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(Hansard)**

Tuesday 27 May 2008

Mardi 27 mai 2008

Speaker
Honourable Steve Peters

Président
L'honorable Steve Peters

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LEGISLATIVE ASSEMBLY
OF ONTARIO

Tuesday 27 May 2008

ASSEMBLÉE LÉGISLATIVE
DE L'ONTARIO

Mardi 27 mai 2008

The House met at 0900.

Prayers.

ORDERS OF THE DAY

SMOKE-FREE ONTARIO
AMENDMENT ACT, 2008

LOI DE 2008 MODIFIANT LA LOI
FAVORISANT UN ONTARIO SANS FUMÉE

Resuming the debate adjourned on May 14, 2008, on the motion for second reading of Bill 69, An Act to protect children from second-hand tobacco smoke in motor vehicles by amending the Smoke-Free Ontario Act / Projet de loi 69, Loi modifiant la Loi favorisant un Ontario sans fumée pour protéger les enfants contre le tabagisme passif dans les véhicules automobiles.

The Speaker (Hon. Steve Peters): Further debate?

Mr. John Yakubuski: If I could get a couple glasses of water—I wasn't expecting it this early.

It's a pleasure to join the debate on Bill 69, the Smoke-Free Ontario Amendment Act, this morning. You've already heard from a number of our speakers, including our critic for health promotion, Laurie Scott, who spoke for an hour on this bill. I congratulate her for being able to speak on this bill for an hour because, like so much of the legislation that is being brought forward by this government, there's not a lot to the bill. But we are required to debate legislation. It would be nice if the legislation we were debating in this House these days dealt with the single most important issue of the day, and that is the economy. But the government does not want to talk about the economy. They don't want to talk about the economy at all. In fact, this morning—Mr. Speaker, I'm going to get to the bill in a very short second here—the Premier is doing a 180 and wants to talk about John O'Toole's bill on cellphones. So today we're talking about David Oraziotti's bill, the member from Sault Ste. Marie, and also Liz Witmer's, who was a big proponent, as our health critic, of bringing forth anti-smoking or prohibitive smoking legislation for cars being occupied by children under the age of 16 years.

It's not a difficult issue. Goodness gracious; we all know how damaging smoking is. We all know about the number of dangerous and toxic chemicals in a cigarette. Some people have been smoking for many years; they're addicted to it. And many of them are working to get off

it. I certainly congratulate my friend the member for Durham, who in the last few months has kicked the habit himself—and he's not a young man. I won't give you his age, but—he's not getting a pension from here, but I think he's getting one from somewhere. I give him credit for kicking the habit at this stage, because he recognized that smoking wasn't doing him any good, or anybody else any good either.

Do we want smoking in cars with children under the age of 16? No, of course not. We support that legislation. We don't support many of the things that this government is doing. We don't support many of the things in many of the bills that we actually support. But this is so full of contradictions. I have no objection to the Minister of Health Promotion; she seems like a very charming lady. But she is in over her head on this one. She's going to ban smoking in cars—that's a great idea—with children under the age of 16. But you know all those dangerous chemicals I was talking about, all those dangerous chemicals in a cigarette? We've identified them all. We know they're there. So when you go into the corner store or the convenience store, or wherever, and pick up that pack of cigarettes, we know what those cigarettes contain. They contain many dangerous substances and chemicals. Some are addictive and some are simply toxic at different levels.

But do you know what? All of those cigarettes—about a third of the cigarettes consumed in this province today—that are coming illegally through First Nations reserves contain all of those chemicals, and maybe some we're not even aware of, too, because we have no control over the manufacture or distribution of those cigarettes.

So what does the Premier, and this is where I say the Minister of Health Promotion—do you know what? I think if she had her way, she'd probably be doing something about that. But we know that everything runs through the corner office on the second floor. No decisions are made in that caucus, in that cabinet, in that party, except by the king himself, King Dalton. He runs the show. And he's telling those people, he's telling the Minister of Health Promotion and he's telling all of these backbenchers over here—well, the few of them who are dutifully here for their 9 o'clock appointments: "This is what you're going to do in my Liberal Party, in my Liberal government. You're not going to say anything negative. You're not going to say that the government isn't doing something it should be doing when it comes to attacking and dealing with illegal contraband tobacco being filtered through First Nations. No, no, we don't touch that. We don't touch that in Ontario."

What's regrettable about that is that it sets two standards. It says on the one hand that law-abiding, taxpaying businesses are losing revenue because tobacco, even though it's a bad substance, currently is a legal substance. I want to clarify that. If I say it too fast it might sound like I'm saying it's an illegal substance. It's a legal substance. Those legitimate businesses are losing money hand over fist. I talk to people in my riding all the time whose cigarette sales are way down. Oh, and by the way, you used to hear the Minister of Health Promotion and the former Minister of Health Promotion, who is now the Minister of Municipal Affairs and Housing, jumping up and saying, "The McGuinty anti-smoking strategy is working well in Ontario. We're seeing huge drops in the number of people who are smoking in this province." That's not happening at all, and they know it. What is happening is, instead of people buying those cigarettes at a legal, law-abiding business, they're buying illegal cigarettes filtered through the First Nations reserves, with no taxes attached to them. I talk to folks in my riding, and they buy them by the garbage bag. I guess that's going green: Go get a green garbage bag full of cigarettes off the reserve; maybe that is going green. Maybe that's the new McGuinty green plan. They paid a little over a dollar, around a dollar, for a pack of 20 cigarettes.

When I talk to these tobacco enforcement people, do you know what they say? "You watch out, mister. If you're buying those illegal cigarettes, we're going to get you. We're going to put the hammer down on you." But they're not going to deal with the source: "No, no, we're not going to touch that at all."

0910

I don't absolve the federal government on this one either. Enforcement of tobacco laws is both provincial and federal, and we need to do more to ensure that those illegal cigarettes are not being distributed on First Nations. We've got a problem on First Nations. If we're not offering them reasonable opportunities to better their own lives and we don't negotiate in good faith on many of the issues that are important to them, and should be important to us, the argument may be made that we're forcing them into these corners. That's a fair argument but that doesn't justify breaking the law. That doesn't justify illegal acts.

When it came to the war on drugs, or the so-called war on drugs, one of the things we always said was, "We are going to attack the source." Government said, "We want to get to the source." The RCMP and police forces said, "We want to get to the source. We want to get to the people who are selling these drugs to our young people. That's how we're going to deal with the war on drugs."

Alas, when it comes to the war on tobacco, no such policy. They don't want to talk about it. They don't want to talk about it because they don't want to deal with the real issue, which is illegal tobacco. That's the real issue.

What are we going to do if we catch somebody smoking in a car with an infant? It's the wrong thing to do, absolutely the wrong thing to do. There's no justification for it. But are we going to see if they're smoking

illegal cigarettes? And if they are smoking illegal cigarettes, is part of that investigation going to be, "Okay, let's find out where those cigarettes came from, because we're going to nip this in the bud. We're going to get at the source"? No, no, nay, not so. That won't be happening—inconsistencies in this government's anti-tobacco strategy.

If you're going to play the game, if you're going to attack what we know is a substance that is harmful, then you've got to attack it from all sides. You can't pick and choose. You can't say, "We're going after the legitimate business owner because he's an easy target, but we're not going to go after First Nations reserves because we don't want to inflame the situation."

We have a lot of things that we need to do with First Nations reserves and First Nations peoples. There are a lot of injustices that we've got to make up for, but failing to enforce laws and turning a blind eye to the breaking of laws is not the right message to them and it is not the right message to everyone else here in this province or in this country.

Another one of the terrible inconsistencies—did you ever hear of Gator Ted's? Gator Ted's is a bar down in Burlington. Gator Ted's was periodically, and I think regularly, visited by a gentleman who had a medical exemption to smoke marijuana. Now, regardless of your views on marijuana, and certainly views are changing—

The Acting Speaker (Mr. Ted Arnott): I'm very sorry to interrupt the member, but take your seat, please. I'm just inquiring as to how this relates to the bill at hand, the bill that's before the House.

Mr. John Yakabuski: Can I answer that, Mr. Speaker?

The Acting Speaker (Mr. Ted Arnott): Absolutely.

Mr. John Yakabuski: It certainly relates to the bill at hand because this bill is about the protection of children. What I'm talking about is the protection of children from tobacco or any other substances in the air that could affect their health. I'd like a little bit of latitude on that because I think this is important. Continue?

The Acting Speaker (Mr. Ted Arnott): Yes.

Mr. John Yakabuski: Thank you very much, Mr. Speaker.

So let's talk about Gator Ted's. Gator Ted's asked that this man not be allowed to smoke marijuana where he wouldn't be allowed to smoke tobacco. As you know, in Bill 40, or whatever bill it was there a couple years ago, tobacco smoking in public places was banned, including in bars and restaurants. You had to go outside to have a cigarette. Well, in Dalton McGuinty's Ontario, you can go outside and have a joint providing you've got this medical exemption.

I'm a little biased, I'm the first one to admit that, but I think these medical exemptions for marijuana started getting handed out like Smarties at a point, because once one person got one, the next person said, "Well, I need marijuana." They just started handing them out like they were coming out of Cracker Jacks. So this guy has an exemption to smoke marijuana and now he's smoking it

outside of Gator Ted's. How do you think you feel, as another individual, if you can't walk into Gator Ted's without going through a cloud of marijuana smoke but you can't smoke a cigarette where this guy can smoke marijuana? Kind of strange, isn't it?

I don't expect you to answer that, Mr. Speaker. You're impartial in these debates, I understand that, but you really have to ask yourself, "What are we thinking?"

My colleague from Burlington, Joyce Savoline, brought in a private member's bill that would have compelled this government to treat the smoking of marijuana exactly the same, from the point of view of prohibitions, as smoking tobacco. So this person would have been banned from smoking marijuana where he could not have smoked tobacco. They voted it down. They don't want to deal with significant, serious issues with regards to rights and health.

So what's the easy thing to do? "Well, let's bring in a smoking-in-cars bill. Who's going to be against it? We may feel that it's a little bit soft, but nobody's going to be standing up and ranting against it." We know that if nobody smokes in cars, our children, our grandchildren are much better off than if they do smoke in cars. There's no argument there. There's not a single person in here who's going to argue that people aren't better off if they're not subjected to the fumes and the second-hand smoke of other people. We have to certainly question the judgment of a parent, or the custodian or guardian of a child, who would smoke in their car. You really have to question their judgment. There's enough information out there to conclude that that is not good for the child, so why would we be doing it?

Children, of course, have no say in the matter. They don't get to decide whether that person driving the car or an adult passenger in the car—they don't get to decide if that person smokes. So it is incumbent upon that person to make that decision. Not respecting whether we have a law or not, that decision should be a no.

The fact that we will have a law—and I will concede this—I think does give some strength to anyone who is observing someone who is smoking in a car with a child. You're not only doing something that we believe is wrong, you will now be doing something that is against the law. I think that is a good part of this legislation. They will now be doing something that John Q. Public knows is against the law. I think it gives people a little more comfort in maybe just saying, not in a confrontational way but in a polite way, "Excuse me,"—if you're at a stoplight or something, tap, tap, tap—"you're smoking in the car. That's against the law and that's bad for your children. Don't do that." Maybe not many people would do that, but I believe there will be some.

We certainly know about the dangers of second-hand smoke. Studies have shown—and I know my colleague, Laurie Scott, was talking about it in her address—that second-hand smoke is 23 times as toxic in a confined space like a car. Again, this speaks to what I'm saying. There's no argument. There's no debate about the importance and the righteousness of not smoking in a car

where there are children. But this is, quite frankly, another one of the Premier's favourite ways of dealing with things. It's number two. His first is to deny. Number one, deny; number two, deflect. So this is number two; this is deflect. So if we bring in a piece of legislation that is going to tie up the Legislature and is going to put some ink on the newspaper, that's deflecting. That's what he's doing here. He's doing it again today because he doesn't want to talk about the economy.

0920

I was speaking to a gentleman last night who was telling me there are about 1,300 fishing lodges in this province. Almost all of them are for sale because they can't attract US tourists here. They're for sale or they're in trouble. Does Mr. McGuinty want to talk about that? No. Do you know what he wants to talk about today? He wants to talk about John O'Toole's private member's bill from the past about banning cellphones in cars. Just a few months ago, Premier McGuinty said, "No, we're not going down that road. Absolutely not. That's not for us. We can't control everything." But he's concluding that that's exactly what he wants to do. He wants to control everything, and what he really wants to control is what you're reading in the newspapers or what you're watching on the television. That's what he wants to control. How do you do that? You deflect away from the issues that matter and you bring these other issues out on the floor—cellphone bans.

Listen, I recognized and I supported John O'Toole on his private member's bill. That was three years ago. What's the problem? He said no way then, but do you know what? The economy was pretty good then. He didn't want to deflect anybody away from the economy with a cellphone ban. He wanted to talk about how things were going in Ontario. Well, times have changed. Things are not going so well in Ontario. All of a sudden, "Oh, no. We can't talk about the economy. We've got pressing issues here. People of Ontario, we've got pressing issues. We've got to ban cellphones and GPSs and BlackBerries and everything else. And watch out, don't be putting your makeup on anymore in the car, ladies. You're going to be in trouble." That's what the Premier wants you to think about. He doesn't want you to think about the economy. Mr. Deflecto is up to his old tricks.

Unfortunately, I'm out of time, but it's been fun.

The Acting Speaker (Mr. Ted Arnott): Questions and comments?

Ms. Cheri DiNovo: It's always a pleasure to listen to the member from Renfrew–Nipissing–Pembroke.

I look forward to speaking at length on this bill, but suffice to say for now, some words from Shakespeare come to mind, from Hamlet: a lot of sound and fury, signifying—in the original—nothing, and in this particular instance, not much. So I'm looking forward to speaking about this bill.

We in the New Democratic Party will be voting for it. It's an inch where we need a mile, like so much of the Liberal government's legislation. I think my colleague here from Renfrew–Nipissing–Pembroke said it best, that

this is a deflection manoeuvre, as is much of the legislation that we've dealt with for this entire year, in fact. It hasn't been much of a year. I think we only sat a couple of weeks in the fall and we're sitting just a couple of months in the spring—so again, a government that doesn't want to work much and doesn't want to bring in anything substantive. Suffice to say, this is a way of protecting children, and insofar as it is, we in the NDP will support it.

Problems with the bill, of course, are myriad. Number one, the problem is that you're dealing with an addictive substance. We've seen over and over again that fining, particularly a \$250 fine for an addict, isn't going to stop the addiction.

Number two, enforcement: I find it highly improbable that our overworked police force, our much-beleaguered police force, is going to be pulling over cars because they see somebody smoking in them, when they don't have enough police on the roads to pull over cars that are speeding, that are driving while under the influence of alcohol etc. So again, there's a serious problem of enforcement.

We know that the way to deal with someone who has an addiction issue is not through enforcement anyway. It's through education, prevention and harm reduction, which I'll talk about at some length.

It's interesting to note that Ontario does not have a drug strategy. Toronto has one, but Ontario does not have one. We in Parkdale are actually trying to develop a template, the Parkdale drug strategy, something that perhaps the provincial government might want to look at and adopt, because certainly this should be part of an overarching educational and prevention response to addiction. I look forward to speaking more to this.

Mr. John O'Toole: I couldn't resist the opportunity to get up and compliment the member from Renfrew–Nipissing–Pembroke. I think he had it perfectly right. We are in support of this bill. In fact, I don't think anyone in the Legislature would agree with allowing anyone to smoke in an automobile with young children, if at all. That's the question: Does it go far enough?

My good friend the member from Renfrew–Nipissing–Pembroke said that the Premier wants to talk about these sorts of harmless little issues, harmless to the extent that legislatively we all kind of agree with it. It's not controversial. Underneath all that—he's right—the economy is in absolute turmoil. It is frightening, actually, but it's like the duck sailing along on top of the water while the feet are going like mad underneath the water. That's really what's happening.

So we should listen to the member from Renfrew–Nipissing–Pembroke and his overall assessment of the dangers of smoking on the one hand, and some of the legislative issues, whether it's the elimination of the Lord's Prayer—I hadn't had too many phone calls on that before the Premier introduced it. Now I'm getting all kinds of phone calls. Many people who aren't even churchgoing people ask why we are dealing with this. They've just laid off 900 at General Motors. Why aren't

we dealing with substantive issues instead of these rather harmless sorts of issues, non-interventionist kinds of things?

But I think we're all on track on this bill here, that we want to make sure our environment is safe for our children. I say that with the new group of pages here. Hopefully, they're able to listen to some substantive debate on something that's really about making their lives better.

So I'm going to wait for the member from Renfrew–Nipissing–Pembroke to make a concluding remark. Maybe he will mention the ban on cellphones. This could be a good start.

The Acting Speaker (Mr. Ted Arnott): Questions and comments?

I'm pleased to return to the member for Renfrew–Nipissing–Pembroke for two minutes in reply.

Mr. John Yakabuski: I want to thank the member from Parkdale–High Park for her comments, as well as the member for Durham. Apparently all of the Liberal members agree with what we said, so they chose not to respond. I appreciate their support for my comments. That's refreshing, and it's good to see some improvements over on that side of the House.

Let's conclude with a couple of important points. First is the importance of enforcing laws and treating tobacco equally across this province, whether it's sold in legal smoke shops or in illegal ways. Whether it's the illegal smoke shop on government land on Argyle Street in Caledonia, or filtering illegal cigarettes through First Nations reserves, we have to deal with that. That is important. That is a crucial part of an anti-tobacco strategy in the province of Ontario.

Let's also talk about why this bill is before us, the real truth. It's because this government wants to deflect. It does not want to talk about the real issues. It doesn't want to talk about its failures to deal with the economy in 2008 in the province of Ontario. Everywhere you go, you're hearing analysts say that this province is in trouble. And what does Dalton McGuinty do? He puts blinders on and says: "You know what? I've got some important stuff for you, ladies and gentlemen. I've got some real important stuff." Now that the smoking bill is winding down, "Hey, let's go with cellphones." What's next? What is he going to bring up next?

Our party put forth a very good idea with regard to economic stimulus in the province of Ontario: helping our tourism industry that is suffering under Dalton McGuinty. What do they do? They pooh-pooh the whole thing. They're not interested. They would rather put their heads in the sand like a group of ostriches and not face the real challenge here in Ontario, which is the economy. Get on with it.

Ms. Cheri DiNovo: Listening to the member from Renfrew–Nipissing–Pembroke is better than coffee in the morning.

It's a pleasure to speak to this bill. As I said in my two-minute hit, it's a lot of sound and fury, signifying not much. Certainly, we support it. How could one not sup-

port it? We're talking about the health of children and we're talking about something that's incredibly dangerous for children. In fact, one of the interesting facts that came through our research is that second-hand smoke is absorbed into car furnishings and later off-gassed, and that the stale smoke is more toxic than fresh cigarette smoke. I didn't know that, and I'm sure a lot of those watching from home didn't know that, but that's in fact the case, that second-hand smoke is extremely deadly and toxic. The smaller the lungs—in this case, of children—the more deadly and toxic it is. There's no contention there and there's no contention that someone who is addicted to the point that they can't stop smoking with their own or someone else's children in the car is an addict indeed. That's where I'd like to start.

0930

Certainly, we could start by looking at the overall health of children in the province of Ontario in 2008. I'm unhappy to say that that overall health is in a sorry state, mainly because of the poverty levels of children. We have one in six children in the province living in poverty, and 41% of those children who are living in poverty come from families who are working full-time. We know what poverty means. Poverty means you don't get fresh fruits; you don't get vegetables. Poverty means a host of risk factors to one's health. If this government were really serious about protecting the health of children, they would make some pretty simple but substantive moves: raising the minimum wage above the poverty line, building some housing, which hasn't been done in this province in at least a decade, and a host of other manoeuvres that are fairly cost-effective because they're saving money from future health costs and putting it into the present, which is truly health promotion. This is a health promotion bill. If you were serious about promoting the health of our children, we would be looking at poverty rates among children first and foremost.

Another very simple act that this government could do is to keep our pools open. That's about \$12 million a year in the GTA. We're closing pools. This is a valuable community resource. It keeps children healthy because it keeps them from getting obese. Again, it keeps them fitter so that we save health costs down the road. But we know that where there's a budget for \$40 billion for health care and a budget of some few hundred million for health promotion, clearly the priority of this government is not health promotion, despite what this bill pretends; it's patching people up at the other end.

To get back to this bill and the fact that somebody who would light up in a car with their child is an addict indeed, and despite the fact that tobacco is a legal drug, it is still a drug. I remember when I was in ministry, dealing with a number of people who had crack and heroin addictions, many of whom said that it was as difficult to give up smoking as it was to give up crack or heroin. That's how addictive this substance is.

I want to draw an analogy here, and that is to a woman who's pregnant and smoking. Surely a pregnant woman smoking is a danger to her child—there's no question. I

don't think anybody in this House would question that fact. The question is, how do you protect the child? Is the best way of protecting the child of that mother to fine the mother \$250? That's essentially what this bill is doing. It's saying that if the police—and “if” is a big “if” here. If the police, who are overworked, who are still waiting for that promised 1,000 police officers of Dalton McGuinty to trickle down to their force in their precinct and in their riding, for some reason have nothing better to do with their time than to pull somebody over because they see them smoking in a car, pull them over and know that there's a child in the backseat, do we really think a \$250 fine is going to deter an addict, an addict to the level that they'd endanger their own child? Do we really think that a pregnant mother smoking would be deterred by a \$250 fine?

I think we would all agree this is absurd. This is not the way you deal with addiction. In fact, in other jurisdictions where they have brought in legislation ahead of this—for example, in Nova Scotia—the focus has been way more on public awareness and education, and only with tickets and fines as a very last resort. It's a very last resort.

Here you have a government that's not interested in what the Toronto drug strategy has outlined as a drug strategy. It's four-fold; there are four legs to it: (1) prevention, (2) harm reduction, (3) treatment, and (4) enforcement. Only one quarter of that strategy is law enforcement. Three quarters of it are prevention, harm reduction and treatment.

It's the same with smoking. I don't know of a smoker who has ever quit smoking because they've been fined, but I know of a number of smokers who've quit smoking because they have been educated, because they have read an article or they've seen the effects of smoking on their own health or on others' health. They know, because they've been informed, that one out of two smokers will probably die from their addiction. One out of two: That's a pretty high death rate. Smokers stop smoking not because they're fined, not because they're arrested, but because they're educated, because, in the best of all possible circumstances, they're prevented from smoking in the very first place.

A particular aspect of anti-smoking measures that bothers me is that one of the most potent inducements for our youth to start smoking is that it's still seen as a kind of rebellion against authority. This is how the large tobacco manufacturers marketed nicotine in the first place—you know, James Dean. It was the cool thing to do. It was the thing you did when you wanted to flout authority. It made you a rebel in some way, shape or form. In fact, in their wicked ingeniousness, the large tobacco manufacturers marketed to women using feminism. You remember the Virginia Slims campaign: You can be independent, you can be just like a man, you can be liberated if you only light up.

Those same inducements are at work. They're just a little bit more subtle now—not much, just a little. Now the inducements are through major media. I watch

movies, as we all do, and I see people smoking in movies, coming out of both Hollywood and Canada, more often than I do in public now. We know that the hand of the large tobacco manufacturing agents is behind those movies. They're supporting them, they're sponsoring them. That's why, when you see a movie star light up on the screen, it undoes hundreds of millions of dollars worth of campaigning by governments, because our children see that. They see it looks cool, and they see that, hey, it's still a way of rebelling against authority. Of course, kids are immortal; we've all been through that period of our lives when we don't think about death or health effects very much. So they see this as a cool thing to do because the media tells them it is a cool thing to do.

If this government was serious about actually affecting smoking rates in this province, instead of this bill, or along with this bill, what they'd be doing is something like affecting the film tax credit for films made in the province. We give a lot of money out to films. We should demand in return for that money that these films do not promote smoking. They promote smoking if there are people smoking in the film, because, quite frankly, why does one need to smoke in the movies? Is it inherent in the plot? Is it inherent in the character of the person being played? I don't think so. I think this is the tobacco giants behind the film industry. So there's something you can do, just a suggestion. That would be substantive. That would be gutsy. That would be courageous.

We don't have a courageous, gutsy government here in the government of Dalton McGuinty. We have a government that's treading water, that's making small, incremental steps—steps that can't be opposed by anybody—instead of doing the courageous gutsy work that really is needed to both keep our children healthy and to keep our province healthy.

When you talk about the environment, we're talking about a toxic environment. Our children are growing up in this city in a toxic environment. Every day that they walk to school and then come home, they're breathing in toxins. We know, by bio-mentoring studies, that most of us have breathed in toxic amounts of chemicals. They're in our bloodstreams. They're in our systems. They cause cancer. We know this. Why don't we do anything about it?

0940

Here's something we could do about it. We know, for example, that coal-fired plants are bad for the environment. This is a government that promised to close coal-fired plants in 2007—now we hear it will be 2011, perhaps. That's one thing they could do. As I said at the outset, they could affect child poverty rates, because that would give children more nutrition. In a much ballyhooed move, this government added some money to the nutrition programs in schools. Guess what that amounts to? That's \$1 a week. Now, \$1 a week is not going to make much difference to a poor child in terms of nutrition. That's that incremental, treading-water kind of Dalton McGuinty move. That's not courageous and that's not gutsy; that's sound and fury signifying not very much

indeed, which is what this entire legislative year has been full of.

The only substantive legislation that has really come through this year is Bill 35, the slush fund bill, which was an excuse to give money to their friends. It was again ballyhooed as something that was going to be good for municipalities and infrastructure. Neither of those words existed in that bill—no. In fact, what was in that bill was a way to do an end run around the Auditor General and give money—over \$600 million in surplus in the course of the fiscal year—to anybody whom this government deems worthy, as long as they're non-profit. We know, because we remember the slush fund episode of last year, that that meant \$1 million to cricket clubs that asked for \$150,000. Who knows what it will mean this year? That was substantive legislation. It passed with nary a comment from many, and that actually changed the way business is done in this province.

Another substantive piece of legislation this government passed that changed the way legislative business is done in this province is the standing order changes. That's why we have such an overwhelming attendance this morning. Now that we have question period at 10:45 instead of 1 o'clock, we have basically diminished the importance of question period. That was substantive.

Here we have a government that's willing to take courageous and gutsy action if it helps them—and by "them" I mean the Liberal Party of Ontario or Dalton McGuinty and his cabinet—but they're not willing to make courageous and gutsy moves if they're going to help children's health, if they're going to help the environment, if they're going to help affect the poverty rates in this province or, as my colleague from Renfrew-Nipissing-Pembroke said, if they're going to help the economy in this province or those 200,000 workers who have been laid off in this province in the last five years alone—no. For substantive problems that affect somebody other than Dalton McGuinty and his cabinet, we get tiny, minuscule little bills—and right here, we have a little bill.

It is a little bill that nobody could object to. I would love to meet the person who would say, "Yes, we think it's a good thing that people smoke in cars with their children"; I'd love to meet that person. Would that person please stand up? It would be fun to meet them, because there's an iconoclast. If the vast majority of people who have a brain in their heads think at all, this is a no-brainer.

This is a tiny little bill and it's going to have tiny little ramifications, really, and tiny little repercussions on the health of children in this province. If they wanted to be courageous, if they wanted to be gutsy, if they actually wanted to affect the health of children and the health of Ontarians, there's so much more they could do.

I appeal to the backbenchers now at the Liberal desks, because I know that you get your marching orders from party central, Dalton McGuinty, and I know that you all read bills, that you all have passion, that you all came here out of a desire to help your constituents and to help

the people of Ontario. You have a majority government; you have an overwhelming majority government. You have the mandate from the people of Ontario to do what you want, when you want to. Why don't you take that mandate and do something courageous and gutsy with it? Why don't you do something while you have the opportunity to actually affect this province?

We're going into hard times. We're going into a potential recession. We're going into a time when the environment is going to get worse quickly. We're going into a time where we could seriously begin to fear for our grandchildren because of greenhouse gas emissions, because of some intractable problems. Poverty is getting worse; it's not getting better. The wait lists for housing are going up; they're not going down. We have 170,000 households waiting for affordable housing now. We have some big problems and they're getting worse.

But instead of dealing with the big problems we have, the little tiny bills that have little tiny ramifications and repercussions are what we're given to deal with. And it's not cheap to deal with them. We know that it costs money for this Legislature to sit. We know that millions of taxpayers' dollars, not to mention the hopes and dreams of all of those people who elected a majority government, who hoped, for once, it would do something that would change the way politics were done that would actually make a difference in the health and the lives of our children—that's what the voters hoped for, that's what they voted for, that's what they believed in.

Instead, what do they get? They get a bill like Bill 69 that says it's bad to smoke in cars with your children. Wow. That's revolutionary. That's going to change 200,000 manufacturing jobs lost, that's going to change one in six children living in poverty, that's going to change the steady erosion of the medicare system in this province. That's going to change all of that. Oh yeah, telling people that it's bad to smoke in cars with their children, that is really going to help our environment, which day by day is being degraded. That's going to help all of that.

I doubt it. I doubt that Bill 69 will make much of a difference, even to the lives of children of smokers, because we know that fines don't work against addiction. I doubt that it's going to make any difference in the lives of many people.

Is it a good thing? Of course it is. Motherhood is a good thing. Apple pie, if you're not wrestling with obesity, is a good thing too.

Mr. Paul Miller: I like cherry myself.

Ms. Cheri DiNovo: My colleague here says he prefers cherry pie. So there you go.

Cherry pie, apple pie, motherhood—these are all good things. Not smoking in a car, that's a good thing too. It's all very, very good. But it's also very, very cowardly. It's also very, very small. It's also not why a majority government was elected. It's also not why people put their faith in Dalton McGuinty and his cabinet. It's also why those backbenchers—who are busy looking at their tables and won't look up because they know what I'm saying

has some validity to it—were elected: to represent their constituents. They were elected to do something, to make some strong moves in an economy that demands it, in a reality that is steadily growing scarier in Ontario and more and more unhealthy. By any marker of public health you can use, this province is getting more unhealthy.

Instead of doing something about it, something substantive, something courageous, something that they were elected to do—remember all the promises of the 2003 election, not to mention the last one?—instead of doing that, we have this: A scant little bill, a tiny little bill, and as I said when I opened, a lot of sound and fury signifying extremely, very, muchly little.

It's an embarrassment to have to waste taxpayers time and money on dealing with something like this. Will we support it? Of course we will. Do we wish for more? Absolutely.

The Acting Speaker (Mr. Ted Arnott): Questions and comments?

Mr. Robert Bailey: I'd like to comment on the remarks of the member for Parkdale–High Park, on her eloquent criticism of Bill 69. We too find it lacking in a lot of issues that should be dealt with, like the economy, which at this time is at the forefront in the news and in our thoughts every day in this House. We too, on this side of the House, at the end of the day will support the bill, because it's only the right thing to do. I am—I hate to say it today—a reformed smoker myself. I used to smoke in the car, and I regret every day that I did so. I'll say, too, there were children in the car at the time, and I regret that every day. I think it is a good thing to do.

0950

Whether we'll be able to enforce those—as the member from Parkdale–High Park said, it's going to be difficult to enforce it. Are we going to have the police, who are already overworked and understaffed, policing these types of issues? I don't think that's what we should be doing. At the end of the day, I think we need to move forward. I'd like to have us, when we deal with this, then look at the economy and work at trying to turn that around and deal with those issues that affect every man and woman, every taxpayer in this province. As the member for Parkdale–High Park said, this is a little bill. We should be dealing with more substantial efforts. I look forward to continued debate.

Mr. Paul Miller: I'd like to congratulate my colleague on a fine presentation. As a parent, I support this bill. I can't imagine what it would be like to sit in a car with other passengers when they're smoking and there are children in the car. I know that many of our peers suffered this when we were young and smoking was seen as glamorous, cool and socially acceptable. Well, we're not alone in our support of this bill, as many health organizations like the Canadian Lung Association and the Canadian Cancer Society also want to see this bill passed into law.

My party, the NDP, has historically supported health promotion and the well-being and health of our children,

and this legislation fits well with that position. I also know that the majority of my constituents support this legislation.

However, I'd like to reiterate my colleague's comments about the fluff bills that this government has brought forward. We have so many things wrong in this province that we're not dealing with, from job losses to pollution. I touch on pollution because here we are regulating smoking in cars, and our stacks are pouring out tonnes and tonnes of pollution every day, especially in my city, Hamilton. When I've asked for secondary pollution controls—shot down. All of our bills this session have been shot down by the Liberals. All good bills, dealing with people's severances, dealing with pollution, dealing with minimum wage—all the things that are important to the people of Ontario—have been shot down by this government.

It almost feels like a fruitless effort to be here and dealing with the small things when there are so many other things going wrong in our economy. It's frankly disheartening, and I don't know when this government is going to take a serious look at our province and do something constructive to help our province, other than dealing with the small things—trans fats and things like this. Sure, it's good, but it means nothing to the people who are losing their jobs. I think it's time we moved in the right direction.

Mr. John O'Toole: The member from Parkdale–High Park always brings a fair amount of drama and insight into these debates. It's like trying to say a lot about something that, as she said in her remarks, is not a very large, encumbering bill. It is a bill that we've all said here, openly, we would support. In a very few minutes I'll be speaking on it, and I'll try to stick to the topic for the 20 minutes, because 20 minutes—this is a bill that's half a page long. It isn't too encumbering. There is a copy of the bill. One side of the page is English and one side is French. So really, you could count the words. In fact, in 20 minutes you could read the bill 10 or 15 times. So it's not huge and it's not complicated, and we all agree.

We could get on to some more substantive issues. I see the Minister of Transportation here. We could be talking about Bill 40, which is a bill that's on the order paper. It's a bill on regulating and restricting the use of cellphones in certain conditions. Then there's the discussion that the member mentioned about the economy, and those families that are affected and the children that could be affected. This bill we're talking about is banning smoking in a car, and the impact on children who may be in the car. We agree. But how about parents who lose their job, and the impact on children not having the proper nutrition, shelter and other protections and supports that they need for full development? There are some substantive things we could be talking about and should be talking about in the time that we were elected to serve here in this Legislature.

Respectfully, I'm looking forward to speaking for 20 minutes in the next few minutes. I am in hopes that a Liberal member will stand and speak.

The Acting Speaker (Mr. Ted Arnott): Questions and comments? I'll return to the member for Parkdale–High Park, who has two minutes to reply.

Ms. Cheri DiNovo: I want to thank the members from Sarnia–Lambton, Hamilton East–Stoney Creek and Durham for their comments as well. I notice with very great interest that our Liberal colleagues in the House today are not speaking at all. Those who are listening and watching from home should note that the Liberals have basically given over the floor to the opposition today. It's an opposition day at Queen's Park. They've decided not to speak to this bill. I guess that's how much they value it—not much. I guess that's how much they agree with us—very much. There are very few of them in the House, I must say too. There are only 10 Liberals here.

Hon. James J. Bradley: Is this the United Church minister speaking?

Ms. Cheri DiNovo: I'm being heckled now by the Minister of Transportation—

The Acting Speaker (Mr. Ted Arnott): Will the member please take her seat. It's not appropriate to refer to the absence of members in this House. I would caution you on that and return to you now.

Ms. Cheri DiNovo: I'm sorry; I wasn't referring to somebody who is absent but somebody who is here. But it would be nice, rather than just hearing heckles from the Liberal side, to hear some substantive debate.

Having said that, for those at home, we're speaking about the Smoke-Free Ontario Amendment Act, banning smoking in cars—sort of, because you have to get caught first and you have to be fined first. Then of course that doesn't really do it because if you're an addict, you're going to do it again unless you have some real health care and prevention and education that goes into the mix.

It's a very little bill. It doesn't accomplish very much. What it does is an inch where we need a mile, as usual with McGuinty Liberal bills. But will we support it? Yes, we will. We've already said we would. As I said, I can't imagine anybody in Ontario who would not support this bill. It's that contentious, that courageous, that gutsy, that challenging that really everybody supports it, and we shouldn't be wasting time on it. That's my final word.

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

Mr. John O'Toole: I appreciate the opportunity to address this issue this morning. I will not make light of the importance of the initiative. It is a health issue that affects the health of children and in that respect it's a good thing. We could probably call the vote right now—there are a couple of ministers in the House—and get this over with. Then we could get into more substantial discussions on issues that affect the day-to-day lives of people.

What is my input on this that will change the outcome? I say right from the beginning, not very much actually. I would say this, though: Everyone here has a story they could tell that relates to how this could have affected their life. I'm a parent. My wife, Peggy, and I have five children. I speak of them often in this Legis-

lature. They're all, I would say, around 30 or older and I'm very happy that they're healthy. And that's good.

1000

I would say I did smoke. This is a self-confession here this morning, a sort of revelation. To put some truth to the story, very early on, a very close person to me—let's put it that way—was diagnosed with cancer. This was before I had children, and I quit smoking right then and there, on the spot, cold turkey. I did not smoke for over 10 years. I'm saying this on the public record. I'm almost 65, so, to be honest, it's good to put these things in context. I would have had the odd cigar maybe at the appropriate occasion of celebration of some sort, but even there, when you're addicted to a substance, it's a problem because you're only one cigarette or one drink away from returning to bad habits. You have to regulate your own behaviour. We each should take responsibility for our own behaviour; we shouldn't have to legislate it. The most important thing here is that an event that affected someone close to me affected my behaviour. That's education. If you're watching and listening—we, the people serving the public, should be educated by these events, both at a personal level and at a legislative level, if you will.

None of my children ever smoked in my view.

Ms. Cheri DiNovo: On a point of order, Mr. Speaker: I don't believe we have a quorum in the House.

The Acting Speaker (Mr. Ted Arnott): I would ask the table to ascertain if indeed there is a quorum in the House.

There is not a quorum in the House.

The Acting Speaker ordered the bells rung.

The Clerk-at-the-Table (Ms. Lisa Freedman): A quorum is present, Speaker.

The Acting Speaker (Mr. Ted Arnott): I will turn to the member for Durham, who has the floor.

Mr. John O'Toole: I'm a little bit disappointed that a quorum call was made during my remarks, because it seems that perhaps that's why people left.

I was in the midst of telling a personal story, and that story would count that, of my five children, none have ever smoked that I'm aware of, and they're all, as they say, 30 or over. We now have four grandchildren, and only by luck or by good fortune have my circumstances turned out the way they have. But there was that one event where a significant person in my life did eventually succumb and die of cancer. This was a tragedy in my life that affected my life traumatically. The bad part of this is that despite all those adverse setbacks, this discussion is about educating not just the legislative pages that are here, but each of us and the scope of people that we have contact with.

We all act as models for children, and that's not even in this bill, nor does it need to be, but children often model behaviour, whether of their parents or peers, television personalities or cartoons, or whatever. Whether it's smoking or other bad habits that we might have, we should always be aware of the behaviour. If it comes right down to it, government, when it is proven clinically

and scientifically, is really required, I think, to take action.

I just happen to have in my desk here an article, "Winning the War on Cancer." It's a current issue, the May issue, I believe, of Reader's Digest, which happened to be in my desk. I don't subscribe to it. It's a very good article. It's the tragic story of Prue Boyd of Nanaimo, BC, and it talks about having this diagnosis of GIST, which is a form of cancer and it's a cancer of the stomach. It ultimately talked about a life-saving procedure, but the fact is what this individual went through in this story, and the impact on their lives and their family—the health care system generally—for something that may have been preventable. That's the second lesson we learn. If we think that cancer—we now know, according to what is being published and precipitated in this bill, that it can cause a risk to yourself and others, which could be interpreted, I suppose, in a court of law; if you knowingly expose others to a risk, you could be guilty of a crime, I suppose.

This issue is not without its people on the other side of the debate: free will; it's a legal product. It's a federal issue, to the extent that it's federally regulated by the Canadian Food Inspection Agency and other agencies that would look at it.

Is it unique to Minister Best, who brought this in? This bill was introduced on April 30, 2008, by Minister Best, the Minister of Health Promotion. Her predecessor, Minister Watson, now the Minister of Municipal Affairs, may have talked about this as well. Smoking cessation wasn't part of the plan. As I said before, it's not unique. Mr. Oraziotti, the member for Sault Ste. Marie, had introduced the bill—and I just don't have details offhand—as a private member's bill, and I think the minister did give him credit. But in fact, more importantly, former Minister of Health Elizabeth Witmer, from Kitchener–Waterloo, actually took great action and was very vocal, as were others. The member for Nepean–Mississippi Mills, Mr. Sterling, has often spoken strongly against smoking. In their role as legislators as well as individuals, this is not unique to this government. I think what is really unique here is we're piecemealing. We're nibbling off the corners here. If this is that bad in confined spaces, and there's evidence that says that, and it is injurious to the health of ourselves and others, God—pardon my language—you'd wonder why they wouldn't ban it completely or make it an illegal substance.

What's the strategy for helping people get off? I'm a reformed smoker. As I said, I don't smoke, haven't for six or seven months now, but I was off for almost 11 years, and I wasn't particularly a heavy smoker. It was just that I was finding too many reasons to smoke a cigar, and so I decided that the best thing to do would be to celebrate with some other form of personal reward or relaxation. I haven't found one yet, actually, but I think just being healthy is the reward, I suspect, that I feel satisfied by.

I'm going to say our own members, legislatively, and these things come out—I'll just go through some here. I

have a February 2008 memo here from Dr. Robert Kyle, who is the medical officer of health for the region of Durham. I served on that health and social services committee for Durham region when I was a regional councillor, and I still get copies of their minutes, along with lots of other paper that I get. Dr. Kyle's always been a strong advocate for smoking cessation or against smoking, and this was his report in February. This is even before the legislation, so there were pressures from all segments of society. It says, "In October 2007, the health and social services committee requested information on smoking in vehicles where children are present. The following is a summary of current evidence regarding the health implications of exposure to second-hand smoke (SHS) in vehicles, legislation in other jurisdictions pertaining to this issue, legislative options for Durham region and areas for further exploration." So this is not unique to Ms. Best, to Minister Smitherman, to this Legislature, indeed this province, this city, Durham region or whatever.

There's the whole issue that I've just described. Other areas have done it. "Context for legislative action"; this is quite a good report on Canada and jurisdictions outside Canada. We often criticize the Americans for being backward. We're actually copying them. We're way behind on a lot of stuff here. "There are laws banning smoking in cars with children in many American states and cities, including California, Arkansas, Louisiana, Bangor (Maine), Key Port (New Jersey) and Rockland County (New York). States with legislation in progress include Georgia, Michigan, New Jersey..." This is not some profound, untested attempt to change the world. It isn't; it's done.

We could vote on it now, and it would be over with. That was the way it should be, but I'm a bit surprised that that isn't what is happening here today. I think all members, probably I can say—I am looking at it. I wrote to the Minister of Health Promotion myself some time ago. I have a copy of a letter to a constituent in May this year. Cathie Snider had written to me, and she said it's okay for me to use her name. My letter says, "Many thanks for your email in support of smoke-free cars for kids. In my view, the Bill 11 legislation introduced by MPP David Oraziotti and the Bill 69, Smoke-Free Ontario Amendment Act from the Minister of Health Promotion enjoy strong support among all parties at Queen's Park. Now that the provincial government has introduced Bill 69, through the minister responsible for health promotion, I am confident the legislation will proceed to third and final reading."

We're saying that in writing, and we're saying that here in public, so there isn't a lot more that can be said.

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There is, as we've all discussed here, a lot of background.

I thank all the stakeholders—many of them were here when this bill was introduced—and certainly the Ontario Medical Association and the Heart and Stroke Foun-

dation as well as others who have encouraged, if not forced, the minister to act.

But it could have been done—and it could be done this morning. If we were really proactive legislators, we would get on with it and get the job done and move on to—what would we move on to becomes the question. I think we'd move on to things that are more relevant.

If we just take a look, for instance, let's just casually—this is completely unrehearsed now. With your indulgence, I'm trying to say this is something we could talk about. I have a couple of bills that I personally would like to talk about which I think would have the potential, the same as this Bill 69, of saving lives. We'd all like to make that kind of contribution. I know the Minister of Transportation is always wanting to have the safest roads in the world. His leadership would be important on this issue, that's for sure, and I'd be there right beside him.

Bill 40 is a bill that I've introduced several times, and each time I get a lot of feedback from different jurisdictions. In fact, I've had the privilege of speaking to other jurisdictions. It's a good example of what this Legislature can and should do. I am in favour of supporting Bill 69. I'd ask for a reciprocal occasion here to talk about Bill 40 or Bill 73.

Bill 73 is another bill. It completely prohibits the use of the cellphone in certain jurisdictions, like at an accident scene or in a school crossing zone or in specific locations, as outlined by the minister. They're absolutely banned—hands-free, everything. They're prohibited. These are community safety zones. We know there are hazardous areas that are identified by municipal police and others.

Bill 69—I'm trying to stay on topic here—is on the no-smoking thing, and there are five minutes to talk about it. As I said, the bill only has about 400 words in it, so it's not some profound piece of legislation. Would you like me to read part of it?

Here's the preamble of the bill. This is the broad definition of what it does: "The Smoke-Free Ontario Act is amended to prohibit smoking or having lighted tobacco in a motor vehicle while a person under 16 years old is present." That's the purpose in a nutshell.

Then it goes on and it refers to sections of acts. It says, "For the legislative history of the act, see the table of consolidated public statutes"—it gives you the reference there.

"Her Majesty, by and with the advice and consent of the Legislative Assembly of the province of Ontario, enacts as follows:

"1. The Smoke-Free Ontario Act is amended by adding the following section"—it adds the 16-year-olds. Part of the amendment here is:

"9.2(1) No person shall smoke tobacco or have lighted tobacco in a motor vehicle while another person who is less than 16 years old is present in the vehicle.

"Proof of age

"(2) In a prosecution under this section, a court may find evidence that the person enforcing this section honestly and reasonably believed another person to be

less than 16 years old to be sufficient proof of the other person's age.

"Enforcement

"(3) Despite section 14, this section shall be enforced by police officers."

It goes on in a very detailed administrative enforcement of this section.

When you look at this and you think of the practicality of it—and even if I read the bill myself—you'd say, "Well, now we've given the police this job. It says so in that section. At night, how are they going to enforce the bill? What are the practical implications of this? It's conceivably not enforceable. That's the problem.

It probably will get challenged. Someone will say, "No, I wasn't smoking" or "The person wasn't in the car when you saw me get out of the driveway," or maybe the neighbour is just angry with you and they see you get in the car and they think the children—or you have tinted windows. It's just a frigging administrative nightmare. We're going to be spending time in the courts when we could be solving other, much more invasive legislative issues.

So I think of the administrative implications for the police. Tinted windows at night: How the heck do they enforce it? They stop the car if they think there are kids in there? I don't know. Or if they see smoke coming out the window? It could have been something else that was causing that. So administratively, it's going to be difficult to enforce.

On the other hand, cellphones may have the same problem. If you have cellphones banned—a hand-held cellphone—what if it's at night? How do they enforce that? What if there are tinted windows? How do the police enforce it? I think you have to look at the careless driving provisions in the Highway Traffic Act and say that if the person is weaving in and out of traffic, they should be charged with careless driving. That's six points and probably about \$1,000. They shouldn't be doing that. They're putting themselves or others at risk, as is the case with smoking.

So the government has a role, but it's having that heavy- or light-handed—how do we implement it? How do we administer the thing? Again, this is a very small bill, but it's going to cost money. It saves lives, and I guess you have to put some value on that, for sure.

As I said, I've written to Cathie Snider, who complimented the thing, and told her we'd do that. I have the Durham region medical officer of health's report. I have quite a few pieces here from the region, as well as the Minister of Health Promotion, who responded when we wrote to her. We have the Ontario Medical Association and the Heart and Stroke Foundation—Rocco Rossi, the CEO of the Heart and Stroke Foundation, and Janice Willett, MD, president of the Ontario Medical Association—jointly, and others, and lots of emails as well.

I'm going back to the same thing now. Are there other bills that could be brought forward here in the remaining minute or so? These bills are in my legislative binder. I'm just going to mention a few.

Bill 55, the French-language act: That could pass too. It's another one that we all agree on, really. It's already done. These are just administrative changes.

Bill 56, An Act to amend the Highway Traffic Act and the Civil Remedies Act, 2001 to promote public safety and suppress conditions leading to crime by prohibiting driving on the highway in a motor vehicle in which there is an unlawfully possessed firearm: Mr. Colle, who's here today, would be happy to see that bill go forward.

Bill 57, from Mr. Hillier, which is An Act to establish political oversight over legislation and regulations to reduce red tape and unjustified regulatory burdens: This is a very good one.

From Mr. Yakabuski: An Act to create the Ontario Medal for Civilian Bravery. That's a bill that's going to recognize, in many cases, volunteers who commit acts of bravery. It could save lives as well.

Bill 59, An Act respecting apologies: Another bill of Mr. Oraziotti's. He's very busy. In fact, he's a young fellow, a former high school teacher. He should, arguably, be a cabinet minister. He may not be there long enough to be in cabinet, because this will probably be his last term in government.

And Bill 60, An Act to amend the Day Nurseries Act to allow more children to be cared for in rural areas, from Mr. Lalonde.

So thank you very much. I hope this bill passes this morning.

The Acting Speaker (Mr. Ted Arnott): Questions and comments? The member from Parkdale–High Park.

Ms. Cheri DiNovo: In the absence of a Liberal government response of any kind, I'm happy to take the time.

I listened with great interest to the member from Durham. Certainly, it's a bill that we all support in the opposition. I believe that we all support it, probably across the province of Ontario, so there's no problem there.

What you've heard from the opposition—and the opposition comments to a person—is the problem of having to take up legislative time, over and over again, with bills that really don't have a great deal of substance to them, when in fact we are presented with some incredibly pressing problems in this province. We've seen layoffs, about 200,000 manufacturing jobs lost. These represent real families with real issues. We've got an economy that's teetering on the verge of recession right now. We have one in six children living in poverty. We have increasing issues with our health delivery system—witness the problems that we highlighted yesterday around C. difficile reporting and others. We have a housing backlog: a list of 170,000 households now waiting for affordable housing in the province. I could go on.

1020

These are the real issues facing Ontarians, and I haven't even touched on the environmental ones: the fact that we haven't ratified Kyoto in Ontario, and we could; the fact that we're racing towards a nuclear answer to what should be an environmental question, to the tune of

\$40 billion to \$50 billion of taxpayers' money. These are all huge issues that should be debated, that should be given time. Instead, we're debating issues for which there really is no debate. "Yes, good, let's get on with it; let's do this—let's do far more than this." That's really what you're hearing from the opposition desks.

For those listening and watching at home who are wondering where the Liberals are this morning, they are in fact in the House; they're just not speaking. They don't feel strongly enough about this bill to want to address it. We're doing our best in upholding parliamentary tradition in the opposition benches.

The Acting Speaker (Mr. Ted Arnott): Questions and comments?

I'll return to the member from Durham.

Mr. John O'Toole: It's a very, very distressing fact that the government members won't stand in their place and declare openly—as they're paid to do, I might add.

There's one more paid political advertisement—actually, it's not political. This Saturday, May 31, in my riding, there's a celebration to support the troops. All the legions in the area will be there, as well as the Royal Ontario Regiment, the cadets and others. It starts at 10:30 in the morning. There is a series of entertainers, as well as speeches, and we are very fortunate to have a number of dignitaries and those who serve in our community. But they're all there for the same reason. They're there to make our communities stronger and our families stronger, and that's how it relates to Bill 69.

Bill 69 is a bill that—we could actually have done something about the economy and the job losses in the riding of Durham. There are five schools that could be closed in Durham; we should be talking about that—Ms. Wynne, the Minister of Education, should bring some kind of—rural school closings. These are tragedies for young children. So why are we talking incessantly? In fact, the Liberals—it's just an observation—haven't said a single word this morning on this issue. I'm disappointed, and I'm concerned that they're failing their full duty of participating in a democracy.

We're willing to do the right thing now so that we can go on to talk about the economy, go on to talk about cellphones and other public issues, but they're not saying a word. They've been silenced. I'm almost speechless. Now, that's going a bit too far, I understand that, but—

Interjection.

Mr. John O'Toole: You would like to acknowledge that my time has run out.

I'm waiting anxiously to see if one of the Liberal members stands at least to acknowledge the sincerity that I've put into my remarks this morning.

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

Mrs. Joyce Savoline: I rise today in support of the comments made by my colleagues from Renfrew–Nipissing–Pembroke and the great riding of Durham, and also to support the comments made by the member from Parkdale–High Park.

This is a no-brainer, and we're spending hours and hours on it. The Liberals are sitting back, just listening,

making no comments whatsoever, yet we're spending hours debating something that should have been included in a bill long ago.

The no-smoking act has passed. It was passed so quickly that it was not thorough, it was not complete, and it was not well thought out, or this would have been part of it. So we're here, and I'm pleased to debate this morning on behalf of the official opposition with respect to Bill 69, which is An Act to protect children from second-hand tobacco smoke in motor vehicles by amending the Smoke-Free Ontario Act.

I am pleased to tell you that Halton region has passed a recommendation supporting this legislation, as well as other municipalities in Halton, to show support for what is right.

I find it somewhat amusing to be speaking in support of a bill introduced by the Minister of Health Promotion, on a subject that the Premier himself deemed to be a slippery slope. He was opposed to this legislation some few short weeks ago. What he said was that this was a slippery slope and he did not feel it should move forward. However, in what I believe is true Liberal fashion, someone read the newspapers and figured out that in fact the public was in support of this type of legislation, and there was a flip-flop, so now we are all in support of banning smoking in cars while children under the age of 16 are present.

You know, it's really sad that we have to legislate behaviour like this. As a mother and a grandmother, I cringe every time I pass a car that has the window open just a crack, and you see that there are children in the backseat and the driver has put the window down a little bit just to try to get rid of a little bit of the smoke that's accumulating in the car. The image, if you think about it, is haunting, especially given what we know about the dangers of second-hand smoke. I mean, you can't be alive and not be aware of the dangers of second-hand smoke: the increased risk of cancers, for one, lung diseases, and of course heart disease.

Most parents, I believe, are trying to do their best for their children. They protect their children; they keep them as safe and healthy as possible. I find it shocking, though, that in this day and age, we have to legislate parents and drivers from smoking in cars when children are present. If an adult is in a car with somebody smoking in it, my bet is that adult would ask that person to butt out, yet a child cannot do that. They may try, but I don't think they'd have the influence.

I wonder if drivers would be able to puff away on marijuana for medicinal purposes in a car full of children. While people are being protected from regular tobacco, no one is being protected from medicinal marijuana second-hand smoke. I'm asking this government to create consistency in their legislation and close the loopholes on medicinal marijuana smoking within their Smoke-Free Ontario Act. We should have one law for everybody, not one for tobacco and one for marijuana smokers. Truly, I'm surprised that I have to continue to point this out to the McGuinty government, but so far there's been no

action on it. If the Minister of Health Promotion has data that indicates second-hand smoke from marijuana is safe for children, then produce it, or include it in this legislation. Otherwise, it's my feeling that banning smoking in cars with children should include all smoke products, all tobacco products.

We have all seen infants in car seats inhaling cigarette smoke that hung in the air like a cloud. My heart breaks, and I would venture to say that this behaviour borders on child abuse. It's very, very simple to me. By doing this, not only are you intentionally creating this toxic environment for young children, you're putting them in grave danger in later life. Tragedy can strike any family at any time; that's true. What I hope we can avoid here with Bill 69 is the tragedy in the making. We have the ability to do that and we should be responsible enough to do that. I do not want a child to be told that they have lung cancer and they will endure months of agonizing treatment because their parents or other adults could not exercise self-control—and that's what this is about: self control; not smoking in a car.

With all we know about the future health implications of smoking cigarettes, it really boggles my mind that people continue to put their own loved ones at risk. When you consider the following statistic—and the minister referenced this in her statement during the introduction of Bill 69—a 2005 Health Canada study estimated that in a one-month period, 144,000 children in this province are exposed to second-hand smoke in vehicles; 144,000 exposed to second-hand smoke each month in this province in vehicles. If the Liberals across the way had been responsible enough to act on that and put an education program in place, there could have been a better chance for those 144,000 kids who are affected each month. They could breathe more safely and they could breathe easier. But, as usual, they wait until the last possible moment to make a decision or move on an issue. They wait to see what the newspapers say.

1030

As education critic, I believe we have the tools at our disposal to teach children about the hazardous effects of second-hand smoke. When your child turns to a parent, a grandparent or any adult and says, "Why are you hurting me by smoking in the car?" I defy any adult to turn a blind eye to a plea for help like that. I have no intention of adding an additional layer of responsibility to our educators. However, the opportunity does exist in the context of health class to introduce this discussion.

The Ontario Medical Association has been very clear about the dangers of second-hand smoke for children and have been calling for this government to act for over four years. My colleagues and I hope that the minister and her cabinet friends are seriously considering the advice of our medical partners and stakeholders. We know that the lung association and the Canadian Cancer Society are very firmly in support of this bill, yet with all the stakeholder support, it took four long years to bring this to the Legislature.

My colleague Laurie Scott raised several good points in her previous statements on Bill 69. Why did the

Minister of Health Promotion allow her Liberal colleagues to vote against the protection of children in Caledonia from smoking illegal, illicit cigarettes? This includes the parliamentary assistant, the member from Oak Ridges–Markham. As the critic for education, quite frankly I am disgusted that this government has refused to take action on illegal smoke shacks in Caledonia. Once again, hypocrisy reigns supreme in this legislation. Soon you will not be able to smoke in your car with children, but a child could purchase illegal cigarettes just metres away from an elementary school. Soon you will not be able to smoke cigarettes in a car with children, but a child could be in a public place in the company of someone smoking medicinal marijuana.

Government should be setting an example for our young people. How are we going to restore faith in our democratic system when the government acts in such a hypocritical manner? Are they scared to act, or is it possible—and sad—that they are afraid to confront the illegal smoke shacks because they don't know how? Or maybe they just don't care. But if they are going to take the moral high ground on smoking in cars with children and force convenience store owners to hide power walls, then they should definitely follow through with their anti-smoking message and shut down illegal smoke shacks, and shut them down for good.

Imagine the hypocrisy when a child with a carton of illegal cigarettes on his bicycle rides past a car that's been pulled over by a police officer for a smoking violation. You cannot tell me that these illegal smoke shacks are not 10 times more dangerous to our children than an open wall of cigarettes in a convenience store. The illegal cigarettes cost \$1 a pack, and they don't require their patrons to show any ID. Clearly, children wishing to experiment are prime pickings. The frustrating part of this issue is that the smoke shacks are illegal themselves. All this government has to do is require that these smoke shacks be shut down. It's plain and simple to me and to others I speak with. What we are talking about is essentially a common sense principle.

Another concern about this legislation is the fact that it is an amendment to the existing Smoke-Free Ontario Act. The Smoke-Free Ontario Act is only specific to tobacco smoke. We missed the boat on this one. It does not include other legal, yet dangerous, materials such as medicinal marijuana.

In March, as you are very aware, I put forward a private member's bill with the intention of protecting people, including children, from the negative effects of second-hand smoke from materials beyond just cigarette tobacco. I presented Bill 42, designed to close a loophole in the McGuinty government's own anti-smoking legislation, which, I'm going to tell you, fails to include medicinal marijuana and other controlled substances in its definition. After receiving support during private members' business—from all parties, I might add—the Liberal members then used their majority in committee to kill this bill, even after it received support from all sides during second reading. Again, the minister was silent.

So I ask today, since there is a loophole in the anti-smoking legislation that allows children to be exposed to the hazards of second-hand smoke from medicinal marijuana in public places, will that loophole also be included, and be closed, in Bill 69? Or will it be ensured that children, upon whose behalf this government is supposed to be acting and this minister is supposed to be acting, are safe when travelling in a vehicle where a person is subjecting them to the toxins that come out of the end of medicinal marijuana? It's a fair question that deserves an answer from the minister and the government.

I stated on April 17 to this House that very scary precedents are being set by this administration. I would like to take this opportunity to reinforce some of the concerns made by my colleagues with regards to Bill 69.

First of all, there is a very heavy reliance on police to enforce this act. How will this piece of legislation be enforced when the province is already far short of having enough police officers to enforce the Highway Traffic Act? Will the officers actually be forced to let an individual go without citation if they are caught smoking medicinal marijuana in the car with their children present?

Then, I ask, how much is the Ministry of Health Promotion going to spend on the public health education and awareness campaign on the dangers of second-hand smoke to children in enclosed areas? Throwing up power walls is not going to keep children from smoking, especially when they become addicted to smoking in an illegal smoke shack at \$1 a pack.

Not all young people and children carry identification with them. We all know that. If a police officer feels that a person is 16 or younger, a fine can be assessed to the person in the vehicle who is smoking. It is up to the accused, then, to prove that the person was in fact 16 years or over. This has the potential to further add to the already existing backlog in our courts.

Why can't this government create thoughtful, thorough legislation from the outset? Clarity and defensibility is important in the enforcement of this and any policy. The Smoke-Free Ontario Act is only specific to tobacco smoke. So it's acceptable to smoke other substances, such as medicinal marijuana, in a vehicle with a passenger under the age of 16 and expose these kids to second-hand smoke. Is there an added cost to municipalities to track these fines for those who have not paid them?

Actions: Well, I see more inaction in the case of the Minister of Health Promotion on a number of fronts. Inaction speaks much louder than words. So it is beyond rich to accept the minister and her Liberal colleagues' statements today that she is so concerned with doing what's right for children.

The indecisiveness of the McGuinty government has resulted in Ontario falling far behind other jurisdictions in this critical legislation. Nova Scotia, the Yukon and British Columbia have already enacted similar laws that protect children from second-hand smoke in cars. It is

reprehensible when the Liberal government must play catch-up on protecting our children from these known hazards.

1040

When we're discussing the safety and health of our children, as I've said earlier, it is very, very difficult to find something that would trump that. In the legislation that we have before us today, this Bill 69, we've heard a lot of talk from the other side—not today, mind you; we've heard nothing from the other side today—on why this needs to be moved forward so quickly. Yet there was no explanation as to why they felt it had to be delayed from when it was first introduced by a backbencher in the Liberal government months and years ago, despite the fact that we heard from the Ontario Medical Association, and they said sooner is better for the health of the children who are involved. The Ontario Medical Association the Lung Association and various other groups have been calling for this type of concept for years and years and years, yet it has fallen on deaf ears of this government until they decided to produce it in fanfare. Provinces such as British Columbia and Nova Scotia have already taken action. Their kids are right now safer than our kids. Not the minister nor the minister's parliamentary assistant nor the Premier should be taking credit for this. They're leading from the back on this issue. They are truly leading from the back. They read the newspapers and they come forward with ideas.

I look forward to seeing this bill as it goes to committee. At committee, I hope that we are able to flesh out the details and the items that remain unclear to me and to clarify the things I have mentioned in my remarks, such as the enforcement of this act. What are the mechanisms going to be? What are the costs going to be as we move forward, and who is going to bear those costs? Are municipalities going to have added costs as a result of provincial legislation, and who will pay for those? Will the province then forward money to municipalities? And of course the educational components—because without that awareness and the educational component, people will not know about the strength of this bill and how it's going to move forward. What's so important is that we continue to impress on young people, on their parents, on adults, the statistics that prove that smoking, and especially second-hand smoke, is a danger to health, especially to children, who are vulnerable and for the most part cannot speak for themselves. They will not speak up, and if they do, who is to say that they will be listened to, that the influence coming from a child will be borne by an adult?

When you see the statistics that are related to the harmful effects of second-hand smoke on folks, whether they are adults or children, I think, as I said earlier, that it's a no-brainer to support this legislation. I've heard many comments from the other side that our caucus is not going to support this. That is an incorrect statement. I would hope that we don't continue to hear that refrain from the government side. We understand the dangers of this and we are incredulous that this bill didn't come

forward four years ago and that there has been a delay in bringing this forward. I support the bill.

The Acting Speaker (Mr. Ted Arnott): Questions and comments?

Ms. Cheri DiNovo: It's a pleasure to have the last word on Bill 69, at least for this morning. I just want to bring to the attention of those listening and watching at home that we have been here since 9 o'clock this morning and not one Liberal member has spoken a word. One can only wonder what they've been doing at their desks. My suggestion is perhaps designing their patios for the summer, and maybe they're making lists of what they are going to have for dinner. But they certainly haven't been doing what they are paid for, which is to defend their own legislation. We are in fact debating their bill. It's a government bill and the government has not spoken on their own bill once since 9 o'clock this morning.

Interjection: That's because they know it's a for-sure thing.

Ms. Cheri DiNovo: It's absolutely scandalous. If you're watching at home and you wonder what your member, and they happen to be a Liberal member, is doing on your behalf as a constituent, we can say that this morning they have done absolutely nothing. We in the opposition know that this is not a momentous bill; it's a little bill, a very, very little bill. It will do very little, even if enacted. But clearly, the Liberal majority government agrees with us in the opposition this morning. They have nothing to say about it. They recognize that it's such a little bill, of so little import, that they don't even have anything to say to their own legislation. Just for the record, I want to point out to all those watching at home that this government has done nothing this morning. They've been sitting here since 9 o'clock and they have not spoken once in defence or opposition to their own piece of legislation. Shame on them.

Mr. John O'Toole: I listened intently to the member from Burlington's remarks on Bill 69 prohibiting smoking in a vehicle when a child under 16 is present. We talked about the enforcement of issues, but really, more importantly, it's clear that we support the legislation. What isn't clear to us is why the Liberals haven't said one word this morning on this bill and why they haven't moved on with the difficulties in the economy or other legislative initiatives that could be discussed in the House. It was rather discouraging that when the member from Burlington was speaking, there was that one time when I think there were as few as six or seven members in the House. It was sad. Her input and standing up for the rights of children were virtually being ignored. I, for one, want to commend her for her remarks and for the preparation that she put into making those remarks, because Bill 69, as you know, has about 400 words in it. We agree with it. Let's get on with it. Let's talk about the economy. Let's talk about the use of cellphones in automobiles. Let's talk about some real content. But it's clear that the Liberals didn't come here to work today; there's no question about that. Let's see what question

period, which starts in a couple of minutes, brings about and we'll see where the tire hits the pavement this morning.

The Speaker (Hon. Steve Peters): Further questions and comments? The member from Burlington has two minutes to respond.

Mrs. Joyce Savoline: I'm pleased to stand up and express my thanks to the member from Parkdale-High Park and the member from Durham. I, too, am very disappointed that there wasn't one word from the government today on this bill.

Interjection: Shameful.

Mrs. Joyce Savoline: It is shameful. They proposed the bill, they brought the bill to us, we put our notes and our thoughts together to speak on this bill in a thoughtful way, yet not one member of the government uttered a word this morning, except to heckle. I heard heckling, but I did not hear any meaningful debate on this important and critical bill on how to protect children from second-hand smoke. I think this a no-brainer, and unfortunately we had to finally deal with it in our Legislature, after four years of promoting this from the stakeholders. We finally got it in the Legislature because somebody read about it in the newspapers and figured out that the public was on the side of no smoking in cars with children under the age of 16.

I think that is bad politics in the name of good government. Either the legislation is worthy of going forward or it isn't, and I think that when this bill was proposed some years ago, the idea should have been taken up and we could have continued to be a leader in our province. Instead, we're lagging behind. Ontario is last not only in the economy, but in bringing forward good legislation such as this.

I will be supporting this legislation as we move forward. I look forward to the committee. I look forward to debating this at committee and hopefully including some amendments that strengthen this bill.

The Speaker (Hon. Steve Peters): Thank you. The time for debate has ended.

Second reading debate deemed adjourned.

1050

INTRODUCTION OF VISITORS

The Speaker (Hon. Steve Peters): I'd like to take this opportunity to introduce some guests today.

On behalf of the member from Welland, in the west members' gallery: Susan Berg and Mary Balenovich.

On behalf of the member for Kitchener-Waterloo, in the west members' gallery: Ms. Paula Perroni, president of the Ontario Catholic School Trustees' Association. Also in the chamber today is a delegation of trustees from across the province.

On behalf of the member from Lanark-Frontenac-Lennox and Addington are representatives from the business community in Smiths Falls and surrounding area.

On behalf of page Christopher Grouchy, in the public gallery: Debbie Grouchy, his mother.

On behalf of page Aaron DeGagné, in the Speaker's gallery: Renée DeGagné, his aunt; Denis DeGagné, his father; Nancy DeGagné, his stepmother; Kelsey DeGagné, his sister; Corinne DeGagné, his mother; and Troy Armstrong, a friend of his mother.

On behalf of page Murray Fallis, in the west members' gallery: Bill Fallis, his uncle.

On behalf of page Brianna Chan, in the public gallery: Kitty Mak, her mother.

On behalf of page Hisham Mohammad, in the public gallery: Fahmida Mohammad, his mother.

LEGISLATIVE PAGES

The Speaker (Hon. Steve Peters): I now seek the indulgence of the House to allow the pages an opportunity for introduction. Pages, please assemble.

I'd like to ask all members to join me in welcoming this group of legislative pages serving in the first session of the 39th Parliament: From the riding of Etobicoke North, Radhika Bhargava; from the riding of Pickering–Scarborough East, Brianna Chan; from the riding of Eglinton–Lawrence, Kelvin Chukwu; from the riding of Timmins–James Bay, Alie Crump; from the great riding of Elgin–Middlesex–London, Aaron DeGagné; from the riding of Halton, Damian Ewing; from the riding of Simcoe North, Murray Fallis; from the riding of Thornhill, Dina Gang; from the riding of Northumberland–Quinte West, Christopher Grouchy; from the riding of Newmarket–Aurora, Doaa Hussein; from the riding of Lambton–Kent–Middlesex, Christopher Jefferies; from the riding of Sarnia–Lambton, Rachelle Lassaline; from the riding of Oakville, Natalie LaMarche; from the riding of Kitchener–Waterloo, Charles Lin; from the riding of Cambridge, Taylor Martin; from the riding of Ancaster–Dundas–Flamborough–Westdale, Megan McCrory; from the riding of Don Valley East, Gregory Nettleton; from the riding of Etobicoke–Lakeshore, Chris Rayment; from the riding of Welland, Ellen Tomaino; from the riding of Haldimand–Norfolk, Jocelyn Topp; and from the riding of Whitby–Oshawa, Hisham Mohammad.

Welcome to all of our pages.

Mr. Randy Hillier: On a point of order, Mr Speaker: I seek unanimous consent today that members of the Smiths Falls and surrounding area business community, as well as members of this House, be allowed to wear buttons that signify the importance of their visit here today.

The Speaker (Hon. Steve Peters): Agreed? I heard a no.

ORAL QUESTIONS

INFECTIOUS DISEASE CONTROL

Mrs. Elizabeth Witmer: My question today is to the Premier. Premier, on two separate occasions, your health minister has refused to answer a very simple question:

How many people infected with *C. difficile* have died in Ontario hospitals since 2006, and how many hospitals are currently dealing with an outbreak of *C. difficile*?

We have learned in the Hamilton Spectator today that Dr. Gardam, a top infection control expert, has said that the hundreds of deaths reported are only the “tip of the iceberg.” I ask you today, Premier, the person who is accountable to all Ontarians, Ontarians who deserve answers, how many people have died, and how many hospitals are dealing with an outbreak?

Hon. Dalton McGuinty: I'll take the first question and defer the subsequent ones to Minister Smitherman.

Let me just say that this is a real issue for us. We all understand that hospitals are places where we can find sickness and disease. It's very important that we ensure that there is no contagion flowing from one patient to another. *C. difficile* is a real issue. We are moving as quickly as we can to ensure that we make the kind of information that the member is seeking public. We want to do that in a thoughtful and responsible way.

In the meantime, Minister Smitherman has put in place a number of protocols to ensure that people who find themselves working in the hospitals are in fact washing their hands and taking the other precautions that are appropriate to limit the spread of illness and disease such as *C. difficile*.

Mrs. Elizabeth Witmer: Well, Premier, you now have also refused to publicly disclose information, and certainly your lack of willingness to speak the truth leads to—

The Speaker (Hon. Steve Peters): I ask the member to withdraw that comment, please.

Mrs. Elizabeth Witmer: I'll withdraw.

This leads to one of two conclusions: Either your government doesn't know the answer, which certainly speaks to incompetence and a total disregard for patient safety, or this is a cover-up by the government, that they don't want the public to know—

The Speaker (Hon. Steve Peters): I would ask the member to withdraw that comment as well, please.

Mrs. Elizabeth Witmer: I'll withdraw that comment.

Either way, what is needed today to give the public some assurance that everything is being done that needs to be done is a thorough independent investigation. Premier, I ask you today, will you commit to an independent, immediate investigation of this issue?

Hon. Dalton McGuinty: To the Minister of Health.

Hon. George Smitherman: I don't accept the premise of the honourable member's question, but the matter at hand is obviously a very, very crucial one. It really does speak to all capacities in the health care system aligning themselves appropriately to address the challenges of this serious nature. We depend primarily upon our hospitals, which have that primary obligation on the front line and are equipped to address these circumstances. I have had a chance to say in this House—and we'll be filling in more information very shortly—that we are moving towards a public reporting regime that would provide much of the

information that the honourable member is asking for in her questions.

On the matter of an inquiry, because of the work of Dr. Gardam and the work of the coroner's inquest, we feel that it's much more appropriate that we use all the energy we have to work on relentless implementation of those recommendations which have already been offered to our government and to the entire health care system in Ontario.

Mrs. Elizabeth Witmer: Back to the Premier: The reality is that that inquest and the recommendations from your expert adviser occurred in 2007, and since then we've seen absolutely no changes. It was interesting, when we had SARS and the death toll reached 44, that you said, "It's critically important that at a time and age where we know that there will be more complex situations like this that confront us, we take every advantage that we can, that we reach out to all of those who have a voice and we hear of their problems and we take them seriously and we act to address those concerns." You yourself then said we need to do so "under a commission of inquiry that is independent, thorough and transparent."

I ask you today, Premier. You and your minister felt that an inquiry was important after SARS, which claimed 44 deaths. We now know that there are about 260 at least reported, we still have 130 hospitals to—

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

1100

Hon. George Smitherman: I want to confirm to the honourable member, on the latter part of her question, about the necessity of public reporting. It is our intention to move forward with a regime which would very soon see all hospitals in Ontario, on the same date, consistently reporting rates of C. difficile that they may be experiencing.

But it is on the matter of an inquiry that I wish to focus. Both the chief medical officer of health and the coroner's office have suggested that an inquiry would not be necessary, would not move to protect the public in any way. The evidence of what is necessary has been informed by the work of Dr. Gardam, the work of coroner's inquests and others. Our focus will be on relentless implementation of that advice, which has already been on offer.

This is the best use of the resources at hand: a quick response in support of the people of Ontario, working in partnership with our hospitals, the Ontario Hospital Association and noted experts like Dr. Michael Baker.

SCHOOL CLOSURES

Mr. Robert W. Runciman: My question is for the Premier. It deals with rhetoric versus reality, and that's frequently a challenge for this Premier. In this case, it's his election campaign rhetoric and his commitment to keep rural schools open.

In fact, on September 18 of last year, two weeks into the campaign, the Premier said, referring to rural schools,

"We're not only committed to keeping them open—but strengthening them." We now know, only eight months after the Premier's solemn vow, that at least 50 rural schools are slated for closure.

Premier, if your election campaign promise was sincere and not just empty and cynical rhetoric, why are these rural schools closing?

Hon. Dalton McGuinty: To the Minister of Education.

Hon. Kathleen O. Wynne: I know the member opposite is genuinely concerned about education in Ontario, although the record of that party wouldn't demonstrate that. Since we've been in office, we have put more than \$465 million into funding to allow boards, particularly in rural areas, to keep those schools open.

The fact is that next year there will be 90,000 fewer students in our schools than there were in 2003. The reality is that boards need to plan their schools and make decisions about the distribution of students and the distribution of schools based on program delivery to their students. That's what the boards around the province are doing.

Mr. Robert W. Runciman: The Premier's avoidance of responding to that question I think confirms that rhetoric during the election was empty and not a sincere commitment to the people of Ontario. He likes to be described as the education Premier but then won't even get up and respond to his own commitments made just eight months ago.

In the year 2000, the Premier, who was then the Leader of the Opposition, at a Liberal fundraiser described rural schools as, "the heart and soul of a community." He also called on then Premier Harris to protect rural schools, saying, "He's the guy who has virtually complete control over the education system."

Now you're the guy. You're the guy with control, Premier. You're in that chair. You can't blame anyone else. At least 50 rural schools are on the chopping block eight months after you promised to protect them. What does that say about your credibility, Premier, and the sincerity of your promise?

Hon. Kathleen O. Wynne: Our credibility is based on the fact that we have put over \$465 million into the education system to keep schools open in this province. The reality is that in a period of increasing enrolment—100,000 students—that government closed 503 schools.

We're dealing with a situation in Ontario where there are 90,000 fewer students in our schools than there were in 2003. In the face of that, we have increased funding to rural communities, we have put a supportive schools grant in place and we have increased programming to rural schools. That is our record and that is the credibility on which our record rests.

Mr. Robert W. Runciman: The people in the rural communities being affected by these decisions are sick and tired of your lame excuses and blaming others—sick and tired.

I want to put another quote from the Premier on the record, again from his opposition days, which apparently

makes a difference in how he views his responsibilities: "If a rural community loses a school, you're robbing the community of an important component; it's really tough to attract and hold on to young families."

The village of Delta in my riding is a prime example of the collateral damage of these school closures. Property values plummeted, the bank and the gas station closed, then restaurants. Premier, will you use the control you've admitted your office holds and impose a moratorium on rural school closures until you complete a review of the funding formula and an alternative use strategy? Will you do that, Premier?

Hon. Kathleen O. Wynne: I want to move away from the political rhetoric on this issue just for a moment that that party wants to keep us on.

The reality is, we are dealing in this province with a demographic shift. If the party opposite did its research, it would know that there are fewer children going into our schools. I go into rural schools and urban schools and there are half as many kids in kindergarten as there are in grade 8. That is the reality that we have to deal with. If we irresponsibly tied the hands of our school boards by putting a moratorium on any school closures, we would be dealing with a situation where it would be impossible for school boards to provide programming to their students.

The fact is, we have to work together with ministries across the government and municipalities to make sure that we have a sound economic unit that will support schools in all of our communities. That's what our declining enrolment work group—

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

ABORIGINAL RIGHTS

Mr. Howard Hampton: A question to the Premier: Tomorrow, Chief Donny Morris and five other members of the Kitchenuhmaykoosib Inninuwug First Nation are at the Ontario Court of Appeal appealing a six-month jail sentence. Why? Because the McGuinty government failed to properly consult and accommodate them before mining exploration rights were permitted on their traditional territory.

Instead of sending the Kitchenuhmaykoosib Inninuwug First Nation members back to jail for protecting their traditional lands, will the Premier announce today that the mining rights are being withdrawn from the disputed KI traditional lands until a resolution of the issue is reached?

Hon. Dalton McGuinty: Let me say at the outset that I strongly take issue with the interpretation of the facts provided by my colleague opposite. This is a matter that was before the courts. My colleague knows we opposed jail time. We moved as quickly as we could to accelerate the release of these individuals, pending the outcome of the appeal. We've also indicated that we are certainly strongly encouraging the private sector to consult with our First Nations, our aboriginal communities, before

they move ahead with a claim. At the same time, we are conducting a pretty comprehensive review of the Mining Act and the claim-staking process which we've inherited. My friend knows that. I just wish that from time to time he would admit that.

Mr. Howard Hampton: Premier, I spoke this morning with the lawyer for Chief Donny Morris, who says that your government has done nothing to facilitate the release of Donny Morris and the Kitchenuhmaykoosib Inninuwug leadership. Further, Premier, you've been promising a review of the Mining Act for five years and nothing has happened.

The reality is, your Minister of Mines can temporarily withdraw the mining rights on the disputed Kitchenuhmaykoosib Inninuwug lands immediately, under section 35 of the Mining Act. No order in council is required, no review of the Mining Act is required, just a letter written by the Minister of Mines to the mining recorder. That's it. That's all it takes.

My question: Will the Premier instruct his Minister of Mines to write that letter to the mining recorder today, or does the McGuinty government want to see the KI leadership sent back to jail?

Hon. Dalton McGuinty: I can't let that stand. The leader of the NDP understands that this is a matter before the courts. At the end of the day, a judge, an impartial tribunal, has got to make the call on these kinds of things.

I want to make it clear again that our position was that these individuals should not be incarcerated. We did not think it warranted jail time. We did move to secure their release at the earliest possible opportunity. We're also moving as quickly as we can to conduct a pretty comprehensive review of a Mining Act that's been in place in Ontario since 1873. In the interim, we are encouraging private sector mining operators to work with our aboriginal communities, with our First Nations, and ensure that they're providing them with the proper consultation, involving them in the process.

It would be possible for Ontarians to conclude that our aboriginal communities are not interested in any kind of mining, but the overwhelming majority are interested in mining. They just want to find a way to participate in that so they can share in some of the revenues.

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Mr. Howard Hampton: It sometimes borders on the incredulous to listen to the McGuinty government. They blame the mining company. They blame other interests. The fact of the matter is that the McGuinty government could end this dispute today. You could have ended this dispute a year ago. All it takes is a letter from the Minister of Mines to the mining recorder, under section 35 of the Mining Act, saying, "These lands which are in dispute are hereby withdrawn from mining exploration and mining development." You know what? The McGuinty government that lectures and preaches—

Interjection.

The Speaker (Hon. Steve Peters): Stop the clock. I would just remind all of our guests who are here that you're more than welcome to observe the debate, but not

to participate in the debate by applause or any other form. Thank you.

Mr. Howard Hampton: The McGuinty government that lectures and preaches refuses to do that. The First Nation has made it very clear: They are not going to allow mining exploration and development on their traditional lands. Premier, you can resolve this issue today. Simply withdraw it from further mining claim, mining exploration. Will you do that?

Hon. Dalton McGuinty: To the Minister of Natural Resources.

The Speaker (Hon. Steve Peters): The Minister of Natural Resources?

Hon. Dalton McGuinty: Northern Development.

The Speaker (Hon. Steve Peters): The Minister of Northern Development and Mines.

Hon. Michael Gravelle: As the leader of the third party knows full well, we made the commitment to review the Mining Act last year, not five years ago. It's one that we take incredibly seriously, as we take our duty to consult very seriously. Again, I would think the leader of the third party would understand that taking any unilateral action to change the Mining Act would not be supported by many people, including himself, and I would think also our First Nation partners.

We feel it's extraordinarily important to go through this review of the Mining Act in a comprehensive way, as the Premier has said, and then indeed to enter into appropriate consultations. We think that's incredibly important. There are so many great opportunities that are there. We recognize the challenges, so this review of the Mining Act is one we take very seriously, as we take our duty to consult very, very seriously. Indeed, we look forward to moving forward as quickly as we can on the Mining Act review.

INFECTIOUS DISEASE CONTROL

Mr. Howard Hampton: A further question to the Premier. Ombudsman André Marin said that the province's actions in terms of our hospitals are inexcusable, and Ontarians are losing confidence in our hospitals. Infection control experts now say that 260 Ontarians have died in hospitals from *C. difficile* since 2006, and this may be just the tip of the iceberg.

Ombudsman Marin for years has urged the McGuinty government to allow him to provide oversight of what's happening in our hospitals. New Democrats have urged you to do that. Premier, how many more deaths have to occur, how many more shocking disease outbreaks will have to occur, before the McGuinty government realizes that our hospitals need to be more transparent and that the proper way to do that is through the Ombudsman's office?

Hon. Dalton McGuinty: To the Minister of Health.

Hon. George Smitherman: We believe and agree that there needs to be greater transparency with respect to the things that are occurring in Ontario's hospital environments. We think that these same experts that the honour-

able member quotes, not the Ombudsman but experts in infectious disease, should be those who are leading efforts on Ontario's behalf.

We're going to ask Dr. Michael Baker from the University Health Network, who is one of these oft-quoted experts, to be our lead on this. As I've had a chance to say in the House several times in the last few weeks, we'll be moving forward with reporting. We'll see Ontarians gaining a multitude of additional information about the circumstances that relate to patient safety in the hospital environment. We agree that transparency can be a powerful tool for improvement in this area. These are very, very substantial challenges, and accordingly, we feel confident that enhanced transparency will be part and parcel of increasing patient safety for the people of the province of Ontario.

Mr. Howard Hampton: Premier, 260 people have died, and people say this may be the tip of the iceberg. Ombudsman Marin says the province's reaction has been inexcusably lax. To quote him: "When I see the reaction of the provincial government to this, it's almost as if it's written off as the cost of doing business." When asked by the Hamilton Spectator, he said, "This is exactly the kind of systemic issue which our office would be poised to handle if we had jurisdiction."

My question again, Premier: Instead of promising Ontarians that perhaps next year public reporting will be improved, why won't the Premier agree to giving the Ombudsman oversight of the operations of Ontario hospitals today?

Hon. George Smitherman: It seems that the honourable member didn't hear well enough. He said, "Maybe, or in the future"—no. I've very clearly said on several occasions in this Legislature that we're moving forward with public reporting. This will mean that hospitals post data on a regularized basis, available to all the public, on a wide variety of considerations, starting with *C. difficile*. This will be implemented by September 30—public reporting, access, transparency, for all the people in the province of Ontario.

Rather than relying on someone whose skills are outside of the medical arena, we'll be depending upon medical experts, in the form of Dr. Michael Baker, to lead these initiatives. He is a patient safety expert, and we have confidence that he's the right individual to champion these initiatives.

On the matter of *C. difficile*: This is a well-known threat, and the obligation is for all of those across health care, including those who run our hospitals, to take this very seriously. Only an all-hands-on-deck strategy will be successful for our—

The Speaker (Hon. Steve Peters): Final supplementary.

Mr. Howard Hampton: The McGuinty government talks about "all hands on deck." The reality is this, and Ombudsman Marin points this out: Ontario is the only province in Canada whose Ombudsman does not have a mandate to oversee hospitals. Ontario is the only laggard here. While 260 people die, and many more probably

died, Ontario is the only province that denies the Ombudsman to go in and look at the operations of hospitals. Despite this, Ombudsman Marin's office receives many complaints about hospitals every year, but says to those members of the public, "I'm sorry; the McGuinty government won't allow me to investigate."

A total of 228 complaints about hospitals were received in 2007 alone. After every other province in Canada has done this, what's the excuse of the McGuinty government, while 260 people have already died?

Hon. George Smitherman: The position on this matter is very clear. We've had a coroner's investigation into the circumstances in Sault Ste. Marie; we have the very evidence that the Joe Brant investigation has provided; we have recommendations from the provincial infectious disease advisory committee; and we have established leadership in the form of Dr. Baker.

Adding to that, we've dramatically enhanced transparency across a wide range of indications, which will enhance the knowledge that the public has about circumstances occurring in hospitals. We agree that this will enhance the obligation on the part of those hospitals and all who attend there—patients, visitors and staff alike—to be very attentive to the circumstances which lead to the spread of infectious disease, like *C. difficile*. That's why it's necessary for all of us to recognize our obligations when we're visiting hospitals and when we're present in those environments. Only taking these kinds of precautions and having everybody be engaged will provide the necessary patient safety that we all strive for. We have confidence that Dr. Baker can lead these initiatives on behalf of the—

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

APPRENTICESHIP TRAINING

Mr. Garfield Dunlop: My question today is for the Premier. Premier, the issue of unreasonable and unfair apprenticeship ratios in the construction and manufacturing trades has been raised in this House several times over the past few months. We on this side of the House believe that the ratios are outdated and should be changed so that young men and women will have more apprenticeship opportunities and our businesses can play on a more even playing field with all of the other provinces. I have to remind you that Ontario is the only province in Canada that does not have one-to-one ratios. You said in this House that you would look into this disparity. Premier, can you report to this House today, and what will you do about the unfairness of our apprenticeship ratios?

Hon. Dalton McGuinty: We have just recently received a report from a Mr. Armstrong. That report has now been placed online at the Training, Colleges and Universities website. We are consulting Ontarians. That is a myriad of recommendations put forward by Mr. Armstrong, including one to establish a new college of trades. In part, that college would assume responsibility for a regular review of ratios. We've made that report

public. We're now consulting with Ontarians, and we're eager to hear from them.

Mr. Garfield Dunlop: Premier, today in the west members' gallery we have two young would-be apprentices, who are joined by the owner of Orser Technical of Orillia, a business established more than 70 years ago, and Mary Ingram-Haigh, the president of the Ontario Electrical League. Ryan Briggs came to Orser as a result of the secondary school co-op program and Matt Strongman moved back home to Orillia as a third-year apprentice from Hamilton. These young men are considered excellent employees.

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Orser Technical currently has seven journeymen and three other apprentices. Matt and Ryan cannot continue to work for Orser. They will be terminated immediately, and they will not be terminated because of a lack of work. A ratio change would resolve this problem immediately.

Premier, what advice would you give to Matt and Ryan about pursuing a career as licensed electricians here in Ontario, or should we just send them off to Alberta?

Hon. Dalton McGuinty: First of all, I want to congratulate the gentlemen involved for their perseverance, for their initiative and for their determination.

I can report, broadly speaking, that electrical apprentice registrations have increased by 32% since 2003. I know that we have 100,000 more apprentices studying today. I know that we've got this recent report. We know that we have an issue here, but I think the real issue is, what's the best way to deal with it?

We've made the report available. We've put it online and we're asking for Ontarians to get back to us. We expect that we'll hear from a variety of stakeholders, and once we have that information in hand, we'll be prepared and we'll be eager to move quickly.

DRIVER LICENCES

Mr. Gilles Bisson: My question is to the Premier. Premier, you'll know that in the area of Kingston, there was a tragic accident some years ago where four people lost their lives as the result of an individual who was drinking and driving. As a result of that accident, there was a lifetime ban issued on this individual so that no future driver's licence could be issued. Surprise, surprise: The police in the local area pulled over a gentleman for routine inspection and found that this person who got the ban had gotten back his driver's licence from the Ministry of Transportation.

My question to you is simply this: How can Ontarians have any confidence in the Ministry of Transportation if it can't enforce a simple driver's licence ban?

Hon. Dalton McGuinty: To the Minister of Transportation.

Hon. James J. Bradley: The question is an excellent question, as it always is from the critic.

First of all, I would like to reveal to him that the individual in question no longer holds any type of driver's

licence. In 1999, when the driver was convicted and prohibited from driving for life, the conviction information submitted to the ministry contained a different date of birth than the date listed in the individual's driver's licence, so we're obviously concerned about that. Staff immediately began reviewing records and working with Kingston police to determine if this was in fact the same individual. They have finalized the review, and it was determined that more than one record indeed does exist. When the driver was convicted, the conviction information submitted to the ministry contained that different birthdate.

We have made recent changes to ensure that accurate information is received from the courts, thus ensuring that the proper conviction information can be placed against the driver's—

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

Mr. Gilles Bisson: That makes things even worse. At the end of the day, if an individual is able to go forward and reapply for a licence, and we don't have better checks and balances in the system and allow somebody to get a licence who shouldn't, it tells us we've got a problem.

You have previous driver's licence numbers that you can go by. A person's first and last name might be a good indication, a person's address. There are all kinds of checks and balances when it comes to the data within the database that should have picked this up.

I say again, what kind of confidence should we as Ontarians have in you as the minister, in your registry and your system, if you're issuing licences to people who have been banned for life due to drunk driving? I ask the question again.

Hon. James J. Bradley: And I will repeat the answer I gave to the member's excellent question. I noted for him that we have made recent changes to ensure that accurate information is received from the courts, thus ensuring proper conviction information can be placed against the right driving record.

In this particular case, which started back in 1999, the information that was transferred was not accurate. By the changes we have made, we have significantly reduced the risk that that can happen at the present time.

As you know, in all of Canada, we have the toughest penalties for those people who are convicted of these matters, who have their licences suspended. This particular matter, as I said, was of great concern. The person doesn't have a licence at the present time. Immediately upon getting this information, that was looked after.

WATER QUALITY

Mr. Phil McNeely: My question is to the Minister of the Environment. There's a lot of concern in my community right now about a sewage spill that happened in the city of Ottawa in the summer of 2006. About 960,000 cubic metres of raw sewage and storm water was allowed to flow into the Ottawa River. This spill of almost a

million cubic metres of sewage polluted the Ottawa River downstream and closed the beach at Petrie Island for almost the complete summer of 2006. When the beach's swimming area was finally opened in 2006, it was an exciting time for the community as we welcomed the summer season. Unfortunately, it was the same year as the unacceptable spill of sewage in the Ottawa River. As a long-time advocate for Petrie Island Beach, it's very important that the members of my community feel comfortable to bring their families and friends to the beach. While I understand that the actions were probably taken, I want to know from the ministry what you are doing about that spill.

Hon. John Gerretsen: Let me first of all thank this member not only for the question but for the great advocacy he's doing in his area, particularly with respect to this particular situation. I understand that the mayor of Ottawa has also requested to do a special investigation; it's ongoing right now.

When the new information came forward from Ottawa public health that linked the spill at the Keefer station to the closures at the area beach, my ministry began to review its files immediately to see what we knew about the incident. I can tell you that my ministry officials have not been able to locate any notification of the details of this particular incident to the Spills Action Centre until the city of Ottawa wrote to us in May of last year. I can tell you that at that point in time, our investigations and enforcement branch went into action and is currently conducting an investigation, and looks forward to submitting the results on this in the near future.

Mr. Phil McNeely: Summer is here, and Ottawa-area families want to be assured that their beaches are safe. They do not want another season of beach closures. People in the Ottawa area want to be assured that the \$2.5-million investment made to provide a beautiful swimming area at Petrie Island will be protected. They want to know why sewage bypasses, like the one that started this spill, can happen in the first place and what's being done in Ottawa to reduce them. They want to make sure that all precautions are taken to protect their families this summer.

I speak on behalf of the community when I ask the minister, what action is being taken to stop this type of spill and defend against another season of beach closures and impaired water quality in our beautiful Ottawa River?

Hon. John Gerretsen: As the member is aware, in older communities like the city of Ottawa and some of the older parts of this province, there are often combined sewers that basically meet at both sanitary and storm water runoff through a single pipe to a sewage treatment facility. Sometimes, when there is a major storm, there is an overflow, and that happens, and obviously we'd like to see those occur as infrequently as possible. Much work has been done over the years by both the province and the local municipalities to make sure that sewage treatment plants are upgraded and that storm sewers are separated from sanitary sewers, but much more work needs to be done.

The ministry is working to accelerate the approvals for the city's other two major combined sewer overflow locations that will result in significant reductions in the occurrences of these combined sewer overloads.

POLYGAMY

Ms. Lisa MacLeod: To the Minister of Government and Consumer Services: Will you uphold the rule of law and section 15(1) of the Charter of Rights and Freedoms, as it pertains to gender equality, and enforce the law and immediately strip a man, Aly Hindy, of his ability to perform marriages in Ontario and of knowingly breaking Canadian marriage laws by performing polygamist marriages illegally in Ontario?

Hon. Ted McMeekin: We have a process with respect to the registration of marriages in the province of Ontario, and we have no evidence in any form to indicate that anyone is performing polygamist marriages.

Ms. Lisa MacLeod: Mr. Hindy actually acknowledged in the Toronto Star on Saturday—with a circulation of, I believe, 640,000 readers on Saturday. This is about gender equality and it's about upholding the rule of law. Polygamy is inconsistent with the rule of law in Ontario and in Canada, and it is your responsibility to take decisive action. You're responsible for enforcing the law in this province.

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Alia Hogben of the Canadian Council of Muslim Women asks, "Why are they so wishy-washy when it comes to this law? Why aren't the officials doing something" about it? So I ask, on behalf of Alia and the women of this province: What will it take for this minister to put an end to McGuinty-endorsed polygamy in this province and the fraud that is taking place against Ontario women and the people of this province?

Hon. Ted McMeekin: Under the Criminal Code of Canada, polygamy is, as we all know, a crime. Our office of the Registrar General has no records of anyone trying to register multiple marriages. Under the Marriage Act, municipalities are responsible for issuing marriage licences and ensuring the eligibility of the individuals who request that licence. I want to repeat again for the record that we have received no requests to register multiple marriages.

POVERTY

M^{me} France Gélinas: My question is to the Minister of Children and Youth Services. Yesterday, the minister apologized profusely for forgetting to invite me to the poverty consultation in Sudbury, and I accept your apology. Can the minister tell us now how much notice she gave to other invitees to yesterday's meeting in Sudbury?

Hon. Deborah Matthews: Again, let me publicly apologize to the member opposite for failing to invite her to the consultation. I did offer to go back to her riding and have a consultation there with her with the people she would like to have there. So again, I apologize.

We worked closely with the Social Planning Council in Sudbury to pull people together to the consultation who represented a broad perspective of voices in Sudbury and the Sudbury area, and we had a very interesting conversation in Sudbury. After the consultation I went to Better Beginnings, Better Futures, which is an extraordinary program where children in the community have access to tremendous after-school programs.

M^{me} France Gélinas: I realize the minister claims that she wants wide-ranging engagement. When I couldn't attend, I tried to contact people and say, "Bring my views forward," so I contacted the names on her invitee list. The first one was the dean of the faculty of social work, followed by the chair of the Kimberly Rogers committee, followed by the executive director of the Habitat for Humanity, and the list goes on and on, but the answers kind of surprised me. Some were promised an e-mail that never came. Others received a phone call on Friday—the consultation was Monday—and others on Saturday, for the Monday consultation. The winner is a message on voicemail on Monday morning for a Monday afternoon meeting of people with busy agendas. The last-minute invite meant that they could not attend. Minister, what am I supposed to think of all this?

Hon. Deborah Matthews: As I said earlier, we worked closely with the Sudbury Social Planning Council to get a good mix of people there. This was the seventh of 13 consultations I'm doing across the province. I can tell you that the information we're gaining is very insightful and thoughtful. I can tell you that people in the province are prepared to address poverty reduction in a way that I don't think they've ever thought about before. We're hearing a lot about a willingness to work collaboratively together, to work together to help people move forward in their lives, to get the supports they need to move from poverty into full participation in our society and in our economy. I'm very much looking forward to the remaining six consultations.

CONSUMER PROTECTION

Mr. Bob Delaney: My question is for the Minister of Government and Consumer Services. During the past few years, there has been in western Mississauga a proliferation of stores that offer payday loans. I'm concerned about the impact of these stores on our community and across Ontario. Environics and Ipsos Reid studies of the Canadian payday lending industry indicate that the borrowers' household incomes are lower than those of the general population. Payday loan borrowers are more likely to have dependent children and less likely to understand the true cost of their loan. Significantly, even studies commissioned by the industry itself reveal that approximately 25% of their clientele have household incomes near or below Stats Canada's low-income poverty line. My question is, what is this ministry doing to protect Ontario's most vulnerable from payday—

The Speaker (Hon. Steve Peters): Thank you. Minister of Government and Consumer Services.

Hon. Ted McMeekin: In answer to the member's question, he may be aware that I had the great pleasure on March 31 to introduce the Payday Loans Act, 2008. This legislation, if passed, will provide a fair and balanced approach to regulating the payday lending industry in Ontario. It will protect thousands of Ontarians who from time to time come to rely on payday loans to help them through a short-term financial squeeze.

The legislation will—and let me just recap—require lenders and brokers to be licensed, provide authority to set a ceiling on the total cost of borrowing, prohibit back-to-back and concurrent loans, and permit borrowers to cancel loan agreements without penalty within 48 hours, a two-day cooling-off period. There will also be an education component and—

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

Mr. Bob Delaney: There are payday lenders where coffee shops used to be in western Mississauga. According to a study by Ernst and Young, first-time payday borrowers ultimately take out an average of 15 loans. This same study also stated that the industry itself claims the majority of its profits come from repeat borrowers who are unable to pay off the loan on time. Not enough Canadians between the ages of 21 and 30 consider the consequences of rising interest rates when they borrow money. Consumers aged 18 to 25 have significant purchasing power but often lack the experience needed to protect themselves against issues like money management, credit risk and identity theft.

Would the minister tell us what is being done right now to protect consumers, and especially young consumers, from payday lenders and other debt-related—

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

Hon. Ted McMeekin: —ministry with these consumer questions, to his credit. Every single day, our consumer protection bureau is committed to making sure Ontario's marketplace is safe for consumers. Recently, I had the good fortune during Consumer Awareness Week to launch our youth awareness campaign. That campaign will enhance the awareness of smart money management for our young people, specifically related to identity theft and protecting young people when making online purchases. It will target young consumers in secondary schools, colleges and universities, and in the workplace. Specifically, the campaign will include a young consumers' advisory group, an outreach program, education modules and an interactive youth consumer e-zone on Ontario's consumer protection—

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

HIGHWAY SAFETY

Mr. John O'Toole: I was going to direct this question to the Premier, but since he's not here, I'll direct it directly to the Minister of Transportation.

The Speaker (Hon. Steve Peters): You know the understanding within the chamber. We don't make reference to members' absences.

Mr. John O'Toole: I apologize. I just didn't want to surprise the Minister of Transportation, because you would know, Minister, that yesterday the Premier had sort of a change of heart, a flip-flop, or he reversed direction or whatever. He was responding to a question about technology, cellphones and other devices while driving on our highways. Now I gather he's flipped it over to you and charged you with doing some groundwork and research. I want to give you the opportunity to outline who the stakeholders are that you're going to deal with. I want to put it on the record clearly that we're here to help you. This side here, we're here to help you to make the roads safer. Will you do the right thing? And who are you going to consult with?

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Hon. James J. Bradley: I would like to thank the member very much for the question. I'm always happy to hear that members of the opposition are here to help members of the government out. It's really nice to hear that. I welcome suggestions from all the citizens of Ontario on matters of this kind.

What the Premier has asked me to do—and I have been doing some consultation on this—is to look at what other jurisdictions have done and what is working. One of the initiatives we've looked at is the banning of the cellphone itself. That is one initiative. But as the member would know, there are many other distractions that present themselves to drivers who are in a vehicle. So the Premier has asked that I look widely at all of the potential distractions that are there and try to find a situation where we can bring about any changes that would—

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

Mr. John O'Toole: Minister, doing the right thing is something that we look forward to happening over there. Right now, if I look at the legislation, even this morning and the past week or so, most of the legislation's been copied from other private members' initiatives. The smoking ban in the car was Mrs. Witmer's and Mr. Oraziotti's bill. As a matter of fact, the speed limiter bill was one that Laurie Scott had brought forward. There's been a lot of not focusing on the real issues in the economy and copying private members' bills that are, really, the right thing to do.

Under this bill—you know I've done the work. I want to make sure that you consult with the Canadian Vehicle Manufacturers' Association, the police associations, the research that has been done on this, and the inquests that have been done. As you said, other jurisdictions have already done it.

When is this going to start? When is our first meeting so that we can get on with this, instead of more delays and adjourning of the House for the summer too early?

Hon. James J. Bradley: What's interesting is that when they bring their bills forward as private members, there seems to be some support for them. As soon as they

become government bills, the opposition party, the Conservative Party, have about four different positions on them. They want to give credit to the person who brought the bill forward, and then they want to still denounce the bill when the government brings it forward.

The members should talk to John Tory, because I'm informed that he said this morning—this is what John Tory said this morning, that laws aren't necessary, just more public education. He asked us to slow down. My friend Mr. O'Toole is asking that we speed up the process; his leader, John Tory, wants to slow the process down. Perhaps he could give up his seat to Mr. Tory and he could present the position of the party at that time.

AUTISM TREATMENT

Mr. Peter Kormos: I have a question to the Minister of Children and Youth Services. Young Riley Methot, three and a half years old, lives down in Port Colborne with his folks. When he was two, he was diagnosed with autism, and 25 hours a week of IBI treatment was prescribed at the time. A year and a half later, this boy has not received one hour of IBI treatment. How is that fair to Riley Methot and other kids like him?

Hon. Deborah Matthews: Let me start by saying that I don't think any of us, unless we have a child with autism ourselves, understand what it is like to have a child with autism. I have spent quite a bit of time, actually, talking to families with autism in their families, and I understand, as best I can, the challenges they face.

Having said that, I think it's very important that we all recognize how far we have come in a relatively short period of time. Ten years ago, the budget for autism in this province was half a million dollars; today, it's over \$150 million. So from half a million to \$151 million certainly speaks to the commitment that this government has to increasing services for children with autism.

Mr. Peter Kormos: That doesn't mean a heck of a lot to Riley and his parents. His parents are being told that he has yet another year and a half on that waiting list. By then, he'll be five. He may well be in junior K or full-day kindergarten, where there is no IBI.

This minister should know that IBI treatment is more effective the earlier the kid is exposed to it. This kid is still non-verbal. What kind of chance does Riley Methot have in Dalton McGuinty's Ontario?

Hon. Deborah Matthews: I certainly acknowledge that there's a lot more work to do. I don't think anybody would argue that we've done all we have to do to help children with autism.

Let's look at the progress we've made. We ended the previous government's age-six cut-off because we don't think that because a child celebrates a birthday they no longer benefit from IBI therapy. Since we were elected in 2003, we have more than tripled funding for children with autism. We've gone from about 500 kids receiving IBI to more than 1,400. We've also introduced help for families—respite, summer camp—so that families with children with autism get a little bit of a break.

I think it's important to ask the question, though: How many kids received IBI when you were in government? Zero.

GRIDLOCK

Ms. Sophia Aggelonitis: My question is for the Minister of Transportation. The increasing amount of traffic is causing ever-increasing gridlock in my community of Hamilton and throughout the province. As the population of the province grows, so too does the number of vehicles on our roads.

These congestion delays cost my constituents and all Ontarians time and money. Individuals are spending more time in transit than ever before. This is time that they could be spending with their families, time that they could be using to work, and for those who drive, this is time spent burning extra fuel.

Can the minister please tell this House what he is doing to increase road infrastructure to help ease the congestion on our roads?

Hon. James J. Bradley: That's an excellent question, and I have some statistics on this that will be helpful.

This government is working hard to ease congestion and create a seamless and more convenient transportation network. That is why, since 2003, we have committed more than \$155 million to the city of Hamilton for highway infrastructure, with an additional \$137 million for municipal roads and bridges.

Benefiting from this was Highway 403 from King Street to Wilson Street, where recent completed improvements included resurfacing, operational and lighting improvements. Current construction is under way to improve the drive on Highway 6 between Highway 403 and Highway 5. I understand a new interchange and passing lane are being created. This project will finish this year. We have high-occupancy vehicle lanes for Trafalgar Road in Oakville and Guelph Line in Burlington that are coming online, allowing commuters to get home faster.

Ms. Sophia Aggelonitis: Gridlock is an issue that is also closely related to public transit. It works to ease congestion and is the better choice environmentally, as the fewer cars there are on the roads, the fewer greenhouse gas emissions are created.

I'm hoping that the Minister of Transportation can tell this House and the residents of Hamilton Mountain and Ontario what measures he's taking to reduce the number of cars on the roads and to increase the transportation services available to my constituents.

Hon. James J. Bradley: As the member knows, public transit is a high priority of the McGuinty government. Significant investments have been made in transportation. That being said, there's always a lot more work to be done, which is why our government continues to work with its municipal partners on funding public transit initiatives.

Since 2003, we have invested over \$90 million in the city of Hamilton, including almost \$40 million in

provincial gas tax funding. The city of Hamilton has used this funding to improve its transit in a variety of ways: building a new bus terminal at Mohawk College and acquiring a GPS-automated vehicle location and control system. The spring budget saw almost \$30 million committed to Hamilton, including funding for the James Street North GO station. Once completed, not only will this station allow for better GO service in Hamilton, it will also be the gateway for GO service to Niagara.

We will continue to work with our municipalities for better public transit. I thank the member for raising such an important question in this Legislature.

1150

SCHOOL CLOSURES

Mrs. Joyce Savoline: To the Minister of Education: Will the minister commit today to immediately release the report on the list of Ontario's schools up for review for possible closure?

Hon. Kathleen O. Wynne: I don't have that list. The fact is that school boards make those determinations board by board, community by community. As I said in an answer to a previous question, it would be irresponsible for any government to tie the hands of locally elected school trustees to make those decisions based on the programming that's required for their students in their communities. We actually had a moratorium in place for two years on school closures, and the fact was that at the end of that moratorium, school boards were asking us for pupil accommodation review guidelines, which we have put in place, because they need to be able to make the decisions that are consistent with the need for program delivery in their own communities.

Mrs. Joyce Savoline: Our information is that the minister does have the list. The parents deserve to know where they're going to send their kids in September. This is the end of May. The trustees in the gallery and their school boards need to plan for the fall, and the public deserves to have this information now. Minister, what are you trying to hide and why are you keeping this report under wraps?

Hon. Kathleen O. Wynne: If I understand the question of the member opposite—I'm not sure what her understanding of how education works in Ontario is, but here's the way it works. If a school board is going to put a school under review for closure or consolidation, that is a local process. If the parents in a community want information about those processes, they need to talk with their trustees. The trustees in the gallery have access to that information on the ground. It would be inane for the Minister of Education, on the 22nd floor of the Mowat Block, to be trying to micromanage the school accommodation reviews in the province of Ontario, across this vast province. It would make no sense whatsoever.

I say to the member opposite, if the member opposite is really concerned about the communities in this province, then talk to the parents about connecting with their trustees and having those local discussions. The

pupil accommodation review guidelines provide for consultation in every community.

NORTHERN ONTARIO DEVELOPMENT

Mr. Howard Hampton: A question to the Minister of Northern Development and Mines. With much fanfare, the McGuinty government has been promoting its public consultations on the growth plan for the north. My question for the minister is this: Does the minister believe it is appropriate that a community that has lost over 600 direct manufacturing jobs since 2002, that has had \$42 million in wages and salaries taken out of the local economy, and that has seen median family income decline by more than 6.5% will not have any public consultation under the McGuinty government's northern growth plan?

Hon. Michael Gravelle: We're very excited about the development of the growth plan for northern Ontario. This is going to be an economic and strategic long-term vision for the north. I'm co-chairing with my colleague David Caplan, the Minister of Public Infrastructure Renewal.

Indeed, what I think you're talking about is the process that we're going through now. We're very excited to be in the action phase, and we are moving around the north and having regional consultations. The actual public consultation—the full public consultation process—will be taking place in the fall. The regional forums that are happening now are happening in 16 communities across the north. We haven't determined all the locations yet, so I'm not sure what community you're referring to, but we are involving all northerners in this process. We have got our website in place, placestogrow.ca. We're very excited. I would think that the leader of the third party would be very supportive of this economic development vision for the north, and I'm disappointed that you're not.

Mr. Howard Hampton: We've checked your websites. I had my staff contact your ministerial staff.

We're talking here about the city of Kenora, a city that's lost its paper mill, that has one sawmill completely shut down and gone and another sawmill where everyone is laid off. The OSB mill has close to 100 people laid off. Altogether, 600 good manufacturing jobs have disappeared—\$42 million in wages and salaries taken out of the economy in the sixth-largest city in northern Ontario.

I'm simply asking, are you going to hold a public consultation on your growth plan in a city like Kenora that has been so hard-hit under the McGuinty government?

Hon. Michael Gravelle: Again, we are very excited about this action plan phase of the growth plan. These are regional forums, regional focus groups. Indeed, we have not determined all the locations that are taking part. Certainly, Kenora is not the only community that wants to host this particular session. What I can tell you is that when the full public consultation portion takes place, we will again be including as many northern communities as possible.

We're very excited about this. As you know, we're holding them in Dryden, we're holding them in Sioux Lookout. Kenora members will be very pleased to host the Northern Ontario Heritage Fund. So we're still trying to determine what locations they will be at, but Kenora will be very much an important part of the public consultation—

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

PETITIONS

LORD'S PRAYER

Mr. Jim Wilson: I want to thank the congregation of the Alliston Pentecostal Church for sending this petition to me.

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

"Whereas the Lord's Prayer has been an integral part of our parliamentary heritage that was first established in 1793 under Lieutenant Governor John Graves Simcoe; and

"Whereas the Lord's Prayer is today a significant part of the religious heritage of millions of Ontarians of culturally diverse backgrounds;

"We, the undersigned, petition the Legislative Assembly of Ontario to continue its long-standing practice of using the Lord's Prayer as part of its daily proceedings."

I agree with this petition and I have signed it.

LORD'S PRAYER

Mr. Michael Prue: I have a petition that reads as follows:

"To the Legislative Assembly of Ontario:

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

"Whereas the Lord's Prayer has been an integral part of our parliamentary heritage that was first established in 1793 under Lieutenant Governor John Graves Simcoe; and

"Whereas the Lord's Prayer is today a significant part of the religious heritage of millions of Ontarians of culturally diverse backgrounds;

"We, the undersigned, petition the Legislative Assembly of Ontario to continue its long-standing practice of using the Lord's Prayer as part of its daily proceedings."

I will affix my signature thereto.

FIREARMS CONTROL

Mr. Reza Moridi: "To the Legislative Assembly of Ontario:

"Whereas the growing number of unlawful firearms in motor vehicles is threatening innocent citizens and our police officers;

"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 being found in motor vehicles; and

"Whereas impounding motor vehicles and suspending driver's licences of persons possessing unlawful firearms 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 support this petition and I sign it.

LORD'S PRAYER

Mr. Jerry J. Ouellette: I have a petition to the Legislative Assembly of Ontario:

"Whereas the current Liberal government is proposing to eliminate the Lord's Prayer from its place at the beginning of daily proceedings in the Legislature; 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.

1200

PROTECTION FOR MINERS

M^{me} France Gélinas: I have a petition from the people of Schreiber:

"Whereas current legislation contained in the Ontario Health and Safety Act and regulations for mines and mining plants does not adequately protect the lives of miners, we request revisions to the act;

"Lyle Everett Defoe," a resident of Wanapitei in my riding, "and the scoop tram he was operating fell 150 feet down an open stope (July 23, 2007). Lyle was 25 years and 15 days old when he was killed at Xstrata Kidd Creek mine site, Timmins...."

"The stope where Lyle was killed was protected by a length of orange plastic snow fence and a rope with a warning sign. These barriers would not have been visible if the bucket of the scoop tram was raised. Lyle's body was recovered from behind the scoop tram."

They ask the Legislative Assembly that:

"Concrete berms must be mandatory to protect all open stopes and raises;

"All miners and contractors working underground must have working communication devices and personal locators;

"All equipment involved in injuries and fatalities must be recovered and examined unless such recovery would endanger the lives of others;

"The entire act must be reviewed and amended to better protect underground workers."

I support this petition and will affix my name to it and send it with page Jocelyn.

FIREARMS CONTROL

Mr. Tony Ruprecht: This petition has to do with guns in vehicles and it goes in tandem with Bill 56. It reads as follows:

"To the Legislative Assembly of Ontario:

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

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

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

"Whereas impounding motor vehicles and suspending driver's licence 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."

Since I agree, I'm delighted to put my signature on this document.

HOSPITAL FUNDING

Mr. Bill Murdoch: I have a petition sent to me from Lynn Silverton near Flesherton:

"To the Legislative Assembly of Ontario:

"Whereas Grey Bruce Health Services' Markdale hospital is the only health care facility between Owen Sound and Orangeville on the Highway 10 corridor;

"Whereas the community of Markdale has been promised a new state-of-the-art hospital in Markdale;

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

"That the Ministry of Health and Long-Term Care announce as soon as possible its intended construction

date for the new Markdale hospital and ensure that the care needs of the patients and families of our community are met in a timely manner."

I have signed this.

LONG-TERM CARE

M^{me} France Gélinas: I have a petition from the people of London:

"Whereas understaffing in Ontario's nursing homes is a serious problem resulting in inadequate care for residents and unsafe conditions for staff;

"Whereas after the Harris government removed the regulations providing minimum care levels in 1995, hours of care dropped below the previous 2.25 hour/day minimum;

"Whereas the recent improvements in hours of care are not adequate, vary widely and are not held to accountable standards;

"Whereas there is currently nothing in legislation to protect residents and staff from renewed cuts to care levels by future governments; and

"Whereas care needs have measurably increased with aging and the movement of people with more complex health needs from hospitals into long-term-care homes;" they ask the assembly to

"Immediately enact and fund an average care standard of 3.5 hours per resident per day in the regulations under the new Long-Term Care Homes Act."

I support this petition, will affix my name to it, and send it with page Damian.

EMPLOYMENT INSURANCE

Mr. Lou Rinaldi: I have a petition here addressed to the Legislative Assembly of Ontario:

"Whereas the federal government's employment insurance surplus now stands at \$54 billion; and

"Whereas over 75% of Ontario's unemployed are not eligible for employment insurance because of Ottawa's unfair eligibility rules; and

"Whereas an Ontario worker has to work more weeks to qualify and receives fewer weeks of benefits than other Canadian unemployed workers; and

"Whereas the average Ontario unemployed worker gets \$4,000 less in EI benefits than unemployed workers in other provinces and thus ... are not qualifying for many retraining programs;

"We, the undersigned, petition the Legislative Assembly of Ontario to press the federal government to reform the employment insurance program and to end this discrimination and unfairness towards Ontario's unemployed workers."

I agree and I will sign this petition and get Alie to send it to the desk.

LORD'S PRAYER

Mr. Tim Hudak: I'm pleased to present a petition signed by many residents of the Fonthill and Ridgeville area about preserving the tradition of the Lord's Prayer in the Ontario Legislature. It reads as follows:

"To the Legislative Assembly of Ontario:

"Whereas Dalton McGuinty is proposing that the Ontario Legislature remove the tradition of reciting the Lord's Prayer from its daily proceedings; and

"Whereas the Lord's Prayer has been an integral part of our parliamentary heritage that was first established in 1793 under Lieutenant Governor John Graves Simcoe;

"Whereas the Lord's Prayer is today a significant part of the religious heritage of millions of Ontarians of culturally diverse backgrounds;

"We, the undersigned, petition the Legislative Assembly of Ontario to continue its long-standing practice of using the Lord's Prayer as part of its daily proceedings."

In support, I affix my signature.

HOSPITAL FUNDING

Mr. Joe Dickson: A petition 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 ... 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, with 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 ... 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 and pass it to Aaron.

LORD'S PRAYER

Mr. Bill Murdoch: I have another petition that's been sent to me by Percy and Betty Warrilow of Owen Sound. 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 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 have signed my name.

HOME CARE

M^{me} France Gélinas: I have a petition from the people from the Marmora area, and it goes:

"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 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 fully support this petition, will sign it and send it with page Christopher.

FIREARMS CONTROL

Ms. Sophia Aggelonitis: I have a petition to the Legislative Assembly of Ontario.

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

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

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

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

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

I would affix my signature and give it to page Taylor.

HEALTH CARD RENEWAL CLINIC

Mr. Tim Hudak: I’m reading another petition about bringing health card renewal services closer to Glanbrook residents that reads as follows:

“Whereas seniors, the disabled, families with young children and other Mount Hope and Binbrook residents are forced to drive to downtown Hamilton to renew their Ontario health cards; and

“Whereas the province of Ontario mandates that health cards be renewed on a regular basis and that an Ontario health card must be presented to receive OHIP health services; and

“Whereas the Dalton McGuinty government has increased taxes and fees on local residents but has not improved services;

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

“To work with the Ontario Ministry of Health to bring a mobile health card renewal clinic to the Mount Hope ... area....”

I support it with my signature.

The Speaker (Hon. Steve Peters): The time for petitions has ended. This House stands recessed until 3 p.m.

The House recessed from 1212 to 1500.

MEMBERS’ STATEMENTS

RURAL ONTARIO

Mr. Randy Hillier: Today a delegation of business leaders from Smiths Falls came to Queen’s Park to be heard. Contempt for rural Ontario by the McGuinty government was on full display for them today. While the business education tax harms and injures our local businesses, this government has chosen to bleed small business for six more years. It is the job of this government

not to pick winners and losers but to represent all of Ontario.

I asked for unanimous consent today, only to be shouted down by the minister responsible for rural affairs. I find her actions disgusting, but she is consistent in her assault on rural Ontario. The inaction on the BET is not only another example of this government’s ignorance on autopilot but also a chance for the minister to show her true colours.

The business education tax is crippling eastern Ontario, and people who have taken a day off to be heard must be heard despite attempts to silence their voice.

Smiths Falls and rural Ontario win when we lose the BET.

CATHOLIC SCHOOL TRUSTEES

Mr. Rosario Marchese: On behalf of the New Democratic Party, I would like to welcome the Ontario Catholic School Trustees’ Association to the Legislature. We very much would like to acknowledge the long history of service and dedication that Catholic trustees have provided for our province.

In spite of recent news stories about the problems being experienced in one school board, it is important to recognize the work of the OCSTA to ensure a quality education for all of the students it represents. OCSTA has also called for special education benchmarks, fair funding and for a regular, ongoing review of the funding formula to meet the needs of our students.

For years they have been dealing with a funding formula which has not provided enough money to do what they have been asked to do, and many Catholic boards have not been afraid to point that out.

OCSTA has always believed that education is about more than marks and test scores, and we solidly endorse that view. Thank you to all of them for the work they have done and will continue to do on behalf of parents and students throughout the province.

JACK CAPITANIO

Mr. Monte Kwinter: I rise to eulogize Giacomo—known as Jack—Capitano, a friend, a colleague and an idealist who dedicated his life to equality and social justice.

After landing in Canada in the late 1940s, he realized that the working conditions of Italians in the construction industry were inhuman and deplorable, and fatal accidents were an almost daily occurrence. Immediately, he got involved in organizing the labour movement to improve the life of these hard-working people. He was involved in the first large labour demonstration at the CNE in the 1950s, where 25,000 Italian and other construction workers drew the public’s attention to this state of affairs.

Jack joined the Liberal Party because he believed in the philosophy of the Liberal Party and the vision of Prime Minister Pearson, and later Prime Minister

Trudeau. At election time, Jack was always on the front line to help Liberal members of Parliament and members of the Ontario Legislature. He was also active at the municipal level and campaigned for mayoral candidates and councillors. He was there to put up signs, knock on doors, study political strategy and stimulate young people to get involved in politics.

Jack obtained his real estate agent licence in the 1980s, and with a partner started a successful marble business, which was formally opened by then-Premier David Peterson.

Jack was a giant and a very generous person, helping people of every nationality. He will be missed by his friends and relatives and by Liberal politicians at every level of government in the GTA.

Jack was an integral part of my 1985 campaign and bus-stopped with me in each of my next five election campaigns. He was a true friend and supporter and will be sorely missed.

Jack leaves behind his wife, Italia, and his son, Ross. May he rest in peace.

KIDS' FISHING DAY

Mr. Jerry J. Ouellette: I'd like to extend my sincere gratitude and appreciation to all the groups and volunteers who worked so hard for our eighth annual Kids' Fishing Day at Heber Down Conservation Area this past Saturday. What a wonderful, rewarding day it was for both children and adults alike, with a large crowd of well over 2,000 who came out to enjoy the sunshine and the outdoors.

Children were able to take part, at no charge, I might add, in a day filled with many events, including conservation and wetland displays, lure making, face painting, learning to cast, and fish identification.

Ducks Unlimited; Central Lake Ontario Conservation Authority; Kids, Cops and Canadian Tire; Muskies Canada; the Ministry of Natural Resources, Aurora district; Ontario Sporting Dog Association; Ontario Deer Hound Association; Oshawa Community Health Centre; South Oshawa Teen Council; Durham Regional Police; Pickering Rod and Gun Club; the Dream Centre; Valu-Mart Lindsay; Hawgtown Bassmasters; Eastview Boys and Girls Club; Simcoe Hall Settlement House; South Central Ontario Big Game Association; Emm's Sports; Quinte Elk Restoration; the Westmount Kiwanis Club and Ron Aldred; Dan McWilliams; Jim, Steve and Kelly's minor bantam hockey team, all contributed time and effort to the success of the event.

I would like to extend a special thanks to John Tory and John O'Toole, who took the time to attend the event and meet with the young anglers and volunteers, and also to the Toronto Sportsmen's Show, who year after year show their dedication to kids and fishing days.

Mostly, I'd like to thank all the parents and kids who participated. It was a great opportunity for children who usually don't have the chance to learn about fishing and

nature and have fun discovering the great outdoors at the same time.

Hundreds of rainbow trout were caught by the young anglers. But here's a little secret: There are many more trout to be caught.

INTERNATIONAL PLOWING MATCH

Mr. David Ramsay: I'm very proud to stand in the House today and bring to the attention of all members that the riding of Timiskaming-Cochrane is going to be hosting the International Plowing Match in 2009.

I would like to also, at the same time, congratulate my colleague Carol Mitchell from the riding of Huron-Bruce, who will be hosting this year's plowing match in September in Bruce county. I wish her and everyone involved in their committee all the best and thank them for the co-operation they've had with our local committee in Timiskaming.

The planning for the International Plowing Match in 2009 is well under way. I'd like to thank our committee, including our chairman Carman Kidd; treasurer Bob Norris; coordinator Darlene Bowen; and Norm Koch, the 2009 IPM director, for their very hard work.

It's interesting to note that some 53 subcommittees have been established, including everything from food services to parking.

I'm also pleased to say that the McGuinty government is committed to making this massive event a success in northern Ontario. By the way, this is the very first time this event is going to be held in northern Ontario. In the 2008 provincial budget, our government provided a total of \$1.7 million to support the IPM in 2009.

It's expected that the International Plowing Match will attract more than 80,000 visitors and bring in approximately \$20 million to the local economy.

This event will be a truly unique northern experience, as organizers will be showcasing life in the north, including displays on forestry and mining.

Again, I'd like to thank the organizers and wish everybody well and a good trip to Timiskaming in 2009.

CATHOLIC SCHOOL TRUSTEES

Mrs. Joyce Savoline: I rise in the House today to recognize Catholic Trustee Day in the province of Ontario. We are fortunate to have several trustees who have been with us in the members' gallery today.

In Canada alone, Catholic schools educate close to one million students.

It is the trustees who connect our communities with the schools, the educators, the students and their families. They are the keepers of the flame, so to speak, in our education system and are committed to instilling the key values of the Catholic faith in their students.

Catholic education views life as an integration of body, mind and spirit. Catholic education fosters the search for knowledge as a lifelong spiritual and academic quest.

Ontario has been greatly enriched by the hard work of Catholic teachers, administrators and Catholic trustees, who articulate and defend the values of Ontario's Catholic education system.

Thank you to the Catholic trustees throughout the province who have contributed and will continue to contribute to the lives and education of our young people, who are the leaders of tomorrow.

ALGOMA UNIVERSITY COLLEGE

Mr. David Oraziotti: I rise in the House to celebrate the historic legislation, introduced by our government yesterday, proposing to grant Algoma University College, in my riding of Sault Ste. Marie, a charter making it an independent university.

As a former board of governors' member at AUC, and having advocated for independence for nearly a decade, this is indeed great news for our community. I want to thank Premier McGuinty and Minister John Milloy for their tremendous support in moving forward with this legislation.

This initiative would improve the economic, cultural and social landscape of our community by enhancing the post-secondary education available to local students and further attracting national and international students. With independence, the school is projected to more than double its size to approximately 3,000 students, increasing the range of programs at the school, and they will certainly benefit our community.

1510

Here's what Dr. Celia Ross, president of Algoma University College, had to say: "Algoma University College is delighted. The introduction of the charter legislation and the passing of first reading in the Legislative Assembly of Ontario today is a giant step towards launching of the new Algoma University. Algoma U students are future leaders," in their communities and they will help "transform their communities. We will be the university for students who want innovative, community-based, hands-on programs in technology, science, business and liberal arts."

I'm encouraged by the positive support shown toward this initiative from all sides of the House and look forward to seeing this bill move quickly through the legislative process so that Algoma University College is able to become an independent university.

CYSTIC FIBROSIS

Mr. Shafiq Qaadri: I'm pleased to rise today in the House to recognize May as Cystic Fibrosis Awareness Month. Cystic fibrosis is the most common fatal inherited disease affecting young people in Canada. Early diagnosis and early treatment have contributed, of course, to improved survival and to improving the lives of people who suffer from this condition.

In April 2008, I'm pleased to note, Ontario became the second province to implement newborn screening for

cystic fibrosis. I'm proud to be part of a government that launched the most comprehensive newborn screening program in Canada to date. The program, based at the Children's Hospital of Eastern Ontario, has increased the number of rare genetic conditions screened from two to 28, including disorders such as cystic fibrosis and sickle cell disease.

Canadians marked Cystic Fibrosis Awareness Month with the Great Strides Walk on Sunday, May 25 in seven locations across Ontario, including Chatham-Kent, Cornwall, the GTA, Hamilton, Huron-Oxford-Perth, Kitchener-Waterloo and London.

Please join me in congratulating the members and leaders of the Canadian Cystic Fibrosis Foundation and in extending to them the very best wishes of all members of this assembly and the people of Ontario for a highly successful Cystic Fibrosis Awareness Month.

CATHOLIC SCHOOL TRUSTEES

Mr. Jim Brownell: Education is a priority for this government and we are fortunate in Ontario to have excellent publicly funded education systems. The Ontario Catholic School Trustees' Association is a voice for publicly funded Catholic education in Ontario, representing the interests of 34 English Catholic school boards. I am pleased to welcome representatives from the OCSTA who are here at the Legislature today, including Paula Peroni, president; Nancy Kirby, vice-president; and John Stunt, executive director.

For over 160 years Catholic school boards have been operating in this province, and today, Catholic schools educate over 600,000 young people from kindergarten to grade 12—one third of Ontario's students.

Catholic schools are working hard on a number of our government's education initiatives and are meeting them with great success. They have shown great gains in improving test results, having improved literacy scores for high-risk students, and are creating new and innovative programs to keep students in school longer.

OCSTA has been meeting with many MPPs here today at Queen's Park to bring us up to date on some of the very positive things that are happening in Ontario's Catholic schools. As a graduate of a Catholic school—St. George's Catholic school in Long Sault—I am pleased to welcome them here to the Legislature. I'm also asking the Legislature to join them at a reception this evening from 5 p.m. to 7 p.m. in rooms 228 and 230 at the main legislative building.

REPORTS BY COMMITTEES

STANDING COMMITTEE ON GOVERNMENT AGENCIES

The Speaker (Hon. Steve Peters): I beg to inform the House that today the Clerk received the report on intended appointments, dated May 27, 2008, of the

Standing Committee on Government Agencies. Pursuant to standing order 107(f)(9), the report is deemed to be adopted by the House.

Report deemed adopted.

INTRODUCTION OF BILLS

JUSTICE FOR JARED ACT (CHILD AND FAMILY SERVICES STATUTE LAW AMENDMENT), 2008

LOI DE 2008 SUR LA JUSTICE POUR JARED (MODIFICATION DE LOIS EN CE QUI CONCERNE LES SERVICES À L'ENFANCE ET À LA FAMILLE)

Ms. Horwath moved first reading of the following bill:

Bill 81, An Act to amend the Child and Family Services Act and the Coroners Act with respect to inquests into children's deaths / Projet de loi 81, Loi modifiant la Loi sur les services à l'enfance et à la famille et la Loi sur les coroners à l'égard des enquêtes sur les décès d'enfants.

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.

Ms. Andrea Horwath: The short form of the bill is called the Justice For Jared Act (Child And Family Services Statute Law Amendment), 2008. The bill amends the Child and Family Services Act and the Coroners Act to require a person or a children's aid society that obtains information that a child has died on or after January 1, 2006, to report the information to a coroner if the child was the subject of an access order made or varied by a court on application by a society and, as a result of the actions of a parent or family member who had custody or charge of the child at the time, the child died. In these circumstances, the coroner is required to hold an inquest into the death.

MOTIONS

PRIVATE MEMBERS' PUBLIC BUSINESS

Hon. Michael Bryant: I seek unanimous consent to put forward a motion without notice regarding private members' public business.

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

Hon. Michael Bryant: I move that, notwithstanding standing order 97(g), the requirement for notice be waived with respect to ballot item 33.

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

Agreed to.

STATEMENTS BY THE MINISTRY AND RESPONSES

ACCESSIBILITY FOR THE DISABLED

ACCESSIBILITÉ POUR LES PERSONNES HANDICAPÉES

Hon. Madeleine Meilleur: I would like to introduce today the interpreter Kaye in the east gallery, and Anne sera l'interprète dans la galerie ouest.

Yesterday marked the beginning of National Access Awareness Week in Canada. Across the country, Canadians will be participating in events to raise awareness about the barriers that exist for people with disabilities and the need for greater accessibility. Here in Ontario, disability affects many of us.

Aujourd'hui, on compte presque 1,5 million de personnes en Ontario vivant avec une forme de handicap. Ce chiffre représente plus de 15 % de notre population, et ce chiffre augmente progressivement avec le vieillissement de la population. Cette situation se traduit par une plus grande demande pour des services et des systèmes accessibles et la nécessité de modifier certains aspects de notre environnement.

Our government has a plan to make this change happen. Almost three years ago, we passed the Accessibility for Ontarians with Disabilities Act. The act lays a foundation for Ontario to build an accessible society by 2025. Our government will make the province inclusive to people with disabilities through mandatory accessibility standards for the most important areas of our lives, like transportation, employment and communication.

I am pleased to say that we are well on our way. Earlier this year, our first province-wide standard for accessible customer service became law.

D'autres normes d'accessibilité sont en élaboration. Ces normes d'accessibilité permettront aux personnes qui ont un handicap d'avoir les mêmes possibilités que les autres citoyens; c'est-à-dire pouvoir participer pleinement à la vie sociale, économique et culturelle de leur communauté.

Je crois sincèrement que si nous, le gouvernement, souhaitons que nos partenaires de l'industrie privée améliorent l'accessibilité à leurs établissements pour les personnes handicapées, nous devons donner l'exemple.

We cannot afford not to make Ontario accessible to everyone. Each year in Canada, people with disabilities have a spending power of approximately \$25 billion. That's a market that no business can afford to overlook.

1520

People with disabilities also represent an untapped resource of talent, but every day in Ontario, their skills

are being wasted through inaccessibility. A couple of stairs or an outdated hiring policy can prevent the most qualified person from getting the job that's a perfect match for their skills.

Opening doors to people of all abilities is not only the right thing to do, it's the smart thing to do. Making Ontario accessible to everyone will help make our economy stronger and our workforce more diverse, and that's good for everyone.

Hier, j'ai eu l'occasion de visiter une succursale bancaire accessible, ici à Toronto. La Banque Royale du Canada a saisi l'essence de ce que le gouvernement tente d'accomplir afin de rendre la province accessible. Dans cette succursale, les clients qui ont un handicap pouvaient facilement se déplacer et avoir accès aux services. Ceci est un exemple des progrès qui sont faits en Ontario pour rendre la province accessible.

We've accomplished a lot in the three years since the act was passed, but there is more work to do. Accessibility is much more than wheelchair ramps and automatic door openers. Everyone needs to gain a greater understanding about disabilities if we want to tackle the social barriers that exist for people with disabilities. We all have a role to play in breaking down barriers. That's what National Access Awareness Week is all about: challenging public attitudes and perceptions about disabilities and working together to make our province a more inclusive place for people with disabilities to live, work and play.

J'encourage tous les membres de l'Assemblée à participer aux événements de la Semaine nationale pour l'intégration des personnes handicapées. Demain, Queen's Park sera l'hôte de l'Exposition sur l'accessibilité. Vous pourrez en apprendre plus sur l'accessibilité pour les personnes handicapées et comment cela se traduit pour notre province.

J'encourage aussi les membres de l'Assemblée à participer aux célébrations dans leur propre communauté et rencontrer les individus et les organismes qui travaillent dans le but de rendre leur collectivité plus accessible.

Everyone here knows the importance of inclusion and equality for Ontarians with disabilities. Accessibility is a process that we all need to engage in if we want to be successful. By working together, I know we can reach our goal of an Ontario where all citizens have the opportunity to fully participate. Let's all be part of Ontario's accessibility solution.

The Speaker (Hon. Steve Peters): Responses?

ACCESSIBILITY FOR THE DISABLED

Ms. Sylvia Jones: I'm delighted to speak today on behalf of the Progressive Conservative caucus to acknowledge National Access Awareness Week.

I believe that it is important to help raise awareness about the barriers that people with disabilities face every day. It is crucial that society understand the significance of promoting access for persons with disabilities. The

news release regarding National Access Awareness Week issued by the Ministry of Community and Social Services yesterday encourages breaking down barriers that people with disabilities face.

Included in the news release was a link on the ministry's website discussing "Understanding Barriers to Accessibility," where a definition of barriers is provided: "A barrier is anything that prevents a person with a disability from fully participating in all aspects of society because of his or her disability." It goes on to describe physical barriers as "objects added to the environment, such as doors, windows, elevators, furniture, bathroom hardware etc."

The McGuinty government loves to talk about ideas and plans on how to address accessibility issues and how to make society more accessible for persons with disabilities. However, the hypocrisy in their intent can be seen when a school—

The Speaker (Hon. Steve Peters): I'd just like to ask the honourable member to withdraw that comment.

Ms. Sylvia Jones: I will withdraw.

However, their intent can be seen when a public school in my riding continues to have barriers in two of those categories. The first category: Despite being renovated less than two years ago, the school was unable to install a handicapped-accessible door. Several parents, and even the school's teachers and administrators, have repeatedly requested that this issue be addressed, but their requests were ignored by the McGuinty Liberals. Second, a graduating student faced the possibility of not graduating with her classmates when the lift that allows her to accept her graduating certificate has been broken for many years and she can't get to the stage. This lift was repaired but only after my statement in the Legislature last month that called on the government to address the issue. And, to their credit, it was the Upper Grand District School Board health and safety board that repaired the lift to allow a grade 8 student in Highland Heights elementary school to graduate with her peers this month.

There are examples all over this province that echo the problems faced by the school in my riding.

Interjection.

Ms. Sylvia Jones: I afforded you the courtesy of listening to your statement.

One example is the underground pathway that goes from Queen's Park subway station to the various legislative buildings here at Queen's Park. The initial door from the TTC has a very nice wheelchair accessible sign. It even has a wheelchair accessible button that opens the door. However, you only have to walk 30 seconds down the hall before you realize that you will have to climb 42 stairs to reach the next section of the pathway and another 20 if you want to reach the main legislative building. If the entire pathway isn't wheelchair accessible, the wheelchair accessible sign has no business being at the front door. It's misleading.

Late last year, the 2007 accessibility plan for Caledon Community Services was completed. In an article that

appeared in the Caledon Enterprise last November, William Goursky, chair of the joint Peel-Caledon accessibility advisory committee announced that Peel region is making significant progress to becoming barrier-free. Some of the objectives include anchoring accessibility checks into the region's planning process, identifying and coordinating accessibility projects, and ensuring accountability through the monitoring and reporting of progress on accessibility initiatives. On the other hand, however, we have to remember that municipalities are calling on the government for fair provincial funding mechanisms to assist municipalities and other provincially funded public sector organizations to comply with the regulations under the Ontarians with Disabilities Act.

I've only mentioned a couple of concrete examples in which government needs to practise what it preaches regarding accessibility. I hope this week, as we mark National Access Awareness Week, that the McGuinty government will sincerely adhere to all four objectives of National Access Awareness Week: first, to assess the accessibility of services and facilities; second, to set measurable goals; third, to make practical improvements, not just talk; and, finally, and most importantly, celebrate achievements when they occur.

ACCESSIBILITY FOR THE DISABLED

Mr. Michael Prue: It is a privilege and honour to stand here on this statement and on the 20th anniversary of this event. I remember 20 years ago—as I think most people in this House would, but certainly not all—Rick Hansen and his Man in Motion tour that set the whole thing going. I remember watching in absolute awe as this Canadian icon went from place to place around with the world with his wheelchair to prove that anything was possible if you had a will and a way to do it. It was because of Rick Hansen and that Man in Motion tour that we first developed an awareness week to promote access, which we're doing now for the 20th time, but more importantly, I think real action started to be taken by all levels of government to make communities accessible for people's various abilities and not for their inabilities.

First of all, I want to start by commending this government, not only for the bill some three years ago—I'm going to get to it more later, and it's not all going to be good—but for taking some very real action around a number of fronts.

1530

One of those that I was most proud of this year was to see, as the minister said in her statement—and I'd just like to re-read that—"Accessibility is a process that we all need to engage in if we want to be successful. And, by working together, I know we can reach our goal of an Ontario where all citizens have the opportunity to fully participate." Oftentimes, this House can be quite an adversarial place. Oftentimes, I have to tell you, opposition doesn't listen to government, nor does government listen to opposition. But there was one real exception that

I think should be talked about today, and that is where my colleague from Nickel Belt brought forward an idea of having personal care areas in the rest areas on highways that are being redeveloped this summer, some 100 of them. The minister and the ministry have agreed, and they will be done. So here is an opportunity that the government has taken, with an idea that I think my colleague first put forward, to actually do something. It will be a great help to people travelling across this province on the superhighways, since the personal care areas will accommodate people with disabilities.

Breaking down barriers to access in all areas—transportation, housing, employment, recreation, education and communications—has a profound impact on improving the quality of life of individuals and their ability to contribute to their communities. New Democrats have long campaigned and advocated for equity and equality for all people, especially in Ontario, because we know everyone has unique abilities and the potential to enrich this province and themselves when given a fair shot at it. In this province, we need to see concrete and meaningful changes that make real and sustained improvements in the lives of those with accessibility needs.

I was heartened as well, again, with what the minister had to say here today, when she said, "Accessibility is much more than wheelchair ramps and automatic door-openers. Everyone needs to gain a greater understanding about accessibility, if we want to tackle the social barriers that exist for people with disabilities. And we all have a role to play in breaking down those barriers."

It is with that that I ask the minister to think beyond the wheelchair ramps and the accessible doors and to start thinking about people who live in poverty. It is trite to state that people who have a disability are many times more likely to live in poverty than those who do not.

We have welcomed these government announcements, but we want to ask a few simple questions. Why must people with disabilities wait another 17 years for the full implementation of the Ontarians with Disabilities Act? Cannot that be speeded up? The government press release mentions a number of barriers that limit the participation of people with disabilities—physical barriers, communication barriers and the like. It is interesting, though, that they chose not to mention by name one other fundamental barrier, the barrier of not having enough money to live a dignified life—the barrier of poverty. Right now, a single person who is disabled and who lives on ODSP funding in this province has to survive on \$999 a month. If he or she is lucky enough to have a part-time job, after a very small amount—some \$300, I believe—that money is clawed back by the government.

Mr. Speaker, I won't be too much longer. I can see you're getting anxious.

Who in this province could live on that, when a bachelor apartment costs \$738 a month?

There is so much more to say, but poverty as well is an issue. We believe that there is hope, and because we have hope—

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

ORDERS OF THE DAY

PROVINCIAL ANIMAL WELFARE ACT, 2008

LOI ONTARIENNE DE 2008 SUR LE BIEN-ÊTRE DES ANIMAUX

Resuming the debate adjourned on May 12, 2008, on the motion for second reading of Bill 50, An Act to amend the Ontario Society for the Prevention of Cruelty to Animals Act / Projet de loi 50, Loi modifiant la Loi sur la Société de protection des animaux de l'Ontario.

The Speaker (Hon. Steve Peters): Further debate?

Mr. Ernie Hardeman: I'm pleased to rise today to speak Bill 150, An Act to amend the Ontario Society for the Prevention of Cruelty to Animals Act. I think this is a very important bill. There have been many speaking to it, and I just wanted to take a few moments to speak to the importance of having a bill. Of course, no one in our society should accept cruelty to animals. Anything we can do that to stop that from happening—and we see it from time to time. In fact, in my time being involved with the animal world, I've seen a lot of times where they are very, very much mistreated. I don't think that is acceptable in our society.

Having said that, although I support the intention of the bill, I'm not sure that I can totally support the contents of the bill. Along with a lot of the stakeholders, I have some concerns that the bill doesn't totally deliver, that the description of the bill, the compendium that comes with it, is what the intention of the government is. What they hope to accomplish with this bill is not necessarily, in my mind, what we're going to see. It relates a lot to my responsibility on behalf of the John Tory caucus to be critic for the Ministry of Agriculture and Food.

This bill of course relates to all animals. We've seen a number of private members' bills that were before this House, that got second reading and went to committee, but as we know, it's very seldom that the content of a private member's bill gets called back by the government for third and final reading. We had a number of those bills that related to the animals in what we call roadside zoos, where there seemed to be a greater need for animal protection than what we had. If that was the intent of the bill, it would seem to me that this would have been a good time for the government to take one of those bills in the previous sitting of the Legislature and pass it into law rather than go through the process of bringing forward a whole new bill.

When the new bill came forward, I went through it to look at what was different from what was in those private members' bills. I think it was the member for Willowdale who had one that we got a lot of e-mails on in our constituency office, asking for our support to get that bill passed, because it dealt with those zoo animals. But as we look at Bill 50, it goes well beyond that. Again, I'm not suggesting that it should not go beyond it, because

obviously agricultural animals need protection too. There are cases, and we've seen some just recently in my area, where no one is quite sure why they happened, but they do happen and we have a lot of animals that are not cared for in the way they should be. Then we need legislation and a process to look after those animals. I think that's what this bill does.

But the other thing I do want to talk about is that as I was looking through the bill—the minister said in the introduction of the bill that after much consultation—and I'm going to assume that the consultation was to take what was already there as private members' bills and see what the people who would be involved would have to say about it and then improve upon that and then introduce this Bill 50, which would meet the general needs of that. But when I started checking with and corresponding with the stakeholders who would be involved, we ran into some difficulties. In fact, there seemed to be very little consultation that had taken place with the people one would think would be the major stakeholders. One that comes to mind, and again it's not the agriculture and food portfolio, but I was somewhat taken aback—I'm sure every member of this Legislature has in the last week or two been continually receiving e-mails from members of the Toronto Humane Society who are demanding—I'm not sure "demanding"—encouraging the government and the members of the opposition to work diligently to get section 6 of the bill—and I have here the letter from the Toronto Humane Society. It is just a letter; it's not really a prop. With your indulgence, Mr. Speaker, I would just like to read some of it; I think it's rather interesting.

1540

It starts off:

"Dear Friends of Animals

"The Premier is to be congratulated for having promised animal welfare reform, and by all rights you and I ought to be able to support all of Bill 50 which was introduced in the Legislature by Minister of Community Safety and Correctional Services Rick Bartolucci on April 3, 2008."

And this is where it goes off the rails. It says:

"But there is a serious flaw in Bill 50. Section 6 requires the Legislature to strip away the name of any humane society that doesn't want to be a member of the Ontario SPCA or the name of any humane society that the Ontario SPCA itself doesn't want or has expelled.

"If The Toronto Humane Society has its name taken away, it will lose its identity of 121 years. Animals will suffer because those needing our services won't know where to turn. Our income will plummet, depending as it does on name recognition. Severe cuts in services to animals and staff layoffs will be inevitable.

"And for our beloved Toronto Humane Society, the sting of section 6 of Bill 50 is not academic, but real."

Mr. Speaker, I'm sure you've had the opportunity to hear a lot of speakers on Bill 50, and almost every speaker has related to section 6 and spoken of the challenges. Then when it came to the questions and com-

ments, the government put forward the proposition that in fact this wouldn't happen, that this isn't what this bill does. But the Toronto Humane Society is convinced that it is "not academic, but real." They believe that if this bill is passed in the present form, it would have that impact on their society.

I would just point out that I hope as this bill goes forward to consultation—which I understand the government is looking at, to make sure that it goes to province-wide consultation—section 6 will be looked at. I think it behoves the government to look at that in the vein that if the humane society has that concern and if that concern is real, then we should look at the other side of the same picture, see what the benefit is of putting section 6 in the bill, and see if it would weaken the bill to protect animals if that section was removed. I would like to suggest that that may not be a very good trade-off. It may very well be that for the best interests of all animals in the province and all people who take care of our animals, the removal of that section would likely make this a better piece of legislation.

The second group I would just like to touch on is on the agriculture side, the Ontario Farm Animal Council. They too sent a letter, only they sent this letter to Minister Bartolucci. It says:

"The Ontario Farm Animal Council (OFAC) has recently been made aware of Bill 50 introduced by the Ontario government on April 3. This bill contains wide-sweeping changes to legislation governing the keeping and treatment of animals in Ontario.

"OFAC has long been on record as supporting the need to update legislation dealing with animal cruelty. To this end, OFAC supports the overall intent of Bill 50."

Again, it starts similar to the humane society's position on the bill: that the bill is long overdue, that we review the animal cruelty legislation. But we must do it by taking our time and making sure that we do it right. After 100 years of having the same legislation, it would seem prudent not to rush this through and then make mistakes as we're going through it.

In the last letter, the third paragraph started with "But"; in this one it starts with "However":

"However, this legislation goes far beyond issues of cruelty. In working closely with the Ontario SPCA on farm animal care issues over the past 20 years, OFAC has identified and supported needed improvements in both governing legislation as well as the operations of the agency itself. We're especially supportive of plans to increase budget allocations for training to OSPCA inspectors."

Again, that's one of the things we've been hearing a lot of. In the opinion of the Ontario Farm Animal Council, the training for the inspectors who are presently doing the inspections is not sufficient to deal with farm animals. I think the real concern, before I go on, is that we all assume that while the minister can put regulations in place that will define how things are going to be done and who should do them, it's very important that the people who are doing the instructing, the people who set

those rules in place, understand the situation that they're dealing with.

I would just use an example: A number of years ago in this place, they had the opportunity to be on that side of the House, and I can remember as well as I can remember the issues of today that there was a question about the operation of the agriculture field offices. The Acting Premier of the day asked the Minister of Agriculture a question about how that was going to affect the farmers in southwestern Ontario, towards the Windsor area. She seemed quite concerned about the approach that was being taken with the realignment of the offices, and I remember that the question was: "What is a farmer with a 500-pound hog supposed to do—put him in the trunk of the car and take him to the nearest ag office?"—which would then be quite a ways from home. Of course, the intent was to show that the system would not work very well. But the result of that, as we listened to that with the ears of the hog producers in Ontario, was that we realized, first of all, that the hogs are not 500 pounds, and secondly, when there is one that is ill, you do not rush it into town to the hospital; you bring the veterinarian out to the farm.

The reason I bring that to your attention is that I think it's so important that the people who make the regulations are knowledgeable about the issue they're making them for. I just want to go on with one more paragraph of this letter:

"Our concern is that Bill 50, which is now in second reading, is a set of very extensive and legally complex amendments that appear to be moving very quickly through the legislative process. These amendments would fundamentally change the powers and authority of the OSPCA as well as the legal obligations and requirements of all animal owners and handlers in Ontario." That's the point that I was trying to make: that it is a very extensive bill that has far-reaching ramifications as it deals with agriculture.

I also had some comments here from the Ontario Federation of Agriculture. Of course, it's so important that they didn't have time to review it. This is not their official position, because the timing of the introduction of the bill and the need for them to make comments to it were not—there was not sufficient time. But they did feel it important enough that, as part of second reading debate, some of their issues be put on the record.

The first problem they have with the bill is that the definitions do not necessarily define clearly the issues that we're talking about. The word "distress": An animal that's in distress is to be looked after under this act. But that's a pretty broad statement. When an animal's in distress, who determines that the animal is in distress? Obviously, that relates to the right to entry for our inspectors and so forth, but who determines—not being able to see the animal from the road—that we should enter the property to protect the animals?

The other thing that I think is so important is the issue of proper care and how we define "proper care." I was reading about some of the issues of proper care, and it

has to do with having sufficient space in which to house the animals, that there's enough room for them to move around, that animals are properly fed. I think those types of things are—what shall we say?—common sense. We have to have adequate housing and care, but how do you define that?

There was also somewhere, in some of the documentation, something about that the animal must have opportunities for exercise. Again, that makes a lot of sense. I think that everyone in this Legislature would agree that good health includes being able to move around and get good exercise. But there's a lot of agriculture that does it differently. We have what they call "caged layers" in the chicken industry. They are confined to smaller areas for all kinds of purposes, for the way the eggs are produced, to keep the eggs clean—not to suggest that the chickens are not comfortable, but it's a different way of life and it's a way that has become more modernized and also more intensified with the production of eggs. But can we really deal with that under the same bill and the same regulations?

1550

Again there is the issue—I spoke about it once before in comments to someone else's speech—of animals being taught to fight. I know that the intent of the bill is to make sure we don't have animals being taught to fight each other and then do it as a sport. I would be the first to agree that that's an inappropriate activity, and the act should cover that. But at the same time, the way it's written now, would a dog that is protecting cattle from wildlife in the field, having been taught to protect the animals and fight, then be illegal under the act? I think things like that need clarification.

The other issue that I think is rather important is entrance without warrant. I think the farming community is very concerned as to how much power and how much right, and what is actually necessary for the inspector to make that judgment call and, without having to prove to anyone, and getting a warrant, that they can enter the premises because they believe it reasonable. I guess we're really concerned about what would be considered reasonable.

The other thing that's very concerning to the agriculture community is the issue of biosecurity on the farms. Having people coming in and out is a rather touchy situation, particularly if they have been on other farms before that. In fact, we can carry disease and such things from one to the other. Obviously that would be very disastrous in a lot of cases.

I do believe there are a lot of concerns from our agricultural community as to how far this goes. We say that the normal farming practices will exempt that animal, but we have the identification of normal farming practices after the action of the inspector, as opposed to before the action of the inspector. I don't know how, exactly, that is intended to work and bring that back together so we have the protection of agriculture for normal farming practices that we require without losing the right for those animals to be protected from inhumane or inappropriate actions.

My time is fast drawing to a close, and I notice I've lost the interest of most of the audience, so I would just—

Mrs. Carol Mitchell: Don't take it personally.

Mr. Ernie Hardeman: The member from Huron-Bruce is still listening. She was thinking I was going to say something negative, and obviously I wasn't. We hope we can get full public hearings on this so that all the people who've not yet been heard in fact will be heard when the time comes and they can put their position forward much more adequately than I can here in my short time that I have to speak to this bill today.

The Acting Speaker (Mr. Ted Arnott): Questions and comments?

Ms. Helena Jaczek: I'm happy to rise in support of Bill 50, An Act to amend the Ontario Society for the Prevention of Cruelty to Animals Act. I think it's particularly commendable that these are the first comprehensive amendments since the act was introduced way back in 1919, a really significant step that our government is taking. I was very pleased that Rick Bartolucci, the Minister of Community Safety and Correctional Services, actually came up to my riding—we have the headquarters of the OSPCA in my riding of Oak Ridges-Markham—and made the statement that our government will not tolerate the abuse of animals, including those kept in roadside zoos, and that, if passed, this legislation will offer the strongest animal protection in Canada. His allusion to roadside zoos is that this bill does build on the private member's bill of our esteemed colleague from Willowdale.

Further, the chief executive officer of the OSPCA, Kate MacDonald, has made the following statement: "We are pleased that the government has recognized the need to modernize and toughen animal welfare laws and create stiffer penalties for those convicted." So we have endorsement from a very credible source. In fact, if anyone is looking for a pet, I would commend them to come up to the OSPCA in my riding. A number of animals are looking for good homes; not only cats and dogs, but I believe there is a resident pig awaiting adoption as well.

In conclusion, I'm very strongly in support of this particular bill.

Mr. Norm Miller: I'm pleased to add some comments to the speech of the member for Oxford on Bill 50, An Act to amend the Ontario Society for the Prevention of Cruelty to Animals Act.

As the member for Oxford pointed out, this bill has grown out of a private member's bill that was put forward last year that dealt specifically with roadside zoos. Certainly I was supportive of that private member's bill. We've had some cases in Parry Sound-Muskoka where a new bill would help to improve conditions. As also noted by the member, the bill has been expanded and has some aspects that certainly need public input, including section 6, which makes it so only affiliates of the OSPCA can use "humane" in their name, and of course that's a huge concern for the Toronto Humane Society. It's been around a long time, so we have concerns with that.

As well, the member for Oxford is a real strong voice for rural Ontario, and he has raised a number of agricultural issues, concerns about some of the vague wording about animals in distress or what is proper care. On constituency week last week, I had the opportunity to meet with the local East Nipissing-Parry Sound Ontario Federation of Agriculture members. Their biggest concern, their number one concern, was rules and regulations brought forward by the government making it difficult for them to stay on their small farms. It's good to see the member for Oxford speaking up and raising the concerns of the agriculture industry. The last thing we need is more rules that will make life still more difficult for farmers in Ontario, more difficult for them to stay on their farms and do the good work they do there. So thank you to the member for Oxford for raising those concerns in his speech today.

The Acting Speaker (Mr. Shafiq Qaadri): I thank the member for Wellington-Halton Hills and for our next questions and comments call upon the member for Parkdale-High Park.

Ms. Cheri DiNovo: Just a couple of minutes to say that I've yet to hear somebody from the government side speak about the question that we keep asking on the opposition benches, which is, remove section 6. I have received over 100 e-mails from my constituents and I want to acknowledge that Mr. Trow, the president of the Toronto Humane Society, is here. Our constituents, certainly in the GTA, are really upset. We are attacking an institution that's been part of the Toronto landscape for over 120 years. The Toronto Humane Society is absolutely not a necessary part of this bill in any way, shape or form, and yet the government simply refuses to speak to this issue. They refuse to admit that this is absolutely turf warfare on their part. They are taking the part of the OSPCA here, and against not only the Toronto Humane Society but over 230 animal welfare organizations in the province of Ontario.

The simple question is: Why is this section in this bill? Why is it in the bill? And we don't get a straight answer. It certainly has nothing to do with roadside zoos, it has nothing to do with protecting exotic animals or any other animals for that matter, except the ones with two legs who perhaps contribute to the Liberal Party before election time.

1600

But if it's not that—this is a challenge to those across the aisle—then tell us why it is there. We've yet to hear why it is there. There's no place for it. We're hearing from our constituents, and I'm sure you are hearing from your constituents. So please let us have an answer from the government: Why section 6? We call for removal of section 6 before this bill even gets to committee.

The Acting Speaker (Mr. Shafiq Qaadri): I thank the member for Parkdale-High Park and now invite the member for Peterborough for further questions and comments.

Mr. Jeff Leal: I certainly heard very carefully the remarks of my colleague from the riding of Oxford. He

has some background in this area. He is a former provincial Minister of Agriculture and is familiar with some of these issues.

I'd just like to take the time to compliment the general manager of the Peterborough Humane Society, Mr. Brad Algar. I've had the opportunity to work with Brad not only now in my role as the MPP for the riding of Peterborough, but certainly during my time as a Peterborough city councillor. I remember he was very complimentary about the member for Eglinton-Lawrence, who first brought to this House, a number of years ago, the whole issue of puppy mills in the province of Ontario and what a despicable situation there was. These puppies were being born in these mills in conditions that were just totally ugly and repugnant, something all parties in Ontario would certainly want to make sure there was legislation in place to remove. My colleague the member for Willowdale worked to make sure that we clean up how animals are housed and cared for in our zoos.

I know in Peterborough we have one of the great public zoos, Riverview Park and Zoo, which is free to all the citizens in Peterborough under the directorship of Mr. Sisson, who does a wonderful job. In fact, I'm hoping to get the opportunity to be there tomorrow. They have the annual launch of their water park playground, where all the citizens, particularly children, love to go and explore the water ground play park—an opportunity to see exotic animals and domestic animals that are cared for in such a wonderful fashion. So, collectively, we have the zoo in Peterborough and we have the Peterborough Humane Society, which has such an outstanding reputation.

I see all parties coming together on Bill 50, the protection of animals in the province of Ontario, and I look forward—

The Acting Speaker (Mr. Shafiq Qaadri): I thank the member from Peterborough and now offer the floor to the member from Oxford for his final two-minute summary.

Mr. Ernie Hardeman: I want to thank all the members for their kind words to the presentation.

I just wanted to point out to the member for Oak Ridges-Markham, to the comment that the minister said this was going to be the strongest animal protection in all of Canada, that I would support that 100%, providing it doesn't make it also the toughest legislation for agriculture to continue in this province. That is, I think, our real concern. That's why I think it's so important that we have full-scale public hearings around the province, so all the agriculture folks can put their position forward, and those people from the humane society that the member for Parkdale-High Park was speaking about regarding removing section 6.

As the member will know, I spoke to that section too. I'm just hoping that the government members have at this point decided—they don't have the authority to stand up and say that they will withdraw it, but I'm sure they are all sitting over there with every intention, when it goes to committee, to put forward a motion, after thorough discussion with the minister, saying, "Why don't we just remove section 6? There is absolutely nothing that would

benefit from leaving it there. Why leave it there, because it's causing a lot of commotion? For the betterment of us all, why don't we just take that out?"

I'm hopeful that the members—and I can see a smile over there. I think that's exactly what the plan is. They're going to change that at committee between second and third reading. If they don't, I guess then they would explain to us all why they won't, because it really doesn't make any sense.

I do want to again thank you, Mr. Speaker, for allowing me the time to speak to this, and thank all the members for their kind comments to my presentation. I do hope that we get thorough public hearings on it so we can flesh out all the problems that are here as they relate to the negative impact it may or may not have on our agricultural community.

The Acting Speaker (Mr. Shafiq Qaadri): I thank the member from Oxford, and I now invite the chamber for further debate. Is there any further debate? Seeing none, Mr. Bartolucci has moved second reading of Bill

50. Is it the pleasure of the House that the motion carry? The motion has carried.

Second reading agreed to.

The Acting Speaker (Mr. Shafiq Qaadri): Shall the bill be ordered to committee?

Mr. Dave Levac: I would ask that the bill be referred to the Standing Committee on Justice Policy for committee hearings.

The Acting Speaker (Mr. Shafiq Qaadri): So ordered.

Orders of the day.

Hon. Monique M. Smith: I move adjournment of the House.

The Acting Speaker (Mr. Shafiq Qaadri): Is it the pleasure of the House that the motion carry? Carried.

This House stands adjourned until 9 a.m. of the clock tomorrow.

The House adjourned at 1606.

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