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**Official Report  
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**Journal  
des débats  
(Hansard)**

**Tuesday 29 April 2008**

**Mardi 29 avril 2008**

Speaker  
Honourable Steve Peters

Président  
L'honorable Steve Peters

Clerk  
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Deborah Deller

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## LEGISLATIVE ASSEMBLY OF ONTARIO

Tuesday 29 April 2008

## ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Mardi 29 avril 2008

*The House met at 1330.  
Prayers.*

### MEMBERS' STATEMENTS

#### EPILEPSY

**Mr. Bill Murdoch:** More than 300,000 Canadians live with epilepsy. This disorder has been around for millennia, yet many people suffering from epilepsy continue to live in the shadows. Epilepsy affects people of all ages and nationalities. It can strike at any age: childhood or adulthood. Seizures can come unannounced, triggered by startles such as a car horn sounding, a dog unexpectedly barking, or slipping on ice. In about 60% to 70% of cases, no specific cause of the seizure can be identified. In the remaining ones, the causes can range from genetic and birth injury to brain tumour.

Today, epilepsy surgery offers hope to people suffering from the disorder: the possibility of a reduction or elimination of the seizures. Others will outgrow it. Surgery may involve removal of the part of the brain where seizures originate or may involve making a cut to the nerve pathways in the brain. But there is no cure for epilepsy.

Epilepsy associations across Ontario and Canada for many years have been offering support to those living with epilepsy and their families and communities. They have also done a great job in helping to raise awareness about this condition and help people get out of the shadows. That is why I'm speaking about epilepsy awareness today.

March was Epilepsy Awareness Month and went unrecognized in this House, with the exception of the member for Timmins—James Bay, Mr. Gilles Bisson, who got up on a point of order on March 27 to recognize the international day of epilepsy. In closing, I would like to recognize the hundreds of volunteers who work in support centres and who have dedicated countless hours of their time and shown great fortitude to this cause.

#### ST. JOSEPH IMMIGRANT WOMEN'S CENTRE

**Ms. Sophia Aggelonitis:** Last Friday, I had the opportunity to attend the grand opening of the St. Joseph Immigrant Women's Centre in my riding of Hamilton Mountain. This organization already has a facility open in downtown Hamilton, and they now have the opportunity

to provide the same valuable resources to residents of Hamilton Mountain.

The St. Joseph Immigrant Women's Centre provides resources for newcomer women and their families to allow them every opportunity to succeed. Through this organization, women are given the opportunity to learn computer skills, driving skills, language skills and much more. This centre also provides support with housing, access to health care, immigration and other settlement needs.

Every person deserves the opportunity to succeed and be empowered. Providing newcomer women and their families with access to the resources that will help them realize their potential and dreams is an invaluable service. I am so proud to have a centre like this in Hamilton Mountain.

I would also like to take this opportunity to congratulate Miss Ines Rios, executive director of the St. Joseph Immigrant Women's Centre, and her dedicated staff for bringing this facility to Hamilton Mountain.

#### WOODSTOCK BUSINESS AWARDS OF EXCELLENCE

**Mr. Ernie Hardeman:** I recently had the pleasure of attending the Woodstock Business Awards of Excellence. This is an annual dinner put together by the Woodstock District Chamber of Commerce to recognize all the great businesses in Woodstock that are leading the way.

I want to commend the chamber for the work they do to assist local businesses, and to recognize the award winners, who really have demonstrated their excellence in so many ways, including long-standing members of our business community like Woodstock Stampings Inc., and success stories like Cliff Zaluski of Sierra Construction, who has taken his company from a two-man shop to a major building company in our community, and organizations like the Woodstock Soccer Club, which built major infrastructure for the community.

The winner of the awards are companies and organizations that have gone above and beyond for their customers, for the environment and for the community—companies such as Oxford Archives Inc., VanParys Micacchi Shippey and Warnick LLP, the Longworth Funeral Home, A&W, Oxford Source for Sports, SixThirtyNine, and Mike's Electric.

The winners of the energy conservation and innovation award is a true Oxford success story: AB Products developed a system to heat their greenhouse using waste wood and reduced their energy consumption by 80%.

I want to congratulate the Woodstock chamber for putting together this great event and commend the very deserving award-winning companies of Woodstock.

Thank you very much, Mr. Speaker, for the time to recognize these wonderful businesses.

### COMMUNITY COLLEGES COLLECTIVE BARGAINING

**Mr. Rosario Marchese:** On behalf of the New Democrats, I want to acknowledge all the members of OPSECAAT and OPSEU who are here today and who for two long years have been fighting and spending a great deal of money and time to be given the right to bargain collectively. Because of that work, the promise to bargain collectively was given to them, it appears, by the Liberal government eight months ago, something that to date the McGuinty government has failed to deliver.

The United Nations' International Labour Organization stated unequivocally that there is no reason the basic rights of association and collective bargaining shouldn't also apply to part-time workers. The Supreme Court agreed that part-time college workers must be given the right to bargain collectively. In February, Kevin Whitaker, whom Mr. Milloy appointed to review the Colleges Collective Bargaining Act, said that the right to bargain collectively should be extended immediately to these workers. I will be reintroducing today a private member's bill, An Act to amend the Colleges Collective Bargaining Act, which would allow part-time instructors to take part in collective bargaining and be treated fairly.

Roger Couvrette, president of OPSECAAT, and OPSEU, the Ontario Public Service Employees Union, are here to tell the minister and this government that the time to act is now.

### LOGAN TURNER

**Mr. Bill Mauro:** I rise today to recognize Thunder Bay's spelling bee champion Logan Turner, from my riding of Thunder Bay—Atikokan. Logan is a grade 6 student at Agnew H. Johnston Public School in my old neighbourhood and he won the regional spelling bee held at Lakehead University.

Not only that; he was asked to compete in this year's CanWest national spelling bee in Ottawa. Let me put this into perspective. In order to attend this national competition, Logan was selected as one of 22 finalists from an initial field of 225,000 students from across the country, an incredible accomplishment.

Needless to say, Logan had an impressive performance at this nationally televised event, making it into the sixth round until he was challenged with a very tricky word: succotash.

I don't know about you, but I think most of us in this House would have trouble spelling that one. It's the famous word Sylvester the Cat used. It's actually the native American word for a dish made of lima beans and corn.

Not only did Logan have an impressive national showing; I'm also told that Logan will attend the Scripps international spelling bee in Washington, D.C., to compete with nearly 300 of the top spellers from around the world.

This young man has a marvellous talent. He has made his family very proud, as well as his teacher, Megan Harri, and principal, Joy Petrick, and as one of Canada's top young spellers he has made Thunder Bay very proud. Even the Minister of Education, Kathleen Wynne, was asking me about this impressive young man.

Way to go, Logan Turner. Keep up the good work, and good luck to you in Washington next month.

1340

### SEWAGE TREATMENT PLANT

**Mr. Robert W. Runciman:** Last night the municipality of Merrickville-Wolford, located in the heartland of the Rideau system, received a report from Glencor Engineering that should set off alarm bells within the Ministry of the Environment. The report confirmed rapid deterioration of tanks in their sewage treatment plant, suggesting that contents are currently leaking into the ground surrounding the plant.

The report states unequivocally that the end of their useful life has been reached. The McGuinty government, despite the acknowledgment by its own Ministry of the Environment officials that the failure of the plant would result in major environmental problems, has consistently rejected the municipality's applications for funding support to replace the aging plant: five applications; five rejections.

Merrickville-Wolford Mayor Doug Struthers described the engineering report as "proof positive" that the situation of the sewage plant is critical, and that the municipality has not been crying wolf. This is more than playing politics; this is playing with fire. This is a high-risk gamble that could result in significant environmental damage to a UNESCO world heritage site: the Rideau River and canal system. I call on the government and the Minister of the Environment to do the right thing: Address this threat to the environment, and address it now.

### POST-SECONDARY EDUCATION

**Mr. Joe Dickson:** The McGuinty government values the fact that today's post-secondary students are our future business and community leaders. We know that by investing in these institutions today, we're not only investing in the futures of those students, but in the province of Ontario.

Just recently, the Minister of Training, Colleges and Universities emphasized this by announcing a three-year, \$60-million program to renew campus equipment for Ontario's colleges. With this funding, Ontario's 24 colleges will each receive funding for tools, books and equipment that they identified as priority items. This could include expenditures such as computers for

classroom use, specialized equipment or machinery for use in labs and classrooms, or new equipment to help accommodate students with disabilities. I'm quite pleased to learn that in my region, Durham College has received over \$382,000 in the first year of this three-year funding.

The success of Ontario's colleges can't be denied. Over 90% of Ontario college students last year have already found employment. Further, in 2005, more than 59,000 students graduated from colleges in Ontario, up 37,000 per year from 10 years earlier. This government is proud of Ontario's colleges and what they have added and continue to add to the collective success of this province.

### ENVIRONMENTAL EDUCATION

**Mr. Phil McNeely:** Since last week was Earth Week, and with this being Education Week, it only seems fitting to highlight what the McGuinty government is doing to include environmental education in our publicly funded education system.

One great example of this is a new optional grade 11 science course focused on the environment that is being piloted in nine schools across Ontario. The course teaches students about energy conservation, human health and natural resources, and it will also give students a chance to conduct a research project on a local environmental issue.

This government has also invested \$3 million in funding this year to continue to implement the Bondar report, which will be used to help deliver environmental education in all subjects, in all grades.

We've also invested an additional \$500,000 from the Ministry of Education, and nearly \$300,000 over three years from the Ministry of the Environment in their community go green fund, to support and enhance the Ontario ecoschools program.

By the fall, the Ministry of Education will have developed an environmental education policy to ensure high-quality and relevant learning about this very important topic. By giving Ontario's children the opportunity to learn about our environment in school, we are ensuring that they have the tools they need to turn that knowledge into action and to help our environment.

### EDUCATION WEEK

**Ms. Laurel C. Broten:** This week is Education Week in Ontario. We all have a role to play in the education of our children that goes beyond what we can do in this Legislature. Teachers, principals, support workers, community members and family members all play a crucial part in ensuring the success of Ontario's students. We've seen what kinds of amazing results can come when all of us work together to help our children succeed.

One great example of this is Pathways to Education, which was developed in the Regent Park Community Health Centre in 2001 here in Toronto. Pathways to Education works to reduce poverty by lowering dropout

rates and increasing access to post-secondary education among disadvantaged youth. Last year, this government committed to provide \$19 million over four years to expand the Pathways to Education program so that other communities in Ontario could achieve the same fantastic results. There are so many factors that foster the success of our students, from parents and family members who read with their kids at home in the evening, to ensuring that each child gets a nutritious breakfast so that he or she can be at their best.

It is also about the development of innovative programs that bring out the best in our students, and that's why I'm proud, in my community, of schools like John English and Norseman, which are part of the ecoschools program and are developing Ontario's environmental leaders. I also want to mention Lakeshore Collegiate and the work that they are doing and the leadership they are taking with respect to a smoke-free Ontario and the campaign to fight hunger and poverty.

It's by all of us working together that Ontario students will succeed.

### INTRODUCTION OF BILLS

#### SENATORS' SELECTION ACT, 2008

#### LOI DE 2008 SUR LE CHOIX DES SÉNATEURS

Mr. Runciman moved first reading of the following bill:

Bill 67, An Act to provide for the election in Ontario of nominees for appointment to the Senate of Canada /  
Projet de loi 67, Loi prévoyant l'élection en Ontario de candidats à des nominations au Sénat du Canada.

**The Speaker (Hon. Steve Peters):** Is it the pleasure of the House that the motion carry?

All those in favour will say "aye."

All those opposed will say "nay."

In my opinion, the ayes have it.

*First reading agreed to.*

**The Speaker (Hon. Steve Peters):** The member for a short statement.

**Mr. Robert W. Runciman:** Very briefly, the purpose of the bill is to provide for the selection of nominees for appointment to the Senate by way of democratic election.

#### COLLEGES COLLECTIVE BARGAINING AMENDMENT ACT, 2008

#### LOI DE 2008 MODIFIANT LA LOI SUR LA NÉGOCIATION COLLECTIVE DANS LES COLLÈGES

Mr. Marchese moved first reading of the following bill:

Bill 68, An Act to amend the Colleges Collective Bargaining Act with respect to part-time staff /  
Projet de

loi 68, Loi modifiant la Loi sur la négociation collective dans les collèges à l'égard du personnel à temps partiel.

**The Speaker (Hon. Steve Peters):** Is it the pleasure of the House that the motion carry? Carried.

*First reading agreed to.*

**The Speaker (Hon. Steve Peters):** The member for a short statement.

**Mr. Rosario Marchese:** Under the present act, part-time workers are not included in bargaining units and have no right to bargain collectively with employers. My bill amends the Colleges Collective Bargaining Act to include part-time staff in staff bargaining units.

## STATEMENTS BY THE MINISTRY AND RESPONSES

### RESEARCH AND INNOVATION

**Hon. John Wilkinson:** I stand today to talk about our government's innovation agenda, about Ontario's future, the kind of future that we want, the kind of future that we must seize together.

Ontario is being affected by changes beyond our control, changes that are hurting our traditional manufacturing and resource sectors and the families who rely upon them for their living.

Our government has responded with a five-point economic plan, a strategy for creating high-paying jobs today and well into the future. First, we're cutting taxes—the capital tax that business has told us to cut first. Second, we're making the largest investment ever in Ontario's infrastructure, some \$60 billion over 10 years. Third, rather than trying to foresee the future, we're giving Ontarians the skills they need to reinvent it. Fourth, we're partnering with businesses in key sectors to secure high-paying jobs and ignite growth in the industries that will shape our future. And fifth, we are investing in innovation, tying it all together, which is the focus of my ministry and our eight-year, \$3-billion investment.

**1350**

Our government has made innovation a key part of our economic strategy, because in this time of profound global change we must ask, "What sort of world—what sort of future—will we leave our children and our grandchildren?" Rather than simply react to change, we believe we can be a catalyst to help drive change for the benefit of future generations, to turn global change and global challenges into exciting new possibilities.

That's why we brought together 13 outstanding and accomplished individuals from both business and academia to form the Ontario Research and Innovation Council. This distinguished group advised the government on a strategy to keep our economy strong by cultivating Ontario's creative, cutting-edge ideas and transforming them into long-lasting economic advantages. In addition, we consulted nearly 400 of Ontario's innovation leaders: people who have started companies

and made amazing discoveries, people who know first-hand the power of an idea put into action. These innovators told us that, to prosper, Ontario must leverage our existing strengths, identify key global opportunities and create the kind of environment that will drive innovation.

We listened and, based on their collective wisdom, we created the Ontario innovation agenda, which I was proud to launch today at the University of Ottawa. Through the agenda, we will focus on extracting value from excellence. Ontario is known for our world-class research talent. Recognizing the critical role research plays in innovation, our government's most recent budget reaffirmed our commitment to supporting discoveries through the Ontario research fund. In addition to maintaining Ontario's research capacity, we will find ways to make better use of this formidable brain power to solve the challenges that face Ontarians and humanity.

Innovators also told us that to succeed we have to focus where Ontario can compete globally. We will direct our investment toward areas at the intersection between research strengths, industrial capacity and market opportunities, including conquering disease through advanced health technologies and biopharmaceuticals, advancing and expanding the digital media universe through information and communication technologies, and sustaining humanity through the new bioeconomy and clean technologies.

To compete globally, we must also make full use of the skills and knowledge of Ontarians. Our approach has traditionally put an emphasis on developing research and technical skills, and we will continue to do so. But we will now equally support the development of business and commerce skills in this province—the entrepreneurial spirit that can quickly turn a great idea into a thriving business.

To support the growth of innovative businesses, we will improve the business climate for innovation. That means improved access to capital through initiatives like our Ontario venture capital fund. It means making it easier to start up an innovative company in Ontario. That is the rationale behind our proposed 10-year income tax exemption for new Ontario corporations that commercialize intellectual property originating in any Canadian college, university or research institution—and that is a North American first.

It means working across government to streamline regulation. Creating the right environment is crucial. This agenda is the Ontario government's commitment to act as a catalyst for innovation. An excellent example is the Ontario Institute for Cancer Research, created by our government in 2005. The OICR is focusing on one of the most pressing health challenges facing Ontario and the world: the scourge of cancer. They are drawing on Ontario's considerable research excellence and the skills massed in our academic and research institutions.

Ontario has an international reputation of excellence in academic and hospital research. Biomedical research employs some 10,000 scientists and researchers, conducting some \$850 million of research annually. Toronto is

the fourth-largest biomedical research centre in North America. The OICR has aligned these considerable strengths, helping to establish Ontario as a world leader in cancer research. Our government has been a catalyst, investing \$347 million in OICR. We recognize the strategic opportunity that lies in integrating Ontario's world-class facilities and internationally recognized scientists to address the considerable challenge of preventing, treating and ultimately curing cancer.

In leading the fight to cure cancer, we are developing an answer that will be in demand the world over. This is among the best examples of how we will extract value from excellence in this province. It is in recognition of this innovation and research excellence taking place here in Ontario that just today, at 8 a.m., OICR was named as the headquarters of the International Cancer Genome Consortium.

To give members an idea of the scale of this project, this project will create 25,000 times more data than the human cancer genome project. It is a recognition of our excellence that the secretariat, the headquarters, is here. It is one of the largest research consortiums in the history of the world. Moreover, I am particularly pleased to announce that my ministry has allocated an additional \$10 million to OICR to support their additional role as the global data centre of the International Cancer Genome Consortium. Being the headquarters and the data centre of the human cancer genome project was able to drive much wealth creation to Boston and Massachusetts. I believe that our investments in the secretariat and the data centre will do the same thing for our capital city and the province of Ontario.

With the Ontario innovation agenda, we have charted a course to replicate the success of OICR in communities across Ontario. We are committed to be an effective partner for innovators across this province working at the speed of business—the speed of global business—as witnessed by our 45-day service guarantee for the Next Generation of Jobs.

Computing pioneer Alan Kay once said, “The best way to predict the future is to invent it.” I think that captures the spirit of the Ontario innovation agenda. We will work with talented Ontarians to create the kind of prosperous future we all want for ourselves, for our children and for our grandchildren.

#### SOUTH ASIAN AND ASIAN HERITAGE MONTH

**Hon. Michael Chan:** For more than 100 years, Ontarians have benefited from the contribution of people from Asia. They come from India, China, Pakistan, Korea, Sri Lanka, the Philippines, Bangladesh, Vietnam, and they are vital to modern Ontario, socially, culturally and economically.

Two pieces of legislation have been passed here at Queen's Park to acknowledge the contribution of Asian Canadians: Asian Heritage Month and South Asian

Heritage Month. Though the marking of the month of May is codified forever—and this is both symbolic and important—it only begins to portray the impact that people of Asian descent have on this province.

Asians comprise more than 12% of Ontario's population. When people from Asia first started coming to Canada and Ontario, they, like many other newcomers, contributed with their physical skills. They helped build a railroad from coast to coast. They worked in logging, construction and manufacturing. They helped to build this country.

Today that reality remains. Ontario needs tradespeople, medical and financial professionals, childcare workers and many, many other skills. As a province, we rely on newcomers to help provide those skills. In less than three years, by 2011, 100% of Ontario's net labour growth will come from newcomers.

We want these people to succeed. It is in our collective interest that they be able to apply these skills to Ontario. This is why we invest in their future and in Ontario's future with programs such as bridge training and language training. People from all over Asia have contributed their abilities, talents and cultures to this province for generations. We continue to benefit greatly from their contributions—people like Dr. Tak Mak, an internationally respected biomedical scientist, who is known for his discovery of the T cell receptor, or Rohinton Mistry, the internationally acclaimed author. A small part of that contribution can be experienced and celebrated during this month. Our province is built on, and continues to grow through, diversity.

This month is a time to encourage a deeper appreciation of the contributions of Asians to this province. Diversity is our greatest strength and our future. We must make the most of this precious asset to make the most of our prospects in the 21st century.

I invite all honourable members and all Ontarians to join us in celebrating this special month throughout the province.

**The Speaker (Hon. Steve Peters):** Responses?

1400

#### RESEARCH AND INNOVATION

**Ms. Laurie Scott:** I'm pleased to respond on behalf of the official opposition to the statement by the Minister of Research and Innovation. There is no question that it is vital that we not only be a part of the research and innovation technologies available in this province but that we foster their development and work to ensure that we are ahead of the curve when it comes to that type of forward thinking. But let's not get in the way of the fact that once again we are hearing a reannouncement of something we've already heard on several different occasions from the McGuinty government.

The minister's announcement stresses the value of universities and colleges in research. Just this morning, I had the pleasure of meeting with a group of representatives from the Canadian federation of university

students in my office, and here is some of what they told me.

First of all, they stressed the fact that Ontario universities don't have office space, lab space or classroom space to handle the current demand for graduate and post-graduate students. Therefore, young people who are so eager to get into their areas of focus in research and innovation are being delayed from completing their studies and graduating. Let me quote from their report: "Ontario needs to expand graduate student spaces if we are going to promote our research capacity.... In addition, there are a record number of students seeking a limited number of spaces in graduate programs." My colleague from Simcoe-Grey and critic for training, colleges and universities has clearly pointed this fact out on numerous occasions. Minister, your government policies are holding back our province's most precious resource—our youth—and all from this so-called innovation agenda.

We certainly can't forget the fact that despite all the rosy pictures and aesthetically pleasing words that the members across the way are throwing at the hard-working people of Ontario, under the watch of Premier McGuinty, Ontario has lost over 200,000 manufacturing jobs. We've heard the stories just this week in the fact that General Motors in Oshawa will lose another 1,000 jobs; Dell in Ottawa has announced the loss of 1,100 jobs. These are both companies that have received incredible amounts of funding from this government and are still struggling.

Other than tossing money, there's obviously no plan across the way, despite the clever titles. The Minister of Economic Development and Trade stated today that she hopes GM may change their mind. We've heard of voodoo economics, but this minister believes in wishful thinking. Her plan is to hope GM changes its mind. And it's interesting to note that while the Minister of Research and Innovation was in Ottawa for this photo op, a staple in his riding in the town of Listowel, the Campbell's soup factory, announced it is shutting its doors and costing that community some 500 jobs. Who in their whole, entire life has ever heard of a job loss at Campbell's soup? Campbell's soup is closing.

If there's innovation to be quoted today, it may be the fact that this government has been innovative enough to find a way for Ontarians to lose over 200,000 manufacturing jobs. Those jobs continue to go at an alarming rate. Ontario is ranked ninth out of 10 by all five major chartered banks in Canada in terms of economic growth.

The jury is out on this government. Ontario is a first-rate province with so much going for it; it's time they had a first-rate government that is prepared to work and prepared to get our economy back on the right track.

#### SOUTH ASIAN AND ASIAN HERITAGE MONTH

**Mr. Peter Shurman:** South Asian and Asian Heritage Month is an appropriate way to recognize a range of

people who now live as Ontarians, but, like so many, look to another part of the world as the place where their lives started and from which they draw their cultural backgrounds, now so generously contributed to the greater good here in Canada. I join with the Minister of Citizenship and Immigration in paying tribute to this richly diverse segment of our population, many of whom I delight in having as my constituents in Thornhill.

The definition of what people call South Asia varies somewhat, but the linguistic array tells the tale. Languages spoken in Ontario which find their origins in Asia include Indonesian, Filipino, Vietnamese, Thai, Burmese, Malay, Mandarin, Tamil, Bengali, Hindi, Punjabi, Tagalog, Cantonese, and many more.

I might say, however, that I find the recognition of South Asian and Asian Heritage Month somewhat disingenuous on the part of the McGuinty government because many of those included in today's ministerial recognition are—

**The Speaker (Hon. Steve Peters):** I would ask the member to withdraw the comment.

**Mr. Peter Shurman:** I withdraw.

Many of the people included in today's ministerial recognition are the very same people who in their small business enterprises are the target of this government in its lopsided application of the law. Today, in fact, we will be discussing convenience stores having to knuckle under, in line with the Smoke-Free Ontario Act, while others escape enforcement because of who they are or where they sell their products.

While I applaud the minister for his inclusivity and also sincerely acknowledge South Asian and Asian Heritage Month, I, unlike the government, wish all our fellow citizens well and express the hope that all of them and all Ontarians can live under one equally applied set of rules, prosper through hard work and move our society forward with what all of these good people have brought to our shores as their special gifts to Ontario and Canada.

#### SOUTH ASIAN AND ASIAN HERITAGE MONTH

**Mr. Peter Tabuns:** It's my pleasure to rise in recognition of South Asian and Asian Heritage Month. There's no question that it is an honour for us here in Ontario that so many people from across Asia have decided to come to this country, to this province, to help us build our future.

Unfortunately, things have not always been harmonious. As many in this chamber are well aware, we have had the history in Canada of the head tax on Chinese Canadians. Many decades passed before an apology was proffered for that terrible exercise in racist policy-making. Some beginning has been taken on redress, but that is a blot on our history.

Ninety-three years ago come this May, the Komagata Maru, a Japanese ship chartered by people from British India who wished to come to Canada, came to Vancouver. They were excluded by Premier Borden's racist

Continuous Passage Act, and for two months they sat anchored outside Vancouver, on the point of starvation, finally driven back to British India, where a number were jailed and some were shot by the authorities. There is still not an apology to the South Asian community for that incident. Today, many things have changed. The Asian community has pushed hard for human rights, has stood up and won things that apply to all of us, and for that we should be grateful. But I think we still owe an apology for the Komagata Maru.

We need parties in the federal Parliament to defeat Bill C-50, which will bring in arbitrary measures to the immigration procedure that must be defeated by Canadians who value the diversity of this country.

In this province, the Fair Access to Regulated Professions Act was not adequate to deal with recognition of credentials. The full Thomson report had to be implemented. Those things are outstanding on the agenda and should be dealt with to fully honour people in this province who are of Asian descent.

#### RESEARCH AND INNOVATION

**Mr. Michael Prue:** I rise to comment on the comments made by the Minister of Research and Innovation.

Towards the end of his speech, he had a quote from Alan Kay talking about the invention of the future, and perhaps I should remind the minister that there are other quotes that are equally applicable to what he had to say here today. One of the quotes that comes immediately to my mind is one by Harold A. Innes, the dean of history at the University of Toronto way back in 1936, in which he said that if an economist becomes certain of the solution to any problem, he can be equally certain that his solution is wrong.

I would invite the minister to ruminate on that, to think about it for just a few minutes, because he proposes to spend some \$11 billion over a number of years in innovation. Now, we are not opposed to innovation. Innovation is a good thing. But he is going to be spending taxpayers' money and trying to tweak development in this province through the expenditure of that money. I would remind him that if he becomes that ingrained in his thought that this is the right solution, he can be equally sure that his solution is wrong.

I say that because I looked at what the minister had to say here today. He talked about how "Ontario is being affected by changes beyond our control." He immediately absolves himself and the government of the day of looking to things that can help the economy in ways other than innovation. He fails to mention that the province of Ontario can adopt an industrial hydro policy. He fails to mention that the province of Ontario can adopt a made-in-Ontario policy. He fails to mention that the province of Ontario can go the way of the manufacturing investment tax credit.

He goes on to talk about cutting taxes, the capital tax that businesses told us to cut. I'm sure they told you to cut those taxes; they all did, and you obliged only so

well. In so doing, you also cut the taxes of the oil companies. You also cut the taxes of the major banks that are making billions of dollars in profit and laying people off at the same time.

He went on to talk about partnering with key business sectors, and I'm sure he has done that, too. We've seen the experience at Dell, where he invested \$11 million only to see the people laid off. Yesterday, we read about the sad scenario in Oshawa, where millions of dollars have been spent only to see the layoff of an entire—

**The Speaker (Hon. Steve Peters):** Thank you.

1410

#### LEGISLATIVE PAGES

**The Speaker (Hon. Steve Peters):** I beg the indulgence of the House to allow the pages an opportunity to assemble for introduction.

I would ask all members to join me in welcoming this group of legislative pages serving in the first session of the 39th Parliament: Jack Aloise, York-Simcoe; Sheila Brenegan, Burlington; Matthew Chaput, St. Catharines; Vanessa Chiarello, Nickel Belt; Jasdeep Dulku, Bramalea-Gore-Malton; Mikaela Henderson, Kingston and the Islands; Hannah Jansen, Huron-Bruce; Rafaël Lemmens-Chapdelaine, Toronto Centre; Isabelle Love, Guelph; Thomas Parker, Barrie; Emily Philp-Tsujiuchi, St. Paul's; Bilaal Rajan, Richmond Hill; Adam Russolo, Chatham-Kent-Essex; Arjun Sawhney, Mississauga-Erindale; Jillian Skinner, Markham-Unionville; Peter Smith, Haliburton-Kawartha Lakes-Brock; Evelyn Steele, Sault Ste. Marie; Dario Toman, Etobicoke Centre; Naomi Turner, Kitchener-Conestoga; Cali van Bommel, Elgin-Middlesex-London; Joanna Wang, Scarborough-Agincourt; Matthew Wilson, Beaches-East York.

A warm welcome to our new group of pages.

#### VISITORS

**The Speaker (Hon. Steve Peters):** On behalf of the member from Beaches-East York, we'd like to welcome Fraser Wilson in the west members' gallery, father of page Matthew Wilson.

On behalf of the member from Trinity-Spadina, we would like to welcome, in the west public gallery, Roger Couvrette of OPSECAAT and OPSEU members.

In the west public gallery, on behalf of page Hannah Jansen, her granny Nancy Millson and her mother, Val Millson.

On behalf of page Bilaal Rajan, in the east public gallery, Shamin Rajan, his mother. Welcome today.

On behalf of the member from Davenport, Captain Pedro Lauret of the Portuguese navy, and his wife and Mr. Carlos Morgadino, president of the Portuguese Cultural Association, in the east members' gallery.

In the east members' gallery, again on behalf of the member from Davenport, Georgina Bencsik, president of Youth in Motion, and Victoria Zeppa, a student. Welcome.

On behalf of the member from Mississauga–Erindale, in the east members' gallery, I'd like to welcome Ravi and Kiran Sawhney and Alisha Sawhney, parents and sister of page Arjun Sawhney, who is also the captain for the day.

Welcome to all of our guests.

## ORAL QUESTIONS

### NATIVE LAND DISPUTES

**Mr. Robert W. Runciman:** My question is to the Premier, and it has to do with our concern regarding escalating illegal acts under the guise of native protests and your tendency to look the other way or, on occasion, try to fob off responsibility.

We saw blockades in Deseronto this past weekend. In Caledonia, a blockade on the Highway 6 overpass was in place for four days and apparently just cleared today—clearly an illegal act that has nothing to do with the land claims.

In a scrum this morning, the Premier was asked about why he would continue to negotiate with lawbreakers, and he indicated he would refer the issue to the OPP for their advice. I have to ask the Premier, why would you want to throw off your responsibility, in terms of whether to negotiate with lawbreakers, to the OPP? Do you not appreciate your responsibilities?

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

**Hon. Michael Bryant:** I know all members of this House would agree that the work of the OPP over the course of the weekend was excellent. As Chief Commissioner Fantino stated, their job and their responsibility is to do their best to keep the peace. As the member said, in fact the Highway 6 bypass is cleared and being inspected by Ministry of Transportation officials. The blockade in Deseronto has been cleared for more than 36 hours. As well, the rail lines are cleared and the trains are running again. I think it's a real credit to the work of the OPP, who were able to keep the peace.

**Mr. Robert W. Runciman:** Given that response, all reasonable people can understand the frustration of Haldimand Mayor Marie Trainer when she says she doesn't know where to turn for help.

This government refuses to break off negotiations with lawbreakers. You provide electricity and water to an illegally occupied site. You fail to ask for a police investigation of what I think can be fairly described as extortion demands in the Brantford area, and you ignore illegal smoke shop operations that impact our kids. Minister, do you appreciate the damage you're doing to society and public order by sending this message?

**Hon. Michael Bryant:** I know the member knows and would want to acknowledge that on-reserve regulation of what Minister Clement refers to as manufacturers' compliance with federal tobacco control legislation is a mat-

ter for the federal government. I understand his point about off-reserve. I note, though, that the federal Minister of Health has said that undertaking on-site compliance activities—I guess regulation—on the Six Nations reserve—

**Hon. James J. Bradley:** That's Tony Clement.

**Hon. Michael Bryant:** Minister Tony Clement—within the current climate could expose Health Canada inspectors to risks and, for this reason, on-site inspections have been temporarily suspended. This is the federal Minister of Health saying it is the position of the federal government that, yes, there are in fact smoke shacks that are offside of the federal law, but no, the federal government will not intervene.

**Mr. Robert W. Runciman:** If the minister wants to run federally, there's an election coming up.

I want to stress the collateral damage your government's apparent ambivalence toward lawlessness by certain individuals is having on children. We know the children of Caledonia have unfettered access to cheap and illegal cigarettes sold at a smoke shop located on provincially owned property only metres from a school. You're knowingly permitting the health of kids to be put at risk. In Deseronto, the public school was evacuated yesterday. It's closed today due to so-called "native protests." It's not known when the school will reopen.

Minister, your Neville Chamberlain approach to equal application of the rule of law is jeopardizing public safety in this province, with kids as part of the collateral damage. Do you even recognize that?

**Hon. Michael Bryant:** This is just the problem, that facts such as the member just stated are not in fact the case. The member ought to know, before he says it in question period, that the superintendent and staff at the said school are in the school today. It is not the case at all as the member described. In fact, the kids are going back to school.

I've been directing this through the chair, Mr. Speaker, and I'll say to you again that it's very important that members asking questions and the government giving answers need to provide the facts. I know the member wouldn't want to stir things up over there. What we want to do is try to keep the peace and that's what we'll continue to do.

1420

### ONTARIO ECONOMY

**Mr. Robert W. Runciman:** A question to the Premier regarding the state of Ontario's economy and continuing job losses: Yesterday we mentioned the distinction you held of being the Premier of the only province in Canada currently in recession. Today the Premier earned the distinction of putting Ontario into have-not status for the first time in 50 years, according to a report issued by TD today. Premier, you've taken Ontario from being a province that gives a hand up to one that soon will be taking handouts from the rest of Canada. Is that a legacy to be proud of?

**Hon. Dalton McGuinty:** I welcome the question and I thank the folks at TD for introducing some important information into the debate here. One of the things my colleague opposite will want to note in the document which he's referencing is that Ontario found itself as an equalization-receiving recipient I think from 1977 to 1983. But the feds changed the formula, so we didn't receive any money.

From an Ontarian's perspective, I think there's a very simple question here. How is it that we can be a have-not if we're sending \$20 billion annually to the rest of the country? I think that tells us something about the formula. Just one small example: Every year we receive \$800 million less for our health care than Canadians do elsewhere. On a per capita basis, we're getting close to \$1 billion less every year here in Ontario than we would get if we were living in other parts of the country. Again the question for Ontarians is, if we're a have-not province, why are we sending \$20 billion every year to the rest of the country?

**Mr. Robert W. Runciman:** Well, that is a question to be pursued. I don't deny that. But the evidence of the sad state of Ontario's economy continues to fall at the Premier's feet.

Today we learned that 500 jobs will be cut at the Campbell's plant in Listowel. That's just devastating, as you can appreciate, to a small community. Yesterday we learned of almost 1,000 jobs lost at General Motors in Oshawa. The economic development minister's response to that was, "We hope GM will change its mind." Premier, when will you accept the reality that your taxing, spending and regulatory policies are doing serious damage to the economic well-being of this province?

**Hon. Dalton McGuinty:** Nobody is questioning that these are in fact challenging economic times. There are some very difficult circumstances being faced by communities, including those just referenced by my colleague, and families directly affected by job loss. There's no doubt about that whatsoever.

But I think the last thing we should be doing to support those communities, to support those families, is to take \$5 billion out of our revenues and make cuts to their health care and cuts to their education. I think that's the wrong way to go. Instead, we are continuing to ensure that those health care services and those educational programs remain.

And we're adding to them. Our most recent budget invested \$1.5 billion into the skills and education of Ontario workers. We think the way for us to grow strong is not to look for oil and gas, because it's not there; we're going to have to find the strength in our people, as we traditionally have done, in the province of Ontario. That is why we will continue to invest in our people and continue to protect those public services on which they have to be able to depend.

**Mr. John O'Toole:** My question is also directed, as a supplementary, to the Premier. You're talking about the \$1.5-million investment in jobs strategy. The question then becomes, in what jobs? I think the people of Ontario

are sick and tired that you really don't have a plan, and the investors are now becoming rather cynical about it.

They've seen this movie before: \$11 million by the McGuinty government invested in the technology industry with Dell computers. What have we seen just last week? Thanks to your investment with no plan, 1,100 jobs lost. General Motors was to receive \$235 million. Again, what did we hear just yesterday? Almost 1,000 jobs lost.

Premier, these aren't just numbers; these are hard-earned tax dollars that have been squandered by your government. The job losses represent families that have lost confidence in you. What do you have to say to the families who've run out of listening to your vacuous promises?

**Hon. Dalton McGuinty:** I'm pleased to speak to any specific of any partnership we have entered into with any business in Ontario. Let's take Dell for a moment—something that happened in my hometown. Obviously we feel for those families that have been affected by this, but the money we invested through that partnership was directly into training for those workers. The good news is that the workers now have that training, it's now part of them, and they can take that with them elsewhere. That's not money that we gave for operating dollars or money that we gave for capital investment. We invested in skills for the workers there.

When it comes to monies we've invested by means of partnerships with the auto sector, each and every one of those investments has been strengthened by a contract. There are specific obligations to be met by the other side, and they've honoured those in each and every instance.

Perhaps my friend is saying that we should leave well enough alone and allow the economy to unfold as it is. We just don't see it that way. We think we've got a responsibility to find ways to partner with business, to partner with labour and to partner with workers to make sure that we grow stronger together.

## AUTOMOTIVE INDUSTRY

**Mr. Howard Hampton:** To the Premier: Yesterday, General Motors announced the layoff of another 1,000 workers at the Oshawa truck plant. Just a couple of years ago, the McGuinty government, with much fanfare, announced an agreement whereby it gave General Motors in Oshawa \$235 million of the people's money. Will the Premier admit that when he handed General Motors \$235 million of the people's money, the McGuinty government failed to negotiate meaningful job guarantees for Oshawa workers?

**Hon. Dalton McGuinty:** I thought that you could count on the NDP at least to support us as we worked with the CAW and the auto sector in Ontario to invest in the expansion of the auto industry in our province.

I chatted yesterday, once again, with Buzz Hargrove. We talked about this particular issue. We talked about the new agreement they've entered into with Ford—which I

am sure is going to be a competitive force to be reckoned with—as we fight for more investment against the US.

But I can tell you that in each and every instance where we have invested and partnered with the auto sector, there are specific agreements and specific obligations that have to be honoured on the part of the industry, and they've done that. The fact of the matter is, the US economy continues to slow down. There's a lesser demand for the product that we've been making here, and that has had an impact on us. That's unfortunate, but we will continue to work with both the CAW and GM—

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

**Mr. Howard Hampton:** A competent jobs strategy sets out guarantees and real penalties if an employer fails to keep those guarantees. Since that \$235-million hand-out to General Motors, they announced layoffs of 1,200 in August and now a further 1,000. Two thousand workers are out the door without anything to look forward to. We saw a similar situation with Dell in Ottawa: Dell gets millions of dollars of public money and then lays off 1,200 workers. The question is this: Is the McGuinty government jobs plan really all about \$235 million for General Motors while 2,000 workers get put out in the street?

**Hon. Dalton McGuinty:** I think we should look at the net result of the efforts we've made on behalf of Ontarians in the last four years. We invested, through our automotive strategy fund, \$500 million, and we landed \$7.5 billion by way of new investment. For the first time, we are now the number one auto producer in North America. We've beat out Michigan now for four years in a row. We landed a new assembly plant with Toyota. Those are good jobs. Those are helping families, they're helping strengthen their communities and they're helping strengthen the quality of the public services that we continue to afford here in the province of Ontario.

Just recently, Ford has announced that they're looking for 500 new workers at their plant. The Minister of Economic Development and Trade tells me that we're about to build GM's first new hybrid truck in North America right here in Ontario. There have been some losses, but we continue to move forward together.

1430

**Mr. Howard Hampton:** I don't know how you can call the loss of 200,000 manufacturing jobs in Ontario "moving forward." By any measure, it is economic decline. The fact is this: There are competent ways to sustain jobs, but giving tens of millions of dollars to Dell and then watching them lay off 1,200 workers and giving \$235 million to General Motors and watching them lay off 2,000 workers is not moving forward; it's more losses. Premier, how many more workers in Ontario will have to lose their jobs before the McGuinty government puts forward a real jobs strategy to help sustain jobs rather than lose jobs?

**Hon. Dalton McGuinty:** I think the single most important thing that we can do is to continue to invest in the skills and education of our workers. Our single

greatest resource is not something in this province that is found beneath our feet; it's between our ears. That's why, in our most recent budget, we put forward a \$1.5-billion new initiative investing in the skills and education of our workers. We've done something without precedent in the history of this country. We said that for 20,000 workers who've lost their jobs, here are—for the first time—long-term training opportunities. So if you lose your job in the forestry sector, for example, and you want to move over into the mining sector, we'll cover up to \$28,000 in a two-year training program. That will include daycare, transportation, and potentially some housing costs.

We are working as hard as we can to get Ontarians back on their feet. I have every confidence that this economy is going to grow stronger because I have fundamental confidence in the strength, abilities, determination and entrepreneurialism of Ontarians.

#### ONTARIO ECONOMY

**Mr. Howard Hampton:** To the Premier: The 2,000 Oshawa workers who are out on the street are skilled workers. They are electricians. They are instrument mechanics. They are people who are used to working with computer-aided technology. These are skilled people.

But it's not just Oshawa. Further grim news in Listowel: Campbell Soups shutting down its plant and putting 500 people out on the street in a community of only 6,500 people.

My question is this: Will the Premier tell these workers and their families, "This too shall pass," or are we finally going to see a real strategy to sustain jobs from the McGuinty government?

**Hon. Dalton McGuinty:** We have a strategy. It's a smart strategy, it's an effective strategy and it's one that we're going to continue to implement. It's just that the leader of the NDP doesn't like it.

Let me just revisit that strategy one more time. It's a five-point plan to grow this economy. First of all, we are cutting business taxes in an affordable and effective way. Secondly, we are continuing to invest in innovation so that we can turn our ideas into more jobs. We're also investing heavily in infrastructure. That creates jobs in the short term and enhances our productivity in the long term. We're also continuing to invest in strategic partnerships. That's how we landed the new jobs we have here in the auto sector.

Overall, this is working well. There are some challenges, no doubt about it, but we're ahead 450,000 net new jobs during the course of the past four and a half years. I'd love to be able to say that we're never going to lose a job, but I think, over the long term, we are certainly continuing to make real progress.

**Mr. Howard Hampton:** Premier, jobs in Brantford, where you go to the call centre and you get sent out to a job for six weeks, or jobs at McDonald's or Tim Hortons are not the kinds of jobs that sustain families and communities. That is the problem.

Earlier today, TD Economics issued a special report indicating that Ontario will have to start accepting federal equalization payments in 2010 because of Ontario's economic decline.

Premier, there is still time to do something about this. We have suggested a refundable manufacturing investment tax credit to help manufacturers. We suggested a reasonable industrial hydro rate to help manufacturers. We have suggested a 50% Buy Ontario strategy, which has been very successful in the United States. Are you going to continue to stand by and watch thousands of good jobs disappear in Ontario or are you finally going to adopt a jobs strategy?

**Hon. Dalton McGuinty:** I'll give the leader of the NDP one thing: He's certainly consistent when it comes to his manufacturing tax credit. But we've got something better: We have retroactively reduced and in some cases eliminated capital taxes. That means \$190 million to be delivered very shortly to needy manufacturers.

**Hon. Dwight Duncan:** You voted against it.

**Hon. Dalton McGuinty:** The leader of the NDP voted against that—you'd think he'd want to do something that puts money in the hands of needy manufacturers and resource-based industries—yesterday.

I understand where he is coming from, but I just don't buy the delayed support that he would offer to the manufacturing and resource-based sectors. We instead prefer to reduce those capital taxes retroactively, to eliminate them in some cases. That will provide immediate support to our manufacturers, which is when they need it.

**Mr. Howard Hampton:** The banks and insurance companies cheer the reductions in the capital tax, but they have hundreds of millions of dollars of profits and hardly need a tax cut. Other provinces, such as Manitoba, have implemented a refundable manufacturing investment tax credit, and they are not losing manufacturing jobs the way Ontario is. Quebec has adopted the same strategy. Their economy is doing better than Ontario's on the jobs front, but the McGuinty government refuses to adopt these measures.

I ask again: How many thousands of Ontario workers will have to lose their jobs before the McGuinty government comes forward with a serious jobs strategy instead of simply giving handouts to corporations like General Motors?

**Hon. Dalton McGuinty:** My colleague likes to make reference to what's happening in other parts of the country, and it's always important to pay attention. Not all comparisons are fair. They've got, in many cases, strong resource-based, commodity-based economies which are growing like gangbusters because of what's happening to oil and gas in international markets. But I think it's worthwhile taking a look at what Manitoba just recently did in their budget. I have a note here that says, "The hard-hit manufacturing sector will see its corporation capital tax wiped out this July—two years earlier than planned." It says, "The move is intended to help ex-

porters deal with the rising loonie and weakened demand in the United States."

Well, we did it here first. Manitoba is adopting our approach. I can understand why they're doing that. What they've done implicitly in adopting our approach is rejecting the leader of the NDP's approach.

## NATIVE LAND DISPUTES

**Mr. Toby Barrett:** My question is for the Premier. Premier, on Sunday morning, my wife and I came upon a barricade. They were burning logs. There was a van across the road. I had a truck and a trailer. I couldn't back up. There were cars behind me. So I got out and chatted with this young couple. There were two young children with them eating ice cream cones. Barricades have become the new normal in the McGuinty Ontario, certainly where we were on old Highway 2 in Tyendinaga.

This has been going on for a year. Area people don't know who is in charge. We took the detour and got into Deseronto, and they don't even know who their MPP is in Deseronto. Premier—

**The Speaker (Hon. Steve Peters):** I ask the member to refrain from personal attacks on any of our members. Thank you.

**Mr. Toby Barrett:** I do not mean to attack the Premier, but this barricade was in Minister Dombrowsky's riding. We don't hear from her. Have you directed your minister to hide? Have you directed your cabinet colleague to be unavailable from—

**The Speaker (Hon. Steve Peters):** Premier.

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

**Hon. Michael Bryant:** Isn't that just typical? Mr. Tory was saying, over the weekend, "I would not have people sitting at the table who show disrespect for the law." Well, apparently, he makes an exception for his caucus table, because just as the member is engaging in an inappropriate attack against the minister, Mr. Hillier, the member for Lanark, as we all know, distributed photos of a dead deer with bullet—

*Interjections.*

**The Speaker (Hon. Steve Peters):** Stop the clock for a moment, please. It sounds like Bert Johnson is in the room. I just remind all members on all sides that even if they're going to be quoting from a document, if it's an attack against another member, that is not something that is appropriate for this chamber. You can make your comments, but please don't be engaging in personal attacks against individual members. Thank you.

**Hon. Michael Bryant:** Absolutely, and that's why shooting a deer and naming it Leona is just wrong.

I think it's important here that we recognize that there are two approaches: one is to try to seek peace in the community and seek a resolution, and the other one is particularly divisive.

1440

**Mr. Toby Barrett:** On a positive note, local people do appreciate the OPP making arrests at Deseronto, and

as Commissioner Fantino stated in an April 25 news release: “This violent criminal activity occurred outside of any legitimate protest and will not be tolerated.”

April 26, and I quote: “Those responsible for criminal activity will be held accountable.”

But back in Caledonia, ATVs storm into town, barricades go up on the railway and provincial Highway 6, and all of this not because of the land claim, as you know, Minister Bryant, but to show solidarity with aboriginal protesters in eastern Ontario.

We know the people have got the barricades moved for now, but my concern is the double standard. Those responsible for criminal activity are arrested in Deseronto, and no reports of arrests in Caledonia. Why the double standard?

**Hon. Michael Bryant:** The allegation that the member seems to be making—and I know he wouldn’t want to make this allegation—would be against the standard set by the very institution and the people who in fact engage in decisions of police operations. That is, as the member knows, the OPP.

The member congratulates the OPP for their work in Deseronto, but I would have thought the community was supportive as well of the work the OPP did in keeping the peace. They make decisions, operational decisions, in Deseronto. They make decisions, operational decisions, in Caledonia.

The member knows that it was a recommendation of the Ipperwash commission that those lines be clearly drawn between police operational decisions on the one hand and government decisions on the other hand. So I’m sure the member would not be encouraging us to direct the police.

#### POVERTY

**Mr. Michael Prue:** My question is for the Minister of Children and Youth Services. Last week in this House, the co-chair of the cabinet committee on poverty reduction, the Deputy Premier, said he did not know when public consultations for a poverty reduction plan might finally start. He said he would check with the lead minister. We haven’t heard back from him yet, nor have we heard from the lead minister. Why won’t this minister tell us when public consultations will finally start?

**Hon. Deborah Matthews:** I have to tell you I’m delighted with the interest of the members opposite on this very important initiative to develop a comprehensive poverty reduction strategy for the province of Ontario, complete with measures and targets.

It’s a tremendous opportunity to bring together the strength of government and the entire community and focus our attention on reducing poverty in this province. I can assure the member opposite that we have begun talking to people—as you are well aware—and I look forward to announcing the consultation in the very short next few days.

**Mr. Michael Prue:** When I listen to the minister speak, I am reminded of an old American proverb that

goes something like this: “A secret is either too good to keep or too bad not to tell.” I would guess it’s probably the latter.

Yesterday a coalition of anti-poverty groups wrote to the minister. They too fear that consultations will be narrowly circumscribed. I fear, personally, that a website to seek thoughts on reducing poverty is about all that is going to be announced by this minister.

Why won’t the minister tell Ontarians that the government is serious about poverty reduction by committing to province-wide consultations now?

**Hon. Deborah Matthews:** Let me just reiterate how very excited I am about the prospects to develop, in consultation with the people of Ontario, a comprehensive poverty reduction strategy. I’m sure the member opposite will be very anxious to hear exactly where we’re going to be, and we’ll let him know very soon.

#### ENVIRONMENTAL PROTECTION

**Mr. Khalil Ramal:** My question is to the Minister of the Environment: The 2008 budget proposes \$56 million to clean up a PCB storage site located in my community of London–Fanshawe.

Since this announcement, there have been a number of concerns raised by residents of my community. They are worried that this site has been a hazard to their health and the health of their families. They are concerned that when the government talks about doing a cleanup, it’s because our land and water are contaminated by PCBs.

Why is the government committed to doing this cleanup now? Have the families in London–Fanshawe been at risk because of this storage site?

**Hon. John Gerretsen:** I appreciate the question from the member, because I know there have been some concerns expressed about that. He’s quite correct that the budget included \$56 million to destroy the PCBs that are contained in a secure storage site in London. The ministry established the Pottersburg PCB storage site in the 1980s to ensure the secure storage of these PCBs until they could be safely and cost-effectively destroyed. At the time, there was simply no practical way of destroying them. The creek and the contaminated soils were completely cleaned up of PCBs at that time. The PCBs have been in safe and secure storage ever since. There has been absolutely no risk to the community from this storage facility. We’re going to remove the PCBs from the Pottersburg Creek storage site to ensure that they will never be released into the natural environment.

**Mr. Khalil Ramal:** I’m pleased to hear that these materials have been safely and securely stored and that families in our community were not at risk.

I’m hearing other concerns from residents in my riding about this issue. They are asking why the ministry is proposing to remove the materials from the site to destroy them and whether this new activity at the site might cause any risk to the residents of London–Fanshawe. They want to know how this cleanup will happen. My community has many questions about this project. In

fact, there is a meeting in my community tomorrow night on this very topic. I want to ensure that my community gets all the answers and the information they need on this important issue.

**Hon. John Gerretsen:** I certainly compliment this member on being on top of this issue, and he has been for some time.

When the site was established back in the 1980s, the ministry made clear that the storage site was a temporary solution. And now, at this time, there are effective ways of destroying the PCB material and therefore we're taking action.

I can't tell you exactly what the process will be. The ministry will be putting out requests for proposals through an open and transparent process to determine the best way to get the work done. I can assure you and the other members that the PCBs at this site will be destroyed in a manner that is protective of human health and the environment.

Like you, I want to ensure that residents have all the information they're looking for. As a matter of fact, that's why the ministry is having a public meeting in co-operation with the local public health unit to provide information and answer questions from the community on May 9, next week. I would encourage everyone in the community who has any questions or is interested in this issue to attend that meeting.

#### TOBACCO CONTROL

**Ms. Laurie Scott:** My question is intended for the Minister of Health Promotion, but I will ask the Premier. Statistics show evidence of experimentation with tobacco was found in grade 5. By grade 7, 16% of students have smoked in their lifetime. By grade 11, 22% of students have smoked in their lifetime and more than half of those are smoking every day. These disturbing statistics are taken from a student health survey from the Haldimand-Norfolk Health Unit.

Premier, what do you have to say to the parents of the children who are subjected to the pressures of smoking from a vendor on crown land, just metres from their school?

**Hon. Dalton McGuinty:** To the Minister of Health.

**Hon. George Smitherman:** I know that my colleague the Minister of Health Promotion would wish that she was here to talk about some of the progress—

*Interjections.*

**Hon. George Smitherman:** I apologize, Mr. Speaker. The matter at hand raised by the honourable member about the necessity of government well supporting efforts to stop kids from taking up tobacco in the first place is a matter that we all take seriously in this House. But questions with respect to the role of the Smoke-Free Ontario Act and the role of the official opposition in some supporting and many not supporting that initiative is a serious matter that must be raised. Through the initiatives, including a very aggressive marketing campaign, we've seen a marked reduction in the uptake of tobacco

among younger people in the province of Ontario—evidence, I think, of progress in the act. But we agree with the honourable member overall about the necessity to continue to have strong government actions to reduce the likelihood that young people will take up smoking in the first place.

1450

**Ms. Laurie Scott:** I thank the minister for his response. He really doesn't address the question.

The Minister of Health Promotion states that "public health officials have visited 5,500 tobacco vendors" and are "distributing 30,000 educational kits to vendors across Ontario," but have any of those visits been to the vendor on Argyle Street in Caledonia? Have there been any educational kits provided to this vendor, or is this a double standard in the province of Ontario that the people on Argyle Street in Caledonia are treated differently?

**Hon. George Smitherman:** I think the honourable member would want to know that our partners in delivering these sorts of programs are of course the public health units across Ontario. The activities that they take on are very often guided by their own local awareness of the situation and the demographics in the particular area they're representing. But there is no doubt that alongside our initiative in the Smoke-Free Ontario Act has been to enhance the capacity of the public health units to proactively get out there and seek to enhance the quality of the battle against kids taking up tobacco in the first place. We accept the honourable member's encouragement that these initiatives should continue to be resourced and look for all opportunities to encourage young people in Ontario to think twice before taking up and addressing the devils of tobacco.

#### AUTISM TREATMENT

**Ms. Andrea Horwath:** To the Minister of Children and Youth Services: For almost two weeks now, the McGuinty government has kept its quarterly IBI wait list numbers from coming to light. Finally, I obtained the latest quarterly numbers, and the shocking secret is finally out: There are now 1,511 children with autism languishing in Ontario. That's a 4.5% increase since the December figures came out. Why won't this government admit its dismal failure to provide services for children with autism and to get those wait lists down in Ontario? Why are they not serious about helping these families and these children?

**Hon. Deborah Matthews:** Let me be really clear about this. The challenges faced by children with autism and their families are enormous. We have made tremendous progress, though, in providing services to these children, and we are continuing to aggressively improve services.

Let's just take a step back and think about this. Ten years ago, there were no IBI services for children with autism in this province—zero. Since we were elected in 2003, the number of children receiving IBI therapy has more than tripled. Actually, it's three and a half times the

number when we first took office. Our spending on IBI has more than tripled. We are supporting the entire family with respite services. The next step is going to be preparing our schools—

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

**Ms. Andrea Horwath:** This minister knows that there's really no plan in place. Funding is being used right now to train administrators and to help principals make plans, but there are no additional services for children being provided.

Parents are worried. They're worried about a new benchmarking scheme that's going to be used to withdraw services from children. Parents are scared to death to send their children into schools, where they know the services aren't there for their kids.

Why won't the McGuinty government make good on its promise to provide the services that children with autism need and deserve? How much longer are you going to make them wait?

**Hon. Deborah Matthews:** To the Minister of Education.

**Hon. Kathleen O. Wynne:** We know that in order for children with autism to be able to achieve, they need to get into the schools, into the mainstream, as quickly as possible. What we're doing is training those adults. The member opposite speaks disdainfully of training principals and training professionals in the schools, which makes no sense, because what we have to do is make sure that those educators have the training. We have put millions of dollars into summer training programs. That training is ongoing, not just for the administrators and teachers but also the educational assistants and the people who are working on the front lines with those children so that children can get the service they need when they need it, in the schools, in the classroom, so that parents can feel confident that their children will get the ability and the opportunity to achieve in a mainstream classroom.

#### POST-SECONDARY EDUCATION

**Mr. David Oraziotti:** My question is for the Minister of Training, Colleges and Universities. My riding of Sault Ste. Marie is home to Sault College and Algoma University College, which offer quality programs to many rural and northern students.

Recently, Sault College opened a 195-seat video-conferencing and lecture theatre with the help of a \$750,000 investment from our government. While the new multimedia centre will play a vital role in expanding distance education, many of these students travel long distances every day to attend classes because there is simply no closer alternative. Others who live on campus are unable to see their families for long periods of time because they cannot afford to travel home. Minister, can you tell me what our government is doing to help these students get to and from their classes?

**Hon. John Milloy:** I want to thank the member for the question and acknowledge his great support for post-

secondary education, especially in his own community with both Sault College and Algoma.

I just want to inform the member and the House that the government does recognize the unique challenges faced by individuals living in northern and rural ridings. In fact, studies have shown that living in an isolated point can be a deterrence to attending a post-secondary institution. That's why I was very proud that on April 10 this year, just several weeks ago, our Premier announced \$27 million for a new distance grant to assist with transportation costs for approximately 24,000 students living in rural and remote areas. Students living at home and commuting more than 80 kilometres one way to a post-secondary institution because there is not one of the same type closer to home will be eligible for a \$500 grant per school term. As well, students—

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

**Mr. David Oraziotti:** Thank you, Minister. That's great news for Ontario's students. Helping students attend their classes and make occasional trips home to their families will no doubt help ensure that more students have greater access to post-secondary education and stay in school. Initiatives like these will create more opportunities for students coming from rural and northern communities.

As more students choose Ontario's post-secondary educational institutions, the demands on our colleges and universities continue to increase. Can you tell us what else in addition we are doing to ensure that all of Ontario's students have access to an affordable, first-rate post-secondary education?

**Hon. John Milloy:** Unfortunately, with the time we're allotted to answer a question, we've done so much, I don't have enough time. So let me continue on the distance to say that students who go away to school because there's not one of the same type within 80 kilometres of their home will be eligible for a grant.

The initiative that was announced by the Premier builds on the Reaching Higher plan—\$6.2 billion, one of the greatest investments in post-secondary education in this province's history. We're investing \$1.5 billion of that in student assistance, helping 150,000 students per year. We've tripled the number of grants available to students, with one in four students in this province—approximately 120,000—receiving non-repayable grants. We've increased the operating funding for colleges and universities by 58% since 2003, and we are seeing those results with one of the highest participation rates in post-secondary education—

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

#### TOBACCO CONTROL

**Ms. Laurie Scott:** My question is intended for the Minister of Public Infrastructure Renewal, but I will ask the Premier. The description for the address is Plank Road at the intersection of provincial Highway 6 and

Argyle Street in Caledonia. On that crown-owned land there is currently a vendor who is operating a cigarette shop. As this is taxpayer-owned land and is therefore entrusted to your responsibility as the government, can you confirm if your minister responsible is collecting rent from this particular vendor, and if not, why not?

**Hon. Dalton McGuinty:** The Minister of Aboriginal Affairs.

**Hon. Michael Bryant:** The minister responsible sent an eviction notice to the people operating on that land some weeks ago. The position of the federal government when asked a very similar question by the mayor of Caledonia was that at this time, said Minister Clement, they would not be inspecting.

It's interesting that we're having an opposition day motion on a smoke shack, but it's nonetheless an important debate, one that's taking place around contraband tobacco. I want to make it clear that I'm sure the member isn't suggesting that the government direct the OPP to go forth and kick down the door of that smoke shack. I'm sure the member isn't suggesting that.

**Ms. Laurie Scott:** It's very interesting news that the government has sent an eviction notice. I wonder when the government sent the eviction notice to the vendor. But this was still an illegal operation. Why are there two-tier levels of enforcement in the province of Ontario? When did you send the eviction notice out, and why didn't you deal with it before?

1500

**Hon. Michael Bryant:** Again, you're not going to get any disagreement here with respect to the government's position on contraband tobacco and on a smoke-free Ontario. But I note that when the president and CEO of CAMH, the Centre for Addiction and Mental Health, wrote a lengthy letter about the need for government to take prompt action on addressing contraband tobacco, it was a letter that was addressed to the Right Honourable Stephen Harper, Prime Minister of Canada, because in fact, as the member knows, the contraband tobacco issue does, yes, involve contraband tobacco being sold on reserve, and the member will know that would be federal jurisdiction.

I'm sure that the member shows the same concern towards Conservative Minister Tony Clement and the Right Honourable Stephen Harper as is shown for the provincial government. Again, I look forward to further opposition debate this afternoon on this—

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

#### APPRENTICESHIP TRAINING

**Mr. Rosario Marchese:** My question is to the Minister of Training, Colleges and Universities. The Ottawa Citizen asked the minister on Friday what training Dell employees received. He said he didn't know. The weekend has passed. Can the minister tell me how many weeks of training Dell employees received before

the company took government money and skedaddled away?

**Hon. John Milloy:** I'm very proud that our government entered into a partnership with Dell, which provided training for over 1,800 apprentices at Dell over a three-year period for three different apprenticeships. What it did is, it gave them the type of training which not only allowed them to work at Dell, but they were transferable skills that they could take elsewhere. I note, and I think the Minister of Finance noted last week, the number of employers in the Ottawa area who have said that the skills that they had were valuable, and they were the type of jobs that they could move into.

**Mr. Rosario Marchese:** An article that appeared in August 2005, in the Ottawa Citizen, stated that Dell computers only gave three weeks of training to their employees. In my view, that's not real apprenticeship. This government paid millions of dollars, \$5,000 per employee per year, to a company that paid their workers wages of \$25,000, in order to persuade them to set up shop in Ontario.

Now the company's gone, the workers are unemployed, and the minister doesn't even know how much training they've received. Based on this fiasco, will the minister make sure that apprenticeship tax credit money is going towards real training and that what happened with Dell won't happen to them again?

**Hon. John Milloy:** The information put forward by the member is quite frankly wrong. Each of the three trades required approximately 4,000 hours of both in-school and on-the-job training before successful individuals were awarded the certificate. Information technology support agent: 3,340 hours of on-the-job training—

*Interjections.*

**Hon. John Milloy:** I cannot believe that they would belittle jobs of 1,800 people in Ottawa.

Information technology call centre inside sales agent: 3,730 hours of on-the-job training and 270 hours—nine weeks—of in-school training;

Information call centre customer care agent: 3,730 hours of on-the-job training and nine weeks of in-school training.

Let me quote David Weedmark, managing partner of AIM Group's IT services division: "I would say over the next couple of months"—the employees trained at Dell—"a third to a"—

**Mr. Peter Kormos:** No one is available at the moment; please hold.

**The Speaker (Hon. Steve Peters):** I just remind the member for Welland—

*Interjections.*

**The Speaker (Hon. Steve Peters):** I ask the member for Welland and the member for Trinity-Spadina. Thank you.

The member for Hamilton Mountain.

#### AFFORDABLE HOUSING

**Ms. Sophia Aggelonitis:** My question is for the Minister of Municipal Affairs and Housing. Minister,

some people in my riding benefit from this government's assistance when it comes to affordable housing. After severe underfunding at the hands of the previous government, I know this government is back in the housing business. I want to thank the local service manager and the municipal government for their support in delivering affordable housing programs to my riding.

Can the minister please tell me what this government is doing to continue to support families in my riding of Hamilton Mountain who rely on affordable housing?

**Hon. Jim Watson:** Let me thank the honourable member from Hamilton Mountain. We're very proud to be back in the affordable housing business. In fact, the city of Hamilton was the recipient of \$5.6 million for repair and rehabilitation money, part of a \$100-million fund of Premier McGuinty's government in the 2008 budget.

We have funding for 35,000 rent supplements. We also have released the lowest average rent increase in Ontario history—1.4% under the Residential Tenancies Act.

*Interjections.*

**Hon. Jim Watson:** My friends from the NDP, who are laughing at the unemployed in Ottawa—as an Ottawa member, I don't appreciate that kind of rude behaviour to the people of Ottawa.

We also have the rent bank, which has prevented 13,200 evictions, thanks to this initiative that was promised in the 2003 campaign, and we're delivering.

**Ms. Sophia Aggelonitis:** I want to thank the minister for the answer, but I also want to ask him about the future of the Ontario rent bank. The assistance provided by the Ontario rent bank has helped thousands of Ontario households get through temporary financial difficulties so that they can keep a roof over their heads. In my riding of Hamilton Mountain, some people rely on help to pay their rent. The Ontario rent bank is a popular tool that helps families stay in their homes, but some local service managers are running out of money.

Minister, what are you doing to help the service managers keep providing rent bank monies to families in my riding?

**Hon. Jim Watson:** I'm very proud of the rent bank. For those people who are not familiar with it, from time to time, some of our fellow citizens do have difficulty making their rent. They may perhaps have been laid off or have lost their jobs on a temporary basis. Often that one month or two months of rent is just not available.

*Interjections.*

**Hon. Jim Watson:** And here we have the spectacle of the NDP laughing at a housing program that they voted against.

This rent bank program is important. It has helped prevent 13,200 tenants from being evicted. It saved over \$7.7 million in emergency shelter costs. It gives people the dignity of a roof over their head. Some service managers are having difficulty because of a lack of funding. We will be there to help those individuals and to help those service managers by providing funding, as we have

since 2004, for a total of \$18.8 million. We're very proud of the program.

PLANT CLOSURE

**Mr. Tim Hudak:** I have a question to the Minister of Economic Development and Trade concerning the 120 plant workers who lost their jobs at CanGro and the 150 affected tender fruit growers in the area.

Last week, I asked the minister why she walked away from two offers to purchase and operate that plant. The minister replied, and I'm quoting from Hansard, "We were at the table, making the offers that we have made."

Minister, can you tell the members of the Legislature and the people of Hamilton and Niagara exactly what offers the government put on the table?

**Hon. Sandra Pupatello:** I'm very happy to address this issue once again, and in particular for the people of Niagara. What's very important to us in this government is that we have a canning business in Ontario. This is one of the remaining few in the nation, and in particular we wanted it right here in Ontario.

The difficulty is this: When the Ontario government comes to the table to discuss with CanGro the opportunity to work with partners to be able to purchase the operation from CanGro, we actually need CanGro to participate in that kind of a deal. We, all of us at the table, are not successful in keeping CanGro at the table to want to participate in a sale. That is a very critical piece to have in order to make something work. You need the company to want to sell. It was a very, very difficult discussion to see that we could not get that kind of participation from CanGro.

**Mr. Tim Hudak:** We contacted both of the potential buyers about the minister's fanciful tales and, to put it politely—

**The Speaker (Hon. Steve Peters):** I ask the honourable member to withdraw the comment.

**Mr. Tim Hudak:** I withdraw.

We asked both of the potential buyers about the minister's tale and, to put it politely, they said, "Horse feathers." In fact, they both had co-operated with CanGro to make proposals to the province of Ontario. I don't know if we'll ever find out exactly why the McGuinty government chose to let this deal collapse and see the plant close down, but it brought up the very frustrating image of the minister in China cutting a ribbon, while pink slips are being handed out to workers in Niagara.

Minister, with the plant now closing and with trees being pulled out of the ground, what are you going to do today to help Niagara tender fruit growers and the 100 displaced workers?

1510

**Hon. Sandra Pupatello:** I have to tell you that I too had questions when we knew, after becoming the government in 2003, that that government, and that member in particular, participated in giving CanGro \$4 million. We find out today, of course, that there were no strings, like the opportunity to keep them in operation in Ontario, attached to this \$4 million. The money, in fact, was for

equipment to help them become more productive—things that should have helped CanGro.

We too would still like to see CanGro here. In the absence of that, we would like to see groups come together locally. The government is not in the business of canning, but we are in the business of looking to see how something could work. We would need to see that production would still exist after a year. We would need to see that there are tender fruit growers who would provide the feedstock for canning. These are the kinds of components that the taxpayers would expect us to participate in, and I would appreciate —

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

#### AIR QUALITY

**Mr. Peter Tabuns:** A question for the Minister of the Environment: Algoma Steel wants to restart blast furnace number six without adequate pollution controls. Will you withhold a certificate of approval for start-up until a baghouse is in place?

**Hon. John Gerretsen:** As the member well knows, the federal member in that particular riding raised this issue, as well as our own member there, and we responded to it immediately.

Obviously, we're very much interested in the air quality in Algoma. We're looking at various aspects as to how it can be dealt with. We want to make sure that the air quality is not only good for the people of Sault Ste. Marie, but through the entire province. I can assure you that we will come up with a solution to this particular problem, so that the kind of situation that exists there right now will not occur in the future.

**Mr. Peter Tabuns:** Even for this minister that was an extraordinarily vague response. Will he or will he not require that a baghouse be in place before he issues a certificate of approval?

**Hon. John Gerretsen:** You know, air quality issues are a concern to this government, but they're also probably one of the toughest things to deal with within the entire Ministry of the Environment because, of course, air quality is not only created by particular circumstances in a particular area, but comes from elsewhere in North America as well.

I can tell you that we're studying this matter; we're looking into it. We want to make sure that the air quality for the people of Sault Ste. Marie and the people of this area is the best it can possibly be. But we also want to make sure that the jobs that are involved at Algoma Steel are obviously going to be protected in whatever way we can. We're taking the environment in that area very seriously, and we will make sure that whatever needs to be done is going to be done.

#### IMMIGRANTS' SKILLS

**Mr. Charles Sousa:** My question is for the Minister of Citizenship and Immigration. We know that many in this House were excited about the recent expansion of

Ontario's pilot provincial nominee program. For the first time ever, the government of Ontario now has the ability to nominate, among recent post-secondary graduates from across the country, individuals to the federal government to be fast-tracked for permanent residency status.

Would the minister tell us how this program will help address Ontario's labour market needs?

**Hon. Michael Chan:** Many thanks to the honourable member from Mississauga South for bringing this matter to the Legislature's attention. The Ontario pilot provincial nominee program is the first of its kind in this province. With the most recent revision, the program is now available to graduating university and college students who have received an offer of full-time employment in the province of Ontario.

The pilot provincial nominee program allows the Ministry of Citizenship and Immigration to work together with our federal counterparts at Citizenship and Immigration Canada to address Ontario's labour market needs by nominating up to 500 newcomers annually.

**Mr. Charles Sousa:** With world-class post-secondary institutions in many ridings around the province, I know that this pilot program has generated a large amount of excitement. There are 35,000 international students studying at post-secondary institutions in Ontario and many more around the country. With such a tremendous pool of international students to draw from, Ontario is well positioned indeed for the challenges of the 21st century. Would the minister tell us what the response to the program has been like, and how does the program help businesses and individuals alike?

**Hon. Michael Chan:** Ontario has a proud history of welcoming newcomers. Our province has benefited greatly from the successive waves of immigration.

Studies have shown that Canada's newcomers who have the opportunity to study and work in Canada face fewer barriers to integration. They also achieve economic success at a higher rate. The honourable member is correct in pointing out that this is a pilot program. However, it's on track to be one of the most successful provincial nominee programs in the country. The McGuinty government's commitment to newcomers remains strong. We in the government know that when newcomers succeed, Ontario succeeds.

#### CORRECTION OF RECORD

**Hon. Michael Bryant:** On a point of order, Mr. Speaker: I wish to correct my own record. In an answer to a question, I said to the member that the Ministry of Public Infrastructure Renewal had issued an eviction notice. That is not the case. It was in fact Six Nations Council Chief Bill Montour who issued the eviction notice. My regrets, Mr. Speaker.

#### VISITORS

**The Speaker (Hon. Steve Peters):** I just want to take this opportunity on behalf of the leader of the third party

to introduce some students who are visiting Queen's Park today from Henry Kelsey Senior Public School along with their teacher, Yvette Blackburn. We hope they enjoy their visit.

## PETITIONS

### LORD'S PRAYER

**Mr. Bill Murdoch:** I have a petition from the Shallow Lake United Church, the Louise Women's Institute and the Central Westside United Church in Owen Sound, and it's to the Legislative Assembly of Ontario.

"Whereas the current Liberal government is proposing to eliminate the Lord's Prayer from 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 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 also signed this.

### COMMUNITY COLLEGES COLLECTIVE BARGAINING

**M<sup>me</sup> France Gélinas:** I have a petition from the part-time workers in colleges in Sudbury.

"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 support this petition and will affix my name to it and give it to page Arjun.

### FIREARMS CONTROL

**Mr. Dave Levac:** I'm pleased to stand to provide a petition to stop unlawful firearms in vehicles and support Bill 56. 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;"—trunks and elsewhere—"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;"—and to keep them safe—

"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 sign my name to this petition in support and hand it to Matthew, our page.

1520

### LORD'S PRAYER

**Mr. John O'Toole:** I'm pleased to present a petition on behalf of my constituents, more specifically from Trulls Road Free Methodist Church in my riding of Durham, which reads as follows:

"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 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'm pleased to present this on behalf of my constituents and present it to Cali, one of the new pages who started today.

### HOME CARE

**M<sup>me</sup> France Gélinas:** I have a petition from SEIU and the people from Spanish, Serpent River and Blind River.

"Whereas the Ontario government has continued the practice of competitive bidding for home care services; and

"Whereas the competitive bidding process has increased the privatization of Ontario's health care

delivery, in direct violation of the Commitment to the Future of Medicare Act, 2004; and

“Whereas competitive bidding for home care services has decreased both the continuity and quality of care available to home care clients; and

“Whereas home care workers do not enjoy the same employment rights, such as successor rights, as all other Ontario workers have, which deprives them of termination rights, seniority rights and the right to move with their work when their employer agency loses a contract;...”

They ask the Ontario government:

“(1) to immediately stop the competitive bidding for home care services so home care clients can receive the continuity and quality of care they deserve; and

“(2) to extend successor rights under the Labour Relations Act to home care workers to ensure the home care sector is able to retain a workforce that is responsive to clients’ needs.”

I support this petition. I’ll sign my name to it and send it with page Matthew.

#### FIREARMS CONTROL

**Mr. Pat Hoy:** “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, 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 too have signed this petition.

#### LORD’S PRAYER

**Mr. Jerry J. Ouellette:** I have a petition that reads:

“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 Legislature; and

“Whereas the Speaker has received over 4,200 calls regarding this issue; and

“Whereas the recitation of the Lord’s Prayer has been an integral part of our spiritual and parliamentary tradition since it was first established in 1793 under Lieutenant Governor John Graves Simcoe; 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, respectfully petition the Legislative Assembly of Ontario to preserve the daily recitation of the Lord’s Prayer by the Speaker in the Legislature.”

I affix my name in full support.

#### HOME CARE

**M<sup>me</sup> France Gélinas:** I have a petition from the Service Employees International Union and the people of Kitchener, Zurich, Clinton and Bayfield.

“Whereas the Ontario government has continued the practice of competitive bidding for home care services; and

“Whereas the competitive bidding process has increased the privatization of Ontario’s health care delivery, in direct violation of the Commitment to the Future of Medicare Act, 2004; and

“Whereas competitive bidding for home care services has decreased both the continuity and quality of care available to home care clients; and

“Whereas home care workers do not enjoy the same employment rights, such as successor rights, as all other Ontario workers have, which deprives them of termination rights, seniority rights and the right to move with their work when their employer agency loses a contract;...”

They ask the Ontario government:

“(1) to immediately stop the competitive bidding for home care services so home care clients can receive the continuity and quality of care they deserve; and

“(2) to extend successor rights under the Labour Relations Act to home care workers to ensure the home care sector is able to retain a workforce that is responsive to clients’ needs.”

I support this petition, will sign my name to it and send it with Emily.

#### HOSPITAL FUNDING

**Mr. Bob Delaney:** I’m pleased to read this petition to the Ontario Legislative Assembly and I’d like to thank Dr. Neil Woolfson of Mississauga and his patients for having sent it to me. It reads as follows:

“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 am pleased to sign and certainly support this petition and to ask page Bilal to carry it for me

#### LORD’S PRAYER

**Mr. Ted Chudleigh:** I have a petition for 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 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.”

#### HOSPITAL FUNDING

**Mr. Joe Dickson:** “To the Legislative Assembly of Ontario:

“Whereas the Central East local health integration network board of directors has approved the Rouge Valley Health System’s deficit elimination plan, subject to public meetings; and

“Whereas it is important to ensure that the new birthing unit at Centenary hospital, a \$20-million expansion that will see 16 new labour, delivery, recovery and postpartum (LDRP) birthing rooms and an additional 21 postpartum rooms added by October 2008, will not cause any decline in the pediatric services currently provided at the Ajax-Pickering hospital; and

“Whereas the significant expansion of the Ajax-Pickering hospital, the largest in its 53-year history, a project that could reach \$100 million, of which 90% is funded by the Ontario government—it is important to continue to have a complete maternity unit at the Ajax hospital; and

“Whereas it is also imperative for the Rouge Valley Health System to balance its budget, eliminate its deficit and debt and realize the benefits of additional Ontario government funding; and

“Whereas the parents of Ajax and Pickering deserve the right to have their children born in their own community, where they have chosen to live and work;

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

“That the Rouge Valley Health System continue to provide the current level of service; and

“That our Ajax-Pickering hospital now serves the fastest-growing communities of west Durham; and

“That the Ajax-Pickering hospital retain its full maternity unit.”

I will affix my signature to that and pass it to Matthew.

#### HOSPITAL FUNDING

**Mr. Bruce Crozier:** In co-operation with my colleague from Mississauga–Streetsville, I read this petition to the Ontario Legislative Assembly:

“Western Mississauga ambulatory surgery centre:

“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’m sure page Sheilagh will take this to the table for me.

1530

#### HOSPITAL FUNDING

**Mr. Joe Dickson:** Because of the time element, I will commence partway through this petition:

“Whereas, despite the significant expansion of the Ajax-Pickering hospital, its largest in its 53-year history, a project that could reach \$100 million, of which 90% is funded by the Ontario government, this plan now calls for the ill-advised transfer of 20 mental health unit beds

from Ajax-Pickering hospital to the Centenary health centre in Scarborough; and

“Whereas one of the factors for the successful treatment of patients in the mental health unit is support from family and friends, and the distance to Centenary health centre would negatively impact on the quality care for residents of Ajax and Pickering; and

“Whereas it is also imperative for Rouge Valley Health System to balance its budget, eliminate its deficit and debt and realize the benefits of additional Ontario government funding;

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

“That the Rouge Valley Health System continue to provide the current level of service to our Ajax-Pickering hospital, which now serves the fastest-growing communities of west Durham; and

“That the Ajax-Pickering hospital retain the badly needed 20-bed mental health unit.”

I will affix my signature, and pass it to Thomas.

## OPPOSITION DAY

### TOBACCO CONTROL

**Mr. Robert W. Runciman:** I move that whereas one of the goals of the Ontario smoke-free strategy is “to prevent smoking among Ontario’s children, youth and young adults”; and

Whereas, according to the Ministry of Health Promotion’s website, each year 90,000 kids in Ontario try smoking; and

Whereas an illegal smoke shop is operating on provincial land on Argyle Street in downtown Caledonia; and

Whereas the said smoke shop is located within metres of Notre Dame elementary school and within a kilometre of a local high school; and

Whereas residents in Caledonia report seeing children riding bicycles with cartons of cigarettes on their handlebars; and

Whereas illegal smoke shops are selling untested cigarettes without warnings to children and without asking for identification; and

Whereas the McGuinty Liberal government refuses to shut down illegal smoke shops in Ontario, particularly the one on Argyle Street in Caledonia;

The Legislative Assembly of Ontario calls upon the McGuinty government to move immediately to shut down all illegal smoke shops in Ontario and prosecute vendors of illegal cigarettes to the fullest extent of the law.

That is addressed to the Premier.

**The Acting Speaker (Mr. Ted Arnett):** Mr. Runciman has moved opposition day motion number 2. I’m pleased to recognize the Leader of the Opposition to lead off.

**Mr. Robert W. Runciman:** Thank you, Mr. Speaker. I appreciate you recognizing me.

I want to say at the outset that this, from the perspective of the official opposition, the Progressive Conservative Party, is essentially a health issue. We’re primarily concerned about the health of children in the Caledonia area, but well beyond that as well, in terms of the impact of illegal smoke shops operating apparently with impunity within the province of Ontario.

When we’ve had debates and discussions in this House over the years related to curtailing smoking in Ontario and curbs on smoking in Ontario, we’ve frequently had groups in the gallery who are adamantly opposed to smoking, no matter where it might occur in the province. I remember a gentleman by the name of Garfield Mahood who was here on virtually every occasion. But strangely, we don’t see those people with respect to this issue. We clearly don’t hear the government, but we don’t see all of those other people who professed on a regular basis in the past to be concerned about the impacts of smoking—second-hand smoke in restaurants, bars, lounges, etc.—in public places. Of course, this Legislature and governments past and present have moved to address that issue. But here we have a situation where I think it’s legitimate to ask about the sincerity of people who can make that kind of distinction, who can say it’s wrong for vendors in legal operations, primarily in convenience stores in this province, to do certain things in terms of sale of cigarettes, but essentially ignore illegal operations that are making cheap and illegal cigarettes available, in many instances, to kids.

I suggest this is a sort of conspiracy of silence. I would call it a deathly silence. I think “deathly” is an appropriate word to use because I think we all agree that cigarettes kill, and not just the ones that are sold in convenience stores.

Where are the folks? Where are the people speaking up about this issue? Where is the Minister of Health Promotion? When she is asked questions about these kind of operations in Ontario, she declines to answer. She refers the question to the Solicitor General, who then obfuscates and talks about other issues, rather than the question directed to the Minister of Health Promotion dealing with the sale of illegal cigarettes to children in this province.

We’re told that currently 38% of the cigarettes in Ontario are now coming through illegal operations. I say “conspiracy of silence.” Regrettably, I say this: It even seems to extend to some elements of the media. We’ve raised this issue on a number of occasions in this place, and I recall—I could be mistaken—Christina Blizzard of the Toronto Sun as the only one who has written or reported on this issue.

When we originally raised the issue with the Minister of Health Promotion, there was a huge scrum of the minister outside, all kinds of television cameras, yet nothing appeared on the electronic media, and nothing in the print media. I’m not sure what happens, whether the

editors at the television stations and the print operations simply cut that off. I'm not sure. The reality is, it's not just the government, it's not just the lobby groups that lobby against smoking, it's also to some degree, regrettably, the media that don't want to touch this, which I agree is a rather sensitive issue. There's no question about it.

It is a real problem. We're talking about cigarettes where there are no warning signs, no labels, no understanding of where these cigarettes or the tobacco in these cigarettes are coming from, or what's contained in that tobacco. There's no lab analysis required and no indication of the contents.

We just have to go back to a police raid recently where hundreds of thousands of illegal cigarettes were found coming in from China, and a number of arrests occurred as a result. Well, that's the kind of thing that's happening. Those kinds of products are getting into these stores and being dispensed, and who knows what is contained in the tobacco? Certainly in the Caledonia area, with the store that we've cited in the motion, we know that cigarettes are being sold to minors, to kids. We've had people telling us about kids going away from there with cartons of cigarettes on their bicycle handles. These are very serious operations.

When you talk about these legal operations—and I'm talking primarily of convenience stores. I was in a convenience store recently in my hometown of Brockville and I met a very young guy, who is operating this, having a real struggle to make ends meet in this operation. He was working on putting shelves underneath, where cigarettes would be out of sight—he couldn't afford to hire anyone—to hide cigarettes from public view.

He was telling me that within the last month he has had two inspectors in to ensure that he's doing it and that his cigarettes—he's complying with the Smoke-Free Ontario Act requirements. He has also had an audit—two inspections and an audit in less than two months of a young Ontarian paying his taxes, abiding by the law. That's the kind of—I would suggest—harassment by the bureaucracy while they ignore all of these illegal operations, with the endorsement of this Liberal government. That's the reality: with the endorsement of this Liberal government. Turn a blind eye to lawlessness: That's essentially what's happening, and at the same time jeopardize the health of young people in this province.

1540

You can be so self-righteous—we see it day after day in the Liberal ranks across the room here—about issues like this: “We're going to protect the health of Ontarians.” But here, when we're talking about 38% of the cigarettes being sold in this province going through illegal operations, they won't even answer a question about it. They won't respond.

**Mr. Robert Bailey:** Shameful.

**Mr. Robert W. Runciman:** It is indeed shameful. They're putting at risk the health of young people and many other Ontarians, and the Minister of Aboriginal Affairs has the gall to get up here today and say, “We're

going to kick these folks off the land.” Then he gets up and corrects his own record and says, “No, we're not going to kick them off; Six Nations is going to kick them off.” Who owns the property? Have you ceded ownership of the property? There's nothing but mumbo-jumbo, no real effort to justify a position—which is unjustifiable, without question.

This government has a lot to explain. They cannot explain it. We call upon them to shut down these illegal operations and protect the health of our children.

**The Acting Speaker (Mr. Ted Arnott):** Further debate?

**Mr. Rosario Marchese:** I am happy to say a few words on this particular motion. I want to say that parts of this motion are things that I personally can support and other parts of the motion trouble me a little bit.

When the member from Leeds–Grenville talks about the issue being a health-related issue, I say, yes, that's a good point, and we could and should be talking about that. I am interested in this whole issue a great deal because I am not a smoker. I find cigarettes offensive and distasteful, although I have indulged in a cigar from time to time, I have to admit. But every effort that we have made over the years to try to discourage people from smoking is an effort that I support.

Over the last 20 years, people have made an effort to persuade governments that we need to be tough on the issue of smoking because it kills individuals and it affects their families and because it's an incredible health burden on society that we pay for. That is something we should be proud of in terms of advances we have made. And we have made advances in this regard because people have pressed governments—have pressed us—to do more. We continue to make headway in this regard because we know by the statistics that fewer and fewer people are smoking, and this is a positive thing.

Twenty years ago when governments made any effort to reduce individual freedoms, they were faced with incredible indignation and anger. Today, every effort that governments make with respect to how we reduce individual smoking is greeted with a great deal of support by the general public. This is a very good thing.

We know that tobacco use kills about 50,000 Canadians a year and leads to tens of billions of dollars in health care costs. Lung cancer rates are going down among men in Canada because of the campaign that people have waged against smoking. This is a very good thing.

But when I read the motion and I look at the first two parts of it, I say okay, “Whereas one of the goals of the Ontario smoke-free strategy is ‘to prevent smoking among Ontario's children, youth and young adults’; and

“Whereas, according to the Ministry of Health Promotion's website, each year 90,000 kids in Ontario try smoking”—it appears that that is the issue we're dealing with, but as you read on, the next “whereas” troubles me a little bit. It's particularly focused on Caledonia—not somewhere else, not generally speaking; it's focused on Caledonia, where there has been a great

deal of conflict. So I'm worried about how we do things in this place that either help to reduce conflict or help to inflame it.

When I look at, "Whereas an illegal smoke shop is operating on provincial land on Argyle Street in downtown Caledonia," it's very specific, which is the subject of what much of the dispute is all about.

The next one, "Whereas the said smoke shop is located within metres of Notre Dame elementary school and within a kilometre of a local high school," and the next one, "Whereas residents in Caledonia report seeing children riding bicycles with cartons of cigarettes on their handlebars"—it's very specific and it creates an image of the type of youth we're speaking to and may be indirectly denigrating, indirectly saying, "These are the kinds of kids we're targeting and these are the kinds of problems we've got that we've got to deal with." It's provocative, in my view.

I don't know whether this is the intent, but in my view, as I read it, the indirect intent is that. Whether it's direct or indirect, it's painful to me to see it because the effect is the same.

While I have sympathy with Mr. Runciman saying, "This is about health," and I would love to support him and the direction he seemed to be going with the initial comments, when I read the body of the motion it's very specific what we're after here. And I believe we're inflaming the conflict in Caledonia with Six Nations people.

I don't know what the Conservatives are after. I know what I read by way of possible intent. So, yes, we should be tough. Why not have a motion that says, "Okay, we're going to close down these illegal smoke shops across Ontario"? If you had a motion like that, I'd say, "Okay, I could probably live with that, because perhaps the government isn't doing enough to shut these places down. We need strong enforcement. Let's deal with that." But it's very specific to Caledonia, even though there is mention here that we're not just talking about Caledonia in particular but illegal smoke shops across Ontario. I'm sorry; that's what I read when you present this motion.

I really do believe that there are times in society that, when we do things, we have to find ways to promote peaceful co-existence between us, whoever we are, rather than finding ways of disagreeing. So when the member for Leeds-Grenville talks about "lawlessness" as it relates to this particular incidence in Caledonia and that we have to apply the law equally, I am reminded about how we apply the law unequally as it relates to issues happening in northern Ontario, where our leader says on a regular basis that we have a duty to consult, constitutionally and legally, with First Nations before we do something that affects them adversely. So when it comes to prospecting and mining—mining corporations can go into lands that belong to First Nations people, can set up shop and start mining—we're not applying the law equally there, it seems; we're applying it unequally.

If we have a duty to consult, constitutionally and legally, and we do not, we are not applying the law

equally. But I do not hear my Conservative friends saying, "Ah, you're right about that one." We don't talk about that, but we do talk about Caledonia a great deal. If we're going to apply the law equally, perhaps we should balance it out a little bit. We're not doing that.

In this regard, I am attacking the Liberal government because we have not consulted aboriginal people, First Nations people, before we do something that affects them negatively. We consult them as it relates to mining in the north, as it relates to First Nations people, after the fact, not before the fact, and that worries me in terms of how we treat people who were here before we were. We are immigrants. First Nations people are not immigrants. They were here before us a long, long time ago, before some white travellers decided to come and take over. So I regard First Nations as a people, as a nation. We are people, yes, who came here and invaded, took over, mistreated and caused alcoholism in their communities for generations, and we attack them for something we caused unto them. There was no alcoholism before we came. There was barely sickness before we came and killed them with our own germs that we brought to the First Nations people. That's another story. Quite right, it's another story.

#### 1550

But in my view, if we're going to talk about health and cigarette smoking and how that affects them, and if we're going to talk about what we should be doing against illegal smoke shops, let's do it in a much more general way and let's focus on whether we are enforcing the law well or adequately. What is it that we could be doing? What is it, by the way, that other provinces are doing? Have we looked at that? I don't think we have, neither the government nor the official opposition.

Places like Manitoba and British Columbia have already taken action on matters of this sort. Tax treaties, such as in Manitoba, allow native bands to apply for and collect PST, the provincial sales tax, and there are also federal agreements regarding the GST. Have we looked at this in terms of how we might help to deal with problems of this nature: more efficient sales tax collection mechanisms, use of electronic cash registers and tobacco tax exemption ID cards as in British Columbia and Alberta? It requires store owners to pay tax upfront to suppliers, thus reducing circulation of untaxed cigarettes. Have we looked at measures of this sort that attempt to deal with issues that I'm assuming the Conservative Party is raising here today? We're not looking at that very well.

Are we looking at education? We might be saying it, but are we doing much about it? I don't think we are. Cigarette smoking is very high in the aboriginal community, in the indigenous community. What are we doing about that? Have we talked about how we help in that regard? We talk about how we should enforce, and we look at punitive ways of attacking them and/or the problem, but we don't look at ways of how we can prevent the problem in the first place. Why are they affected in the way they are, and what could we be doing about it?

In my view, yes, it's enforcement, but I find the motion a tad punitive. We're looking at punitive ways of getting to people, at people, rather than figuring out what the problems are and what we could do to be helpful. I say this, with respect, to the Conservative Party members: While I agree with parts of this motion and the sentiment expressed in parts of this motion, I am concerned about the implication and the potential to inflame an already very troubled situation in Caledonia, and so I wanted to for the record express my reservations on this motion today.

**Hon. Michael Bryant:** This will make him uncomfortable, but I want to say to the member for Trinity–Spadina that I thought that was an excellent speech. I know that's going to make him uncomfortable because he didn't mean to express words of support for a particular government. I think he meant to raise some very important questions about what this opposition motion is really all about, and he spoke to it extremely well.

This issue, again I would agree, and the motion that's put forward—like the member from Trinity–Spadina, there's a lot in this that is just factual with respect to illegal smoke shops selling untested cigarettes without warnings, without asking for identification. One of the goals of the Ontario smoke-free strategy is “to prevent smoking among Ontario's children,” and so on. It's hard to disagree with some of the factual statements.

Then, as the member for Trinity–Spadina said, there's a real focus on a smoke shack shop on Argyle Street. And it is; it's that one.

This is not a motion about the underground economy. This is not a motion about piracy of DVDs and music. This is not a motion about the underground retail economy that takes place across the province. This is not a motion about the supply and demand of contraband cigarettes—it's not. This is a motion about Caledonia and about a smoke shack on Argyle street.

The leader of the official opposition says that the government of Ontario should do something about this, but he doesn't say what that is. As Mr. Bradley said, “It's a dog whistle.”

So let's just go through the options, okay? Number one, tell the police what to do. Tell the police to go in there.

*Interjection.*

**Hon. Michael Bryant:** No. The report of the Ipperwash inquiry is very clear: “It is not appropriate for the government to enter the law enforcement domain of the police. Law enforcement properly falls within the responsibility of the police. To maintain police independence, the government cannot direct when and how to enforce the law.” The Ipperwash commission goes on to talk about why that is, the importance of having a separation between police and government.

But I think it's also important to say that the OPP members who testified—one a crowd management unit commander—made reference to what happens with respect to an aboriginal protest, which is different than a smoke shack, no question about it. It made reference to

the fact that a First Nation can react, “very explosively very quickly.” The CMU commander understood and said that there were “precipitating factors” that were, in his words, “historical, political and racial.” And as is stated here again by the Ipperwash commission, there's a focus on the job of the police “to minimize the potential for violence and facilitate constitutionally protected rights.” We saw the OPP do that over the weekend.

So you say, “Well, wait a minute, this isn't a protest; this is a smoke shack.” Regardless of arguments on both sides as to whether or not it amounts to a protest, it is a smoke shack. As members have said and as is in the opposition motion, it does not operate consistent with federal, provincial or municipal law. It was actually not supported, but condemned, by Six Nations band council.

So what are the solutions? Just as the OPP has to weigh whether or not their actions might precipitate, in the words of the Ipperwash commission, an explosive reaction, which is in nobody's interest, so they must make those decisions when considering this particular situation.

*Interjection.*

**The Speaker (Hon. Steve Peters):** Will the member for Bruce–Grey–Owen Sound please refrain from heckling the minister.

**Hon. Michael Bryant:** Thanks, Speaker.

So what other than police action, which is in the hands of police? They have to weigh the specific concerns around what the reaction would be and whether or not that would significantly escalate an always tense situation there.

I'm reminded of what the federal government does with respect to the smoke shacks on reserves. Minister Clement, in a letter in 2007, says that in order to deal with the “current climate,” the on-site inspection of smoke shacks is “temporarily suspended,” by Minister Clement. Why does he do that? Because of the climate, he said.

**1600**

The recommendations made by CAMH are certainly ones worth exploring. They address those recommendations to the federal government, the point being that the supply of this, in the words of the Centre for Addiction and Mental Health, is located within “geographic proximity to the major sites of production, smuggling and retail sales, which are located in First Nations communities in Ontario and Quebec.”

CAMH goes on to talk about, and acknowledge, the inadequate economic opportunities for First Nations people, but then goes on to refer to the contribution of the smoke shacks and the contraband cigarettes as “clearly intolerable.”

Recommendations are made here by the centre, and in particular by Dr. Paul Garfinkel, the president and chief executive officer, which include—and it's in reference to an Ontario Tobacco Research Unit report—“revoking licences from manufacturers operating illegally and encouraging First Nations reserves to collect their own tobacco taxes.”

The member for Trinity–Spadina made reference to that. The Navajo Nation, for example, taxes cigarettes on the reservation and collects those revenues.

The tackling of supply is going to be the big challenge with this issue. It is not going to be answered by the direction offered here by the official opposition in their motion. The leader of the official opposition wants to condemn the government for inaction. Well, I want to condemn the official opposition for this motion, the purpose of which is inevitably going to escalate, not de-escalate—how could anything in this motion de-escalate or contribute to a resolution?

Is there anything here that would result in a resolution between, say, Haudenoshonee Six Nations and the government of Ontario? No. Is there anything in this which comes anywhere near the constructive suggestions made by the member for Trinity–Spadina and by CAMH and Dr. Garfinkel? No. It's just, "Do something about it," says the official opposition.

Again, the police have a very tough job to do. Their job is to deal with enforcement and they do it well. The suggestion here, and the motion here, presumably is to generate some solidarity amongst Ontarians who also have a great concern about this taking place. But the problem with this motion, fundamentally, is that I find that it is divisive. It is not going to contribute to a solution. It is not going to contribute to a de-escalation of tensions. I feel that it is really calling upon divisiveness within the province.

We need to tackle the solutions—no question—and tackle supply and demand, but it is not, in any way, shape or form, going to come about as a result of the spirit and intent, cause and effect, that is found in this motion. The leader of the official opposition says, "Shame on the government." I say to him, shame on you.

**Mr. Toby Barrett:** I regret this issue of illegal tobacco has to be brought before the House. There is an unintended partnership of this government's policy and the underground economy, and it's certainly put Canadian tobacco farmers and anybody else involved in the legal tobacco trade at a competitive disadvantage. Why is that? Because, in part, this government has jacked up taxes considerably since its inception. It reminds me of a quote from Samuel Johnson: "The road to hell is paved with good intentions."

This particular government policy is not working, and that's nowhere more evident than in my riding and the counties of Oxford, Elgin, Brant and Middlesex.

I will say off the top that, in contrast to what we just heard, we as a society could help resolve this crisis and help make our communities a little safer through enforcement and as well by reducing tobacco taxes. I used to work for the Addiction Research Foundation, and there were many, many smoke shops locally in the mid-1990s. Taxes were reduced in both Ontario and Quebec, and overnight in Six Nations alone, 300 smoke shops disappeared. So there are ways of dealing with this.

Despite tobacco tax revenue being at an all-time high, the sales of not only counterfeit but also contraband—the

illicit products and brands sold by native people—mean that federal and provincial governments are losing something in the order of \$1.6 billion in additional taxes. The Premier here attributes the \$73.4-million drop in tax revenues to Smoke-Free Ontario. Those of us with any inkling of economics know full well that that money has gone to the tax-free black market. Why any government would support the underground economy I don't know. If this government did lower taxes, we would see those 300 shacks disappear in Six Nations. As I said, it happened in the 1990s.

When I worked on a tobacco farm, there were well over 3,000 farmers. We're now down to barely 600 farmers. Again, legal farming, legal manufacturing, people who play by the rules, the legal corner stores are suffering. They cannot compete with this illegal trade. Furthermore, cheap smokes obviously undermine the sin tax strategy, the policies of this government. We've heard the figures. I know a year ago the illicit trade accounted for something like 25% to 30% of sales. Back in 2006, it was only about 16.5%. Now we hear figures of 38% illegal trade, more than doubling in a number of years.

More illegal cigarettes are smoked in Ontario than any other province across Canada. A study that was conducted last year by GFK Research Dynamics found that one out of three cigarettes smoked in Ontario between May and June of 2007 was contraband. Half of Canada's total illegal sales come out of Ontario. It's unacceptable. Everyone is affected, and the funds used to buy these cigarettes are certainly impacting the local communities through higher crime. It feeds crime—not only illegal tobacco, but the gun trade and the drug trade. So it is time for this government to partner with the federal government, undermine these gangs, remove the demand and place this province once again in a position to enforce laws, to enforce government policy and take a swing at this illegal trade.

The corner store operators will tell you that higher taxes and the increased illegal sales really put them in a position to try and scramble to make some money. Cigarettes may not turn a high profit, but they do bring in other trade to buy newspapers, pop, for example, and groceries. Higher taxes help fund the illegal trade, and as a result are forcing the legal people out.

Last December, one of my constituents who lives in Caledonia, named Doug Fleming, held a news conference here in the media studio. I will just quote Mr. Fleming. "I'm here to protest illegal smoke shops. I refer to them as illegal because they operate on deeded land that is part of Haldimand county." He talked about the first smoke shop that was opened down there—this would be a year ago the coming June—the second four months later and another one in November. All three smoke shacks are being operated by residents of Six Nations. Mr Fleming reported that on the way out of town one day he noticed a young fellow, about 14 years old, riding his bicycle. He had a bag—it would be probably 200 cigarettes—on his handlebars. He reported this to the police. They really didn't seem to be interested. So he did a bit of a search,

he looked through the land registry office for the land title and discovered the land on which the smoke shack sat was not reserve land, but rather deeded land and therefore legally subject to Haldimand county bylaws. He went to the county to inquire which permits had been issued. None had been issued.

#### 1610

So what did Mr Fleming do? He opened his own smoke shop. He called it Doug's Smokes. He put it on a vacant lot in Caledonia, and he was careful not to break any laws that weren't already being broken by native people. As he says, "That way, if the OPP arrested me, they would have to arrest them too. My aim, however, was not to make money. It was to get the attention of the OPP." He suggested to the police he was breaking the law and perhaps they should arrest him. They refused. As Mr. Fleming says, "I had to turn to a life of crime in an attempt to have the law enforced, but it isn't working."

**Mr. Gilles Bisson:** I can't say that I'm happy to be part of this debate. Quite frankly, I find it somewhat troubling, because what is being argued here is that somehow or other, at the end of the day, under the guise of a motion to deal with smoke shops, we're really dealing with the issue of selling illegal cigarettes. I say that's a real issue that we do need to deal with, and I say that upfront. It has a lot to do with fanning the situation in Caledonia, probably more than we need to.

I want to say something at the outset. I've heard Conservative members in this House, on and on in question period and in debate, talk about how the law is not applied equally. I want to agree with you. You're right, it is not applied equally to First Nations. As I look in northern Ontario, the place I represent, for example, we have the issue of duty to consult, which says that aboriginal communities must be consulted when a mining company moves in and says, "I want to explore on your territory, and then I want to develop a mine." Are those rules really being followed? No.

So why, all of a sudden, are we excited about this particular issue of this smoke shop in Caledonia, yet the Conservatives say nothing when it comes to the laws not being applied fairly to First Nations across this province on other issues? You can draw your own conclusion as to what you would term that, but that's my problem with this debate.

I look, for example, at the communities I represent and the whole issue of duty to consult. First Nations are saying, "We want development, we want mining, we want forestry to happen," but do they get the same treatment? Do they get the same laws applied to them when it comes to jobs, when it comes to the ability to share revenue from those projects? Absolutely not.

They signed treaties over 100 years ago. Our provincial and federal governments at the time said, "We want to share the land with you." The First Nations leaders at the time said, "Yes, we're prepared to share, because that's in our nature." Did we share? Absolutely not. For 50 years after the first signing of the treaties, we basically kept on taking what we could out of the land and didn't

give a penny back to First Nations. Then, 50 years after, we said, "Oh, we've got a solution. We're going to build reserves and we're going to put all First Nations people on these postage stamps called reserves so that they don't bother the developers when they come into their territory." And then we snatched their kids and we put them into residential schools. Did their children get the same treatment as every other child? Absolutely not.

So you're right, Conservatives. The laws are not applied equally, and they have not been applied equally to First Nations for over 100 years in this country. I find it somewhat appalling in this debate that we somehow are going to seize on the issue of a smoke shop in Caledonia that is illegal. And I agree with you, the law should be applied. But we say nothing about what has happened to First Nations for the last 100 years.

I look at simple issues in my communities. For example, we all know the story of Kashechewan when we had the E coli outbreak. Why was that? Because laws that are applied anywhere else in Ontario were not applied and are still not applied in First Nations. The whole issue about how water plants had to be built and how they had to be monitored and how we have to follow the law was not done and it's still not being done. Eighty per cent of the water plants on reserve are basically under boil-water advisories or unsafe to the citizens who live in those communities. Are we applying the laws equally, federally or provincially, to First Nations? No.

You look at the issue of building codes when it comes to building houses on reserves—the building codes that are applied anywhere else in Ontario. If you build a house, there are building codes, and you have to follow those codes to make sure that the house is built in a way that is in standing with the laws that apply to this province. Do we do that with First Nations? Absolutely not. In Fort Albany, we built 30 houses on a floodplain and we put basements in them. How preposterous can you get? And we wonder why we have mouldy houses in Fort Albany. So yes, the laws are not applied equally and that is a problem. This debate is not about smoke shops. This debate is more about trying to fan what is going on in Caledonia.

I want to say upfront, I agree with the Conservatives on one point, and that is the law should be applied equally. In the case of smoke shops in my riding, in the riding of wherever Caledonia is and in the riding of my good friend from Nickel Belt, we have the same issues. Apply the law. I don't have a problem with that. But why is this motion about Caledonia only? The motion talks about the need to apply the law in the province but it focuses specifically on Caledonia. I think the design of this motion is pretty simple: It's to fan the flames.

So I say yes, let's have laws in this province that are applied to all. But if there are frustrations in First Nations communities, if we have leaders who are jailed out of KI and Ardoch and if we have people who have done what they have done in Caledonia, it's because they've been frustrated that the laws have not been applied equally. They've had to live to a second standard that has been

applied to them, which nobody else has had applied to themselves. I say it's high time in this province that we have a law for all so that First Nations can keep their heads up high and walk proudly in this province we call Ontario by being treated the same as any other citizen of this province—making sure that they have clean drinking water, that they can participate when it comes to jobs in their communities, when it comes to mining, making sure that there are building codes that apply as equally to them as to anybody else and making sure water plants are built to a standard. When we do that, maybe then we can talk about the smoke shop in Caledonia.

**The Acting Speaker (Mr. Ted Arnott):** Before I call for further debate, I wish to inform the House of the late shows for tonight. Pursuant to standing order 37(a), the member for Haliburton–Kawartha Lakes–Brock has given notice of her dissatisfaction with the answer to her question given by the Minister of Aboriginal Affairs, concerning collection of rent on the Argyle Street smoke shop. This matter will be debated today at 6 p.m.

As well, pursuant to standing order 37(a), the member for Haldimand–Norfolk has given notice of his dissatisfaction with the answer to his question given by the Minister of Aboriginal Affairs concerning the barricades and problems at Tyendinaga, Deseronto, and barricades and problems at Six Nations, Caledonia. This matter will be debated at approximately 6:10 p.m. tonight.

Further debate?

**Ms. Helena Jaczek:** I rise to speak against this motion. As several of the speakers today have already noted, this is a motion dealing with a very specific and a very difficult situation. As our Minister of Aboriginal Affairs has said repeatedly in this House, our government does not interfere with the operational decisions of the OPP or any other police service in Ontario.

Muddled into this motion, I have heard the leader of the official opposition make some completely unjust aspersions regarding the work of the Ministry of Health Promotion and our partners in the community—the 36 public health units. There is no question that our government is helping Ontarians when it comes to smoking, especially young people. So I wish to address this issue from the perspective of a former medical officer of health and the parliamentary assistant to the Minister of Health Promotion.

When it comes to smoking, we have a three-step approach. We have a plan on enforcement; helping people to quit through cessation programs; and public education. In 2006, we enacted one of the toughest anti-smoking pieces of legislation in North America. We understood the cost of smoking on our health care system and economy. In 2003, only \$10 million was allocated toward tobacco control programs. Since then, our government has increased funding to \$60 million. That's a 600% increase, and we have had real success: Tobacco consumption has fallen by 31.8% between 2003 and 2006.

1620

We are doing more to ensure that youth do not pick up the habit of smoking. That's why we've committed some

\$25 million toward innovative programs designed to prevent children and youth from smoking, including the website *stupid.ca*, which is an innovative and award-winning multimedia campaign developed by youth, for youth, to make teenagers aware of the dangers of smoking. In March 2008 alone there were a total of 56,223 visits to that website.

Another program aimed at youth is the Youth Action Alliance. It operates in high schools across the province to educate students about the dangers of smoking. As I said before, we work in partnership with public health unit officials to enforce the Smoke-Free Ontario Act. We recognize the need to enforce the act and protect children from purchasing tobacco. That's why we hired 143 enforcement officers to ensure compliance with the Smoke-Free Ontario Act.

Consistency is a major issue. Some members have related issues with consistency of enforcement. The Ministry of Health Promotion regularly ensures across the 36 public health units that the Smoke-Free Ontario Act is enforced in a consistent way. In fact, since May 31, 2007, some 6,000 charges have been laid. We take these responsibilities very seriously.

When it comes to cigarettes without appropriate health warnings, these enforcement officers are required, they have a duty, to inform those with appropriate authority to deal with these matters. It is not something that these enforcement officers deal with if they find cigarettes being sold without proper health warnings.

In particular in the area of Haldimand–Norfolk, we have been working with the Haldimand–Norfolk public health unit. Our government provides approximately \$115,000 to support Youth Action Alliance activities. In 2007, this program hired eight local youth, with the support of an adult adviser, to raise awareness in the community about the harmful effects of smoking. We continue to support the Smoke-Free Ontario high school grant program. In 2007, four high schools in the Haldimand–Norfolk area participated in the grants program.

I'm really quite concerned about the member from Haldimand–Norfolk's opinion as it relates to the tobacco issue. In June 2003 he was quoted in the Brantford Expositor in response to a campaign by the local medical officer of health. He stated, "In my view, the jury is out on second-hand smoke.... I have never seen a coroner's report indicating it as a cause of death." Hope springs eternal. Perhaps in the intervening nearly five years the member has changed his opinion. But I would like to remind him of some of the very persuasive evidence as it relates to the dangers of tobacco.

The US Environmental Protection Agency has officially labelled second-hand smoke as a class A cancer-causing substance, the most dangerous of cancer-causing agents. Second-hand smoke contains over 4,000 chemicals and more than 50 cancer-causing agents. Second-hand smoke causes many of the same health problems in non-smokers that are suffered by smokers, including lung cancer and heart disease. A non-smoker in a smoky room

such as a bar inhales the equivalent of 35 cigarettes an hour.

Our Smoke-Free Ontario Act protects the citizens of this province, and I am convinced that our efforts in this regard in terms of enforcement, the consistency, and the referral to appropriate authorities are being extremely well handled in this province under the leadership of the Ministry of Health Promotion.

**Ms. Laurie Scott:** I'm pleased to speak today in the Legislature on our opposition day motion. It's a regrettable day in the Legislature when it takes an opposition day motion to point out that a minister in the Liberal government, specifically the Minister of Health Promotion, isn't doing her job of protecting the health of all Ontarians.

There's a carefully crafted biography that said the minister will "champion health and wellness for all Ontarians." The issue before us today is about the illegal smoke shop in Caledonia, but I'm sure there are other illegal smoke shops out there. Why we're subjecting those children to illegal cigarette sales and why we are not protecting them is clearly a double standard. In the past few months the Minister of Health Promotion has avoided questions about this matter. She has pushed it off to other ministers, like the Minister of Community Safety and Correctional Services. Actually, it's five times that she has pushed it off to other ministers. I just don't know when the Minister of Community Safety and Correctional Services became the Minister of Health Promotion as well.

The Minister of Health Promotion did a statement on April 10—"Does anyone really believe that it is somehow acceptable for cigarettes to be mixed with Twizzlers and hockey cards for the benefit of young consumers?" That is a good question. Let me ask the minister this, and let me hope the minister reads Hansard. The question was, does anyone really believe that it is somehow acceptable for schoolchildren to be subject to the pressures of smoking illegal, hazardous products being sold just metres from their school without proper identification? They're hazardous, they're not labelled, and who knows what is in them? Who knows where they've come from? We provided clear examples of where there are serious violations to those regulations, yet no response has come forward from this government. We've asked for a late show tonight on a couple of them.

We heard excuses, and I still hear them being yelled from across, certainly avoiding responsibility. You own the property. The Ontario Realty Corp. and the provincial government own the property. Who signed the lease? Oh, wait a minute. There's an exemption—no, it was an eviction notice sent by the ministry. That was it. "No"—retracted that. It wasn't sent by the ministry. It was sent by the Six Nations. I guess we're going to find out who actually owns the property. The government hasn't denied that it's the Ontario Realty Corp., but yet they said that the Six Nations now has issued the eviction notice to the illegal smoke shop.

So it's pretty confusing. It's pretty confusing when the Ministry of Revenue's website lists numerous examples

of revenue officers that have been in, seizing illegal tobacco products, including fines to convenience store owners and vendors across Ontario for not filling out the proper taxes on the tobacco products they sell. You ask a question that we asked about an illegal smoke shop in Argyle, and you can't duck that question fast enough. They just can't find the answer in the binder and they refer it off. Double standard? You bet there's a double standard.

Why is her ministry allowing an illegal smoke shop that's selling illegal cigarettes to young people without identification, not paying their fair share of provincial taxes and operating on government-owned land near both an elementary and a high school in Caledonia? Not only has this government got its head in the sand in allowing this to happen; they are facilitating it, because it's on crown land. They are not taking responsibility, and it's shocking. We've brought this up so many times. It's clearly improper action. They're clearly avoiding the issue.

It boggles my mind to think that on April 1 we asked the first opposition question to the Minister of Health Promotion. Her ministry spends millions of taxpayers' dollars on poster campaigns, photo ops, running here and running there. But you ask her about the illegal smoke shop in Caledonia and the health of those children that are pressured—underage children; selling hazardous products to them—you ask what she is doing for their health and safety: Back away. No answer.

Thirty per cent or more of the cigarettes in Ontario are illegal, but they don't want to hear about that. They just want to hear about the stats of how many health promotion kits they've handed out and how many vendors they've talked to.

**1630**

We are telling you about an illegal smoke shop, selling illegal, hazardous cigarettes. Evidence is brought up all the time by the member from Haldimand-Norfolk. We have many stories. We're giving you the information to help protect these young people and all the people in Caledonia, and you are ignoring it.

The Minister of Public Infrastructure Renewal wouldn't answer the question of whether the taxpayers are receiving rent from taxpayer-owned property managed by the Liberal government. Are they receiving rent? They didn't send the eviction notice. Somebody else sent an eviction notice now, and it goes on.

Minister Best's response to a question by my colleague from Thornhill was quite pathetic. She made no attempt to answer him correctly and simply read a prepared briefing note, and that was from the Standard Freeholder from Cornwall. That was the quote about their interpretation of Minister Best's non-answer. In media scrums she kept referring to stupid.ca. Isn't that a great website name, stupid.ca? You'd link right to the Liberal government, I'm sure, with that click of the button. Maybe there should be a doublestandard.ca. I'm sure that will get a lot of hits from the people in Ontario. But the minister is silent when asked why she was allowing, even

facilitating, the sale of this illegal, life-threatening product to schoolchildren and why on earth hard-working, taxpaying convenience store operators are being subjected to this double standard that the minister is forcing on them, while illegal smoke shops are getting away with this tax-free partnership sponsored by the Minister of Revenue and the Minister of Health Promotion.

It's clear that this Liberal government and the ministers will never put principles first, never ahead of political opportunity. That is just what they are doing, neglecting their responsibility in this manner, and they should be ashamed.

**M<sup>me</sup> France Gélinas:** Certainly the NDP is in favour of health promotion initiatives and measures that will help people quit smoking and prevent other people from picking up the habit. We all know that the availability of cheap cigarettes is something that is counterproductive to helping people quit smoking. Although some progress has been made toward smoking rates, I have Health Canada stats here that say that smoking rates among young people have dropped significantly, from 28% in 1999 to 15% in 2007. But still about 90,000 Ontario youth try smoking each year, and we know that youth are the part of the population that is most sensitive to cheap cigarettes.

We also know that smoking rates among aboriginal youth are three times higher. I want to talk a little bit about tobacco and aboriginal youth. I'm not of aboriginal descent, but I know that when First Nations people pray, they pray to the south and give thanks to cedar, which is one of the sacred elements they got from Mother Earth. Cedar keeps sickness away, helps them to be physically and mentally healthy and prevents them from getting sick. They will pray to the east and give thanks to another sacred element, which is tobacco. Tobacco is used to give thanks—thanks for the food, thanks for the family, thanks for everything that makes them happy. They will pray to the west and then the sacred element is sage. Sage is used to chase away negativity. If you have fallen sick, you can certainly use sage to bring healing back. When they pray to the north, they use sweet grass, and sweet grass brings the mind as one. First Nations people will use the four elements from Mother Earth—cedar, tobacco, sage and sweet grass—and do smudge ceremonies, which are really sacred and in which tobacco is used as one of the sacred elements.

I went through this because I want everybody to understand that the relationship between the First Nations and tobacco is different from the relationship most of us would have with tobacco. So when you look at health promotion initiatives for First Nations, you have to realize that this cultural link between tobacco and First Nations is sacred, which means that the health promotion initiative for First Nations regarding smoking cessation has to be culturally appropriate.

I was really taken aback and saddened by some of the comments from the health promotion minister last week. When asked about smoking cessation for aboriginals, she answered, basically, that the strategy that had been put in

place for all of Ontario was good for all of the people in Ontario. My response to this is that the smoking rate among aboriginal youth is three times the national average. Although the rest of the people are being helped by the smoking cessation strategy, it's not working with the First Nations. The First Nations have to have culturally appropriate intervention if we want them to be successful.

I'd like to give a few more stats about the health of the First Nations. First of all, First Nations are only 2% of the Ontario population. It's not a big group, but the aboriginal population has increased 45% over the last decade, which is eight times the rate of the non-native population—a big difference. The median age of Canadian aboriginal people is 27 years, compared to 40 years for non-natives, and almost half of the aboriginal population are under the age of 25. We're talking about a very young population.

There are fewer and fewer First Nations people living on reserves. About 40% of them live on reserves. It has been declining as most First Nations decide to live in urban areas.

The life expectancy of First Nations people is five to seven years lower than non-natives. Infant mortality is 1.5 times higher. One of the statistics that always hurts when I mention it, if that wasn't enough, is that the rate of suicide is 2.5 times higher. Then, when you look at youth suicide, you're talking about eight times higher for First Nations girls and five times higher for First Nations boys. Everybody knows that suicide is 100% preventable.

Talk about HIV/AIDS: 15% of new HIV/AIDS infection is in First Nations people. Remember, I said they make up 2% of the population of Ontario. They make up 15% of HIV/AIDS new cases.

Compared to the general population, their heart disease is 1.5 times higher and type 2 diabetes 3.5 times higher. Tuberculosis: We don't see much tuberculosis outside of First Nations. Well, you see 10 times more of it in First Nations than anywhere else.

I wanted to go through some of those statistics, not to cheer anybody up, obviously, because there is nothing cheerful in this. It was really to show what happens when people are marginalized and when people are racialized. They get sicker and all of the determinants of health fall apart. You can see, in all of the indicators of health, that things are not working.

My colleague Gilles Bisson talked about the schools that young aboriginal children used to have to attend. The name of the schools escapes me right now. The young children were taken away from their parents and put into those—

**Hon. Leona Dombrowsky:** Residential schools.

1640

**M<sup>me</sup> France Gélinas:** —into the residential schools. Thank you to the member. And that happened for three generations. What happened was that First Nations people did not know how to be parents because the only parents they have ever known are the people who abused

them, beat them and neglected them in residential schools.

Right now, the First Nations people growing up are the first ones who are growing up with their parents. Their parents, who had no parents to raise them up, who were raised in residential schools, become a case study for what happens when you are marginalized and racialized.

It is no surprise to me that the health promotion efforts that have been put forward have not been successful with the First Nations. We have to do it another way. We have to be a lot more culturally sensitive to their needs if we intend to be successful.

The type of motion that came forward is a motion, as I said at the beginning, that looks quite promising. Everybody wants the laws of Ontario to be upheld, and everybody wants to support a law that will have a good health-promotion outcome; that is, to ban cheap sales of cigarettes and illegal sales of cigarettes. But at the same time, to link this to Caledonia may do more harm than good to the First Nations people.

I live in Sudbury. It's a fairly big city, about 180,000 people, and we have a very tough time trying to keep a pharmacy open 24/7. We don't have any restaurants open 24/7, unless you count Tim Hortons as a restaurant; they're a coffee shop. Very few services are open 24/7. But do you know what we do have 24/7? An illegal bootlegger who will sell you any booze you want, any illegal cigarettes you want and any drugs you want. Those are open 24/7. They're within a two-minute walk to the police station and very close to the fire hall as well. For added convenience, they now have a drive-through so you can pick up your drugs, your illegal cigarettes or your booze without having to get out of your car. This is happening in downtown Sudbury, a two-minute walk from the police station.

The point of this is not that I support it—no, absolutely not; those should be shut down. The point I'm trying to make is that it is not necessarily a First Nations issue. To name Caledonia in this proposed motion is really to do a disservice to people who are already marginalized and racialized in our community.

I had the opportunity to attend the Chiefs of Ontario health planning forum. The Chiefs of Ontario were here last week and they were talking about health. They recognize that the burden of illness on their community is not sustainable and it is not healthy, and they want to change it. In order to change it, they decided to write A Health Vision for the Future. I thought I would share that with you, because it will put a few things into perspective as to how First Nations chiefs view their vision of health. So, here it goes:

"I am a great-grandmother. I am 70 now. I am fortunate to see this time. I am in my home; my eldest son, my granddaughter and her newborn daughter are visiting. I am holding this beautiful girl; she is healthy, happy, loved and protected.

"The connection is powerful, my vision realized. My son is a healer; he uses his hands, movement of the body,

teaching ways of thinking and feeling ancient medicine to heal, for health and wellness. My granddaughter is in her internship; the people already call her Doctor.

"And my great-granddaughter, who are you? What is your gift? Your purpose? There have been changes over the years. We are happy in our community. We use the energy of the sun and wind for light and warmth. We have clean water and land for all of us, including the plants, birds and animals we depend on for sustenance. We live in healthy homes and families. We take care of ourselves and each other."

That was the Chiefs of Ontario's A Health Vision for the Future. I thought I would share that with you because the Chiefs of Ontario realize that a lot of the ailments that their people are struggling with also have an economic base. They quickly make the link between the people who make less than \$20,000, the families that live on less than \$20,000 a year, and they had all of the statistics as to the increased rate of strokes, heart attacks, diabetes. In order for them to be healthy, all of this has to change, and certainly the rate of tobacco use has to change or those deadly statistics will keep on going.

They also talk about the unrest within their community. This brings me back to the Tories' motion. Although Mr. Runciman—I'm supposed to call him by his riding.

**Mr. Rosario Marchese:** Leeds–Grenville.

**M<sup>me</sup> France Gélinas:**—Leeds–Grenville—the leader of the official opposition, has a goal to get rid of illegal cigarettes—and I think this is a goal that we can support—at the same time, he's very adamant that the laws of Ontario have to be applied and he uses that as an argument to shut down the illegal smoke shacks. When you talk to the people of First Nations communities, they are also very interested in having the laws of this province apply to their communities.

My leader has stood in this assembly many times and asked, "When is this government going to respect the First Nations by making sure that we do negotiation, communication and consultation before mining rights are given?" We all know that that led nowhere. We now have the people of Kitchenuhmaykoosib Inninuwug in jail because they opposed the Platinex exploration on their land. Yet the duty to consult by this government was not respected.

We, as the people of Ontario, have signed many treaties with the First Nations that we are not willing to respect. Over the years, we have never respected them, or only respected them when it suited our purposes. And now we are not happy when the young people—remember, half of the aboriginal populations are young people, full of energy, full of ideas, who want to change the world, who are proud to be First Nations, who want their rights recognized, like we want the laws of Ontario recognized throughout. Those people are young and those people are restless.

If we fan the flame of discrimination, racialization and marginalization, we will get more of the same. We will get more of the deadly statistics I read to you. We will get more unrest. We want the First Nations people to be

healthy and to be proud to be part of Ontario. In order to do this, we have to start to respect the treaties that we have written and respect the First Nations communities.

**1650**

I am afraid that in the motion, our duty to respect is a little bit undermined when we start to name a particular area, when we start to name a particular First Nation. I would feel much more comfortable if we were to take this out and name the illegal smoke shop in downtown Sudbury. I would be ready to support this any day. I hate the place. It brings lots of heartache to a lot of people in Sudbury. When I was the executive director of the community health centre, I saw life after life being turned for the worse because of this illegal shop. But it's still there. I would like it in the motion. That would make me feel good. But that's not what we read. We read about First Nations and we read about Caledonia and we read about Six Nations and that fans the flames that don't need any fanning right now, or any time soon thereafter.

I'm not up to date on procedures, so I asked some of my colleagues if we could do a friendly amendment to this thing and take out the paragraph that talks about Caledonia. I'm ready to stick Sudbury in there, with my example, if they want an example. But it wouldn't be an example to do with the First Nations. Remember, I said First Nations are 2% of our population. Let's put an example in there that talks about 98% of the population. Then I would be a lot more comfortable with the whole thing. As I said, the NDP is very engaged in bringing in health promotion measures, and we will support health promotion measures coming from any of the parties because we believe in medicare and we believe that—

**Mr. Rosario Marchese:** Including Conservatives?

**M<sup>me</sup> France Gélinas:** Including Conservatives, of course—all parties. If any party brings forward a health promotion initiative, we would be happy to support it. We understand the important role that health promotion will play in keeping medicare healthy. Medicare is at the core of what defines us as Ontarians and as Canadians. It is something that is very much cherished by the NDP—and by everybody—and something we want to keep. We see that one of the best strategies to make sure that medicare is there for years to come is to support health promotion and disease prevention efforts.

In this motion, there is this thing that appeals to me, that pulls my heart strings: A health promotion piece that I would really like us to support. Unfortunately, at the same time, it has this flame of dissension, of racialization, of marginalization that I can't support. Don't focus on 2% of our population, the First Nations; focus on all of Ontario. We want all of the illegal smoke shops to disappear. I particularly want the one in Sudbury to disappear. That would make me really happy.

We want all of the laws in Ontario to be upheld for everybody. That means respecting the treaties; that means respecting the law that says illegal cigarettes should not be manufactured, sold or available. We all know, as with illegal drugs and illegal cigarettes, winning

this battle will not be through law enforcement. Law enforcement is one piece of the puzzle.

The winning piece will be what you do to curtail demand. We all know basic business: supply and demand. The supply of illegal cigarettes and illegal drugs is there because there's a demand for it. The more work you invest into decreasing the demand, the easier it will be to get rid of those illegal smoke shops. There won't be anybody left wanting to buy those illegal products because you will have a generation of Ontarians who want to be healthy and who don't want to buy those illegal products anymore. This will be done through strong health promotion measures. As I said, when it comes to First Nations, it will have to be culturally targeted health promotion measures in order to work. Sure, I would like to get rid of all of the illegal smoke shops in operation in Ontario. I would like all of the laws in Ontario to be applied equally to every single Ontarian. I would like people—everybody—to quit smoking and none of our youth to pick up the habit. That's what we should be aiming for.

The way it reads now, I'm happy through one part and unhappy through the rest of it. I guess that's the way things go sometimes. I guess, Mr. Speaker, we're not allowed to make changes to the motion as it reads now, like amendments and stuff?

**The Acting Speaker (Mr. Ted Arnott):** No, the standing orders do not provide for amendments on opposition day motions, to clarify.

**M<sup>me</sup> France Gélinas:** I see that the clock is running out. Basically, I'm happy to see that the member from the official opposition has brought forward a piece of health promotion that is of great significance to youth throughout Ontario, because they are the ones who are most tempted by cheap cigarettes. They are the age group the most at risk, and basically the biggest customers of cheap cigarettes are youth. I'm certainly happy that the member of the opposition has brought that forward and would be happy to support it. Unfortunately, because they have targeted a First Nations community, they have targeted that 2% of Ontarians that make up the First Nations. That, to me, is fanning a flame that doesn't need any fanning right now. That part makes me really uncomfortable. Those are my comments.

**Mr. Khalil Ramal:** It was interesting to listen to the member from Nickel Belt. Indeed, it was an interesting talk and subject. I definitely learned a lot about the culture, the heritage and the religions of aboriginal people who live in the province of Ontario.

But the issue here is to talk about the motion before us today, that was brought by the Leader of the Opposition. I read this motion—this troubling motion. This motion has two sides, two colours. It's like a watermelon: It looks green from the outside, but red on the inside. The appearance is that the member opposite is fighting for health promotion and trying to fight the illegal sales of tobacco in the province of Ontario. But I believe, like many who spoke before me, that the intent of this bill is to provoke the relationship between the aboriginal people and the mainstream community, especially in Caledonia.

For some reason, for some time the opposition party has been trying to create trouble, specifically about the activity around Caledonia. As you know, for the last two years this issue has been brought to the House on many different occasions and in different fashions. Today, the Leader of the Opposition brought it in a cover of smoking, tobacco, health promotion and many different aspects. But the intent was to provoke the Caledonia people and the aboriginal people.

Indeed, I never smoked in my life. I never liked smoking and I cannot be in a room with people smoking. Therefore, it's not about cigarettes, it's not about illegal tobacco and it's not about illegal shops. I believe all members of this House, from the opposition, from the government party and from the third party, agree that illegal tobacco should be stopped. Therefore, we have enforcement officers and we have a health unit that inspects stores on a regular basis to make sure nobody sells illegal tobacco. They impose a bigger fine on any shop that sells that tobacco.

In my old capacity, I was a distributor for many different variety stores across the province of Ontario. I know many shops would never participate in these activities, because they know they can get fined the first time, and the second time they would be banned from selling cigarettes. As you know, the revenue from the cigarettes is a great deal for them. They cannot afford to lose that ability to sell cigarettes. So I don't know what the member is talking about.

**1700**

Everybody from the NDP and from the government side noticed clearly that the Leader of the Opposition was creating some kind of wedge between the ministry and the aboriginal community. It's not the way we can solve problems.

I listened to the NDP members and the government side. They're talking about relationships. They're talking about our government approach. They're talking about the Ministry of Health Promotion, how many different times it came with different strategies to promote a healthy and smoke-free Ontario. All these approaches were done in a professional manner. This is the way we in Ontario deal with people, not by forcing, not by creating trouble.

Mr. Speaker, thank you for allowing me to speak, and I want to leave some time for my colleagues to express their voices and their concerns about the opposite members.

**Mr. Peter Shurman:** How can any member in any party in this House not vote for this resolution? All it says is that we're going to uphold the law. I remember being sworn in and swearing that I would uphold the law. That's all the bottom line of this resolution says.

My interest in the contraband cigarette trade related to my Korean constituents originally. It began that way because in my constituency we do round tables. Some of them are ethnic-based, and I find out what the unique problems are for particular communities. I discovered that the Koreans have this particular problem because

many are involved in the convenience store business. Koreans are obviously a newcomer group, 10 to 20 years at most, with us here in the GTA. They're industrious, they're hard-working, they have incredible family values and they are interested in making it, but they want to make it in law-abiding businesses. They sell a legal product, cigarettes, but they don't want their kids to smoke. They are not opposed to the Smoke-Free Ontario Act. They are opposed to selective application of that act, and so am I. That's what this resolution speaks to. In fact, as law-abiding citizens, Koreans don't like any group evading the rule of law on any issue. Again, I have to say I concur.

I am firmly opposed to imbalance, opposed to uneven application of the law, and I would like to think that in this chamber we all are. My questions in this House over the past number of weeks, indeed the past couple of months, have been non-stop on this issue. It even got me ejected from this House one day. My questions have been to the Minister of Health Promotion, the Minister of Revenue, the Minister of Small Business and even the Premier. My interest began with my Korean constituents, but it is now not limited to my Korean constituents.

Tobacco enforcement is very rough on small business: "Get the walls up, hide the cigarettes, don't display them with Twizzlers and hockey cards," as the Minister of Health Promotion stated one day in this House—no extension of the deadline. Fifty per cent of those stores cannot be ready because specifications for the divider walls were not even issued until January 31. "That's too bad," says the McGuinty government, "We want to protect our kids." I say stop hiding behind the kids. We all want to protect our kids, there's no question about that. It doesn't matter where in the province they live or who they are.

The government wants to be seen to be doing the right thing, but our kids are not being protected. Why not? Because they don't need convenience store cigarettes when illicit cigarettes are readily available on the street in strip-mall parking lots or in smoke shacks, just like the one on Argyle Street in Caledonia. And, for all of the eloquent speakers this afternoon to know, that is simply an example, it's not targeting First Nations. The resolution doesn't say so, and that's not what it does.

Some of these come to the illicit market via First Nations, it's true; others through criminal activity. So the NDP's concerns about First Nations, while germane to the issue of First Nations, are not specific to this motion. They're not contained in this motion. This is about illicit tobacco.

We know through a study commissioned via the Ontario Convenience Stores Association that the use of contraband cigarettes is rampant in high schools. They collected discarded butts and analyzed them. Some 23% of high school smoking in Toronto is illicit contraband tobacco, and up to the 40% range in places like Mississauga and Newmarket. Does anyone really care about the health of these kids?

Why can't Ontario control the contraband cigarette and tobacco trade? In Ontario, we know that contraband

cigarette sales are now above 37% of all cigarette sales. And by the way, if you care about tax revenues, that equates to \$600 million lost to Ontario taxpayers. We foot the bill. Estimates say that that number will rise to 50% by 2010 if left unchecked, and all indications are that it will be left unchecked.

So who's getting hurt? The convenience store operators; all taxpayers in Ontario who pick up the tab for that \$600 million in lost revenue and related health costs down the road due to smoking, now and in the future; and our kids, who are not only smoking illegal product but untested garbage for a dollar a package coming in from China. Who knows what's even in that?

I can't see how any reasonable member of this House cannot support this resolution, because as I've said, it is about the upholding of the law, something we're sworn to do. All it says in this resolution is that, "The Legislative Assembly of Ontario calls upon the McGuinty government to move immediately to shut down all illegal smoke shops in Ontario and prosecute vendors of illegal cigarettes to the fullest extent of the law." And you're going to vote against that.

Why do we even need a resolution to uphold the rule of law? This is the law. Isn't the government supposed to uphold it? But this government is not upholding the law. I have personally spoken to uniformed enforcement officers, tobacco enforcement officers—and there are 300 of them in this province—who have told me that the policy is hands off. Why hands off? "Well, we don't want to start a war." If that is true, is the government ready to admit it and explain why? And if this is hands-off policy and it's causing injury to our young people and others, how can the government maintain that it is acting to protect young people in dealing with convenience stores?

Convenience stores are not the problem. Convenience stores are ready to toe the line. They need a bit of time to put the walls up, but that's not going to change anything about the 37%—and rising—of sales across Ontario of illicit tobacco. The major conundrum is not understood by Ontarians.

They have this problem in British Columbia. They have it as well as we do, but they enforce things in British Columbia better, I suppose, than they do in Ontario, because the percentage of tobacco that is contraband in the province of British Columbia, that gets into the consumers' hands, is 5%. In Ontario, it's a 37% problem and it's spiralling upward.

I expect everyone here to vote for this simple resolution because all it does is call upon the government to do what is mandated for the government to do, what is right, and that is to enforce the law.

**Hon. Leona Dombrowsky:** I thought it was very important that I have an opportunity to speak to this opposition day motion. I have a few points I want to make about the comments that have been made by the mover of the motion, Mr. Runciman, from Leeds–Grenville, with respect to the fact that this is a health issue, and that would be the motivation on the part of the opposition for bringing it for debate today.

What I would say is that that puzzles me a little bit. In the year 2006, this government introduced the Smoke-Free Ontario Act. This was an act that would prohibit smoking in all public places. We thought that was a very important piece of legislation. It was something that the Ontario Medical Association and activists for many years had promoted. That was a bill that was voted against by the members of the Conservative caucus. So when we talk about this being a health issue, I'm really rather confused in terms of how it is that today we're talking about how—and our government would agree that tobacco products in the province cost Ontarians significantly. That is why we introduced the Smoke-Free Ontario Act, and I don't know why the members opposite did not support it.

**1710**

I would say as well that since the passage of the bill, our government has committed \$60 million to tobacco cessation programs. That's 600% more than was spent by the government previous to ours on smoking cessation programs. Again, I say to the members opposite that they voted against the budget that contained that \$60 million.

Also with respect to focusing resources for young people, having them understand why it is important that they not take up smoking, why they should not smoke, we launched the \$25-million stupid.ca program. I know some members on the opposition benches make light of that program, but there have been literally thousands of hits on that website. It is a very worthy tool to have our youth understand why they should not smoke. Again, they voted against the \$25 million dedicated to that program focused on youth.

Our government, since coming to office, has hired 143 enforcement officers at public health units. These 143 officers, since they've been hired, have laid 6,000 charges. We think that's a good thing. That's why they were hired.

*Interjection.*

**Hon. Leona Dombrowsky:** A member opposite is saying, "Put them to work." We certainly have faith in the public servants who work for the province of Ontario, and we believe they do a very good job on behalf of the people of the province. The dollars that we have used to hire those health enforcement officers—members of the opposition voted against the budget that incorporated those additional dollars to hire them.

I would also say that with respect to focusing on children and the health of children and what's important for children, our Premier has made a commitment that this government will act to protect children in cars and will bring into the House legislation that will prevent adults, when there are children in cars, from smoking. I would say to the members opposite who say they are very concerned about the exposure of young people to cigarettes and cigarette products, I certainly would expect them to wholeheartedly and enthusiastically support any move that this government would take to protect children in cars when there are smokers in cars.

I will conclude by saying that—as I read the motion that is presented here today, it is calling upon "the

McGuinty government to move immediately to shut down all illegal smoke shops”—our government has great trust and faith in the law enforcement officers in this province, whether they’re police or health unit employees. I believe they make decisions in the best interests of people, the community, wherever there is this kind of activity. That is the position of this government. We don’t direct police. We don’t direct health unit officers. We provide the legislation to enable them to ensure that the communities where people live and work remain safe. That is the commitment of this government. I believe we can demonstrate very clearly that the health of children has been a priority and the safety of people in this province has been a priority.

**Mr. John Yakabuski:** I’m pleased to stand today in support of the motion put forward by our leader, Bob Runciman, with regard to illegal smoke shacks in the province of Ontario. The sale of illegal cigarettes is what this motion is all about.

I respect greatly the passion that I heard from members of the NDP today with regard to their concerns with First Nations issues. There’s nobody in this House, and certainly nobody who has been awake in the province of Ontario, who would argue against the fact that there have been tremendous injustices perpetrated against First Nations peoples historically. But we’re not going to redress those today; we do have negotiations ongoing, and they have been going on for some time, that are supposed to address those problems and that issue. We support that, but that is not what we are talking about today. We are talking about the operation of illegal smoke shacks in the province of Ontario.

With respect to the member for Nickel Belt, she talked about a smoke shop in Sudbury. I’m not aware of that smoke shop, but I can tell you that this motion would shut it down, because it touches on all illegal smoke shops. So if she wants to support this motion, we can look at that smoke shop in Sudbury. I’ve never been there—I’ve been to Sudbury, but I’ve never been to that illegal smoke shop for smokes, alcohol or otherwise. When something like that is operating and breaking the law, we in the Progressive Conservative Party would be in favour of shutting it down, because we believe in respect for the law, respect for the law by everyone, and that everyone is equal under the law.

So our position on the smoke shops—now, we do mention a smoke shop in Caledonia. There’s a very specific reason for mentioning that one in particular: because it operates on land owned by the province of Ontario. If the government of Ontario is not going to enforce the law on its own land, then I guess we can’t expect them to enforce the law anywhere else. If that is the kind of government that we have, one that will allow illegal activity on their land, then they are shirking and renegeing on their responsibility not just to the people of Caledonia and not just to the people in Haldimand county, but to all the people of the province of Ontario. You have a responsibility as government to enforce the law on your land.

Let’s talk about the bigger picture. Let’s talk about the health of children. I am appalled that the Minister of Health Promotion would have this kind of attitude toward the health of our children.

I know that the government likes to talk about those who didn’t support the Smoke-Free Ontario Act; I was one of those six Progressive Conservatives who voted against it—not because I’m in favour of smoke, because those people who know me and know me in my private life know that I’m one of the most adamant anti-smoking people they know. But I couldn’t support that bill because of components in it. In our home, in our family of four children, ages 28 to 16, none of them smoke. Do you know what my kids say? They say, “Dad, you just have to be stupid if you smoke. You just have to be dumb.” I don’t disagree with my kids. That’s the way they were raised: that smoking is unhealthy, there’s no reason for it, and they don’t participate in that.

But not everybody has the same feelings toward it. When we have a smoke shop operating within metres of a school, accessible by our children, our most vulnerable people, and this government feels it has no responsibility to shut that down, then something is wrong. If they can’t make the health and the protection of children from those who would try to entice them into doing something that is extremely unhealthy for them—not only unhealthy if you’re buying the du Maurier cigarettes, but how much more unhealthy if you’re buying illegal, contraband cigarettes, and we don’t have any idea what chemicals might be in them? All tobacco is unhealthy. We all accept that; we all believe that. Even those in this House who smoke would agree that tobacco is unhealthy. But how much more unhealthy is tobacco that comes from questionable sources? It could have chemicals in there that we’ve already banned in this country. But how do you know? They’re not tested. They’re not inspected at the border. They come through the border illegally, now we allow them to be sold at a smoke shack within metres of a school, and this government says: “That’s not our problem.”

1720

Well, if I were a member of the government, I would make it our problem, because the health of our children, the protection of our children, is a priority that none of us can ignore—not if you’re in opposition, not if you’re in government and not if you’re a citizen of this province. You can’t ignore the importance of the health of our children.

We’re allowing an activity to go on and, by the looks of it, this government is encouraging it. They’re giving tacit approval to it. When you will not stand and enforce the law, you are in fact telling those people who break the law that you’re not concerned about it. That is a terrible message to send to criminals. When you turn a blind eye to law-breaking, you in fact give tacit approval to that law-breaking.

In my opinion, this government has failed in its responsibility. This shack is well known to them. I have to repeat that it doesn’t operate on a piece of private

property that Joe Blow owns and has a fence around and has told the people, "Just step on my property and there'll be a price to pay." No. It operates on land owned by the province of Ontario. They might as well fly an Ontario flag. Maybe they should have a picture of the Premier on the wall of the smoke shack. They've got the approval of the government. I've got to believe that we live in a province where, if you're breaking the law, the government is going to move in and stop you from breaking the law.

I'm running out of time here. I know my colleague from Niagara West—Glanbrook wants to speak, so I am going to urge all the members in this House: You have an opportunity today to stand up for children in this province. I urge you to do so.

**Mr. Yasir Naqvi:** Thank you for giving me the opportunity to speak on this particular motion.

Despite the assertions made on this motion, this government is committed to combating the problem of illegal cigarettes. Since October 2003, Ontario has taken many steps to attack illegal contraband cigarette sales, including the Tobacco Tax Act. Convictions under the act have doubled between 2005 and 2007. Over the past two years, Ministry of Revenue investigators have seized millions of contraband cigarettes, untaxed cigars and large quantities of fine-cut tobacco.

In reality, our government has strengthened enforcement against contraband tobacco four times since taking office—four times. Both parties sitting opposite voted against increasing enforcement four times. The role of the Ministry of Community Safety and Correctional Services, through the Ontario Provincial Police, is to ensure that the community and its residents are safe. In fact, in the last month alone, the OPP have confiscated over \$1 million worth of contraband tobacco.

Our government is proud of the work being done by the fine women and men of the OPP. It is nevertheless true that our government does not interfere with the operational decisions of the OPP or any other police service in Ontario. We take the recommendations from the Linden report very seriously. We are very clear on recommendation 71. Let me take this opportunity to share recommendation 71 with all members of this House:

"The power of the responsible minister to direct the OPP does not include directions regarding specific law enforcement decisions in individual cases ... the commissioner of the OPP has operational responsibility with respect to the control of the OPP."

All members of this Legislature are fully aware of this well-established division between public policy and operational matters. When the members opposite suggest that we should direct the OPP or any other police force, I am reminded of what was said by the leader opposite, the honourable member who brought this motion, when he was the Solicitor General and minister of corrections. Let me quote the then minister in Hansard:

"I've indicated, and the Premier's indicated, that in past instances, in dealing with different issues, this gov-

ernment, this ministry, the Premier's office and, I assume, former governments did in no way, shape or form involve themselves in day-to-day police operations in this province. That has continued to be the case throughout the tenure of our government and I trust it will continue to be the case as the years roll on with governments of a variety of political stripes." That is the current House leader saying this on May 30, 1996.

We have full confidence in the police across the province, and we would hope that the opposition shared this confidence. Let me remind the members that it is the primary responsibility of the federal government to protect Canadians from cross-border smuggling, including tobacco smuggling. The RCMP and the Canada Border Services Agency are the two federal agencies responsible for matters related to cross-border smuggling.

The RCMP is the lead agency that manages Canada's integrated border enforcement teams, known as IBETs. The OPP is a strong partner in the work of these teams targeting cross-border criminal activity like tobacco smuggling. These teams enable law enforcement agencies in the US and Canada to ensure that our borders are secure and open for legitimate business. These teams are a major enforcement success. In addition, last week, law enforcement officials in eastern Ontario announced that they are joining forces to crack down on speeders, contraband tobacco smugglers and impaired drivers on the region's roads and highways. This partnership will consist of the OPP, the Ministry of Transportation, the RCMP and the Canada Border Services Agency.

We know that enforcement and tax policies alone are not enough. We know that smoking cessation is key to long-term success. The McGuinty government has been aggressively implementing smoking cessation programs since taking office. The Smoke-Free Ontario Act has been hugely successful. Our colleague Minister Best confirmed that tobacco consumption in Ontario fell by 31.8% from 2003 to 2006. That equals over 4.6 billion fewer cigarettes.

I would be remiss if I did not talk about cessation programs in my community in the city of Ottawa. The Ottawa public health department cessation programming in 2007-08, in partnership with the Ministry of Health Promotion and the University of Ottawa health institute, has developed a hospital-based smoking cessation program which identifies and treats tobacco users admitted to the hospital. The program was piloted in 17 hospitals in the Champlain local health integration network in 2006-07. Due to the success of the program, it was expanded to 10 additional hospitals across the province. Through our Youth Action Alliance program, tobacco awareness campaigns in the Ottawa area are also under operation, currently providing counselling, brief intervention and self-help in all high schools. With a physician's note, youths gain access to nicotine replacement therapy at reduced cost.

Our government believes that reducing the demand for tobacco is crucial. Although some people may be concerned with lost tax revenue from illegal cigarettes, our

government is concerned with lost lives from all cigarettes.

**Mr. Tim Hudak:** I'm pleased to rise and join the debate in support of the opposition day motion standing in the name of Mr. Runciman from Leeds–Grenville.

Let me start out by citing a recent article in the *Niagara This Week* of April 4, 2008, entitled "Cheap Contraband Cigarettes Pouring into Niagara." Mr. Forsyth's article begins: "They're being sold at factory gates, from vans parked next to schools and even in variety stores. They're illegal cigarettes, and they're pouring into Niagara and across Ontario from native reserves in Ontario, Quebec and New York State." That was the message that Michael Perley, director of the Ontario Campaign for Action on Tobacco, brought when he visited with municipal leaders in Niagara.

The article reports that "Perley said the massive amounts of illegal cigarettes pouring into Ontario are delivering a serious setback to anti-tobacco steps taken in the province...." Mr. Perley also estimates that this is costing the provincial treasury some \$600 million per year in lost revenues because it's going into the so-called black market.

**1730**

The problem as well is that this is encouraging more young people to take up smoking. First of all, they don't have to go through a licensed place, which would have to check their identification. Secondly, I suspect that those who are selling them from illegal smoke shacks or out of the back of a car or from a van outside of a school aren't exactly checking the identification of the kids buying these cigarettes. Third, these products are dirt cheap. It's encouraging more young people to take up this habit. The article goes on to say:

"There are legal cigarette-making businesses on reserves that are provincially and federally licensed and exempt from taxes for natives, but Perley said many of those cigarettes—with pink plastic seals versus yellow for smokes that duties have been paid on—are ending up on the illegal market."

Mr. Perley estimates that one in three cigarettes in Niagara comes through the black market. The government tries to boast that they have reduced smoking by 25% to 30%.

**Mr. John Yakabuski:** Just the legal sales.

**Mr. Tim Hudak:** My colleague from Renfrew notes it correctly, that probably the legal sales have gone down by 25% or 30%, and I bet that, and more, now has gone into the illegal tobacco trade—up to 40%, by some estimates.

I represent Niagara West–Glanbrook, so areas like upper Stoney Creek, Binbrook, Mount Hope as well as parts of Niagara. So we're very close to the illegal cigarette shack that is referenced in the motion and by my colleagues next to that school in Caledonia. We're the neighbouring riding. It's gone from being legend to commonplace. People will regularly drive either to that illegal cigarette shack or its partner shacks in the area to purchase illegal tobacco and cigarette products. People

talk very openly about it. It's almost like the days when people would talk about how they'd smuggle things across the border, under the watchful eyes of the customs officers. But now there's no check. As my colleague from Thornhill has said many times, the tobacco control officers have been told to keep their hands off. The McGuinty government has told its own officers, the tax collectors and those that make sure that cigarettes are always sold to those who are of age through licensed establishments to look the other way when it comes to these illegal operations.

It is sad too that government policy seems to be suggesting that a way to prosperity for some is to get engaged in the illegal tobacco industry. By not cracking down on illegal operators, the government is sending a signal that you can get rich quick by engaging in these types of activities. If the enforcement officers aren't pursuing them, then that is going to encourage more people to get into the supply of this business.

Let's look at some of the prices. A carton of 200 no-name cigarettes in a clear plastic bag with a twist tie, with a lighter thrown in, costs anywhere from \$6 to \$8. If you were to purchase cigarettes through a legitimate operation, you'd pay roughly \$10 a pack or \$80 a carton for brand name cigarettes. No wonder more young people are taking up the habit, and no wonder more people are moving to these illegal cigarette shacks that the government chooses to ignore.

There is also a system, which I think we all know, in how marked and unmarked cigarettes are to operate. Marked cigarettes or packages of cigarettes, cartons and cases that are marked with a stamp would then come, as required, under the Tobacco Tax Act. Unmarked or unregistered cigarettes do not have a yellow tear tape. On-reserve retailers who are authorized by the Minister of Revenue to purchase unmarked cigarettes must sell them only to aboriginals. It is illegal to sell unmarked cigarettes to non-aboriginals. Retailers who have been authorized to purchase unmarked cigarettes may not possess more than the allocated number they are authorized to purchase.

To avoid the abuse of the tax-exempt system, since late 1993, the Ontario government has implemented a quota system to limit the amount of tax on tobacco products sold to reserves. But, sadly, under the McGuinty government the system seems to have broken down, with no follow-up or inspection to combat illegal tobacco shacks by the McGuinty government. They're very anxious to crack down on law-abiding small businesses, like the variety stores in my riding, but turn a blind eye to the growing illegal trade in the neighbouring riding, which is very unfortunate indeed.

I guess in some ways I should add one of my favourite topics. The government actually operates its own smoking room as well at the casinos. They would tell mom-and-pop restaurants that these activities are not allowed—no smoking in the mom-and-pop restaurants—but the government-owned casinos at Niagara Falls, Windsor and perhaps at Rama as well have what I call

Dalton McGuinty smoking palaces. No wonder the government is looking the other way when it comes to illegal cigarette shacks, because they themselves are running an operation that would not be permitted to a private sector business.

I support the attack on tobacco. We need stronger incentives to discourage tobacco use. In fact, I'd like to see the government make good on a promise and buy out existing tobacco growers in Ontario, but let's first start cracking down on these illegal operations.

**Ms. Laurel C. Broten:** I'm very pleased to have a chance to stand and speak in opposition to this opposition day motion. I have to say, having sat here this afternoon and listened to this motion, it is a simplistic approach to tackling a very challenging and difficult issue that we face across the province.

It is also one that is, I think, a desperate measure to move back to the time of divide-and-conquer politics, a role that the members opposite played in this province during the years that they had the privilege of sitting on this side of the House. It's not an avenue that this government has pursued.

We have brought forward some of the most aggressive anti-smoking legislation in North America, and on each and every occasion—whether it was supporting individuals who needed help with respect to cessation, whether it was tackling a significant issue of second-hand smoke—the members on that side of the House voted against the steps that our government was taking. So I have to say that to have this newfound desire to prevent smoking among Ontario's youth is somewhat shocking, given that, on each and every occasion, they had an opportunity to really do something about it, to help develop the programs that I can say are succeeding in my community in Etobicoke–Lakeshore.

On Friday, I had the chance to attend Lakeshore Collegiate Institute to look at the tobacco-use-reduction showcase and the artwork and projects being undertaken by the students at Lakeshore Collegiate. I have to say, I was so proud of them. The work they were doing was very graphic, very direct, and was speaking to the issue of why they and their peers should not start smoking. They were telling me about the support they've received through the Ministry of Health Promotion, through public health, which is reaching out into our schools, the information they've received on the campaign on stupid.ca, because, yes, smoking is stupid. That is the direct language and approach that we've taken, learning from that generation that seeks to ensure that they and their friends don't take up something they will regret later on.

We all know very well in this House—certainly those of us on this side of the House—that smoking kills 1,300 Ontarians and costs our health care system \$1.7 billion every year. It's the number one preventable cause of death in Ontario. That's why we have been pro-active and taken steps.

We are not new to the topic we are discussing here today, but I have to say that when I had a chance to look through a reference in this motion, "Whereas one of the

goals of the Ontario smoke-free strategy is 'to prevent smoking among Ontario's children, youth and young adults,'" I say, where were you? Where have you been in the past? How come you have never spoken out on this issue? And how come you have a caucus and members of the Legislature on the opposite side who voted against it? Who are they? Six Conservative MPPs voted against it. I have to say, I'm looking across at many of those members right now, and they're the very people who have just spoken to the importance of the Smoke-Free Ontario Act. Where were you when we were dealing with this?

I also would suggest that if we look at the work that has been done with respect to enforcement, and we acknowledge the simplistic nature being taken in this motion that suggests that we in this Legislature should be directing actions of the police, that we should be directing crown attorneys where they should prosecute, that's not the kind of province I want to live in and that is certainly not the approach that we have ever taken on this side of the House. You perhaps, on that side of the House, have a history, a checkered past with respect to that type of enforcement. That is not what we are prepared to do. We are prepared to put our money on the table to help those who need to stop smoking and to prevent Ontario youth and others from taking up something that could ultimately result in their deaths. We are proud of the enforcement work that's being undertaken in this province.

**1740**

Let's take a look at the results that are being achieved by contraband tobacco enforcement. There's always more work to do. There's no one who sits on this side of the House and says that there's not more work to do with respect to enforcement, but there is work being done with respect to enforcement. Convictions under the Tobacco Tax Act, drastically low when we took office, are rising each and every year to, in 2007-08, 55 convictions. There was \$1 million in product confiscated last month alone.

Work is being done in partnership with the Canada Border Services Agency, the Canada Revenue Agency, the RCMP, the OPP, the provincial and territorial governments and other municipal governments. This is a cause that we have been on for a period of time. It's one that we have been working in partnership with in terms of all of the partners that need to be at the table.

I would say to my friends opposite: Welcome to the group that cares about this issue. But your interest, your desire and the avenue that you seek to pursue, I would suggest to you, is not one that will have success ultimately and is not in the form of one that will ultimately tackle this issue head-on. That's exactly what we're doing each and every day out in communities. We're doing it in a way that will make sure that Ontarians have the support they need. We are very proud of the work that's being undertaken by all of the partners at the table. Is there more work to do? Absolutely, yes. Welcome to the party.

**Mr. Dave Levac:** I want to take a moment to express a couple of personal thoughts and then deal specifically,

directly and clearly with the motion that has been offered. My first thought is that I have my tobacco pouch with me in terms of keeping my health clear, my mind clear; my flint and feather as well.

The other thing that I want to say very clearly is that from the very beginning of my understanding of what smoking means, I have supported 100% the idea that Ontario could go smoke-free. My first daughter was born with a t-shirt given to her by the anti-tobacco people that said, "The first generation of non-smoking Ontarians." She's now 25 years old, and unfortunately I can't say that that generation is going smoke-free. My hope, my wish and my prayer is that all of us could kick the habit; all of us would never start.

The fact is that the science is available, contrary to a member on the other side who still questions whether or not second-hand smoke can hurt anybody. I'm saying vividly, clearly, that—

*Interjections.*

**Mr. Dave Levac:** The cackling is already starting. You can understand that they don't want to see it. I would say to the members opposite who are cackling at the moment that maybe you should talk to your own members and check it out, because it's true. It's a fact.

Unfortunately, that kind of understanding is what's leading to the type of motion we're talking about today. The fact is that this is not a motion to deal specifically with what is being talked about. There's a hidden agenda here that we need to unfold and make sure that we expose. It's clear that the NDP get it. I compliment them for understanding the very nuances of the type of dog whistle that is being blown here to cause the problems that we are now seeing in this province.

The fact is that there are two roads to take. The first road is one of conflict, which leads to confrontation, which leads to violence. The other is the road of peace. It is very difficult for peace—

**Mr. Robert W. Runciman:** On a point of order, Mr. Speaker: I'm not being critical of the Chair at all, but there was a comment made which suggested racist overtones. I would ask you to review Hansard with respect to this member's comments and—perhaps today isn't appropriate, but at a future date—require that he withdraw.

*Interjection.*

**Mr. Robert W. Runciman:** It was an accusation of racism.

**The Acting Speaker (Mr. Ted Arnott):** I would caution the member for Brant with respect to his use of language and ask him if he would like to withdraw any unparliamentary language.

**Mr. Dave Levac:** I understand that the rules provide for an opportunity for me to ask you what issue we are specifically talking about—the words?

**The Acting Speaker (Mr. Ted Arnott):** Exactly, and I think you do know. But it's my understanding that the Speaker has in the past cautioned members for using the term "dog whistle." I would ask him if he would withdraw.

**Mr. Dave Levac:** I withdraw the words "dog whistle."

**The Acting Speaker (Mr. Ted Arnott):** Thank you very much. I return to the member for Brant.

**Mr. Dave Levac:** Let me talk about that. We'll be very clear. Saying things specifically so that certain people can hear them is a difficulty. And if the message is clear on the surface, it sometimes appears very innocent, and then at other times there's a message underneath. It's called subliminal advertising; there's something underneath that we want to hear clearly. By saying those things on top, there's a message being sent underneath. The message underneath is the piece that I want to speak to.

The reality is this: When we talk about the rules of the House being applied to, we're looking at some difficult times. The road that we choose to take can be one of conflict and confrontation, which leads to violence, or we take a road that is peaceful, that explains clearly that we're going to take this in order for us to make an improvement. Here's the improvement I'm talking about.

*Interjection.*

**Mr. Dave Levac:** And the cackling starts. The cackling starts to try to say that they're the ones who are right. The member opposite who is leading the charge talked about the arrogance. So the fact is, we can't make our points without the cackling; we can't make our points and indicate to the member opposite as to why exactly we're doing this. So the member wants to continue to cackle. Well, listen to him cackle. Go right ahead.

*Interjection.*

**Mr. Dave Levac:** Go ahead; cackle. Cackle some more. Tell the people of Ontario why we can't give a rationale for supporting this or not supporting this. Quite frankly, we're not going to support this. I know I'm not going to support this. I'm not going to support this. Why? Because I live right next door, and Six Nations is in my riding. Quite frankly, we're supposed to be speaking for all people.

Here's the question: Are you aware that since October 2003, Ontario has made many steps to improve getting rid of contraband cigarettes, including the Tobacco Tax Act? Over the past two years, Ministry of Revenue investigators—at the federal level—have seized millions of dollars' worth of contraband cigarettes, untaxed cigarettes and large quantities of fine-cut tobacco. The role of the Ministry of Community Safety and Correctional Services, through the province of Ontario and the OPP, is to ensure that the community and its residents are safe.

This is not the right spot for this particular motion, and I hope we all vote it down.

**The Acting Speaker (Mr. Ted Arnott):** Further debate?

Mr. Runciman has moved opposition motion number 2. Is it the pleasure of the House that the motion carry?

All those in favour of the motion will please say "aye."

All those opposed will please say "nay."

In my opinion, the nays have it.

Call in the members. This will be a 10-minute bell.

*The division bells rang from 1749 to 1759.*

**The Acting Speaker (Mr. Ted Arnott):** All those in favour of the motion will please rise one at a time and be recognized by the Clerk.

#### Ayes

|                    |                     |                     |
|--------------------|---------------------|---------------------|
| Bailey, Robert     | Miller, Norm        | Savoline, Joyce     |
| Barrett, Toby      | Munro, Julia        | Scott, Laurie       |
| Chudleigh, Ted     | Murdoch, Bill       | Shurman, Peter      |
| Elliott, Christine | O'Toole, John       | Sterling, Norman W. |
| Hudak, Tim         | Ouellette, Jerry J. | Witmer, Elizabeth   |
| Jones, Sylvia      | Runciman, Robert W. | Yakubski, John      |

**The Acting Speaker (Mr. Ted Arnott):** All those opposed to the motion will please rise one at a time and be counted by the Clerk.

#### Nays

|                     |                     |                    |
|---------------------|---------------------|--------------------|
| Aggelonitis, Sophia | Gerretsen, John     | Naqvi, Yasir       |
| Albanese, Laura     | Gravelle, Michael   | Oraziotti, David   |
| Bartolucci, Rick    | Hoy, Pat            | Phillips, Gerry    |
| Broten, Laurel C.   | Jaczek, Helena      | Pupatello, Sandra  |
| Brown, Michael A.   | Jeffrey, Linda      | Qaadri, Shafiq     |
| Bryant, Michael     | Kwinter, Monte      | Ramal, Khalil      |
| Chan, Michael       | Lalonde, Jean-Marc  | Rinaldi, Lou       |
| Colle, Mike         | Levac, Dave         | Ruprecht, Tony     |
| Crozier, Bruce      | Mangat, Amrit       | Sandals, Liz       |
| Delaney, Bob        | Matthews, Deborah   | Sergio, Mario      |
| Dhillon, Vic        | Mauro, Bill         | Smitherman, George |
| Dickson, Joe        | McNeely, Phil       | Sorbara, Greg      |
| Dombrowsky, Leona   | Meilleur, Madeleine | Van Bommel, Maria  |
| Duncan, Dwight      | Milloy, John        |                    |
| Flynn, Kevin Daniel | Moridi, Reza        |                    |

**The Clerk of the Assembly (Ms. Deborah Deller):** The ayes are 18; the nays are 43.

**The Acting Speaker (Mr. Ted Arnott):** I declare the motion lost.

*Negatived.*

**The Acting Speaker (Mr. Ted Arnott):** Pursuant to standing order 37, the question that this House do now adjourn is deemed to be have been made.

## ADJOURNMENT DEBATE

### TOBACCO CONTROL

**The Acting Speaker (Mr. Ted Arnott):** The member for Haliburton–Kawartha Lakes–Brock has given notice of her dissatisfaction with the answer to a question given today by the Minister of Aboriginal Affairs. The member has up to five minutes to debate this matter and the minister or his designate has five minutes to reply. I recognize the member for Haliburton–Kawartha Lakes–Brock.

**Ms. Laurie Scott:** My reason for this request pursuant to standing order 37(a), which you've mentioned, is that I'm unsatisfied with the answer received to the question I posed this afternoon in the House to the Premier. The question I asked today was a very pointed and direct question. It was intended for the Minister of Public Infrastructure Renewal, but I asked the Premier, who felt it should be referred to the Minister of Aboriginal Affairs.

It's certainly a pattern when we ask questions in the Legislature that the cabinet avoids their responsibilities and passes it off to other ministries. It's no coincidence we have two late shows tonight because there's a lack of response from these ministers. It's clear, but it's unfortunate, that hard-working Ontario taxpayers—you can't blame them for suggesting that these ministers are sitting at the cabinet table as Liberal patronage appointments. But God forbid that they actually stand up and do their duty as ministers in the government and tackle these challenging issues. I guess that's not in the job description they have in front of them.

In the past weeks both myself and my colleagues have asked a number of questions with respect to the non-smoking laws, as well as the regulations they effect on small businesses. We've provided clear examples of where there are serious violations to those regulations. No response from the government on these issues. We've heard excuses, absolutely unrelated statistics and a whole lot of rhetoric—horse feathers, as one of my colleagues likes to say.

The reason for my question to the Premier today was to clarify an important matter from the Minister of Public Infrastructure Renewal. There is again—we've discussed this all day—a matter of an illegal smoke shop close to schools in the town of Caledonia. The illegal smoke shop is operating on crown land, land that is owned by the taxpayers of Ontario, entrusted to the Minister of Public Infrastructure Renewal to manage in the best interests of the public. I don't think that an illegal smoke shop can be determined to be in the best interests of the public, but we've had this debate.

I was asking why the ministry is allowing an illegal smoke shop, selling illegal cigarettes to young people without identification, not paying their share of provincial tobacco taxes, operating on government-owned land, near both an elementary school and a high school in Caledonia—not only is this government allowing it to happen; they help facilitate it. It's on crown land. I guess you have to repeat, repeat and repeat. This story is getting pretty long and repetitive, but it will continue until we get some answers from this government.

I was wondering if the vendor was paying any rent to the taxpayers of Ontario for setting up the shop on this land. That was my question. That was what it was related to. Not at any point did I mention anything that would insist that the Premier refer it to the Minister of Aboriginal Affairs. That's the first point that baffled me.

It was a straightforward question with respect to government-owned property at Plank Road at the intersection of provincial Highway 6 and Argyle Street in Caledonia. That's the address. On that crown land there's a vendor who's operating a cigarette smoke shop. It's taxpayer-owned land. It's entrusted to the responsibility of this government over there.

I asked if he could confirm that the minister responsible was collecting rent from this particular vendor, and if not, why not? The Premier referred it to the Minister of Aboriginal Affairs, who never attempted to answer the

question. Then he stated incorrectly, which he later corrected, that there was an eviction notice sent by the Minister of Public Infrastructure Renewal. He went on to discuss a number of things that had nothing to do with the question, but no answer to the question.

On the follow-up question on when the eviction notice was sent from the minister to the vendor, there was obviously no answer to that because there was no eviction notice sent from the minister to the vendor. It didn't happen. There was an eviction notice, according to the Minister of Aboriginal Affairs, sent from Six Nations Council Chief Bill Montour, who issued the eviction.

If this is government land and an illegal operation was occurring, what effect does an eviction notice from anyone other than the government of the day mean? I simply continue to ask and have not yet received any form of an answer aside from the information that even the minister did correct. His record was incorrect.

Has there been rent paid by the vendor on this property? Will the minister share the third-party eviction notice with us so we can see? He has obviously seen the eviction notice sent from the third party, or has the government transferred the title to that property without us knowing?

**The Acting Speaker (Mr. Ted Arnott):** The Minister of Aboriginal Affairs.

**Hon. Michael Bryant:** I'm going to have to quiet down all my colleagues who are outside of camera range right now. You can keep it down. No, no, no. That's enough.

The member made reference to the referral by the Premier. Just to get this on the record, Premier Dalton McGuinty has attended question period, thus far, more than any other Premier in the history of Ontario, and that not only includes his presence here in the Legislature but also the number of times that he has answered questions.

When I was sitting over there, I remember well the second term of the Conservative government. I remember that the Premier of the day, the Honourable Michael D. Harris, spent a considerable time quite noticeably on a golf course, and his question period attendance was about 20%. On the other hand, we have the most active and activist Premier certainly thus far in the history of Ontario, but he has really only just begun.

With respect to my response, again I appreciated the opportunity to correct my own record that in fact it was eviction notices sent by the chief and the band council for Six Nations. The extent to which there was jurisdiction for one versus the other two is really probably a legal question that would end up on a law exam, but what's important here is that there's a smoke shack just off Argyle Street on a highway right-of-way, which probably means it's the Ministry of Transportation as opposed to Public Infrastructure Renewal. On the other hand, it's managed by ORC, the Ontario Realty Corp.

But the point is, as I said in the opposition day motion, that I agree with CAMH and a number of other anti-smoking activists that there isn't anybody who would support or condone the level of contraband cigarettes

that's taking place here today. Our point, and the point I was trying to make on the question, however imperfectly, was that this isn't really, by the official opposition, an attempt to suddenly find religion on anti-smoking, but rather it's an attempt ultimately to divide communities in circumstances that are already particularly divisive.

I'm getting another question, another late show, and I'll probably be able to elaborate when I answer the member's late show.

1810

#### NATIVE LAND DISPUTES

**The Acting Speaker (Mr. Ted Arnott):** The member for Haldimand-Norfolk has given notice of his dissatisfaction with the answer to a question given today by the Minister of Aboriginal Affairs on the issue of barricades and problems at Tyendinaga, Deseronto and Six Nations in Caledonia.

The member for Haldimand-Norfolk has five minutes.

**Mr. Toby Barrett:** I also am requesting a more thorough reply, a more direct answer, to some questions raised this afternoon. I was dissatisfied with the responses from the Minister of Aboriginal Affairs.

However, I did direct the first question to the Premier. I was just describing Sunday morning, when my wife and I were at Tyendinaga. It was a beautiful morning. It's a beautiful area, the Tyendinaga-Deseronto area. We were told that Highway 2 was open. I didn't realize we were on old Highway 2, County Road 2. We came upon a barricade. A fire was set on the highway. I chatted with the people there. I found it quite disconcerting. There were two young girls there; they had ice cream cones. It may have been a family. There were only four people manning the native side of the barricade that I was on.

I got directions, got turned around and went into Deseronto. Chatting with people about this situation—it obviously was the talk of Main Street. I was not sure who the MPP was. I spoke with the police as well. Everybody seemed to be out and about. I came away with the feeling that Deseronto is forgotten, that nobody seemed to know who was in charge. I wasn't sure who the MPP was for Deseronto. It is Minister Dombrowsky. I thought maybe it was Mr. Hillier. But I was asked about that, and I asked them as well.

I raised the question to the Premier, "Have you directed your minister to hide? Have you directed your cabinet colleagues to be unavailable" for comment? I read that in one of the eastern Ontario newspapers. "Have you directed your minister"—of course, this wasn't directed to the Minister for Aboriginal Affairs but to the Premier. "Have you asked the minister to refrain from standing up for the good people at both Tyendinaga and Deseronto?"

I'm not sure what went on here. It was difficult to understand the answers, even reading Hansard. I do know that the minister chose to rail on about a dead deer.

Further to that, I'm getting e-mails. I got an e-mail from a lady who lives in Prince Edward county. She

works in both Deseronto and Napanee; very upset with what she considers the destructive and disruptive protests. She does not feel safe. She actually has stopped purchasing items on, as she calls, “the reservation.” I think that’s really quite unfortunate.

These things occur when there is a lack of leadership and when people really don’t know who’s in charge and who should be running things and who should be talking to the mayor of Deseronto or the chief of Tyendinaga. Maybe we’ll find out in this answer that I’m anticipating.

The supplementary question—I do want to address that as well, briefly—is the issue of an apparent double standard with respect to the illegal activity that I observed in eastern Ontario. There was obviously no burn permit. It was in contravention of the Highway Traffic Act.

In Deseronto, Chief Commissioner Fantino was clear. In an April 25 news release he indicated, “This violent criminal activity occurred outside of any legitimate protest and will not be tolerated.” And it wasn’t tolerated, because he arrested them.

I went back to Caledonia yet again; my third visit over the weekend. I rolled in there and was constantly getting feedback on what had occurred there and the fact that, to my knowledge, criminal activity had occurred not over a land claim but in support of Shawn Brant and the arrests that were made. To my knowledge, there were no arrests made in Caledonia. People were saying, “What’s good for the goose is good for the gander. Why does this double standard exist? Why, with activity occurring, were people arrested in Deseronto, but in Caledonia, not because of a land claim but a protest, if you will, there were no arrests?”

Very simply, I’d like to get a more direct and fulsome answer.

**The Acting Speaker (Mr. Ted Arnott):** I recognize the Minister of Aboriginal Affairs again.

**Hon. Michael Bryant:** On the subject of arrests, I think the member knows that nobody in this House—no MPP, no member of government—is walking around with a holster and cuffs. I think the member knows that it is up to police officers to execute that duty. If I’m hearing the member correctly, what he’s doing is playing armchair quarterback when it comes to the activities of the OPP and Chief Commissioner Fantino in particular. I just want to disagree with him. Not only is it not the role of the government to direct police officers, as has been outlined by the Ipperwash commission and as is known by all members of this House—or they ought to know; in fact, the OPP has really done a remarkable and excellent job.

I just want to quote from the chief commissioner, who put out a release quite recently. “The OPP officers involved showed the professionalism and dedication to duty that the OPP has built its reputation on for almost 100 years. I thank them for their work,” says Chief Commissioner Fantino. I want to echo not just that sentiment but those words. The OPP officers are doing an excellent job under very tough circumstances.

You would have thought that the member who represents that community might have wanted to talk about the good work that the OPP did in achieving what turned out to be, in the words of Chief Commissioner Fantino, “a peaceful conclusion.” The OPP announced that the Highway 6 bypass in Caledonia has reopened. Chief Commissioner Fantino said, “Ongoing dialogue between the OPP and Six Nations leadership, and among the Six Nations leaders themselves, as well as our own commitment to resolve these matters in the safest manner possible, produced this important result.” It is an important result, and it’s a credit to the OPP and the people seeking peaceful solutions that this was able to occur.

Chief Commissioner Fantino goes on to say, “I am grateful to everyone affected for their patience; and to aboriginal leaders and their community members for the critical role they played in the successful resolution of the incidents near Deseronto and in Caledonia.” I again agree, and have said before and will say again that those leaders have showed tremendous leadership and patience.

I wonder if the person who represents the border of that community can say that he played a critical role in the successful resolution of the incidents when what he’s doing in this Legislature is calling for arrests. I think it’s pretty obvious that the member who’s asking the question played no critical role in the successful resolution. He seemed to work very hard to avoid a successful resolution and did everything he could to fan the flames and create division in a particularly tense time.

As for the great Minister of Agriculture, the member for Prince Edward—Hastings—who was present throughout last weekend, by the way—she was very much front and centre, continuing to work with First Nations, the municipality and the community—unlike that member, who chooses whom he works with. Does he work with First Nations, Six Nations Haudenosaunee and the community? No. The chief and council said to me, “He used to come by, but he doesn’t seem to come by anymore, and he hasn’t been on Six Nations in a very long time.”

I don’t think this particular matter, or anything having anything to do with First Nations, should be one where Canadians should have to choose sides, and I think it’s quite wrong for the member to suggest that that should happen.

As for the deer that he made reference to, that I went on and on, I would not want any member of this House to have a picture of a deer with bullet holes in him with their name on it. I would never wish that on anybody—not a New Democrat, not a Conservative, not a Liberal; nobody. But, in fact, this was the event in the photos that was celebrated, lauded and promoted by the member for Lanark, whose approach to these issues of justice is, in his words, “If you break the law and you”—

**The Acting Speaker (Mr. Ted Arnott):** Thank you. There being no further matter to debate, I deem the motion to adjourn to be carried. This House stands adjourned until tomorrow at 1:30 p.m.

*The House adjourned at 1821.*

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

Lieutenant Governor / Lieutenant-gouverneur: Hon. / L'hon. David C. Onley, O.Ont.

Speaker / Président: Hon. / L'hon. Steve Peters

Clerk / Greffière: Deborah Deller

Clerks-at-the-Table / Greffiers parlementaires: Todd Decker, Lisa Freedman, Tonia Grannum

Sergeant-at-Arms / Sergent d'armes: Dennis Clark

| Member and Party /<br>Député(e) et parti      | Constituency /<br>Circonscription                         | Other responsibilities /<br>Autres responsabilités   |
|---|---|--|
| Aggelonitis, Sophia (L)                       | Hamilton Mountain   |  |
| Albanese, Laura (L)                           | York South–Weston /<br>York-Sud–Weston                    |  |
| <b>Arnott, Ted (PC)</b>                       | Wellington–Halton Hills                                   | First Deputy Chair of the committee of the whole House / Premier<br>Vice-Président du Comité plénier de l'Assemblée législative              |
| Arthurs, Wayne (L)                            | Pickering–Scarborough East /<br>Pickering–Scarborough-Est |  |
| Bailey, Robert (PC)                           | Sarnia–Lambton  |  |
| Balkissoon, Bas (L)                           | Scarborough–Rouge River                                   |  |
| Barrett, Toby (PC)                            | Haldimand–Norfolk   |  |
| <b>Bartolucci, Hon. / L'hon. Rick (L)</b>     | Sudbury   | Minister of Community Safety and Correctional Services / ministre<br>de la Sécurité communautaire et des Services correctionnels             |
| <b>Bentley, Hon. / L'hon. Christopher (L)</b> | London West / London-Ouest                                | Attorney General / procureur general   |
| Berardinetti, Lorenzo (L)                     | Scarborough Southwest /<br>Scarborough-Sud-Ouest          |  |
| <b>Best, Hon. / L'hon. Margaret R. (L)</b>    | Scarborough–Guildwood                                     | Minister of Health Promotion / ministre de la Promotion<br>de la santé   |
| Bisson, Gilles (ND)                           | Timmins–James Bay /<br>Timmins–Baie James                 |  |
| <b>Bradley, Hon. / L'hon. James J. (L)</b>    | St. Catharines  | Minister of Transportation / ministre des Transports   |
| Brotten, Laurel C. (L)                        | Etobicoke–Lakeshore                                       |  |
| Brown, Michael A. (L)                         | Algoma–Manitoulin   |  |
| Brownell, Jim (L)                             | Stormont–Dundas–South Glengarry                           |  |
| <b>Bryant, Hon. / L'hon. Michael (L)</b>      | St. Paul's  | Minister of Aboriginal Affairs, government House leader / ministre<br>des Affaires autochtones, leader parlementaire du gouvernement         |
| <b>Cansfield, Hon. / L'hon. Donna H. (L)</b>  | Etobicoke Centre /<br>Etobicoke-Centre                    | Minister of Natural Resources / ministre des Richesses naturelles  |
| <b>Caplan, Hon. / L'hon. David (L)</b>        | Don Valley East /<br>Don Valley-Est                       | Minister of Public Infrastructure Renewal / ministre du<br>Renouvellement de l'infrastructure publique                                       |
| <b>Carroll, Hon. / L'hon. M. Aileen (L)</b>   | Barrie  | Minister of Culture, minister responsible for seniors / ministre de la<br>Culture, ministre déléguée aux Affaires des personnes âgées        |
| <b>Chan, Hon. / L'hon. Michael (L)</b>        | Markham–Unionville  | Minister of Citizenship and Immigration / ministre des Affaires<br>civiques et de l'Immigration  |
| Chudleigh, Ted (PC)                           | Halton  |  |
| Colle, Mike (L)                               | Eglinton–Lawrence   |  |
| Craitor, Kim (L)                              | Niagara Falls   |  |
| <b>Crozier, Bruce (L)</b>                     | Essex   | Deputy Speaker, Chair of the committee of the whole House / Vice-<br>Président, Président du Comité plénier de l'Assemblée législative       |
| Delaney, Bob (L)                              | Mississauga–Streetsville                                  |  |
| Dhillon, Vic (L)                              | Brampton West /<br>Brampton-Ouest                         |  |
| Dickson, Joe (L)                              | Ajax–Pickering  |  |
| DiNovo, Cheri (ND)                            | Parkdale–High Park  |  |
| <b>Dombrowsky, Hon. / L'hon. Leona (L)</b>    | Prince Edward–Hastings                                    | Minister of Agriculture, Food and Rural Affairs / ministre<br>de l'Agriculture, de l'Alimentation et des Affaires rurales                    |
| <b>Duguid, Hon. / L'hon. Brad (L)</b>         | Scarborough Centre /<br>Scarborough-Centre                | Minister of Labour / ministre du Travail   |
| <b>Duncan, Hon. / L'hon. Dwight (L)</b>       | Windsor–Tecumseh  | Minister of Finance, Chair of the Management Board of Cabinet /<br>ministre des Finances, président du Conseil de gestion du<br>gouvernement |
| Dunlop, Garfield (PC)                         | Simcoe North / Simcoe-Nord                                |  |
| Elliott, Christine (PC)                       | Whitby–Oshawa   |  |

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

| <b>Member and Party /<br/>Député(e) et parti</b> | <b>Constituency /<br/>Circonscription</b>   | <b>Other responsibilities /<br/>Autres responsabilités</b>  |
|--|---|---|
| Ouellette, Jerry J. (PC)                         | Oshawa                                      |   |
| Pendergast, Leeanna (L)                          | Kitchener–Conestoga                         |   |
| <b>Peters, Hon. / L'hon. Steve (L)</b>           | Elgin–Middlesex–London                      | Speaker / Président   |
| <b>Phillips, Hon. / L'hon. Gerry (L)</b>         | Scarborough–Agincourt                       | Minister of Energy / ministre de l'Énergie  |
| Prue, Michael (ND)                               | Beaches–East York                           |   |
| <b>Pupatello, Hon. / L'hon. Sandra (L)</b>       | Windsor West / Windsor-Ouest                | Minister of Economic Development and Trade / ministre du Développement économique et du Commerce                                  |
| Qaadri, Shafiq (L)                               | Etobicoke North /<br>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                                   |   |
| <b>Smith, Hon. / L'hon. Monique M. (L)</b>       | Nipissing                                   | Minister of Revenue / ministre du Revenu  |
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| Sousa, Charles (L)                               | Mississauga South /<br>Mississauga-Sud      |   |
| Sterling, Norman W. (PC)                         | Carleton–Mississippi Mills                  |   |
| Tabuns, Peter (ND)                               | Toronto–Danforth                            |   |
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| Van Bommel, Maria (L)                            | Lambton–Kent–Middlesex                      |   |
| <b>Watson, Hon. / L'hon. Jim (L)</b>             | Ottawa West–Nepean /<br>Ottawa-Ouest–Nepean | Minister of Municipal Affairs and Housing / ministre des Affaires municipales et du Logement                                      |
| <b>Wilkinson, Hon. / L'hon. John (L)</b>         | Perth–Wellington                            | Minister of Research and Innovation / ministre de la Recherche et de l'Innovation   |
| <b>Wilson, Jim (PC)</b>                          | Simcoe–Grey                                 | Second Deputy Chair of the committee of the whole House /<br>Deuxième Vice-Président du Comité plénier de l'Assemblée législative |
| Witmer, Elizabeth (PC)                           | Kitchener–Waterloo                          | Opposition House leader / leader parlementaire de l'opposition  |
| <b>Wynne, Hon. / L'hon. Kathleen O. (L)</b>      | Don Valley West /<br>Don Valley-Ouest       | Minister of Education / ministre de l'Éducation   |
| Yakabuski, John (PC)                             | Renfrew–Nipissing–Pembroke                  |   |
| Zimmer, David (L)                                | Willowdale                                  |   |

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