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**Thursday 16 October 2008**

**Jeudi 16 octobre 2008**

Speaker  
Honourable Steve Peters

Président  
L'honorable Steve Peters

Clerk  
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Greffière  
Deborah Deller

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## LEGISLATIVE ASSEMBLY OF ONTARIO

Thursday 16 October 2008

## ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Jeudi 16 octobre 2008

*The House met at 0900.*

**The Speaker (Hon. Steve Peters):** Please remain standing for the Lord's Prayer, followed by the non-denominational prayer.

*Prayers.*

### ORDERS OF THE DAY

#### ONTARIO ECONOMY

Resuming the debate adjourned on October 15, 2008, on the amendment to the amendment to the motion by Mr. McGuinty to acknowledge the economic challenges facing the province and continuing to implement an economic plan.

**Hon. Michael Bryant:** Mr. Speaker, may I say, perhaps on a point of order, that I'm advised that in the course of the debate, in the member's speech, we are going to hit the 6.5-hour mark. I wanted to indicate in advance that because of the importance of this special debate, it's our intention that the debate continue beyond that mark.

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

**Ms. Cheri DiNovo:** It is a pleasure to rise and speak to this motion. First, I should say that it's interesting that the motion was even made, that finally, the government admits that there is a problem—there's a problem with our economy. But it's interesting how the motion is phrased. They say that we are suffering from competition from China and India especially, and their response to that problem in the motion is to expand our trade ties within Canada and internationally and seek help from the federal government. Well, I certainly would propose, and we in the New Democratic Party would propose, that there is a great deal more that the McGuinty Liberals could be doing than just looking for a saviour from without, either internationally or federally.

I listened with some interest to the speech given by the Minister of International Trade and Investment yesterday. It was delivered with verve and élan, as she discussed travelling around the world, from Shanghai to Dubai. It was really quite exciting. I especially liked the part where she talked about being in the helicopter in Dubai circling a tower of glass that rose a kilometre up. This is fascinating stuff. I was reminded very much of one of my favourite movies, *Doctor Zhivago*, of that great scene where inside the restaurant people are dining with sterling silver, the best china, beautiful, beautiful costumes,

sparkling chandeliers, caviar, champagne on every table, and outside the restaurant, the children who are living on the streets are pressing their grubby little hands and faces to the window, watching with amazement the consumption within. Well, certainly most of the people who are living in Ontario right now are watching, like those little children in the movie *Dr. Zhivago*, the consumption that's going on within the McGuinty government, as they look in from outside, having lost their jobs—many of them lost their homes, lost their livelihoods—without much chance at ever finding that halcyon option that the Minister of International Trade and Investment has of flying off to Dubai or to Shanghai at a moment's notice.

The real question here is, whose economy is it anyway? Whose economy is suffering? Only 10% of Ontarians make over \$150,000 a year. I'm sure that the men and women who have been hosting the Minister of International Trade and Investment and the ones she has been flying around the world with are part of that 10% if they're from this province. I'm sure that their workers in many instances, and the workers who have been laid off, are part of the 90% of Ontarians who aren't going to benefit from trade with China, trade with India or trade with Dubai. They're not the ones who are going to benefit.

Last night, I had the great good fortune of being at one of our local business improvement area annual general meetings—the Roncesvalles one in this instance. But there was someone from TABIA, which is the oversight small business group for all of the BIAs across the Toronto area. I can tell you that for those small business people in that room, the fact that Sandra Pupatello is in Dubai, in China or in Shanghai is not going to help them one bit. We must remember that small businesses are the major employers across the province. They're the ones that always, and traditionally, produce the most jobs. Those folks want to see something very different out of the McGuinty Liberals, and they've been asking for the same things over and over again, without much success.

I think of Karl, Karl's butcher shop. That was a cause célèbre when poor Karl went out of business after 41 years as a butcher because of red tape and bureaucracy on the part of this government and a \$200,000 investment he was going to have to make to please them—after the city of Toronto had vetted him time and time again as being completely in compliance with the health regulations. So small business complains about red tape. Small business also complains about the unfairness of the business education tax and the way it's levied across

Ontario. This is something the McGuinty Liberals could address immediately. It's something that they could do easily to make it fairer. Right now, those who are in the 416 area pay way more than the those who are in the 905 area, and there's no justification for that.

Small business is also concerned in many instances about rate and rent controls. This is a problem for small business. You can imagine if you opened a retail store and your rent is one thing one year, and then your store is successful, and your landlord thinks, "Ah," does a little bit of a money grab, and doubles your rent the next year. There is no protection for small business in the way of rent control—not even rent guideline control. So that's something else that small business really needs from this government and really has not received.

Again, the fact that Sandra Pupatello is in Dubai or Shanghai doesn't help the small business person who's on Main Street, not on Bay Street. We're talking to people on Main Street, and in my riding that means Queen Street or Dundas Street West; it means Roncesvalles Avenue; it means Bloor Street West. These are the people who need the help from this government; they're not getting it. If you're in one of the towers on Bay Street, maybe you're happy. Maybe you're one of the ones sitting in the helicopter as it's flying around the one kilometre glass tower in Dubai. Maybe you are, but I can tell you none of the small business owners who were at the dinner I attended last night were ever invited and will see no benefit whatsoever from those trips around the world.

Whose economy is it anyway? That's another question one can ask for all of those who are not small business owners but are those who actually work. Many of them have lost their jobs. Over 200,000, 230,000, 250,000, we hear, have lost their jobs in the last five years alone. Again, the fact that Ms. Pupatello is in Dubai or Shanghai is not helping them.

**0910**

I think about someone in her own riding. This is a story that was in the *Globe and Mail*, about a gentleman in Windsor—and if we think the mortgage crisis is only hitting south of the border, we are absolutely incorrect. This gentleman was actually going to lose his house. He had, first of all, lost his job in the auto industry—so much for those investments. But second, his mortgage came up for renewal, and guess what? Most banks will not give you a mortgage beyond 80% of the value of your house. Well, this gentleman's house had dropped below the level his mortgage was at, so he actually owed more than his house was worth and the bank would not renegotiate with him.

This is a story that's going to repeat itself across the country. It's a chilling tale, because we know that many Ontarians, many Canadians, are mortgaged to more than 80% of their house, or if they're mortgaged to 80%, they're counting on a buoyant real estate market to see that value realized. When they go to renegotiate their mortgage and their house price drops dramatically—I know I'm speaking to people watching right now who are

in this position—they are in trouble. Couple that with the loss of a job at the same time, and they are in deep trouble indeed. This is within the minister's own riding in Windsor.

I wonder what he thought. It's sort of like the Doctor Zhivago story again: the little children pressed against the glass watching those people enjoy massive consumption within the glorious restaurant as they are kind of watching from outside. I imagine that he listened to the tales of international travel with the same sense as that child in Moscow during the reign of the czars. It's not going to help him. It's not going to help him renegotiate his mortgage; it's not going to help him get a job.

Then comes the question, in terms of whose economy is it, of what kind of job we're talking about. What kind of jobs are we going to provide the citizens of Ontario with her junkets to places like China and India?

If I know one thing about China—and I was quite shocked to hear that another trade office is opening there after all the promises, all the pressure on this government to speak about human rights in China, to speak about the trials and tribulations of the Tibetan people, many of whom live in my riding and who have been demanding some action of the McGuinty government. They're not saying, "Don't do trade with China," they're not saying, "Don't visit China." What they're saying is, "If you go to China, it's unconscionable to go there without raising the issue of human rights." One can also mention workers' rights. It's unconscionable to do trade with China without raising the issue of workers' rights there.

We know that many of the products that come from China are produced in sweatshops. We know that. We don't want to compete with that in Ontario. We don't want sweatshop jobs here, and we don't want our workers to have to produce goods that compete with those kinds of wages. What we need in Ontario are good union jobs.

I think of an example: My husband and I went to Sweden, a country of nine million people—we have 13 million in Ontario, so it's comparable. Sweden is an international trading country. They have Sony Ericsson, they have H&M, they have Ikea, they have Volvo—this is a country that produces. It's also a country that looks after its citizens. Sweden is a country where you have a dental plan until age 18. Sweden is a country where 85% of the workforce is unionized—where the McDonald's workers are unionized—where, de facto, the minimum wage is just under \$12 an hour. We're asking for \$10.25 here, a paltry amount. It could be argued that you can't even live on \$10.25. What do we have instead? We have \$8.75, which you definitely cannot live on, which is definitely below the poverty line.

But in Sweden it's different. In Sweden, what do they do that we don't do here? Certainly they don't have the poverty rates we have here; certainly they don't have the child poverty rates we have here. Why don't they? Well, simple things. They have dental plans and real and absolutely comprehensive health plans. They have subsidized government daycare—not only in Sweden; they have it in

Quebec, right next door, for \$7 a day. They have subsidized universities, so that students aren't massively encumbered with debt as soon as they walk out the door with a degree. How do they do that and still produce, and still be an international trading force?

Well, one of the things they do is that they have government policies that urge Swedes to buy Swedish. Certainly, when we were over there, it seemed like every third or fourth Swede drove a Volvo. There is a reason for that. This is a government that absolutely supports their own industry and that urges and has mandates in place for those who live there to buy from the country they live in—not to buy goods produced by sweatshops in India or China. No, that's not the answer. The answer is good jobs there for them, and it should be good jobs—good union jobs—here for us, because work isn't working in Ontario. This is something this government has not addressed at all.

We remember the tale of a private member's bill that obviously got squashed by the McGuinty cabinet that was trying to do the very minimum, which was to license temporary agencies. But we need far more than just licensing temporary agencies. We need far more than that to make work, work. Here is what we need; here is a simple plan that wouldn't cost a dime in tax dollars and wouldn't affect the bottom line of the budget across the way, but would make a significant difference in the lives of workers in Ontario.

First of all, as I've said many times in this House, as I introduced a bill that was voted down by the McGuinty government, we need a living wage. What is a living wage? It's a wage that's right above the poverty line. That used to be \$10; it's now \$10.25. It should be indexed to inflation. This would help everyone. This, by definition, would take about 1.2 million people out of poverty. Right now, what we have is those working 40 hours, 60 hours—some 80 and 90 hours—a week just to pay the rent and feed the children.

We should not only license temporary agencies, but we should render any fees for applicants to temporary agencies illegal. They used to be illegal, but this government is turning a blind eye to the abuses that go on in the temporary and contract agency business. Remember that 37% of Ontarians now work in precarious employment. They work at contract jobs; they work at temporary jobs. They don't know if they will have a job next week or tomorrow or next month. We need to address that fact.

We need to immediately inspect at least 25% of all employers. Most employers never see anybody from employment standards. They never see anybody. We have millions of dollars of unpaid wages that have not been collected, because there is no recourse for workers. If you don't get your paycheque, too bad. Walk away. A worker who is unemployed doesn't have time to fight through the bureaucracy to see if they can get the money. Most often, they don't have the expertise. Sometimes they don't have the language skills, and they certainly don't have the lawyers. They also stand outside that conspicuous-consumption-fest of Sandra Pupatello and the McGuinty government flying around the world while they suffer.

We need to raise the fines for non-compliant employers once we inspect them. A slap on the wrist is not enough for an employer who hires people and doesn't pay them, or who consistently breaks employment standards. It's not good enough to slap them on the wrist with a \$500 or a \$5,000 fine. We need significant fines that will make a significant dent in their bottom line to show them that we mean business as a government and as a society.

We should insist, as they do in the European Union, on a timeline for those who are going from temporary work to permanent work. It's absolutely unconscionable that someone can work as a temporary worker year after year in the same place. We have seen this from those with PhDs to those who haven't finished high school. We've seen this with contract university teachers and professors who have doctorates and teach on contract, making way less than their full-time counterparts, and there's no redress for them. In fact, this government only just finally allowed them the right to unionize.

Of course, I want to give a nod to all those in the New Democratic caucus, and all their answers, many of which would not cost anything in tax dollars, to address the issues of the economy, of the 90% of Ontarians—the lucky ones—who work for a living in this province.

First of all we have Michael Prue, with the poverty file. He has talked time and time again about raising ODSP rates. It's unconscionable, it's egregious that if you are disabled and you cannot work, we have basically relegated you to a life of extreme hardship and poverty.

#### 0920

We have Andrea Horwath, with her child care bills. We need child care, finally. We have been fighting for this for 40, 50 years in the women's movement, and we still don't have a government-sponsored child care program in this province like they do in Quebec, like they do in most countries in Europe.

Peter Kormos, in labour—we need card-check certification. We need to make it easy for people to unionize. Only if it's easy to unionize will people have a dignified job. We've seen this in European countries, where they have high rates of unionization and they have high rates of benefits, high rates of social services and—guess what?—stronger economies, for the most part, than we do here in Ontario.

We have Mr. Miller, with his bill to assist those who have been laid off. They should be paid first, not last, after the banks, when a company goes bankrupt.

We have France Gélinas, my benchmate here, who has talked about dental care and how, in Sweden, they were shocked to know we didn't have a dental care program, because bad teeth mean poverty.

And Peter Tabuns, with his shift to a green economy: Instead of spending \$40 billion to \$50 billion on nuclear reactors—highly expensive energy—what we need is an energy policy that's going to assist people.

So all of this is what we're asking for, in the New Democratic Party. Instead, the response from the McGuinty Liberals is to go begging, cap in hand, to the

government, where we've gone from first to worst in provinces. Even if they got their so-called fairness and transfer payments from the federal government, we're talking about \$1.3 billion. We have a \$50-billion infrastructure deficit in this province right now. As if that would make the telling difference. This is a way of really pointing the blame at someone else and not actually doing what's required to be done by the government right here and right now. They, of course, say that they have produced jobs. But when you look at the jobs, what do you see? You see half of them in the public sector; you see the other half of them, the McJobs, the temporary, contract jobs, jobs that aren't good union jobs. Our rate of unionization continues to go down, and that's the real rate of a job with dignity.

So certainly, we in the New Democrats have a number of policies, most of which would not cost a tax dime, and most of which would address the real economy of Ontario. That is the economy of 90% of working Ontarians, those in jobs and in small business, and not the 10% who are flying up there around that one-kilometre-tall glass tower in Dubai with the Minister of International Trade and Investment or opening up shameful trade agencies in countries that do not have the human rights record that we have, and certainly do not have the workers' rights record that we have. Thank you very much for a chance to speak to this.

**The Acting Speaker (Mr. Jim Wilson):** Further debate?

**Mr. David Ramsay:** I'm very pleased to get up and contribute to this debate. It reminds me of the opening lines of the Charles Dickens novel *A Tale of Two Cities*. The line there is, "It was the best of times, it was the worst of times." That's what it is. This is a time of very extreme transition, of this economy really changing from the manufacturing-based economy of autos and steel and moving to green technology. We're on the cutting edge of that. Unlike the doom-and-gloom speech we heard from the previous speaker, Ontario and the McGuinty government, over the last four years, has been investing into the new economy, with programs such as our advanced manufacturing programs and our future jobs fund. We have been investing in those new jobs because that's where we want to position Ontario.

Premier McGuinty understands that the future is to become that green economy. Ontario, through this government, wants to be the leader of that new economy. So we've been investing in companies that are creating the new products, the biotech companies, the green product companies, because we have great innovation, great ingenuity in this province. So we have research and development in this province. I can't think of a jurisdiction in the world that is more prepared to make that leap into the next economy, which is the green economy. Coupled with that, what we obviously are doing is training our workers to move into that new green economy so that these green jobs are going to be available. We'll need our green workers and green-collar workers, which is one of the new phrases that is being coined when it comes to

describing what the workforce is going to look like with these new jobs. It's a very exciting possibility for us here in Ontario, and the power of the government procurement is one way we can certainly drive that.

We traditionally help companies by giving them grants and giving them loans. To get them up to scale, we certainly can start to procure or buy those high-tech products from them and start applying them to government services and buildings. So we should be looking at our office buildings and getting solar technology put on there, whether it's a solar wall to create warm air or hot water systems or photovoltaic systems to create electricity, we should be harnessing the energy of the sun, where all energy comes from, and start to utilize the technology that's being built here.

We see jurisdictions like Germany that are world leaders in this. That is the future, and Germany has done that. In fact, there was a story on the national news last night where we saw the town of Freiburg in the Black Forest region, in the southern part of Germany, looking at moving toward carbon neutrality. How are they doing that? Well, they're building homes that are very energy-efficient. They're applying all the technology that's there, and because of the growth of that market, the companies can get up to scale and start producing these new technologies in a mass way.

That's what we have to do in Ontario. That's where we are going in Ontario, to develop this new green economy. We want to be the North American leader and then the world leader in this. Not only are we going to need that here in our North American market, we're also going to be world exporters on this, because all the other jurisdictions in the world are going to have to catch up. In this new green economy, it's a tremendous business opportunity to consume and emit less carbon. Businesses are looking at this and they are starting to move, probably in some cases faster than governments, and are starting to reduce their carbon needs. Basically what you're talking about is the decline of energy consumption, and so through the employment of new technology, we can do this.

One of the interesting ideas that people are talking about is what's called an energy Internet. We know how the Internet started: In the United States, university professors wanted to link up their computers across the country. Well, we can start to connect our smart appliances together so that they can talk together within a house or a business, but not only that, to communicate back to the utility. When the price of electricity is high, the signal goes to the home and then the appliances, the hot water heater, and those things start to shut down in the middle of the day when we have peak power demand. So when we have these smart appliances and a smart system, our utilities can manage the distribution of electricity better. We don't have to build for peak and we don't have to be always just concentrating on the supply side, but more on the demand side. So we have to just work smarter.

That's why the McGuinty government is positioning Ontario to be that world leader. That's where we're

going. So it's important for our trade minister to be travelling to other countries, saying to the world that Ontario is open for business, that we are a world-class jurisdiction, and that we want them to come and invest in Ontario. That creates jobs. The previous speaker sort of belittled that. But look what's going on in Woodstock right now with the Toyota plant near the end of its construction phase and how it acted as a magnet for all these other businesses, small businesses, that are going to avail themselves of the opportunity of having this assembly plant there. It spawns a lot of small business in that area. There's great prosperity in that area because it was this government that attracted that anchor industry. At that time, it was the previous minister, Joe Cordiano, going over to Japan and talking to the Toyota people about how open Ontario was to this investment. So these jobs are there. There's been a mass of construction jobs, and Toyota is hiring their assembly workers as we speak now. That just bodes so well for that particular part of southwestern Ontario. It's not just Woodstock, but it stretches from Kitchener–Waterloo down to London, that whole area where workers are starting to move in, are starting to create new businesses. That's the type of thing that our trade minister is doing: talking to the major corporations, telling them Ontario is open for business and, through that, those anchor industries coming into Ontario, creating a lot of work for small business and also direct employment.

**0930**

I would like to talk about some of the progress that some of the sectors are making in Ontario. I was very familiar, in my last assignment as Minister of Natural Resources, with the need to help the forestry industry reinvest in itself to become that new, green industry. Right now, today, across the country, forestry is about 60% carbon-neutral. They are moving off of fossil fuels and using forestry waste for much of their energy needs, and in another four years they will be carbon-neutral. They will use all their waste products to create heat for their sawmills and their various manufacturing operations, whether it's creating paper, oriented strand board, or some of the new products that are being invented. We are constantly working with the forestry industry, giving them financial support to retool at this time to be the new industry of the future.

It is a green industry and it's getting greener and greener, and these have been very tough times for that industry. Coming from northern Ontario, I certainly appreciate how challenging it has been. So we're working with our workforce up there and we're retraining for those new jobs, training forestry workers for mining jobs, because those are the boom jobs that are happening right now in centres such as Timmins and Sudbury, where mining is doing very, very well. We are in a period of adjustment and it's the McGuinty government that is there helping those companies make that adjustment, helping our workers and families make that adjustment. That is the future, and I'm glad to be part of a government that is with its province, with its workers and with

its families to make sure we can make that transition into that new economy and make sure that Ontario remains the most prosperous jurisdiction in North America.

**The Acting Speaker (Mr. Jim Wilson):** Further debate?

**Mr. Peter Shurman:** It gives me pleasure to rise in this Legislature today to speak to Premier McGuinty's motion on the economy—not so much pleasure, however, when looking at the economy itself. Because it seems to me that in debating a motion like this, the McGuinty Liberals are not so much seeking collaboration from this Legislature—would that they were—as they are looking for absolution, and I don't have that power. Nobody here has that power.

I actually wish that this debate could really put aside partisanship and that we could all get together and do what we're here to do, because this discussion is about the economic health of Ontario and there is no debate on why each and every one of us was sent by our constituents to this chamber, which is to see to things that are as basic and as essential as the economic health of this province.

But this motion appears to want to underscore the good economic stewardship of the McGuinty government. I can't support the idea that there has been, to date, good economic stewardship by this government. If it were that good, I don't believe that the two opposition parties on this side of the House would have spent the majority of question period since I've been here, which is a year, and long before that as I've been a student of this Legislature, with questions in question period that pertain to an economy that is undeniably in decline, and admittedly on the part of the Premier in decline.

The McGuinty Liberals have essentially made a mess of the economy, and they are about to make a bigger mess of Ontario's finances. That concerns us, and it should concern every Ontarian. Don't ask in a motion, effectively, "Are we doing a job that is good, or is it better, or is it really fantastic?" Ask if we on this side of the aisle could actually have some ideas that would assist. Both opposition parties have put forward amendments to this motion, and they are serious outreach ideas on the part of both the Progressive Conservatives and the NDP. Our caucus will not support the motion as originally worded, and the NDP caucus has already also proposed an amendment. We congratulate them for their efforts, but we cannot support that either at this point. Right now, we fear that where we're headed in this province is for a deficit. We fear further hardship for beleaguered Ontarians and we're looking for ways to reach across and stop this because this is, and I say it again, about the health of Ontario and, therefore, the health of its citizens.

The government is trying to bully this motion through the Legislature. At the end of the day, this motion will pass because there are 71 people on that side and they'll vote as a bloc. I appeal to you, all of you on the other side, to give that some careful thought, because there are constituents back there for all of us who expect more.

What they'll say is that we did not stand up for Ontario. You hear it in this Legislature every day: that we did not stand up for Ontario. But it's not true. They'll keep talking about fairness when, in fact, after talking about fairness incessantly and launching a website, what they got was a scant 15,000 signatures on a website that was supposed to support a concept that there's an unfairness inherent in the system, in Ottawa's treatment of Ontario. For goodness' sake, we got 50,000 signatures from people who wanted the Lord's Prayer continued here—but let's not go there.

The government will whip all Liberal MPPs to vote in favour of the motion, and that's getting pretty tired. All of the backbenchers over there: You want to be re-elected too. It's not about being re-elected; it's about doing the right thing. Maybe it's time to break ranks. I debate in this House with a fair amount of frequency, and my constituents like the fact that I do that, because at least I put some ideas on the table, and I would like to think that every single one of you, as colleagues, does the same thing. Do yours endorse what you're doing? Do your constituents endorse what you're doing, as jobs disappear and as your kids go elsewhere?

Premier McGuinty, having recited his litany of possible excuses for Ontario's economic woes, is, with this motion, holding his hands up and saying, "Mr. Speaker, it wasn't me. It was globalization, it was the US dollar"—I guess that one's gone for a while—"it was the US government or it was maybe" our "government five years ago. It was Ottawa." Maybe it was the man in the moon. McGuinty is kind of like an ill-prepared student in class who blames his failing grade on the teacher. Some of his reasoning, in looking at these various aspects of why our economy is in the shape it is, has merit; there is no question, and I wouldn't argue that. But a lot doesn't. A lot of it is responsibility that rests with the government of the day, and for five years, the McGuinty government has been the government of the day and we've been raising red flags on the other side of this House, saying, "Look, the problems are coming." And, "No. It's a five-point plan, it's a five-point plan, and by the way, it's a five-point plan"—those are the answers that we get.

Perhaps it has not occurred to Premier McGuinty that, outside of photo opportunities, he may actually have to weather an economic storm by preparing Ontario to handle the worst of the waves. If you sail the seas—or, like me, you fly an airplane—you have to know where you're going; you have to know what the weather is like at the other end; you have to prepare for the worst. You cannot quote a five-point plan once you're flying in the middle of that storm. Failure to prepare the province for what we warned and what the experts warned was coming is, and was, negligent at best and incompetent at worst.

Can we address some of this together? We could. But will we? The greatest character flaw is the Liberal government grabbing at straws to explain the situation. They blamed the US; they blamed Ottawa; they blamed transfer payments. As I've said, Dalton McGuinty did every-

thing but examine his own spending-like-it's-going-out-of-style, job-crushing policies, and now they want us to agree that whatever they've been doing so far has been working. How can we do that? How can the Liberal backbenchers go to their constituents and justify passing this motion? We certainly can't. Ontario is at the unfavourable end of a bell curve right now, compared to the rest of Canada. We're not on the right heading. Can we not change course? That's the question. Can we do that now? I would have hoped that a full debate lasting five days in this Legislature would result in an ability to come together and do something about changing course.

#### 0940

For the first time in 30 years, unemployment rates in Ontario are above the national average. They rose to 6.5% in December 2007, and remain above average and are forecasted to stay there throughout 2009. So we do have the same troubles as everyone else, and we have our homegrown ones, and it's those that we can address. Inflation rose to 2.8% in June compared to 1.8% in May. What does that tell you? The simple answer—well, it was gas prices. It doesn't change the fact that people have to put their hands in their pockets and pay for this stuff. You can't take a tax-and-spend approach when people just don't have the money to pay.

Two hundred and four thousand manufacturing jobs have been lost since 2005. Banks are tightening their purse strings. The average Ontarian is justifiably worried. There's not one of us in this chamber who hasn't been in the home riding who hasn't been approached; who hasn't, sitting in his or her office here, received e-mails and letters saying, "What am I supposed to do?" There are no easy answers, and I wish I had them to give. The Canadian Federation of Independent Business says that credit concerns are accelerating—accelerating, indeed. Pension plans have taken the biggest hit in decades, and no, it's not necessarily the fault of the McGuinty government that this has happened but it is the responsibility of the McGuinty government to help address it, because when dollars disappear on a personal level, taxes can't continue to be taken at the same rate.

Our seniors, whom I have particularly sought to assist, are really scared. Is that what you want? Certainly not I. If I were on a fixed income—and I'm probably going to be 10 years from now—and I was withdrawing on a regular basis some amount that I had determined was necessary to cover my living expenses, my needs, and I saw a great big hunk taken away from the pool, I'd wonder how long I could continue to live at that particular level as I continued to grow old. Then I'd start to wonder about when it was I was going to die, and that's what's going on in the homes of many seniors now and that's why we're talking about what is not, in effect, but is a de facto economic crisis.

Jobs have packed up and they've moved out of Ontario. Volvo moved from Goderich to Pennsylvania and took 500 jobs with them. In my own riding of Thornhill, a residential riding, 3,000 jobs disappeared in the last six months. Three thousand jobs in Thornhill? If any of you

have not visited Thornhill, let me describe it very simply: a bedroom community. It's just houses and apartment buildings. We don't have very much industry, so when 3,000 jobs go, you're talking about a very significant percentage, and that is just my riding. They moved because they needed a more competitive environment. They needed a preferential tax structure. They needed cheaper energy. They needed workers readily available. We have the workers. We need the training for those workers so that they can adjust to today's economy, and the McGuinty government continues to tell us that the programs exist. But they don't, not in sufficient numbers and not geared properly. John Deere took 800 from its Welland plant and moved operations to Mexico and to Wisconsin. We've now heard about Daimler's truck facility closing in St. Thomas.

Ontario has gained only 700 full-time jobs since the last provincial election back in 2007, yet Dalton McGuinty wants us to say that he has done right by this province. Come on, let's not politicize people's well-being. We are in this chamber together to solve problems. We're all standing up and providing, yes, some criticism, but the criticism, I hope, is constructive and my constructive criticism is: Let's take the bull by the horns here and let's understand that you can't keep stonewalling. You've got to say there are people here with other ideas. We come together, three parties and one independent, because we have ideas that are not particularly the same. They're divergent. But when you take them together and you put them in the blender you should come up with something that works, so don't stonewall. Let's try to get there together.

Sitting on the sidelines, waiting for things to get better, is not the right thing to do and it's not what's going to work ultimately in solving these serious problems for Ontario and for its citizens. Increasing taxes, overburdening Ontarians and Ontario businesses to support the Liberal spending addiction is not the right thing to do. Hiring record numbers of government employees at the taxpayers' expense, and particularly now, is not the right way to manage the public purse.

Some 90% of whatever new jobs were recorded are concentrated in only two sectors: government and construction—public expenditures. Dalton McGuinty won't let Ontarians keep their money in their pockets, but seems to believe that he can treat it as if it were his own. At this point, that is an inappropriate approach to how to solve the problems of Ontario.

Since last year's election, public sector or government job growth is 3.4 times that of the private sector. The private sector grew by a scant 1%. The remaining job creation is all public sector, and we use that phrase a lot for those watching us on television—that means government. Do we need more government workers? Uninhibited government spending and job-crushing regulation are not the way to stimulate the economy. Taking more of Ontarians' hard-earned money, and notably now, from their pockets, is a method that has failed in the past, is failing Ontario now, and that is an approach that will

always fail. Instead of using high revenues to reduce the tax burden and provide relief for struggling families and businesses, Liberals are saddling future generations with growing debt. The money is just not out there. It would be, but you've got to spend money to make money, something that I learned, sometimes the hard way, when I was in small business myself. We're talking about stimulating small business, because small business really drives what we do here in Canada and here in Ontario.

For the sake of a correct perspective: McGuinty Liberals have increased government spending in five years by as much as the NDP government of Bob Rae and the Harris-Eves governments combined did over a decade. That is an absolutely astounding multiple. Liberals increased program spending by nearly 50% in five years. They thought, "The programs were needed; let's just say okay." But if so, did the revenue side create the ability to derive the funds? The answer is clear cut, and it is a no.

Liberal Premier David Peterson set records by increasing government spending by 45% in five years. That was the prior record—45% in five years. Clearly, the McGuinty team has chosen to follow in those footsteps and it didn't work for Peterson, so I have to ask the question: Why would it work now?

What fiscal policies are the Liberals following? Those that earned Ontario the dubious title of honorary member of the Third World due to its debt and spending habits? What exactly has been so successful about the so-called five-point plan that Premier McGuinty has implemented? That it deserves the support of the members of this House? The five-point plan that we all hear about every day: Rather than playing it back over and over and over, can anyone demonstrate its efficacy? Can anyone demonstrate its efficiency? I can't decide if it's the lost retirement savings or the lost jobs; is it the spiralling real estate market with a 27% decline in housing starts in July or the small businesses going out of business? Is it the rising inflation or is it the drop in trade?

The value of Ontario exports fell by 12.9% in the first half of this year compared to the same period in 2007. We are not in the business, in Ontario, of making things for ourselves as much as we manufacture things for others. We make things in our manufacturing sector. We sell them and we sell them outside. A 12.9% drop is significant, to say the least. But you know, we're taking hits like everyone else and this trend is long-term. It has to be reversed. Is the rising unemployment rate or the 7.5% drop in manufacturing sales in the first half of this year also to blame? What does it say about the governing abilities of this Liberal government when iconic Canadian companies like Gibbard Furniture Shops closed down? Gibbard Furniture Shops Ltd. survived two major fires and the Great Depression but it couldn't survive five years of Liberal government.

#### **0950**

Small business is our economic backbone in Ontario. I spent 15 years as an owner-operator. Anybody listening to me who is in small business or has been in small business knows what I mean when I say, "the 5 o'clock

sweats.” That’s waking up at 5 o’clock in the morning in a cold sweat and wondering what you’re going to do today to stem the tide that’s taking your business away from you and that’s bringing you closer and closer to giving a bunch of pink slips to good people who have supported you and supported themselves well over many years.

What has this government done to make Canadian businesses competitive in a globalizing market that they admit is indeed just that? Retooling, retraining and economic redevelopment are not exercises. This is about people. It’s about their livelihoods, it’s about their kids and it’s about their futures. How has this government made it easier for quality Ontario companies to compete on the international stage? How has the McGuinty government “planned” to empower Ontario’s trademark companies to weather this economic storm? It hasn’t, and that’s why workers are leaving, my own two kids included, one by one. I guess the Premier had better set aside some more time for interviews, because there will be a lot of Ontarians needing jobs before this is all over. So far, his only solution has been to hire employees, rather than create the environment where Ontarians can find well-paying jobs. Governments of all stripes in decades past got it; now we seem to have lost it.

How have they failed? Let me count the ways: insufficient margin of error for their budgets—they had to spend it to the limit and we’re seeing the result. What’s the status of the reserve? It’s \$750 million in 2008-09, \$1 billion for 2009-10, in terms of balancing the budgets. They didn’t look ahead enough to anticipate possible operating cost increases, like the jump in oil prices since the March 2008 budget.

I have a few seconds left, so I’ll end the way I began. Let’s try to make this more than an exercise. I’ve just thrown some food for thought into this debate, as all members are. Let’s see if we can find a way to get ourselves out of the hole that keeps on being dug.

**The Acting Speaker (Mr. Jim Wilson):** Further debate?

**M<sup>me</sup> France Gélinas:** It is my pleasure to rise and talk about the motion that was introduced last Wednesday by the Premier. Basically, this resolution finally acknowledges that Ontario is facing a serious crisis. I quote from the motion. The first line reads: “That the Legislative Assembly of Ontario acknowledges our province faces economic challenges.” The McGuinty government has ignored the threat of a recession for some time now. Last December, when delivering his fall economic statement, the finance minister said, “The fundamentals of our economy are vital and strong.” March—here we go again. Last spring, when the asset-backed commercial paper mess was beginning to unravel and bank economists were lowering their expectations, the finance minister of Ontario stated: “The economy is fundamentally strong and resilient.”

It goes on. The McGuinty government chose to ignore these looming problems and instead chose to use terms like “resilient” and “fundamentally strong” to get around

debating what could be done to reverse the course. Well, “economics” and “strong fundamentals” are nice words, but when Ontarians are looking at the stock market, they are nervous. They have a sense of angst. We know that stock markets go up and down, but what’s going on right now is different. It seems that every day, the world central banks take extraordinary actions to prevent the financial system from completely collapsing. The Federal Reserve and the Bank of Canada have been pouring billions of dollars into the banking system to keep it afloat. In the United States and European countries, they have made commitments of trillions of dollars. This is a lot of zeroes. I’ve never seen a trillion dollars before, and most of us never will, but this is the size of the commitment that is needed to save the banking system in the States. They are nationalizing financial institutions in a desperate attempt to turn things around.

The stock market swings. We all know this. It is wild, it is unpredictable and seemingly irrational, but those swings worry people. Ontarians’ savings are tied to the stock market. Whether we talk about our pension funds, mutual funds or retirement savings funds and so on, Ontarians are worried about their financial future, and they want their savings protected from these wild swings.

They are also concerned about their jobs. Stock market crashes and job losses tend to go hand in hand. We’ve already seen 230,000 manufacturing job losses in this province in the last five years, but Ontarians are concerned that the worst is yet to come. It could be way worse than 230,000 jobs lost. The financial and retail sectors here have so far been relatively unscathed by the lower growth. In the US, this has not been the case. Retailers and banks are laying off workers.

When Ontarians look to newspapers and television for reasons that the stock market has been acting this way, they are inundated by terms like “asset-backed commercial paper,” “toxic mortgages,” “default credit swaps.” It is a complicated problem, but all signs point to a lack of regulation and oversight, which allows speculators to take excessive risk, and everyday taxpayers and citizens are now paying the consequences of those bad debts, I would call them.

Ontario has jurisdiction over securities regulation. We have argued through this debate that Ontario needs to take a more active approach in protecting and sustaining good jobs. Ontario also needs to take immediate steps to strengthen securities regulation. We need to prevent this from happening ever again.

We would like to offer a few solutions on securities reform. First, create a financial product safety commission, just like we have for consumer goods, as recommended by an economist. This would address the invention of new financial products that are not intended to manage risk, but those products are actually there to create risk. Second, ensure that regulators oversee areas of financials that are now unregulated. I like the quote from one economist who says that if it quacks like a bank, then you should regulate it like a bank. This includes real regulation for hedge funds and large pools of

capital that are able to manipulate markets for quick profit, therefore bringing those huge swings. Strengthen regulation that restricts leverage for all financial companies. Leverage is the portion of debt used in speculation and was one of the causes of the current crisis that we see. Deal with the conflicts of interest that are so much a part of our securities regulation system.

Organizations that regulate the mutual funds and investment dealer sectors police themselves, while also acting as a trade association in promoting themselves. This is a clear conflict of interest, and it has to stop. We've seen what self-regulation has done in other industries. Should I remind everybody of the big bang in a part of Toronto where the people were self-regulating the propane?

Obviously, these are just a few proposals, and we look forward to hearing more from the province and its Ontario Securities Commission, but we need to act now. We need to protect Ontarians' savings from more wild swings and we need to protect their jobs—the jobs that are being impacted by financial markets.

#### 1000

The manufacturing and research sector workers in this province have been witness to a recession for quite a few years now. They know that the economy in their community has not been fundamentally strong, like our Minister of Finance led us to believe. There's job crisis in Ontario's manufacturing and forestry heartland.

Since July of 2004, almost 230,000 Ontarians in the manufacturing sector have lost their jobs. That's a lot of people. Here are some examples: 430 jobs—that is 80% of their workforce—at DDM Plastics in Tillsonburg. In Niagara, 800 jobs were lost at John Deere in Welland, and a temporary layoff of 480 people at AbitibiBowater. Lost since June of 2004 are 100,000 manufacturing jobs right here in Toronto and 25,000 in Hamilton; as well, half of all of the manufacturing jobs in Thunder Bay have been lost. In addition to the 230,000 job losses in the manufacturing sector, there are more than 90,000 direct jobs in forest products; about 30,000 indirect jobs have already been lost.

I come from northern Ontario. If you look in parts of my riding where forestry used to be active, it has now collapsed. When we go around our riding, we can see all of the men and women who used to work in the forest and owned their own tools, trucks, equipment to do forestry work—it is now parked in the back of their yard collecting dust and rusting. This is not what I want for northern Ontario; this is not what I want for forestry.

I shouldn't have to tell people opposite how important manufacturing and resource jobs are to this province. These jobs are not just important because manufacturing jobs pay an average \$2.50 more than the average hourly wage in Ontario; these jobs are not just important because, in addition to paying better wages, they come with good pensions and they come with good benefits. They used to come with security that allowed people to go on with their lives. Workers who have lost those good jobs over the past few years would be stunned to know that it

is only now that the McGuinty government is proposing a resolution acknowledging that, as I read at the beginning, the province faces significant economic challenges.

It is shocking, frankly, that it has taken the government of McGuinty so long to come to this conclusion. The good people in my riding have known this for many years now, since the equipment has been parked in the back of their yard, collecting dust and rust. Dalton McGuinty has pretended that the current job crisis is limited only to manufacturing and forestry, although they have been hard hit, but anyone who knows anything about the Ontario economy knows that manufacturing and resources represent the foundation on which Ontario's service economy rests.

The second-quarter economic accounts released by the Minister of Finance last week or the week before show that output from the manufacturing sector continues to decline. But the real news is that when you combine the reports from the first two quarters of this year, it becomes clear that the rest of the economy is no longer picking up the slack. We're ending up with declining output in many more sectors of the broader economy. In other words, job losses in previously what we used to call untouched sectors, like retail and financial services, may well be on the immediate horizon.

The TD Economics report last Tuesday forecast negative employment growth for 2009 for this province. The report reads, "Real GDP growth in Ontario is expected to barely advance in 2008 and 2009, placing it last amongst its peers." Dead last. "The lagging nature of employment in reflecting economic conditions leaves significant downside risks to the job market, especially since the manufacturing sector is expected to continue to bleed jobs and this will disproportionately hit" our "province."

The McGuinty government has heard from unemployed workers, seen the bad statistics and read report after report forecasting mega job losses. Now they acknowledge that trouble is on the horizon. What are they going to do about it? They have tabled a resolution reaffirming that their so-called five-point plan is working.

When confronted with real evidence that the plan is in fact not working, the McGuinty government's strategy is to proclaim in this House that it is actually working. Two hundred and twenty thousand manufacturing jobs have been lost in five years. "The plan is working." The forestry sector decline is wiping out towns in northern Ontario. "Don't worry. The plan is working." Reports show falling growth and serious job losses looming in other sectors. "Don't worry about that either. Our five-point plan is working." This resolution is a declaration of inaction.

The NDP has always been the party that puts working families first. We believe in a good job for everyone, because a good job is the best way to make sure that working women and men in this province share in the prosperity.

The NDP believes that government has a job to play: an active role in protecting good-paying jobs and, when those jobs can't be saved, in making sure that workers who have committed a lifetime to an employer are treated

fairly and are given every opportunity to return to the labour force in comparable jobs.

The McGuinty government doesn't believe in an activist government. They have stood on the sidelines, showing absolutely no leadership, while factories and mills downsize and close, costing hundreds of thousands of workers their jobs. I repeat: 230,000 manufacturing jobs lost under McGuinty's watch. This is devastating. Tens of thousands of direct and indirect forestry jobs have disappeared on Dalton McGuinty's watch because, quite frankly, Liberals think that markets must always be the final arbiter of which jobs survive and which jobs disappear.

I'm here to tell you that the NDP doesn't see things that way. We believe that sometimes the market does work, but sometimes it doesn't. When it doesn't—and this is one of those times in Ontario's economic history when the market definitively is not working for the people of Ontario—then the government must step in on behalf of hard-working men and women of this province and set things right.

There are fundamental changes in the economy taking place that require innovative, activist government action now. Instead of putting real proposals on the table, McGuinty tables a resolution in this House saying that he is prepared to act to protect jobs in this province. He says that his five-point plan will support Ontario's workers through the gloomy economic forecast we hear about every day. But his five-point plan has failed to sustain manufacturing and resource jobs, so it sure won't do a thing to support jobs in other sectors that are next in line to get hit.

The NDP has tabled amendments to this resolution. We want a five-year guarantee of an industrial hydro rate so that Ontario manufacturing and resource companies can count on stable, competitive hydro policies at a time when competing jurisdictions have far lower industrial rates.

Second, we want a job protection commissioner to help at-risk companies overcome financial difficulty, with the goal of saving jobs. The commissioner will work with all parties to help out and save jobs.

We want a Buy Ontario policy that would ensure that streetcars, subways and buses continue to be made right here in Ontario, resulting in the protection of thousands of good-paying jobs for the people who build the parts and assemble those streetcars, buses and subways.

We want tougher plant closure legislation that would ensure that everything is done to prevent a profitable plant or mill from closing and, in addition, an enhanced mandated severance. When you look at those 230,000 jobs, a lot of them were in plants and in mills that were profitable right here in Ontario. Those companies were profitable, but it was in Ontario that it was the easiest to close them down, to move them elsewhere, motivated by greed and profit. They had no ties to Ontario. They had no ties to keep the people of Ontario's jobs. They moved them away for greed. Tougher plant closure legislation

would ensure that everything is done to prevent this from happening again.

We also want expansion of severance eligibility and an increase in advance notice in mass layoff situations.

We want pension and wage protection that would make sure that workers get every penny they are owed from their employers when their company becomes insolvent or goes bankrupt. The workers should be first in line to get paid.

And finally: a refundable manufacturing and resource investment tax credit that would provide a real incentive for manufacturers and processors to invest in the building, equipment and machinery that leads to high-quality, good-paying jobs.

Those are just some of the constructive ideas we've put forward in our amendment. We are willing to talk about them one at a time and split the amendments if the government is really committed in saying that they want a dialogue to address what they call the economic challenges that the province is facing. If they want a dialogue, then have a look at the motion that we've put forward, have a look at every single one of those ideas, and let's discuss them. Let's break up the motion and take it one point at a time so that the opposition has a chance to influence the policies that will make sure that the serious economic crisis that Ontario is going through will be addressed in a constructive way by all members of this House.

We look forward to this debate and hope that some of our points will be heard by this government.

**The Acting Speaker (Mr. Jim Wilson):** Thank you. Pursuant to standing order 9(b), the debate is adjourned.

*Debate deemed adjourned.*

**The Acting Speaker (Mr. Jim Wilson):** This House stands in recess until 10:30.

*The House recessed from 1012 to 1030.*

## INTRODUCTION OF VISITORS

**Hon. Ted McMeekin:** I'd like just to take a minute to introduce Jeff Neven, who is from my area. He has an interest in non-profit housing and is doing a field placement out of Wilfrid Laurier University with my office. Welcome, Jeff.

**Mr. Khalil Ramal:** I would like to stand up and introduce my friend and constituent Kathleen Keating from London. She's a social activist and community worker in the city of London.

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

With the new standing orders and introduction of guests, if the pages' members are not here, my intent is to introduce the pages' guests, and I will be continuing to introduce guests in the Speaker's gallery, but that will be the extent of the Speaker's introductions.

First, we'd like to welcome to the Speaker's gallery today the 2008-09 legislative interns: Tejas Aivalli—and joining him today is his mother, Suma, his father, Vijay, and his sister Gitanjali; we welcome them—Meghan

Buckham; Igor Delov; David Donovan; Angela Hersey; Kim Hokan; Waqas Iqbal; Chelsea Peet; Emma Stanley-Cochrane—joining Emma today are her father, Michael, and her mother, Marilyn Stanley—and Rosanne Waters. Would all members please join me in welcoming our interns.

As well, on behalf of page Jasmine Douglas, her mother, Lesley, and her father, Martin—they'll be sitting in the public galleries today; on behalf of page Michael Ralphs, his mother, Joan; and on behalf of page Timothy Fuke, his mother, Oksana Fuke, and his aunt Sonia Solomon in the east public gallery. Welcome today as well.

### LEGISLATIVE PAGES

**The Speaker (Hon. Steve Peters):** I just want to take this opportunity to ask all members to join me in saying thank you to our pages. Today is their last day of service here at Queen's Park. We thank you for everything you have done and we wish you all the best in your future endeavours.

### ORAL QUESTIONS

#### ONTARIO ECONOMY

**Mr. Robert W. Runciman:** My first question is for the Premier and it has to do with his government's economic planning. On top of watching their savings suffer a daily beating on the financial markets over the last few weeks, today Ontarians woke up to learn that they're going to have to pay an additional 12% for hydro. You're asking people to tighten their belts and find savings; at the same time you're asking them to pay this whopping increase in their hydro bills. You and your colleagues have created this mess and now you're asking taxpayers to clean it up for you. Premier, what are you going to do to take responsibility for what you've created and what relief will you provide to struggling families in next week's economic statement?

**Hon. Dalton McGuinty:** To the Minister of Energy and Infrastructure.

**Hon. George Smitherman:** I want to say in response to the question by the honourable member that the information that he puts forward is not accurate. The people of the province of Ontario will not be experiencing rate increases at the level that the honourable member has speculated. A typical user of electricity in the province of Ontario, around 1,000 kilowatt hours a month, would experience an increase of about \$2.40. We don't minimize that that has an impact for individuals. That's why we've been working aggressively through local distribution companies to assist people to lower their energy use through conservation initiatives. This is part and parcel of a renaissance of the energy system which sees a wide array of new providers being brought into the mix with

cleaner, greener fuels—part of the investment in creating jobs and part of the investment that they did not have the courage to make.

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

**Mr. Robert W. Runciman:** I think most hard-working Ontarians and seniors who are worried about their pensions wouldn't call this a renaissance; they'd call it a kick in the shins while times are tough and challenging. This massive hydro increase today comes on the heels of the tax hikes that families and seniors are facing because of spikes in their property assessments. We know that tax increases are going to flow from that.

Again, this government is asking people to review their budgets and find savings while at the same time finding extra money to pay for increased hydro and increased property taxes. You knew, or at least should have known, months ago that the freeze on property assessments would end at the same time an economic downturn would hit Ontario. We were already in it last spring. You've allowed Ontarians to be hit by this double whammy just when they can afford it the least. You've allowed struggling businesses to have their costs go even higher just when their jobs are in jeopardy. What are you going to do to get us out of this mess that you have created?

**Hon. George Smitherman:** To the Minister of Municipal Affairs and Housing.

**Hon. Jim Watson:** Well, I find it a little rich coming from that side of the House talking about a mess created out of the property assessments.

*Interjection.*

**Hon. Jim Watson:** Let me quote the honourable member who is heckling me. From the St. Catharines Standard: Hudak acknowledged the problem as "an unexpected result of the legislation his fellow Conservatives pushed through under then-Premier Mike Harris." That's number one. Secondly, the member from Renfrew: Asked if the former government under Mike Harris bungled the property evaluation system, Yakabuski said, "Apparently so."

We understand the challenges when it comes to the property assessment system. We've implemented all of the recommendations of the Ombudsman, number one. The Ombudsman has praised this government for taking decisive action. Your government took eight kicks at the can and made a mess of the system. We fixed your problems.

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

**Mr. Robert W. Runciman:** Boy, have you fixed it. What a feeble and embarrassing response. You've got a double whammy of property tax and hydro increases, which smacks of either really poor planning or a government that just doesn't care about what struggling families in this province are going through today.

The finance minister said this morning that he plans to consult widely and involve as many people as possible in decision-making going forward. Well, given the mess that he's put Ontario families in today with this double whammy, he's clearly going to need it. So will the Pre-

mier come forward—I would like to see him do it today—and support our idea for a select committee on the economy involving all parties in a non-partisan approach to these challenges, consult widely, and develop an economic recovery plan that involves every member of this Legislature? Are you going to stand up today and say, “I will do just that”?”

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

**Hon. Jim Watson:** To the Premier.

**Hon. Dalton McGuinty:** I like the idea, and that’s why we are in effect doing that. There is a Standing Committee on Finance and Economic Affairs. That committee will travel, as recommended by my colleague. That committee has all-party representation. That committee will report to this House. And the fundamental responsibility of that committee is to seek out new ideas and to consult Ontarians. So such a committee does exist, such a committee will shortly begin its work, and such a committee will take advantage of all ideas put forward by the people of Ontario.

But let me say this: We are beyond any shadow of a doubt in challenging economic times, and we will do as a government what Ontario families do in their homes. We will carefully assess our options, we will protect those priorities that are important for all of us, and we will move forward in a way that is prudent, thoughtful and responsible. And if necessary, we will delay the implementation of new programs and new initiatives.

1040

#### GOVERNMENT SPENDING

**Mr. Robert W. Runciman:** Again to the Premier: We know that the partisan nature of standing committees in this Legislature has been shameful, from a Premier who said he was going to change the way that committees worked in this Legislature. They are simply there to echo the directions given by the Premier’s office.

I want to ask the Premier again about his plea to Ontarians to review their budgets, tighten their belts and find savings. Premier, you’ve increased the number of public sector jobs by 43,000 just in the last year. All those jobs have to be paid for by taxpayer dollars, which we know this government has less and less of. Premier, if people are having to tighten their budgets, what are you doing to tighten your spending on public sector jobs? Will next week’s economic statement include a hiring and wage freeze in the public sector?

**Hon. Dalton McGuinty:** I know this is a recurring theme coming from my Conservative colleagues. They say that we should not have hired more nurses; we should not have hired more teachers; we should not have hired those additional water inspectors, those additional meat inspectors, those additional police officers. We see that as part of our responsibility to deliver to the people of Ontario good-quality public services. We feel that our families have a right to be able to count on those kinds of services being there for them. So no, we will not

apologize for making those investments in those services which families have a right to be able to count on.

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

**Mr. Robert W. Runciman:** I guess I’d suggest a huge deficit and a ballooning debt for future generations of Ontarians.

Just as families are being asked by the Premier to trim their budgets, the Prime Minister has announced that he will be conducting a review of each and every ministry to find efficiencies in savings. You said in your last budget that you’d find a billion dollars in savings to balance the budget. We’ve seen no evidence of that so far; we’ve asked the Minister of Finance.

Premier, are you prepared to lead by example, look to your own House before you ask Ontarians to trim their own household budgets and pay for whopping hydro and property tax increases? Will you commit to reviewing each ministry’s budget to find efficiencies in savings and point them out to us in next week’s economic statement?

**Hon. Dalton McGuinty:** I want to assure my honourable colleague that this is part of an ongoing effort on the part of our government. Those kinds of savings and demonstrations of restraint have been made in the past, and I fully expect that they’ll be made again in the future.

A couple of facts when it comes to Ontario and public servants: We have the lowest number of public service employees per capita in the country; that’s a fact. We have, according to independent, outside sources, the second-most efficient public service in the country. It’s a fact that we’re running it at 34% better, in terms of cost, than the average here in Canada. So again, there’s always a responsibility on all of us to look for savings and to demonstrate restraint, but from an objective perspective I think we’re doing fairly well in comparison to the rest of the country.

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

**Mr. Robert W. Runciman:** According to statistics, Ontario has hired more public sector employees in the last year than all other provinces combined. That certainly shows a lack of foresight.

Premier, we warned this government about its bloated public sector last April when the sunshine list showed a 27% increase in the number of public sector employees earning over \$100,000 a year. They won’t be the people struggling to pay a 12% increase in their hydro bills or a 20% jump in their property taxes; it’s the average Ontario family, worried about their jobs, their mortgages, their savings; seniors worried about their pensions. That’s what your government should be focusing on.

To the Premier: I want to ask him, will you again strike a select committee on the economy, a non-partisan committee, that will work with all members of this House to find solutions to the mess that you and your government colleagues have created?

**Hon. Dalton McGuinty:** I can’t agree with the honourable member in terms of his characterization of the source of the challenge before Ontarians, Canadians, and the western world. I think that Ontarians would

understand that there are some pretty powerful, global economic winds that are blowing out there.

My friend opposite tells us again that he's unhappy with the investments we made in more public servants and he says in particular he's concerned about seniors. Well, I think seniors would be unhappy to learn about any decision on our part to lay off nurses as my friend would suggest. I don't think they would want us to lay off MRI and CT technologists. They wouldn't want us to lay off personal support workers in our long-term-care homes. They would not want us to lay off home care workers. They would not want us to lay off public health unit inspectors—

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

#### MANUFACTURING AND FORESTRY SECTOR JOBS

**Mr. Howard Hampton:** My question is for the Premier. Despite the fact that the McGuinty government repeats over and over again that it has a five-point plan to sustain jobs in Ontario, the track record is very sad: 230,000 manufacturing jobs gone, 40,000 direct and indirect forest sector jobs gone, while the government continues to talk.

New Democrats have put forward seven proposals to help sustain jobs and help workers in Ontario. A reasonable industrial hydro rate, refundable manufacturing investment tax credit, tougher plant closure legislation and better severance provisions are just a few of the solutions we've offered.

Will the Premier commit in next week's fall economic statement to implementing some of these solutions which we've offered to help sustain jobs in Ontario?

**Hon. Dalton McGuinty:** We are open to thoughtful proposals put forward from any corner, regardless of political stripe. We will give due consideration to any proposal which we believe will provide support to the Ontario economy and to our families in particular.

Again, I just can't agree with my friend's characterization that somehow these job losses—and they are real, and they weigh heavily on families, obviously, that have been caught up in this economic dislocation—flow exclusively from policies put forward by our government. Again, I believe Ontario families would agree with me in that regard.

But the point I want to make is that we are very much open to any thoughtful proposals that will help our families get through this challenging economic time.

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

**Mr. Howard Hampton:** Well, the Premier has used this language of "very much open" before. When my colleague from Hamilton East–Stoney Creek put forward the idea of better severance provisions, the Premier said, "We're open to this," but three months later when asked the direct question, he said, "No, we're not going to do this." So we've heard this language of "We're open to."

What I'm asking for—and I'm going to be very clear on this—is a commitment on the part of the McGuinty government to actually start doing something to help sustain jobs in this province and help workers who have lost their jobs. Just for example, the Premier continues to talk, but while he's talking, 1,300 more workers are out of a job in St. Thomas, 800 more workers out of a job in Welland, 500 more workers out of a job in Goderich, with more to follow.

I ask the Premier again: Will you commit to implementing some of these measures which I have put forward in the economic—

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

**Hon. Dalton McGuinty:** The commitment that I've made is to carefully consider any thoughtful proposals that we think will work for Ontario families. What the leader of the NDP is suggesting is that I exchange my plan for his. I'm not prepared to do that.

Just to remind him about some of the reality of this place, I think it was just last week the Minister of Finance rose beside me and thanked the member for Beaches–East York for proposals that he has put forward with respect to changing our tax treatment of granny flats. The member from Beaches–East York was right, we've adopted his approach, and we've made the change accordingly.

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

**Mr. Howard Hampton:** What does that have to do with the thousands of good jobs that are being destroyed across Ontario while the McGuinty government talks about their 15,000-name electronic petition?

We're talking about action here to sustain jobs. There is a crisis happening in Ontario. People who have worked hard all their lives, who have contributed to the community, paid their taxes, are losing their jobs by the thousands. They look to the McGuinty government for a response, and all they hear are empty words.

Some of the workers who were laid off at St. Thomas said this: "I don't think they are paying attention. St. Thomas manufacturing is going." Some of the workers in Welland: "Our hometown is dying." What they're asking for is some action from the McGuinty government.

Are you prepared to implement these proposals or are we simply going to hear more empty words from the McGuinty government?

**1050**

**Hon. Dalton McGuinty:** When it comes to thoughtful proposals, we've heard from the best thinkers on these kinds of things for a long time now, that when it comes to dealing with the manufacturing challenges being faced not only here in Ontario and the rest of Canada but in the US, the UK, Australia and other parts, you've got to invest in the skills and education of your workers. That's why four years ago we put out our Reaching Higher plan, which is a massive \$6.2-billion investment in our workers.

As well, we've heard that you've got to help companies invest in the latest equipment and technologies, which is why we have our advanced manufacturing investment strategy in place.

We've heard that you've got to help them adopt new ideas earlier, help find a way to commercialize those new ideas. That's why a number of years ago we developed the Ministry of Research and Innovation, and during the last three years we've put over \$1.5 billion into over 1,000 ideas. Those are good, solid ideas. We've known about these for a long time. These are not johnny-come-lately proposals. We've been on this for a long time and we'll continue to—

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

**Mr. Howard Hampton:** To the Premier: You mentioned post-secondary funding—again, empty words. Where does Ontario rank in terms of post-secondary funding in Canada? Tenth out of 10.

#### HYDRO RATES

**Mr. Howard Hampton:** I want to ask the Premier now about hydro rates, because as thousands of workers lose their jobs, the McGuinty government wants to jack up how much people have to pay each month simply to heat and light their homes. Why? Because Ontario Power Generation is demanding a 15% increase for electricity, for the most part produced by their nuclear plants.

The Minister of Energy described nuclear power in this House yesterday as affordable and reliable. If nuclear power is so affordable, why do we see this surprise rate increase needed to finance nuclear plants?

**Hon. Dalton McGuinty:** To the Minister of Energy and Infrastructure.

**Hon. George Smitherman:** As I had a chance a minute ago to say to the leader of the official opposition, a variety of factors contribute to the increases that are being felt with respect to electricity prices in the province of Ontario. We acknowledge that this is a challenging circumstance for households.

For the typical user of about 1,000 kilowatt hours a month, this is approximately a \$2.40 increase, to be attributed to a variety of factors which certainly include bringing onto line more renewable energy in Ontario.

It's just not right for the honourable member to stand and try to lay this on his ideological hobby horse. We have an energy supply in Ontario, 75% of which comes from nuclear in Niagara Falls, and we're seeing an increase in other forms of renewables, which are part and parcel of the price increase that consumers will feel, and we're giving them better tools with respect to conservation to help assuage those impacts.

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

**Mr. Howard Hampton:** The minister can prattle on, but it's very clear: The Ontario Energy Board said yesterday, "The new rate partly accounts for Ontario Power Generation's request to get paid 14.8% more for the electricity it generates from its regulated nuclear and hydro-

electric power plants...." So most of this is on account of the costs of nuclear. And get this: It doesn't cover the major refurbishments of reactors, nor the building of new reactors proposed by the McGuinty government. This is just about keeping the nuclear fleet running.

Minister, Moody's Investor Service said in May that the power from new nuclear plants will cost 15 cents a kilowatt hour, a price which the Ontario Power Authority acknowledges would make nuclear power uneconomic. Why does the McGuinty government insist on going down the road of "go nuclear, go big" when it's clear this is going to be very expensive power, more expensive than—

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

**Hon. George Smitherman:** It's fine, I suppose, for the honourable member to come to this House and pretend that Ontario is moving in a direction with respect to nuclear, but the reality is that it has been our past and it is our present, and we seek to ensure that our fleet of nuclear reactors is able to perform on par with the way they have for a couple of decades in the province of Ontario.

I think it's noteworthy that in the honourable member's presentation, when he quoted from the Ontario Energy Board, he said—their words—"partly accounts," but within 10 seconds, he said "most of this." This is where he gets a bit carried away with himself.

The costs that are being borne here by individuals, which we recognize are challenging, come from a variety of factors. But alongside them is an increase in the amount of money that we're paying to help support these very individuals through enhanced conservation initiatives.

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

**Mr. Howard Hampton:** The only people in Ontario who are getting carried away are the McGuinty government, and all you have to look at, all you have to examine are the pennies that are going towards conservation and renewable energy and the multi-billions that the McGuinty government will spend on nuclear power. It's pennies for conservation, pennies for alternative energy and multi-billions for nuclear power.

But what's even worse is, you want to push this through while delaying the integrated power supply plan hearings. In other words, you want to delay the very hearings that are supposed to look at what are the ins and outs, the ups and downs of energy supply for Ontario, while you push forward the nuclear stuff.

I ask this of the Premier: You're putting the cart before the horse. You're launching the nuclear strategy before you sit down and look at what we ought to be doing from stage one. Will you reverse this? Will you complete the integrated power supply hearings before—

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

**Hon. George Smitherman:** The honourable member obviously counts pennies differently than the people of

the province of Ontario, because I think one of the things in the background, which has been publicly available to the member, says that Ontario Power Authority spending on conservation and contracts for gas-fired and renewable generation is forecast to increase by about \$25 million a month. This is not pennies; this is a substantial contribution. This brings to life four new gas-fired plants—an important, crucial element in transitioning off coal. Under the standard offer program, this provides for 524 megawatts of wind, 54 megawatts of hydroelectric and biomass, and 264 megawatts of photovoltaics, of solar.

These are examples, poignant examples, for the people of the province of Ontario of the transition from coal, that at the same time support them in their efforts to reduce the use of energy on the part of all of us—an important balance for the climate and—

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

#### EMPLOYMENT SUPPORTS

**Mr. Frank Klees:** To the Premier: In response to questions concerning the loss of manufacturing jobs in communities across this province, the Premier and his ministers continue to cite government programs as their response to job losses and stress in our communities. While the announcement of these programs held out great hope for businesses, what we're learning now is that they're very short on delivery.

I would ask the Premier, would he direct his ministers to table with the House a list of all of the programs, a list of the applications that were made for those programs, a list of the approved applications and a list of the funding that has actually been disbursed to businesses in the province?

**Hon. Dalton McGuinty:** To the Minister of Economic Development.

**Hon. Michael Bryant:** I say to the member, the gist of his question is, as the government is investing these dollars either by way of grants or loans, is it being done in a timely fashion? Is it being done within the 45-day commitment that has been made? Keeping in mind that within the 45 days there are opportunities for the applicant to provide more information—the applicant's going to want to obviously put the best application forward, so in some cases, different information and more information will be needed. In fact, the applicant works with the government in order to reach that time limit.

I can say to the member that the time limits have, in fact, been met, and I certainly have not, although I'm happy to work with the member, dealt yet with a company—

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

**Mr. Frank Klees:** The minister did not get the gist of my question at all, so I'll go back to the Premier and I will ask the Premier once again, will the Premier direct the minister to give us this information? It's very simple:

a list of the number of companies who have applied, a list of the number of companies that have in fact been approved and a list of the number of companies who have actually received funds. It's very simple. It's a matter of transparency and accountability, and I would ask once again, will that information be tabled with the Legislature so that we can in fact see what's going on with these programs?

**Interjection:** It's a short list.

**Hon. Michael Bryant:** Of course. All of this information is tabled in public accounts. But I say to the member who said it's a short list—short list? Excuse me? One hundred and fourteen new jobs; 900 sustained jobs; a five-year, \$1.15-billion investment through the Next Generation of Jobs Fund; a half-a-billion-dollar investment through the advanced manufacturing strategy; nearly 4,000 jobs sustained or created—that's not a small list.

**1100**

In fact, the gist of the member's question is to try and somehow play "gotcha" with the government's efforts to make investments that create jobs. The member does not have an alternative other than tax cuts, I suppose; the member does not suggest that we in fact should be putting the money into different companies; the member is trying to play "gotcha." My response to the member is, you're right: The public accounts will in fact be able to answer your "gotcha" question, but at the end of the day, we're focused on getting jobs for—

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

#### POVERTY

**Mr. Michael Prue:** My question is for the Premier. Mr. Premier, tomorrow is the United Nations International Day for the Eradication of Poverty. Ontarians across the length and breadth of this province will be calling for action to end poverty here. We are worried that this government's promise to reduce poverty is being put on hold. Yesterday the Premier said in this Legislature, "We'll delay new undertakings," and also said, "There will be no undue expenditures." Will the Premier tell Ontarians right now that his government will, as promised, commit significant new investments to reduce poverty in the upcoming economic statement?

**Hon. Dalton McGuinty:** The member opposite is nothing if not tenacious on this issue, and I respect that.

We've obviously got to carefully consider the kinds of new investments and new initiatives that we will undertake on the part of Ontarians. He knows, as well, that we've been doing a lot of work on the poverty front. We've met with many Ontarians and received many good ideas and some solid recommendations. We look forward to making a significant announcement in December, in keeping with our original commitment.

Obviously, we will take into account our financial circumstances, but as I said before, I am absolutely committed to laying a solid foundation for progress in a

way that has not been experienced before in the province of Ontario.

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

**Mr. Michael Prue:** Mr. Premier, Ontarians will be coming together tomorrow in Bracebridge, Cambridge, Cobourg, Cornwall, Kingston, Newmarket, Ottawa, Owen Sound, Sarnia, Windsor and here at Queen's Park to urge your government to include concrete measures to reduce poverty in the upcoming budget.

I will be joining the participants here at Queen's Park. My question to you is simple: Will you commit now to be present at the vigil and to personally reassure participants that the next economic statement and next budget will indeed include significant new, concrete measures to reduce poverty?

**Hon. Dalton McGuinty:** I think I've indicated a number of times, both in this Legislature and outside, our continuing strong commitment to make progress on this front.

But let me tell you: We're not waiting until December to launch any efforts when it comes to addressing poverty. We already have in place the Ontario child benefit, with monthly benefits now flowing to families, which will support 1.3 million Ontario children. We've raised the minimum wage a number of times now. We have raised the social assistance rates. We've invested more in affordable housing. We're putting in place a new dental program. We have doubled the funding for our student nutrition program for children who are coming to school hungry.

Those are the kinds of programs that we have put in place; those are the kinds of programs that we continue to support. We look forward to building on that with our announcement in December.

#### GREENBELT

**Ms. Helena Jaczek:** My question is for the Minister of Municipal Affairs and Housing. Earlier this month I was invited by Ontario Nature and the Oak Ridges Trail Association to a special event in Palgrave celebrating a new link from the Oak Ridges Trail to the Bruce Trail. A reporter attending the occasion wrote an article published in the National Post some days later, decrying a new housing development that he said was occurring in the greenbelt. "There, by the road, a bulldozer was pawing away, cutting a hole in a hillside, next to a sign announcing 'Estate Homes.'" The author went on to say, "This spot is in the heart of the greenbelt."

Minister, this government was supposed to protect 1.8 million acres of green space, many of which are in my riding. What assurance can you give to my constituents, who want to ensure that this land is truly protected?

**Hon. Jim Watson:** I want to thank the honourable member from Oak Ridges–Markham, who is one of the great defenders of the greenbelt, because not only does it affect her community but she understands the importance from an economic and environmental point of view, so I thank her very much.

There are specific rural settlement areas and urban areas within the greenbelt that allow for some growth for existing communities. The area the author was talking about is one of the small rural areas in the town of Caledon that's allowed to have some limited development. However, this particular area that the author was referring to is not part of the 1.8 million acres of protected space under the greenbelt.

I know that the Conservative Party, who voted against the greenbelt, are jealous that this is a greenbelt that is recognized around the world as probably the most effective greenbelt. Let me quote the Canadian Institute for Environmental Law and Policy: "Ontario's greenbelt is positioned to be the most successful and most useful greenbelt"—

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

**Ms. Helena Jaczek:** Thank you for clearing this matter up, and it is a relief to know that this government remains committed to protecting green space in Ontario. But these developments in rural areas within the greenbelt need to move forward with caution. As you know, there are valuable agricultural and water resources in the greenbelt, and development must not deteriorate these resources. In my riding, I know my constituents want their communities to grow, but they want them to grow in a sustainable way. They want to ensure that their communities remain safe, healthy places to live for their children and grandchildren. Minister, how are you ensuring that development doesn't get out of hand in my riding?

**Hon. Jim Watson:** When specific applications are submitted in rural settlement areas not in the greenbelt itself, they need to conform to the environmental policies laid out in the Oak Ridges conservation plan. Let me just give you three examples of what we're doing to protect this precious green space: ensuring that the development does not affect groundwater and aquifer resources in the area; ensuring that the natural terrain and topography of the area is maintained as best as possible; and no development within the environmental features such as woodlots or wetlands.

Premier McGuinty made a commitment that we wanted to grow the greenbelt, that we're not interested in developing on the greenbelt, and we have lived up to that commitment. We consulted the municipal sector and environmental groups and landowners throughout the province of Ontario, and over 300 delegations came forward. We just announced a few months ago that we have released the criteria for the expansion of the greenbelt. Municipalities now can apply to expand the greenbelt within their jurisdictions. This is great news for the economy, great news for the environment and great news for the people of Ontario.

#### VIOLENT CRIME

**Mr. Robert W. Runciman:** My question is for the Attorney General. I think we all are very much aware of the tragic murders of two women in Toronto and the fact that the individual charged with those murders was on

bail, awaiting trial for two violent sexual assaults with a blunt object. I'm quoting from Joe Warmington's column in the *Toronto Sun*, where Joe says, "We cannot allow the outrageous slayings of Saramma and Susan to be forgotten because these are the names of two women who did not have to die." That's a view I think most Ontarians would share. Minister, can you tell us if the crown appealed the bail decision, and if not, why not?

**Hon. Christopher Bentley:** All of our thoughts are with the families, the relatives and the community. We're all part of a community that was affected by these terrible tragedies. My friend will appreciate that I don't want to comment to too great an extent on an ongoing proceeding. There is a proceeding before the court.

With respect to the question of release, I can say the following: that in cases of violent offences, serious offences, the crown opposes release; in cases of serious, they always oppose release. This was a case where the accused had been detained initially—

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

**Mr. Robert W. Runciman:** I certainly hope the minister has more to say in the supplementary, because I asked him a specific question about appeal to the Superior Court on the bail release decision. He didn't answer that in the initial question response.

This is a serious question related to confidence in the justice system in this province. We're told this individual was released on a \$10,000 bond with no deposit. One of the conditions when you look at a bail release is the likelihood of committing further offences. We're also told there's a history of breach of court orders with this particular individual. This is bringing the administration of justice, I would suggest, into disrepute. That's another condition that the judge should be considering when making a release decision.

Minister, by not answering my question you're contributing to the concern about the system and whether it's actually protecting Ontarians in this province. Again I ask you, did you appeal to the—

1110

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

**Hon. Christopher Bentley:** As my colleague would know, decisions on release are either made by a justice of the peace or, in this case, a judge. Once there's been an initial decision by a justice of the peace, a review of that decision has to be to a judge. That the review was brought after further legal proceedings—let's just say that the judge made an independent decision. The crown, in serious cases, always takes the position that public safety is always paramount in any case and starts at the position in serious cases to oppose release—and that decision was made independently by a judge in the proceeding my colleague is referring to.

#### CHILD CARE

**Mr. Paul Miller:** My question is to the Minister of Community and Social Services. This summer, the Mc-

Guinty Liberals rewrote the temporary care assistance program rules cutting off grandparents raising their grandchildren from much-needed financial support. Adding insult to injury, the minister suggested grandparents could just apply for welfare. Her response reminds me of Marie Antoinette's statement, "Let them eat cake."

When will the McGuinty Liberals reverse the changes to the temporary assistance program by reinstating today all grandparents raising their at-risk grandchildren?

**Hon. Madeleine Meilleur:** I thank the member from the third party for his question. First of all, let me say that we appreciate grandparents taking care of their grandchildren who are in difficulty, but I want to correct what the member is saying. There was no rule change.

**Mr. Paul Miller:** Yes, there was.

**Hon. Madeleine Meilleur:** This member came to me because the application of the TCA was different across the province. We reviewed it, and he was right. So there was no directive change. There was no rule change. But we were asking municipalities to apply the temporary care allowance rule as it should be. That's what happened.

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

**Mr. Paul Miller:** I'll be more than happy to show the minister the rule changes.

The minister suggested that these grandparents take their needs to the Liberals' poverty reduction review. What this government has reduced in funding for these grandparents—the only action that has been taken is to push these grandparents further into poverty.

The minister's complete misunderstanding of this issue and her callous disregard for the plight of these grandparents shows that she is out of touch with her ministry's clients. Why would this minister even suggest putting more people on the welfare system?

**Hon. Madeleine Meilleur:** First of all, this minister worked to make sure that the Ontario child benefit became a benefit in Ontario, and we know that a lot of children are benefiting from this Ontario child benefit.

The question is, if grandparents are in financial difficulty, these grandparents are like anyone in Ontario who has financial difficulty. They are entitled to Ontario Works. That was a comment that I made if they are in difficulty. But the children are receiving—and this program is not income-tested. That means that grandparents who are receiving temporary care assistance can have very good incomes.

#### ONTARIO FILM AND TELEVISION INDUSTRY

**Ms. Sophia Aggelonitis:** My question is to the Minister of Culture. Ontario's film and television industry is an important economic contributor to our province. The film and television industry generates about \$2 billion to our economy and creates nearly 12,600 jobs here in Ontario. To ensure that Ontario continues to produce talented film producers, directors and new media developers, we must

invest in training institutions to support this important economic sector.

Mr. Speaker, through you, can the Minister of Culture tell this House what the government is doing to help support film and television training institutions?

**Hon. M. Aileen Carroll:** I thank my colleague from Hamilton Mountain, who is a wonderful supporter of arts and culture, especially now that Hamilton is my second-favourite city.

The McGuinty government has understood for a very long time what investing in our film and media training institutions means to our economy. By investing in those film training institutions, we're creating the conditions that are necessary to attract production and have companies come and film in Ontario. It also means that Ontario will be able to compete globally in an increasingly competitive TV and film industry. That's why I was very happy to announce during the Toronto International Film Festival that this government invested \$2.5 million to improve the facilities of the Canadian Film Centre.

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

**Ms. Sophia Aggelonitis:** I'm pleased to hear that the government is investing in institutions that train and prepare Ontarians for the rapidly expanding industry. Investments in the Canadian Film Centre will continue to help produce top-rated industry workers and perhaps the next Norman Jewison or Ivan Reitman.

Minister, you mentioned that the film industry is becoming increasingly competitive—certainly. Ontario needs to do more to attract film productions to our province—and to Hamilton. Mr. Speaker, through you, can the Minister of Culture tell this House what the government is doing to support the industry and attract productions to film here in Ontario?

**Hon. M. Aileen Carroll:** I thank my very knowledgeable colleague for yet another brilliant question. She's dead on the money as ever, because it isn't enough to just invest in our wonderful training facilities, as we have done, one of them in question being the Canadian Film Centre, but it's also very important to be part of a government, as I am with Mr. McGuinty and Mr. Duncan, who understand only too well that we need to compete. One of the ways we need to compete is by our tax credit system. That's why the tax credit enhancements were increased from 30 to 35 for our domestic productions and from 18 to 25 for foreign. This province has the right combination of home-grown talent, technical expertise, facilities and financial incentives to best position our province in all our cities and all of our towns as a key film production centre.

#### HOSPITAL SERVICES

**Mr. Ted Chudleigh:** My question is for the Premier. Halton Healthcare is in a dire situation. Despite the growth in Milton and Oakville—a growth that has been mandated by our government through Places to Grow—our hospital projects are stalled. The chair of Halton region has tried to contact the Minister of Health for an

appointment, but has been passed along the bureaucratic line and treated like a nuisance. Premier, this problem is not going away. Milton and Oakville continue to grow; in fact, it's getting worse. You have given us no indication that you care, and your health minister won't talk to our municipal leaders. Why are you treating the people of Halton like second-class citizens,

**Hon. Dalton McGuinty:** To the Minister of Energy and Infrastructure.

**Hon. George Smitherman:** I do want to say to the honourable member that there is extraordinary awareness in our government about the growth that's occurring in Halton region, and obviously the growth plan is part of what addresses that. What's a little bit discouraging is that the honourable member, in asking such a question, doesn't acknowledge that it's his own party's plan to cut health care spending by \$3 billion, which would negate not only the construction of new hospitals, but most seriously impair the operation of existing ones.

In the case of Halton Healthcare and the Oakville Trafalgar site, it's still our government's plan—with the community—to invest hundreds of millions of dollars in the construction of a new facility. There is some short delay in moving forward with that project, which is related to construction capacity in the province of Ontario. As Minister of Infrastructure, I can assure the honourable member that project is still very much in our government's sights. We desire to make it happen with the good people of Halton, as we recognize their needs must be met.

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

**Mr. Ted Chudleigh:** The minister knows full well that it's not our plan to take anything out of health care.

I go back to the Premier—

*Interjections.*

**Mr. Ted Chudleigh:** —when the children come to order, Speaker.

Premier, the Halton regional council meets on Wednesday, October 29. Will you give your assurances that the Minister of Health will meet with the chair of Halton, as per his request, before that date so that he can properly inform his council of the hospital situation in Halton? Will you do that, Premier?

**Hon. George Smitherman:** I can't commit to a meeting on behalf of my colleague. As it is a matter of infrastructure, if it's of any assistance to the yelling honourable member across the way, I'd be very, very happy to meet with the regional chairman. That would give me an appropriate opportunity, on behalf of our government, to restate what is obvious to most. As we've transferred the land without cost to the community, and as we've spent more than \$10 million on planning a new hospital, and as it continues to be in our government's infrastructure plan, I'd be very happy to convey very directly to the members of Halton, to the regional chair, our government's commitment to moving forward with this project. At the same time, I'll remind him that the

official opposition here at Queen's Park promises nothing but to cut health care spending by \$3 billion.

### ELEMENTARY TEACHERS

**Mr. Rosario Marchese:** I have a question for the Minister of Education.

Minister, teacher-librarians in elementary schools lead to a love of reading. Design and tech programs in grades 7 and 8 will help produce the skilled labour that Ontario needs. Having our students jump up and down in the classroom for 20 minutes a day is no substitute for qualified physical education instructors in elementary schools. Your refusal to provide these things, amongst other things, has led to an impasse with the elementary teachers of Ontario.

Will the minister sit down with the elementary teachers to resume negotiations, establish peace and stability, and provide our students with the programs they need?

**Hon. Kathleen O. Wynne:** Our door is open to that conversation, and the elementary teachers of Ontario know that. We have been in conversation with the federations and unions in the province since last December. In fact, we have more than 34 local agreements that have been either ratified or tentatively agreed to already. There are framework agreements with all but two of our federations in the province. So the relationship between this government and education employees in the province is very, very solid. I am absolutely convinced that the elementary teachers will come back and continue the provincial discussion with us. As I've said, our door has been and remains open to that conversation.

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

**Mr. Rosario Marchese:** The reality, Minister, is the following: You are imposing a framework for settlement on teachers that they did not negotiate. While the minister is prepared to settle for peace and stability, the teachers want peace, stability, and quality. When will the minister put excellence ahead of expediency and begin free and open collective bargaining with the Elementary Teachers' Federation of Ontario?

**Hon. Kathleen O. Wynne:** We have been explicit in our expression of support for the collective bargaining process. The provincial discussion that has been put in place follows on a conversation that happened five years ago and led to four years of peace and stability, which led to the ability of teachers and support workers in our system to get on with the business of providing service to our kids, improving their professional development opportunities—all things that could not happen when there was such a bad working relationship with the previous government. So excellence is exactly what has ensued from the fact that we've had such a good working relationship.

We are open to this conversation with the elementary teachers of Ontario. I look forward to the conversation. I am convinced that the offer that is on the table and the provisions that are there are fair, they're reasonable, and I

look forward to having that conversation with the elementary teachers.

### GREAT LAKES

**Mr. Michael A. Brown:** I have a question for the Minister of Natural Resources.

Minister, the Great Lakes are one of the crown jewels of Ontario's natural heritage. I'm pleased to represent roughly half of the north shore of Lake Superior and all of the north shore of Lake Huron. They provide us with drinking water and food. They are a source of recreation. They are a gateway to Ontario's economic prosperity.

For the people in my riding, healthy water levels are a critical component for vibrant tourism, but they need strong representation to ensure that they prosper. A lack of political will could bring us back to the darker days when, for example, Lake Erie was deteriorating. Would the minister tell the House what Ontario is doing to keep the Great Lakes great?

**Hon. Donna H. Cansfield:** I'd like to thank the member from Algoma-Manitoulin for his question and his constant raising of this profile, because Manitoulin has so many freshwater lakes.

The Great Lakes contain 20% of the world's surface water and 95% of North America's surface water, so their health is absolutely critical to the well-being of our ecological system. We must do, and we are doing, everything we possibly can to ensure their monitoring.

Climate change has had a significant impact. The Great Lakes are glacier lakes, so precipitation is critical, but evaporation can do a great deal as well, as it lowers those levels, and we've had some indication of this. We've been working with the International Joint Commission, we're monitoring the lake, we're working to see what we can do—and you're right, Lake Erie is a good example. It's the world's largest commercial freshwater fishery, and it's due to—

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

**Mr. Michael A. Brown:** As you know, Ontario shares the jurisdiction of the Great Lakes with many other jurisdictions, and although Ontario is the only Canadian jurisdiction on four of the Great Lakes, and of course the fifth one is totally an American-bordered lake, we have some interests shared with the other jurisdictions. As fresh water supply resources become scarcer and other jurisdictions pay close attention to the Great Lakes, it is important that we ensure that we have strong protection in place and co-operation with our neighbours so that we can ensure we continue to enjoy and profit from healthy Great Lakes.

Could the minister tell the House what actions we are taking in Ontario with our provincial and American counterparts to ensure that this is the case?

**Hon. Donna H. Cansfield:** Thanks very much for the question. There's no question that international action was needed to fully protect our Great Lakes. We do share the border with the United States; it runs through four of

the Great Lakes. Water doesn't stop flowing because of a dotted line on a map, so water diversion is a critical issue for all of us. The loss of any water is critical on both sides.

That's why in 2007 our government passed the Safeguarding and Sustaining Ontario's Water Act. It made sure that we had an agreement with our southern friends and that we were on the same page. We have eight great lakes that border on the States. They've had to craft an agreement, and I'll speak about it later on in the Legislature, but it's a really good example whereby, working together, we've made a significant agreement that will impact all of our lives, surrounding the Great Lakes, in the next number of years to come, and we will continue to do so.

#### TOBACCO CONTROL

**Ms. Laurie Scott:** My question is for the Minister of Health Promotion. On the main page of the website of Philip Morris USA it says, "We are the largest tobacco company in the USA." In 2007-08, your ministry will spend over \$56 million to get Ontarians to reduce their use of tobacco, but the irony is this: Millions and millions of Ontario taxpayers' dollars are being invested into tobacco stocks.

My question is, can you explain why you are allowing \$21 million of taxpayers' money, paid to the Ontario public service employees' pension trust, to be invested into the largest tobacco company in the USA, Philip Morris?

**Hon. Margaret R. Best:** Thank you to the member opposite for the question. I will tell the member opposite that the Ministry of Health Promotion is responsible for overseeing the smoke-free Ontario strategy. The smoke-free Ontario strategy promotes healthier lives for thousands of Ontarians. The reason for the smoke-free Ontario strategy is because tobacco smoke kills many Ontarians—13,000, as a matter of fact—every year. It costs the health care system millions and millions of dollars. We continue to have strategies to address the issue of smoking in Ontario, and we will continue to do so because it's a big issue for the health of Ontarians.

1130

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

**Ms. Laurie Scott:** That's a very interesting strategy from the Minister of Health Promotion. Your ministry has spent more than \$13 million on smoking cessation products and programs. You have stated that public health officials are visiting tobacco vendors. Yet despite this, you continue to allow illegal and dangerous tobacco products to be sold to children. Minister, \$79.9 million is the amount of money, taxpayer-paid dollars, that the teachers' union of Ontario invests in Altria, the parent company of Philip Morris, which I mentioned in the previous question. You have stated yourself today that the health costs of Ontarians who use tobacco products have a massive effect on the health system in this prov-

ince. Do you not feel that, in the best interests of Ontario taxpayers, their money should be invested elsewhere?

**Hon. Margaret R. Best:** Again, I would advise the member opposite that my ministry is responsible for the Smoke-Free Ontario Act, and the reason why this ministry is looking into tobacco smoking is that it's a huge issue for the province of Ontario. The reason for that is because it is the number one preventable cause of death in Ontario. Sixteen thousand Ontarians die every year from tobacco smoke. That's why we have a number of different programs in this ministry that address the issue of tobacco smoking. The cost to the taxpayers in Ontario is \$2.7 billion in lost productivity and \$1.7 billion in health care costs. Our plan and our programs are designed to help—

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

#### TOBACCO CONTROL

**M<sup>me</sup> France Gélinas:** Ma question est pour la ministre de la Promotion de la santé.

In March 2008, she said that since 2003, tobacco use in Ontario has fallen by over 30%. Yet from Health Canada we get stats that show that it has flat-lined in this period and, really, from 2005 to 2007 it has increased from 16% to 18%. Why is the minister attempting to paint a distorted rosy picture of smoking rates?

**Hon. Margaret R. Best:** Our government has increased our investment in tobacco control by 600%. Our smoke-free Ontario strategy is designed to prevent children and youth from starting to smoke, to help Ontarians quit smoking, and also to protect Ontarians from exposure to second-hand smoke. The strategy is the most comprehensive tobacco control strategy Ontario has ever had, and it's the strongest among North American countries.

The Smoke-Free Ontario Act prohibits smoking in enclosed workplaces and enclosed public places. On May 31, 2008, the provision of the act prohibiting the display of tobacco products at point of sale came into force. We recently amended the—

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

**M<sup>me</sup> France Gélinas:** Smoke-free Ontario is a good program, but I am concerned about how we are measuring smoking rates. What the minister is measuring right now is the sale of legal cigarettes, but that tells us very little about how much people in Ontario actually smoke. This is especially true for young people, who are three times as likely to use cigarillos, which are not in your stats, and to use contraband cigarettes. We need new action, new regulation, not the same, not complacency. What concrete action is this minister prepared to take to address the real smoking trends in Ontario, such as rising cigarillo and contraband cigarette use amongst youth?

**Hon. Margaret R. Best:** First of all, I would like to thank the member for admitting that the Smoke-Free Ontario Act is a good strategy and a good act. That's why

we continue to work with this act and continue to try to get people to quit smoking. That is why we prohibit the sale of tobacco to any person under the age of 19.

We have made it mandatory for anyone who appears to be under 25 years of age to present ID before purchasing tobacco. In 2008, we also banned the display of tobacco products, as I said before, including chewing tobacco, at convenience stores. Our government is concerned that these little cigars, also known as cigarillos, and smokeless tobacco products are being marketed in ways that are specifically appealing to young—

**The Speaker (Hon. Steve Peters):** Thank you, Minister. Question period has now ended.

This House stands recessed until 1 p.m. this afternoon.  
*The House recessed from 1136 to 1300.*

### STANDING ORDERS

**Mr. John O'Toole:** On a point of order, Mr. Speaker: I know how troubling this is for you and other members of the House when there are these unnecessary delays because of the timing of a question period or members' statements and you're left holding what I would say is whether to call a time. I extend my sympathies and hope that the ruling—

**Mr. Tim Hudak:** Bring back the old rules.

**Mr. John O'Toole:** The old rules did work, and now they don't.

**The Speaker (Hon. Steve Peters):** I thank the member. It is not a point of order, and I would certainly encourage him also—if he has issues regarding any of the standing orders, that they be addressed through the House leaders. As well, by the way the members are surrounded over there, it looks like they're ready to go anyway.

### MEMBERS' STATEMENTS

#### COLORECTAL CANCER

**Mr. Ted Chudleigh:** I rise today to honour and congratulate Nicole Chuchmach of Milton. Together with her friends Jill Harper and Natalie Atkinson, Nicole is in the midst of an 800-kilometre run from Milton to New York City to raise awareness about colorectal cancer.

Now on the road in rural New York, this team of courageous women should arrive in Manhattan on or about October 24. Nicole is running in memory of her mother, Sophie, who succumbed to cancer in 2006 at the age of 59—far too early.

On average, 400 Canadians will be diagnosed with colorectal cancer every week. Overall, colorectal cancer is the second-leading cause of death from cancer in Canada.

Let us honour Nicole, her mother and all those affected by cancer by becoming more aware and by giving generously so that we might one day find a cure.

#### OTONABEE REGION CONSERVATION FOUNDATION

**Mr. Jeff Leal:** I rise today to speak about the Otonabee Region Conservation Foundation. In 1968, Ms. Christine Nornabell had a vision for her community: to create a foundation that would promote conservation. She established a partnership with the Otonabee Region Conservation Authority to provide support and assistance in the promotion of conservation through the following mandate:

- to protect and enhance sustainable forest, woodlot, wetland and other wildlife communities;
- to promote landowner stewardship programs;
- to educate the public on environmental issues and practices;
- to promote affordable, accessible outdoor recreation;
- to protect environmentally significant lands;
- to conserve pioneer articles and heritage buildings and structures owned by the foundation; and finally
- to establish conservation awards, academic scholarships, bursaries and grants in environmental studies.

I am proud to say that this is a mandate that is implemented every day by ORCA.

Congratulations to the Otonabee Region Conservation Foundation and to ORCA for their work in conservation over the past 40 years.

#### INTERNATIONAL CREDIT UNION DAY

**Mr. Tim Hudak:** I join the 1.7 million Ontarians who are members of a credit union or caisse populaire to celebrate International Credit Union Day.

These member-owned, democratically controlled financial institutions play an important role in Ontario's economy. They directly contribute \$410 million to Ontario's economy and employ over 7,000 women and men. They play a crucial role especially in 43 communities in Ontario, where credit unions and caisses populaires are the only financial institutions, like Stevensville, the original home of the Tim Hudak action centre. They provide financial support to 31,000 small and medium-sized businesses, the engines of Ontario's economy.

Locally, in my riding, Meridian Credit Union, with branches in Fonthill, Vineland, Beamsville and Grimsby, and McMaster Savings in Mount Hope provide important financial products and outstanding customer service to families and seniors. Whether it's helping first-time homebuyers realize the Canadian dream of home ownership, or providing industry-specific funding to the grape and tender-fruit farmers, credit unions are important partners to help keep our economy moving forward.

You may well know that Meridian Credit Union in Beamsville, for example, sponsors the Meridian Walk for Families, benefiting the Women's Resource Centre, every year.

I join the staff and members of Ontario's credit unions and caisses populaires in celebrating the outstanding con-

tribution they continue to make to communities across Ontario.

### WORKPLACE SAFETY

**Mr. Kevin Daniel Flynn:** I rise in the House today to speak on our government's initiatives for making the workplaces of Ontario much safer.

Musculoskeletal disorders, or MSDs, are serious injuries that develop over time through such actions as bad posture or through poor ergonomic workspace design in the office. The result is that over time, the muscles, the nerves and the tendons weaken or become injured through repetitive strains, leading to serious health consequences. These types of injuries are a significant workplace health and safety issue, and the effects of these injuries cost our economy more than \$19 billion between 1996 and 2006.

The Ministry of Labour, in partnership with members of the Occupational Health and Safety Council of Ontario, has developed a set of tools with the goal of educating members of the public about how to prevent MSD injuries. These include an MSD prevention tool box, which provides information on how to conduct an MSD risk assessment in your own workplace, setting up an MSD prevention program, and enhancing a workplace's current MSD prevention practices. They also have an on-line database that shares information on how to control MSD hazards, which provides links to over 200 MSD prevention resources. The website can be accessed at [www.preventionpractices.com](http://www.preventionpractices.com). I urge all members of the public to take a look at that site, and I encourage all members of the House to visit the site and to assess their working conditions in their own offices.

### HYDRO RATES

**Mr. John O'Toole:** I rise in the House today to alert the people of Ontario: Dalton McGuinty is raising your taxes.

**Mr. Tim Hudak:** Again.

**Mr. John O'Toole:** Again. We are in the midst of a recession. People on fixed income, business, job losses—these are top-of-mind issues. What's he doing about it? Well, here's what he's doing. Just reading from the paper this morning, he's going to raise your electricity rates by as much as 12%.

For people with incomes in the public sector and other places, who have permanent jobs, this isn't really much of a problem. The \$100,000 list—not a problem. But for people who have lost their jobs, for families, for small business—for a delicatessen, for instance, which has to keep their meat cold, with listeria and all these things around—this is a problem.

It's a tax by any other name, because energy is a non-discretionary consumption. That means you have no choice whether or not you have it. It's not like cable TV, which you can just drop. This is an essential product to heat your home, cook your food, clean your clothes and

for healthy living. This is clearly a tax by any other name.

This article today in their Toronto Star, which is usually a Liberal briefing note, is reporting an increase of as much as 14% in your electricity bill. The people of Ontario, the businesses of Ontario, the economy of Ontario, should be outraged. My constituents have told me so.

### HEALTHY SCHOOLS

**Mr. Michael A. Brown:** It is with great pleasure that I rise today to share with this House and with all Ontarians recent additions to the McGuinty government's ongoing commitment to helping students reach their full potential.

The recent implementation of the Eating Well Looks Good on You campaign is designed to bring healthier food to school cafeterias, which will allow the government to move forward on its twin goals of promoting better health and boosting success for all students in Ontario. This project has partnered with the famed chef David Rocco, Real Food for Real Kids, and Foodland Ontario to create menus focused on fresh, locally grown food. The menus will be prepared with the assistance of grade 11 and 12 students. This will help plant the seeds for a lifetime of healthy food choices.

This nutrition program is in addition to the northern fruit and vegetable pilot project that currently delivers three weekly servings of fruit and vegetables to 12,000 students in the Algoma and Porcupine regions of northern Ontario.

These programs are just a few examples of the McGuinty government's commitment to students' well-being. We will continue to work hard for students across Ontario because we know that healthy students result in productive and successful students.

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### INTERNATIONAL CREDIT UNION DAY

**M<sup>me</sup> France Gélinas:** It is also my pleasure today to celebrate International Credit Union Day. As you know, credit unions and their francophone counterparts, les caisses populaires, are community-owned, democratic financial institutions and, yes, they play a very important role in Ontario's economy.

Credit unions and caisses populaires are locally focused and put a great emphasis on helping the members of their co-ops. They take the saying, "Put your money where your mouth is," literally. I will demonstrate that in the way they invest their money.

Credit unions have about 5% of the retail deposits in Ontario, but they account for 25% of loans to small and medium-sized businesses and 16% of credit to the agricultural sector. It is important to note that 80% of their commercial lending is below \$1 million, versus only 23% by the banks.

As mentioned, there are 219 credit unions and caisses populaires in Ontario. In northern Ontario, one resident

in three is a member of a credit union or caisse populaire, because they are often the only show in town; in 43 communities they are. I'm happy to report that in my riding I have les caisses populaires Azilda, Coniston, d'Alban, St-Jacques, Val Caron et Vermillon, as well as the Northern Credit Union and the Sudbury Credit Union.

#### EMERGENCY MEDICAL SERVICES

**Ms. Sophia Aggelonitis:** On Friday, October 3, I had the privilege to ride with Hamilton Emergency Medical Services. This experience provided me with the opportunity to learn about the front line of the Ontario emergency health care system and meet the men and women who provide this service for Hamilton.

On the night shift I witnessed the precision and care with which Hamilton EMS handles the 55,000 emergencies it responds to each year. Acting with poise under pressure, the EMS team responded to each distinct call with professionalism and dedication so worthy of their mission statement: "Protect and promote quality of life and public safety." I would like to thank Brent Browett, director of Hamilton EMS; Jim Kay, general manager of Hamilton EMS; and Tim Spence, EMS supervisor. They facilitated this ride and are invaluable members of our community.

We all know in principle what emergency medical service personnel are there to do: to save lives. However, this is taken for granted far too easily and too often. I would encourage my colleagues to take a ride with their local EMS to witness, as I did, the invaluable service these men and women provide for all Ontarians.

#### LONG-TERM CARE

**Mr. Kim Craitor:** It's my pleasure to rise in the House to discuss our government's ongoing commitment to long-term care for our seniors. Before I do that, I would like to remind my Conservative colleagues of their health care legacy of drastic cuts, fewer hospital beds and ever-growing wait times, with no end in sight.

Our government recently announced a four-year, \$1.1-billion aging-at-home strategy that will partner local health integration networks to assist seniors in their communities. This unique partnership will allow these LHINs to provide seniors with the individualized, appropriate levels of care they truly deserve. This includes more home care, snow removal during the winter months and transportation to community centres for exercise and social events. This will improve the quality of life of our seniors and provide the opportunity for social interaction that is so imperative for good health.

Ontarians want their government to invest in seniors, and while we know there's still more work to be done, along with our health care partners, our government continues to make huge strides in investing in long-term care both in and outside of hospitals to improve the lives of people who are important to all of us: our seniors.

**The Speaker (Hon. Steve Peters):** Reports by committees? Introduction of bills?

**Mr. Phil McNeely:** I move second reading of Bill 101, An Act respecting energy rating for specified residential buildings.

**The Speaker (Hon. Steve Peters):** We'll allow you to do that a little later, honourable member, when private members' business begins.

#### STATEMENTS BY THE MINISTRY AND RESPONSES

##### ONTARIO ELDER ABUSE AWARENESS DAY

##### JOURNÉE DE SENSIBILISATION À LA PRÉVENTION DES MAUVAIS TRAITEMENTS À L'ÉGARD DES PERSONNES ÂGÉES.

**Hon. M. Aileen Carroll:** I rise in the House today to recognize that this Sunday, which is October 19, is Ontario Elder Abuse Awareness Day. It is a day for Ontarians to reflect on the responsibility we all bear to ensure that our seniors—parents, grandparents, friends and neighbours—are able to live with respect, dignity and free of fear of abuse. I want to thank my colleague, Willowdale MPP David Zimmer, for championing the very idea of an Ontario Elder Abuse Awareness Day back in 2004. Because of MPP David Zimmer's leadership, Ontario became the first province in Canada to designate an Elder Abuse Awareness Day.

It is estimated that between 65,000 and 160,000 seniors in Ontario have experienced or will experience some form of physical, emotional or financial abuse.

Le gouvernement McGuinty œuvre chaque jour à l'élimination et à la prévention des mauvais traitements envers des personnes âgées pour que nos aînés puissent vivre en sécurité et avec dignité.

Ontario developed the first strategy to combat elder abuse in Canada, and our strategy focuses on three priorities: first of all, coordination of community services; secondly, training for front-line staff; and finally, raising public awareness about elder abuse. I'm very pleased that our partner, the Ontario Network for the Prevention of Elder Abuse, has successfully implemented our strategy in communities across Ontario.

Last year, we announced an additional \$1.65 million so that that strategy could continue to help those in need. We also provided more than \$200,000 this year to support the work of local elder abuse prevention networks in Ontario. Just last month, we announced a grant of more than \$400,000, through the Ontario Trillium Foundation, to help ONPEA set up a new province-wide hotline to assist seniors at risk of abuse.

Cette ligne téléphonique, qui devrait être opérationnelle en mars prochain, sera ouverte 24 heures sur 24, sept jours sur sept, et accessible en 154 langues. Nous croyons que les personnes âgées devraient être capables

d'obtenir de l'aide dans la langue qui leur est la plus familière.

This hotline, which is scheduled to go live next March, will be active 24 hours a day, seven days a week, and will be accessible in 154 languages, because we believe that seniors need to get help in the language with which they are most comfortable. Next week, I'll have the honour of speaking at the fifth annual ONPEA conference, where they will be discussing new ideas for better care of seniors. Ontario's seniors deserve to live their lives with respect and dignity.

Je sais que tous les députés ici présents conviennent avec moi que nous devons, ensemble, mettre tout en œuvre pour éliminer les mauvais traitements à l'égard des personnes âgées en Ontario.

I know that everyone in this House agrees that we must, together, do all we can to eliminate elder abuse in Ontario.

#### GREAT LAKES-ST. LAWRENCE RIVER BASIN WATER RESOURCES COMPACT

**Hon. Donna H. Cansfield:** It is my pleasure to stand in the House today to mark an historic event in the history of environmental protection. On October 3, United States President George W. Bush signed the Great Lakes-St. Lawrence River Basin Water Resources Compact. His signature followed ratification of the compact by the eight Great Lakes states and the US Congress. This step enacts in US law an unprecedented cross-border partnership among Ontario, Quebec and eight neighbouring states to protect the waters of the Great Lakes-St. Lawrence River basin. It is very good news for everyone who lives in the basin and in Ontario.

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The Great Lakes are a binational treasure and are vital to Ontario's economy, environment and culture. As such, this province has taken action to manage and protect the Great Lakes and all of Ontario's waters. In 1999, the Ontario government banned, by regulation, water transfers out of Ontario's three major water basins. This ban was strengthened last year with the passage of the Safeguarding and Sustaining Ontario's Water Act. The act elevated Ontario's ban to legislation and extended it to water transfers from one Great Lakes watershed to another, with strictly regulated exceptions.

But international action was needed to fully protect the Great Lakes. Water simply doesn't stop flowing because of a line on a map, and water diverted from the Great Lakes basin is lost to all the states and provinces that share the basin. The need for increased cross-border protection led the Great Lakes provinces and states to work together to protect this very unique natural resource.

In 2005, Premier McGuinty joined Quebec Premier Jean Charest and the governors of the eight Great Lakes states—Illinois, Indiana, Michigan, Minnesota, New York, Ohio, Pennsylvania and Wisconsin—in signing a good-faith agreement protecting the waters of the Great

Lakes basin, and the states endorsed a companion interstate compact.

Our act, passed last year, incorporated the terms of the agreement, and Quebec has followed suit, tabling a bill this June. With the US ratification of the compact, the terms of the agreement and compact will apply throughout the Great Lakes states. This international partnership is a landmark in co-operation among governments and across borders. It has enabled 10 jurisdictions to achieve a common goal.

The agreement and the compact strengthen existing protection for the Great Lakes. They place a virtual prohibition on diversion of water out of the Great Lakes basin; they establish a common basin-wide standard for managing the resource; they promote common goals and objectives across the basin that will lead to programs in each state and province to conserve water and use it more efficiently; and they commit the jurisdictions to creating a basin-wide science strategy to build on our understanding of the critical issues facing the Great Lakes, such as the impact of climate change and the culminative effects of water use.

What does this mean? It means better protection for 12.5 million Ontarians who depend on the waters of the Great Lakes-St. Lawrence River basin for their drinking water, and better protection for the 50% of Canada's manufacturing output and 25% of Canada's agriculture supported by the basin.

The Great Lakes-St. Lawrence River basin agreement and compact have been many years in the making. As the lead negotiator for Ontario, my ministry has spent countless hours conducting the delicate cross-border negotiations that were required to achieve consensus. I would like to take this opportunity to thank the dedicated ministry staff, who have worked so hard on behalf of the province. They include the current associate deputy minister, Kevin Wilson, but I must also mention associate deputy minister David de Launay, who started the work; Paula Thompson, a senior policy adviser on water resources; Rob Messervey, manager of the ministry's water resources section; Leith Hunter, my ministry's legal counsel; and Bill Carr, manager of international relations policy in Ontario's cabinet office.

Finally, through the final years of discussions, we were advised by an advisory panel of environmental, municipal, agricultural, industrial and academic representatives. The advice and input of the advisory panel, Ontario's First Nations and the public was critical in helping Ontario pursue a very strong agreement built on a ban on water diversions.

It is indeed a great day in this province when a unified effort by a broad coalition of interests and voices has led to landmark protection for a very precious natural resource that is so vital to our way of life. But this success is not an end; it is just the beginning. We now must dedicate ourselves to realizing the promise of the Great Lakes agreement and this compact by collaborating with our neighbours to implement these milestones in environmental protection.

I'm proud to say that the Great Lakes agreement and the compact are part of Ontario's long-term plans to work with other governments and partners to protect, to restore and to sustain the Great Lakes for the benefit of all Ontarians, not only for today but for generations to come.

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

JOURNÉE DE SENSIBILISATION  
À LA PRÉVENTION  
DES MAUVAIS TRAITEMENTS  
À L'ÉGARD DES PERSONNES ÂGÉES  
ONTARIO ELDER ABUSE  
AWARENESS DAY

**M. Peter Shurman:** Je me lève aujourd'hui pour souligner la position importante et spéciale de nos personnes âgées dans notre société. Ce sont les gens qui ont construit l'Ontario et, en fait, tout le Canada.

They have earned our respect. They cared for Canada and it is now Ontario's responsibility to care for them in return. We should all raise the alarm on the abuse of the elderly, and while elderly abuse prevention awareness day is an opportunity to do so, it is not enough. Actions, as always, speak louder than words, and no matter what the minister responsible for seniors says today, the actions of her government drown her out.

This government's conduct exposes their lack of commitment and their lack of recognition of seniors as one of the most important and fastest-growing demographics. The Liberal response to the question of assistance for grandparents who have assumed responsibility for their grandchildren is shameful.

If the McGuinty Liberals were really concerned about our seniors, they would have passed my private member's bill last session and implemented a province-wide property tax deferral system that would enable seniors to remain independent and in their homes longer. They would leave no stone unturned and open an official inquiry to determine the causes of C. difficile, a deadly disease that primarily affects the elderly. They would care enough to acknowledge that their inaction creates the perception of discrimination. This minister, who is supposed to be responsible for Ontario's seniors and the elderly, would not have dodged my question two weeks ago about her actions to protect seniors from C. difficile. She would have held her government to account instead.

As it stands, this government rears its head symbolically when it comes to seniors. On occasions such as Seniors' Month and elder abuse prevention awareness day, it congratulates itself. Stop talking about protecting seniors—especially because this Sunday is elder abuse prevention awareness day—and start doing something to protect them.

GREAT LAKES-ST. LAWRENCE RIVER BASIN  
WATER RESOURCES COMPACT

**Mr. Norm Miller:** It's my pleasure to respond to the Minister of Natural Resources' statement today on the

Great Lakes-St. Lawrence River Basin Water Resources Compact. The Ontario Progressive Conservative Party is committed to preserving and protecting Ontario's freshwater supply.

I think it's safe to say that water is becoming increasingly a more precious resource. We are very fortunate in this province that we have 20% of the world's fresh water in our Great Lakes and, in fact, 95% of North America's fresh water in our Great Lakes. I note in the minister's speech that she commented that in 1999 the Ontario government banned, by regulation, water transfers out of Ontario's three major water basins. That would have been the great environmentalist Mike Harris who passed that regulation.

Further, in 2001, the PC government of the day signed the Great Lakes Charter Annex. That committed, with the eight states around the Great Lakes and Quebec and Ontario, to further dealing with protecting the Great Lakes, including preventing diversions out of the Great Lakes. I think that is very significant, particularly in an area like I represent, Lake Huron-Georgian Bay, where water levels have become over the last years—with the exception of this summer; with all of the rain we had, the levels actually came up. But over the last number of years, decreasing water levels have become a real problem.

We have work we can do in our own backyard. For example, did you know there's still untreated sewage and stormwaters that are going into our freshwater system? In fact, the PC government in their platform last year committed to doing away with and fixing that problem by 2015; that's something this government should be working on.

**1330**

In my own riding we have problems in Sturgeon Bay, along Georgian Bay, with blue-green algae. This government could commit to remediating that and commit some dollars to assist the township of Archipelago and the cottage association to help deal with that problem. Certainly, the coast of Georgian Bay, which happens to fall in the beautiful riding of Parry Sound-Muskoka, is one of the natural wonders of the world. It's a world biosphere reserve and it's very precious, so it's something that this government should be paying attention to.

Certainly we support the Great Lakes-St. Lawrence River Basin Water Resources Compact, and we're pleased to see that George Bush signed it. I believe that all eight states and two provinces have now agreed to it, to help protect the very precious fresh water that we have here in the province of Ontario.

GREAT LAKES-ST. LAWRENCE RIVER BASIN  
WATER RESOURCES COMPACT

**Mr. Peter Tabuns:** Clearly, the Great Lakes are critical to the lives of millions of people who live in the Great Lakes basin and critical to Ontario's economy and Canada's economy.

This compact does do some useful things in blocking further large-scale transfers of water from the Great Lakes basin, but it is not enough to actually protect the Great Lakes in the way that they need to be protected. There are no restrictions in the legislation passed in this province that are adequate to protect against transfers from one lake to another, and we went through that debate when the bill was on the floor of this Legislature. The lack of control on those transfers ultimately threatens the political agreement between Canada and the United States on this matter.

The lakes, as everyone knows, are under assault from invasive species, and they are threatened by climate change. Here in Ontario, we don't have a plan to take on climate change. We don't see a budget allocated, when the finance minister comes forward, to actually do the substantial work that's needed.

There's no question in my mind that the Great Lakes, for us, have need of much more substantial action to make sure that they're preserved for the generations to come.

JOURNÉE DE SENSIBILISATION  
À LA PRÉVENTION  
DES MAUVAIS TRAITEMENTS  
À L'ÉGARD DES PERSONNES ÂGÉES  
ONTARIO ELDER ABUSE  
AWARENESS DAY

**M<sup>me</sup> France Gélinas:** Il me fait plaisir de souligner la Journée de sensibilisation à la prévention des mauvais traitements à l'égard des personnes âgées de l'Ontario.

Ontario Elder Abuse Awareness Day is an important time to renew our determination to end all forms of abuse that seniors in Ontario still face. Too many seniors live in conditions that put them at risk of abuse.

New Democrats believe that we must provide the conditions necessary to ensure that all elderly people can live their lives receiving the care and the support they require. We advocate for reform to the institutions and services that impact the lives of seniors. We are being proactive in protecting seniors from abuse in the first place. This means providing adequate funding to home care and long-term-care facilities, as well as engaging in poverty reduction strategies.

Those who live in long-term care do not have the adequate minimum standard of personal hours of care. New Democrats believe that our seniors in long-term-care homes deserve a minimum standard of 3.5 hours of hands-on care. I have risen and spoken in this House demanding a minimum standard of hands-on care that would ensure that, at least, every senior who lives in a long-term-care facility does not get neglected, because neglect is a form of abuse. We have demanded that home care programs be increased so that the seniors who choose to live in their own homes are not at risk of abuse.

We also want to create a system that is capable of supporting the needs of seniors in a more transparent

system. We have asked for Ombudsman oversight of long-term care and hospital facilities, so that when something happens we can learn from the problem, we can develop best practices, and we can be proactive in protecting seniors from neglect and abuse.

New Democrats are standing in support of all who advocate for the protection and the well-being of Ontario seniors. After a lifetime of building our province and communities, our seniors deserve a standard of living that will, at the minimum, protect them from abuse.

Quand les néo-démocrates demandent plus de soins à domicile, c'est pour protéger nos personnes âgées. Quand on demande un minimum de 3,5 heures de soins par personne, par résident de maison de soins de longue durée, en partie c'est pour protéger contre les mauvais traitements. Quand on demande que l'ombudsman ait le droit de faire l'investigation de plaintes de gens dans les maisons de soins infirmiers ou dans les hôpitaux, encore là on parle souvent de nos personnes âgées.

Les néo-démocrates veulent mettre en place des politiques proactives pour protéger nos personnes âgées, pour être sûrs qu'elles ne sont pas victimes de mauvais traitements. C'est ce que les néo-démocrates ont fait et vont continuer de faire.

PETITIONS

GASOLINE PRICES

**Mr. John O'Toole:** I'm pleased to present a petition to the Legislative Assembly, which reads as follows. This is important because it's all about energy, about freezing gas prices.

"Whereas gasoline prices have increased at alarming rates during the past year; and

"Whereas the high and different gas prices in different areas of Ontario have caused confusion and unfair hardship on hard-working Cambridge families," and in fact in my riding of Durham; and

"Whereas the false promises of Premier McGuinty adversely affect the trust between Ontarians and their elected representatives;

"We, the undersigned, hereby petition the Parliament of Ontario as follows:

"(1) That the McGuinty government immediately freeze gas prices for a temporary period until world oil prices moderate; and

"(2) That the McGuinty government immediately initiate a royal commission to investigate the predatory gas prices charged by oil companies operating in Ontario."

I, along with Dan McTeague from Durham, sign this petition and urge the government to act.

HOSPITAL FUNDING

**Mr. Bob Delaney:** I have a petition to the Ontario Legislative Assembly. It has been provided to me very

kindly by the patients and staff of Dr. Nguyen from Mississauga. It reads as follows:

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

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

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

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

*Interruption.*

**Mr. Bob Delaney:** —“that comprise about four fifths of all surgical procedures performed.”

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

**The Speaker (Hon. Steve Peters):** Thank you. I remind members, especially when they are speaking, that it would be preferable not to have the BlackBerries even in the chamber, but to have the BlackBerries away. You do not realize how much damage you cause to the interpreters’ ears with BlackBerries going off.

#### HOSPITAL SERVICES

**Mr. Ted Chudleigh:** A petition to the Legislative Assembly of Ontario:

“Whereas Milton District Hospital was designed to serve a population of 30,000 and the town of Milton is now home to more than 69,000 people and is still growing rapidly; and

“Whereas the town of Milton is the fastest-growing town in Canada and was forced into that rate of growth by an act of the Ontario Legislature called ‘Places to Grow’; and

“Whereas the town of Milton is projected to have a population of 101,600 people in 2014, which is the earliest date an expansion could be completed; and

“Whereas the current Milton facility is too small to accommodate Milton’s explosive growth and parts of the hospital prohibit the integration of new outpatient clinics and diagnostic technologies;

“Therefore, be it resolved that the Minister of Health and Long-Term Care and the Minister of Energy and Infrastructure take the necessary steps to ensure timely approval and construction of the expansion to Milton District Hospital.”

It’s signed by a large number of my constituents. I’m pleased to affix my signature and to pass it to Lauren, the page, to take to the table.

1340

#### EMERGENCY DISPATCH SERVICES

**Mr. Norm Miller:** I have a petition to do with ambulance communication services.

“To the Legislative Assembly of Ontario:

“Whereas the Ministry of Health and Long-Term Care is considering relocating emergency ambulance and fire dispatch services currently provided by Muskoka Ambulance Communications Service to the city of Barrie; and

“Whereas up to 40% of all calls received are from cellphones from people unfamiliar with the area; and

“Whereas Parry Sound–Muskoka residents have grave concerns about the effect on emergency response times if dispatch services are provided by dispatchers who are not familiar with the area; and

“Whereas 16 Ministry of Health and Long-Term Care-funded jobs, held by qualified communication officers from local communities, may be lost as a result of the relocation of dispatch services to the city of Barrie,

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

“That the government of Ontario put the safety, health and economic concerns of the people of Parry Sound–Muskoka ahead of government efficiency interests and ensure that emergency dispatch services continue to be provided locally by Muskoka Ambulance Communications Service.”

I support this petition.

#### HOSPICES

**Mr. Mike Colle:** I have a petition here from the Hospice Association of Ontario.

“To the Legislative Assembly of Ontario:

“Whereas hospices on church or hospital property do not pay taxes;

“Whereas hospices are not-for-profit organizations providing emotional, spiritual and bereavement support and respite care to terminally ill individuals and their family members;

“Whereas a residential hospice (usually an eight-to-10 bed home-like facility) provides around-the-clock care to terminally ill individuals and support to their families;

“Whereas hospice services are provided free of charge;

“We, the undersigned, petition the Legislative Assembly of Ontario to allow hospices across the province to be exempt from municipal taxes.”

This comes from the good people in the Bancroft area. I support this petition and I’ll affix my name to it.

### SEXUAL REASSIGNMENT SURGERY

**Mr. John O'Toole:** I'm pleased to present a petition on behalf of the constituents in my riding of Durham, which reads as follows:

"To the Legislative Assembly of Ontario:

"Whereas the previous Progressive Conservative government determined sex change operations were not a medical spending priority and instead chose to invest in essential health care services; and

"Whereas Premier McGuinty said in 2004 that funding for sex change operations was not a priority of his government; and

"Whereas the current Liberal government has eliminated and reduced OHIP coverage for" a variety of services, including "chiropractic, optometry and physiotherapy services; and

"Whereas the present shortage of doctors and nurses, troubling wait times for emergency services and other treatments, operational challenges at many hospitals, as well as a crisis in our long-term-care homes signify that the current government has not met their health care commitments;

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

"That the government of Ontario does not fund sex change operations under OHIP and instead concentrates its funding priorities on essential health care services and directs our health care resources to improve" all patient outcomes for Ontarians.

I'm pleased to sign the petition and present it to Marissa on her last day here as a page in the Legislative Assembly.

### HOSPITAL FUNDING

**Mr. Jeff Leal:** I have a petition from residents in Mississauga, Ontario.

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

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

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

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

I agree with this petition, will affix my signature to it and give it to page Paige.

### HOSPITAL SERVICES

**Mr. Ted Chudleigh:** "To the Legislative Assembly of Ontario:

"Whereas the current Oakville Trafalgar Memorial Hospital is fully utilized; and

"Whereas Oakville Trafalgar Memorial Hospital was sized to serve a town of Oakville population of 130,000, and the current population is now" well over "170,000; and

"Whereas the population of Oakville continues to grow as mandated by 'Places to Grow,' an act of the Ontario Legislature, and is projected to be 187,500 in" the year "2012, the completion date for a new facility in the original time frame; and

"Whereas residents of the town of Oakville are entitled to the same quality of health care as all Ontarians; and

"Whereas hospital facilities in the surrounding area do not have capacity to absorb Oakville's overflow needs;

"Therefore, be it resolved that the Minister of Health and Long-Term Care and the Minister of Energy and Infrastructure take the necessary steps to ensure the new Oakville Trafalgar Memorial Hospital be completed under its original timelines without further delay."

I'm pleased to support this petition and pass it to page Karlie on her last day in the Legislature.

### HOSPICES

**Mr. Mike Colle:** I have more petitions here from the Matthews House Hospice in Tottenham, Ontario.

"To the Legislative Assembly of Ontario:

"Whereas hospices on church or hospital property do not pay taxes;

"Whereas hospices are not-for-profit organizations providing emotional, spiritual and bereavement support and respite care to terminally ill individuals and their family members;

"Whereas a residential hospice (usually an eight-to-10-bed home-like facility) provides around-the-clock care to terminally ill individuals and support to their families;

"Whereas hospices are provided free of charge;

"We, the undersigned, petition the Legislative Assembly of Ontario to allow hospices across the province to be exempt from municipal taxes."

I support this petition and I affix my name to it.

### GASOLINE PRICES

**Mr. John O'Toole:** I'm pleased to present another petition in the extended amount of time allowed for petitions under the new standing orders. It reads as follows:

"To the Legislative Assembly of Ontario:

“Whereas the skyrocketing price of gasoline is causing hardship to families across Ontario; and

“Whereas the McGuinty Liberal government charges a gasoline tax of 14.7 cents per litre to drivers in all parts of Ontario; and

“Whereas gasoline tax revenues now go exclusively to big cities with transit systems, while roads and bridges crumble in other communities across Ontario”—communities like mine—“and

“Whereas whatever one-time money that has flowed to municipalities from the McGuinty Liberal government has been neither stable nor predictable, and has been insufficient to meet our infrastructure needs” in the future;

“We, the undersigned, petition the Legislative Assembly of Ontario to redistribute provincial gasoline tax ...” equitably and “fairly to all communities across the province.”

I’m pleased to sign and support this and present it to Imaan on his last day as a page here in Ontario.

#### FIREARMS CONTROL

**Mr. Mike Colle:** I have a petition here from the good people in the riding of Eglinton–Lawrence.

“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 support this petition and affix my name to it.

#### BEER RETAILING AND DISTRIBUTION

**Mr. Ted Chudleigh:** I have a petition to the Legislative Assembly of Ontario.

“Whereas the current system, practice and arrangement of retailing and distributing beer in the province of Ontario—and, more specifically, the ‘near monopoly’ of The Beer Store—severely restricts the accessibility, convenience and choice for retail consumers of beer in Ontario; and

“Whereas The Beer Store ‘near monopoly’ is controlled by ‘for-profit, foreign-owned companies’ and these companies are not accountable to the people of

Ontario, and these companies do not act in the best interests of the people of Ontario;

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

“That legislation be introduced that will permit the retailing and distribution of beer through alternative and additional grocery and supermarket retail channels that will fairly compete with The Beer Store, thereby allowing an accessible, convenient, safe, well-regulated and environmentally responsible retailing environment for beer to become established in the province of Ontario.”

I support this petition. I’m glad to sign it, and I pass it to Michael H. on his last day in the Legislature.

**1350**

**The Speaker (Hon. Steve Peters):** I just remind all members that their petitions are approved by the table. When you present your petitions—and I’m not signalling at any individuals—just in general, you must read the petition and not be opining or ad-libbing and adding things that weren’t approved by the table.

#### NOTICE OF DISSATISFACTION

**The Speaker (Hon. Steve Peters):** Pursuant to standing order 38(a), the member for Haliburton–Kawartha Lakes–Brock has given notice of her dissatisfaction with the answer to her question given by the Minister of Health Promotion concerning tobacco investment. This matter will be debated at 6 p.m. on Tuesday, October 21.

#### PRIVATE MEMBERS’ PUBLIC BUSINESS

##### HOME ENERGY RATING ACT, 2008

##### LOI DE 2008 SUR L’ÉVALUATION DE L’ÉNERGIE DOMESTIQUE

Mr. McNeely moved second reading of the following bill:

Bill 101, An Act respecting energy rating for specified residential buildings / Projet de loi 101, Loi traitant de l’évaluation de l’énergie pour des bâtiments d’habitation précisés.

**The Speaker (Hon. Steve Peters):** Pursuant to standing order 97, the member has 12 minutes for his presentation.

**Mr. Phil McNeely:** Bill 101 mandates energy ratings of homes. In 2001, as a city councillor in the city of Ottawa, I worked on improving energy ratings of homes and the program got pulled. We were looking to try to improve energy ratings by offering incentives. I was working with Chuck Wilson, who is now in Washington running the energy program for cities in the USA. So Chuck Wilson left the city of Ottawa at the time and we didn’t go any further on this, but it’s been something I have been trying to do ever since.

Since 2001 we've built about 500,000 new homes in Ontario, but we do not know the energy efficiency of most of those homes. What Chuck Wilson was trying to do with his program in Ottawa was to reduce energy consumption and cut greenhouse gases. We were looking at cutting maybe two tonnes of greenhouse gases per year, per home, and that would have been one million tonnes on an annual basis that we would have reduced if his program had gone through then.

But we are not talking about greenhouse gases today. Everybody agrees that we have the right to pollute our environment. We can build the biggest, most polluting homes that we can come up with and, "Hey, we've got the money, and this generation is all that counts. Grandchildren do not count. This is our time." So today we will talk about saving dollars. We're all into saving dollars, so we'll talk about that.

In order to save dollars in our northern climate here, we just have to build better buildings. I think we have to agree that most of us live in homes, so why not provide the home the most economical way we can and build better? That includes the principal, that includes the interest and that also includes the energy use, and energy use is often left out of the equation. Investment in better buildings can save up to 50% of the energy costs, and the 5% to 7% extra dollars to build in those energy efficiencies get paid back in the first seven, eight or nine years of owning your home. That rapid payback means that you've got all your money back and then you've got 30 or 40 years with your home, getting those energy savings. So it's a great thing to do. We can do it for the dollars. According to the second annual TD Canada Trust green home poll, 59% of Ontarians are prepared to pay 5% to 10% more for a green home.

The Energy Star program in Ontario is managed by Natural Resources Canada, and includes the EnerGuide scale for measuring energy efficiency. The EnerGuide scale was developed by NRCan in Ontario and it's a very simple approach. It itemizes all the things you can do with improving your home.

Of the 60,000 homes built that would come under this legislation on an annual basis in Ontario, 5,000 already undergo that EnerGuide rating methodology. So builders of 5,000 homes a year are already doing this, and what I would like to do by this bill is get the other 55,000 homes within this program, so that we know the energy rating of those homes.

So builders and owners are already there. We have 5,000, and what we want is the 60,000 built each year to have the energy rating done.

The legislation really levels the playing field. It rewards good builders, and puts pressure on poor builders to perform better, and what's wrong with that? I think that builders out there who are doing a good job, and many of them are, should be rewarded. And for those who aren't quite up to par, this will be an incentive to do a lot better.

The big winner, of course, will be the consumer, because the consumer will know, when he's buying a

home, what the energy use of that home is going to be. The age of the home or the size of the home doesn't matter; this EnerGuide rating system, which was developed and has been used for many years in Canada and in Ontario, and is used for grants for residential property owners—there are grants if you take your property from one level of energy efficiency and raise it to another; there are programs that the federal government has and that Ontario also matches that really help. In addition, Ontario pays \$150 toward the cost of the energy audit. It's that important, because it tells you in a scientific manner. The energy advisers are trained and certified by NRCan, and know what they're doing; they see many of these homes. That's the direction we should be going here.

The big winner is the consumer. But if this consumer protection bill also helps polar bears, so what? If we can maybe keep our Arctic ice a little bit longer, those are all positive things.

Andrew Weaver, member of the Intergovernmental Panel on Climate Change—the IPCC—and a Canadian scientist, has just written a book, *Keeping Our Cool*. I didn't read the book, but I read the article on it, and in there he says that climate scientists who grapple with climate change every day see where it's headed, and the public needs to know. These are his words: "I think the public needs to know, straight in the face, that you can give up on civilization as we know it," and he adds, "Do we actually give a damn 'for future generations?'"

I'm looking forward to reading that book, but I think those words are very pertinent to where we are and what we're doing, and we certainly aren't doing enough. We're not talking about future generations, and we're not talking about our grandchildren. We're talking about saving money. It makes sense to have these energy audits done.

I have in the gallery today, visiting and helping me with this project, Dana Silk, who is the CEO of the EnviroCentre in Ottawa. Dana has been doing work on this for eight years. Thank you, Dana, for coming today. Also, Vladan Veljovik of GreenSaver: GreenSaver has been doing work for the OPA, and makes the EnerGuide report you get when you have this energy audit done. They're making it even more realistic, and this is significant work that Vladan is doing. Christina Bisanz, executive director of the Consumers Council of Canada, is here supporting this bill.

This just gives the consumer more information, when they're making the biggest decision of their lives, to make that decision considering all elements, not only the cost of the house, the look of the house and where it is, but also the energy costs going down the road, and that's so important.

Chris Chopik is a car-free realtor in Toronto. He's an instructor at the Toronto Real Estate Board and a dedicated environmentalist. I will quote some of his comments on the bill, because I think they're very pertinent: "Mandatory time-of-sale energy labelling is coming to Ontario. The provinces of BC and Nova Scotia, the

United Kingdom and Germany have implemented time-of-sale energy labelling to protect consumers from unexpected expenses, while ensuring a rapid adoption of energy conservation within the housing market. The BC program is set to begin in 2010, while the UK and Germany have already implemented programming. Even the collapsed housing market in the United States is seeing emergence of energy staging as a successful tool for generating interest and differentiation for energy-efficient homes.”

**1400**

He goes on to say that you don't really need more costs at the time of home purchase, but that this bill, the Home Energy Rating Act, 2008, is aimed to protect the quality of life of Ontarians in the face of rising energy prices. The Appraisal Institute of Canada in its *Renova* report says that energy-efficient upgrades are high among the list of top paybacks, along with kitchen and bathroom renovations. The challenge for real estate professionals and homeowners is understanding the objective difference in energy performance between houses. The Home Energy Rating Act, 2008, will ensure that homebuyers are absolutely clear about the energy performance characteristics of a house that they are buying. It allows consumers to understand the value of insulating in the walls, efficiency of appliances, heating and cooling and the lighting system.

“You have heard me say ‘future-friendly houses are worth more.’ For years I have been writing ... ”—and these are all Chris's words here. “When I teach realtors about the convergence of issues, I emphasize the importance of understanding and differentiating building efficiency. It is the role of realtors to demand higher prices for houses which are materially better than the market average.

“In a scientific report examining the implications of climate change on real estate, Hot Properties, the David Suzuki Foundation asserts that realtors, appraisers, insurers and lenders need to be able to accurately identify ‘green’ and ‘energy-efficient’ real estate, and to identify potential liabilities. The Home Energy Rating Act is a piece of public policy that will simplify and enable the marketplace to understand energy performance of houses. At the end of the day, Ontarians will benefit from improved quality of life in the face of inflationary energy pressures and economic crises.”

I also had a discussion with Peter Love. He is the Chief Energy Conservation Officer of Ontario. In his annual report of 2007, *Taking Action*, on page 47 he says, “Several building energy labelling pilot projects are being developed across the country to test assumptions and administrative processes for implementing building labels. In conjunction with these pilots, work is under way with stakeholders to determine the kinds of information that could reside in a database of labelled buildings in Canada. Subsection 2(1) of the Energy Conservation Leadership Act permits the government, by regulation, to require anyone selling, leasing or otherwise transferring an interest in real or personal property to

provide energy-related information. The regulation could be written to mandate an energy consumption label.”

It's something that he supports very much and he has written it in as one of his recommendations on the back of the front cover, that the Ministry of Energy and the Ministry of Municipal Affairs should proceed with this. So it's something that they've already talked to.

I'll finish up by reading from something that I just received today, but I heard that it was part of the program. It was from John Tory's platform, the official Conservative platform: “A John Tory government will build a real conservation culture in Ontario that includes ... requiring home energy audits before every sale of a house—so that the market will reward homes which are energy efficient. This will be a signal to homeowners that they will get a return on energy investments in their homes.”

I hope that this is an all-party-supported bill. I think it's important. I think it will save us all money. It'll save energy and it'll protect our future.

**The Acting Speaker (Mr. Jim Wilson):** Further debate?

**Mr. John O'Toole:** First of all, I want to commend the member for doing the right thing. Mr. McNeely from Ottawa-Orléans I believe is an engineer and a very qualified person to comment on some of these technical things.

In the general sentiment of co-operation and understanding, doing the right thing for the people of Ontario, and as the former critic for energy and stuff like that, I have some appreciation for this subject area.

I want to start by saying that John Tory, our leader, and Mr. Runciman, our House leader here—we've discussed this in caucus. I am going to make four or five points in the brief time—I only have about 10 minutes and it usually takes me that much time to introduce myself. There are four points that I would like to make in the brief time that I have been allocated, unless of course I can have unanimous consent to have an hour to get into the details. And you would appreciate, as the former Minister of Energy—the current Acting Speaker, Mr. Wilson, is the former minister, so I should be careful. There are those, including Minister Gerry Phillips, who know this topic well.

I support the whole idea of conservation culture, the whole idea that the best plan for energy and energy efficiency is conservation. The kilowatt that you don't consume is the kilowatt you don't have to generate. So he's on the right track.

The consumers of Ontario will get the shock of their life. Read the Ontario Energy Board report yesterday. It is frightening, and I'm going to get into it in more detail, but first of all, acknowledging that we've decided as a caucus to support Mr. McNeely's bill.

The point I want to make is this: First of all, this was one of the planks in our platform in the election in 2007. Okay? It was in our platform. Therefore, it must be a good decision. It's efficient use of our resources, in the general sense.

Furthermore, I don't want to cast any aspersions on the bill. The intent by Mr. McNeely is good. Somebody probably gave him this idea; he's running with it. This is good. I want to state that Mr. Love, the conservation commissioner for Ontario, is doing a worthy job. The beginning of all this discussion is about conservation and incenting conservation initiatives, whether it's the EnerStar rebate, which they cancelled—we initiated it when we were government.

**Mr. Jeff Leal:** And then we brought it back.

**Mr. John O'Toole:** Then they brought it back, because they're copying a lot of stuff we're doing. In fact, it's our policy. That's the point I'm making. The best form of compliment is flattery, imitation, copying. I have no problem with the plagiarism here.

I want to raise a very brief point, one that's worth reflecting on. It's this: The Liberals had a bill, the energy conservation bill. I forget the number of the bill, but within the regulatory section of that bill, the minister can already do this. I don't know why we are spending this time when we could be working on issues of the economy. In respect to Mr. McNeely, you've worked hard on this. We'll be supporting it; you can count on us to be there for you.

The point is this. I'm saying it already can be done. I think Mr. Phillips was the minister at the time. This can already be done by ministerial order. Not only that; if you look at the new building code—I think it's referred to as the E80 standard—it's already required that certain energy efficiency thresholds be met in installation and other home construction and residential living.

The point I'm making is this: The bill, we support. Let's get on with something more salient to the current economy and the downturn and the meltdown in the economy, the job losses. But there's more to it. The downside of it, in its implementation plan here, as I see in the bill, and I've read it—it's quite brief; in fact, I read it over lunch, but I've read it before that too—is that it's a red tape bill.

The problems I see are the two fundamental problems mentioned by all of the business sector partners we speak with, and we have been talking to the federation of independent business and to chambers of commerce and others in our recent roundtable on the economy led by John Tory. They said there was too much red tape from the current government. They're the two most important issues as impediments to the economy: red tape and taxation.

The taxation in this is, this actually—nothing is free. These home audits are not free, and the real estate agent isn't paying for it, so who's going to pay for it? The person buying the home. The real estate market is in a shambles in North America. I just came from Europe last week; it's in a shambles over there. So this is another nail in the coffin, if you will.

You can already do it. Premier McGuinty can do it already if he wants. We all agree with it, so get on with it, or send this bill to public hearings, waste more time and taxpayers' money.

There was a report issued recently by the Canadian home builders—I refer it for the record for Hansard. It's from September 17, 2008. It's online. It outlines a number of the greenhouse emission issues and standards that are important.

I just want to move to a little higher level of debate that I believe the Speaker will rule is in order. We are receiving quite frightening information. In fact, at my cottage—I've just got this letter here, and it said, "Dear customer...." I read it and it didn't look too bad until I got to this part about seasonal rates. There's an 8.3% increase in the delivery charge. This is for residential and seasonal residential properties. The Ontario Energy Board has ruled that the delivery charge is going to go up 8%. We read yesterday that it's going to be 12% in the rate—that's the actual electrons that you're using. Wait a minute here, we're talking 20%—no, it's actually 14%. It's frightening.

#### 1410

If you look at this in detail, Ontario Power Generation—I'm looking at a Toronto Star article from the 16th. We refer to the Toronto Star as the Liberal briefing notes, and it's fine. It's a good article, actually. I usually read that, too. It says here, "Ontario Power Generation's request to get paid 14.8% more for the electricity it generates from its regulated nuclear and hydroelectric power plants, which represents about 42% of the base—14%. This article goes on to say that they're actually going to get it.

Yesterday, they rolled out 12%. The 12% really penalizes conservation.

Here's the deal: The utilities—these are the ones that take the electrons to your house; not the transmission system, which is kind of a fixed system—whether it's Toronto or Veridian, all these companies actually are losing money, because they get paid for the electricity they sell, and with conservation, they're using less. If they use less, they sell less, so their revenue is down and their expenses are up.

When I read this thing, I thought, gosh, this is an impressive memo from—this fellow's name is Myles D'Arcey, senior vice-president of customer operations. I read it. God, what choice do I have? It's a monopoly. Am I going to say no? I'll be in jail. I looked at it and I said, "Gosh, how come these prices are so outrageous for electricity?" Well, I went to the Public Sector Salary Disclosure Act and the 2007 report. The fellow who signed this memo, Myles D'Arcey—I looked him up—makes \$489,121. Holy smokes. He makes three times more than the Premier, more than the Prime Minister, more than is necessary. I haven't seen him score a goal recently. I could operate a business if you gave me a 14% increase. I could do fairly well at that, I think, and I'm probably not as qualified as he is.

I read the paper and it says "Hydro Wallop Adds to Economic Pain." Mr. Runciman asked a question today, and he was dismissed by the Premier, shuffled off like it was an insignificant increase, just flipped away—10%. For people on a fixed income, this is just one more brick,

one more ticking time bomb. They've lost money in their pension. Who's going to bail them out? Probably the government and the Pension Benefits Act. Their house appraisal has come in, their tax bill is coming up, and the municipality will say, "It's Dalton McGuinty's fault."

This whole thing is really to deal with the burden on the people of Ontario that we're elected to represent. It isn't even political, really. In fact, I think we could both make the same arguments, if we were being honest about it.

So, Mr. McNeely, I think you're on the right track. It must be, because we already said in our plan—and it's already in the bill, so let's get on with it—the real issue here is the energy itself. It costs too much. Energy, in economic terminology, is price-inelastic. In other words, consumption doesn't vary much with price. In normal economics, the higher the price, the lower the demand. With this one here, I still have to cook the food, heat the house, whatever, do all these things—hot water baths. I guess you could have a shower in cold water. But my point is this: For this non-discretionary product for consumers, I think that it should be a flat rate, frozen over a longer term, for anyone using under 600 kilowatts. That's kind of a minimum. Then, after that, I can see an escalating cost.

These new smart meters aren't smart at all. They're time of use. With a smart meter I could phone home and turn on the dishwasher at night, or I could phone the cottage and turn off the hot tub. This one here is time of use. It's going to say that now that we've got three different rates, time of day, you're going to pay. In fact, this article goes on to say—here's a really good one—off-peak jumps 100%. Off-peak power used to be 2.7 cents per kilowatt hour; it's going to four. That's a 100% increase, roughly. These are the kinds of subtle, incremental jabbings of taxes, because electricity is a tax, by any other name.

We support the bill, and good luck, Mr. McNeely, if you get it past Dalton McGuinty in cabinet. That's the main thing.

**The Acting Speaker (Mr. Jim Wilson):** Further debate?

**Mr. Peter Tabuns:** I should start off by saying that I'll be speaking in favour of the bill. I think the member from Ottawa–Orléans has done a public service by bringing this forward. I think the idea of having energy consumption audits makes sense in terms of consumers and in terms of their knowing what it's actually going to cost them in monthly payments to keep a house or an apartment going. Frankly, it's good for the environment because, hopefully, people will shop around a bit for a place that offers a better deal.

Having said that, and with no disrespect to the bill, it gives me an opportunity to talk about the larger context within which we are operating, the larger context of energy consumption and electricity planning that to some extent the member's bill addresses. I just wish that his approach were one that's being taken far more aggressively by the province as a whole.

We have a unique opportunity here in Ontario, a unique opportunity that could make us leaders in North America and globally if we were to take on energy efficiency in a very large scale-way. We could be a leader in developing a new energy economy in this country and on this continent, building new industries, creating new employment and protecting employment that we have.

Unfortunately, it's increasingly evident that the McGuinty government is not interested in taking advantage of this opportunity, and so it's no wonder that the member from Ottawa–Orléans has to step forward and put a bill before this House so that we can debate the kinds of issues, the kinds of steps that should be taken in this province. I believe, and the NDP believes, that the principal barrier to capitalizing on development of a new energy economy in this province is the government's lack of commitment to conservation and demand management, in fact, a lack of commitment to anything that is not business as usual with nuclear generation and investment in gas-fired generating plants. If the government doesn't correct its direction, if it does not move toward conservation and demand management, if it doesn't take this private member's bill and use it to build in other areas, then we here in Ontario will see substantially higher energy costs, increased supply risks and harmful environmental impacts, none of which anyone in this Legislature would stand up and say they wanted.

The Ontario Power Authority, acting at the behest of the Liberal government, acknowledges that it's pursuing only 65% of the conservation and demand management resources that are cost-effective and achievable. In other words, it's limiting itself. It could be doing a lot more with conservation and demand management. I assume that the Ontario Power Authority acts under the direction of the government and is not a rogue or a maverick agency out there making up policy as it feels like. Although I've heard bureaucrats argue otherwise, in the end I consider these bodies politically accountable. It's as if the OPA is awakening from a deep sleep, a 10-year sleep, and saying, "Okay, the world is the way it was in 1998. Nothing has really been learned about energy efficiency. Nothing has been learned about efficiency investment strategies. Let's continue as if we were back in the 1990s." That means this government and its bodies will probably replicate a number of the mistakes that have been made in the past about conservation and demand management. That is a huge problem for this province. It's a problem environmentally, it's a problem economically and, frankly, it's also a problem in terms of building relations with energy stakeholders, not just those who are interested in the energy industry as a business that they want to be part of, but energy stakeholders who are concerned about the impact of the energy industry on the environment, the population and on industry.

**1420**

In the NDP we think that a sustained, long-term reduction in energy demand based on best practices in other jurisdictions, including a much more aggressive

approach to conservation and demand management, is necessary here in Ontario. As it stands, the government's integrated power supply plan, our hydro strategy for the next few decades, underestimates Ontario's potential for conservation and demand management, and it does that in a number of ways.

First of all, it is not accounting for currently identified and emerging energy efficiency technologies, ones that will be identified when people buy houses, apartments and condos that are rated under this private member's bill. There are improvements in lighting and cooling, in grid control systems, all kinds of changes that are coming forward on a daily basis because, largely, other jurisdictions are figuring it out. We here in Ontario don't have a lot of natural gas or oil. We import. Countries like Germany that are also big importers have figured it out and have hundreds of thousands of people working in the renewable energy and conservation industries.

I'm going to leave time for my colleague to speak to this, but I want to say that unless this province changes course and takes the development of a new energy economy as a central pillar in its economic strategy, it's going to face some very, very rough waters in the years to come.

**The Acting Speaker (Mr. Jim Wilson):** Further debate?

**Mr. Jeff Leal:** It's a pleasure for me to have the opportunity to speak and get a few words on the record in support of my colleague, the member from Ottawa-Orléans, related to Bill 101.

We've been very fortunate in the riding of Peterborough. I want to talk a little bit about the Peterborough Green-Up, which is under the direction of Sue McGregor-Hunter. Peterborough Green-Up has been a grassroots organization over the last decade or so. It does get support from the government of Ontario and the government of Canada. One of the things that they've been doing—I had my own house subject to one of their audits. They go out through the community, do energy audits for individual homes, and indeed, for businesses, and through that audit approach provide the opportunity for the individual homeowner or the business to take some corrective action in terms of improving energy efficiency not only for electricity but also for water consumption.

The member from Ottawa-Orléans is a man who has great experience in this area, a professional engineer, an individual who owned his own engineering firm in the Ottawa area, and I know during his time that he was a city councillor in Ottawa. This was a topic that he championed during those days as an Ottawa city councillor and since 2003 when he has had the privilege of serving the people from Ottawa in this chamber. I know, when you look at his record in Ottawa, he was a champion at the municipal level to bring forward some of these initiatives to really take the opportunity to reduce our energy consumption. We should all in this House on all sides certainly applaud him for these activities, because he knows exactly where this province needs to go.

I remind members, through our OPA report, of our demand for the next 20, 25 years. I know the Minister of Natural Resources is in the House today. As the former energy minister and, indeed, in a role as parliamentary assistant to the Minister of Energy, she headed the conservation task force action team, she piloted a bill through this House and has certainly been a strong advocate on this particular topic and I look forward—I know she's speaking a little later during this debate, so she will get her thoughts on the record.

But the member from Ottawa-Orléans today has certainly made the compelling case why that needs to be done, and it's exactly true: Every kilowatt we save is a kilowatt that we don't have to produce, bearing in mind on each and every day, the province of Ontario needs 14,700 megawatts of base-load capacity. We're in the process of phasing out coal-fired generation in the province of Ontario. One of the ways that we can enhance that phase-out is through a very aggressive conservation program, which I think we've clearly identified through Peter Love and the work in his conservation role in the province of Ontario and indeed a number of policies that we've put forward.

We should all get on the train and support this bill from our fine colleague the member from Ottawa-Orléans.

**The Acting Speaker (Mr. Jim Wilson):** Further debate?

**Mr. Kevin Daniel Flynn:** It's a pleasure to join the debate in support of the private member's bill that's come forward today from the member from Ottawa-Orléans. I've been amazed, in the past three or four years, at the response we've had from the public when we've asked them to respond to some of the energy needs and some of the changes that we're seeing taking place in the provision of energy in the province of Ontario. I think you can look around the globe and see examples of the same thing, but certainly there's a renewed interest from the people of Ontario and a very strong interest that they be allowed to partake of this in some way, that everybody seems to want to be able to do their share. When you look at companies like Bullfrog Power, the success they've had, when you look at Project Porchlight with the compact fluorescent lights and the impact they had on reducing our energy load right here in the province of Ontario, you really understand that people are really looking for ways to play their part.

Some of the things we've got used to in our own homes are the provision of energy ratings on appliances. When somebody buys a refrigerator or a stove or air conditioning, they always look at that label now. In the past, I'm not sure they paid an awful lot of attention to it. I think they pay a lot more attention today because they understand that there's a link between climate change and the individual actions that they take in their home. You're seeing people buy a larger number of hybrid cars, for example. People are prepared to do their share; they're prepared to do their part, but for some reason, to date—and I don't think this is anybody's fault, but

certainly it's the intent of the bill to rectify this situation—the largest purchase that most people will ever make in their life currently doesn't come with an energy rating. The bill, as it's proposed today, the private member's bill that's coming forward, Bill 101, would change that.

I think it's something that's worthy of the support of all members of the House, and other parties have said that they are prepared to support this. I think that's a very progressive move on everybody's part, because when you look at the carrying costs that are around the purchase of a home, it's one thing to buy the home in the first place; the other thing is to make that home affordable. If you're a young homeowner today and you're looking at some of the costs that are attached to new housing, it's one thing to figure out how you're going to get into the housing market; it's quite another thing to try to figure out how you're going to stay in the housing market, how you're going to be able to pay for the hydro bill, for the energy bill, for some of the other bills that accompany the purchase of a home.

What this does is it makes the purchase of a home a very transparent process. It's something that if you're a new homeowner, a new family and you're preparing to set a budget, you have all the information before you. You've got full disclosure about the carrying costs that are attached to that home. I can't help but think that that's a good thing.

When you look at our climate here in the province of Ontario, where we used to have a winter peak in the use of electricity—we now have two peaks. We've got a summer peak and a winter peak, and the summer peak actually exceeds the winter peak. Homeowners now are starting to look at things like geothermal. There's a renewed interest in solar and wind. People are starting to take up on that. Bullfrog Power, as I said before, allows people to make personal use of renewable energies that are being provided by people in the province of Ontario as we speak today.

So this, in my mind, is a very progressive bill that goes hand in hand with some of the other initiatives that have already been taken by our government to ensure that we have a safe, secure and affordable supply of electricity into the future.

People in Ontario know that a part of that plan is to ensure that we keep our stock in shape when we talk about such things as our generating capacity and that we conserve at the same time. We know that the demand is going to grow in the province of Ontario, but if we're able to grow at the same time that our individual demand is diminishing, then we can keep that energy supply at a level that's affordable to the people of Ontario. This allows people to make a very personal choice about how their energy costs are going to occur into the future. I think it's a useful tool and the member should be congratulated.

1430

**The Acting Speaker (Mr. Jim Wilson):** Further debate?

**Ms. Andrea Horwath:** My colleague mentioned in his remarks the general support for the direction of the bill, but we also have some thoughts around how we can move forward in a quicker fashion in the province of Ontario. He did also already mention some of the suggestions that we have around conservation and demand management and why the Ontario government's plan currently is one that underestimates the conservation and demand management potential in the province of Ontario.

I think the first thing he mentioned, which I agree with, of course, is that the plan, as it sits, fails to account adequately for emerging and unidentified efficiency technologies. These technologies will provide increased efficiencies, and they continue to emerge; as every day goes by, we see improvements in things like lighting and cooling and grid control systems, and I know he has already touched on that.

There are another couple of issues that we needed to raise.

One was that energy costs have risen much faster in the province than many of the forecasts had predicted. As energy prices increase, of course, whether it's due to so-called market forces or due to new greenhouse gas regulatory costs, more conservation and demand management measures and more applications therefore become more cost-effective. It's a simple equation.

Higher energy prices also stimulate a new level of interest on the part of energy consumers making efficiency investments, and so you get that demand from the consumer based on that equation.

Thirdly, as demand for efficient technologies has grown, production costs simultaneously have begun to decrease. That lowers both the consumer and the programming costs. Compact fluorescent light bulbs, which were mentioned by the member from Oakville, are now much closer to the cost of incandescent lighting than they were a decade or so ago. In fact, energy-efficient refrigerators cost less today than their predecessors of the past, which were much more inefficient, as we all know. The cost of solar panels is another example. They have also dropped considerably in price.

The new delivery strategies can also accelerate conservation and demand management adoption to levels not previously experienced. CDM initiatives are using new marketing approaches that gain levels of adoption that were previously regarded as impossible. So you get, again, that increased demand which creates opportunity, definitely. So those are four of the points that we wanted to make around that issue.

I guess the final one would be that the integrated delivery of conservation and demand management creates many new opportunities. Deeper savings and better market penetration can often be accomplished by integrating conservation and demand management services rather than fragmenting them through a multitude of programs that are not connected to each other and that are not integrated. There is lost opportunity when programs are fragmented.

I did want to spend a little bit of time on another issue, which is the potential for combined heat and power. The government's proposed energy mix plan right now has failed to identify the true market for combined heat and power—CHP—has ignored the waste-energy recycling potential, and has offered no programs that would test either of these markets. I come from a city where there are huge amounts of industrial heat that is basically blowing up into the air, and that heat can be used to produce energy. It's a significant lost opportunity.

With respect to CHP, the government's energy mix plan fails to identify the potential to avoid transmission and distribution expenses and line losses by local generation of both heat and power and fails to address the substantial potential—about 3,000 megawatts—to recycle presently wasted industrial energy streams into useful heat and power that use no fossil fuel, emit no pollution and have the local generation advantages that I have already noted. It bases its recommendations on the wrong measures—those are the costs of power at the generation plant—instead of the right measure, which is the delivered costs of power. It refuses to test the market for clean energy by limiting long-term contracts to plants with generation capacity of less than 10 megawatts and not yet offering contracts to any local generation, even though that has been the stated goal for at least a year and a half now.

These biases and flaws undermine the OPA's and the government's conclusions and will result, in effect, in a reliance on dirty and costly coal generation in the province of Ontario. It will add inefficient peak savings, greatly deepen Ontario's bet on nuclear and raise the cost of local manufacturing, which drives jobs and profits out of the province.

By contrast, a strategy that's designed to capture clean, local energy will unleash a flood of creativity that will spawn new centres of excellence and create multiple benefits. I really do believe that the government is missing the boat, particularly when it comes to the capturing of waste heat. We see it every day in my community and in other industrial communities across this province. We need to get on that issue and take advantage of the energy potential that is blowing out of those stacks into the air and is not being captured at all and not being utilized. There are a lot of jobs in manufacturing the systems that will turn that heat into energy, and the government needs to get on the right page and make that happen. It would make a huge difference in terms of the mix.

**The Acting Speaker (Mr. Jim Wilson):** The Honourable Minister of Natural Resources.

**Hon. Donna H. Cansfield:** It's a pleasure to stand and to actually speak to the bill which we have in front of us, and to congratulate the member from Ottawa-Orléans to the effect that this bill, in fact, will make a significant difference. I would like to first of all congratulate those companies who currently do, in fact, exceed Energy Star ratings now. There are some 100 construction companies that are working hard in this respect, but as the member

from Oakville identified, it's not a mandatory requirement, so you're working on the goodwill of those companies.

Looking to states like Indiana, they use it as a marketing tool. In Alaska, 83% of their new homes are energy rated. In Vermont, they've actually included with their energy rating an efficiency around electricity rating as well. They get it combined where, in fact, they get a reduction on their electricity. This is an opportunity where we can work with the community to give them choice, to give them the knowledge that when they make the most important purchase in their lives—and their homes usually are, and it's for a long-term investment—they will know they have that choice.

Currently we give ratings to our hotels. We even give ratings to the meat we eat. Wouldn't it make sense to allow people to have choice and to make sure that when they buy the most important part of the legacy that they will maybe leave to their children—their home—that they know, in fact, what they are buying, and that it can and will and should exceed existing rated energy status? That's part of marketing and that's part of what we can do to ensure that they get the very best deal they can when they purchase their home.

**The Acting Speaker (Mr. Jim Wilson):** Further debate?

**Mr. Tony Ruprecht:** Because of the time, just a couple of points.

First, congratulations to Mr. McNeely on introducing the Home Energy Rating Act, 2008. Secondly, Mr. Speaker, I want you to know that there are certain other jurisdictions which already have the basic issues of this bill organized. England already has it on its books, Germany is already being very progressive on this, and, as we just heard from our minister, there are certain states in the United States which follow the advice of the Home Energy Rating Act, 2008, already.

I was just very shocked when I saw a satellite photo of my riding of Davenport and, in fact, part of Parkdale-High Park. What this satellite photo showed was the energy loss, the heating loss, of homes. You could literally see plumes of energy being lost from the side of the houses, and sometimes where the roofs have not been insulated. You could see the red hot from the roofs being raised to high heaven. So these satellite photos were very important to see just how the energy rating could be applied and how we could do a much better job in terms of providing insulation to homes. I certainly would appreciate it if all members would support this bill because of its importance.

Finally, let me simply say this: that today, when Mr. McNeely organized a special meeting on this bill, it was said that the Canadian Energy Efficiency Alliance ranked Ontario in 2004 with a D; today, in 2008, the Canadian Energy Efficiency Alliance rates Ontario with an A. That's the progress of the McGuinty government. I want to congratulate our Premier and congratulate this government for moving in the right direction. Congratulations, Mr. Phil McNeely.

1440

**The Acting Speaker (Mr. Jim Wilson):** Mr. McNeely, you have up to two minutes to reply.

**Mr. Phil McNeely:** First of all I'd like to recognize someone who's helped me a lot with this topic. I didn't realize he's up in the gallery here. Chris, thank you for attending the debate today. He's with an organization that is very much involved, and as a realtor, he sees both sides of the issue and understands it very well, what it does to home sellers as well as home buyers.

Thank you to the member from Durham. I would just like to say that the building code is there and people build to the building code. Now we'll be measuring the results, and the results are extremely important, because the one that just barely meets the building code—for the one that exceeds it, there'll be a difference and there'll be an advantage for them.

I would like to thank the member for Toronto–Danforth for his good comments; the members from Peterborough, Oakville and Hamilton Centre; and the Minister of Natural Resources, whom I worked for as a parliamentary assistant when she was Minister of Transportation, who always looked very much on the conservation side of transportation and really got a lot going in that ministry for conservation.

There's the member for Davenport, who's always on the side of consumers, and this is a bill for consumers, to protect consumers. It's about saving money; it's about having security for the future. You do your energy upgrades now, and that money comes back to you in a very few years. You have those energy savings as you go off into the future.

Certainly for people who are concerned about the economy, there's a tremendous area for retrofitting of homes. We could have a Marshall plan on retrofitting homes in areas where there is high unemployment, and certainly the jobs that come out of retrofitting homes are jobs that our people can do, they can do well, and it will be working towards having less energy costs and a better environment.

**The Acting Speaker (Mr. Jim Wilson):** That concludes the time for this ballot item. For those with us in the chamber today and those watching at home, we will vote on this item in 100 minutes. There are two more ballot items to deal with.

#### FUEL SAFETY

**Mrs. Laura Albanese:** I would like to thank you for the opportunity to move this resolution today, which reads:

In the opinion of this House, any review of safety standards for volatile fuels in Ontario should consider:

- ability of the enforcing authority to impose fines for breach of compliance;
- ability of the enforcing authority to track and maintain safety standards during a change of ownership;
- review of training procedures for the storage, handling, and transportation of volatile fuels;

- monitoring of administrative procedures and requirements, including adequate insurance coverage sufficient to deal with cleanups and damage to neighbouring properties;

- role of municipalities and fire services in site location, emergency planning, and identification of hazardous sites;

- transparency of inspection results and public notification of noncompliant sites;

- review of frequency of inspections and reporting requirements;

- institution of buffer zones and regulatory framework for the transition of new rules for existing sites.

**The Acting Speaker (Mr. Jim Wilson):** Ms. Albanese moves private member's resolution number 52. Pursuant to standing order 97, you have up to 12 minutes for your presentation.

**Mrs. Laura Albanese:** I rise today to bring to the attention of the House a variety of issues, with the intention of increasing the safety of residential neighbourhoods that are close in proximity to operations that handle volatile fuels.

I would like to welcome in the gallery Tim Beckett, chief of the Kitchener fire services, and vice-president of the Ontario Association of Fire Chiefs; Lori Hamer, also from Kitchener fire services; and Brian Patterson, president of the Ontario Safety League. They have all travelled here today to support this resolution and bear witness to our debate. So I want to acknowledge their attendance and thank them for their ongoing dedication.

Last August 28, the government announced a safety review of the storage, handling, location and transport of propane in Ontario. Two known independent experts in the field, Dr. Michael Birk and Mrs. Susanna Katz, have been appointed by Minister Takhar to review and make recommendations on how to improve propane safety in Ontario. The Ontario propane safety review is an excellent opportunity to address present practices and safety procedures in Ontario. The resolution which I bring forward today asks the House to build on that review, which focuses on propane, to engage in a discussion about the wider issues of volatile fuel.

The tragic Sunrise Propane explosion that occurred in Toronto on Sunday, August 10, 2008, brought a great deal of attention to the handling of volatile fuels. The northeast part of my riding of York South–Weston borders the Downsview site and is within the 1.6-kilometre radius that was under semi-evacuation immediately after the accident. The proximity of companies handling hazardous fuels has been a source of concern in the riding of York South–Weston for a much longer period of time. In January 2008, the explosion of a single fuel tank at a scrapyard on Hyde Avenue, in my riding, caused the injury of a worker. Several nearby homes were also damaged.

The Bloch family, who only recently moved into the area, was shocked that such a facility could be located so close to their home and have been concerned because they care for their grandson in their home. How can they

ensure his safety and how can they guarantee his right to play? Mr. Bloch is also concerned about other children in the area. "There are three schools within blasting range of the scrapyards. Do the authorities consider it acceptable that children should be endangered?" he asks.

This recent explosion is one in a series of repeated incidents over the course of several years. The January explosion was preceded by six fires on the same site since 1996. The residents of Westbury Crescent are looking for change in the way Ontario handles volatile fuels. Beyond this local example, this resolution has a wider scope and encompasses all similar situations across Ontario. The concerns of the residents of York South–Weston reflect the issues of community safety shared by all Ontarians, and we, as members of this House, have a duty to address these concerns.

The review of safety standards for volatile fuels in Ontario gives us the opportunity to give the enforcing authority the ability to impose deterrent fines for operators who are not complying with the highest standards of practice set out in the regulation. Currently, charges under the Technical Safety and Standards Act can be referred to the Ontario court system. That is to say, it is the court, not the regulatory authority, that imposes fines. Penalty provisions have not been changed since the act was introduced in 2000. For example, in the recent phase one re-audit of propane facilities, seven sites in Ontario were found to have non-compliances that constituted an immediate hazard. The sites were shut down until the hazards were corrected, but there is no evidence that the parties responsible for allowing the sites to fall into non-compliance will have to pay any significant fine. The regulatory authority should be able to levy fines that can act as a deterrent for faulty practices.

That brings me to change of ownership. In York South–Weston, industrial land use has existed alongside residential neighbourhoods for decades. It is not a question of choosing residential over other uses for a property; it is a question of being a good neighbour and always maintaining the highest standards of safety in any industrial operation.

Brian Patterson, who is here today, president of the Ontario Safety League, highlights the safe practices of several large propane-handling facilities across the province: "Within the industry and outside of the industry, good practices can be replicated and strengthen the reputation of the sector. For companies with a good safety record, compliance regulations are not a detriment to business, they are simply a part of the best way to operate the business." As a province, we must ensure that bad operators who have lost licences are prevented from being reissued certificates or licences. Therefore, it is necessary to track and maintain safety standards during a change of ownership.

#### 1450

As some may remember, the issue of handling volatile fuels has been a concern to the residents of York South–Weston since 1986, when a propane gas explosion destroyed a Weston Road garage, injuring two workers.

The incident was likely precipitated by a leak from a cut fuel line which led to the explosion. The more recent explosion on Hyde Avenue is believed to have been caused by a worker puncturing a tank. Both of these cases bring to light the issue of training procedures for employees who work in a potentially dangerous workplace, handling volatile fuels. In 1986, the employee of the Weston Road garage was charged with failing to have a certificate of competence, despite the fact that, according to the rules, no person may handle propane unless the person holds a certificate or record of training for that purpose.

Today, the prevalence of subcontracted agents further complicates matters. Every site manager should verify the validity of the qualifications of any worker on-site. Instances where labour is subcontracted should also be looked at closely to ensure that only qualified workers are handling the volatile substances. Operators who choose to handle volatile fuels as part of their business should also carry sufficient coverage to deal with cleanups and damage to neighbouring properties, and this should be monitored. In the case of the explosion on Hyde Avenue, the residents whose properties were damaged could only make a claim for damages sustained through their own insurance, which would affect their rates. People should not have to absorb the cost of higher home insurance rates when they are not at fault.

Ontario's review should examine the role of municipalities and fire services in site location, emergency planning and identification of hazardous sites. Zoning in a particular area might allow a land use that is not well suited to the surrounding neighbourhood. Following the 1986 incident, the city of York passed a bylaw which the courts later ruled was outside their jurisdiction because it was concerned with safety provisions, not planning. When talking about safety, municipalities are an essential partner and must be part of that discussion.

Effective and frequent inspections are other important considerations. Ontario's practices are currently in line with other provinces, but having confidence in the inspection process requires more than regular inspections. The public must have every confidence that inspections are carried out by a force that is both adequate in number and highly skilled. Emergency response units such as firefighters are often the first to answer the call when accidents happen. Firefighters are a trusted source. They also possess much of the local and the ground knowledge that allows the public to have confidence in their ability to monitor volatile materials. Regular inspections by firefighters would be a good way to increase the public's confidence in the quality of inspections.

Transparency is also key. The inspectors' reports should be made public by the enforcing authority and posted on-site by the operators. In other words, they should be accessible to the public.

Current Ontario regulations also forbid propane tanks within 25 feet of a residential building and 300 feet of a school, and regulate the distance within an operating site of where the tanks can be stored in relation to buildings.

However, there are no specific regulations in regard to distances between a propane facility and buildings, residents, etc., located beyond the boundaries of a facility. These distances should be reviewed and a buffer zone should be considered. This practice is supported by the Canadian Chemical Producers' Association, whose members are expected to have a buffer zone. The CCPA encourages robust buffer zone controls by the competent authorities so that public protection cannot be compromised by local political pressure.

Residents agree. Vince Nicholson of York South-Weston believes that the institution of buffer zones, as proposed, would be a great step towards ensuring the safety of residents living near a dangerous industry, specifically those that have a history of accidents due to poor work practices that have directly impacted the safety of residents nearby.

Finally, the safety review currently being undertaken by the province should include establishing the time frame that municipalities would need to be able to transition from current regulations to implementing new buffer zone rules.

This statement concludes the points contained in the resolution I'm bringing forward today. I urge all members of the House to support this important resolution, which aims at increasing the safety of residential neighbourhoods that are in proximity to operations that handle volatile fuels.

**The Acting Speaker (Mr. Jim Wilson):** Further debate?

**Mrs. Elizabeth Witmer:** I'm certainly very pleased to join the debate today on the private member's resolution entitled Safety Standards for Volatile Fuels in Ontario. That private member's resolution has, of course, been put forward by the member for York South-Weston in response to the very tragic Sunrise explosion that occurred in her community. Certainly, she can be assured of my support for this particular motion.

I think what this resolution does is bring to our attention a number of issues that will hopefully lead to increased safety and security of residential neighbourhoods when they are in close proximity to operations that do handle these very volatile fuels. If we go back to Sunday, August 10, 2008, when the explosion occurred, regrettably, one firefighter and one employee did die as a result, and certainly our sympathy goes to the families of those two individuals. It is also estimated that that explosion impacted approximately 10,000 people. That's a lot of people. That's why it is absolutely important to ensure that those people and the neighbourhoods where those people live are safe and secure. So we need to review what's going on.

I understand this wasn't the first time that the people in that particular neighbourhood became concerned about this issue; it has been a long time that they have been concerned about this particular issue. So this review is timely and certainly long overdue, and we should be responding to the concerns these individuals have. As I said, there were more than 10,000 people who were affected.

The cause of the explosion is still under investigation to this day. What we want to do is ensure that this resolution takes a look at a few issues when we look at reviewing it:

- the ability of the enforcing authority to impose fines for breach of compliance;
- the ability of the enforcing authority to track and maintain safety standards during a change of ownership;
- the transparency of inspection results and public notification of non-compliant sites;
- a review of frequency of inspections and reporting requirements;
- the institution of buffer zones;
- a regulatory framework for the transition of new rules for existing sites—I think that's certainly important as we look forward;
- a review of training procedures for the storage, handling and transportation of these volatile fuels;
- the monitoring of administrative procedures and requirements, including adequate insurance coverage sufficient to deal with cleanups and damage to neighbouring properties; and
- the role of municipalities and fire services in site location, emergency planning and the identification of hazardous sites.

If you're going to review the safety standards for volatile fuels, obviously these are some of the issues that need to be given consideration. I will tell you that when this explosion occurred, our leader and our party did what we could to encourage the McGuinty government to take immediate action in order to ensure that another such disaster would not occur anywhere else in Ontario.

**1500**

Some of our immediate recommendations were:

First, set up an information-and-help centre in the neighbourhood so that people can get accurate information from one source. I think if we hearken back to that day, and certainly subsequent days, there was some difficulty in people getting accurate information, so there should be an information centre available. Also, it can provide assistance to individuals who have been impacted.

Second, we recommended that funding be made available to help people who are out of pocket as a result of this disaster, and remember, a lot of people were displaced, and obviously a lot of people didn't have the resources to pay for that unexpected inconvenience.

Third, direct the Ministry of the Environment to immediately test the soil and the air for any toxic or dangerous substances.

Fourth, conduct a full review of the 911 call system. As many of the residents in that community reported, they could get no answer from the 911 call system the night of the explosion. So, again, obviously these individuals were concerned, they didn't know what was going on, and we need to make sure that that is reviewed.

Finally, provide daily reports on the progress of the inspections of propane facilities, which should be jointly carried out by the TSSA and a local fire department

expert. We also recommend that very strict guidelines be implemented by the Ontario government in the event that another such disaster should occur.

I would say our party is deeply concerned about this issue, the devastation of the explosion and the loss of lives. We support this resolution. We would also recommend, however, that the McGuinty government accept its responsibility for oversight of the TSSA and implement an action plan in the wake of the Sunrise Propane explosions.

**The Acting Speaker (Mr. Jim Wilson):** Further debate.

**Ms. Andrea Horwath:** I have to say first and foremost that the New Democrats are also wishing to indicate once again our concern and sympathy for the people who lost their lives and people who were injured in the explosion. It was a horrific thing to wake up to, to see the damage that was done. I really think it's important to acknowledge that, but for the time of day and the day of the week that this happened, it could have been a much more tragic disaster—not to say that it wasn't already a tragic disaster, because it certainly was. But I have to say that was the first thought that came into my mind when I was watching the events unfold and the media coverage, that this occurred at a time when most people were not awake—most people were still sleeping—and on a day of the week when it wasn't a matter of a workday, a regular Monday-to-Friday type of workday, where there would normally be people teeming on the streets by the thousands. I think we have to acknowledge that, first and foremost, because it was a disaster of significant proportion, but not as bad as it could have been. I think we have to reflect on that.

The reality is that the member from York South–Weston is likely bringing the resolution forward because the Ontario Propane Safety Review that they have put in place, that her government has put in place, produced a discussion paper that outlines a number of areas that they are prepared to examine. The shocking thing is that some of the most important areas that need to be looked at in regard to this situation, which is the role of municipalities and public disclosure requirements, for example, are not even listed as key areas that this review is going to examine.

One of the issues left off the lists of both the member from York South–Weston's motion and the Ontario Propane Safety Review is the very governance model of the Technical Standards and Safety Authority, the organization, we all know, that oversees provincial propane standards. So what we have done as New Democrats is to raise serious concerns about the TSSA since it was established by the Harris government. The TSSA is basically a self-regulating body. Most of its directors come from the industry itself. Only three of the 13 directors are appointed by the province; the rest of them come from industry. It's a clear conflict of interest. We're only learning right now about the real impact of this governance model, after the explosion has taken place. But we know intuitively, it's very clear, that you

cannot have the fox looking after the henhouse. That model simply does not work, and unfortunately this incident is the proof of that.

In response to public concern about propane safety, the minister ordered the TSSA to inspect all large propane facilities immediately. The TSSA did that, and uncovered non-compliance at about half of 196 large propane sites. Seven of those sites posed immediate hazards. If the explosion hadn't happened, Ontarians would not know and would not have known that there is a poor safety regime in this industry. So it is this disaster that has created this awareness that now makes it incumbent upon us to change the very system that is not providing public safety in terms of oversight of these types of propane storage facilities and other types of facilities.

Here is what we get in terms of the big, shocking revelation. When industry is charged with being its own watchdog, public safety is not the priority. It's fairly basic stuff. It's pretty basic. You cannot expect industry to monitor itself, to regulate itself, and to make sure that all of its pieces within that industry are living up to expectations in terms of public safety.

We know that the Harris Conservatives brought in the TSSA model, which is a fully self-funded organization, to cut costs and move this kind of work out of the government realm, basically trying to cut costs in the process of deregulating many of these kinds of activities. In so doing, what happened is, public safety was compromised. We end up in a situation where the organization is created, a self-regulated industry model, and government is basically siding with industry instead of siding with the interests of the public, and that is a very unacceptable situation.

At the time, the Liberal members who were sitting in their seats in this chamber opposed that move, they were vehemently opposed to this model, and now where are we? The Minister of Finance, who was there at the time, had to say at that time that the TSSA's responsibility for public safety is "not enough checks and balances within the system where we believe it's prudent for government to regulate." That was echoed by the current Minister of Transportation, who said, "In light of what we have seen happen in Walkerton and other communities, I know we would not want to turn that over to the private sector but maintain it in public hands, owned and operated by the people of this province."

We have responded as a party to the review that's ongoing. We raise all of those issues. I've sent a letter recently that says that in fact we want to see the model of governance reviewed. We want to look at whether or not it is appropriate. We want the review to look at whether or not it is appropriate to have this kind of governance model in place. We don't believe that that's the case. We think that the activities of the TSSA need to get back into the government realm, under the auspices of the Minister of Small Business and Consumer Services. That's where it needs to be. It needs to be directly the responsibility of government because it's related to the safety of the public and ensuring the safety of the public.

My colleague has other comments to make, and I know I will support everything that he says as well.

**The Acting Speaker (Mr. Jim Wilson):** Further debate?

**Mr. Mario Sergio:** I am delighted to rise and speak in support of the bill. But, more so, I would like to compliment the member from York South–Weston for bringing this to the attention of the House.

I don't think there is a member in the House who would not support the intent of this particular bill. Of course, the member from York South–Weston has introduced this bill because she's extremely concerned about what may happen, not only in her own riding, because I know she's working very, very hard in seeing that indeed the review that is under way now will be bringing forward those recommendations necessary to hopefully avoid other disasters. But it's because of the concern that she has expressed during the Sunrise case, the explosion at Keele and Wilson where an entire neighbourhood—something like 10,000 people were affected, and were affected in a very adverse manner, let alone that the life of a young man, a young employee, was lost.

1510

Unfortunately, sometimes it does take a case like this to bring us to attention and to resolve to make changes to some of our laws. But if this is what it takes, I do hope that we can all support the intent of the motion and the conditions that the bill intends to have included in the review. We do hope that this, indeed, will save not only a lot of frustration for a lot of people, a lot of acrimony, but lives as well.

We have seen from the extensive coverage of the Sunrise situation the acrimonious debate and the finger pointing when things happen. Of course, no one wants to take the blame, but at the end we have to be concerned with the residents. In listening to the member from Hamilton Centre, Ms. Horwath, when she mentioned with respect to what's not included and what's included—I do hope that indeed some of the things that may not be included in the resolution here will be addressed extensively in the review, because this is going to come back to us and we will have other chances to make sure that the review will take into consideration every aspect to hopefully avoid the recurrence of the Sunrise situation there.

It's not only a review that is going through now, but it's what the member from York South–Weston says: These are the things that I'd like to see in this particular review, so we can move on and offer to communities all over the place—because they exist all over the place. In Toronto, Ontario, I have them in my own backyard. I have them about maybe 300, 400 yards from my particular home. I have gas stations with these propane tanks. It can happen anywhere, at any time. So I hope that we can all get together and say, "Yes, the review is very important."

I think what the review will include is even more important, and we can all offer our communities, our residents, some peace of mind that indeed measures will

be taken to curtail, to alleviate some of the concerns. Of course, by improving the methods, the handling, this will indeed bring some relief to the community and minimize the risk involved.

No one wants to see a repeat of Sunrise. I think it was very, very tragic. It has left an entire community in shock. I do hope that we can very expeditiously not only support this motion here but bring the final bill to the House and move on to provide the communities with the peace of mind that they deserve.

**The Acting Speaker (Mr. Jim Wilson):** Further debate?

**Ms. Laurie Scott:** I'm pleased to have the opportunity to add some input to the member from York South–Weston's bill that she's brought forward today. It's certainly a discussion that puts the safety and security of Ontarians at the forefront. There are numerous examples of unfortunate situations of fuel mishandling that have caused grave situations, and that's certainly the massive explosion at Sunrise Propane that's been mentioned many times here in the Legislature today. It certainly made it to print, and not just here, in Ontario and Canada, but also as far away as Scotland it was covered. So it's unfortunate that something like that had to occur and that we're having this discussion this afternoon. It's important that we do examine the events leading to the mishap and use it as a learning tool to go forward and ensure that our workplaces and communities are protected.

The member from Waterloo brought forward what John Tory and the PC caucus, after that tragic incident that happened at Sunrise Propane, would like to see occur. These were recommendations based on the safety and security of the people in the local community, but they apply to all corners of the province of Ontario. While propane combustion is much cleaner than gasoline, proper care and handling of this gas and all volatile fuels is very important. It also includes protection and proper education of those who work and who are interested in working in the industry.

In 2005, I introduced a private member's bill that was intended to address the need for a new apprenticeship program in the province of Ontario in the fuel industry. It was the first step in gaining recognition for a new apprenticeship program. It came from small business owners in my riding of Haliburton–Kawartha Lakes–Brock, and planned to assist them in getting and providing employment opportunities for young people who were eager to join the industry as a trade. It was the intention to create the industry committee that would be known as the fuel industry technician advisory committee. The committee would act as a voice and representative for gas-and-oil-burner fitters and fuel technicians. Fleming College, which I share with the member from Peterborough in my riding, a training provider with fuel technician courses, told me that the trade needs to be supported by apprenticeship training. This all went through the proper legislative channels. It got royal assent. It is a safety measure. The use of natural gas and oil touches all our lives on a daily basis. So it was im-

portant that this apprenticeship trade get up and go. Unfortunately, we haven't seen that apprenticeship develop. I would hope that they would look at this now differently and make some expedient moves on that matter, because it is about public safety. I know that TSSA is involved in moving it forward, or maybe not moving it forward.

I know that the member from Carleton–Mississippi Mills would also like to add some comments, so I'll leave him time to discuss TSSA.

We certainly are in support of this motion today.

**The Acting Speaker (Mr. Jim Wilson):** Further debate?

**Mr. Peter Tabuns:** I want to thank the member for bringing forward this resolution. I also want to acknowledge councillor Maria Augimeri and the work that she did in her community, bringing comfort to her constituents after that explosion.

The simple reality is that time and time again, our society assumes that a deregulated environment is one that works and that dangerous or problematic issues can simply be left to the care of those who are immediately interested in the business of providing services.

Harland and Wolff, a very famous shipbuilding company, launched a very famous ship, the Titanic, that was unsinkable and didn't put enough lifeboats on. Not putting enough lifeboats on, in my mind, is tantamount to deregulation: a thought that everything will be fine because great minds have figured things out.

We do need to re-examine the rules around fuel safety in this province and, frankly, we need to reinstitute a government-controlled, government-directed regulatory body that actually enforces those rules. Leaving this whole matter to private industry to regulate itself is a mistake. That has been demonstrated quite clearly here.

I think that we should recognize that there are still a lot more questions that have to be dealt with. The member from York South–Weston points out this isn't the first time that we've had an assessment of fuel safety. In 1986, an explosion at an illegal taxicab repair shop caused extensive damage to the surrounding area. Luckily, at that time there were no deaths. The minister responsible for consumer affairs at the time said that he was pleased to announce, in cooperation with the Ministry of Energy, a government-industry committee with consumer representation to examine all aspects of siting for facilities for dispensing alternative transportation fuels such as propane and natural gas. That was May 1987, and the minister then was Monte Kwinter, Liberal member for York Centre. The committee was struck. It delivered its report in March 1988 and outlined their findings. A second report detailing the committee's recommendations was to follow, but it never got to that stage. We now have a new minister committing to review the issues that the minister 20 years earlier made commitments to, but never followed through on.

**1520**

The resolution today gives us an opportunity to revisit the issue and look again at what we have before us.

Frankly, it is no wonder that people get extraordinarily upset with politicians when we talk, but in the end the action on the ground doesn't appear.

What we need is a follow-through from this government so that we won't have, five years from now or 10 years from now, another startling and disastrous propane explosion, or an explosion of another kind of energy that people could have foreseen but did not put in place the regulatory system to actually ensure that populations were protected.

We should recognize that there are some things in the world that are called "normal accidents." If you have planes—out of thousands, one of them is going to crash. If you have explosive materials being handled at a site, from time to time you will have explosions. It's crucial, recognizing that, that there are adequate buffer zones. It's crucial, recognizing that, that you have a very rigorous regulatory system so that you reduce the number of these events to the absolute minimum possible. You may never get to zero, but if you don't consistently strive to have a system in place that ensures a very high level of care, a very high level of precaution, a very high level of investment in good practice, then effectively you set the stage for the next Sunrise Propane explosion.

Most of us will not be in the House at that time. Most of us will not be here to speak to this issue. But I want to say to you today that this Legislature has to take whatever recommendations come forward, and if they don't include a reinstatement of proper regulatory authority by the government, that has to be put in place.

**The Acting Speaker (Mr. Jim Wilson):** Further debate?

**Mr. Khalil Ramal:** First, I want to commend the member from York South–Weston for bringing such an important resolution to this House to be debated this afternoon.

I guess everyone in this province, maybe across Canada, maybe across the world, was watching not long ago the explosion at the Sunrise facility in York region, and everybody was shocked to see that big, huge flame and many people being evacuated. Of course, it cost a life and caused a lot of damage to properties. I think it's very important in this place to discuss those important issues, to make sure all the facilities across the province of Ontario are in a safe condition. I think the member from York South–Weston brought in this resolution today to create awareness and also to submit recommendations.

I was listening to all the members from both sides of the House supporting the resolution and also adding to the recommendations, because the most important thing for all of us in this place is to make sure all the population in the province of Ontario live in a safe environment.

Also, the member from York South–Weston brought up very important steps, talking about inspections, talking about having licensing, talking about buffer zones between the facility which stores propane or any hazardous materials and the population. I think those are very

important steps. She was talking about the people who work in this area, if they don't follow the rules and they lose their licence as a result of not following the rules, they shouldn't be given a licence again, because it's very important that if a person has a history of bad practice, I think they shouldn't be honoured to be able to practise the same business again, because in this matter we cannot put our population at risk.

She was also talking about buffer zones. I didn't know, before I started reading this bill and listening to many different speakers, that there's no regulation in the province of Ontario that recommends or forces people who store propane or fuel to be a certain distance from populated or residential areas. I was shocked. I think it's very important to implement those recommendations in order to make this environment very safe.

As we hear in this House, many different speakers spoke many different times about regulations and about safety. I think our government has taken a very important step toward this issue. As we mentioned, it doesn't matter what we do: We still need more in order to make sure all our facilities across the province of Ontario are safe and all the people who live near those facilities are safe.

Also, a very important recommendation by the member from York South–Weston talks about the lack of communication between the facilities, the municipalities and the province. I think there was no communication between all these people who are in charge of making those places safe. It's very important to bring this issue forward in this place, to implement those recommendations to create a safe environment for the people who live in this province.

Before I finish, I want to assure that people on both sides of the House are working around the clock to make sure that laws and rules are implemented in this province in order to make life safe. I want to commend the member from York South–Weston again for bringing such an important issue to this House, and I hope all the members will support it. I'd like to see those recommendations implemented. It's not good just to talk about them; it's very important to implement them and make them law. The lives of the people are important to all of us and important to all the people who live in this province.

**The Acting Speaker (Mr. Jim Wilson):** Further debate?

**Mr. Norman W. Sterling:** I can't but say I fully support this resolution to look at this issue in more detail. I was the minister when the TSSA was set up as a self-management entity. It's not a self-regulating entity. The minister responsible for this particular entity makes the regulations, and they manage them. Also, on the board of the TSSA is a senior bureaucrat of the minister responsible for the TSSA, who sits as an ex officio member of that board and is fully aware of what the board is doing.

Notwithstanding that, there's no question that, as time goes by, these particular parts of the government should be viewed and their actions should be looked at and the regulations should be looked at if they are not up to date,

after experiencing a tragedy such as we had with regard to this propane explosion.

I fully support this, but let's not be under the notion that this is something run by big business out there on its own. This is under the tight control of the minister. The minister can yank their whole organization at his will. That's the agreement between the government and the TSSA. They have done good work in the past, but that's not to say their work doesn't need to be sharpened up. I fully support this review.

**The Acting Speaker (Mr. Jim Wilson):** Further debate?

**Ms. Laurel C. Broten:** I want to congratulate the member for York South–Weston, who is an incredible advocate for her community, raising issues that matter to her constituents and their families.

If I may, I'd first like to join with others around the House who have expressed condolences to the families that were severely and tragically affected by the occurrence in August of this year. At the extreme, lives were lost and there were injuries, but there were also many families across the city of Toronto—constituents of the member's and beyond—whose lives were negatively affected by this incident. I think it highlighted for many people the importance of protections that are put in place to make sure our communities are safe.

I know that I had an opportunity to speak in my own community about this issue, because it heightened concern and awareness with respect to those businesses that might be operating in communities, especially in urban centres where we live very close to industry, and how we might be able to collectively do better to ensure that our communities are safe. I think that what is transpiring around the House today is a collective desire to work together to make sure our communities are safe and that we put in place the protections that continue to do that.

I know that the member for York Centre also has something he would like to add to this debate, and I will leave him a couple of minutes to do that. Again my congratulations to the member for York South–Weston. I'm pleased to be supporting her in this important debate.

1530

**The Acting Speaker (Mr. Jim Wilson):** Further debate?

**Mr. Monte Kwinter:** I want to add my support of the member from York South–Weston's resolution and say that I absolutely will be supporting it. The propane explosion took place in my riding. One of the things that was really brought home to me—I attended all of the press conferences, and I was there the morning after the Sunday morning, and all of the officials had the same message—is that it was a miracle that, because it happened at 4 o'clock on a Sunday morning, there wasn't more carnage, more loss of life and more damage. I said then, and I'm going to say it now: I don't think it's acceptable that people have to rely for their safety on a miracle. They have to hope that a miracle happens so that they in fact are protected.

I think that all levels of government have to make sure that sufficient regulations are in place to make sure that if

a disaster happens, the impact on the residents in a particular area is kept to a minimum. That can only be done by taking a look at what we are doing and making sure that we tighten up several things. The zoning, one of the big issues in that particular site, was such that, notwithstanding that the zoning permitted the use of a propane storage facility, the residents had no say. They had no choice to question it and to decide whether or not this is what they wanted. They suddenly found out one day that it had gone from being a used-car lot to being a major storage facility, storing hazardous materials. I don't think that is acceptable and they don't think it's acceptable. Anything we can do as a government to take a look at what is happening, and to make sure that sufficient buffers are in place for these facilities, is something we should support. I'm just pleased to be here speaking in support—

**The Acting Speaker (Mr. Jim Wilson):** Thank you. Ms. Albanese, you have up to two minutes to reply.

**Mrs. Laura Albanese:** I want to thank all the members for their comments and for their support. I want to thank the members from Kitchener–Waterloo, Hamilton Centre, York West, Halliburton–Kawartha Lakes–Brock, Toronto–Danforth, London–Fanshawe, Carleton–Mississippi Mills, Etobicoke–Lakeshore and York Centre. Thank you very much for supporting this resolution.

I just want to take a moment to reiterate the reasons why I decided to bring this forward. The Sunrise explosion was tragic. There was loss of life. I also want to add my name to condolences to the families of the victims. Eight months before that, residents in York South–Weston had come to see me. They had had a smaller explosion; there was one worker injured. They asked me, “Do we have to wait for a tragedy to happen?” I had started to do some research to see what could be done. Of course, the Sunrise tragedy then brought all of this forward. This, again, is an opportunity for us, for the government, to review all the rules and regulations that we have in place. I want to commend Minister Takhar for ordering this review that the government is undertaking. I hope that many lives will be saved in the future. We can do that. We have the power to do that. We have to look at prevention, look at how these incidents are prevented from happening again and again. It broadens the conversation about the proximity between residential and industrial areas. One should not exclude the other, but the rules have to be properly reviewed.

**The Acting Speaker (Mr. Jim Wilson):** That concludes the time for that ballot item. We will vote on that item in 50 minutes' time.

#### WASTE REPORTING ACT, 2008

##### LOI DE 2008 SUR LES RENSEIGNEMENTS À FOURNIR CONCERNANT LES DÉCHETS

Mr. Sousa moved second reading of the following bill:  
Bill 105, An Act respecting the reporting of industrial, commercial and institutional waste to facilitate the

establishment of waste reduction targets and to promote recycling / Projet de loi 105, Loi traitant des renseignements à fournir sur les déchets industriels, commerciaux et institutionnels afin de faciliter l'établissement d'objectifs en matière de réduction des déchets et de favoriser le recyclage.

**The Acting Speaker (Mr. Jim Wilson):** Mr. Sousa, pursuant to standing order 97, you have up to 12 minutes for your presentation.

**Mr. Charles Sousa:** It is a privilege to rise to talk about Bill 105, the Waste Reporting Act.

Today in Ontario the industrial, commercial and institutional sector generates 60% of Ontario's garbage. That amounts to eight million tonnes of waste each and every year. Of that waste, only about 12% is recycled. This is a major concern for me and to many in this House.

In our homes we separate our recyclables through the blue box program. We know that when those recyclables are picked up, they will go to a recycling facility. However, if recyclables are separated at a mall or office tower, hospital, school, construction site or any other ICI location, we cannot be so certain. When recyclables are picked up from that site, they may be recycled; they may end up in a landfill. A waste hauler can take them to either, because they're under no real obligation to recycle. Many businesses have contracts with waste haulers for recycling pickup, and many are paying for that service. They would be shocked, however, to know that their recyclables are not always being processed.

This is why Bill 105 is so important. The Waste Reporting Act will require waste haulers and waste disposal facilities to track and report the amounts of ICI waste that they handle. They will have to report how much recyclable waste they process and how much of it actually gets recycled. This simple step is vital. With this information, we'll be able to set meaningful targets for ICI waste reduction in Ontario and effectively monitor progress. In fact, reducing the amount of waste that goes to landfill and increasing the amount that gets recycled is the ultimate goal of this legislation. Tracking ICI waste is just the first step toward achieving this.

Today we know very little about where ICI waste goes. Recently I sent every member of this House a package that asked a question: “The ICI sector generates eight million tonnes of waste every year. How much of it gets recycled?” As you may recall, the simple answer is, no one knows. But there are estimates. Of the eight million tonnes of waste generated by the sector every year, a mere 12% is recycled. The rest, of course, ends up being disposed of, and usually in a landfill. We ought to know why, and how much, plastic gets dumped into landfill. We ought to know how much glass gets dumped into landfill. We ought to know how much textiles get dumped into landfill.

Recyclable paper, for example, is the single greatest component of ICI waste, yet much of it gets dumped instead of recycled. When paper, a valuable commodity, does go to be recycled, there are often problems with

contaminated loads. For example, when paper is mixed with bits of plastic and/or other waste, it is often difficult to separate them. This can result in loads of recycling being rejected in Ontario industries and by Ontario industries. Contaminated loads of paper, plastic or glass may then be sent abroad to be recycled where labour is cheaper. Often the recycled material is then imported and sold back to Ontario businesses. All of this, however, represents only a modest quantity compared with the amount of material that goes straight to landfill. This can and should change.

If all the recyclables sorted by businesses were delivered, as is, to recyclers, that would be a big improvement. We need to be recycling more, here at home, to help create jobs here at home. But first, we have to figure out where all our waste is going and how much of it is being sorted.

We think that only about 12% of ICI recyclables are being processed, meaning that a large portion still goes to dumps and landfills. About 40% of that is being exported to the United States, mostly to Michigan. Currently we also send municipal waste to Michigan, but we've committed to stop shipments by 2010. So what does this mean for ICI waste? Could the single largest recipient of Ontario's ICI waste decide they don't want it any more? Where would that leave Ontario? I don't think we can afford to wait to find out.

#### 1540

Municipalities all across Ontario have had systems in place for maximizing recycling and minimizing waste for years. These systems are constantly improving, and we're seeing results. That said, the final destination for municipal waste is still a dump or a landfill. Because municipalities rely on them, Ontarians' property tax dollars often pay for the purchase and maintenance of municipal landfills. Every time we fill a municipal landfill with recyclables, it limits our ability to dispose of other waste, which ultimately costs taxpayers. Ontarians might be surprised to learn that recyclable ICI waste can end up in these landfills as well. This is another reason why we have to make sure that ICI recyclables are properly diverted.

Our goal should be to drastically increase the amount of recycling that is done in the province of Ontario, and this legislation is a big step in that direction. We have an opportunity now to do something good for the environment. We can keep waste out of our landfills, extend the life of our landfills, and at the same time help grow a greener economy. After all, if we want to do more recycling, we need to grow our recycling industry. That means infrastructure build, that means more raw materials available for our manufacturers and it means more jobs.

Requiring the tracking of ICI waste is a necessary first step in achieving this long-term vision, and the experts agree. I've heard from industry representatives and stakeholders from varied backgrounds, and they are in agreement: In order to reduce waste, we must first track waste. Among those I met with in preparing this bill were

representatives from the waste industry. They've told me that they welcome tracking requirements, because there are many in their industry doing their part and they all want industry members to operate to the same high standards. Tracking requirements will ensure a level playing field.

I was also encouraged to learn that, as an industry, they are ready to assume a greater role in increasing diversion. They recognize that because recycled goods are a commodity, they have value. They understand, as we do, that in the 21st century, protecting our environment can make good economic sense.

While industry will need to harmonize their existing waste-tracking systems to accommodate the requirement of this legislation, they know that as recycling grows, so too will business.

In the months leading up to today's debate, I heard from environmental stakeholders as well. I was surprised to learn that our recyclers often find themselves without a steady supply of materials. Often, supplies of plastic, paper or metals can fluctuate greatly. Without a steady and sufficient input of recyclables, they say, the growth of the recycling industry has stagnated. With so much waste going to landfill every year, it seems to me that this is something we can address. Jo-Anne St. Godard, executive director of the Recycling Council of Ontario, says, "To develop effective policies and programs to improve diversion in this sector, we need verifiable data. RCO fully supports the intent of this bill."

As mentioned before, there is consensus among the experts: Tracking waste is the first step. It will provide a better understanding of what is going on in the waste disposal industry. With that data in hand, we can then set targets for increased diversion and monitor progress. We will be better able to divert recyclables away from landfills and towards Ontario's recycling facilities. We'll be in a better position to know who's diverting and, more importantly, who is not. And as targets are set, the tools necessary to assess progress will already be in place.

In addition to the obvious environmental benefits of increased diversion, a green Ontario industry will be getting a significant boost. Tracking waste from pickup to sorting to final destination is key to better understanding how Ontario deals with its garbage. This legislation, if passed, will give us the ability to do just that.

Of course, the information generated will only be useful if it is accurate, and that's why there are provisions in this legislation to allow for inspections. Tracking ICI waste from collection to disposal means that reporting will come from only approximately 200 points of contact. Inspectors could request verification in order to determine the accuracy of the data submitted. This would give us the means to ensure that the information we receive is accurate.

Of course, the most effective way to divert recyclables is to sort them at the source. Under the Ontario Environmental Protection Act, many businesses and institutions are required to create waste reduction plans. Following these plans, many businesses already sort the recyclables

on-site. Since these materials are already sorted, the work of a recycling facility is made quicker and easier. What Bill 105 will do is track those sorted and unsorted materials, telling us how much actually gets recycled.

Accurate waste-tracking information is absolutely necessary in order to achieve our greater goal of increasing recycling and growing a greener economy. The bottom line is, we need to know where our ICI recyclables are going. This bill will find the baseline, the point from which we can measure progress. It answers the question: Where is ICI waste going? Once we find that out, we can begin to move forward in the right direction.

Today, the Ministry of the Environment will release a discussion paper on the Waste Diversion Act entitled *Toward a Zero Waste Future*. I believe that this bill, Bill 105, will serve as a critical first step towards that goal, a bold vision set out by the minister. I am proud of this bill.

At this time, I wish to acknowledge and thank my staff, who were diligent in its preparation. I very much look forward to hearing from my colleagues from all parties in this debate. I know that everyone in this House feels as I do: that protecting our environment and growing the green economy in Ontario are the right things to do. There's an expression: "What gets measured gets done." As you may know, next week is Waste Reduction Week. Today, let's not waste this opportunity to move forward to do the right thing for our environment and our economy.

**The Acting Speaker (Mr. Jim Wilson):** Further debate?

**Mr. Norman W. Sterling:** This issue is near and dear to my heart because of the attempt by a waste management corporation to expand a landfill site in a very populated area of Carleton–Mississippi Mills on the Carp Road. The Carp dump is very close to a residential area. Over the past two or three years, the local residents have suffered from the odours from that particular facility. We were very much aggrieved to find out that the former city council of Ottawa was in bed with the waste management corporation for expansion plans. This was not told to the local residents, and as a result, we've had a change in the councillors who represent that area. So my interest in ICI waste comes from that local concern, as well as the city of Ottawa recognizing that ICI waste is one of the biggest problems we have with diversion and the landfill capacity that we presently have and making it last a longer time.

In 2004, this government, the McGuinty government, promised a diversion rate of 60%. Nothing has happened since that date. The diversion rate is the same as it was in 2004. As evidenced by the member for Mississauga South's material given to us today, using his estimations, only 12% of the 60% of the waste that is produced by the ICI sector is diverted, and we believe that around 35% to 38% of the residential solid waste is diverted. We come out with about a 25% overall diversion rate in Ontario of solid waste. That's with this government promising, in 2004, a diversion rate of 60%. They have done nothing;

they ought to be absolutely ashamed of their efforts on this environmental issue.

I want to congratulate the member for bringing forward the issue, though. I believe that the member for Mississauga South should be praised, not denigrated, for his efforts here.

However, I want to say to the member for Mississauga South that knowing how much is going into the landfill sites in various categories will not solve the problem. What we need is aggressive legislation by this government to do what they did in Nova Scotia: say to the people who are providing the solid waste, both residential and ICI, "We will not have organics go into the landfill site." If you do that, the people who produce this waste, whether it's residents of Ottawa or of any other place, or businesses of any other place, such as restaurants, which are part of the ICI waste, will have to find other solutions. There are other solutions at this very moment being built in the province of Ontario to take care of organic waste, and so we can ask those people to do it. In Nova Scotia, you can't put corrugated cardboard or paper into a landfill site. So it's controlled at the landfill site door.

I want to also point out that I support the idea of having some knowledge of what is happening at the landfill site's door with regard to recyclables. I therefore support, for instance, section 3 about the person who operates a waste disposal site. But I would draw the member for Mississauga South's attention to the 2007 auditor's report with regard to hazardous waste, where the Auditor General points out that the Ministry of the Environment is not able to track hazardous waste in this province. He says in his report that they can't keep track of the people who are hauling it, there is very little accuracy with regard to the records that they are keeping, and they have been unable to implement an electronic manifest system for a period of 10 years, even proceeding this previous government, and they're dealing with 340,000 tonnes of waste. Your bill tries to cover eight times that amount of waste with people who are probably less skilled and less managed than those who are hauling hazardous waste. So I have a very difficult time in supporting section 2 of the bill where you are requiring carriers to record all of this information, not because I don't think it is a good idea, but because our history in the province of Ontario with regard to hazardous waste has shown that it's an impossibility. It will not happen. So let's try to do things which we can in fact have some possibility of implementing. That's why I would support, perhaps, section 3 of your bill, which puts the responsibility on those running the landfill sites to record how much is coming in, what kinds of things are coming in, what things are being recycled and are not being landfilled—what are and what are not.

The other part of this is that I feel that when you enter into and set some new obligations for those people dealing with solid waste in our province, we should ask them or want them to buy in. I find that the penalties are probably too high for the kind of regime that you are

setting up. Basically, what you are saying is that some responsible company or whatever could be fined \$10,000 to \$50,000 if they didn't keep a record. Well, we know that that kind of penalty will probably never be implemented and there will probably never be any kind of charges laid. Basically, I think those penalties should be much, much less.

Secondly, one of the things that I think all legislators have to do with regard to the powers given to enforcement people is to make them reasonable with regard to the problem that you're trying to approach. You're suggesting here that we want records kept of how much garbage is this kind and that kind and whatever. I suggest to you that there would not be much resistance by those people who are running landfill sites to give you that information and try to do the best that they can to keep that information. But in your bill, you give whoever is enforcing this the right to enter without a warrant, far overreaching the kind of authority you necessarily have to give the inspector or the person who is involved in this.

We should be very careful, with any kind of inspector, in giving that kind of right, the right of entry without warrant. Police don't have the right to enter people's homes without a warrant in most circumstances. Therefore, I don't believe that we should give those kinds of power out willy-nilly, particularly with regard to a situation where you are saying you're going to go in and inspect these records, which I believe will be kept. If somebody refuses—there's a really bad actor who runs a landfill site somewhere—well, most of this would be done during the day, presumably. It wouldn't be done in the middle of the night or whatever it is, and it's very easy to obtain a warrant from a justice of the peace or whomever if that is necessary.

My concern with this bill is whether in fact it could be implemented with regard to the carriers. I don't believe it could be. I do support the idea of requiring those people in the landfill site to keep some records and to have the right of inspection, but I believe that can be done in a co-operative fashion. I think your penalties are far too onerous for the kind of crime that would be created by not keeping records of something that was demanded of this particular person.

Those are my comments with regard to the bill. I must say, though, that because of the impracticality of what you're suggesting with regard to the carriers—25 times as much waste here as with regard to hazardous waste, and the Ministry of the Environment can't do the job with regard to hazardous waste, a mere 340,000 tonnes of it—I really believe that it is an impractical part of the legislation. But I will say this, that either I or some future government will take a really active role, and if I am part of a future government, I will insist that my party take an active role in dealing with this question once and for all. And it has to be either through legislation—like we have witnessed in Nova Scotia, where you just say, “You aren't going to bring certain items into landfills, wherever they are in Ontario.” Quite frankly, that's the

main issue that we have here. I worry to some degree about what goes outside of the province—yes, I do—but I think that is up to Michigan to decide what goes in their landfills and what doesn't. I'm more concerned with what goes into our landfill sites and preserving what little landfill site space we have so that we can elongate that and we do not have to go to communities like Stittsville and Carp and say to them, “You must have a larger dump than in our area,” because we have been so negligent in reaching diversion goals, as we have in this province of Ontario under the McGuinty government.

**The Acting Speaker (Mr. Jim Wilson):** Further debate?

**Mr. Peter Tabuns:** First, I should say to the member from Mississauga South that I thank him for bringing forward the issue. It has been interesting to me in my brief time in this Legislature to watch backbenchers bring forward private members' bills as a way of trying to take on the big issues of the day, which I have to say should largely be addressed by the governments that they are part of. I know that when you bring forward your private members' bills, you don't bring them forward as an implicit criticism of the Premier or the cabinet. But, frankly, when I look at the problems before us and I look at the scale of issues that have to be taken on, when you bring forward these small steps, it illuminates the fact that the large issues are not in fact being addressed.

1600

The member for Carleton–Mississippi Mills spoke. Not always did I agree with him, but he raised some issues that I think are very appropriate to consider when we look at the piece of legislation before us. This is an appropriate—

*Interjection.*

**Mr. Peter Tabuns:** Sorry. You know who I'm talking about, Mr. Sterling.

It is an appropriate time to have a bill to talk about reducing industrial, commercial and institutional waste. As was noted, it's national Waste Reduction Week. We have a serious waste problem in this country. Ontario has a serious lack of a plan to take on the waste issue.

I was sitting in this Legislature in the last session, and we talked about waste reduction a lot. I understand there was a discussion paper that came out in 2003, you said—2004—on 60% waste reduction. That paper gathered an awful lot of dust. There were layers, strata of dust on top of that paper, and every researcher who tried to get at it had to shovel for a while before they could get at the words. It was a very distressing situation. I would come out and raise questions here to the Minister of the Environment at the time and ask, “Why are you not helping these smaller municipalities and some larger ones set up composting programs, keep their composting buildings open?” Given the fiscal constraints at the municipal level, they weren't able to maintain the system that had to be maintained or they didn't have the money to expand the system that needed to be expanded. If there is a new discussion paper coming forward on zero waste, I would hope that the dust has been adequately shaken off the old discussion paper before this one is opened.

We need more than research when it comes to the waste issue. We need action. It's interesting to me when it's been mentioned that Nova Scotia has taken the action they have. Nova Scotia is not one of those jurisdictions that do really radical things when it comes to public policy. They're pretty practical folks. And you're right, they do ban certain substances from the landfill. In fact, it would make sense to say in this bill—and I think it would have far greater effect—that no organic waste goes to landfill: no ICI waste, no restaurants, no food courts, no hospitals, no colleges or universities. The lot has to be composted. We wouldn't get into the difficulty, and the example you cited was a very good one, of keeping records, because if we aren't keeping records now on hazardous waste—if I remember that auditor's report correctly, something like 10% of the toxic waste that's shipped out never reaches a destination; it disappears. I may be misquoting. Someone can check that at another point. But if we're not keeping records on toxic and hazardous waste now, I'm concerned. In fact, I don't feel great confidence that we would keep track of non-toxic waste.

I would say that when it comes to this bill, I'm glad the member has brought it forward, but I would hope that within his caucus there would be much greater pressure for concrete steps to actually deal with the problem, which has been largely researched over the years. People know generally what the waste composition is. People know what can be recycled, what can be diverted and what can be composted. That is where the government needs to start.

Again, I understand that the role of the backbencher is one that means they don't get a chance to shape government direction. They use private member's bills to actually put things on the floor and create the debates that are necessary. When we look at some heavy-duty resource materials like the school kit for National Waste Reduction Week—I take it as a fairly straightforward source: In Canada, people create 31 million tonnes of waste a year. That's 2.7 kilograms a day. Forty per cent of the waste is produced in homes; 60% comes from commercial, industrial and institutional. We aren't very good at reducing our waste; we generate a whole lot. We're creating problems for generations to come after us.

Even though I appreciate the sentiment and the direction the member has taken on this bill, I'd say that, far more importantly, we have a government before us that should start acting on the discussion paper it brought out a number of years ago. That would be a very good starting point.

I'm going to wrap up here and leave the rest of the time to my colleague.

**The Acting Speaker (Mr. Jim Wilson):** Further debate?

**Mr. Kevin Daniel Flynn:** It's a pleasure to join the debate. Certainly, I'll be speaking in favour of the private member's bill that has been put forward today by the member from Mississauga South. I think it's a bill that's going to advance the cause of recycling in Ontario, and

that's something that I think everybody in this province would like to see.

I guess you can use private members' time as an opportunity to criticize the government. When you do that, however, you open yourself up to criticism. I'll take advice on the environment from a number of people like Environmental Defence and groups in my own community like Oakvillegreen. David Suzuki is somebody I admire for his advice. But I'm not sure I'll be taking advice from the previous Conservative government on how to run either a good Ministry of the Environment or how to clean up the environment.

**Mr. Norman W. Sterling:** Our diversion rate was better than yours now.

**Mr. Kevin Daniel Flynn:** The track record is clear, despite the heckling from over there: For eight years they cut back on environmental protection. It meant air you couldn't breathe and water you couldn't drink in this province. There were cuts to water inspectors and testing. When you mention the word "Walkerton," I know that everybody gets a sick feeling in their stomach, and they should. When you look at the track record of both governments, and perhaps even go back to the Peterson government, you could say that everybody could have done more. Certainly you've got a member today who has stood up and proposed what I think is a progressive move.

I had the opportunity last night to speak to the student union at the University of Toronto at Mississauga, specifically about environmental issues. They asked this very question. They said, "We're doing a lot in our school and doing a lot at home, but what is happening in the business world? Where are the recycling initiatives we're seeing in our own homes? Why are they not being carried on in the ICI sector?" There were people there who organized the event, like Marijana Josifovska, the vice-president, and Tooba Shakeel, the sustainability coordinator. Purva Kulkarni, from a group called RiskCheck, which does environmental health and safety risk management for companies, was there, wondering why companies spend an awful lot of time examining the risk to their health and safety but don't seem to spend an awful lot of time on recycling and the environmental issues that affect their company. I said I would bring that up today, knowing that I would be speaking to the bill of the member from Mississauga South.

I think that any meaningful change we've had in our society in the past 20, 30 or 40 years has been done by young people. When you look at smoking, when you look at recycling, when you look at drinking and driving, young people have led the way on all those changes. I think the young people are leading the way here as well. They're asking the right questions: "You've made the changes in the residential sector. Why haven't you made those same changes in the industrial and commercial sectors?" I think it's a very good question.

I think the member from Mississauga South has brought forward a good complementary bill to some of the environmental protection that has come forward in the past four or five years on pesticide reduction, toxin

reduction, the Lake Simcoe Protection Act, tire and electronics recycling, and a greenbelt that's now being protected. The type of initiative being put forward by the member is one that I think is a good first step.

At the end of the day, you have to look at a private member's bill—at least I always do—and say, “After I support this, should this pass, is Ontario going to be further ahead or further behind?” I think that by supporting this bill that's before us today—despite the criticism you may have of our government and previous governments—you'll be advancing the cause of this province. It deserves the support of all members of the House.

**The Acting Speaker (Mr. Jim Wilson):** Further debate?

**Ms. Andrea Horwath:** It is my pleasure to speak to the bill brought forward by the member from Mississauga South. I have to say that I, like others who have spoken today, agree that there needs to be more done in terms of diversion of waste from landfill. When I was a city councillor in Hamilton many moons ago, I actually chaired the committee that brought in the diversion programs for Hamilton—I guess I should say, that expanded upon the one diversion program that we had for household waste at the time, which was the blue box. We went through a significant process, part of which was, in fact, visiting Halifax and looking at the things that they had already brought into place in that jurisdiction to divert recyclables and organics from landfills, because as we know, particularly the organics and other types of materials that were willy-nilly being dumped into landfill sites and dumps—the old term for that kind of facility—basically created a toxic soup that ended up getting into water tables and causing all kinds of problems.

1610

Nonetheless, the reality is that the bill, as it sits right now, doesn't really have in it the scale of initiatives that we would like to see for some real action. It talks about what companies need to do, but it doesn't talk about how they're going to get there. I think that's a little bit of a weakness. Certainly, in terms of the sentiment, it's a bill that people can support, but in terms of the actual nuts and bolts of how it actually happens, I think it's missing, and that's an important piece.

It took us a couple of years to develop a plan in Hamilton to divert our organics and to divert more recyclables out of the landfill system. We didn't reach our diversion target of 65% by 2008. We got somewhere up in the 40s, I believe, at this point. I'd like to pretend that it's because I'm not there anymore making that ship sail in the right direction, but I know that's not true. The people of Hamilton have worked really hard in their waste diversion efforts. We have a program where we're taking all the kitchen waste that people are prepared to put in their green bins. I cut the ribbon just recently, within the last two years, at the organics composting facility. We send those organics back to the community in the form of compost that they can use in their gardens, so there's a lot of value there. One of the things that came

up when I was cutting that ribbon a couple of years ago was the perspective that we need to start taking in the province of Ontario, that we need to start nipping at the source the amount of waste that we produce. We have to start looking at things like packaging and how we can get companies to start reducing the waste that they're putting into the waste stream in terms of the products that they're producing. It's called extended product responsibility, and it's something that we really need to get our heads around in the province of Ontario.

Extended product responsibility does two important things: It requires companies to pay for and facilitate the recycling of their own products, and it also—since they have to pay for and manage the recycling—of course, provides the incentive to reduce the waste that they produce in first place. Instead of requiring waste companies to somehow sort, analyze and report the composition of the waste they haul, the government should be requiring the companies to actually increase the proportion of their end product that is properly recycled and require that companies reduce the amount of waste that they actually produce.

There are many ways that this can be accomplished. One of them, which we are seeing in some small ways implemented here in Ontario, is the mandatory deposits at the liquor store for glass and getting those glass bottles back into the recycling stream. There can be a lot more done there. I think, when I was in Halifax, they had cans and they had tetra packs that were at that time—like the domed boxes of milk, for example, and juices—being deposit-recycled. It's an excellent system. There should be some kind of deposit system for cans, glass, and plastic bottles at point of sale, so that the retailers of these products receive back the recyclables in their stores, and have to then see to the fact that they don't go into landfill, but get recycled.

They should require large retailers to provide waste and recycling drop-off points for all of the classes of products that are in their stores, so that you can buy something somewhere, and it's going to be recyclable, and you take it back to the same place you bought it, to make it easy for the consumer and to make sure it stays out of the waste stream. Effectively, it turns shopping centres into both shopping centres and recycling centres. There's an idea that might work very well in the province of Ontario.

The government could require the larger restaurants, schools, offices, malls and other locations where large quantities of food are eaten to provide facilities for organic composting and recycling. Again, the ICI sector has been left out of the loop and pretty much ignored, yet we know that they're one of the most significant generators of waste in the province. The government could implement a provincial packaging protocol requiring companies to reduce excessive packaging of products.

I'll never forget—oh, I'm going to run out of time. I can't tell the story; it's a good one, though. Can I get unanimous consent to tell my story? I guess not.

**The Acting Speaker (Mr. Jim Wilson):** Further debate?

**Mr. Khalil Ramal:** I'm pleased to join the debate on Bill 105. I think it's a very important bill and I want to commend the member from Mississauga South for bringing this issue to this House to be debated. Hopefully this bill will pass.

I was listening to the member from Oakville. I think we would be further ahead if we pass this bill because it would bring a lot of different, important initiatives.

I believe strongly, like many other people in this place, that we are the stewards of the land. I believe we inherited this land from our ancestors in good shape, and it is our responsibility, ethically, morally and legally, to hand it to future generations in good shape. So this bill, I think, goes in this direction and gives people the chance to keep the land clean, and also minimizes the products that go to landfill, especially industrial and institutional products.

I want to talk about a very important facility in my area, in my riding of London-Fanshawe. I know that since 2003 basically every Minister of the Environment and every Minister of Natural Resources went to visit this facility. I believe that Minister Cansfield went to Try Recycling and toured the facility, and many others went. Not a long time ago, the Minister of the Environment, the Honourable John Gerretsen, went and opened the new facility alongside the 401.

This place recycles almost 98% from industrial waste. All the material from industrial waste goes to this facility, is recycled and goes back to be reused in many different areas: construction, gardens, homes and many different areas. I think it's very important. Many people talk about glass bottles; they also use them. They mix recyclable glass bottles with salt to use in the wintertime, for, you know—

**Interjection:** Roading?

**Mr. Khalil Ramal:** Yes, for roading. It's very, very important. Also shingles, drywall, and many different things—instead of going to landfills and damaging the environment, those products go back to the market to be reused. I think that's a very important initiative.

Those facilities, those initiatives, should be imitated across the province of Ontario. But those initiatives cannot be implemented unless we have strict rules, which the member from Mississauga South brings to this House. Bill 105 gives that chance, gives strength and ability to the Minister of Environment to implement it, and allows people across the province of Ontario to open facilities like Try Recycling and divert most of the waste that instead goes from landfills back to the market to be used again.

So I think the member from Mississauga South brings up a very different, important element. What he has brought to us in this House I don't see as very difficult to implement. I don't see it as very difficult to apply in reality because he brings a logical approach to the whole situation: imposing some kind of inspections; holding the people who hold the ICI waste, from point A to point B, responsible for reporting to the Ministry of the Environment on an annual basis; also allowing the Ministry of the Environment to inspect those facilities on a regular

basis to make sure nothing goes to landfills if we can recycle it; and imposing some kind of penalty for the people who do not comply with the rules and regulations.

Through this initiative, through this law, we can protect our environment; we can create a green environment; we can pass on the land we inherited from our ancestors in good shape for future generations. So I think our obligation in this place is to make sure all the elements of our life are being protected.

I want to commend again the member from Mississauga South for bringing up such an important bill, and I hope all the members of the House support this great bill in order to make Ontario safer, greener and more environmentally sound.

**The Acting Speaker (Mr. Jim Wilson):** Further debate?

1620

**Mr. Jeff Leal:** I certainly want to applaud my colleague, the member from Mississauga South, for bringing forward Bill 105 today.

Prior to my arriving here in the fall 2003, I had the great privilege of being a municipal councillor in the city of Peterborough for 18 years, and for 10 of those years I was on the county/city waste management steering committee. During those 10 years, we embarked on a search to find a landfill site. It cost the county and city of Peterborough \$6 million to find and prepare a landfill site on Bensfort Road. Those in the viewing audience today who know the area of Peterborough will know where that is located. One of the things that we found out is how valuable landfill site space is, after spending that incredible amount—

*Interjection.*

**Mr. Jeff Leal:** The member from Durham is interjecting. When he's at his cottage, I think he goes to the Bensfort landfill site from time to time, depositing his waste there. But I won't be diverted by his heckling this afternoon.

What is so important is, we know that we have a very large sector in the province of Ontario—the institutional, commercial and industrial waste—that needs to be accurately accounted for. This is the thrust of the member's bill this afternoon.

As we move forward, we know that we certainly can't, on a willy-nilly basis, use up very precious landfill sites. In fact, I happen to be a person who supports energy from waste. I think over a period of time we have got to get out of the landfill business and move into energy-from-waste projects. I do salute the region of Durham which is moving forward, I think in a fairly aggressive manner, to site an energy-from-waste facility. We know that the technology has certainly changed dramatically over the last decade in order to put that in place.

Ideally, as we plan our management of waste in the future, the number one issue, of course, is to recycle, and secondly, as we have done in the county and city of Peterborough, to establish a centralized composting program to remove the organic waste. What you have left over is the residual waste. Right now, of course, we

landfill it, and there are other people who believe that moving to an energy-from-waste approach will be very helpful in order to facilitate waste management in the province of Ontario.

But, indeed, we've certainly witnessed over the last number of years that a lot of waste from the ICI sector, as was pointed out quite accurately by the member from Mississauga South, ends up in that valuable landfill space that when it was designed, when you went through the process to site a landfill, should have been reserved basically for residential waste. We find that it is taken up rather quickly because of the volume of waste from the ICI sector.

I think what the member has proposed today is something that is forward-looking, and I frankly think we've had a very good discussion on this issue this afternoon. The member deserves a lot of credit. He has obviously been out. He has been consulting with groups in the ICI sector. He looks like he has a tremendous amount of support from those players, and I salute the member. This is a positive thing that we can move forward on.

**The Acting Speaker (Mr. Jim Wilson):** Mr. Sousa, you have up to two minutes to reply.

**Mr. Charles Sousa:** I'd like very much to thank my colleagues the members from Carleton–Mississippi Mills, Toronto–Danforth, Oakville, Hamilton Centre, London–Fanshawe, and Peterborough.

I've enjoyed going through the exercise of putting the bill together, and I appreciate the comments made by all of you in regard to the bill. It's worthy of note that some of your concerns were shared even during my deliberations over making the bill.

In regard to the hazardous waste, as brought forward by the member from Carleton–Mississippi Mills, I recognize some of those issues but I would like to stick to dealing with just the solid waste components of the ICI industry and that sector.

In regard to penalties that were proposed, I am only trying to encourage good behaviour. We're not trying to burden the industry. In fact, in the discussions I've had with industry members, they're the ones that brought forward the fact that it's a doable process. Initially, I was thinking about having a half-yearly reporting requirement. It was they who said, "Let's go quarterly." They already keep track. They already know what they're picking up. They're contracting with the generators of waste. They have pickups and they have the delivery.

The member from Hamilton Centre brought up a good point about being actionable. One of the reasons that we're not, in this bill, attracting a monitoring system at the start or the generation of waste is because it's very difficult to manage. What I wanted to do was try to find something that had only a few points of contact. Dealing with waste haulers and the disposal transfer stations and facilities—we're talking about 200 points of contact. It's much more manageable.

The member from Carleton–Mississippi Mills also made reference to the issue of inspection and the way we've given powers to the auditors, and all we've done is

taken that directly from the EPA. It already exists, and that's how that was done.

The bill is intended to be complementary and to enable us to facilitate reporting so that we can then put in actionable strategies and targets.

**The Acting Speaker (Mr. Jim Wilson):** The time provided for private members' public business has expired.

We will deal first with ballot item number 43, in the name of Mr. McNeely.

#### HOME ENERGY RATING ACT, 2008

##### LOI DE 2008 SUR L'ÉVALUATION DE L'ÉNERGIE DOMESTIQUE

**The Acting Speaker (Mr. Jim Wilson):** Mr. McNeely has moved second reading of Bill 101. Is it the pleasure of the House that the motion carry? Declared carried.

*Second reading agreed to.*

**Mr. Phil McNeely:** I'd like the bill sent to the Standing Committee on Finance and Economic Affairs.

**The Acting Speaker (Mr. Jim Wilson):** Agreed? Agreed.

We'll now deal with ballot item number 44.

#### FUEL SAFETY

**The Acting Speaker (Mr. Jim Wilson):** Mrs. Albanese has moved private members' notice of motion number 52. Is it the pleasure of the House that the motion carry? Declared carried.

*Motion agreed to.*

**The Acting Speaker (Mr. Jim Wilson):** Finally, we will deal with ballot item number 45.

#### WASTE REPORTING ACT, 2008

##### LOI DE 2008 SUR LES RENSEIGNEMENTS À FOURNIR CONCERNANT LES DÉCHETS

**The Acting Speaker (Mr. Jim Wilson):** Mr. Sousa has moved second reading of Bill 105. Is it the pleasure of the House that the motion carry? Carried.

*Second reading agreed to.*

**Mr. Charles Sousa:** I'd like to refer the bill to the Standing Committee on General Government.

**The Acting Speaker (Mr. Jim Wilson):** Agreed? Agreed. So done.

#### ORDERS OF THE DAY

##### CHILD AND FAMILY SERVICES STATUTE LAW AMENDMENT ACT, 2008

##### LOI DE 2008 MODIFIANT DES LOIS EN CE QUI CONCERNE LES SERVICES À L'ENFANCE ET À LA FAMILLE

Resuming the debate adjourned on October 8, 2008, on the motion for second reading of Bill 103, An Act to

amend the Child and Family Services Act and to make amendments to other Acts / *Projet de loi 103, Loi modifiant la Loi sur les services à l'enfance et à la famille et apportant des modifications à d'autres lois.*

**The Acting Speaker (Mr. Jim Wilson):** Debate?

**Ms. Andrea Horwath:** It's my pleasure to finish my leadoff speech on the changes that the Minister for Children and Youth Services brought forward in Bill 103.

I set out in my initial remarks a number of the issues that I thought were of concern, and I wanted to just reiterate a particular piece, and that is, when the minister brought forward her leadoff speech on the bill, one of the things that she talked about was that it was really just a housekeeping type of issue, that in fact the bill really wasn't much more than bringing in 16- and 17-year-olds under the Child and Family Services Act the way that 12- to 15-year-olds are currently dealt with in terms of those young people who have been in the criminal justice system or in the youth criminal justice system. But then she went on to say that even though it's just a housekeeping matter, there were going to be a number of new opportunities for young people and that in fact this bill was going to bring opportunities for young people to have a new chance to turn things around in their lives and that the bill itself was going to somehow provide a chance for young folks who had had a brush with the law to make better choices in their future lives.

**1630**

I only wanted to raise that again because when she made those comments in her initial remarks—when those kinds of things are done, it makes people cynical. On the one hand, you're saying that it's a housekeeping bill; on the other hand, you're saying that it's going to do all of these other wonderful things. So it's either a housekeeping bill or it's a bill that does all of these wonderful things, but you can't have it both ways. So I would say that there are pieces to the bill that are not problematic in terms of understanding why the government wants to do what's pretty much already being done—that's the housekeeping part, which is to bring our young people who are currently in facilities that are probably not the best in terms of programming—usually sectioned-off pieces of the regular jails—and bring those kids into a system where they can hopefully—that's what the promise is, anyway—get some better programming in terms of education and other things, but mostly bring them out of the setting that they're in, and bring them back and repatriate them, more or less, with the younger folks who are in not only youth-type facilities that are secure custody but also in the less stringent types of custody in the province.

I talked about a couple of concerns that we had with issues like mail and how mail was going to be intercepted, particularly mail from and to lawyers—from the solicitors of kids who are in custody, and the extent to which those pieces of mail are going to be examined in this new legislation, which is different from the previous regime—and not necessarily to the knowledge of the young person. There are some serious concerns there,

and we need to look at that because I don't believe that that is something that's really necessary. I think that there certainly does need to be the opportunity to intercept pieces of mail where there is some suggestion or some thought that that mail or that package might contain something that could harm the young person or the young person could use to harm someone else, but I would say that unnecessarily restricting young people's opportunity to communicate with their own solicitors is problematic. So the thing is that a lot of new provisions are being brought into this legislation that are focused on the older kids, but there's a concern that some of these provisions are going to be also then placed on the younger children who are in the system, and that raises some concern.

I also mentioned, the last time I was speaking, the concern around the lack of consultation that the government made in regards to their preparation of this bill and the lack of opportunity that not only young people themselves but the child advocate's office had to have consultation with the government about this bill. It's frustrating, because the new office of the independent advocate is exactly that: It's a new office; it's independent. It's really important that the government acknowledges and recognizes the role of the independent child advocate. Certainly, cutting the independent child advocate out of the process of a bill that not only deals largely with children and youth but also a bill that, in fact, amends the independent child advocate's own legislation is a bit problematic. You can't, on the one hand, say that you want to have an independent child advocate in this province and then try to clip that out of the kids' wings or reduce that out of the kids' ability to do their job by trying to cut them out of the process of development of legislation that affects not only their own mandates but affects also the very people whom they are charged with having responsibility for in terms of amplifying the voice of, and that is the young people in our province. So it's one thing that the government doesn't think that young people should have a voice; it's another thing to think that the very person the government put in place to make sure that young people have a voice isn't having a voice. That's problematic.

The last thing that I was talking about before we ended was a concern that I have around pretrial detention. What we're concerned about is, the act expands the criteria for secure detention as opposed to open custody to include ensuring attendance at court, the safety of the public and security in a place of detention. The concern we have is that the use of custody prior to conviction really serves only two ends: to prevent a dangerous person from harming others and to ensure court attendance. Pretrial detention should not have as a goal to inflict a lesson on youth or to in any other way punish youth. We're concerned that this is something, whether intended or not, that may be the result of the way this legislation is drafted.

Pretrial detention periods also continue to be unduly long, due to backlogs in the courts, which we all know are there, and include too little remedial programming for

young people. Particularly if they are in pretrial detention for significant periods of time awaiting their trial date, there is no programming at all taking place. We also know that that programming is very important to young people in terms of trying to move them out of the kinds of behaviour that got them into the criminal justice system in the first place. All of this really does emphasize the importance of not unduly or unnecessarily detaining people, but particularly young people.

We have other issues around secure isolation, but before I move on to that, it's very clear, when we talk about young people and incarceration, and about where young people end up in terms of their likelihood of breaking the law or getting in trouble that would put them into the criminal justice system—I was starting to talk about this last week—that one of the things we have to recognize and acknowledge with people generally in the criminal justice system, and particularly with young people, is an overrepresentation of certain folks in the criminal justice system, and we know who those are. If you look at the statistics, you know very well that there is an overrepresentation of racialized communities in the criminal justice system. We have to look back at the criminogenic needs of youth and at the fact that there are things young people need to have, in terms of their basic life necessities, to give them opportunity that does not lead to crime.

I don't think I'm speaking out of turn when I say that this government needs to seriously look at the poverty rates in this province, look at the lack of opportunity for young people in this province, and look at the lack of affordability of education in this province if they're ever going to get a handle on what they need to do to start giving young people a chance. If a young person's life is a life of constant moving because their parents—or usually parent—cannot sustain a decent job and cannot pay the rent, and they have to move back and forth or around from apartment to apartment with little stability, and they have to go school without any food in their belly, oftentimes having to deal with the peer pressure that exists in terms of the culture that unfortunately many young people are getting into these days, which is the easy money culture particularly around the sale of drugs, then we can't really expect much else than we have, which is kids who end up getting in trouble with the law because they don't have any options, any choices or any chance to get ahead or see a future in the system that frankly keeps them living in poverty and keeps them without resources and options.

I think it's a matter, really, of acknowledging that there are things we need to do in Ontario to provide and make sure that young people from the earliest ages are equipped with the tools they need to be able to make a go at a decent quality of life. When we look at those statistics and those numbers—I was actually just looking for a document I brought to my desk—there's some really good work being done right now in the Colour of Poverty campaign, and they've come up with a number fact sheets that describe the racialization of poverty and

what that's doing to communities, neighbourhoods and families, and mostly to youth, particularly here in Toronto. It's interesting, because one of their fact sheets speaks specifically to youth in the criminal justice system, and specifically to the fact that young people are being left with very few options, and unfortunately one of the options they're being left with is drug trafficking.

**1640**

What's happening is, instead of going after the big, bad kind of drug-trafficker types, the people who are importing the drugs, the statistics are showing that more and more young kids from poor neighbourhoods are the ones ending up in incarceration. They're ending up incarcerated because they're in desperate straits and they end up being lured by the money, by the possibility of having a dollar in their pocket. You can't blame them when you look at their parents, who in most cases have been suffering for very, very long periods of time in low-income jobs or, in many cases, on social assistance because the jobs just aren't there for them. We shouldn't be surprised, then, when we say that there is a concern about young people in the criminal justice system, that we notice and we realize that these are often young people who come from very, very difficult circumstances.

Going back to what I said at the beginning of my remarks, everybody absolutely wants to make sure we're doing everything we can to keep communities safe and to keep hard-working folks, upstanding members of the community, safe from crime. We don't want to see people fearful, walking in their streets. We don't want to see people afraid of going out at night. We don't want to see people worried that they are going to take their car out for some evening event and get into a carjacking situation or anything like that. Nobody wants to see that. We know that oftentimes these things are not happening in the big gated-type communities, they're not happening in the highest-income neighbourhoods; they're happening in regular neighbourhoods, to regular folks. Everybody would agree that we need to make sure that's not something we tolerate.

This bill brings those young people who are in trouble with the law into one system, more or less, but what it doesn't do is address not only the roots of some of the crime that we see in the province of Ontario, it also doesn't provide the solutions that are going to get those kids who end up in the criminal justice system to another place when they are out of the criminal justice system once they've served their time, once they are no longer incarcerated, once they get out of the secured facility, once they get out of the more custodial facility. Once they are back on their own, what is there for them? This is the thing we have to start turning our minds to. If the only thing for them is more poverty, if the only thing for them is a roadblock when it comes to higher education because they can't afford it, if the only thing for them is a room, not even a home—maybe not even a room, but living on the streets—then we really can't expect the outcomes for those young people to change; not at all. In

fact, what we can expect is more of the same. If there are no employment opportunities, if there are no good jobs, if there are no places where they can earn a decent income, if there are no social systems with which they can connect and begin to grow their self-esteem and their sense of ability to have control over their lives, then we're not going to be getting very far.

Yes, the legislation is coming forward. There are things we would like to see changed, so I look for an opportunity to have a conversation at committee, particularly around being very clear about the role of not only the child advocate but the role of MPPs—I mentioned this in my remarks the other day—and the opportunity of MPPs, of child advocates, of ombudsmen to be able to enter facilities freely. Unfortunately, that is one of the things that got lost in the housekeeping transition from the former regime to the one that's before us in Bill 103. We need to make sure that there is always an opportunity for watchdogging of these facilities. I'm not saying that there are problems rife right now, but we know there have been horrendous problems in the past, and we know that often it has been elected members who have gone into facilities to in some ways blow the whistle on what has gone on in facilities. We need to make sure this bill is amended to ensure that the past ability of MPPs to enter premises is put back in. We cannot lose that opportunity. There are very few things that we can afford to lose, and one is the capacity of MPPs, advocates and ombudsmen to enter these types of facilities. We know what's happening there in terms of the incarceration of young people, certainly, but we also know that these facilities can sometimes be problematic. There sometimes can be issues within these facilities that are not easily uncovered any other way than in having a completely independent, completely unbiased look at them.

Speaker, although I only have a few minutes left, a few seconds left, I think it's important to reiterate that this does have to go to committee. We have a couple of recommendations for change. I would hope that the minister would accept those recommendations. I think we all believe that what's in the best interests of the child and the youth is important in the province of Ontario.

**The Acting Speaker (Mr. Jim Wilson):** Questions and/or comments?

**Mrs. Maria Van Bommel:** I want to thank the member from Hamilton Centre for her input on the bill for youth justice.

There are just a couple of things that I wanted to sort of clarify. One that she spoke about last week and again today was the mail. Certainly, incoming and outgoing mail for youth of 16 and 17 is currently being opened, and incoming for those 12 to 15 is also being done. So the change here would be that outgoing mail would also be affected.

Mail isn't opened unless there is a concern or reason for doing so. It would be opened in front of the youth as well so that they are aware of what's happening. The reason for needing to do that sometimes is for the

protection of other youth in the facility. If they were to, in an outgoing letter, name another youth or maybe address a letter to a victim or such thing, if there were concerns within the facility that there's something in the mail that could either harm someone else or could violate the rights of another person, then there's cause to open that mail.

But certainly mail coming from an MPP, their lawyer, the child advocate or the Ombudsman is never opened. That would remain strictly going to the youth as they need to see it.

Also, in terms of the child advocate—the member talked about consultation with the child advocate—the minister has spoken directly with the child advocate. The officials have briefed the child advocate on the bill as recently as yesterday. Also, if you look at the bill, you'll see that what is in there is technical. It does affect—

**The Acting Speaker (Mr. Jim Wilson):** Thank you. Further questions and comments?

**Mr. Frank Klees:** The disappointment that I want to express is that the bill before us is primarily an administrative bill. It does little, if anything at all, to address the real underlying issue, which is that we have many young people in this province today who are crying out for support, for help, and this government is failing them.

What I would have preferred to see is this government coming forward to say, "We are going to properly resource the agencies that are throughout this province now so that they can in fact do what they are mandated to do, and that is to come alongside of youth in our province, to move them from where they are in their despair and in their circumstances to a life that is productive."

What it's going to take is for this government to properly fund children and youth mental health and properly fund our justice system to ensure that if there is an offence committed, rather than languishing in a system for years where young people don't know if they're coming or going, if in fact they are innocent, that they are declared so and that they can get on with their life, or if they are guilty, that there is a consequence for their actions so that it can be dealt with and they can get on with living meaningful lives.

This government continues to come into this place with legislation that allows them to speak at length about what they want to do but is very short on actually resourcing the agencies which have the responsibility to address the real needs in our community.

1650

**The Acting Speaker (Mr. Jim Wilson):** Further questions and comments?

**Mr. Peter Tabuns:** I would just like to say that the member from Hamilton Centre has spoken very well about the need to address the much larger social-infrastructure questions if we want to indeed deal with youth crime and youth security.

It's quite correct that we have an administrative bill before us. There are some housekeeping things that have to be done, and the member addressed those. But the larger question of how we ensure that young people have

opportunities, how we ensure that poverty is addressed so that people are not desperate; the larger questions of ensuring that there are youth workers there to give people in difficult circumstances an opportunity to go in other directions: All those questions are being left unattended by this government.

There's no question, when you look at a society, that you need infrastructure for roads; you need infrastructure for electricity, for water and all of that. But you also need social infrastructure, and if you don't have that social infrastructure, you breed conflict, you breed desperation, you breed destructive behaviour.

When we deal with the kind of bills that we have here, one is always reminded that in fact the larger questions and the larger issues are left untouched. The member went through those. She talked about the difficulties with the bill itself, but went back to this question of how we are going to make sure that people can live decent lives so that the destructive behaviour that catches our attention, that worries so many of us, is actually substantially reduced. That's something that this government hasn't addressed—has to address, must address. It has a number of years left in its mandate. When will it be serious about dealing with poverty? When will it be serious about reinvesting in youth workers so that we have a fighting chance of keeping kids safe and set on a path that will give them a productive life?

**The Acting Speaker (Mr. Jim Wilson):** Further questions and comments?

**Mr. Bob Delaney:** Being from western Mississauga, I'm from an area that's fairly typical of people in the 905 belt. In a community like ours, people are really concerned about youth crime. Today, those of us who are in the generation of being parents and, like some of my peers, grandparents, we remember the days when we, as baby boomers, didn't live in a universe with a zillion TV channels. Back then, there were fewer people in our communities, but back then, a lot of the things that make lurid headlines today simply happened and nobody knew about them.

What are some of the things that this bill does? What it does is it addresses some of the concerns of parents who need two incomes to live and have children who are, in many cases, raised by their grandparents. There's an awful lot of opportunity in those families for something to go wrong or for something to fail to go right.

So that's what this bill does: It takes some of the youth who are inside the justice system and provides some workable methods to deal with those particular individuals. For example, what it does do is it doesn't let young offenders hide behind their status of simply being young. This bill allows the justice system to reach the young people who are crying out for help. What it does is it helps them get straightened out and live a life that is in fact productive.

What the bill does make a contribution of is that it doesn't let kids languish in the justice system, but it does enable the system to help them get on with their lives. For most people who live in the homes where I come

from, what they're looking at and saying is, "If this is my kid or if this is a kid on my street, can we straighten this one out? Can we help that person get on with their life, and ultimately have a safer community?"

**The Acting Speaker (Mr. Jim Wilson):** The honourable member for Hamilton Centre has up to two minutes to respond.

**Ms. Andrea Horwath:** Thank you to the member from Lambton-Kent-Middlesex and the members from Newmarket-Aurora, from Toronto-Danforth and from Mississauga-Streetsville.

On the questions particularly from the member from Lambton-Kent-Middlesex: The change in this bill is that it used to be that mail could be intercepted coming in, mail to children. What the new bill does is, it intercepts mail going out as well. That's a change. So the issue is not just mail, it's e-mail; it's everything else. What we're concerned about is the extent to which these rules, which were put in place for the older children, end up migrating more or less to the younger children. It doesn't make sense that you're intercepting the letter that Suzy or Johnny is sending to their mom, Suzy and Johnny being 12 years old. That's a bit of a question, and so I think it's important to review that at the committee stage.

The other question around access—it wasn't a matter of access to mail from the Ombudsman or MPPs or solicitors, and in fact this bill does not say that the young person has to be present when their mail is opened and read. In fact, the youth can go on not even knowing that their mail is being intercepted and read. That's a problem, and one of the things we want to discuss at committee to understand why the government thinks that that's a better way to go. So just in terms of clarification, I think it's important. But it's not a matter of intercepting mail in or out from these various people—the Ombudsman, MPPs, the child advocate or officers from the child advocate's office—it's a matter of allowing for access to custody facilities by MPPs, the Ombudsman, the child advocate.

These are extremely important rights that we as MPPs should be able to maintain, to enter facilities, and we should be making sure that the Ombudsman is allowed to do that as well, and the same for the child advocate.

**The Acting Speaker (Mr. Jim Wilson):** Further debate?

**Mrs. Maria Van Bommel:** I'm pleased to rise today to speak in support of Bill 103, the Child and Family Services Statute Law Amendment Act, 2008. This legislation was introduced on September 29 by my colleague the Minister of Children and Youth Services, and this bill will see two existing pieces of legislation, the Child and Family Services Act and the Ministry of Correctional Services Act, brought together to create a single legislative framework for youth justice services in this province.

At the present time, the two existing laws serve separate purposes to achieve a similar end. The Child and Family Services Act governs young people between the ages of 12 and 15 at the time of the offence, and the

Ministry of Correctional Services Act covers young people ages 16 and 17 when an offence is committed. By harmonizing these laws and creating this new framework, the government will complete its efforts to create a new justice system devoted exclusively to the needs of young children and young people. Certainly, as was talked about earlier, although this is a technical bill, it is part of the transformation of the whole youth justice system that we are embarking on.

This is important for a number of reasons. First, it will create a dedicated, fully integrated correctional system that is responsive to the needs of youth between the ages of 12 to 17 at the time of their offence who find themselves in conflict with the law. Secondly, it will take steps to ensure that, in cases where the safety and security of the community require it, the young people who pose a danger to themselves and to others will be dealt with appropriately and effectively. I would like to say a few words about each of these important elements.

I don't think it should come as any surprise to anyone that young people who find themselves in conflict with the law have very different needs from adult offenders. Equally important, there is also no doubt on this side of the House that these young people must be held responsible for the choices that they make and the actions that they take. By establishing a separate stand-alone justice correctional system for young people aged 12 to 17 at the time of the offence, we can provide programs and services to help youth become productive and effective members of society again.

I was heartened last week to hear the member from Hamilton Centre say that she supported having a stand-alone system for youth. This is what she said: It was "the right thing to do" and that it would "give opportunities for better rehabilitation so that the kids who have found themselves in the youth justice system will be able to have the most supports that they could possibly have and be able to, hopefully, some day, live very productive lives, and healthy lives at that." We don't always agree from one side of the House to the other, but I think on this we certainly understand the core principle and we agree on that.

**1700**

A major component of the new youth justice correctional system is the commitment to stop housing youth in the same quarters as adults and having something that is important and separate for them and built for them.

I would also like to take the opportunity to remind the House that while in government, the official opposition also supported the principle of separate youth justice facilities apart from adult facilities. As far back as 1997, the member from Leeds-Grenville, while Solicitor General, came out in support of integration, saying, "The establishment of dedicated youth facilities separate and apart from adult institutions is long overdue and will ensure that appropriate youth services continue to be available on a consistent basis, independent of ongoing restructuring of Ontario's adult correctional institution system."

I couldn't agree more. A dedicated youth justice system, including separate youth justice facilities, is long overdue. That is why, as a government, we have committed by April 1 of next year to remove all young people in custody from the secure adult correctional facilities that they are currently occupying. As my colleague the Minister of Children and Youth Services has already stated, we are on schedule to keep this commitment.

In addition to the 20 secure youth centres across the province, our government is currently building or expanding youth justice centres in a number of communities across the province. The first of these centres opened last July in Sault Ste. Marie and has been welcomed by community leaders, justice partners, social workers and those involved in dealing with youth who are in conflict with the law. Additional youth centres are being constructed in Brampton, North Bay and Fort Frances, while the existing centre in Ottawa is being expanded to provide more space. All are set to open before April 1, 2009.

At each of those facilities, young people who have run into problems with the law are provided with the opportunity to take advantage of on-site education and rehabilitation programs. By learning new skills and understanding the consequences of their actions, the residents of these facilities will take their first steps toward earning the right to re-enter society.

These facilities represent just one aspect of our government's commitment to providing support and guidance to young people to ensure that they make the right choices, both now and in the future.

At the same time, we do not believe that providing secure custody is the only solution to deal with the problems associated with youth who come into conflict with the legal system. The Ministry of Children and Youth Services provides a full range of sanctions and supports for youth in conflict with the law. These are designed to respond to the individual, based on the individual, the severity of the crime and other considerations. It would be both ineffective and inappropriate to respond to all youth in conflict with the law in the same way.

This is why the Ministry of Children and Youth Services is continuing to implement its alternatives to custody and community intervention strategy. Again, as I said, this is part of the transformation of the youth justice system. This strategy is designed to complement existing federal programs to provide alternatives to incarceration for young people aged 12 to 17 at the time of the offence. Right now, the strategy has 184 programs currently active across Ontario. For instance, the government has established 32 government intervention centres across the province to provide programs and supports to young people in a non-residential setting. As an alternative to custody, these centres offer timely and effective programs such as training in anger management, life skills, and counselling on how to get and keep a job. They are operated by local agencies with experience in dealing with youth in conflict with the law and are funded through a partnership with the Ministry of Children and Youth Services.

We've made investments in community-focused extra-judicial measures. According to the federal Department of Justice's website, "Community-based policing and community-oriented responses are often the most meaningful for families and victims." That federal government website counters the myths surrounding youth justice with the realities of youth justice. I would encourage members to go to that site and read some of the information that's available there.

As a government, we have also recognized that culturally appropriate programs are needed for First Nations youth. That's why the government has also implemented 17 alternative-to-custody programs for aboriginal young people in communities across the province. The programs provide aboriginal youth in conflict with the law with support and special programs in an environment that responds to their special needs and is relevant to their culture and their civilization.

In May 2006, our government established the African-Canadian youth criminal justice program to provide support and services for youth in conflict with the law at four locations in the greater Toronto area. We've also asked former Justice Roy McMurtry and former Speaker Alvin Curling to co-chair the Review of the Roots of Youth Violence. Their report will be complete in the coming weeks, and follows extensive meetings and consultations throughout this province.

Youth crime is a complex issue and there are no simple solutions, but I know that all members of this House are passionate about addressing the roots of this problem. Our goals with all of these programs are simple: Make young people take responsibility for their actions while providing them with the tools they need to get back on the right track to contribute to society. Helping young people make better choices will lessen the likelihood that they will reoffend. In our conversations with front-line workers in law enforcement and youth justice, these measures are already producing positive results.

This leads to a discussion of the second pillar of our efforts to establish a separate stand-alone youth justice system in Ontario; that is, the need to deal with those youth who, for a variety of reasons, persist in making the wrong choices and remain involved in criminal activities. While I mentioned a few moments ago that secure custody is not the only option for dealing with youth in conflict with the law, we can and must be prepared to use it for those who cause harm to our society.

Critics of this proposed legislation may be tempted to say that it does not go far enough to protect the lives and property of the people of Ontario, particularly in the case of criminal activity involving older youth. However, our proposed legislation provides decision-makers with greater discretion in determining the level of detention for youth in custody who face new charges, and, where necessary, we can ensure that young people who are detained while facing new charges and who represent a serious risk to public safety can be held in secure youth facilities to prevent them from reoffending.

This is consistent with the federal proposal to broaden the possibility of detention for young people and for

people who present a danger to the public. It also provides additional mechanisms to ensure that youth who are in secure custody cannot harm themselves or others. To do this, we will give service providers additional powers to deal with contraband items and protect all staff and clients at youth justice facilities.

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Ontarians have the right to expect that those who pose a danger to our citizens will be dealt with to the fullest extent of the law and will be kept in secure custody while they serve their sentences. We are committed to ensuring that this right is maintained and, in many cases, strengthened.

This proposed legislation will take the action that is needed to create a dedicated, stand-alone youth correctional system, a system that is compassionate to those who merit compassion and tough on those who continue to take part in criminal activity.

For these reasons, and others that will be outlined by my colleagues, I would urge all members of the House to join me in supporting these proposed amendments.

**The Acting Speaker (Mr. Jim Wilson):** Questions and comments?

**Mr. John O'Toole:** I'm pleased to get up just to put the House on notice that I will be speaking on behalf of the opposition here in a few minutes.

I'm just paying attention as I'm going through the bill. It's a very heavy administrative type of bill, and some of it's a carryover from earlier legislation, and in that respect, most people have said it's administrative in nature. It doesn't deal very substantively with any of the root cause issues in the youth criminal justice system.

In my remarks I'll probably talk in a general way about where we find ourselves today, but it is strange that on this day when we'd be in second reading on this bill, today is the beginning of the trial on the murder of Jane Creba. Three years ago, on Boxing Day, this young person was killed in a gangland-style murder at the Eaton Centre on Yonge Street by a stray bullet or something. The young person who has been accused or charged—certainly whether or not he's guilty is what the trial is about—falls under the Young Offenders Act. As such, he can't be named, which is a tragedy because the family, with the devastation around that—they have been tormented. Imagine the last three years of anxiety, waiting for justice to be served, and at the end of the day, you wonder if it will be served. So it's an anomaly or an odd event that we'd be having this discussion about the administration of the youth criminal justice system.

I will get into the administrative part of it certainly and try to dwell on some of the content portions of the bill that have been controversial. A couple of very small parts have actually been in the media. That's why I stayed today, to make sure that we put some of the this information on the record. I appreciate the member from the government side from—

**The Acting Speaker (Mr. Jim Wilson):** Thank you. Further questions and comments?

**Ms. Andrea Horwath:** It's my pleasure to make a few remarks on the speech by the member from Lambton–Kent–Middlesex.

One of the things that the member mentioned earlier on was the assertion that the minister actually met with and spoke to the child advocate. I know for a fact that that was an afterthought. In fact, I was in touch with the advocate quite some time earlier, knowing that the bill was coming forward, and found out to my dismay at the time that the advocate's office had not been consulted, and as an afterthought, after it being raised in this place, the call was made to the advocate by the minister. So that's just poor form in terms of trying to make sure that you're consulting with the people who are going to be affected by legislation that you're bringing forward. It's problematic.

In fact, when the advocate finally did get a briefing from the ministry, one of the things that they were shocked to find as they went through the whole briefing and forgot to mention was the fact that there are amendments in this bill to the advocate act itself. Again, that's not really good in terms of transparency and openness when it comes to having a conversation about legislation you're bringing forward, particularly with those stakeholders who are affected. I just wanted to indicate—and the same thing happened to me when I got my briefing—that there was no copy of the bill provided to me and no copy of the bill provided to the advocate, so it's kind of hard, then, to have a conversation about a piece of legislation when you're not given a copy of it so you can look to it for details. Obviously, the details were not something the government wanted anybody to have knowledge of prior to this second reading debate.

Having said that, the bill does have its merits, but it also has its problems. We certainly look forward to not only identifying those problems but seeing that the government fixes them or addresses them in committee. That would be very, very helpful.

**The Acting Speaker (Mr. Jim Wilson):** Further questions and comments?

**Mr. Mike Colle:** Just to comment on this Bill 103, the thing we sometimes forget about in our day-to-day lives as legislators is that there is a whole system out there dealing with criminal justice and dealing with youth criminal justice. That's a very difficult task for our correctional officers and for our courts. Sometimes, in our own lives, we never come into contact with this reality, but it's a reality that exists in Ontario and every other jurisdiction, and we've got to take our hats off to men and women who work in this area and ensure that these offenders are dealt with.

It came to my knowledge in a very stark way when I was in city hall court in Toronto. I had gone there because there was a bail hearing as a result of a shooting and a killing in my riding of Eglinton–Lawrence. I was there with the family to make sure that the accused in this case didn't get out on bail, because they were worried about bail being granted. But that morning in Toronto city hall court, right in very chic, downtown Toronto with

all these fancy buildings, you wouldn't believe the number of young 14-year-olds, 15-year-olds, one after another, parading before the judge with all kinds of criminal activity that occurred over the weekend—this was Saturday morning. While we're going about our so-called normal business, the judges and our police officers, our criminal justice system, have to deal with this reality. That's why this type of legislation and other pieces of legislation dealing with ensuring we've got a good system here in Ontario are very important and bring to light the importance of our paying more attention to this. This bill at least helps us to do that.

**The Acting Speaker (Mr. Jim Wilson):** Further questions and comments? Seeing none, the member from Lambton–Kent–Middlesex has up to two minutes to respond.

**Mrs. Maria Van Bommel:** I want to thank the member from Durham, the member from Hamilton Centre and the member from Eglinton–Lawrence for their comments. Certainly, to what the member from Durham talked about, I think all of us are reminded again of what happened to the Creba family on Boxing Day, and our thoughts and prayers go out to them.

As I said in my comments, we recognize that there are many options to deal with youth who are in trouble with the law, and one of them necessitates their being put into secure custody, in many cases, because they are a danger to society. They need to be there so that they can be prevented from reoffending. This legislation is intended to make sure that we are part of a process of transformation in the youth justice system. We want to make sure that the punishments are appropriate for these young people. We want to make every endeavour to rehabilitate these children and these young people so that they don't reoffend, so that they do become good members of society. This is above all very important for us, because even as parents we all know that people should be given another opportunity, and need to be given the opportunities that will allow them to become contributing members of society.

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**The Acting Speaker (Mr. Jim Wilson):** Further debate?

**Mr. John O'Toole:** It is a pleasure here on this late Thursday afternoon to reflect for a few moments on a government bill introduced in September—the 29th, actually—by the Minister of Children and Youth Services, the Honourable Deb Matthews.

As all members have said many of the same things, I think it's mostly important to point out where we are in the legislative day. This may not seem relevant, but I think it is relevant, because this is an important thing that affects our communities in many ways—youth in conflict with the law.

We're doing it on a Thursday afternoon, which is normally, if you look at the new standing orders—and I'm still having a problem, Mr. Speaker, with the standing orders themselves. They've changed the standing orders so that Thursday afternoons, the last couple of

weeks, have been relegated to four private members' bills, and each party participates in that. The days often wrap up early. But they've called another order to complete the legislative day, this Bill 103.

I should say that there are around 20 people here, and there are not too many people paying attention.

We've all talked about it, and the bill, as it legislatively is outlined here, is administrative in nature. I guess the—

*Interjections.*

**Mr. John O'Toole:** Well, there are five ministers here, which is reinforced and good—I believe there are five ministers here, and there's a total of 21 people in the Legislature—

*Interjections.*

**Mr. John O'Toole:** Seventeen, I think, 17 or 18 of the—

*Interjections.*

**Mr. John O'Toole:** Now, it is a government bill, and so I—

*Interjections.*

**Mr. John O'Toole:** Mr. Speaker. Please, Mr. Speaker.

**The Acting Speaker (Mr. Jim Wilson):** Order. I'll just remind the honourable members we don't talk about who's here and who isn't here and how many.

*Interjections.*

**The Acting Speaker (Mr. Jim Wilson):** Calm down. We only have a few minutes left and then we're done.

The honourable member from Durham.

**Mr. John O'Toole:** Thank you. Well, certainly I—

*Interjections.*

**Mr. John O'Toole:** You should never kick a beehive. You'd better not kick a beehive.

But in focusing on the bill—why I'm glad that people are now paying attention, because I'm speaking, is this; the reason I'm saying it is this. The member who spoke earlier, the member from Newmarket–Aurora, Mr. Klees, was, I think, an excellent minister in his time in government, and in opposition has served with a distinguished record, is interested in young people, and is the critic for education and transportation. The street-racing act and bills like that indicate that he's genuinely interested. He introduced a petition on young people who were killed tragically in an impaired driving situation up north. So he has a genuine interest. He spoke this afternoon on Bill 103, and I took note of a few things he said.

I see the Minister of Education is here, which is good, because what's missing here are the resources. We could play politics and blame whatever, but that's really the essential part of the bill that's missing.

Looking at most of the young people who are in conflict with the law, who have an issue of some sort, it doesn't necessarily break down on wealth or poverty or any of those things to any great extent. What it does break down to is youth bullying, which is a big topic in our schools. Bullying forces people to act out in different ways. Some act out maliciously, and others become part of a gang so that they can be protected by their peers and

friends. This kind of behaviour often manifests in swarming of young people. This is where I believe resources should be put. I would support the minister's action in dealing with that. Not just the physical bullying, the cyber-bullying, if you will, provokes a lot of this sort of violent culture in certain segments of youth in society.

There's not enough attention being paid in this bill, as an administrative bill, to the root-cause issues. Mr. Klees spoke on that earlier today, and I give him credit for raising the content of the debate to something more than just reading some changes to two pieces of legislation.

Now, I should say that the bill we're dealing with, Bill 103, to be clear with the viewing public, or the listening public—it's too bad this isn't on the radio, because it would be a lot more entertaining, I think. This bill brings together two bills, and this has been mentioned by most. One is setting up a legal framework dealing with the Youth Criminal Justice Act. This is one of problems that I see, Mr. Speaker, with your indulgence. It's probably best to read it right out of the bill, because it's pretty well explained here. It says: "The bill amends the Child and Family Services Act and the Ministry of Correctional Services Act"—they're the two acts—"to reflect the fact that the Ministry of Children and Youth Services assumed responsibility for youth justice services." This really took place in 2004, so the bill we're dealing with is actually the implementation of some regulatory definitions and framework around that system. They promised to do it in the election, so we should keep the context in mind. They dillied and dallied for three years to put the administrivia, or bureaucracy, in place, and that's where we find ourselves today. There's no money allocated, that I've seen, and we're moving into the next budget cycle; we'll see.

But here's the subordinate part that the people really interested in this issue, if there's anybody here—the youth part, the 12 to 15. That's an age group that is just entering high school, that kind of age group, and it's merging them with the other groups that were covered under the Ministry of Correctional Services, those 16 to 17. I think the 12-year-old is different from the 17-year-old, and the peer influence, if they're institutionalized—a lot of this bill is about custodial care, by the way. I don't think they should be put together, because they'll be forming little relationships that may not be productive for the young ones. Do you understand? I don't think they're good. I think they could become entrapped in a system of conflict with the law, playing games with the judges, because the judges under the Young Offenders Act are powerless.

Here's the case we're talking about, the Creba case. The person probably won't do any time. They'll get time off for time served waiting for the trial. Even if they're found guilty, I think the most they can serve is five years for murder, taking someone's life. I wouldn't want a child who for some reason—it could have been a substance abuse issue, it could have been drugs, it could have been alcohol, it could have been just peer pressure, doing some silly thing, and pretty soon they're in conflict

with the law, then they're in conflict with their family, then they're in custodial care. There's a provision for this in the act. If you look at what we're reading today, there is a provision here that says that, if a person has been charged and they're already—here's an example: "Where secure detention is available"—and this comes under subsection 93(2)—very important. Often members don't get right into the nuts and bolts of the bill, and that's unfortunate. I like that kind of stuff; it's a little boring, but—this says here, "the young person has, within the 12 months immediately preceding the offence on which the current charge is based, been convicted of an offence for which an adult would be liable ... for five years or more." So they could have committed some serious vandalism, then been charged, waiting for trial, in conflict, and then let out because they were in open custody, and commit another offence. When they're in secure custody, they finally realize that the young person is a serious repeat offender.

Here's the deal: There's a difference between breaking a window and breaking someone's heart, or life, or something worse. So there's no translation here, but it does give the minister some powers. I think I'd be wanting to know who the minister was. Often it's not the minister, really. They sign it, but it would be the deputy minister and other appointed persons within the ministry, certainly not the minister. Very few of them would be qualified to make any of those assessments. Some of the members here would be. There are several doctors here who aren't fully utilized by the government, but they would probably be more qualified to do these assessments.

I would say, if you look under section 98.1(1) and other sections: "The minister may designate any person to conduct such inspections or investigations"—I hope they're not political appointments. I hope they're qualified people. This is a regulatory framework, and we should keep an eye on the fact that we're dealing with young people. They're not all the same. Some, if they were identified early and got the proper help and resources and remediation, could transform themselves into productive members of society. That's what's unfortunately missing in the bill. If you pay attention, we're dealing with restructuring, administrivia, setting up more offices, business cards, company cards and all these cellphones and stuff. But there's nothing to do with helping children in here—nothing, zero, not five cents. That is something I would urge the minister to address, and I leave that certainly on the Hansard record here. I'm not being critical; I'm just looking at the bill as it presents itself, as a layperson reading it.

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I think it's important to look at the powers of the minister too. We would have been accused when we were in government—any time they say, "The minister may make regulations with respect to the following things...." Almost every bill allows the minister, through orders in council, which are a publicly disclosed process, to make appointments and to make regulations. There's quite a bit

of that in this bill. These changes are, as I say, probably administratively a smart thing to do, probably more efficient. There is a cohort group there. They're not adult offenders; we're not dealing with the adult courts generally, and we just hope they don't end up in adult courts. That's my hope.

Serving time without resources being allocated to correct the addiction problem, the relationship problems, whether it's with their family, extended family or—hopefully, there is family around them, and many of the children are found on the streets today. In fact, Mr. Colle, the member from Eglinton–Lawrence, said in his remarks that he had attended a probation hearing and saw a string of people being paraded through a court.

**Mr. Mike Colle:** A bail hearing.

**Mr. John O'Toole:** In a bail hearing, yes. That bail hearing would be typical of any court after a bunch of young people had been rounded up on the weekend, for everything from traffic violations possibly or impaired this and that kind of activity. The courts are overwhelmed by this, and I don't think there's much attention being paid to, especially, these young, vulnerable children. I think of 15-year-olds, maybe even younger, who haven't got the supports that many of us in our families would have had, who have found themselves in the wrong place at the wrong time, and the police arrest them and they maybe act out a bit, loitering—do you know what I mean? It just happens spontaneously. Let's get in early, apply resources and try to fix the problem and save someone's life, save their value as a human being. I think Mr. Klees brought that up, and it meant so much to me that somebody was paying attention to the bill. I'm sure that many members here are.

The other brand of characters—not going on to the negative here, but when you see gang culture and a lot of manifestations of that—I won't go into it. I have five children and I've had to deal with those. They're not teenagers anymore; they're all 25 and 30 and stuff like that, so they're older. In fact, one of them is a lawyer, and hopefully he doesn't have to go to court too often. I guess my point is that gang culture, if you get into this pressure to get branded or earn your stripes, if you will, can be a life-changing event for these young people. You get into the repeat violent offenders. This is where I think salvation—they may have had a previous conflict with the law.

We're talking with the pages on their last day here today, and you're exemplary young people. You can help other young people, whether it's the peer pressure or the bullying or whatever goes on in your schools today. You can tell them the bright, positive things you can do. It is up to you. You are their closest advisers. They trust you more than they would trust, perhaps—I see the Minister of Education is now calling on youth advisers; I read that in the paper this morning. The youth council is a good idea to get their perspective on their lives, their interests and their priorities. You can have a contribution directly to, in this case, the minister, but in your school with your peer groups and involving the leadership group in the

school. That's a good thing; do you know what I'm saying? But when you have someone who's ruining your experience at elementary school or in high school, somebody has to stand up. You can point to the principal or the vice-principal, but the students have to be there as well, and their parents. It is very, very important that you never feel that you're alone. At the same time, imagine a young person who has been kicked out of home, is in need of help or support and is in conflict, and may need a friend like you, somebody who has made the right choices. So, we can all feel some responsibility.

Certainly, with this change administratively—it sets up secure custody, and there are all these definitions in here. It can be open custody as well. Now, if you have a repeat violent offender, you certainly wouldn't want them in open custody. It may look, in the paper, like a 17-year-old is being detained in a locked cell—it could be in isolation if they're acting out, hallucinating or whatever they're doing. But I would say that a 13-year-old who may have done something they shouldn't have is a whole different ball game; they're not in the same league. So age isn't the final determinant here, and it's up to the judge and the justice system to do some investigation, which is mentioned in the bill, and also make some determination of the appropriate care they need, plus detention, the shelter they need. Sometimes it's just a home, and that's also provided in the bill.

We could go on; as I said, there are a couple of other sections here. The reason I made it a point to speak today was that a couple of years ago, we presented a report—actually, it was called *Time for Action*. Mr. Tory led those hearings. We met with groups. I believe this was in the time of the year of the gun in Toronto. This report has never really been dealt with. I believe the Premier, the Attorney General and the appropriate ministers probably have a copy of it, and I would encourage you to look at *Time for Action*. That's the consultation model Mr. Tory would be promoting here. I would say it's a place to start.

By the way, that report does talk about resources. We would certainly like to work with the government in that way of making the system better for this particular group of people in conflict with the law. We have laws and we have laws, but when there are no resources to make those laws function for the desired outcome with young people and they have a future—unless we fix it early, they're always going to be a burden on society in some way, not just on themselves but on society, their family and the community in the broader sense, not the danger and disruption they bring to other people's lives, in many cases, like the Creba case we're talking about.

As I said, I would like to think I could speak all that time on such an intense topic, but it is Thursday and there are 20 minutes to go. I will probably give up the floor in a minute, but there are questions on this bill and it's only the second reading, so there's time to hear from the minister.

I'll relinquish the floor, because I've said enough. I think people have listened, especially to the part about attendance; there was a lot of attention to that. Thank you for the opportunity to comment on this bill.

**The Acting Speaker (Mr. Jim Wilson):** Questions and comments?

**Ms. Andrea Horwath:** I thought the member from Durham was going to ask for unanimous consent for us to expand the time for him to speak on this bill; he did such a great job.

I do have to thank him, because it's true: It gets a little bit yawny in this chamber at this time of the afternoon. After we've had a number of private members' bills, which we all debated vigorously, going through a bit of a technical bill is sometimes difficult. One of the things I have to congratulate the member for is waking us all up and getting us perked up, because he started mentioning who was here and who wasn't, in terms of attendance in chamber. He did a good job of getting our blood moving again and getting us a little bit more engaged, if you will.

I did want to mention a couple of pieces around what this member and, as well, one of the previous members from his caucus, said, particularly around some of the challenges that youth in Ontario have, and it comes out of a lack of opportunity to deal with problems early in their lives. Whether it's the identification of issues or syndromes like fetal alcohol syndrome or whether it's mental health problems that don't get addressed and treated earlier in life, as children grow, these problems become more severe and more difficult to deal with

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Unfortunately, we haven't found a way to nip these problems in the bud and provide the necessary treatments and programs to help kids who are facing mental health problems particularly, as well as other issues like fetal alcohol syndrome. Even though there have been private members' bills in this House around educating pregnant women in terms of alcohol consumption, there is a lot of work that needs to be done to educate educators, physicians, other health professionals and other people dealing with young people about identifying fetal alcohol syndrome and helping young people to negotiate through that.

**The Acting Speaker (Mr. Jim Wilson):** Further questions and comments?

**Hon. Kathleen O. Wynne:** I just want to comment on a couple of things that the member for Durham raised. I know that the member for Guelph, who is my parliamentary assistant, is going to be speaking to this legislation. She has done an enormous amount of work in terms of dealing with some of the root causes and changes to the Safe Schools Act that we have made in our term.

I just wanted to say, first of all, to the member that I accept his congratulations on the beginning of our student advisory council. I think it's going to be a very good thing for students in the province to have an opportunity to feed into education policy. I want to comment on his remarks about this legislation not addressing the root causes of problems that kids have to deal with, and with violence. That's not the purpose of this legislation. In fact, many of the things that we have done in education—and I'll just talk about education at this point—have been to specifically help kids who are struggling

with issues to deal with them. So, for example, we have a student success teacher in every high school in the province. What we know from the research is that having caring adults in a school to help kids who are struggling, to catch them before they get into trouble, to keep them in school, to keep them in a program that's interesting to them, is a major step in terms of their achievement.

Those programs we've put in place—specialist high-skills majors; resources for anti-bullying programs for schools; more psychologists, more social workers: There's \$43 million more in the system for those kinds of resources, including funding for priority high schools.

So in fact, in other parts of our government, we have put those resources in place. This piece of legislation is a part of that, but it is not the whole story.

**The Acting Speaker (Mr. Jim Wilson):** Further questions and comments?

**Ms. Laurie Scott:** I listened carefully to my colleague from Durham's remarks on Bill 103, the Child and Family Services Statute Law Amendment Act, 2008, which is quite a mouthful on its own and is being debated here this afternoon.

It is a bit of an administrative venture. The policy exists. A little bit of background, I believe, is that in 2003, after the Young Offenders Act was replaced by—I'll use the acronym—the YCJA, the Ontario government committed to creating this single system for youth aged 12 to 17 at the time of the offence. So the responsibilities have gone from what was the Ministry of Community Safety and Correctional Services to the Ministry of Children and Youth Services.

It has been brought up many times that there certainly are some gaps in how we treat some of the young people who get into the system and become young offenders, and how we help them get out of the spot that they're in that may be difficult. For various reasons, they've got into the situation—family problems, mental health issues that weren't addressed, weren't identified early enough.

I know that the high schools in my riding of Haliburton-Kawartha Lakes-Brock have had some good success with some of their programs. It takes a lot of dedication on the part of the teachers in identifying and successfully placing them in programs that are appropriate.

I'm happy to say that I actually ran into three of the principals from my riding last night when I was out for a walk here in Toronto. They were at the Ministry of Education's launch of the student—anyway, it's students' feedback into the Ministry of Education. They were there.

That's part of the step. Hopefully, the ministry will listen to further needs that are in the community, especially for our youth, so we can give them the tools to succeed.

**The Acting Speaker (Mr. Jim Wilson):** Further questions and comments?

**Mr. Peter Tabuns:** It was interesting to hear part but not all of the commentary from the member from Durham.

This act, An Act to amend the Child and Family Services Act and to make amendments to other Acts, provokes an interesting debate. People may be familiar with *Bleak House*, the novel by Charles Dickens. *Bleak House* opens in a courtroom, with lawyers arguing over an inheritance, and the novel is about the loss of an inheritance, the frittering away of a family's wealth, through legal manoeuvres. When we have this debate in this House about this legislation, I think about the larger question, the question of youth, the question of people, who are put in situations where they are reshaped in a way that makes them destructive in their behaviour, a threat to community, and I think about the lack of action to actually deal with those issues. The member for Durham was correct: So often, those issues aren't addressed. What we have before us is essentially those technical manoeuvres from Dickens's novel, *Bleak House*. We're talking at length in a very dry way about the administrative matters that have to be dealt with in this law, instead of actually going out and protecting that inheritance, that next generation of youth who have to be nurtured, supported and, where they have been in some way damaged, prevented from damaging others. That's where those of us who have difficulty with this bill come upon the fundamental problem. This government may put forward legislation that makes sense within that context, but it doesn't make sense within society as a whole.

**The Acting Speaker (Mr. Jim Wilson):** The honourable member from Durham has up to two minutes to reply.

**Mr. John O'Toole:** I'd like to thank the member from Toronto-Danforth, the member from Hamilton Centre, the Minister of Education, and the member from Haliburton-Kawartha Lakes-Brock for their comments and for listening attentively.

If I look back at the Hansard when the minister introduced this on, I think, September 29, she did say—though I guess I poked the Minister of Education to react—it was an administrative bill, and that's basically what it is. My point, really, was that we can spend as little time as possible on the administrative part and talk about what she did mention in her transformation agenda, because what she was saying is that if they can reduce the number of people in the youth criminal justice system, that's a laudable goal. What I was commenting on were suggestions, which means resources, to prevent re-offending. So those are the comments that she had made on the introduction to the bill.

I think we're all of one spirit here, trying to make sure that there are fewer young offenders and there are resources for those who do have conflict with the law, and part of that is that youth spend a great deal of time, if not in their homes, in their schools or other supervised places.

I think it's important for the minister to be engaged, and I think it is a real opportunity for young people, including those in elementary and secondary school, not just to be given token service. We extended the franchise of young people to be mandated to be represented on

school boards. That was our government, in the restructuring under the Education Act, that gave students a role on the board of school trustees.

What the minister is doing here that I think is good, and I've said that, is taking students seriously when it comes to their curriculum and what their priorities are in life. If we achieve that, I think we will be addressing the idea of early intervention in young people's lives, genuinely listening to their voice and suggestions, because so far it isn't working as well as it could, and they can't get anybody involved if they haven't been listened to.

**The Acting Speaker (Mr. Jim Wilson):** Further debate.

**Mr. Peter Tabuns:** I welcome the opportunity to address this bill today, one that will create a unified youth justice system that includes 16- and 17-year-olds. Right now, those 16- and 17-year-olds are in limbo. They're not accessing the programming and support they need. It is right, it does make sense, to bring youth into a youth-only system better oriented toward rehabilitation so that they have more support to live healthy and productive lives.

We know that youth who get involved with the justice system, the corrections system, have often come from very difficult situations, growing up in poverty or in sexually or physically abusive situations, or struggling with mental illness. These are not strangers to us; they are youth from our communities. They are sometimes our neighbours, and we have a responsibility toward them, not only a responsibility in terms of having an administrative framework that deals with them fairly and that gives them the proper support, but we also need to deal with them fairly in terms of the social infrastructure that needs to be there so that everyone has an opportunity, from the earliest days of their lives, to live decently.

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We also have a responsibility to public safety, to ensure that people are able to live in their communities without fear. We know that many victims of violence, of crime, are people who come from working-class communities, poor communities. These are people who don't have the resources to protect themselves in gated communities or with surveillance systems. We have everything on our shoulders to make sure that all people are given an opportunity to live a decent life so that they won't engage in destructive behaviour. We need to look at what other jurisdictions have done. We need to understand what they've done effectively and what we can take into our hands here. There's no question that when we approach this issue in the House, all of us here today, from every side, want to reduce youth crime, particularly violent crime, and its serious impact on community members.

The questions that you ask yourself when you look at this legislation, An Act to amend the Child and Family Services Act, are: Will it improve public safety? Will it enhance the rehabilitation and successful reintegration of youth into our communities? If you look at the bill, there

are some positives, but there are also serious concerns. The aim of this act is to bring youth, ages 12 to 17, under one justice system, and that is a laudable goal. It makes sense that that age group is dealt with as one large group, that you don't have 16- and 17-year-olds off in a much less secure, much less structured system.

The limbo that 16- and 17-year-olds have been in for a long time is a longstanding issue. Those youth have been falling through the cracks. They have not been getting the programming they need when they've been put into wings of adult facilities. So it expands youth involvement in decisions about work and training. It makes sense particularly when 16- and 17-year-olds are involved.

But as I said, there are concerns about this bill. There's been a worrying lack of consultation in the development of the bill in the first place. Youth were not consulted. I have to say simply that if you want to be effective in bringing forward legislation that deals with young people, you should bring them into the process; you should be talking to them. In my riding, Toronto-Danforth, in the summer of 2006, we had two shootings, in the northern part of the riding. What was interesting to me was that the local faith community, the local church leadership, convened public meetings, pulled together something of a community group and started going out and meeting with youth, talking about what was needed in that community to prevent violence—what was needed in terms of resources, what was needed in terms of support.

One evening they had a youth worker come in, along with a young man who had grown up in a very difficult neighbourhood who talked about his experiences. For me, it was fascinating to actually hear a description of how young people were recruited into essentially the drug-dealing retail business. Kids who were five, six, seven or eight would be approached by someone who was—what can I say?—a wholesaler in the drug business and offered an opportunity to go to the store, pick up some small item—who knows?—a chocolate bar, peanuts—and told to keep the change. In that neighbourhood, where a dollar or two on Friday from their parents was an extraordinary amount of money, to be given \$5 and told to keep the \$3 in change afterwards was quite powerful in building a connection. That would go on for some time, and you would get a group of kids around that drug wholesaler who would build those connections. Then, as they would get older, they would do things like buying them running shoes. “Go get yourself some running shoes. I see the ones you've got on are rotten.” They would do that. They'd be given 100 bucks and they'd buy the shoes. Then, as they got into their early teens, they'd be told, “We really like you. You've been really good. Could you just hold on to this bag for a few hours while I go out and see some folks?” And slowly, kids would be recruited into that network.

There was an interesting study that was done a few years ago in Chicago by an economist, looking at why drug dealers lived at home with their parents. When they actually talked to people who were drug dealers on the

south side of Chicago, who stood around on street corners trying to sell whatever the market was interested in buying, they found that on the whole these were people who were making about minimum wage or a little less. If you are a drug-dealing retailer, there is not an awful lot of money and there's a lot of hazard. It's fairly common for people either to be killed or jailed, all for minimum wage. But the reality was that the opportunities for other jobs weren't there; they didn't exist. So people who have no other options, who are brought into, drawn into a circle of illegal activity, both see an opportunity there and are dealing with someone who over the years has provided them with goods, money, whatever, and they are caught up in a cycle that, frankly, for many of them ends very badly. That is why, when we talk about this legislation, we are concerned that we aren't seeing the other pieces being put in place.

My colleagues have fought continuously for an increase in minimum wage so that parents who are working minimum-wage jobs have more disposable income. That's something that has not been accepted by this government. We have heard promises from this government about action on poverty. Just recently, there was a statement by the Premier that action on poverty may be delayed. The simple reality is that we can have as many administrative law changes as we want, and they may be positive, they may be useful, they may be rational, but if we're not dealing with the larger root causes out there, then these laws will be ineffective.

A few months ago, over the summer, I had an opportunity to talk to some criminal lawyers who do their work in downtown Toronto. They were talking about

who most of their clients were and what generated most of their business. Interestingly to me, there were two categories that really stood out: people with mental health problems and people with drug addiction problems. They said that if you had a very substantial mental health program in this society that dealt with people who had mental health crises or difficulties, if you had a program that substantially reduced drug addiction, their business would be dramatically reduced, and they would be very happy to move on to other parts of the law. There is all kinds of legal stuff to be done. Charles Dickens wrote about it; we've read about it. We know that lawyers will not go hungry if we reduce crime.

Again, when I look at this legislation, when I engage in these debates, I think about the legislation that is not before us. I think about the budget measures that are not before us. I think about the youth workers who are not out there, trying to break that bridge of trust that drug dealers are trying to build with young people.

*Interjection.*

**Mr. Peter Tabuns:** Speaker, I gather from your delicate and subtle clue that you're indicating my time has come to an end. I will yield the floor back to you. Thank you.

*Second reading debate deemed adjourned.*

**The Acting Speaker (Mr. Jim Wilson):** On behalf of all of us here, I just want to thank the pages once again. You've done an excellent job, and we certainly wish you well in life.

It being 6 of the clock, this House stands adjourned until Monday, October 20, at 10:30 a.m.

*The House adjourned at 1800.*

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