pension plans and job security. If we agree that every

worker in this province—and we certainly should—has a right to belong to a union, including agricultural workers, including part-time workers, then we have to also agree to the proposition that every worker in this province, not just some workers, has the right to join a trade union and form a collective bargaining unit with card-based certification. To deny that to any worker is to deny them the right to collectively bargain and the right to protect themselves and their well-being and their welfare in their workplaces.

We can't talk about safe workplaces without talking about the minimum wage. When workers have to work at two and three jobs to keep food on the table for their kids and try to house themselves, that means that workers are tired and workers are fatigued, and that means workers are exposing themselves to dangers that are truly preventable. So if we're really concerned about the welfare of workers, we should be committing ourselves to a minimum wage of \$10 an hour now. I want to commend our colleague the member from Parkdale–High Park for her struggle in this regard.

Young workers are most at risk. It's not just enough to have the right to refuse unsafe work; young workers have to know what constitutes unsafe work and how they can exercise that refusal. It's too late for Aju Iroaga, the 25-year-old Nigerian-Canadian student who was working at tree planting to try to pay his way through McMaster University's engineering school.

We need harassment-free workplaces—free of sexual harassment, free of bullying, free of violence, free of racism—and our member from Hamilton Centre has presented and continues to present bills to this House to address that.

Every worker in this province has to have WSIB coverage. Huge and growing numbers of workers have no WSIB coverage whatsoever, yet they continue to be injured, maimed, poisoned and murdered in their workplaces. I want to commend our colleague from Hamilton East–Stoney Creek for his work in that regard.

This is far more than lip service, it's far more than speech making; it's a simple matter of political will, and unless we muster that political will, more workers will be doomed.

The Speaker (Hon. Steve Peters): I'd ask all members and our guests in the gallery to please rise for a moment of silence in respect for workers killed and injured on the job over the past year and in the past.

The House observed a moment's silence.

ORAL QUESTIONS

ONTARIO ECONOMY

Mr. Robert W. Runciman: My question is for the Premier, and it's regarding the state of Ontario's economy. Premier, there appears to be increasing evidence that Ontario is in a recession—what some would describe

as a Dalton McGuinty recession. Last Thursday, a University of Ontario think tank confirmed that Ontario is in recession, unequivocally. It's quite a distinction to be the Premier of the only province in Canada currently in recession. Perhaps that explains your continuing to deny what is a growing consensus surrounding this issue. Premier, I ask you today: Are you going to deny the findings of yet another senior economist's report that the province is currently in a recession?

Hon. Dalton McGuinty: I appreciate the question. I'll let others prognosticate, speculate and predict. I think what Ontarians want us to do—and Ontario families in particular—is to provide them with as much reassurance as we possibly can that they can count on us. They can count on us, first and foremost, to work together. Secondly, they can count on us to ensure that they have available to them at all times good-quality health care and education.

We will not undercut those things that Ontario families absolutely have to be able to count on. They can count on us to keep delivering on a plan that we've had in place for some time now. We will continue to invest in the skills and education of Ontarians. We will continue to invest in their infrastructure. That creates jobs in the short term just when we need them. We'll continue to support innovation so we can turn more ideas into good, high-paying jobs. As well, we'll continue to cut business taxes in an effective and affordable way.

We've got a great plan in place. It is suited to our times, it's in keeping with our aspirations, and we will continue to deliver on that plan.

Mr. Robert W. Runciman: There's an increasingly loud chorus of economists and financial institutions saying that the province is in a recession and your management is leading us to have-not status.

Ontarians are becoming increasingly concerned about the situation, but your sole response seems to be to put on a happy face and suggest that there's no better place to be in the dumpster than in Ontario. That was the essence of your Canadian Press interview last week.

Premier, when are you going to be up front with the people of Ontario and give them the real facts on the state of the economy and what you're going to do to address it?

Hon. Dalton McGuinty: I just don't believe we need to lecture Ontarians on the state of the economic challenge before us. I think it insults their intelligence to somehow presume that they don't understand the impact of the high Canadian dollar, the high cost of oil and a faltering US economy. I think they understand that that has a significant impact on how we're doing here in Ontario. So I won't go there; I'll let others do that. But what I will tell Ontarians is that we will continue to work together.

By way of an outside, independent perspective on this, the Economist Intelligence Unit, which is affiliated with the Economist magazine, recently ranked 82 countries and put Canada fourth. They cited us for our quality of infrastructure, market opportunities, moderate taxes and

lack of restrictions on trade. They said that where we are coming up short as a nation is in terms of our labour market development. That's what our skills-to-jobs program is all about. That's why, in our most recent budget, we committed \$1.5 billion to further invest in the skills and education of our people. We're doing even what experts say we need to do.

Mr. Robert W. Runciman: With the Premier, it's always someone else's fault. The reality is that it's fair to describe the current situation as Dalton McGuinty's recession.

Your decisions over the past four and a half years on tax relief, spending and regulatory growth have made a challenging situation much worse. At some point in the not-too-distant future, you will be unable to deny reality. You'll have to face the music and start to explain why schools are closing, hospitals are running deficits and people are losing their jobs.

Premier, why don't you start that process today? Show respect for Ontarians and give them the real facts on the state of the economy.

Hon. Dalton McGuinty: Again, I'll let experts prognosticate, speculate and predict. I'll stay focused on what I believe Ontario families want me to focus on.

We've got a great and solid five-point plan that we'll continue to deliver on. It includes making investments in skills and education, innovation, infrastructure and the like.

What I think Ontarians need to understand is that what the Conservatives are proposing is that we reduce our revenues by \$5 billion. That's their answer to an economic slowdown. Just when our revenues are being challenged, they would have us deprive ourselves of another \$5 billion in revenues. What that translates into on the front lines for Ontario families is cuts to your schools, cuts to your health care and cuts to supports for the most vulnerable.

We're not going there. We are committing ourselves to making some difficult decisions, but always, first and foremost, we will bear in mind the needs of Ontario families.

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NATIVE LAND DISPUTES

Mr. Robert W. Runciman: Again to the Premier, and it has to do with the situation we saw over the weekend in Deseronto and what we were seeing on the weekend and again today in Caledonia: the ongoing issue with what many construe as extortion with new development in the Brantford area.

Over the past two years, your government has made concession after concession to lawbreakers in Caledonia and beyond. You've failed and continue to fail to uphold the rule of law. Premier, do you accept any responsibility whatsoever for the growth of lawlessness that we're seeing across this province?

Hon. Dalton McGuinty: To the Minister of Aboriginal Affairs.

Hon. Michael Bryant: As the member knows, the dispute that's taking place in Caledonia is a 180-year-old dispute between the federal government and Six Nations. The province of Ontario is participating in negotiations with the federal government. With respect to the claim in Deseronto, the province is not a party in the negotiations; it's a negotiation exclusively between the federal government and the First Nation. I would also say that we really must give a lot of credit to the Ontario Provincial Police, who over the weekend did keep the peace and did a great job and, as they said, will continue to put their priority of public safety first and foremost.

Mr. Robert W. Runciman: I think the OPP is operating very well in the difficult circumstances that in many ways this government has placed them in. As Commissioner Fantino might say, you've made them the meat in the sandwich. You're negotiating with people illegally occupying land; you're treating what could be defined as extortion under the Criminal Code as ho-hum, even as it handicaps economic development in Brantford; you're ignoring illegal smoke shacks, even when they're operating on government land within metres of a school.

Minister, what kind of message do you think your laissez-faire approach is having on people inclined to break the law? Do you recognize that you're encouraging lawlessness?

Hon. Michael Bryant: I wouldn't want people watching at home or in this Legislature to imagine that Commissioner Fantino said what was attributed to him over the weekend. In fact, what he said, just to be clear, was, "Our priority is to maintain order and preserve the peace." As previously stated, he said that the priority was and continues to be the safety of the public and the re-opening of the public highways.

With respect to Deseronto, he goes on to say that the roadways "were taken over by people who do not have the support of the Tyendinaga band council in relation to these roadblocks." Commissioner Fantino went on to talk about what he referred to as "misinformation" spreading through communities. Again, I want to say how much we all, in this Legislature, support the OPP and thank people in those communities for their patience.

Mr. Robert W. Runciman: People who might be inclined to break the law simply have to watch question period or read a newspaper to know that this government is a soft touch when it comes to upholding the rule of law. When the official opposition raises concern about an illegal smoke shop operating on provincial government property, selling cigarettes to kids, your minister declines to answer. When developers in Brantford are confronted with demands for cash or face blockades of their developments, you tut-tut and do nothing about it. And we all know about Caledonia, where you continue to negotiate with people illegally occupying what is now government property.

Again, Minister, do you recognize the damage you are doing, the messages you are sending out and the encouragement you are providing to individuals inclined to break the law? Do you recognize what you're doing?

Hon. Michael Bryant: Nobody knows better than the police and the OPP that keeping the peace and upholding the law can be a very careful balancing act. The chief commissioner encouraged that we attain a resolution quickly and peacefully. But I remind the member, as well, that the only one who has made an explicit call for a violation of the law is a member of his own caucus, the member for Lanark, who said in January 2006, "If you're doing the right thing and you're breaking the law, the law is wrong."

With all due respect to the leader of the official opposition, I think it's very important that we recognize that this is a tense situation. The police are doing an excellent job, and we will continue to pursue the path of resolving this. At the end of the day, we have to find a resolution, and this is the path to a resolution.

WORKERS' COMPENSATION

Mr. Howard Hampton: My question is for the Premier. In November 2003, the Brock Smith report recommended that Ontario expand workers' compensation coverage to the 1.3 million workers who are currently excluded. Today, on the day of mourning for workers injured at work, 35% of Ontario workers are still not covered by workers' compensation.

Premier, after more than four and a half years as government, how does the McGuinty government justify this continuing injustice to 1.3 million Ontario workers?

Hon. Dalton McGuinty: To the Minister of Labour.

Hon. Brad Duguid: I thank the leader of the third party for this question on this day. Let me just take this opportunity to thank members from his party, the party opposite, and from our party as well for joining me this morning on the front lawn at Queen's Park. It was a cold, rainy morning, but the front lawn was filled with Ontarians, people from right across this province, who have suffered from workplace injuries or who have lost family members to workplace injuries. It was a very moving ceremony and something that indeed inspires all of us here in this Legislature to do all we can to continue to reduce workplace injuries.

This is a matter that we have taken under consideration; it's a matter that has been under consideration for some time. We are taking a look in terms of the construction industry, for example, and that's something that we're going—

The Speaker (Hon. Steve Peters): Thank you. Supplementary?

Mr. Howard Hampton: I didn't hear an answer. The fact of the matter is that the McGuinty government has had four and a half years to address this issue. Meanwhile, 1.3 million Ontario workers who work in private nursing homes, private schools, banks and insurance companies have no compensation coverage if they're injured on the job. Many of these workers, if and when they are injured, have to rely on food banks because they are not able to work, they have no income, and, what's more, they have no help from the McGuinty government.

The Brock Smith report said four and a half years ago that they should be covered, but the McGuinty government refuses to act.

My question is this: Why is the McGuinty government continuing to hurt 1.3 million Ontario workers who do not have any workers' compensation coverage?

Hon. Brad Duguid: On a day like this, I hesitate to get political, but if any member knows about hurting the benefits of workers, it would be the member opposite, who was part of a government that began the cutbacks to workers through the Friedland formula, which reduced benefits to workers and made it impossible for them to keep up—a formula that was advanced by the opposition party.

We are indeed the government that in our previous budget brought a 2.5% increase to injured workers last July, 2.5% last January, and a further 2.5% coming forward this January. We're helping injured workers catch up from the mistakes made by the parties opposite.

With regard to the coverage for people outside of the current system, we are consulting right now. We're listening to those who know in the construction industry. It's a—

The Speaker (Hon. Steve Peters): Thank you. Final supplementary?

Mr. Howard Hampton: It is so interesting to hear the McGuinty government. They've been given a report in their first few months as government, a report that is very clear, and they hark back to something that may have happened 20 years ago as an excuse for their own inaction and their own lack of political will.

The time for excuses is over; the time for action is now. The issue is very clear. New Democrats believe it is simply wrong, unfair and unjust to leave 1.3 million workers in Ontario with no workplace insurance coverage. So my question is this: When is the McGuinty government going to stop treating those 1.3 million Ontario workers as second-class workers in the province?

Hon. Brad Duguid: The WSIB has established the named-insured working group with the Ministry of Labour and construction stakeholders to try to help address this problem. It is an issue that we are consulting with the construction industry in particular on. But today is also the day to talk about some of the progress that's been made in terms of reducing workplace injuries. After all, that's what it's all about. It's making safer and healthier workplaces across this province.

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Four years ago a previous minister, Minister Bentley, set a very dramatic goal of reducing workplace injuries across this province by 20%. I'm pleased to be able to say today that we're well on the way to reaching that goal. A lot of it has been in consultation with the partners in the workplace health and safety industry as well as the 200 additional health and safety inspectors that this government has put in place. Our priority is to make workplaces across this province healthier and safer. We're making progress in that area.

INJURED WORKERS

Mr. Howard Hampton: To the Premier: It's interesting that the Minister of Labour mentioned this last bit about reduced numbers of workplace accidents. We all know that that is part of the experience rating system. So I ask the Premier this: Your government is studying that problem to death, again. For many years, New Democrats and the labour movement have called for an end to these perverse incentives employers receive under the WSIB experience rating program. The McGuinty government simply refuses to act and says they're studying it.

Tell me: Why, after so many have identified this as a perverse system, including the *Toronto Star*, does the McGuinty government continue with this perverse system in terms of the workers' compensation system?

Hon. Dalton McGuinty: Again to the Minister of Labour.

Hon. Brad Duguid: I thank the leader for the question. Indeed, this is an issue we have discussed before in this Legislature. The Premier, myself and this government believe that the current experience rating system is in need of being fixed. That's precisely why, in discussions with the chair of the WSIB, who's here today, we encourage that that take place. The chair was already well on his way to conducting a review of that system.

But what's important here, as I've said before, is the bottom line: trying to reduce workplace injuries. This government will do whatever it takes to bring down workplace injuries. We have made dramatic gains so far. A 20% reduction in four years is dramatic. But we're not satisfied. We believe there's more work to do and we will do whatever it takes to bring down workplace injuries across this province.

Mr. Howard Hampton: What's happening is that there is an underreporting of workplace injuries. That is one of the perverse outcomes of the experience rating program. The companies get money if they find ways of saying to workers, "Don't report this injury. Just keep on coming to work. We'll give you a chair in the backroom somewhere." It is a very perverse system.

If the system were really working, we wouldn't see the number of deaths in the workplace continuing to stay at 300 a year or above. It's not working, and you've received recommendation after recommendation to get rid of the experience rating system. Tell us: What's the McGuinty government's excuse for continuing a perverse system where a worker can be killed on the job, the company is fined by the Ministry of Labour for their negligence, and the company then gets \$2 million from the Workplace Safety and Insurance Board after the worker is killed?

Hon. Brad Duguid: I guess it's the nature of this place that the Leader of the Opposition wants to dredge up issues that were talked about a month or so ago. I think the Leader of the Opposition knows full well that this matter is under review by the WSIB and that we indeed have said that we think this incentive program should be improved. That's why we have confidence in

the chair of the WSIB that they will come forward with an incentive program that will work in conjunction with our enforcement efforts, which have been working very well in conjunction with our efforts to prevent workplace injuries through education and awareness, which are having a big impact across this province. That's why I can stand in this place and say that we've reduced workplace injuries by 20% over the last four years, and we're going to keep going.

Mr. Howard Hampton: Through all of this, the McGuinty government wants to pretend that it somehow has no control over programs and systems that are implemented at the Workplace Safety and Insurance Board. In fact, the McGuinty government has the authority to say here now—today—that compensation coverage will be extended to cover those 1.3 million workers—many of them women, many of them new Canadians—who are left high and dry if they're ever injured on the job. The fact is that the McGuinty government has the authority here and now to direct the Workplace Safety and Insurance Board to get rid of the perverse experience rating system.

So tell all those injured workers, many of whom are suffering and who are destitute, why, after four and a half years, the McGuinty government has failed to act on such obvious injustices.

Hon. Brad Duguid: To the best of my knowledge, the experience rating system came in originally under the NDP, so I can understand why they now might be a little bit nervous about the concerns that are being raised. We came to office to fix some of the problems that existed.

We've recognized that there are problems with this incentive program. That's why we're putting a lot of effort into working with the WSIB, which is responsible for this matter as a third party agency of this government, to resolve this issue and ensure that this incentive program is repaired. As well, a moratorium has been placed on rebates for companies where there's been a death on the job.

We are making progress. That 20% reduction isn't just a statistic; it's 50,000 workers who have not had to suffer from a workplace injury. Think about that: 50,000 families that have not got to go through what many families on the front lawn of this Legislature were here to mourn this morning. I think that's progress, but I suggest that we—

The Speaker (Hon. Steve Peters): Thank you. New question.

MUNICIPAL POLICE SERVICES

Mr. Garfield Dunlop: My question today is for the Premier. The escalation of native protests at the development sites in Brantford is bankrupting Brantford Police Service. The police are required to keep the peace of the sites 24 hours a day, seven days a week, with no assistance from the OPP. As we know, the OPP are tied up with hundreds of officers dealing with the situations in Caledonia and Deseronto.

Premier, what financial assistance are you going to provide to Brantford Chief of Police Derek McElveny and his police service to address this very serious funding deficit?

Hon. Dalton McGuinty: To the Minister of Aboriginal Affairs.

Hon. Michael Bryant: I thank the member for his question. This has been an issue that I know MPP David Levac has been raising on behalf of his community, and I appreciate that the member has raised it as well.

These are discussions that are taking place not only through the local member, but I'm in fairly regular contact with the mayor and members of council as well as some of the developers to try and find ways in which we can resolve this in a peaceful way.

The member raises an issue specifically with respect to police budgets, which is partly a matter for the municipality itself to address. I understand that there will be discussions, inevitably, with the provincial government under these circumstances. But I want to assure the member that we're certainly very much aware of the circumstances and we want to continue to work with council, and in particular the local police force.

Mr. Garfield Dunlop: I hope that means sending them a cheque before long.

The situation in Brantford is a preview of what probably will await every other municipal police service that will have to deal with native protests, which are sure to elevate because of this government's tolerance of lawlessness. There simply aren't the financial resources in these municipalities to fund the policing of long-term, drawn-out occupations and blockades.

What assurances can this government provide to municipal police services that they won't suffer the same fate as the city of Brantford and their police service?

Hon. Michael Bryant: I just want to clarify that, as the member said, there are some municipalities that have a local police force and in some cases, such as Deseronto, the Ontario Provincial Police are the local police.

I think the member is using some language that would suggest an escalation. But certainly this government is doing everything we can to de-escalate. It's very important for people, as Commissioner Fantino said over the weekend, to understand what the facts are, to understand in particular that, for example, in Deseronto the protesters did not have the support of the Tyendinaga band council and the chief there, just as it was very important for Six Nations leaders to understand that today, in fact, there is nobody present at the Deseronto site any longer. We'll continue to provide those factual updates.

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COURT RULING

Mr. Peter Kormos: A question of the Attorney General: What kind of message is the McGuinty government sending when a guilty accused can walk away from handgun charges without even a conviction?

Hon. Christopher Bentley: When cases come before the courts, they're adjudicated by an independent officer of the administration of justice. Submissions are made by council and decisions are made. Those decisions should always be made on the basis of the facts and the law, without regard to who the particular individual is, and without regard to what their background is.

Mr. Peter Kormos: Last week, John Snobelen was found guilty of possession of an illegal handgun and careless storage of that handgun, a Colt pistol. He was given an absolute discharge. That's not even a slap on the wrist; that's a pat on the head. Why hasn't the Attorney General announced his intention to appeal this sentence?

Hon. Christopher Bentley: As I said, these cases come before a court, which has the duty to assess the facts and the law independently, and it did. But for the accused's background, the member would not be asking the question. The issue is that we respect the independence and the assessment of the trial judge. The case is dealt with in an independent fashion, regardless of the status he might once have had in this or any other place. Everyone is entitled to justice according to the facts and the law.

WORKPLACE SAFETY

Mrs. Laura Albanese: My question is for the Minister of Labour. Today we commemorate across Canada those workers who have been injured, killed, or have suffered illnesses as a result of occupational accidents and hazards. Although statistics show that there is much more work to be done, we have come a long way from the 1950s and 1960s, when dangers on the job were much greater. Many still recall, for example, the Hogg's Hollow tragedy, when on March 18, 1960, five immigrant Italian construction workers died in Toronto building a six-foot tunnel that had to be driven under a river. Their deaths, combined with a strike by mostly Italian-Canadian construction workers, led to a major overhaul in Ontario's occupational health and safety laws.

Could the minister please illustrate the major improvements that have been made since then?

Hon. Brad Duguid: I want to thank the member and, as I said earlier, all the members in this Legislature who joined me on the front lawn this morning in commemoration of the day of mourning. On a cool and rainy day, there were thousands of people on the front lawn, joining with us all in signifying how important this issue is to each and every one of us.

I'll be happy to answer the member's question, but there's something that I'd like to share with the House that happened at that particular ceremony. It was a speech made by Johanna Fisher. Johanna's 22-year-old son was killed on a work site a couple of years ago. This brave, courageous lady gave a wonderful address to the audience this morning, and it's something that I think touched each and every one of us. So let me, through this Legislature today, pass along my condolences to Johanna and all the people from across this province who have lost a loved one.

Mrs. Laura Albanese: On this date, numerous events are organized by labour organizations across Canada and in over 100 other countries to express remembrance for the families, friends and colleagues of those who have suffered or lost their lives while they were performing their jobs.

This serves also to remind us that there is more work to be done in the area of occupational health and safety. According to statistics, three workers die every day in Canada due to work-related injuries; 12 Canadian workers die from occupational disease every day as well.

Could the minister tell the House what steps are being taken by the ministry to improve and promote health and safety in the workplace?

Hon. Brad Duguid: Through the WSIB awareness programs and indeed through our enforcement programs and a number of other initiatives being taken, we're working very hard to try to bring down workplace injuries. As I said earlier, over the last four years we have made a dramatic decrease of about 20%, which was the goal that we had set about four years ago. That's a statistic, but we're talking about real people here. That would add up to about 50,000 people who have not suffered a workplace injury, 50,000 families who have not had a loved one injured. The families get impacted very much, as well, when these workplace injuries occur. When we talk about dollars and impact on the economy through these initiatives, that's about a \$5-billion savings to the economy. It's something that this government takes some pride in. At the same time, we recognize we still have more work to do, and we're determined to bring down workplace injuries even further.

LEGISLATIVE REFORM

Mr. Ted Arnott: My question is for the Premier. Yesterday, this Legislature came together in a spirit of all-party co-operation. We came here on a Sunday, working together to pass legislation in the public interest. Why is the Premier unwilling to extend that same degree of co-operation to ensure that the daily time for question period is also in the public interest?

Hon. Dalton McGuinty: To the House leader.

Hon. Michael Bryant: I say to the member that we have been debating this resolution and will continue to debate this resolution, the changes to the standing orders.

What we have proposed is that, in the event that the resolution passes, all three parties review how the rules are working, and if changes need to be made, including undoing the changes that we're proposing, then that's exactly what the committee is going to review and that's exactly what the government will look to.

Yes, it's a new way of doing business, and yes, we are going to try to attain the kind of co-operation one would like to have with these changes, and we'll continue to do so as we debate this resolution and over the course of the summer, in the event the resolution passes.

Mr. Ted Arnott: The government House leader puts the cart before the horse. The legislative review should take place before the changes take place, not after.

His answer completely disregards the advice of one of our foremost academic experts on the Ontario Legislative Assembly, Dr. Graham White. At a news conference last Thursday, which I attended, he said that the proposed changes "would seriously detract from parliamentary democracy." Dr. White said, "I am firmly of the view that moving question period into the morning represents an entirely unnecessary threat to the effectiveness of the assembly in performing one of its key functions: holding the government to account."

My question is this: Why won't the government House leader inform the House that he will support our amendment to have question period begin at 1 p.m. every day, or does he think he knows better than Dr. White?

Hon. Michael Bryant: Au contraire. But there are some other electoral experts in this chamber as well who have been elected, including the member himself, on several occasions, and at the end of the day, the members will debate the merits of the resolution.

I did not for a second mean to suggest that the debate of this matter should take place after. There's no question that the important debate that takes place is beforehand.

I say to the member: It would also be a mistake to imagine that there is unanimity among the commentary that is attached to these proposals. You have positive opinions and editorials that have been put forward by the Toronto Star, the Hamilton Spectator, the Sudbury Star and a number of other opinion leaders. But at the end of the day, this is something for the House to decide. Debate will take place, and the members will have an opportunity to vote on it.

1510

ABORIGINAL RIGHTS

Mr. Howard Hampton: A question to the Minister of Northern Development and Mines: The Matawa First Nations tribal council chiefs released a statement on Friday, and I quote from it: "As First Nation chiefs, we are disappointed by the inaction of the government of Ontario to consult with and accommodate us about the mining claims that Platinex has staked in our territory."

My question is this: Why did the McGuinty government fail to consult and accommodate Webequie, Eabametoong, Neskantaga, Gull Bay and Marten Falls First Nations before allowing Platinex's claim to an additional 72,000 acres of crown land to be recorded?

Hon. Michael Gravelle: I want to inform the House of the very positive working relationship that our ministry and government have with Matawa First Nation. The fact is that I met with Matawa First Nation very soon after being appointed Minister of Northern Development and Mines, and we were discussing my ministry's transitional approach to aboriginal engagement. This approach was developed based on what we heard through our engagement process with Matawa and other First Nations, and we've made real progress in that regard. Also, as the leader of the third party may know, at the recent prospectors and developers' associations convention in To-

ronto, Matawa was the first aboriginal organization from Ontario to be an active participant in attracting exploration activities. So we are working directly with Matawa First Nation now in terms of the claims that are out there and continuing our engagement process, and we look forward to continuing that discussion with them.

Mr. Howard Hampton: I'm still waiting for the answer. Yes, I know and many of us know that Matawa tribal council has no philosophical opposition to mining. But as they say in their statement, "We need to be consulted before these claims are accepted or recorded by Ontario," and that "the Ontario government has lagged considerably behind jurisprudence on aboriginal and treaty rights."

We already know that the leadership of Kitchenuhmaykoosib Inninuwug First Nation is in jail because the McGuinty government failed to consult and accommodate that First Nation before recording mining claims.

My question is this: After several decisions by the Supreme Court of Canada, why does the McGuinty government continue to ignore its constitutional responsibility to consult and accommodate First Nations before you record—

The Speaker (Hon. Steve Peters): Thank you. Minister?

Hon. Michael Gravelle: We take our duty to consult very seriously. It was confirmed in the court case by Justice Smith, but in terms of the Matawa First Nation, my ministry was in touch with them last week. We are in the process of contacting the individual First Nations that are impacted by the claims that Platinex brought forward and were recorded just this week, and as soon as claims are recorded, we're making sure they're aware of them. We also contacted Platinex last week, urging them to begin the dialogue immediately, and I'll be following up with the company myself in writing early next week. Certainly I'm disappointed that Platinex did not contact them in advance, but we are encouraging all companies to do this.

In terms of our transitional approach, we are providing aboriginal communities with quarterly maps, which will show mining claims in the general vicinity of their communities, and we shared that information with Matawa First Nation back in December when I met with them. Again, I'm very pleased with the relationship that we have with Matawa First Nation and many other First Nations in northern Ontario.

EDUCATION FUNDING

Mr. David Oraziotti: My question is for the Minister of Education. I want to take a moment and thank the minister for her support on educational issues in my riding. As a former teacher, I'm certainly aware of the issues surrounding education funding, and I know that we've made considerable progress in re-investing in our students. Despite a projected decline in enrolment of 90,000 students between 2003 and 2009, funding has already increased on a per pupil basis by more than

\$2,150 per student. That's a 33% increase since we took office. We've also taken the unique challenges facing northern and rural boards into account. Despite a decline in enrolment of 17% over the last five years, funding has increased by over \$3,000 per pupil, or 37% over the last five years. Increased funding has reinforced our education strategy, which has produced stability, higher graduation rates and higher test scores.

Despite these facts, members from the opposition continue to say that we are not doing enough to support funding for student education. Minister, what steps are you taking to ensure that our education funding formula meets the needs—

The Speaker (Hon. Steve Peters): Thank you. Minister of Education?

Hon. Kathleen O. Wynne: Whenever we talk about the way funding flows to our schools and to our boards—and that's really what the funding formula is—we have to link that to student achievement. We have to make sure that the way the money goes into the system is connected to improved student achievement. I think the results today, looking at national tests, demonstrate that what we're doing in education, including the way we've changed the funding formula, is improving student achievement. We do have kids doing better on test scores both in Ontario and on these national tests, and we have more kids graduating from high school. All of those things together indicate that the system is doing better.

The fact is, we've consulted with our partners every year and we've changed the funding formula to increase the funding for teachers—9,600 more teachers, 8,000 more support workers. We've included new funding for rural and northern boards, and by 2010 we've said we'll do a cumulative review or evaluation of all of the changes that have been made to the funding.

Mr. David Oraziotti: As members on both sides of the House know, declining enrolment is a problem that affects provinces all across Canada. In Alberta, 40% of schools cite it as a significant challenge for the future; British Columbia is expecting 72,500 fewer students between 2001 and 2012. In fact, Statistics Canada states that only the Northwest Territories can expect growth in the zero-to-29-years-of-age bracket between 2006 and 2031.

School board administrators in Sault Ste. Marie recognize and appreciate the progress we have made despite the difficult circumstances we've been faced with. Mario Turco, the director of education for the Algoma District School Board, said after receiving the 2008-09 grants for student needs, "We are pleased that even with declining enrolment, our board's allocation for operating purposes is up ... and specifically provided for the safe school initiative and program enhancements, as well as student transportation. This is an issue my community will deal with for the foreseeable future." Minister, what changes have been made to the funding formula to help ridings experiencing declining enrolment?

Hon. Kathleen O. Wynne: On top of investing in things like the new grant for First Nations, Inuit and

Metis students and investing in more funding for English as a second language, we've made some very specific changes to the funding formula to address the fact that there are always residual costs that a board has, even when enrolment is declining. So things like the school foundation grant, which took \$1.23 billion to ensure that schools have support for administration and secretarial support; the supported schools allocation provides for isolated schools to have extra staffing in order to be able to provide the programming that kids need; the grants for transportation and high-needs students have not been attached to declining enrolment, because we recognize that boards still have those costs. We've been very cognizant of those costs that boards have in the face of declining enrolment. We are setting up a declining enrolment task force, because we know that across the province we need to have this conversation about how to plan for the kids who are in the system.

ADOPTION DISCLOSURE

Mr. Norman W. Sterling: My question is to the Minister of Children and Youth Services. In order to protect severely abused children from being found by their parent abusers, the children's aid society often changes the name of a child who isn't lucky enough to be adopted but lives in a foster home. The name would never be revealed by the CAS to the abusing parents, nor would control of that identity be in the hands of the child when they reach the age of majority. Why, under your adoption disclosure legislation, should these same kinds of abusers be entitled as a matter of right to find out the name of the victim-child if he or she happened to be adopted? Why is it different in one case than the other?

Hon. Deborah Matthews: This legislation is under the Minister of Community and Social Services.

Hon. Madeleine Meilleur: The member opposite has a very good question, but I have to remind him that we're not talking about children here; we're talking about people who are 19 years old and over. If this legislation is passed, the birth parent or the adopted adult can still register a no-contact notice or a notice of contact preference.

What the member of the opposite party is asking for was rejected by all the provinces in Canada that have an open adoption act.

1520

Mr. Norman W. Sterling: I can't believe that this minister and the other minister will not stand up for kids who are severely disadvantaged, who have psychological problems and often have an age much younger than their chronological age because of their emotional problems. These are victims of crimes, and you don't want to give them the same rights of protection from their abusers that other people in society have. I don't understand that. You argue that other provinces haven't included this. So what? If we identify this, as we did in Bill 183 in 2005 under your legislation, why was it good then but it's not good now? Why do you want to take away the protection

that you had in place in 2005 but you don't have in this legislation?

Hon. Madeleine Meilleur: Again, this provision that we have in this legislation has been in place not only in Canada but in other parts of the world. In the United States, for instance, a lot of the states have this no-contact provision in the act. They also have it in England, New Zealand and Australia—in New South Wales. Nowhere here in Canada, that I'm aware of, has this clause been violated.

We have a serious fine. For example, Alberta has no fine in their legislation, but BC and Newfoundland have fines. We have a stiffer fine; it's a \$50,000 fine. Elsewhere, it was never violated, so we are moving forward to open adoption.

EMERGENCY EVACUATION

Mr. Gilles Bisson: My question is to the Minister of Aboriginal Affairs and government House leader. You'll know that yet again there's been another tragedy on James Bay. We're yet again having to evacuate—this time, two communities: Kashechewan and Fort Albany. I heard this morning that we're now starting stage one evacuation in Attawapiskat. The hospital is being evacuated. Again it's a disruption of lives of people, and again millions of dollars have to be spent to move people.

My question is a simple one: Will you as government House leader and as Minister of Aboriginal Affairs agree to a standing committee that will have time, sometime this spring or this summer, to sit down and talk to experts about what can be done in order to minimize these types of effects on the people of James Bay and give the people of James Bay a chance to have their say?

Hon. Michael Bryant: I want to thank the member for his question. He raises a very compelling proposal which we haven't had a chance to discuss with the House leaders, but I just want to say that we do have to find some solutions.

I was speaking with members of that community over the course of the weekend. The member knows very well that it's extremely difficult when we have circumstances where people are so integrally tied up and proud and defensive of their territory and their land, in particular the First Nations that the member is making reference to, yet at the same time we have safety concerns.

We'll commit to the member to pursue this in House leaders' meetings. If the member has further questions on the specifics of what is happening there, I may need to refer it to the Minister of Community Safety and Correctional Services.

MUNICIPALITIES

Mr. Pat Hoy: My question is for the Minister of Municipal Affairs and Housing. My riding is made up of two municipalities, and they know that I take my relationship with them very seriously. While I'm here at Queen's Park, the mayors have an opportunity to listen to

the citizens of my riding and keep me informed on how decisions we make here are affecting them in their hometowns. I want to thank Mayor Adams and Mayor Hope for the work they do managing the municipalities of Leamington and Chatham-Kent.

I often hear that there is much more to do, but that always goes along with an acknowledgement that this government has turned the ship around when it comes to supporting municipalities. Minister, what does this government intend to do to ensure that our municipalities get even more support in the future?

Hon. Jim Watson: I want to thank the member from Chatham-Kent-Essex. I'm very proud of the relationship that the McGuinty government has delivered when it comes to improving relations between the municipal sector and the province of Ontario. In 2003, funding to municipalities was estimated at approximately \$1.1 billion. That will climb to \$2.8 billion by 2011. That includes a number of aspects in the last budget—Minister Duncan's budget—including \$1 billion in support for infrastructure, \$400 million of that for municipal roads and bridges.

Premier McGuinty, at the ROMA conference that many members of the House attended—and I know my colleagues the municipal leaders were there from Leamington and Chatham-Kent—announced an additional \$150 million on top of the \$300 million for the MIII program.

We have much more to do; that's why the Premier set up the fiscal and service delivery review. We are aiming to have our consensus report delivered by June.

Mr. Pat Hoy: The municipalities in my riding are still reeling from the downloading of the previous government. They're asking for programs that will attract businesses to our communities so that we can share in the overall wealth of Ontario and create sustainable employment opportunities for generations to come.

On Friday, I was pleased to announce \$218,000 as part of the rural economic development program to support the renovation of the arts centre in Leamington. The renovated arts centre will help to revitalize the area and create an enhanced distinction for the uptown core in Leamington. The project will also create new employment opportunities and sales for local businesses in Leamington.

Minister, what programs does your ministry have available to support municipalities in rural Ontario to increase their economic competitiveness and create new jobs?

Hon. Jim Watson: I refer this to the Minister of Agriculture.

Hon. Leona Dombrowsky: Indeed, our government recognizes the importance and the value of investing in our rural communities. Since 2003, I'm very happy to say that our government has, through the rural economic development program, provided \$51 million in project applications. That \$51 million has returned ten-fold, with almost \$500 million in economic activity. That is why our government has increased our commitment to the

rural economic development program over the next four years by \$30 million.

Another very important thing that we have also recognized is the value of investing in broadband, so in 2007 we provided \$10 million to rural communities. Over the next four years, our government will be investing an additional \$30 million to build broadband infrastructure in rural communities.

MANUFACTURING JOBS

Mr. Jerry J. Ouellette: My question is for the Acting Premier. Acting Premier, within the start of question period, we've just been notified that General Motors has announced a shutdown of another line. We've got another 1,000 individuals going to be laid off as of September 8 in the auto sector. This is only at General Motors; the spinoff will be announced after that. The CAW is going to be hit very strongly, as will all the workers, who could be thousands and thousands of individuals in the region of Durham.

Acting Premier, what are you doing in order to support and to make sure that the auto sector is as strong as it was in the past in Ontario?

Hon. George Smitherman: To the Minister of Economic Development.

Hon. Sandra Pupatello: I am very pleased to accept this question. It is always very difficult when we realize that we too are suffering the effects of a strong slowdown in the United States. We were speaking with General Motors today, and my office was in touch with Buzz Hargrove, the president of the CAW, as well.

What is difficult to see is that, all over North America, they are slowing down and removing a shift. There are three such facilities in the US that will be losing a shift. They will be losing theirs in July. Ontario's, however, out of Oshawa, won't be affected until September. So there is some level of good news there by comparison.

I will tell you, though, that this member in particular, from Oshawa, knows better than most members in the House, who don't have the benefit of a plant in their own backyard, the necessity of having an automotive policy so that when there are investments to be had, those investments land in Ontario.

Mr. Jerry J. Ouellette: We know the details of the job losses at the three plants that are there, but what we haven't heard is a plan or something to come forward to assist the auto sector. It's the largest employer in the province of Ontario. It's extremely important that we come forward with a plan that'll give initiatives to make sure that we build a stronger economy. It all comes down to the economy.

What are you specifically going to do to aid the auto sector to ensure that we've got jobs in the future, not just at General Motors but as well at the feeder plants, which are going to lose thousands of individuals as well?

1530

Hon. Sandra Pupatello: I do appreciate this question, in particular coming from the official opposition. We

have been asking you for support for every single step along the auto supply chain all the way along. This past week, we introduced support for the auto parts makers as well as tool, die and mould makers. These are all elements that are a function of this past budget. I ask the member opposite: Where were you when it came to voting on a budget that specifically identifies not just the assembler but the parts supplier and the tool-die sector, which are all affected by the changes and challenges in the automotive industry?

That was a government that never put forward more support to this sector than this government has in these last five years. It is members of the opposition party whom we expect to have as supporters on these matters. When this budget is finally here for that final and third reading, I especially will be watching the member for Oshawa to see how he votes.

CHILDREN'S MENTAL HEALTH SERVICES

Ms. Andrea Horwath: My question is to the Minister of Children and Youth Services. Why has the McGuinty government starved children's mental health services in Hamilton and across this province, creating long waiting lists, service interruptions, too few qualified staff and a serious erosion of the system?

Hon. Deborah Matthews: That is certainly not how I would characterize our commitment to children's mental health. We are absolutely committed to ensuring that all children and youth in this province get the supports they need to reach their potential, and that includes children with mental health challenges.

We have released a document called A Shared Responsibility. It is a document that has received tremendous support across the province because, for the first time, the government took a step back and said, "What do we need to do to make sure that every child in the province has the support they need?" We are engaged now in a mapping process where we are taking stock of all of the mental health services for children in the province so the investments we make will have the greatest impact.

Ms. Andrea Horwath: This minister knows that the sector doesn't believe that an analysis of who's doing what is going to actually fund the system. Funding for the children's mental health sector has been frozen since 1996, and we all know it, except for a small, little increase that hasn't made a hill of beans of difference.

In Hamilton we have Lynwood Hall child and adolescent services, Charlton Hall, Woodview and the Community Adolescent Network—all beleaguered as they struggle to meet demand and retain sufficient numbers of qualified staff. When is this government going to bring much-needed new and adequate funding to the children's mental health sector, not only in Hamilton but across this province?

Hon. Deborah Matthews: Perhaps this is a good opportunity to talk about some of the investments we

have made in the Hamilton area since we were elected: a 115% increase in kids receiving intensive autism therapy; 1,200 new affordable child care spaces created; 800 more children receiving mental health services than when we took office; 314 more kids being helped through our investments in the children's treatment centre at Hamilton Health Services; a 50% increase in funding to children's mental health agencies; \$11.7 million of new funding to Hamilton's children's aid society since 2003; 92% of JK to grade 3 classes have 20 students or less; 248 new teachers since we took office; 175 kids found work through our summer jobs for youth program; and our youth outreach workers have made contact with—

The Speaker (Hon. Steve Peters): Thank you. New question.

PUBLIC LIBRARIES

Mr. David Zimmer: My question is for the Minister of Culture. Public libraries in this province are an essential service to support an educated and literate population. Libraries act as central gathering places and they form the foundation of public knowledge. Would the minister tell this House what this government is doing to support public libraries in Ontario?

Hon. M. Aileen Carroll: I thank the honourable member for his question. Indeed, public libraries exist in all of our communities across this province, and they are often considered an essential service to support an educated and literate population. Libraries act as a central gathering place and they form the foundation of public knowledge.

I thank you for this opportunity to respond and will look forward to his supplementary.

The Speaker (Hon. Steve Peters): The time for question period has ended.

PETITIONS

WYE MARSH WILDLIFE CENTRE

Mr. Garfield Dunlop: "To the Legislative Assembly of Ontario:

"Whereas the Wye Marsh Wildlife Centre, located in the township of Tay, manages approximately 3,000 acres of environmentally sensitive land which is owned by the province of Ontario; and

"Whereas over 50,000 people visit the Wye Marsh Wildlife Centre each year; and

"Whereas over 20,000 students from across Ontario visit the Wye Marsh Wildlife Centre each year, receiving curriculum-based environmental education not available in schools; and

"Whereas the Wye Marsh Wildlife Centre receives no stable funding from any level of government;

"We, the undersigned, petition the province of Ontario to establish a reasonable and stable long-term funding

formula so that the Wye Marsh Wildlife Centre can continue to operate and exist into the future.”

I'm pleased to sign my name to that, and I give it to Bilaal to present to the table.

COMMUNITY COLLEGES COLLECTIVE BARGAINING

Ms. Andrea Horwath: This is a petition to the Legislative Assembly of Ontario.

“Whereas part-time college workers in Ontario have been waiting for 30 years for bargaining rights; and

“Whereas thousands of part-time college workers have signed OPSEU cards, and the Ontario Labour Relations Board failed to order a timely representation vote; and

“Whereas the Ontario government must immediately make good on its promise to extend bargaining rights to college part-timers;

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

“The McGuinty government must immediately pass legislation legalizing the rights of college part-timers to organize, and direct the colleges to immediately recognize OPSEU as the bargaining agent for part-time college workers.”

I agree with this. I sign it and send it to the table with page Dario.

ANTI-SMOKING LEGISLATION

Mr. Jeff Leal: I have 14 petitions here today.

“Children and Smoke-Free Cars—Support Bill 11.

“To the Legislative Assembly of Ontario:

“Whereas children exposed to second-hand smoke are at a higher risk for respiratory illnesses including asthma, bronchitis and pneumonia, as well as sudden infant death syndrome (SIDS) and increased incidences of cancer and heart disease in adulthood; and

“Whereas the Ontario Medical Association supports a ban on smoking in vehicles when children are present, as they have concluded that levels of second-hand smoke can be 23 times more concentrated in a vehicle than in a house because circulation is restricted within a small space; and

“Whereas the Ipsos Reid poll conducted on behalf of the Ontario Tobacco-Free Network indicates that eight in 10 (80%) of Ontarians support ‘legislation that would ban smoking in cars and other private vehicles where a child or adolescent under 16 years of age is present’; and

“Whereas Nova Scotia, California, Puerto Rico and South Australia recently joined several jurisdictions of the United States of America in banning smoking in vehicles carrying children;

“We, the undersigned, respectfully petition the Legislative Assembly of Ontario to approve Bill 11 and amend the Smoke-Free Ontario Act to ban smoking in vehicles carrying children 16 years of age and under.”

I approve of this petition and will affix my signature to it and give it to page Cali.

ANTI-TOBACCO LEGISLATION

Mr. Bill Murdoch: This is a petition I just picked up from Eckhardt's Shell on the way down here.

“To the Legislative Assembly of Ontario:

“Whereas the Liberal government recently passed the Smoke-Free Ontario Act; and

“Whereas the act prohibits sale and supply of tobacco to a person who is less than 19 years old; and

“Whereas the Tobacco Tax Act requires that a tobacco tax rate of 11.1 cents applies to every cigarette and on every gram or part gram of tobacco sold in Ontario;

“Therefore we, the undersigned, ask the Legislative Assembly of Ontario that the two acts be enforced on all retailers in Ontario who sell, offer for sale or store tobacco.”

I've also signed this.

DISABLED PERSONS PARKING PERMIT PROGRAM

Mr. Michael A. Brown: I have another petition to the Legislative Assembly of Ontario.

“Whereas there currently exist problems of exposure to theft and the weather when displaying a disabled person parking permit on a motorcycle while parked in a disabled parking space;

“We, the undersigned, petition our members of Parliament to promote the development of a special, fixed permit as proposed by the Bikers Rights Organization, for use by disabled persons who ride or are passengers on motorcycles, even if that requires an amendment to the Highway Traffic Act.”

Hundreds of people have signed these petitions, and I proudly affix my signature.

ADOPTION DISCLOSURE

Mr. Ernie Hardeman: I have here a petition signed by a number of people. It's to the Legislative Assembly of Ontario.

“Whereas sections 48.9 and 48.10 of the Vital Statistics Act currently protect the privacy of adopted survivors of child abuse who were put up for adoption after being taken from severely abusive birth parents; and

“Whereas the McGuinty government's Bill 12 will take away this protection and mandate the Registrar General to hand over the adopted identity of these victims to their abusive parents once the child turns 19; and

1540

“Whereas the Ontario Association of Children's Aid Societies has said, ‘The provincial government should not legally mandate the release of identifying information of victims of violence to the perpetrators of those violent acts’; and

“Whereas the Ontario Victims' Bill of Rights declares that victims should be treated with respect for their personal dignity and privacy; and

“Whereas these victims are often adopted in family groups, so that when one sibling reaches 19, there may be younger siblings who could also be affected by contact with the abusive birth parents; and

“Whereas no-contact notices have not been in existence in other provinces long enough to be truly tested;

“We, the undersigned, demand that the McGuinty government and the Ministry of Community and Social Services stand up for the safety and well-being of these severely abused individuals and reinstate a one-way disclosure veto to be filed by the children’s aid society so that their abusive birth parents cannot find out the victim’s adopted name without their permission.”

I affix my signature as I agree with this petition.

FIREARMS CONTROL

Mr. Mike Colle: I’ve got a petition here from the people of Marlee village in my riding. It’s in support of Bill 56, a bill to stop unlawful firearms in vehicles.

“To the Legislative Assembly of Ontario:

“Whereas innocent people are being victimized by the growing number of unlawful firearms in our communities; and

“Whereas police officers, military personnel and lawfully licensed persons are the only people allowed to possess firearms; and

“Whereas a growing number of unlawful firearms are transported, smuggled and found in motor vehicles; and

“Whereas impounding motor vehicles and suspending drivers’ licences of persons possessing unlawful firearms in motor vehicles would aid the police in their efforts to make our streets safer;

“We, the undersigned, petition the Legislative Assembly of Ontario to pass Bill 56, the Unlawful Firearms in Vehicles Act, 2008, into law so that we can reduce the number of crimes involving firearms in our communities.”

I sign the petition and fully support it.

LORD’S PRAYER

Mrs. Julia Munro: “To the Legislative Assembly of Ontario:

“Whereas the current Liberal government is proposing to eliminate the Lord’s Prayer from its place at the beginning of daily proceedings in the Ontario Legislature; and

“Whereas the recitation of the Lord’s Prayer has opened the Legislature every day since the 19th century; and

“Whereas the Lord’s Prayer’s message is one of forgiveness, of providing for those in need of their ‘daily bread’ and of preserving us from the evils that we may fall into; it is a valuable guide and lesson for a chamber that is too often an arena for conflict; and

“Whereas recognizing the diversity of the people of Ontario should be an inclusive process, not one which excludes traditions such as the Lord’s Prayer;

“Therefore we, the undersigned, ask the Legislative Assembly of Ontario to preserve the daily recitation of the Lord’s Prayer by the Speaker in the Legislature.”

I’ve affixed my signature as I am in complete agreement.

HOSPITAL FUNDING

Mr. Bob Delaney: I have a petition to the Ontario Legislative Assembly sent to me by a number of individuals from Mississauga, Milton and Georgetown. It reads as follows:

“Whereas wait times for access to surgical procedures in the western GTA served by the Mississauga Halton LHIN are growing despite the vigorous capital project activity at the hospitals within the Mississauga-Halton LHIN boundaries; and

“Whereas ‘day surgery’ procedures could be performed in an off-site facility, thus greatly increasing the ability of surgeons to perform more procedures, alleviating wait times for patients, and freeing up operating theatre space in hospitals for more complex procedures that may require post-operative intensive care unit support and a longer length of stay in hospital;

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

“That the Ministry of Health and Long-Term Care allocate funds in its 2008-09 capital budget to begin planning and construction of an ambulatory surgery centre located in western Mississauga to serve the Mississauga-Halton area and enable greater access to ‘day surgery’ procedures that comprise about four fifths of all surgical procedures performed.”

I’m pleased to sign and support this petition and to ask page Adam to carry it for me.

LORD’S PRAYER

Mr. John Yakabuski: I have a petition to the Legislative Assembly of Ontario.

“Whereas the current Liberal government is proposing to eliminate the Lord’s Prayer from its place at the beginning of daily proceedings in the Ontario Legislature; and

“Whereas the recitation of the Lord’s Prayer has opened the Legislature every day since the 19th century; and

“Whereas the Lord’s Prayer’s message of forgiveness and the avoidance of evil is universal to the human condition; it is a valuable guide and lesson for a chamber that is too often an arena of conflict; and

“Whereas recognizing the diversity of the people of Ontario should be an inclusive process, not one which excludes traditions such as the Lord’s Prayer;

“Therefore we, the undersigned, ask the Legislative Assembly of Ontario to preserve the daily recitation of the Lord’s Prayer by the Speaker in the Legislature.”

I support this petition and affix my signature.

HOSPITAL FUNDING

Mr. Kevin Daniel Flynn: “Whereas wait times for access to surgical procedures in the western GTA area served by the Mississauga Halton LHIN are growing despite the vigorous capital project activity at the hospitals within the Mississauga Halton LHIN boundaries; and

“Whereas ‘day surgery’ procedures could be performed in an off-site facility, thus greatly increasing the ability of surgeons to perform more procedures, alleviating wait times for patients and freeing up operating theatre space in hospitals for more complex procedures that may require post-operative intensive care unit support and a longer length of stay in hospital;

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

“That the Ministry of Health and Long-Term Care allocate funds in its 2008-09 capital budget to begin planning and construction of an ambulatory surgery centre located in western Mississauga to serve the Mississauga-Halton area and enable greater access to ‘day surgery’ procedures that comprise about four fifths of all surgical procedures performed.”

I agree with this petition and will affix my signature.

ADOPTION DISCLOSURE

Ms. Sylvia Jones: I have a petition signed by concerned Ontario residents.

“Whereas sections 48.9 and 48.10 of the Vital Statistics Act currently protect the privacy of adopted survivors of child abuse who are put up for adoption after being taken from severely abusive birth parents; and

“Whereas the McGuinty government’s Bill 12 will take away this protection and mandate the Registrar General to hand over the adoptive identity of these victims to their abusive parents once the child turns 19; and

“Whereas the Ontario Association of Children’s Aid Societies has said, ‘The provincial government should not legally mandate the release of identifying information of victims of violence to the perpetrators of those violent acts’; and

“Whereas the Ontario Victims’ Bill of Rights declares that the victim should be treated with respect for their personal dignity and privacy; and

“Whereas these victims are often adopted in family groups, so that when one sibling reaches 19, there may be younger siblings who could also be affected by contact from the abusive birth parent; and

“Whereas no-contact notices have not been in existence in other provinces for long enough to be truly tested;

“We, the undersigned, demand that the McGuinty government and the Minister of Community and Social Services stand up for the safety and well-being of these severely abused individuals and reinstate a one-way disclosure veto to be filed by the children’s aid society so

that their abusive birth parents cannot find out the victim’s adopted name without their permission.”

I support this petition and I’m proud to sign it.

FIREARMS CONTROL

Mr. Dave Levac: I appreciate the opportunity to present a petition regarding Bill 56, to stop unlawful firearms in vehicles. This is to the Legislative Assembly of Ontario.

“Whereas innocent people are being victimized by the growing number of unlawful firearms in our communities; and

“Whereas police officers, military personnel and lawfully licensed persons are the only people allowed to possess firearms; and

“Whereas a growing number of unlawful firearms are transported, smuggled and found in motor vehicles; and

“Whereas impounding motor vehicles and suspending driver’s licences of persons possessing unlawful firearms in motor vehicles would aid the police in their efforts to make our streets safer;

“We, the undersigned, petition the Legislative Assembly of Ontario to pass Bill 56, entitled the Unlawful Firearms in Vehicles Act, 2008, into law, so that we can reduce the number of crimes involving firearms in our communities.”

I affix my signature to this. This is a very good bill from my colleague Mike Colle. I hand it over to Rafaël, our page.

HEALTH CARD RENEWAL CLINIC

Mr. Tim Hudak: I’m pleased to present a petition about bringing health card renewal services closer to Glanbrook residents. This would help them get renewal closer to home, rather than going to downtown Hamilton.

In support, I affix my signature.

LORD’S PRAYER

Mr. Norm Miller: I have received more petitions to do with preserving the Lord’s Prayer.

“To the Legislative Assembly of Ontario:

“Whereas Premier Dalton McGuinty has called on the Ontario Legislature to consider removing the Lord’s Prayer from its daily proceedings; and

“Whereas the recitation of the Lord’s Prayer has opened the Legislature every day since the 19th century; and

“Whereas the Lord’s Prayer’s message is one of forgiveness, of providing for those in need of their ‘daily bread’ and of preserving us from the evils we may fall into; it is a valuable guide and lesson for a chamber that is too often an arena of conflict; and

“Whereas recognizing the diversity of the people of Ontario should be an inclusive process, not one which excludes traditions such as the Lord’s Prayer;

“Therefore we, the undersigned, ask the Legislative Assembly of Ontario to preserve the daily recitation of the Lord’s Prayer by the Speaker in the Legislature.”

I support this petition.

ROYAL ASSENT

SANCTION ROYALE

The Deputy Speaker (Mr. Bruce Crozier): 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.

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

Bill 8, An Act to amend the Education Act / Projet de loi 8, Loi modifiant la Loi sur l’éducation.

Bill 16, An Act to amend Christopher’s Law (Sex Offender Registry), 2000 / Projet de loi 16, Loi modifiant la Loi Christopher de 2000 sur le registre des délinquants sexuels.

Bill 66, An Act to resolve labour disputes between the Toronto Transit Commission and Local 113, Amalgamated Transit Union, Lodge 235, International Association of Machinists and Aerospace Workers, and Canadian Union of Public Employees, Local 2 / Projet de loi 66, Loi visant à régler les conflits de travail entre la Commission de transport de Toronto et la section locale 113 du Syndicat uni du transport, la section locale 235 de l’Association internationale des machinistes et des travailleurs et travailleuses de l’aérospatiale et la section locale 2 du Syndicat canadien de la fonction publique.

ORDERS OF THE DAY

INVESTING IN ONTARIO ACT, 2008

LOI DE 2008 PERMETTANT D’INVESTIR DANS L’ONTARIO

Resuming the debate adjourned on April 14, 2008, on the motion for second reading of Bill 35, An Act to authorize the Minister of Finance to make payments to eligible recipients out of money appropriated by the Legislature and to amend the Fiscal Transparency and Accountability Act, 2004, the Ministry of Treasury and Economics Act and the Treasury Board Act, 1991 / Projet de loi 35, Loi autorisant le ministre des Finances à faire des versements aux bénéficiaires admissibles sur les crédits affectés par la Législature et modifiant la Loi de 2004 sur la transparence et la responsabilité financières, la Loi sur le ministère du Trésor et de l’Économie et la Loi de 1991 sur le Conseil du Trésor.

The Deputy Speaker (Mr. Bruce Crozier): Pursuant to the order of the House dated April 22, 2008, I’m now required to put the question.

Mr. Gravelle has moved second reading of Bill 35, An Act to authorize the Minister of Finance to make payments to eligible recipients out of money appropriated by the Legislature and to amend the Fiscal Transparency and Accountability Act, 2004, the Ministry of Treasury and Economics Act and the Treasury Board Act, 1991. 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.

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

The division bells rang from 1553 to 1558.

The Deputy Speaker (Mr. Bruce Crozier): All those in favour will please stand one at a time and be recognized by the Clerk.

Ayes

Aggelonitis, Sophia	Flynn, Kevin Daniel	Oraziotti, David
Albanese, Laura	Fonseca, Peter	Pendergast, Leeanna
Arthurs, Wayne	Gerretsen, John	Phillips, Gerry
Balkissoon, Bas	Gravelle, Michael	Pupatello, Sandra
Bartolucci, Rick	Hoy, Pat	Qaadri, Shafiq
Bentley, Christopher	Jaczek, Helena	Ramal, Khalil
Best, Margaret	Jeffrey, Linda	Ramsay, David
Bradley, James J.	Kular, Kuldip	Rinaldi, Lou
Broten, Laurel C.	Kwinter, Monte	Ruprecht, Tony
Brown, Michael A.	Lalonde, Jean-Marc	Sandals, Liz
Bryant, Michael	Leal, Jeff	Smith, Monique
Caplan, David	Levac, Dave	Smitherman, George
Carroll, Aileen	Mangat, Amrit	Sorbara, Greg
Chan, Michael	Matthews, Deborah	Sousa, Charles
Colle, Mike	Mauro, Bill	Takhar, Harinder S.
Delaney, Bob	McNeely, Phil	Van Bommel, Maria
Dhillon, Vic	Meilleur, Madeleine	Watson, Jim
Dombrowsky, Leona	Milloy, John	Wynne, Kathleen O.
Duguid, Brad	Moridi, Reza	Zimmer, David
Duncan, Dwight	Naqvi, Yasir	

The Deputy Speaker (Mr. Bruce Crozier): All those opposed, please stand one at a time and be recognized by the Clerk.

Nays

Arnott, Ted	Jones, Sylvia	Prue, Michael
DiNovo, Cheri	Kormos, Peter	Savoline, Joyce
Dunlop, Garfield	Marchese, Rosario	Shurman, Peter
Elliott, Christine	Miller, Norm	Sterling, Norman W.
Gélinas, France	Miller, Paul	Tabuns, Peter
Hardeman, Ernie	Munro, Julia	Yakabuski, John
Horwath, Andrea	Murdoch, Bill	
Hudak, Tim	Ouellette, Jerry J.	

The Clerk of the Assembly (Ms. Deborah Deller): The ayes are 59; the nays are 22.

The Deputy Speaker (Mr. Bruce Crozier): I declare the motion carried.

Second reading agreed to.

The Deputy Speaker (Mr. Bruce Crozier): This bill is referred to the Standing Committee on Finance and Economic Affairs.

ACCESS TO ADOPTION RECORDS ACT
(VITAL STATISTICS STATUTE LAW
AMENDMENT), 2008

LOI DE 2008 SUR L'ACCÈS
AUX DOSSIERS D'ADOPTION
(MODIFICATION DE LOIS
EN CE QUI CONCERNE
LES STATISTIQUES DE L'ÉTAT CIVIL)

Mrs. Meilleur moved third reading of the following bill:

Bill 12, An Act to amend the Vital Statistics Act in relation to adoption information and to make consequential amendments to the Child and Family Services Act / Projet de loi 12, Loi modifiant la Loi sur les statistiques de l'état civil en ce qui a trait aux renseignements sur les adoptions et apportant des modifications corrélatives à la Loi sur les services à l'enfance et à la famille.

The Deputy Speaker (Mr. Bruce Crozier): Madame Meilleur has moved third reading of Bill 12. Madame Meilleur.

Hon. Madeleine Meilleur: I would like to mention that I will share my time with my parliamentary assistant today.

Monsieur le Président, je prends la parole aujourd'hui afin d'inciter mes collègues de l'Assemblée à soutenir la proposition d'une nouvelle loi ontarienne relative à la divulgation de renseignements sur l'adoption.

But before I go any further, I would first like to welcome my guests in the members' gallery today. Please join me in welcoming Wendy Rowney of the Coalition for Open Adoption Records, or COAR; Monica Byrne from Parent Finders; and Karen Lynn from the Canadian Council of Natural Mothers, who is accompanied today by her son, Douglas. Welcome.

I would like to take the opportunity to thank the staff from my ministry for helping me with this bill.

Our adoption information disclosure legislation is at the core of our government's plan to bring adoption information disclosure laws into the 21st century. This is a proposed bill that would make open adoption records a cornerstone of Ontario's adoption laws. It would usher in a new era of progress for Ontario's adoption information disclosure system.

La Loi de 2007 sur l'accès aux dossiers d'adoption aurait des conséquences bénéfiques sur tous les dossiers d'adoption futures en Ontario.

La loi fera en sorte que nous atteindrons le juste équilibre entre les personnes adoptées et les parents de sang qui désirent connaître leur identité et leur histoire personnelle et celles qui désirent protéger leur vie privée.

This proposed legislation will give adult adoptees and birth parents access to information about their personal past, information that has been denied to so many for so long. If passed, this legislation will allow access to information such that adult adoptees could learn where they were born, their original name at birth, and the names of their birth parents. Birth parents could learn about the

child they placed for adoption, including their new name and where the adoption took place.

At the same time, our proposed legislation would safeguard the privacy of those involved in past adoptions.

Les personnes dont l'ordonnance d'adoption a été rendue en Ontario avant le 1^{er} septembre 2008 auront le choix d'enregistrer dans leur dossier un véto sur la divulgation d'informations identificatoires. De plus, tous les adultes adoptés et les parents de sang peuvent enregistrer un avis de non-communication ou un avis de mode préféré de communication.

This proposed legislation respects the September 2007 decision of the Superior Court of Justice and the views of Ontario's Information and Privacy Commissioner. Most importantly, it respects the thousands of Ontario adoptees and birth parents who have pushed for changes in our adoption disclosure laws. This legislation also brings us in line with states like Alabama, Maine and Delaware, to name a few, which have had open adoptions since 1996, and countries like England and Wales, New Zealand, and several states in Australia, which have all opened their records.

We have listened to the people that this bill affects the most: our stakeholders. And with the support of COAR, Parent Finders, Bastard Nation and the Canadian Council of Natural Mothers, we are proud to add our province to the list of jurisdictions that have modernized their adoption disclosure laws.

The proposed legislation does not include a determination-of-abuse process. We have discussed this issue with our stakeholders, and their advice was that we should treat adopted adults like adults and not like children. The intent of the proposed legislation is to open adoption records for adults, not children. When asked about this issue, COAR had this to say: "The Coalition for Open Adoption Records supports Bill 12. No-contact notices work. They protect adopted adults and birth parents from unwanted contact. Every country in the world that has used one has found it to be an effective deterrent against unwanted contact."

The Information and Privacy Commissioner also states that she is "fully supportive" of Bill 12 as it is currently written. That is because all adopted adults can still submit a no-contact notice or a notice of contact preference under the proposed legislation. There is a fine of up to \$50,000 for an individual who breaches a no-contact notice.

Parent Finders recently said that this no-contact notice is stronger than any no-contact notice in any other province, and that the no-contact notice provision gives more than sufficient protection.

No province that has introduced legislation to open adoption records has included protective measures in addition to no-contact notices. British Columbia, Alberta and Newfoundland all report that the no-contact notices have been very successful solutions to any concerns regarding protective measures. In addition to the measures contained in the proposed legislation, there are other protective measures within the law that may be available should adult adoptees feel that they are at risk of harm.

Why the new legislation?

J'ignore le nombre de personnes dans cette salle qui ont vécu personnellement l'adoption ou qui connaissent quelqu'un qui a été touché par l'adoption. Si vous avez eu l'occasion de parler avec une personne adoptée ou le parent d'une personne adoptée, vous comprenez que de ne pas connaître son passé ou, encore, de ne pas savoir ce qui est advenu de son enfant est profondément troublant.

1610

If you have not been touched by adoption and if you don't know someone who has, just imagine this: Imagine not knowing about your biological parents or who they are. Imagine having a child years ago and then never knowing that child as he or she grew up, not even your child's name. Under today's adoption laws, this is everyday life for thousands of Ontario residents. We may not be able to fulfill all of their wishes to know about their past, but as legislators in this province, we can make progress for them.

I have heard a number of touching stories from stakeholders as we have worked on creating this bill. For example, one stakeholder was given up for adoption as a child. She was reunited with, first, her birth grandmother, and then her birth mother. She told me what a positive experience it was and how the experience changed her life. It gave her a better perspective on who she was, where she had come from and where she is going in the future. We want to give every adopted adult the opportunity to have a similar experience if they so choose. This legislation will give adoptees the ability to make that choice.

Notre gouvernement maintient depuis longtemps que les personnes concernées par l'adoption devraient avoir les mêmes droits que les personnes non adoptées de connaître leur identité et leur famille.

Adoptees have told us that knowing about their past would give them purpose and closure. They told us that when it comes to knowing their family history, they shouldn't be treated differently just because they were adopted. Birth parents told us that too often they had to give up their children due to family or other pressures. Many simply want to know if their child is alive and well. Child welfare experts have told us for years that adoptees want to know about their origins and birth parents want to know that their children are happy and healthy in their new families. It's time we listened.

Par contre, nous savons que ce ne sont pas toutes les personnes concernées par l'adoption qui voudront que les dossiers d'adoption soient accessibles. Nous savons que le droit à l'information n'est pas la même chose que le droit d'établir une relation. Voilà pourquoi la loi que nous proposons est flexible et respecte les choix des personnes concernées quant à l'information comme telle et comment on pourra y accéder.

Moving forward, Ontario has changed and we believe that it is time our adoption information disclosure laws changed too. Our proposed legislation has been tailored to meet the concerns of many interested parties. We have had to balance calls for complete openness in all adoption

records against the concerns of those who would keep that information sealed forever.

Nous avons travaillé de près avec les membres de tous les partis de la Chambre ainsi qu'avec le Commissaire à l'information et à la protection de la vie privée de l'Ontario afin de respecter leurs désirs. Je crois que nous avons su relever le défi.

We believe it is in everyone's best interests to move quickly on this legislation. We can no longer deny access to basic personal information for those who seek it. I am confident that we will have the support of the Legislature as this bill proceeds through the House.

In closing, I thank my honourable colleagues for their support and their guidance, which have led to this landmark decision.

Mr. Khalil Ramal: Madam Minister, honourable colleagues, it's my honour to rise in this House today to lend my support to Minister Meilleur and to this proposed legislation. Our government strongly believes that all Ontarians should be able to learn more about their own personal history. Our proposed legislation will, if passed, make open adoption records a cornerstone of Ontario's adoption laws.

Some people may be asking why, after 80 years of secrecy surrounding adoptions, we are proposing to open records. Frankly, it's because the sealing of adoption records is the legacy of a different age in Ontario. Ontario has changed. The day has passed when adoptions were conducted in secrecy. We have moved past the days when adoptions were kept a secret as the child grew up. That was a time when we had orphanages, insane asylums and homes for unwed mothers; that was a time when unwed mothers were told to give their child up for adoption because that is what the social norms and attitudes of the time dictated. One can only imagine the loss those young women must have felt at that moment. It was a loss they would carry with them for the rest of their lives.

Our society has changed a great deal in the last 80 years. Our society now rejects the code of silence once associated with adoption. We now realize that by denying adoptees and birth parents identifying information, such as their given names and surname, we are perpetuating the shroud of shame and secrecy.

Today we realize how important it is for a birth mother to know what happened to the child she gave up a long time ago. We know how important it is for adult adoptees to know about their personal history. These are the realities that our proposed legislation recognizes. It recognizes the struggle that many adopted adults and birth parents have waged for many years, a struggle to learn basic information about their own identity or that of their birth children, personal information that the rest of us simply take for granted. Adoptees want to know about their origins; birth parents want to know that their children are happy and healthy in their new families. Ontario has changed, and we believe it's time that our adoption information laws changed too.

We had the chance to debate this issue for several days and to listen to many people who came before us in com-

mittee. Also, many different speakers from both sides of this House spoke on this issue and outlined the importance of open records and allowing the adult adoptees and their birth parents to get reconnected, because it's important for them to learn about their history, to learn about their past.

As I mentioned in my introduction, Ontario has changed. The secrecy was a part of the past. Our duty as elected officials in this place is to respond to the people who came before us many different times, who sent us letters, who asked us on many different occasions to help them to reconnect, because it's important to them to know about their history, to know about their fathers and mothers, to know about their health history and to know about their identity. Our obligation as elected officials in this place is to listen in response and to act in a manner to give them the right to reconnect with their past.

1620

I know this bill came once in the past, and it came back again to this House. After full debate, I'm convinced it's the time to pass it. It's important to us to pass it because it's important to the people who asked us to do so.

I know many members of this House spoke and voiced their concerns. I believe our ministry and our government acted in a professional manner in order to provide all the answers. That's why the privacy commissioner came to lend us her support and spoke in support of this bill. It's important to all the people in this province, important to the people who've been denied the right to know their kids, important for the kids who don't know their parents, and it's our obligation to make it easy and accessible for them.

In the meantime, we know that some privacy has to be protected. We know that some people do not want to be reconnected with their past. We provide in this bill a mechanism to protect their identity if they don't want to reconnect with their past, if they don't want anyone to connect with them, and also put a penalty for people who violate these rules and regulations.

I think this bill strikes a balanced approach between the people who want open records and the people who want some kind of privacy and protections.

So our ministry, our government, is trying to provide a real approach, to provide a mechanism for the people who asked us to open those records, and also, in the meantime, to listen to the concerns of the people who don't want to be connected or contacted. As I mentioned, there is a penalty of almost \$50,000 for individuals who violate those no-contact notices and also a penalty of more than \$250,000 for stakeholders who violate those no-contact notices.

I want to take this opportunity to thank the ministry staff and the people who came before us and gave us their support and spoke openly about this matter.

I want to ask all the members of this House, from the government side and the opposition side and the third party side, to come together to pass this bill, because it's about time to act on behalf of the people and put some kind of closure to this issue.

Thank you again for allowing me to speak.

The Deputy Speaker (Mr. Bruce Crozier): Questions and comments?

Mr. Garfield Dunlop: I thank the minister and the parliamentary assistant for making comments.

I will tell you right up front that we look forward to the comments made by my colleague Mr. Sterling—and the fact that he has shown so much leadership on this issue because of his understanding of the bill.

I'm hoping as well that the recommendations that have been made to the governing party—I hope they're right this time, because it has been a bit of an embarrassment to the government to bring this back. They were warned earlier about some of the amendments that needed to be made, and of course they weren't done. So we look forward to making sure this is implemented properly.

I've only got a few seconds, but I was curious, and I hope some of the members opposite will draw it to our attention—the penalties that the bill imposes on those who break it; for example, the penalty up to \$50,000. I hope someone can answer this, maybe in their rebuttal or in their comments a little later on, but I'm curious about what would happen to families that just didn't have \$50,000. That's a concern that I have. I know there are other concerns that we still have with the bill, even as we speak. We're generally supportive of this legislation, but we really want to make sure this time, once it has been kind of an embarrassment to the government and they've had to bring it back, that we get this bill right. I look forward to all the debate at third reading.

Mr. Michael Prue: I listened intently to the statements made today by my friend and colleague from London—Fanshawe and by the Minister of Community and Social Services. I listened to see what exactly they were describing in this bill. It appears to me, after having listened to both of them, that this was a *déjà vu* from more than a year ago when this bill was first introduced and debated in this Legislature, because throughout the whole quality of the debate and the things they had to say here today, there was no reference to the fact that the reason the bill is back here is because of a court ruling. There was no reference to Judge Belobaba's decision. There was no reference to the mistake that was made and that the privacy commissioner had talked to the Legislature about. There was this whole, can I say, ethereal discussion that took place in this Legislature more than a year ago. Of course, at that time there was much support for the bill; indeed, I believe there still is much support for the bill. But my colleagues from the Liberal Party seem bound and intent not to talk about the mistakes that were made by them, and the mistakes that continue to be made by them, in bringing this bill back here after committee.

The commissioner was in committee; the privacy commissioner came. She understood part of the motion that I was trying to make, and although she could not support it, she did talk about the need to work on another part of the bill. She was there to support the amendment made by Mr. Sterling from the Conservative Party in

committee. There was no mention at all about that when the two were up talking. It appears that they seem bound and intent to talk about only the positive aspects of the bill, of which there are many, but not to acknowledge the very grave mistakes that they have both made in the past and continue to make today.

Mr. Dave Levac: Speaker, thank you for the opportunity to support my colleagues, the minister and the parliamentary assistant, for this piece of legislation and their comments towards it. I also respect those of the opposition.

What I'd like to do is point out that, as a member who was on that committee, sat through the debate, heard the depositions and is aware of the history of this piece of legislation in many forms—the member from Carleton–Mississippi Mills—I think that's the new name—is the dean of this place, along with Mr. Bradley, but is also very learned in this area. He has done a lot of work, and I compliment him for it. He, along with some people in the House, was very concerned about the type of legislation we were dealing with, and that did provide us with some cautions. Some of the suggestions and recommendations were accepted and others were not. Unfortunately, as the member from Beaches—Beaches or Beach?

Mr. Michael Prue: Beaches.

Mr. Dave Levac: —Beaches indicates to us, yes, there are mistakes. I'd like to point out that in the history of this place—let's try to find any government that didn't have some pieces of legislation sent back to be corrected. Quite frankly, it happens in this place, it happens in Ottawa and it happens in several places. When the Supreme Court works, when the Ontario Supreme Court works, when judges work, when other people look at pieces of legislation and challenge them, yes, there have been some mistakes and yes, they do get corrected. Hopefully, it's a fluid thing where we continue to get better, because the intent would be that this piece of legislation is simply that: a piece of legislation that starts that, and there will be other issues that need to get resolved and dealt with.

I do want to bring credit to somebody who hasn't been mentioned yet—I know she has been mentioned before, but not right now in this debate: Marilyn Churley, the former member from Toronto–Danforth, who championed this cause within her own personal life and gave us some examples, and to those deputants who came forward and explained to us their lives and put it on the line. We tried to deal with it. I think there are more things to do, and I look forward to making sure this legislation is the best it can be.

1630

Ms. Sylvia Jones: I'm pleased to have the opportunity to speak to Bill 12, on adoption disclosure. While I support the desire for adoptees to be able to access information about their birth parents and their family medical history, I am very disappointed that the section of your original bill that protected children of abuse has been removed from Bill 12. How unfortunate that the minister has refused to listen to the Ontario children's aid society

and protect these children from being revictimized by their abusers.

I understand that the minister is in a hurry to pass Bill 12. After all, as the member from Beaches–East York points out, the only reason we're amending this adoption disclosure act is because the previous Liberal legislation was seriously flawed. In fact, your government was taken to court because you got it wrong the first time. Today, unfortunately, we are here again debating it, and I believe that once again you are getting it wrong. You are setting yourself up to revictimize people who have suffered abuse and were ultimately adopted, and now they're not going to be kept away from their abusers. How unfortunate that the minister has chosen to ignore the concerns raised by the PC caucus and the Ontario children's aid society.

Mr. Khalil Ramal: I want to thank all the members who spoke and gave some comments on my brief and the minister's speech.

It's important for us in this House to listen to the people of Ontario, and it's very important to us to listen to all the stakeholders who came before us and voiced their concerns. That's why we came to this bill a second time and opened it, and also to listen to the privacy commissioner and the judge, and to respect the ruling on this issue.

As you know, Mr. Speaker, we are elected to this place to make legislation and rules and laws that affect the daily lives of Ontarians. Sometimes we don't make a correct decision, sometimes the times change, and sometimes circumstances change. That's why we have to respond to those changes. That's why we came back a second time with reform and reconstruction of this bill. Hopefully, this time, the people of Ontario who asked us to change it, who asked us to make some kind of move, will be pleased and happy.

As I mentioned in my speech, the privacy commissioner came before our committee and spoke. She supports the bill. She thought it was an important step to want open records. She was also happy and pleased about the protection mechanism, which was put in place in this bill. What I mean by that is the penalty: It's up to \$50,000 for individuals and \$250,000 for organizations or a stakeholder.

I think that in this bill we have reached a balanced approach in order to create a balanced mechanism so that all the people can know about their history and their past. At the same time, if they choose to have some kind of protection mechanism, this bill provides them with those mechanisms.

Mr. Speaker, I want to thank you again and thank all the people who spoke before me.

The Deputy Speaker (Mr. Bruce Crozier): Further debate?

Mr. Norman W. Sterling: I appreciate being called at this point in time. I would ask a page to get me another glass of water, because one of the Liberal backbenchers came over just before I was going to speak and spilled water right over my desk so I would be thrown off. I guess they'll do anything, Mr. Speaker.

This legislation, I hope, is drawing to a close so that we can have much more open access to birth records for both parents and adoptees as we go forward. It's been a long time. Actually, it wasn't necessary that it be this long. When we go back even to the time when Ms. Churley, whom we've talked about, was a cabinet minister in the Bob Rae government, that government didn't see fit at that point in time to bring forward an amendment to our adoption disclosure laws here in the province of Ontario.

I might add that the last time these laws were amended was way back in 1979. At that time, there was some opening up of the process, although it required both parties on both ends of the adoption—the adoptee and the natural mother—to take positive action and indicate to the registrar that they wanted to have disclosure. So it was difficult, and I think, as time has marched on, people have come to the point where we all admit that going forward—and in Bill 12, September 1, 2008, is the day, going forward, that the records will be opened for both sides, so that there will not be a block to many of the records.

As I understand it, there are about 500,000 to 600,000 records in Ontario at this time, so that would affect approximately twice, maybe two and a half times, as many people in the province. Going forward, after September 1, the records will be open for both sides to see, save and except when there has been a veto disclosure exercised by one side or the other. That will be able to be done by that person unilaterally. I might add: That is why the previous legislation failed. The previous legislation, which was passed in 2005—Bill 183—said that there was no opportunity for someone who had had a record before to keep the control of that private document within his or her grasp. This party and I said to the government that it was not fair to go back in time, when people understood or were told or there was a law or there was a regulation or there was a policy which kept those records private and sealed. There was no way that you could go back in time and open those records without giving the people who had been promised privacy the opportunity to at least veto that disclosure. I imagine that many people in the province will not hear about this debate, will not hear about Bill 12, will not know that in fact they can register a veto disclosure, but that's the way it's going to happen after September 1.

One of the issues I want to talk about is kids who had been severely abused and then came into the hands of the children's aid society and subsequently were adopted and assumed a new name. Oddly enough, under this legislation, those kids, when they reach the age of 19, will not have the opportunity to keep their identity secret from their abusive parents. Some of these abuse cases are sad, they're severe, and many of the people who were involved in them are, in my view, despicable. Notwithstanding that, we are at this point in time in the Legislature.

I want to also say to members of the Legislature that this kind of legislation should not be political, although I

believe that the government is in some way being political, because they are paying so much attention to the pro-disclosure groups without enough regard for those people who cannot speak for themselves. The people who do not want these records disclosed are naturally reluctant to come forward.

When the Minister of Community and Social Services at that time, Ms. Papatello, introduced the former Bill 183, she alluded in her opening remarks here in the Legislature, when she spoke on it in ministerial statements, to working with the privacy commissioner, Dr. Ann Cavoukian. In fact, all of us in the Legislature sort of looked at each other and said, "This is funny. It appears that Dr. Cavoukian is in favour of this legislation." I'm talking about Bill 183.

1640

That didn't turn out to be the case. In fact, Dr. Cavoukian was so aggrieved at how she implied that Dr. Cavoukian was in favour of this—because she was a privacy commissioner—that immediately, the next day, she issued a press release saying that she was against the original Bill 183. That was because of the retroactivity of breaking this privacy pact, if you want to call it—legislation, rules, policy—the understanding of people who had gone through the adoption process that the records were sealed. That was the understanding. Dr. Cavoukian later was supported by every other privacy commissioner in Canada, including the Canadian privacy commissioner, that Bill 183 was bad legislation. It violated our privacy rights.

We went through some rather extensive hearings on that bill: clause-by-clause, and we heard from a lot of groups as well. In the hearing we had several people come in front of us who were on the other side of the issue. They said they wanted control over the release of this very private information themselves and that a no-contact kind of protection was inadequate.

Incidentally, by happenstance, it wasn't really planned by the Attorney General. Someone had asked for the constitutional opinion on this bill and they mistakenly gave it to us. Normally the government doesn't give out constitutional opinions. The Attorney General is very careful about giving out constitutional opinions to anybody, including members of a committee or members of the Legislature. I understand as well, as a former Attorney General of the province, why that's the case. They're usually not black-and-white decisions. They're not decisions which say, "This is constitutional" or, "This isn't constitutional." But we did get the AG's opinion on this, or the AG staff's opinion on the constitutionality of it, and it was lukewarm. I would say that it was low to middle in terms of their opinion as to whether this would stand the test of court.

In the committee we had two people who came forward to us, Joy Cheskes and Denbigh Patton, who were both adoptees and brave enough to come in front of the committee. They came with a very noted counsel, lawyer Clayton Ruby. Clayton Ruby had looked into the matter, and he told the committee that he thought this bill was

unconstitutional and would not stand a test in court. He further told the committee that he had been instructed by Mr. Patton and Ms. Cheskes to go to court to test it. They did go to court and tested it, and of course the court threw it out.

I'm telling you that history because I think it's important for the Legislature to understand that if you try to run too fast and run around people's rights because one group wants an absolute right of disclosure but there is not much noise from the other group, you take a great risk. This registry could be opened today. It could have been opened in the fall of 2007. It could have had people obtaining disclosure information about their birth parents or their adopted children at this time. So we've lost a year because of the stubbornness of this government. Maybe I shouldn't tell you this, because I'm not sure whether the Premier—I don't think he said this in confidence. He walked into this Legislature one day and said, "Norm, you were right on this one." He told me I was right in my arguments on this legislation that I placed before this Legislature in 2005.

I ask the members, when they are considering closing down the debate and going ahead with this legislation, why would the government not be more open with regard to dealing with this very special small group of people who are so vulnerable? I feel so strongly for their rights because, when you talk about this group of people in our society, kids who have been severely abused during their childhood by parents—some of this is incest, rape, attempted murder, starvation; some really awful stuff, just awful stuff—these only represent about 1% of the kids who become wards of the crown, a very, very small number of children, but they don't have any political power. They will never have any political power. So I feel very much that I have to speak up and be strong in terms of carrying forward their issues in this legislation.

There was also some talk, even in this debate, about the privacy commissioner approving Bill 12 as it was, that it was a nice, clean package that the privacy commissioner approved and said was okay. Yes, I believe that Dr. Cavoukian has said that the legislation, as it stands, now satisfies her as the privacy commissioner of Ontario. But she hasn't said, and in fact probably wouldn't say—she has said to me that she doesn't have any objections to my amendments, because my amendments are not about taking privacy away from somebody; they're about giving more privacy to a select, small number of kids in Ontario, some of our most vulnerable kids of all.

We talked in the previous debate two or three years ago about this non-disclosure process, that people could file non-disclosure notices. I didn't practise a lot of criminal law, but I practised a little bit when I started way, way back in the—I'd better not talk about exactly when. Not in the 1960s; in the 1970s. You learned very early, when you were practising law or you were in the milieu of criminal law, that if somebody was bothering somebody—and it happened in family, in domestic, situations probably more than anything else—in order to

protect your client, you might want to get a restraining order. I did a little bit of family law as well. What you found was that it was very difficult to get the police involved in giving evidence or laying a charge or being involved in domestic situations when there was some associated violence. So it was hard to get the police active on the file.

Secondly, it was a somewhat expensive process to go through. A restraining order sometimes was followed by the person it was against. If it was against a particular individual, sometimes they followed them and sometimes they didn't.

I guess the most notable, most recent example of that is a horrific homicide that we've had out in British Columbia, whereby the father, who is now charged with the murder of three children, had a restraining order against him. If you have a restraining order against you, they can throw you in jail if you break the restraining order, if you can get the police to act on it. But in this case, this individual is, or appears to be, from the news reports I've heard, mentally ill. In talking to children's aid workers, these parents who are perpetrators of violence against their children often have mental illness problems as well. There are drugs often used as well, unfortunately, and those things lead to this kind of horrific act that is involved.

1650

When you talk about no-contact orders—and I want to read clearly what the legislation says. It says that you're liable to a fine of not more than \$50,000. Well, judges rarely, if ever, give the maximum fine. All we've heard from the minister is, "There's a \$50,000 fine if you break the no-contact order."

Let me talk about the no-contact order, because we talked about it in the previous debate as well. You're talking about a family situation. Here's an abused child, let's say, of the age of 20, and his or her abusive father has got the adoptive name, been able to track him or her down, has contacted and is bothering the adopted child. The last thing in the world that child wants to do is get engaged with this abusive father or mother. I mean, they don't want to see these people; they don't want to have anything to do with them.

The other part of it is, we don't know what the feelings of the 19- or 20-year-old child are toward that parent. They may still and would have some feelings toward them, and we don't know how those feelings and emotions are mixed—they can be very, very mixed. The other part of it is, often these people who have been involved in these problems of either mental illness or drug abuse don't have any money. If they were ever taken to court for a no-contact violation, the judge wouldn't throw them in jail. There is no provision to throw them in jail in here. I'm not arguing that there should be, but I'm saying that there's no provision to throw them in jail. So what's the penalty? If you don't have any money or you have little money, you can basically do what you want.

The problem with a no-contact provision is that the person who gets the information—the abusive father or

mother, in the example I'm talking about—is not limited as to whom he can share that information with. It can be shared with any third party, and that third party can use that information however he might want to.

The minister, the parliamentary assistant and everybody says, “Well, this is all about adults.” Do you know what? A 19-year-old kid who has been severely beaten up or sexually assaulted or whatever is not a 19-year-old kid who has lived and been brought up in a stable environment, who can go out into the world and make decisions like an adult could. Their emotional age is not necessarily equal to their chronological age.

I was amazed, quite frankly, at what transpired in our committee of the Legislature when we were considering clause-by-clause of this bill. Before we went into the committee—I want to explain what I did with the amendment that I put forward with regard to trying to protect these kids. I took out of the old Bill 183, the previous bill, the sections that were not struck down by the court. The minister was mistaken outside the Legislature when she spoke to the press and said, “The sections relating to the special protection for these severely abused kids have been struck down by the court.” That wasn't the case. Judge Belobaba did not strike down these sections, because they weren't under consideration; they weren't dealing with the centre of the legislation in terms of the disclosure, so they weren't struck down.

I went to the minister the night before, because we had had public hearings before, and I said to her, “I want to give you notice”—this was on the Monday, when we had the public hearings. “Here's a copy of the children's aid's submission. I feel very strongly on this. I have asked our legal counsel to prepare amendments for tomorrow afternoon's meeting. I don't want to surprise you. I want you to consider this and give it your best in terms of a possibility of amending the legislation, or, if you have some variation to this, that would be fine with me too, as long as the kids are protected.”

We went to the committee and when we got to this particular section I put forward my extensive amendment, which would have allowed the children's aid society to file a disclosure veto going forward for kids who had been severely beaten. At the age of 19, the control would fall into the hands of the child, who then had become an adult, and that child could decide whether they wanted to find out information about their parents. The parents already know about the kid. They've already had their disclosure to some degree because they were involved with the kid before the kid was taken from them, in their house.

Another part that I was a little bit concerned and upset with was the minister, when she was talking about her days as a nurse and they'd take the child from the mother and give it up for adoption. These are not the cases of the child who is wrapped in a pink blanket and left on the doorstep. This is about children who have been taken from their parents, which is the first step the children's aid society does. Then the very dramatic step that happens in only 1% of the cases after that is that those

parents don't get access because of the damage that they're doing to the kid. They are the 1% who fall over here, and those are the kids that are put out for adoption. So we're talking I don't know how many cases across the province of Ontario, but not very many.

In my amendments I also allowed that the parents who had abused the child would have a right of appeal to a board, and we were open to making that appeal happen more than once; it could happen when the child was 19, if they wanted, and the board could make the decision. If, 10 years later, there was a rehabilitation of the parent, then they could come again. I thought the amendment was pretty well reasoned and I was really taken aback by the fact that when I asked the reason you didn't include it in here, it was the generic things like we've heard in this Legislature: “Well, it's the proper balance.” The proper balance of what? The only balance that I can measure in this legislation is between the rights of the abused child, when they reach 19—and we keep hearing, “This is an adult. The adult can protect herself or himself.” I submit that somebody who has just turned 19 and has gone through a horrific childhood, who has fortunately benefited from the fact that they've had a loving parent or parents who have gone through hell and high water in order to bring this child up, who has had all of these psychological challenges and all the rest of it—I don't think they may be in a position to take on the total role of the normal kid who becomes 19 and they all of a sudden find out that their abusive parents or parent have got a hold of their record.

1700

So, I'm really, really troubled by the responses that I'm getting from the minister and that I got from the parliamentary assistant in the committee. It's not people engaged in a discussion as to what's the best piece of legislation—because I don't really consider this legislation to be of a political nature, as I said before. I think it's more about justice and fairness in terms of trying to work out the best set of rights for the people involved in the debate.

We've heard that there are groups who want wide-open access, and I understand their arguments. Those arguments were put before the committee. The courts now have said we can't have wide-open rights going back; we can have wide-open rights going forward. This is the only caveat that I would like to be inserted in going forward. If a person out there was adopted before September 1, 2008, they will have the right of this veto. If you were born on September 1, as opposed to August 31, you won't have that right to veto. All I want in this particular legislation is the right for the small, small number of people.

I might add, too, that the member for Beaches–East York and I tried to make the disclosure even better than the bill was, and there wasn't any listening on the part of the government or the government members to try to reach a more satisfactory solution to opening up. There's really no part of our party or, I believe, the NDP trying to close down records or anything like that. In fact, what we

wanted to do and what we suggested was to try to put some onus on the registrar to contact, if they had a contact number, the mother, in this case, to find out if that mother was still alive or not. Under the legislation, the veto disclosure dies when the person dies. We were told in the committee that the only way that the registrar knows if someone has died or not is if they were a resident of Ontario or a resident of one of the other co-operating provinces in Canada. I estimate, and I'm really ball-parking it, that there's probably going to be something like 15,000 to 25,000 vetoes registered with the registrar, and probably all but 15% or 20% of those 25,000 would be people living in Ontario. What I wanted the government to do, and what I think the member from Beaches–East York wanted the government to do, was to say that after the mother is 75 or 80, there would be an onus on the registrar to try to make a contact to find out if in fact this person had passed away in another jurisdiction. “No, we won't do that. This is our perfect legislation. We want exactly what's in Bill 12. No additions, no minuses, no matter what.” What I wanted to do was try to improve the ability of an adoptee to get the information if in fact their natural mother passed away. But you've got to find out whether the mother has passed away, and the registrar is the only person who could do that.

The government has talked about the people who are in favour of their bill. And I understand those groups, because they have been waiting a long time for this bill to pass. But you should really know that one of the largest groups, probably representing in numbers a lot more than the groups that are supporting the bill, has expressed concern about the issue that I have raised here many times in the Legislature, and that is about these severely abused kids. We know that the children's aid societies don't support the exclusion of a veto for these very special kids they have to take care of.

I was talking to one of the adoptive mothers of one of these severely abused kids, and she was also saying to me—look, I think they are saints. The people who take on this particular role—this isn't somebody adopting a normal kid; this is somebody who is adopting a kid who's got severe, sometimes physical but almost always psychological and emotional, problems that will be with them all their lives. These adoptive parents are saints, and to say to them that although you've taken this child into your custody, when that child becomes 19—and maybe they're still living with them and will of course always be attached to them—you're going to unleash or perhaps unleash the abuser, the perpetrator of the abuse that this child grew sick with, on them and their home—I don't think that shows very much respect for the role these people have filled, who voluntarily assumed such a burden for the rest of us in society.

The other part of this that I talked about before was that it's odd, the dichotomies this leads to. What we're doing here in Bill 12 is giving a right to identifying information of a victim, often of a crime—or most times it would be a crime because these assaults were so bad.

We're giving a right of access to identifying information of a victim. Our victims' rights bill talks about the right of privacy. I don't think any police force in Ontario or any part of the justice system would ever give an abuser, a rapist or somebody who had attempted murder identifying information about their victim. But what makes it different here? It's because they were the natural mother and father.

I think if you're going to deal with balances here, there's only one way to look at it, and that balance has to be in the hands of the victim. That victim has to have control of the decision whether to make the contact or to find out the information about their parents.

The other part of it is that often these kids, when they turn 16, will—not often; I can't say “often” because I don't know all of the experience, but I'm told by the children's aid society that when the kids reach 16, in order to get away from it—and they're not adopted, but they're in foster homes—they will change their names to have some anonymity with regard to being tracked down by their natural parents. Those kids have control over that anonymity as they go forward.

Can you think of the psychological stress of a kid who is 16 or 17, who knows that when they're 19, their abusive parent could be on the doorstep, and who knows that they could get the information? These kids are psychologically damaged. To not provide them with a little bit of a cushion with regard to how—they should be deciding when the reunion should take place, if ever. That should be in the hands of this small group of citizens of Ontario.

1710

The minister talked about the stakeholders who were in favour of this, and I understand those stakeholders, as I said before. These are the people who wanted, and probably still want, wide-open disclosure, and I understand that. But the children's aid society is against this—53 of them. We have groups like The Gatehouse: Child Abuse Investigation and Support Site here. They weren't even aware of this bill. That's one of the problems with this issue, that it doesn't garner a lot of press and so people out there aren't aware of the issues in it. That's why I feel I have to fight very strongly for those who either don't know or can't speak for themselves.

Unfortunately, we don't have at this point in time a child advocate, because I would expect a child advocate to be speaking out on this bill big-time. I'm going to ask the child advocate, when we get one, what her or his opinion of this legislation might be.

I think I mentioned the no-contact orders. The Ontario children's aid society said, “There is anecdotal evidence that breaches of no-contact notices are more likely to occur in cases where an adoption was not voluntary and the result of a child protection apprehension.” That's one of the things that I mentioned before: that you've got to think about the actual facts of all of these cases. The facts are that this child is forcibly taken away by a court. Often during those court proceedings, the CAS has to get restraining orders against the abusing parents to keep

them in control in terms of the whole process. The children's aid society believes, "For an adoptee, where the biological parent did not voluntarily relinquish them for adoption, a no-contact notice, regardless of penalty"—I say that the penalty here is not a real penalty; it's up to \$50,000, and I don't imagine a judge is going to give that in many situations—"is not sufficient, nor prudent, when this biological parent has demonstrated a history of severe violence against the adoptee." I think the children's aid society has probably got the hardest job of all in social work. They have to make the decisions about taking a child and trying to improve the situation so the child can go back in the home, and this is the 1% of the cases where that can't happen.

I also heard the minister talk about all of these other jurisdictions where the no-contact orders have worked. As I mentioned before, nobody in their right mind is going to use a no-contact process because they don't want to be involved with the other party. I think most of them would go for a restraining order rather than try to press the issue under this no-contact part.

The other part is, the legislation in British Columbia was the earliest legislation; it came into effect in 1996, Newfoundland in 1999 and Alberta in 2004. If you think about it, this would deal with adoptions after that, so there are probably no kids who have reached 18 or 19 under any of that legislation, so there would not be no-contact orders made or even implemented in any of those provinces yet. You've got to wait another 10 years to find out if the experience in those provinces has any validity in terms of what you're saying. I mentioned the restraining order and the terrible murder in Merritt, British Columbia, about the three kids being killed there and how much a restraining order would mean to them.

I've talked about the privacy commissioner, who has said she supports strong privacy protections, especially for vulnerable groups or persons. That's what the privacy commissioner said to me in a letter. She said that she would support any kind of privacy protections, especially for vulnerable people. That's what my amendment is about. It's about a support for those people.

I'm just flipping through my notes; I wanted to quote the Victims' Bill of Rights. The Victims' Bill of Rights says a victim should "be treated with courtesy, compassion and respect for their personal dignity and privacy" by justice system officials. This is about victims. My amendment is about victims. I suspect that we're breaking the bill of rights with regard to these people.

This month, the government introduced Bill 50 to protect animals from abuse and neglect. Bill 50 proposes to give courts the ability to prohibit someone convicted of abusing or neglecting an animal from ever owning another animal. This same government is attempting to mandate that abusers of children can find out, as a matter of right, the identities of their victims. What do we care about more? Do we care more about our animals than our children? Where is the balance in terms of this legislation?

In talking to Angela Gallant, the program director of The Gatehouse child abuse investigation and support site

here in Toronto—this is a woman who oversees some kids who have been abused badly—she told me that allowing an abuser information about their victim risks re-victimization and re-traumatization. The victim must have the power to direct any contact themselves; otherwise, these victims will have to take steps by changing their name again or leaving the country. She suggested that all legislation must be victim-centred. The victim must have the power to decide when and if they ever have any contact from their abuser, whether that abuser is a stranger or a parent.

I don't find Bill 12 victim-centred at all. I can't tell you how disappointed I am with this Legislature not being able to deal with this bill in a reasonable and even-handed manner.

In the debate tonight, I believe we're going to be talking about the standing orders. This government is seeking to obtain even more powers for the centre and for the government-driven side. I understand that in the last two weeks of the Legislature, the government will now be able to pass a bill in two days from start to finish. It takes four days now. We have a government that wants to control when question period takes place—that it take place at a more advantageous time for them and a less advantageous time for the opposition.

1720

As a long-time servant of this Legislature, I get extremely concerned that we can't have a committee, we can't have debate, and the government doesn't seem to be able to say, "Hey, maybe we should listen and change some of the legislation we're putting forward." The changes we're putting forward here on behalf of these kids are very minute in comparison to the overall thrust of the bill. We're not talking about the major sections of the bill this time through; we're talking about a very, very small number of people that we're dealing with.

I want to say as well that both opposition parties have said to the House leader, "Look, put this bill into Committee of the Whole House. Put forward a reasonable amendment that protects these kids. We'll pass it. We'll go into the Committee of the Whole House. We'll be there for an hour, if it takes us an hour. We'll come out of committee and we'll pass the bill on third reading."

It's not our desire to drag this debate on, but I will say this: I'm not going to give up the fight for these kids. I'm going to press and press and press on this fight until this government understands that they cannot treat these kids the same way they're treating normal children, that these kids deserve more protection, that their adoptive parents deserve some consideration. We will fight and fight until we get this changed, and if the government thinks that when they pass third reading of this bill, that is the end, I've got to tell them that it will not be the end from Norm Sterling.

The Deputy Speaker (Mr. Bruce Crozier): Questions and comments?

Mr. Michael Prue: I listened intently for 50 minutes to what the member from Carleton-Mississippi Mills had to say, and I think it was all encapsulated in the last, say,

minute of what he had to say about his dogged determination and how he is seized with this issue and wants to see it through.

I watched him very carefully in committee as well, and the motion that he put forward. It did not seem to me that the motion was untoward, and it certainly had considerable merit. The motion was not just to stop people from trying to find their relatives after the age of 19 in spite of what might have happened, but it allowed for an appeal mechanism. It allowed for people to go on a basis of maybe every several years to apply, because, as I put to the committee and as I think the member from Mississippi Mills acknowledged, people do change. The fact that a person may have been an abuser—there is every reason to believe that any combination of factors, from jail to psychological reports to counselling to group therapy, may have changed that person, and they ought not to be foreclosed for all time from seeing their natural child.

Be that as it may, he has, in my view, the best interests of the child at heart, and his motion was not successful in committee. He vowed, at that point—and I'm going to refer to it in my own speech which follows—to hold on to this and continue the fight. He has said as much again today.

I believe this issue needs to be resolved. It is certainly not resolved within the bill, but I have no underestimation that, given the length of time that this House may be seized with it on this occasion and possibly others into the future, he or his colleagues will raise it again.

Mrs. Liz Sandals: I am pleased to comment on the speech by the member from Carleton–Mississippi Mills. It seems to me that we've heard a lot of different interpretations of this bill and that bill and another bill and amendments, and it might be worthwhile to briefly go over what actually is in the bill, if amended, here on third reading so that people understand what will happen.

The basic purpose here is to provide open adoption records, so that when adoptees become adults they have access to their personal records and can find out about their personal birth history, and, conversely, so that birth parents can find out about adult adoptees, not child adoptees.

First of all, if the adoption took place before September 2008, both the birth parent and the adult adoptees will have the choice of whether they want the information disclosed. They will be able to file a disclosure veto if they do not want the information disclosed. That's in line with the Ontario Superior Court ruling, which said that because at the time of the adoption the presumption was that the records would be closed, those people maintain that right to closed records, if they so wished.

For those future adoptions, the situation will be different. When the adoptee turns 18, the adoptee will be able to choose whether they will be able to get the birth parent's information, and also to choose whether they want that birth parent to be able to contact them. If they don't want the birth parent to be able to contact them,

they can put a no-contact notice on their information and they will not be subject to contact. If, as Mr. Sterling has suggested—

The Deputy Speaker (Mr. Bruce Crozier): Thank you. Questions and comments?

Mr. Norm Miller: I'm pleased to comment on the speech from the member from Carleton–Mississippi Mills on Bill 12, the Access to Adoption Records Act.

We wouldn't be having this debate today if the government had listened the first time around when Bill 183 was debated and passed, when the member, the dean of the House, then was raising concerns about privacy retroactivity. In fact, they didn't listen to him and they didn't listen to the privacy commissioner, Dr. Cavoukian, so now we're dealing with another bill to address those concerns. I think the member from Carleton–Mississippi Mills is raising some extremely valid concerns, trying to protect children who have been severely abused from having information about them disclosed to the abuser.

I just don't understand why the government is not listening this time around as well. The member brought up some reasoned amendments in committee. I would love to have a government member explain why they didn't just pass those amendments, because if they did, I think this bill would be getting passed pretty quickly about now. We seem to be doing this all over again. They didn't listen the first time around and now they're not listening this time around. They just don't seem to get it. I just wish they would listen.

I note today that we had a number of petitions in the Legislature, one by Mr. Hardeman, where he points out the concerns raised by the children's aid societies on this very issue. So I think the government needs to listen to the various groups out there that would like to protect these abused children.

Ms. Andrea Horwath: It's my pleasure to make a few remarks on the speech from the member from Carleton–Mississippi Mills. I think that anyone who has been paying attention to the iterations of this bill over time will know that there are a number of people in this place who have been quite passionate about this issue overall. It's the result of that passion that we've seen the bill change from the way it looked when a member from my own caucus at that time—the member for the riding of Toronto–Danforth, Marilyn Churley—first brought this issue to light, in trying to get some action on this issue, as she is the birth mother of a child whom she gave up for adoption when she was a younger woman. She used her own personal experience to educate and enlighten many of the members of this Legislature on this issue, and I thank her for that.

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Subsequently, as the member for Carleton–Mississippi Mills mentioned in his speech, there were some issues that arose out of that first draft, and he went through some of those issues in his remarks. Here we are now with another bill in front of us that's been through hearings, that's been through the committee process. The member from my caucus from Beaches–East York will

be speaking to this very, very shortly, and will, I'm sure, raise some issues that he put on the record in regard to possible amendments that came up at the committee process.

I really do believe that at the end of the day, we are in a situation where it might not be absolutely perfect. I have some significant sympathy for the arguments brought by the member from Carleton–Mississippi Mills, and I encourage him to continue to raise those issues, because they are significant. I think that we around this place can never be flippant when it comes to the way that the legislation we approve affects real people and real circumstances. I thank him for those comments. I think they're important and significant.

The Deputy Speaker (Mr. Bruce Crozier): Member for Carleton–Mississippi Mills, you have two minutes to respond.

Mr. Norman W. Sterling: I want to thank all of the members for their submissions.

I think this place can work better than it does, and I think this would be a tremendous opportunity for the government to show that bills can be amended, that committees can hear people, that they can make decisions and change legislation. I think it's really, really important.

The minister said something that was kind of odd, in that she mentioned the three other pieces of legislation in Canada, which were passed some time ago, and said, in defence of not putting in a provision with regard to these special children that I want to put in, that the three other provinces don't have this provision in it. I can remember a time when the other provinces always looked to Ontario as the lead in legislation. The provinces of Alberta, BC and Newfoundland would fall in step with where the province was in terms of their thinking on legislation. They would look to us to lead. Here we are, following, and I think that we could make a better bill than they have. I think we can provide open disclosure, but we can also provide additional privacy protection for some of the most vulnerable people in our province.

I urge the government to open their hearts. Let's go into Committee of the Whole House and let's wrap up this bill in a reasonable and logical manner.

The Deputy Speaker (Mr. Bruce Crozier): Further debate?

Mr. Michael Prue: I see that I am in the unenviable position again of having a bifurcated speech: half today and half the next time. But I hope to be able to do an equally good job in both halves.

I would like to preface my remarks by commenting about the people who have doggedly, over months and years and decades, fought for open disclosure, some of whom were in the Legislature earlier today and one of whom is still here. My comment to them: They are here to see that justice is done for themselves, their families and their children. They have fought for many, many years for open disclosure, so that people will have the unqualified right of knowing who their parents are and knowing where their children are. I take my hat off to them for the long fight.

I would like to assuage their fears somewhat. I know that they are wondering what is going to happen to the bill and how it's going to proceed, and whether the amendments or the critique that I or my colleagues from the Conservatives might have put an end to the bill. I would like to assuage that fear by confirming to them that at second reading, members of the NDP did support the bill, notwithstanding that we were unhappy with a couple of amendments that we thought might have made it a better bill.

Notwithstanding that fact, this has been too long a struggle not to pass. I am mindful that the government would, of course, say, "Hurray; we're going to pass it." I'm sure that that is going to be what is in their hearts, if not in the clapping, as I stand here. But it is my responsibility as a member of this Legislature, my responsibility as a member of the opposition to point out potential flaws to any bill. Whether I end up voting for or against it, it is the responsibility of the opposition to be forever vigilant. That is why I stand here to speak to this bill today.

In one of the earlier two-minute comments that I made this afternoon, I talked about my disappointment in hearing both the minister and the parliamentary assistant for this bill refer to the body of the bill and the goodness of the bill and the history of the bill without talking about why the bill was before the Legislature in the first place.

I would like to just quote one paragraph from the decision of Justice Belobaba in the decision of Joy Cheskes, Denbigh Patton, C.M. and D.S. versus the Attorney General of Ontario, with the intervener being the Coalition for Open Adoption Records. Judge Belobaba, in his decision, was very clear, and I think that's why the government of Ontario decided not to appeal it and the intervener decided not to appeal it—because the decision itself was reasonable and it was balanced and it told the government what they had to do.

I would like to quote paragraph 178 of the learned judge's decision, in which he writes: "I have come to this conclusion after much deliberation. No judge takes lightly his or her responsibility as a 'constitutional umpire.' No judge is eager to find that a law enacted by a democratically-elected majority is unconstitutional and must be set aside. But our system of government is not based on majority rule alone. Ours is a constitutional democracy with an entrenched Charter of Rights and Freedoms that is intended primarily to protect individuals and minorities against the excesses of the majority. Included within the charter's ambit of protection are the applicants, who are part of a small minority of adoptees and birth parents that wish to protect their privacy. They have every right to do so. The applicants have established that their right under s. 7 of the charter has been breached, and the government has failed to justify this breach under s. 1."

That, in a nutshell, is why we are here. All of the other statements that are being made by people in this Legislature and across the floor about adoptees having the right to know their birth parents are so much fluff. Of

course, that's true, but that was passed by this Legislature a long time ago. What is before this House today is to follow the dictates and the learned decision of Judge Belobaba and to give effect to what he had to say. I hope that my comments are seen in that light.

I look at how long this community has waited for us to finalize a bill and a law that will stand up in the courts. The law that was put the last time failed after just two days. Two days after it was proclaimed, it was in the court, and this section was subsequently struck down. It is important to note that the balance of the bill was not struck down. The balance of the bill was found to be constitutionally correct, and the judge upheld the decision that was made by this democratically elected Legislature. The judge heard many, many arguments from many people, but he also had a bit of a historical background, which needs to be stated again for the record.

This bill has been before the House for a long time. My colleague Marilyn Churley, formerly from this House in the last Parliament, had been instrumental over a number of years in putting this issue forward. My own records show that this bill was before the House as Bill 88 in December 1998, it was again before the House as Bill 108 in June 2000, it was before the House as Bill 77 in June 2001, it was before the House as Bill 16 in May 2003, and before the House again—all under Marilyn Churley's signature—as Bill 14 in December 2003. Also before the House was another bill purporting to do something similar by a Conservative member, Mr. Wettlaufer. I'm not sure what riding he came from, so I do apologize for that. His was Bill 60, which was before the House in June 2003. All of that, of course, was superseded by the government's own Bill 183, which was debated and passed last year.

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Throughout all of that period of time this House has been trying to grapple with a very thorny issue, part of which we are debating here again today. Throughout all of this time, I must state my admiration of former MPP Churley for what she endeavoured to do, the personal struggle that she had. I had known Marilyn for many years before I came to this House. I had known her when I was the mayor of East York and she was the MPP for Toronto–Danforth, which included a part of East York. I even knew her briefly from when she was a city councillor and I was on the council of the borough of East York, we both having been elected on the same night to respective municipalities. In all the time that I knew her, until the day that I opened, I believe, the Toronto Star, although it could have been the Globe and Mail, and read the story of her finding her son, I had never realized that she had a son. I had met her daughter, but I had never realized that she had a son from the time she was 17 years old and, as she went on to describe, a frightened teenager. When I read the story, I have to tell you that I almost broke down in tears, because it was a remarkable story of perseverance of a woman who had struggled and tried for so many years to reunite herself with the son she had given up for adoption when she did so as a frightened

teenager, not knowing which way to turn. She had finally been reunited.

Throughout all of these bills—and I've been in the House now closing in on seven years—I constantly listened and tried to gauge what other people were saying vis-à-vis what Marilyn Churley said in that article and what she subsequently said to me about how much it meant to her, how it consumed her, how she was constantly looking, how she didn't know where to turn, how people had come out of nowhere to help her, how she was one day successful.

I've met her son on several occasions—a remarkable young man—and I want to say that his adoptive parents did a very good job in bringing him up. He lives between two worlds, as most adoptees do, having love and respect for his birth mother and love and respect for his adoptive parents who made sure that he grew up right. I ask us all to consider that when we're considering how to make this bill better. The story of Marilyn's son is out there 1,000 or 10,000 or 100,000 times in the history of this province, where children have been given up for adoption. Years go by and people wonder, "Who am I? Where is my birth mother? How will I find her?" Or a birth mother says, "Where is my son? Where is my daughter that I gave up? I really have misgivings now after a few years. I really wish that I could see them. I just want to know that they're okay. I think about them on every birthday. I think about them when it's Christmas. I think about them when they're five years old and they must be starting school. I think about them when they're 15 and wondering if they're going out on their first date. I think about them all the time."

So this bill is essential to pass. As I said earlier, notwithstanding that I'm going to be critical in a minute, it is important that it pass because we need to reunite those families, and if we can't reunite all of them who were adopted before September 2008, then we can make the conscious effort to reunite all of them after that date.

I listened as well to what the government had to say. I have what I can only describe as the government's spin document. This came out on October 12, 2007. I read it and I think—the government members are laughing too. The Ministry of Community and Social Services put out a four-page document outlining the new bill, following Judge Belobaba's decision. They put out what I can only describe as a spin document. I'd just like to read some of it for the record because, in retrospect, it looks like the government is trying to take credit for what they're doing here in pushing this legislation, whereas in fact it is a requirement by the courts and the Constitution.

I start off with the second paragraph in on this document, dated September 4, Toronto:

"This new information disclosure system makes it easier for adoptees and birth parents to get the information they have been looking for, while also protecting the privacy of those who do not wish to be contacted," said Meilleur. "We made a promise and today I am proud to say we are delivering on that commitment." There's

no word at all that this was forced upon the government by the courts.

“On September 17, 2007, the Ontario government will be implementing the last phase of Bill 183, the Adoption Information Disclosure Act, 2005. At that time, adult adoptees and birth parents, whose adoptions were finalized in Ontario, will be able to apply for information in adoption orders and original birth records.”

This was the last phase of Bill 183. I don't think that was contemplated when Bill 183 was passed by this Legislature, but it was now the new spin that it's the last phase of an older bill rather than a brand new bill and rather than as a result of a court order.

Some of the next one really caught my attention. In the spin of it all, they go on to state:

“This is just one more example of how, working together, Ontarians have achieved results in strengthening Ontario by strengthening Ontario's families. Other results include”—and remember, they're talking about the adoption bill. They go on to talk about “launching a new public awareness website ... AccessON.ca, which challenges attitudes and encourages all Ontarians to learn about barriers to accessibility.”

The next two are really unusual:

“Providing nearly \$19 million for rent banks to assist vulnerable low-income tenants....” What that has to do with adoptions is beyond any comprehension I might have.

“Implementing a new Ontario child benefit to help nearly 1.3 million children in low-income families.” Again, what that has to do with this bill defies description.

I go on to page 3 because there's more stuff. I don't know whether this is contained anymore in the bill, because on page 3, top paragraph, under “Protecting Privacy,” they write:

“Birth parents and adult adoptees can apply to the Child and Family Services Review Board ... for an order to prohibit disclosure of identifying information in circumstances where there are concerns about preventing sexual harm or significant physical/emotional harm.” That's what they said back then. But, had they accomplished that, I'm sure my colleague from Carleton-Mississippi Mills would not have just given his nearly one-hour leadoff speech.

They go on to state, again on page 3:

“Starting September 17, 2007, adult adoptees and birth parents will be able to apply for information contained in original birth registrations and adoption orders. Adult adoptees and birth parents will still be able to register a ‘no-contact’ notice, ‘contact preference’ or ‘waiver of protection’ on their files.” Again, I'm not sure that that happened in the bill at all either.

So there has been a lot of government spin. They've come out and made statements. They've introduced a bill that does not contain those statements. They have tried to take credit when the courts of the province of Ontario have struck down a portion of Bill 183 as being unconstitutional. They have tried to pretend to the press that

this is an old bill that is seeking its last couple of amendments, whereas in fact it is a new bill that has been forced through by the courts.

In the committee we had a number of debates and a number of ideas that were floated. I presented one of the ideas after having listened intently to what the deputants who came forward had to state. Every single deputant who came forward, including the privacy commissioner and including Ms. Cheskes, who had been one of the original people who appealed the decision of the Legislature, admitted that there was something inherently wrong when a person could not find out his adoptive parent or parents when an enormous amount of time had passed.

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I proffered a suggestion that people just to try to listen and think about a person 80-plus years old going into the adoption office and saying, “I've just found out I have a terminal illness. I've just found out that I've got a couple of years to live. I've never been able in my whole life to find out who my real parents were. I'm 80 years old. I may not live much longer, and I would really love to know who my parents are.” And the person behind the counter, quite rightly, under the purpose and the body of this bill, says, “We can't tell you who your parents were.” The man says, “I'm sorry, I'm 83. My mother would now be 104 if she's still alive. I'm sure she's not alive, but can you check it out for me?” And the person behind the counter says, “No, we can't check that out for you because you don't know her name.” He says, “I've never known her name. No one would ever tell me her name. Can you please check the records, because she has to be 104 years old. I'm 83. I'm dying. I just want to know before I die who my mother was.” And they say, “Did she die in Canada?” Well, how would he know? He doesn't even know her name. All he has and all they would ever have is a birthdate. “Did your mother originally live in this country? Maybe she went back to an old one.” “Yes, that's a possibility.” Maybe she remarried and moved to the United States. That's a possibility. Maybe she changed her name legally and lived in two or three provinces and ended up dying in British Columbia and nobody put the whole thing together.

Nobody in the government could come up with that. Nobody could say that that was right.

We believe that a person needs to be able, at some point in their life, to access that record. We are suggesting only that a person has to be able to find out—a presumption has to be made when a birth parent is over the age of 80 that they may be deceased. The government was buying none of it. We put in a motion. I have to admit, I stole the motion almost word for word from what was passed in New Zealand. I took the motion that was used there, which talks about a 10-year revolving opportunity to re-register an objection to disclosure, and I looked at that and I thought: Could that work in Ontario? Would this satisfy what the learned judge had to say? Maybe it would and maybe it wouldn't—and I'll get to the privacy commissioner in a moment, who suggested to

me that it wouldn't. But what we were trying to do was to make an opportunity that, when it wasn't re-registered, a person could then go in and say, "I have to assume that my mother or my father, well into their 80s, who haven't re-registered this, may be dead. Can you at least look at that for me?" But this was not to be. The government shot it down. Every single one of the five members would not listen to it.

But I did get the ear of the privacy commissioner, and I would just like to read for the record an exchange between the two of us on this very issue.

"Mr. Michael Prue: Really, we're trying to be open, especially at the point where the birth parent or parents die. At that point, the records are supposed to be unsealed. I'm thinking about the hundreds or maybe thousands of people whose parent or parents may die in another jurisdiction and for the help of the Ontario government to determine that. That's what I'm trying to do.

"Dr. Ann Cavoukian: Mr. Prue, I'm going to be really honest with you. I would like to turn my mind to that question because I'm not just going to agree with you and I'm not going to disagree with you either, because I truly have not weighed how one would do that. There is possibly a privacy-protective way of doing it and I would like to have an opportunity to consider how that would be conducted in a very fair and balanced way to all parties. I'm not ruling it out. I would consider finding an instrument, looking for a way to do that—a procedure or a process—but I'm not going to just agree right now because I haven't turned my mind to it.

"Mr. Michael Prue: Well, of course, but you do agree to turn your mind to it?"

"Dr. Ann Cavoukian: I would consider it."

Then the last two statements. By me: "All right. So if I were to write you a letter after this committee has deliberated, you would turn your mind to it?" And her answer: "I would turn my mind to it."

The reason I'm quoting that is because there was an honest attempt made by me—and I'm going to deal with the member for Carleton–Mississippi Mills in a moment—to try to actually make the legislation better, to close up a couple of loopholes: one to make it more open and one, potentially, slightly, to make it more closed, in the case of incest or child abuse or horrific crimes. It appears to me that in both cases Dr. Cavoukian was there and in both cases supported what we had to say. It may have been an imperfect instrument. I recognize that what

I proposed—she did not agree with the 10-year rotation. She did not agree with that. But she did agree that something needed to be done.

It was very difficult, because we had two days of hearings. That is all that we were allowed to have: one day to hear from the community, the people who had fought for 10 long years for what they needed and what they wanted, and the other day to look at the amendments. We had from 5 o'clock or 6 o'clock, when we finished hearing heart-wrenching, gut-wrenching stories of people's lives, until the next day at noon to craft the amendments and then have them both shot down.

I think our amendments were good ones. I think what we were trying to do is to help this bill along, to pass it as rapidly as possible, because we can't wait anymore, but in the end to look to those children who would go to their graves without knowing who their parents were, might never know who their parents were, even when there is every reasonable expectation that the parents might be dead.

I have Dr. Cavoukian's statement, and I have written her a letter, which I have not signed yet or sent. I did promise to do it after the committee had finished its deliberations, which they have, but I think I should also wait until after the Legislature has determined what it is doing with this bill. I have it here. I expect to send the letter and to seek her support in finding a way to make the adoption records more open, to make sure that every single child who has had it sealed before September 2008 will be able to find out—if it's done through age, if it's done by length of time, if it's done from any information they have that merely suggests that one or both of their parents may be deceased. I intend to pursue that. I hope I pursue that with the same dogged determination with which my colleague from Carleton–Mississippi Mills will pursue his.

Mr. Speaker, I'm about to start talking about his contribution to the debate within committee and where I think that particular one should go, but I am mindful of the clock. Would this be a good time for me to cede the floor for today?

The Deputy Speaker (Mr. Bruce Crozier): I was just about to look at my watch. This House is adjourned until 6:45 of the clock.

Third reading debate deemed adjourned.

The House adjourned at 1759.

Evening meeting reported in volume B.

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Hardeman, Ernie (PC) Hillier, Randy (PC) Horwath, Andrea (ND)	Oxford Lanark–Frontenac–Lennox and Addington Hamilton Centre / Hamilton-Centre	Third Deputy Chair of the committee of the whole House / Troisième Vice-Présidente du Comité plénier de l'Assemblée législative
Hoy, Pat (L) Hudak, Tim (PC)	Chatham–Kent–Essex Niagara West–Glanbrook / Niagara-Ouest–Glanbrook	
Jaczek, Helena (L) Jeffrey, Linda (L) Jones, Sylvia (PC) Klees, Frank (PC) Kormos, Peter (ND)	Oak Ridges–Markham Brampton–Springdale Dufferin–Caledon Newmarket–Aurora Welland	New Democratic Party House leader / leader parlementaire du Nouveau Parti démocratique
Kular, Kuldip (L) Kwinter, Monte (L) Lalonde, Jean-Marc (L) Leal, Jeff (L) Levac, Dave (L) MacLeod, Lisa (PC) Mangat, Amrit (L)	Bramalea–Gore–Malton York Centre / York-Centre Glengarry–Prescott–Russell Peterborough Brant Nepean–Carleton Mississauga–Brampton South / Mississauga–Brampton-Sud	
Marchese, Rosario (ND) Martiniuk, Gerry (PC) Matthews, Hon. / L'hon. Deborah (L)	Trinity–Spadina Cambridge London North Centre / London-Centre-Nord	Minister of Children and Youth Services, minister responsible for women's issues / ministre des Services à l'enfance et à la jeunesse, ministre déléguée à la Condition féminine
Mauro, Bill (L) McGuinty, Hon. / L'hon. Dalton (L)	Thunder Bay–Atikokan Ottawa South / Ottawa-Sud	Premier and President of the Council, Minister of Intergovernmental Affairs / premier ministre et président du Conseil, ministre des Affaires intergouvernementales
McMeekin, Hon. / L'hon. Ted (L)	Ancaster–Dundas– Flamborough–Westdale	Minister of Government and Consumer Services / ministre des Services gouvernementaux et des Services aux consommateurs
McNeely, Phil (L) Meilleur, Hon. / L'hon. Madeleine (L)	Ottawa–Orléans Ottawa–Vanier	Minister of Community and Social Services, minister responsible for francophone affairs / ministre des Services sociaux et communautaires, ministre déléguée aux Affaires francophones
Miller, Norm (PC) Miller, Paul (ND) Milloy, Hon. / L'hon. John (L)	Parry Sound–Muskoka Hamilton East–Stoney Creek / Hamilton–Est–Stoney Creek Kitchener Centre / Kitchener-Centre	Minister of Training, Colleges and Universities / ministre de la Formation et des Collèges et Universités
Mitchell, Carol (L) Moridi, Reza (L) Munro, Julia (PC) Murdoch, Bill (PC) Naqvi, Yasir (L) O'Toole, John (PC) Oraziotti, David (L)	Huron–Bruce Richmond Hill York–Simcoe Bruce–Grey–Owen Sound Ottawa Centre / Ottawa-Centre Durham Sault Ste. Marie	

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Ouellette, Jerry J. (PC)	Oshawa	
Pendergast, Leeanna (L)	Kitchener–Conestoga	
Peters, Hon. / L'hon. Steve (L)	Elgin–Middlesex–London	Speaker / Président
Phillips, Hon. / L'hon. Gerry (L)	Scarborough–Agincourt	Minister of Energy / ministre de l'Énergie
Prue, Michael (ND)	Beaches–East York	
Pupatello, Hon. / L'hon. Sandra (L)	Windsor West / Windsor-Ouest	Minister of Economic Development and Trade / ministre du Développement économique et du Commerce
Qaadri, Shafiq (L)	Etobicoke North / Etobicoke-Nord	
Ramal, Khalil (L)	London–Fanshawe	
Ramsay, David (L)	Timiskaming–Cochrane	
Rinaldi, Lou (L)	Northumberland–Quinte West	
Runciman, Robert W. (PC)	Leeds–Grenville	Leader of the Official Opposition / Chef de l'opposition officielle
Ruprecht, Tony (L)	Davenport	
Sandals, Liz (L)	Guelph	
Savoline, Joyce (PC)	Burlington	
Scott, Laurie (PC)	Haliburton–Kawartha Lakes–Brock	
Sergio, Mario (L)	York West / York-Ouest	
Shurman, Peter (PC)	Thornhill	
Smith, Hon. / L'hon. Monique M. (L)	Nipissing	Minister of Revenue / ministre du Revenu
Smitherman, Hon. / L'hon. George (L)	Toronto Centre / Toronto-Centre	Deputy Premier, Minister of Health and Long-Term Care / vice-premier ministre, ministre de la Santé et des Soins de longue durée
Sorbara, Greg (L)	Vaughan	
Sousa, Charles (L)	Mississauga South / Mississauga-Sud	
Sterling, Norman W. (PC)	Carleton–Mississippi Mills	
Tabuns, Peter (ND)	Toronto–Danforth	
Takhar, Hon. / L'hon. Harinder S. (L)	Mississauga–Erindale	Minister of Small Business and Entrepreneurship / ministre des Petites Entreprises et de l'Entrepreneuriat
Van Bommel, Maria (L)	Lambton–Kent–Middlesex	
Watson, Hon. / L'hon. Jim (L)	Ottawa West–Nepean / Ottawa-Ouest–Nepean	Minister of Municipal Affairs and Housing / ministre des Affaires municipales et du Logement
Wilkinson, Hon. / L'hon. John (L)	Perth–Wellington	Minister of Research and Innovation / ministre de la Recherche et de l'Innovation
Wilson, Jim (PC)	Simcoe–Grey	Second Deputy Chair of the committee of the whole House / Deuxième Vice-Président du Comité plénier de l'Assemblée législative
Witmer, Elizabeth (PC)	Kitchener–Waterloo	Opposition House leader / leader parlementaire de l'opposition
Wynne, Hon. / L'hon. Kathleen O. (L)	Don Valley West / Don Valley-Ouest	Minister of Education / ministre de l'Éducation
Yakabuski, John (PC)	Renfrew–Nipissing–Pembroke	
Zimmer, David (L)	Willowdale	

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Règlements et projets de loi d'intérêt privé**

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Bas Balkissoon, Mike Colle, Kim Craiton,
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