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Tuesday 26 May 2009

Mardi 26 mai 2009

Speaker
Honourable Steve Peters

Président
L'honorable Steve Peters

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LEGISLATIVE ASSEMBLY
OF ONTARIO

Tuesday 26 May 2009

ASSEMBLÉE LÉGISLATIVE
DE L'ONTARIO

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The House met at 0900.

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

Prayers.

ORDERS OF THE DAY

MINING AMENDMENT ACT, 2009

LOI DE 2009 MODIFIANT
LA LOI SUR LES MINES

Resuming the debate adjourned on May 13, 2009, on the motion for second reading of Bill 173, An Act to amend the Mining Act / Projet de loi 173, Loi modifiant la Loi sur les mines.

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

M^{me} France Gélinas: It's my pleasure to add a few of my sentiments regarding Bill 173, the Mining Amendment Act, 2009. First of all, the Ontario Mining Act was passed in 1873. This was a long time ago, at a time when picks and shovels were used for mining. I would invite everybody to come and see Dynamic Earth in Sudbury. At Dynamic Earth, first you see a great explosion, which created the Sudbury basin, which is so rich in minerals. But then are you taken through a mine that lives through time, so you actually get to see what a mine used to look like in and around 1873, when the Mining Act was first introduced. Then you look at what a mine looked like in about 1950, and finally, as you continue on your journey, you look at what a mine looks like in 2009. So you can see the picks and shovels and the lights and the dynamite that was used back then, and then you see the leg drills and everything from the 1950s. But you also get to see the remote-controlled jumbo drills that are presently used in mining. I thought I would put a little claim in there for a very famous tourist attraction in Sudbury, but that also has to do with the Mining Act, because you can see how things have changed and how things have progressed, yet in Ontario we are stuck with a law that was drafted in 1873.

In 1873, Ontario saw the need to rapidly exploit Ontario's natural resources, because they wanted to establish control of the land and they wanted people to settle. Things have changed dramatically. In 1906, the Mining Act basically gutted the control of access to land, establishing what is called free access to land by mining com-

panies. What is now called a free entry system, mandated by the Mining Act, gave the mining industry and others free access to land in their search for minerals, regardless of who owns the surface rights. That basically means that if you're associated with the mining industry, you can go anywhere in Ontario and start looking for minerals. I can tell you that where I come from, in Nickel Belt, we see prospectors and have been seeing prospectors for many, many decades, and they do that: They will go anywhere they see fit if they think there are minerals under the ground, and sometimes on the surface also. For over 100 years, this free entry system led to clashes. It led to conflict with First Nations people, conflict with landowners and the public, and basically a lack of regard for the environment and the often really significant impact on the environment.

The Mining Act failed to recognize aboriginal and treaty rights and basically violated the established constitutional right of First Nations people to consultation and accommodation prior to all government decisions that might have an impact on their interests. It also failed to take corporate laws, policies and regulations designed to specifically protect ecological value such as the Planning Act, the Environmental Protection Act, the Ontario Water Resources Act and the Provincial Parks Act as well as the Conservation Reserves Act—so, the Mining Act basically superseded all of those. They did not have to comply with a series of acts that had been put into place to protect our environment; to protect our province, our water, our resources etc.

Amendments to the Mining Act requiring progressive rehabilitation, site closure plans and financial assurance requirements came into effect in 1991, so there has been some improvement to the act, but many of the achieved mining reforms were then dismantled in the mid-1990s. Intense conflicts over the past few years have led to an agreement, I would say by all the stakeholders, that the Mining Act needed reform.

One of the principal concerns has been the free entry system, which allows prospectors to stake claims on minerals without notifying or consulting landowners or aboriginal people, if they are on their ancestral ground.

In the Environmental Commissioner of Ontario's most recent annual report, the commissioner called for reform of the Mining Act and its associated legal mechanism. The Environmental Commissioner of Ontario noted that the Mining Act "impeded land use planning and that the existing regulatory structure for mining did not adequately assess the cumulative impact of" mining "development." It is hoped that the reform of the Mining Act will

reduce land use conflicts and “reflect modern-day values as to how Ontario public and private land should be managed.”

The government claims that Bill 173 addresses the concerns of all stakeholders. They claim it will forge new approaches to mineral exploration that will be more respectful of aboriginal communities and private landowners. Well, can all those things be done in one bill?

To really protect the environment and the rights of aboriginal people and other landholder groups, there are clear things that the act needs to do. It needs to ensure that comprehensive land use planning occurs before mining activities are allowed to proceed, so that the benefits of mining versus other land use can be taken into consideration and informed decision-making can happen. It must require environmental assessment to cover each stage of the mining process from the time prospecting starts, to exploration, to operation and to reclamation of that land. It must enshrine requirements for First Nation consent, it must provide increased rights for landowners to address issues with the free entry system, and it must require full funding for cleanup and reclamation costs.

So in my regard, how far does this act go? Well, first, many environmental groups have called for legislation to ensure that the land use planning process precedes mining activities, rather than leaving the withdrawal of crown land for land use planning at the complete discretion of the ministry. They recommend a statutory prohibition on prospecting, exploration or mining in areas subject to active land use planning initiated by governments of aboriginal peoples.

0910

The bill introduces a graduated regulatory scheme for early exploration, with exploration plans required for lower-impact activities and exploration permits required for activities with higher impact. It will be important to assess the language in this section very carefully.

Let me be clear: We don't necessarily support all of these proposals, and we don't actively oppose them either. This is a very complex piece of legislation that we will be examining very closely. We will be particularly concerned with the jobs implications of any and all changes to the act.

People know that there is a lot of mining activity happening in Sudbury. But, really, all of the mines are in Nickel Belt. The percentage of my constituents who work either directly for a mining company, in mining, or within the support industry of mining, is very, very high. In Sudbury, you do have a smelter and a mill, but all of the mines—and there are dozens of them run by big companies or junior companies—are located in Nickel Belt. So certainly, the jobs impact is something that I am interested in looking at closely.

Second, many groups have called for the implementation of environmental assessments at each stage of mining. A declaration order has exempted mining from environmental assessments in Ontario since 1981. The Ministry of Northern Development and Mines was charged with developing a comprehensive environmental

assessment system for mining processes, but there has been very little progress in this regard.

All stages of mining, from prospecting right on, have an impact on the environment. The establishment of camps for prospecting, the blazing of claim lines and the construction of new roads for initial exploration can all disturb wildlife and fragment habitats. Early exploration can strip vegetation and impact on surface and groundwater. Mining can lead to acid drainage and metal leaching, and silt and sediment can affect various bodies of water.

Currently, the government has no ability to refuse a mining claim or impose requirements for low-impact practices.

I can tell you that if you go to the northern part of Ontario, especially at this time of the year, it is not unusual to see prospectors setting up camp and starting to draw lines. They are doing exactly what I have just described, with an impact on the environment, but our government has no ability to refuse this type of work.

There are no mechanisms to allow consideration of the impacts of mining on rivers flowing through provincial parks, conservation reserves or other sensitive areas. Often, claims can be very close to those sensitive areas. Since the government cannot impose environmental protection or mitigation requirements, the public is often forced to pay for the cleanup of abandoned or poorly restored mining areas. Again, if you go through the bush in northern Ontario, you will see site after site of such poorly cleaned-up areas.

New Democrats need to hear from all stakeholders to ensure that the legislation gets the balance between protecting the environment and creating the right types of jobs and the right environment for mining to continue to grow and prosper. It is a question of balance.

It is worth noting that British Columbia and Quebec require environmental assessments of mines. The Northwest Territories and the Yukon require assessments at the exploration stage. Environmental assessments in British Columbia, Nova Scotia and Labrador have required “contribution to sustainability” tests, which assess broad environmental and social costs and benefits to present and future generations. You have to take your time and think those things through to see the kind of impact that they might have, not only on the present generation but also on future generations. In the First Nations community, it is not rare to hear them talk about the impact that it will have on six generations down the road. As a people, they take time to reflect, to really see what the costs and benefits are for themselves and also for their great-great-great-great-grandchildren.

Again, there is nothing in this act to put in place an obligatory environmental assessment of mining activity. We look forward to public hearings to hear the pros and cons of such a requirement.

Third is aboriginal consent. In 2007, the Environmental Commissioner of Ontario recommended that the Mining Act be amended to reflect government's constitutional duty to consult with First Nations. Other governments such as Australia, New Zealand and even the

Philippines have put in place legislation recognizing First Nations people's rights as higher than mining interests. Quebec requires Cree and Inuit representation on environmental assessment boards for mines. Article 32 of the Declaration on the Rights of Indigenous Peoples, endorsed by Canada last April, requires that states obtain the free and informed consent prior to approval of any project affecting the land, territory or resources of indigenous people.

The Supreme Court of Canada has asserted that governments have a responsibility to carry out meaningful consultation with aboriginals and in some cases may require the consent of aboriginal people when making decisions that impact aboriginal rights.

Thirty groups recently wrote to the Premier in relation to the situation that had happened at Kitchenuhmaykoosib Inninuwug, better known as KI, saying that "Canadian courts have clearly established that whenever the rights of indigenous peoples may be affected, governments have a legal duty to ensure that there must always be meaningful consultation to identify and accommodate indigenous concerns. Depending on the potential impacts, courts have found that this legal duty may include other more stringent measures 'to avoid irreparable harm,' including in some cases agreeing to proceed only with the consent of the affected peoples."

Despite this very clear direction from the Canadian courts, the Ontario government allowed Platinex Inc., a Toronto-based mineral exploration company, to stake claims and begin exploratory drilling on KI's traditional land without any consultation. We all know what ensued. Six members of Kitchenuhmaykoosib Inninuwug, KI First Nation in northern Ontario were sentenced on contempt charges for their peaceful opposition to drilling for platinum on their traditional lands.

In a similar case, the Ardoch Algonquin and Shabot Obaadjiwan First Nations say that trees were cut and blasting begun without them being notified that the province had given Frontenac Ventures permission to carry out uranium exploration on Algonquin land. Ardoch Algonquins were sentenced in court for opposing uranium exploration in a part of eastern Ontario which they have never surrendered and which is currently part of the Algonquin land claim negotiation.

All these charges relate to the non-violent actions of reasonable and concerned people opposed to exploration and mining activity that the provincial government should not have permitted in the first place. Those were avoidable. A little bit of prevention would have helped a lot of people.

0920

The Ontario Mining Act allows exploration activities, including aerial surveying, felling trees, blasting and drilling trenches, and the construction of temporary roads and shelters, without any public consultation and environmental assessment. Such provisions are incompatible with other responsibilities of the province.

The bill is a thick read and not one that should be taken lightly, but I will summarize my five main concerns.

The amendments do not meet constitutional requirements for crown consultation and accommodation with First Nations, and attempt to relegate this important responsibility to private interests.

Second, the amendments leave the creation of the third party interest on the land—at the prospecting and early exploration stage—with no permit required, no consultation and no environmental review, although damage may happen at that stage.

The demand for a uranium exploration and uranium mining moratorium in Ontario is ignored, despite enormous public concern.

The environment is completely missing from the document. Actually, if you try a word search of the document, it will indicate that there is only one place where the word "environment" is mentioned. The need for environmental assessment before the issuance of claims, mining leases or other mining permits is ignored, and the declaration order which makes this possible is left untouched.

Fifth, no changes are proposed to the egregious situation which allows companies like Vale Inco and Xstrata Nickel, right in my riding, to self-assure for reclamation instead of posting a realizable financial assurance, despite recommendations from the Auditor General to the contrary so that we could better protect ourselves for the reclamation of the land once mining activity has ceased.

A big piece of legislation; still lots of debate needed.

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

Hon. Michael Gravelle: I want to thank the member from Nickel Belt for her thoughtful comments. She showed very well that she appreciates the complexity of this legislation and how important it is that we indeed get it right, and particularly how important it is that we strike the balance that's needed.

I wish I had more time to respond, because there are a number of issues that the member raised, and we'll have an opportunity to discuss these further as we move along the process, even beyond second reading, into what we hope to see: public consultation.

The fact is that the broad principles of this legislation have been strongly supported by all the organization stakeholders that the member mentioned. In terms of our relationship with our aboriginal partners, there are groundbreaking parts of this legislation in terms of the aspects of the bill that recognize aboriginal and treaty rights of legislation that require consultation and notification in almost all sections of the mining sequence. We did receive significant support from many First Nation leaders and the Métis Nation of Ontario as well, as the member would know. From the environmental perspective, we did receive significant support, and I would argue the toss in terms of what is in there.

What becomes clear, when I listen to the opposition respond to the legislation, is that I think that in their remarks they also recognize the challenge. When you break it down, as did the member for Nickel Belt, who obviously is very concerned with employment, you want

to make sure we have a continued positive investment climate. On the other hand, there is a need to move forward to modernize the act. I'm not sure of the position that you take in light of all the need to find that balance. I trust that you recognize that we believe strongly that this legislation has gone a long way, and very significantly, toward finding the balance that's needed to modernize the Mining Act.

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

Mr. Norm Miller: I'm pleased to add some comments to the speech from the member from Nickel Belt on Bill 173, the Mining Amendment Act.

She started out by doing a tourism promo for the Big Nickel and Sudbury. I'll just let her know that on a few March breaks, when my family was younger, I did take advantage of going to Science North and the Big Nickel, so I have seen first-hand, with a young family, the many attractions of the Sudbury area and I certainly recommend them to other families.

To do with the new Mining Act, one of the aspects talked about was the community-based planning for the far north. I think it's important to recognize that the actual footprint of a developed mine is pretty tiny. If you look at the Attawapiskat new diamond mine west of James Bay, the footprint is, I believe, about the size of Queen's Park. So I think it's important, when we are looking at the far north, to not limit prospecting in the far north but perhaps to look at limiting where the actual mine could be, because you don't know where you're going to find the next mine. If you are trying to encourage mining in the province, which is very important as an employer for aboriginal communities and very important to the economy of the province, I think we have to be careful that we don't limit where the actual prospecting can happen. I think it's important to lighten the footprint and through aspects of this bill; map staking will probably have that effect. With active mining going on, the actual amount of land that would be used for mines, if we're very successful, is tiny. So I think we should be encouraging looking for new mines. They are so important for the economy of this province and for the aboriginal communities in this province.

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

Mr. Howard Hampton: I listened intently to my colleague from Nickel Belt's speech. Mining is something that she of course is very familiar with, given that Nickel Belt is in fact the site of the largest and most productive nickel mines yet, so far, in the world. I think she highlights some of the challenges this government has failed to deal with in this bill. No one, leastwise the member for Nickel Belt, is going to underestimate the issues that must be addressed here.

The fact of the matter is that north of the 51st parallel, 99.99% of the people who live there are First Nations. You might find the odd non-native pilot flying around, you might find the odd non-native teacher or non-native nurse working north of the 51st parallel, but 99.99% of

the people who live there, and live there permanently, are First Nations. That is the primary issue, in my view, that has to be addressed. First Nations have some particular views about the environment, they have some particular views about environmental decision-making, and First Nations rightly have some views about things like informed consent. Imagine if somebody said that they wanted to develop a mining property in Toronto. I can tell you that every neighbourhood in Toronto would want information and they would want the capacity to consent or deny consent. This is one of the things we have to get our head around: that the people who actually live north of the 51st parallel are going to demand, and reasonably demand, that they have the power of consent or non-consent.

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

Mr. Michael A. Brown: I appreciated the comments from the member for Nickel Belt. I think she raised through her presentation a large number of the issues that this bill attempts to reconcile. This bill of course is about balance. It is about balancing the views of people in the First Nations communities with the certainty that the mining industry wishes to have in terms of the process that they need to go through to develop a new mine. In particular, it needs to address many of the issues that surround prospecting in terms of finding new mines. I represent a large northern constituency that actually dwarfs Nickel Belt in terms of size. I recognize that some of the largest gold mines, and most productive gold mines, were found at the Hemlo gold fields right on the edge of my riding and the minister's riding. They were found right beside the TransCanada Highway, Highway 17. You could throw a stone and find them from there. So what it speaks to is, you never know where you're going to find a mine.

0930

I have people I am acquainted with who are actively exploring for diamonds in the Wawa area, and it looks to me like we're going to have some huge successes in diamonds in the Wawa region.

What we need to do is find a balance. There are issues, and I'm pleased the member has raised those issues. But for every one she raised, there are two or three stakeholders on the other side who need to have their views heard also. So, as we go through this process, through the committee stage, I'm hopeful that we can find a reasonable solution to a very complex problem. I'm sure that anybody who represents the nickel mining folks, whether they be employees or employers in Nickel Belt, will know all about how complicated this really is.

The Acting Speaker (Mr. Ted Arnott): I'll return now to the member for Nickel Belt, who has two minutes to respond.

M^{me} France G  linas: First of all, I appreciated the comments from the Minister of Northern Development and Mines. Yes, we do need a positive investment climate. It is no surprise to anybody that although Sudbury has diversified, nickel mining and mining in general is

still the bread and butter of hundreds and thousands of families, and the same for Nickel Belt, which shares a land mass with Sudbury.

To the member for Parry Sound–Muskoka, I'm really happy that he took the opportunity to go underground and visit the Big Nickel mine, which is now part of Dynamic Earth. Again, I encourage everybody who doesn't know what to do with their summer holidays to come to Sudbury and take in Dynamic Earth. You'll get to go underground, put on the safety goggles and hard hat and everything else. It will be an experience you will never forget, and it's lots of fun for the whole family.

I think my colleague from Kenora–Rainy River sums it up correctly, that the challenges ahead of us cannot be underestimated. To find the right balance is something important, but we have to realize that most of the mining exploration will take place north of the 51st parallel, which will mean in First Nations territories. Although some First Nations have spoken in favour, many are not satisfied with what is in the bill and want to see changes, mainly the First Nations that are north of the 51st parallel and will be impacted.

Lastly, I was happy to hear my colleague from Algoma–Manitoulin say, "We hope to find a reasonable solution to a complex problem," saying that he hopes to leave the door open, that maybe we're not quite there yet, but with working together and listening to one another, we'll get there.

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

Mr. Toby Barrett: When we are addressing this proposed mining legislation, Bill 173, we should be reminded in this House that we have to be mindful of our actions and their impact. We're looking at changes to a piece of legislation originally written 136 years ago, and what we're doing today may well have ramifications 136 years into the future.

We all know the importance of mining to the province of Ontario: a \$9.6-billion annual business and major contributor to this country's trade surplus; a very high productivity business; something like \$600 million in corporate tax revenues, and I'm sure with the recession that is on a downward spiral; and, of course, a very significant payroll. Up until recently, there were something like 100,000 direct and indirect jobs within this industry, many of those positions filled by native Canadians.

These are some of the reasons that, when we were in government, we cut the mining tax rate in half. Regrettably, more recently, this present McGuinty government, for example, tripled taxes on De Beers, the operation just west of Attawapiskat. It's interesting. We know the industry is the largest private sector employer of aboriginal people in Ontario, a vital generator of regional development—something very important in northern Ontario. This is a fact that bears careful consideration as we look to address mining law in Ontario.

Having said that, I understand there's much at stake— if I can use that pun—when it comes to development of new mining legislation, and I think I heard that this

morning. We have to get this right. I'm not sure that this bill would actually do that. I know our critic made some allusions to that concern, in particular, when we get into the discussions with respect to revenue sharing—I travelled with that committee a number of years ago—when we get into discussions with respect to duty to consult with area native people.

I think all of us here received an e-mail from a concerned prospector with a series of issues which actually help frame some discussion with respect to the importance of getting this right, and I quote this communication:

"The unveiling of this act has created too much uncertainty in the exploration industry in northern Ontario, and junior mining companies have already either packed up or put the brakes on their exploration programs. Some of the act is all right but the majority is bad for the industry and, in turn, is bad for the province. As I read it"—he goes on to say—"I start understanding how little northern Ontario is valued within the province and how our northern politicians have turned into 'yes-men' to gain votes for the leaders in the south."

The prospector further states: "Most of the proposed changes were present in previous mining acts and were originally changed because too much high-potential land was being tied up and not being explored. Previous ministers recognized this and repealed and changed portions of the act to promote the economic growth of Ontario. This act will reverse all the gains made in the past 20 years and reinstate errors made in past mining acts." And this prospector goes on to say, "Have you actually gone through the reasons some of the changes were originally made, before you change them back?"

Now, we've had media reports regarding this bill. They paint a rosy picture. This concerned prospector has some opinions on what the impact will be, and I'll just quote in part: "(1) the act will destroy the prospector because we cannot afford to compete with the major mining companies ... this act will destroy exploration because there's too much uncertainty ... it will increase the cost of raw materials in the province, thus increasing the cost of production," and it goes on and on.

In addition to these kinds of comments from this prospector, I have further concerns surrounding the fact that while some aspect of provincial rules for mining and prospecting are more fully developed and understood, other attempts at clarification leave some unanswered questions. The water is a little muddy, from my perspective anyway.

By the same token, there has been very little communication from this government as far as plans for the boreal forest. Again, I would like to find out what is going on there as far as projections, plans, with respect to revenue sharing and consulting. Most of these questions surround this particular legislation and its role in addressing aboriginal concerns, including duty to consult and revenue sharing. Later on, I would further like to highlight some of the questions regarding this legislation's potential role in creating mining and prospecting

regulation and where this leaves some of the smaller players.

0940

As we've heard, the legislation deals with recognizing aboriginal and treaty rights and envisions a dispute resolution process for mining-related issues. For example, aboriginal cultural sites can be removed from claim-staking. Communities will be notified immediately after a claim is staked. Here's this expression "mineral explorationists." I'm not sure where that term came from. I think that's a code word for a prospector. Again, if you think of the history of mining, I don't know what they would call the burro, the donkey that a prospector traditionally would carry along with him in so much of North America. That would be probably an associate mineral explorationist. Again, I'm not sure why we're going down this road.

The mineral explorationists will be required to notify First Nations of their activities on traditional lands. I am not sure what is meant by "traditional lands" as well, and we'd have to go back to the original treaties to see if they even talk about traditional lands. There's also a seeming clarification of the consulting process between mining companies and First Nations as well.

Before I get too far ahead on analyzing the revenue sharing and the consultation, I want to go back to a theme that I've raised earlier in this debate. I do draw members' attention to the fact that while we can modernize legislation, we have to respect the knowledge and the wisdom of those who have gone before. I think specifically of miners, prospectors and others involved in the very rich history of mining right across North America. We can learn from the past.

I made mention that much of my family's history in gold mining has been documented, and this goes back to 1849, in this case not in Ontario but up and down the Merced River, the Yosemite area now—more recently, the Yosemite park area. This is of interest, to me anyway, when I look at some of the documents within our family. It would be in 1849 that my great-great-uncles left Port Dover by boat to Panama. There was no canal then; they had to buy horses. You'd catch another boat to San Francisco. Oftentimes those boats were sunk in San Francisco harbour. Then they head up into the Sierras. Last summer I was in one of the tunnels that was built by my great-great-uncle in 1850. I brought back some quartzite rock. I'm not allowed to show it here, but I have some of this rock piled by my fireplace.

It's interesting for me, anyway. Joseph Barrett—these are some of my uncles—Henry Barrett and Thomas Barrett all were involved in gold mining. This was well before this legislation was created, although there was Mariposa county legislation at that time that guided their actions. I look at some of the claims. On July 5, 1862, Joseph filed and recorded a claim. This was at the head of French Gulch. This runs into the Merced River. There's another claim: On July 6, 1862, Joseph filed a claim on French Gulch where it empties into Temperance Creek. February 6, 1863: All three of my uncles—

Joseph, Henry and Thomas Hubert Barrett—filed claims on a quartz vein or lode on the south side of Cotton Creek and indicated that they worked the same in accordance with the mining laws of Mariposa county. On April 5, 1863, Joseph Barrett filed claims for a copper, gold and silver lode at Chimmisall, the west side of the Grapevine Gulch. The three brothers filed claim number 227 in Mariposa county in the state of California. It goes on and on, most of this up and down the Merced River. We have these claims. They're in very clear handwriting from the county official. These have been passed down through the family.

Of course, at that time, and I rely partly on oral family history, we had to deal with the Yosemite Indians. The Yosemite were originally driven out of what is now Yosemite park by the federal government. My family had very good relationships with the people there. We had leases, for example, and maintained those leases over the years for cattle. We ran cattle in what is now Yosemite park.

I do reflect that the concept of revenue sharing, back in those days, probably didn't exist unless you worked those veins and worked those lodes. As far as taking a share, I know from family history that shares were taken at gunpoint.

So we can learn from the past. I'm not saying that some of what went on in the Sierras of California went on in northern Ontario, but much of that is actually—we keep within the family, by the way. My point is, we can learn from the past. We talk about modernization, and we have to be cognizant of what we do with this legislation, what kind of impact that's going to have 100 years or 200 years down the road.

Back to Ontario: In the legislation there are, as we know, a series of proposed changes that the government hopes will address aboriginal consultation and revenue sharing. For instance, the purpose clause of the Mining Act is "amended to include the statement that mining activities are encouraged in a manner consistent with the recognition and affirmation of existing aboriginal and treaty rights." Some of those treaties go back to 1850 in northern Ontario.

From today's Ontario bill, I understand that aboriginal consultation would be required for exploration plans and permits for early exploration activity, proportionate to the potential impact of the proposed activities. Later-stage activities of advanced exploration and mine development already require aboriginal consultation, through closure plan requirements in the regulations. Just in the interests of time, I'll skip over some of that material.

I would like to raise the issue of some of the treaties that provide direction on land, aboriginal and related issues. We know of the Robinson-Superior Treaty of 1850, the Robinson-Huron Treaty of 1850, as well as the related treaties: Treaty 9 and Treaty 5. I've received some information on these treaties. It seems that aboriginals gave up their right and title to the land outside of the reserves to the crown but were allowed the right "to pursue their usual vocations of hunting, trapping and

fishing throughout the tract surrendered ... saving and excepting such tracts as may be required or taken up from time to time for settlement, mining, lumbering, trading or other purposes.”

James Bay Treaty 9, I'll just quote in part: “Whereas, the said commissioners have proceeded to negotiate a treaty with the Ojibwa, Cree and other Indians, inhabiting the district hereinafter defined and described, and the same has been agreed upon, and concluded by the respective bands at the dates mentioned hereunder, the said Indians do hereby cede, release, surrender and yield up to the government of the Dominion of Canada, for His Majesty the King and his successors forever, all their rights, titles and privileges whatsoever, to the lands included....” Then it goes on to say, “They shall have the right to pursue their usual vocations of hunting, trapping and fishing ... excepting such tracts as may be required or taken up from time to time for settlement, mining, lumbering, trading or other purposes.”

Both Treaty 9 and 5 relate in part to the NAN organization.

Treaty 5: “The Saulteaux and Swampy Cree tribes of Indians and all other the Indians inhabiting the district hereinafter described and defined, do hereby cede, release, surrender and yield up to the government of the Dominion of Canada”—and it goes on and on in pretty well the same context as with the other treaty.

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I don't know whether this legislation is assuming there were mistakes made in these treaties or the wording of the treaties is wrong. If it's being argued these treaties don't mean what they say, why are these treaties being maintained? I'm not sure to what extent this provincial government is interpreting these treaties and what role the federal government is playing as far as this particular legislation or any work that's being done in the boreal forest. Again, we have to be cognizant of Supreme Court rulings as well with respect to upholding these treaties. I could go on and on. I have information on the Robinson-Huron treaty of 1850, pretty well following the same line.

There's some information from the Prospectors and Developers Association of Canada. In their submission, “Despite a growing series of court cases, particularly those decided by the Supreme Court of Canada, extensive written commentaries and the emergence of a burgeoning ‘consultation industry’, we believe that widespread misunderstanding and confusion still persist in relation to

“(a) the legal basis for the duty to consult and to accommodate;

“(b) how that duty should be discharged; and

“(c) the respective roles of government, proponents and aboriginal communities and organizations in completing that process.

“In its 2004 decision in *Haida*, the Supreme Court of Canada explicitly determined that the duty to consult and, if appropriate, to accommodate is exclusively a duty of the crown. Acknowledging the need to ensure an orderly process and guard against unstructured discretion, the court also said that governments could establish policies or set up regulatory schemes to guide the civil service in

fulfilling that duty. The court went on to say that while the ultimate legal responsibility for consultation and accommodation rests with the crown, governments are entitled to delegate procedural aspects of consultation to industrial proponents in relation to a particular development.”

Again, I find this very complex. I haven't heard much of this discussed in the context of this particular piece of legislation. Obviously, I hope all of this is being taken into consideration.

As I wrap up, I think it's important to continue that discussion on revenue sharing. I know MPP Bisson has done an awful lot of work on this. There is a Canadian Press article indicating, “The legislation stops short of giving aboriginal communities a share of mining revenues, but the province set aside \$30 million last week” to indicate that they're serious.

There's no question, as we move forward, that the discussion on revenue sharing will dominate much of this discussion and I'm sure it will come up yet again during committee hearings.

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

Mr. Howard Hampton: I enjoyed listening to the comments of my colleague from the Conservative Party. I want to use this opportunity, though, to take a different perspective on some of the things he discussed, in particular the interpretation of treaties.

In so-called modern, urban Ontario society we certainly have our interpretation of the treaties. Words like “surrender” are part of that interpretation, that the First Nations “surrendered” the land and, in return, First Nations were granted certain limited reserves. That's our interpretation. The interpretation of First Nations is far different. The interpretation of First Nations is that they did not surrender the land; they agreed to share it with us, the Europeans who arrived late on the scene. They agreed to share the land and share the resources. But the word “surrender” appears nowhere in the interpretation of First Nations.

I think that's one of the things this bill has to wrestle with, and I would say to the minister, if the government tries to avoid wrestling with those different interpretations, then I think trouble lies ahead. My sense of the First Nations north of the 51st parallel is that they are going to insist upon a sharing of the resources, a sharing of the decision-making and a just sharing of the revenues. It is the degree to which this bill either succeeds or fails in wrestling with those things which will determine its success or failure.

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

Hon. Michael Gravelle: Thank you to the member for Haldimand–Norfolk for your comments, and I appreciate it's the second time you've had an opportunity to speak, last time in a two-minuter, I believe, related to your own family's past. I do appreciate the comments.

May I say I want to respond a little bit to the comments from the member for Kenora–Rainy River, if I'm allowed to do so.

Certainly, our government has made a very clear commitment to the revenue-benefit-sharing process in terms of the revenues from mining. In fact, prior to the introduction of our legislation on April 30, the Minister of Aboriginal Affairs announced that \$30 million, considered a down payment in terms of that process, was committed and was well-received by the First Nation leadership across the province. I think it's important to note that indeed we are committed to that process, and it is an important part not so much of our legislation, because this is a separately managed part of the relationship that we have with our aboriginal partners—that's important for all of us to recognize.

Also, may I say in terms of the comments you made related to the concerns expressed by the prospector you quoted, there is no question that what we were asked for very much as well was for some real clarity in terms of how we would be moving forward with a modernized act, and I'm pleased to say that we kept all stakeholders very involved in the process. Certainly, in terms of our aboriginal partners, there was a special process in place to make sure that they worked alongside us as we moved towards the legislation. In terms of the prospectors association, that was the case as well, and we have received support from the Ontario Prospectors Association as a result of our efforts to work closely.

We recognize just how incredibly important, as I said earlier and you said as well, it is to get this right and that's why we've worked so hard with all our stakeholders to try and move forward, to bring forward a very positive, modernized Mining Act.

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

Mr. John O'Toole: I was pleased to listen to the member for Haldimand-Norfolk, and I know his passion for this topic. The content clearly describes his concerns in trying to find the stable environment that this industry requires to make those kinds of investments.

But I guess this is where the minister needs to make sure that we're being clear that the First Nations—that there need to be some issues resolved here. These issues of entitlement are complex. We understand that. We also realize that there's been a fund set aside to sort of resolve some of these things upfront. But ultimately, it's sharing in the royalties of the revenue. That is ultimately what they want; they want that constitutionally enshrined. I guess, at the end of the day, the other is the issue of property rights. In the broader sense, it's my understanding those are the issues that we have the greatest amount of trouble with: making sure of the property rights of the individual who doesn't want someone to be on their property doing certain things—exploration—or does want them, and it appears there are changes in that respect as well. I did have some comments myself, but I guess this morning, because of the way the clock works and these new, wonderful standing orders—it precipitates that you never know if you're going to get to speak on the issue or not.

I also want to reflect on the comments that the Ontario Real Estate Association has brought to the minister's

attention under Bill 173, so that the landowners in southern Ontario, where there are significant rights of the owner and the mining rights belong to the crown—these issues as well are part of what we want to make sure are clear in any development of this new and important piece of legislation.

I always admire the member from Haldimand-Norfolk, his passion to get it right and to stand up for justice.

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

M^{me} France Gélinas: I too was interested in the comments made by the member for Haldimand-Norfolk, but also in the view he took of Bill 173, the Mining Amendment Act, focusing mainly on revenue sharing.

Mining is a significant source of revenue, and certainly revenue sharing is something that needs to be addressed in the bill and something that I had brought forward, as I understand that what I consider to be a positive investment climate will lead to more jobs and to sustainable mining in Ontario. I was interested in his view of it, where I think we all agree that we need to bring certainty to all parties in order for mining to continue to flourish in a respectful way.

But here, again, the interpretation of treaty rights with the First Nations, especially north of the 51st parallel, has to be at the basis and the core of it. To try to balance the treaty rights versus the mining rights is a first step, and this can only happen through open consultation. As I said before, this responsibility cannot be relegated to a private interest, which is something that is lacking in the bill and that we would like to see.

So it's an interesting view of Bill 173, focused on revenue sharing, and it has certainly shone a light on a number of areas in the bill that still need clarification to make sure that we get it right. Thanks for your comments.

The Acting Speaker (Mr. Ted Arnott): The member for Haldimand-Norfolk has two minutes to reply.

Mr. Toby Barrett: I do thank members for comments on what is a very complex and, I think we all find, a very interesting piece of legislation. I know there have been several members who have discussed the subsequent interpretation of these original treaties.

I didn't get a chance to reference the Robinson-Huron treaty of 1850. I'll just quote it. It seems fairly clear to me. What was said: "They the said chiefs and principal men, on behalf of their respective tribes or bands, do hereby fully, freely and voluntarily surrender, cede, grant and convey unto Her Majesty, her heirs and successors for ever, all their right, title, and interest to, and in the whole of, the territory above described, save and except the reservations set forth in the schedule...."

I don't think that treaty has been changed or rewritten. I don't think this legislation is going to attempt to do that.

Minister Gravelle does address the issue of revenue sharing, as does the Minister of Natural Resources and the Minister of Aboriginal Affairs. I know Minister

Duguid made mention, I think in the media: “There’s no question about whether we’re going to move forward with revenue benefits sharing. The question is, what’s it going to look like?”

That’s a very valuable question to raise, and what will that look like? I mentioned the committee hearings a few years ago and deliberations on that very same question. We do have to, through this legislation, provide some clarity to all concerned with respect to that issue.

The Acting Speaker (Mr. Ted Arnott): Further debate? The member for Kenora–Rainy River.

Mr. Howard Hampton: I have about 12 minutes, so I want to cover a lot of ground.

First of all, let’s be really clear what this legislation is about. No one is clamouring at the municipal boundary of Toronto to start prospecting for a mining operation in and around the greater Toronto area. Similarly, to my knowledge, no one is pounding at the gates of Windsor, Hamilton, London, Kingston or Ottawa. No one is out there in rural agricultural Ontario, to my knowledge, actively prospecting for the next gold mine. You might find isolated spots, localities in southern Ontario where someone is interested in doing some prospecting. But the reality is, this bill is all about what happens in northern Ontario in general and what happens north of the 51st parallel in particular.

Let’s be clear: The hottest mining area in the world is no longer the Congo River basin or the Amazon River basin or some island in the central Pacific. The hottest mining area in the world is that part of Ontario which essentially lies north of Sioux Lookout, north of Kapuskasing, all the way up to the shores of Hudson Bay and James Bay. You have mining corporations from all over the world tripping over each other trying to get access. That’s what this is about. This is really about what lies north of the 51st parallel, and to a certain extent what lies north of Lake of the Woods, north of Rainy Lake, north of Lake Superior and to a certain extent north of Kirkland Lake in Timmins—the hottest mining area in the world.

The big issue is this: There is hardly anyone living there but First Nations, and many of the mining operations that are being conducted, for example Muscle White or Attawapiskat, involve non-aboriginal people flying in on an airplane, maybe working there for two weeks, possibly three weeks in some cases, and then flying back out. There are no permanent non-aboriginal settlements of any size to speak of. We’re really talking here about a part of Ontario that is overwhelmingly populated by First Nations people, and it’s been that way since before any of us arrived in Canada—long before any of us arrived in Canada. So this is really about the rights and the rules and who benefits. Anything else that appears in the bill is really sort of public relations massaging. That’s the issue.

Now, the First Nations who live north of the 51st parallel are not philosophically opposed to mining. They are not. Many believe that mining represents the last opportunity, or certainly the best opportunity, for many of these First Nations to actually rise above serious levels

of unemployment, and the opportunity to address a number of very serious social and community issues. But those First Nations communities want to be assured that the rules, in fact, are going to be fair, and most of all, they want to be sure that they’re going to be primarily involved in the decision-making. I don’t think that’s such an unreasonable thing.

To put it bluntly, they want to be assured that some bureaucrat sitting in an office in Toronto isn’t going to draw circles on the map and say, “Well, here it is folks. This is the way it is.” Let me tell you, this fear is very realistic. Sit down and look at some of the so-called parks that were established north of the 51st parallel in the 1970s and 1980s and what you’ll find is that that’s exactly how they were established. No one went to talk to the First Nations of Wapekeka before establishing a provincial park on their very doorstep. No one said to the First Nation of KI or Wapekeka: “What are your views? What do you think? What do you believe we should do?” No. A couple of downtown Toronto environmentalists and a couple of provincial bureaucrats sat down in an office and drew a circle on the map and said, “Here it is.”

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Imagine if someone did that to the people of Toronto, if someone sitting in Washington or in London, England, said, “I think it’s a good idea that we do thus and so in downtown Toronto, and thus and so in Mississauga,” and issued the appropriate documentation so that it happens. I can just imagine what people in Toronto and Mississauga would say. You would probably have the next thing to riots in the streets. People would say, “This is colonialism,” and it is. It would be colonialism. And it will be a repeat of colonialism if the end effect of this bill is that someone sitting in an office in Toronto says, “It shall be thus and so.” What First Nations at KI believe, or what First Nations in Neskantaga or Fort Severn believe—“We’ll consult about that, but the decision has been made.”

First Nations really want five things. First of all, they want consultation and accommodation.

While this bill was being drafted, I had the opportunity during January and February to meet with a number of First Nation chiefs and councils. I went to Pikangikum; North Spirit Lake; Poplar Hill; Deer Lake; Keewaywin; Sandy Lake; Muskrat Dam; Round Lake; Sachigo Lake; Bearskin Lake; Big Trout Lake, otherwise known as Kitchenuhmaykoosib Inninuwug; Fort Severn; Angling Lake; Cat Lake; Lansdowne House; Summer Beaver; Wunnumin Lake; Kingfisher Lake; North Spirit Lake; and Webequie—20 First Nations. I asked the chiefs and councils and elders the same question: “Has anyone from the provincial government—the Ministry of Natural Resources, Ministry of Aboriginal Affairs, Ministry of Northern Development and Mines, Ministry of the Environment—come to your community, sat down with chief and council, sat down with the community in general and raised these issues and talked about proposed amendments and the issues?” Do you know what the answer was in every case? The answer was, “No; no one

has come here to consult with us. No one has come here to talk to us. No one has come here to discuss with us any of these issues.”

The most that happened is there were a couple of information meetings in Thunder Bay and a couple of information meetings in Sioux Lookout, and I think there was one information meeting in Red Lake. That’s what they were. They weren’t consultation, give-and-take, “What do you think? What do you believe? How do we address this issue?” They were essentially information meetings.

So if the minister is wondering why no one from Nishnawbe Aski Nation or Treaty 3 or the Robinson Superior Treaty organization stood up and said, “Oh, we think this is good legislation, and we approve of it,” it’s because, from right off the bat, First Nations felt that the first key ingredient—consultation and accommodation—didn’t happen.

In fact, let me quote Sol Atlookan from the Matawa First Nations. The minister would know the Matawa First Nations because some of the Matawa First Nations are in his riding. Matawa was very specific. Chief Sol Atlookan, spokesman for Matawa First Nation, expressed deep concern that the government has not taken First Nations’ input seriously, specifically regarding the fundamental issues of duty to consult and get advance consent. “Matawa First Nation ... members respectfully requested that consultation from industry should take place in the community and at the community level and that consent from the community has to be the major priority before any claim-staking takes place.” However, they feel that their voices “have been shockingly ignored” and that they have wasted all their “time and resources with this process.” So, right off the bat, First Nations are saying, “Hey, folks, there are some serious problems here.”

Let me address the issue of prior informed consent. Grand Chief Stan Beardy of Nishnawbe Aski Nation was very clear on this. He said, “The government of Ontario did not allow enough time to conduct meaningful consultation with NAN First Nations in the development of this legislation.... We will continue to insist upon a mechanism through which NAN First Nations will be consulted and will have meaningful input into the decision-making process.” Then he goes on to point out, again, rightfully so, that if this legislation is going to mean anything, it will have to enshrine the principles of prior informed consent before many First Nations in NAN territory will allow mining activity to take place, and that is not in this bill.

The third issue is environmental protection and land use planning, and I want to emphasize something again here. A couple of downtown Toronto environmentalists, a couple of people from the Ministry of the Environment and a couple of people from the Ministry of Natural Resources sitting in an office in downtown Toronto, saying, “This is how environmental protection will happen and this is how land use planning will happen”: That is not going to pass the test. That, again, is simply colonialism repackaged in a new, flashy envelope, but it’s not

going to pass muster with First Nations. First Nations insist, rightfully so, that if something is going to happen in the place where they live and only they live, they should have a deciding role in environmental protection and land use planning.

Finally, let me just deal with the issue of revenue sharing—and I know the Speaker wants to wrap up. We’re not talking here about a few million dollars. In Red Lake alone, the gold mining in Red Lake, probably in excess of \$10 billion has been taken out of the ground. First Nations say, “Where did we benefit from this?” I could take members on a tour of Rosedale and Forest Hill and show you many mansions of people who benefited from that, but the First Nations who live in that area still continue to live in poverty. First Nations are not talking about \$5 million here or \$10 million there. They recognize that, particularly in the Ring of Fire, we’re probably talking about tens upon tens upon tens of billions of dollars of wealth, and real revenue sharing will mean that First Nations will get a just share of that.

Now, Speaker, you’re going to shut me down just as I was in full flight. But I would say to the government there are still a lot of problems—

The Acting Speaker (Mr. Ted Arnott): Actually, I’m reluctant to cut off the member for Kenora–Rainy River. However, standing order 9(a) compels the Speaker to wrap up at 10:15, and this House stands in recess until 10:30.

*Second reading debate deemed adjourned.
The House recessed from 1017 to 1030.*

INTRODUCTION OF VISITORS

Mr. Robert W. Runciman: I’d like to introduce Mr. Adrian Mercer, who is sitting in the members’ gallery this morning. Adrian is from Toronto and is currently helping in my office as a summer student. Adrian will soon be headed into his fourth year majoring in the political science program at the University of Toronto, while also pursuing a minor in English. It’s a pleasure to have him on board, and I would ask that my colleagues join me in welcoming Adrian.

Mr. Bruce Crozier: I’m pleased to welcome representatives from the Insurance Brokers Association of Ontario to Queen’s Park today. As you may know, prior to becoming an MPP, I was a member of the IBAO as a registered insurance broker. Today, the IBO serves the interests of more than 10,000 independent insurance brokers across Ontario. I want to remind you that they will be hosting us at a reception in the legislative dining room from 5 to 8 this evening. Please join me in welcoming members of the Insurance Brokers Association of Ontario to Queen’s Park today.

Mrs. Joyce Savoline: I am pleased to introduce to you Chelsey Meehan. Chelsey is a student at Robert Bateman High School in Burlington. Chelsey was one of the students who made delegation to Bill 126 when we had hearings, and she will be working in my constituency office this summer. Welcome, Chelsey.

Mr. Jeff Leal: It's really an honour for me today to introduce the president of the Insurance Brokers Association of Ontario, Mr. Peter Blodgett from Peterborough. Mr. Blodgett owns Darling Insurance of Peterborough, one of the great insurance companies in my hometown. They have a very interesting theme and philosophy for their business: "Proud of our past, positive about our future." I want to welcome Mr. Blodgett here today.

Mr. Ted Arnott: I'm very pleased to introduce Mike and Heather Shaw of Rockwood, who are in the gallery up above. They are the parents of Joey Shaw, our page from Wellington-Halton Hills.

Hon. Brad Duguid: I'm pleased to introduce Dr. Johanna Carlo, who's here today. Her daughter Samantha is one of our pages. Dr. Jo, who she's known as in the hockey world, is one of the best trainers in minor pro hockey in the province, and she's the physiotherapist for my son, so she keeps him on the ice.

Hon. John Wilkinson: I want to welcome Central Perth Elementary School from my riding to Queen's Park today. They're accompanied by their teachers Bevan Moir and Helen Aicken. The trip was made possible by a Speakup grant from the Ministry of Education's Student Voice program.

Hon. Madeleine Meilleur: I'm pleased to invite every MPP in the House today. It's Community Living Toronto day at Queen's Park. And it's Appetite for Awareness day in room 2012A after question period. So I hope that you will all be there to receive your lunch box.

The Speaker (Hon. Steve Peters): On behalf of page Carlyn Mandarano Sistilli—and also the member from St. Paul's—we'd like to welcome some guests of hers: Itta Mandarano, Vince, Teresa and Dominic. Welcome to Queen's Park today.

I'm delighted to introduce the ambassador of Vietnam, Mr. Nguyen Duc Hung, who is here to expand trading relationships between Vietnam and Ontario. The ambassador is also here today to present our colleague Tony Ruprecht with the international Peace and Friendship Among Nations medal after question period in committee room 2. Congratulations, Tony.

Ambassador, welcome to Queen's Park.

LEGISLATIVE PAGES

The Speaker (Hon. Steve Peters): I'd ask all members to join me in welcoming this group of legislative pages in the first session, and I'd ask the pages to assemble for introduction, please:

Sam Beleutz, Beaches-East York; Kerala Brendon, Hamilton East-Stoney Creek; Matthew Crawford, Brant; Kathleen Crump, Timmins-James Bay; Brittany Hesmer, Northumberland-Quinte West; David Laing, Oshawa; Carlyn Mandarano Sistilli, St. Paul's; Mariah Palantzas, Don Valley West; Ajoy Paul, Pickering-Scarborough East; Kate Paulson, Nepean-Carleton; Rebecca Penner, Essex; Stephen Rickert, Kitchener Centre; Sarah Rossi, Mississauga-Brampton South; Joseph Shaw, Wellington-Halton Hills; Jacob Squire, London North Centre;

Gerrit Wesselink, Thunder Bay-Superior North; Eileen Woolley, Haldimand-Norfolk; Elliott Yee, Barrie; and Kevin Zhang, Mississauga East-Cooksville. Apologies—Alexander Singh, York West.

Welcome to Queen's Park.

ORAL QUESTIONS

TAXATION

Mr. Randy Hillier: My question is for the Deputy Premier today. Minister, you've introduced a blended sales tax—the largest tax grab in our province's history. This BST is a tax on every person and on their everyday needs. We're seeing layoffs, bankruptcies, unemployment, and a have-not province now on the dole under your watch.

Let's forget the spin and the rhetoric for a moment and answer an honest question: We know you like this cradle-to-grave government, we all know that death and taxes are inevitable, but is it just a coincidence that you married the two by introducing the BS tax on funeral services?

Hon. Dwight Duncan: I thank the member opposite for his question. I would remind the member opposite that first of all, with the very generous sales tax credit and the new home credit, with the cuts to corporate taxes, the cuts to personal taxes and the cut to the small business tax, in fact Ontarians are getting a multi-billion dollar tax cut.

With the assistance of the federal government—\$4.3 billion—with the urgings of all of the major economists in the province and with the urgings of poverty activist groups, we have taken a step that is designed to put this province back on a competitive footing. I'd remind the member opposite that their interim leader, the day after it was introduced, said that their party supported it. The problem they have is that they just can't—

The Speaker (Hon. Steve Peters): Supplementary.

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Mr. Randy Hillier: Here he talks about tax cuts, and the expense and the thirst for more money just keeps rising and rising with this government. We all know that the BS tax was stuck into the budget against the will of your caucus—

The Speaker (Hon. Steve Peters): I reminded the honourable member in a question over a week ago about the use of that term. He started out all right with it and then he changed, so I would just ask that he choose another way to describe the tax.

Mr. Randy Hillier: The BST tax was snuck into the budget against the will of your caucus and then everyone was whipped into supporting it.

The hallmark of that government is broken promises. Promises are issued, they're broken, they're reissued and they're re-broken. Such a drastic and sweeping tax grab as this BST tax ought to be an election issue. Minister,

why don't you break just one more of your many promises, for me and everyone—

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

Hon. Dwight Duncan: Again, I want to remind the member opposite that in fact the government has brought forward a package of tax reductions that are aimed to stimulate growth in this economy, that will create employment across this province, that will help us get out of this challenging world crisis bigger and better and stronger.

At this time, in this age, it is incumbent on governments to take decisive leadership. That is precisely what we've done. This policy is the right policy. It is challenging, but I submit to the member opposite, to the members of this House and to the people of Ontario, the consensus around doing this among all the advice we've had is it's the right thing to do. It's difficult and challenging, but we're committed to it. It's in the best interests of all Ontarians.

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

Mr. Randy Hillier: More spin and rhetoric. You talk about stimulating growth: The only thing growing is your budget and your bureaucracy. You've banned light bulbs, you've banned trans fats and cellphones, but you haven't banned a bigger bureaucracy, higher taxes or higher unemployment.

Minister, use some common sense, be honest with the people and put this BST tax to them in the 2011 election.

Hon. Dwight Duncan: You know, it's interesting that at an all-candidates debate, not a single Tory leadership candidate said that they would repeal the tax. It seems to me the member opposite wants to have it both ways. This is not the time for governments or parties that want to have it both ways. It is time for leadership; it is time to build a stronger and better economy. This government is doing that. I invite the member and his colleagues running for the leadership of the party, if you're so opposed to it, stand up today, each one of you, and say you'll repeal it. We are doing this; it's important to the future of all Ontarians.

TAXATION

Mr. Randy Hillier: It's important that the minister, instead of just watching our debates, watch the bottom line over there and watch the growth in this government.

To the minister: We all know that the rats are the first to leave a sinking ship. With the departure of the minister of little economic development, your government is sinking, and the BST tax is just another hole in your leaky boat. I've watched you sell this tax grab but the facts don't add up. You've lost hundreds of thousands of private sector jobs and you've built 200,000 new public sector jobs. This latest tax grab is to pay for your bloated bureaucracy. Can you clarify to everyone how you're going to blow their hard-earned money?

Hon. Dwight Duncan: The party of Drew and Frost and Davis has come to this.

The tax policy of this government is designed to cut taxes for individuals; it's designed to help low-income Ontarians; it's designed to help this province through the most challenging economic crisis the world has ever seen. It is designed to create jobs and it will create jobs when we come out of this downturn.

Again, the member opposite didn't answer my question. Why is it, when given the opportunity, not a single candidate for the leadership of that party said they would repeal the harmonized sales tax? Why? Because they supported it in their last platform. The Leader of the Opposition—

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

Mr. Randy Hillier: Unlike the other side, I do answer questions. I would repeal the HST.

Yesterday, the Premier was asked a question which he declined—

Interjections.

The Speaker (Hon. Steve Peters): Stop the clock.

Interjections.

The Speaker (Hon. Steve Peters): Start the clock.

Interjections.

The Speaker (Hon. Steve Peters): Order. I did start the clock, just for the members' information. Please continue.

Mr. Randy Hillier: And I'll remind you, I don't break my promises, either.

Yesterday, the Premier was asked a question which he declined to answer. You and your colleagues are living in a bubble and you're out of touch with the hardships that face Ontario families. You fellows believe that government can never be too big. You haven't created new jobs or wealth, you've created new expenses and new taxes. But your ship hasn't sailed yet, even though your colleagues are in the lifeboat. Tell us how this BST is going to affect people—

The Speaker (Hon. Steve Peters): Minister?

Hon. Dwight Duncan: The government's economic policy is absolutely the right economic policy for the times and, to be specific, it will help get this province through the most difficult and challenging crisis in the world economy.

Apparently, the member has changed his position since the leaders' debate, so one down and three to go. I wonder how long it'll be before Mr. Hudak changes his mind, because when the member opposite proposed to close down the Human Rights Commission, something we strongly oppose, Mr. Hudak jumped right on board. And what about Christine Elliott? That'll be an interesting discussion to see. I wonder if she'll change her position and I wonder if there will be an internal debate, not only within the party but within the family on that particular issue.

At the end of the day, we have chosen the right policies in a very difficult time—

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

Mr. Randy Hillier: I'll remind the minister we're in difficult times because of you and your government. That's why we're in difficult times.

Yesterday, the Premier said the BST tax was the right thing. In a recent survey, 67% of the people in Ontario said it's the wrong tax at the wrong time. You and your former colleagues said you were in the business of picking winners and losers. What's clear under this Liberal government is everybody's a loser. Minister, why are you ignoring the people of this province and why aren't you giving them the full story of your broken promises and this McGuinty sales tax?

Hon. Dwight Duncan: Perhaps the member opposite has missed the downturn in the world economy. Perhaps he's missed the fact that manufacturing jobs have declined at a much greater rate in the United States; that forestry jobs have been lost at a much greater rate in Newfoundland, Quebec, British Columbia; perhaps he missed the fact that there's been a crisis in world financial markets. We don't have the option to pretend about these matters. We have to confront the challenges head-on and we're doing that.

I had the opportunity to attend the Canadian finance ministers' meeting yesterday. We heard yet again of the enormous challenges that are facing this economy, not only Ontario's but Canada's—indeed, the world's.

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In fact, this policy is the right policy to take, and unlike the member opposite and his party, we are consistent, strong and united in our desire to make Ontario bigger, better and stronger, and we will be.

EXECUTIVE COMPENSATION

Ms. Andrea Horwath: My question is to the Acting Premier. Yesterday, General Motors workers ratified an agreement where they made major concessions on wages, on benefits and on pensions. The Premier has indicated that a hard cap on executive compensation will be tied to the assistance provided to GM and Chrysler. My question is this: Why won't the government agree to extend the cap on all companies receiving government money?

Hon. George Smitherman: First and foremost, we do want to applaud the efforts that are being made by a broad collective of individuals, from workers, the leaders of companies and, certainly, representatives of a variety of governments, both national, and in the case of Ontario, a jurisdiction that is very, very dedicated to making investments in a fashion that will allow us to substantially preserve opportunities in the automotive sector in the province of Ontario. It has already been the precedent established relating to the issue of salary limitation for executives, and the Premier is on record, obviously, as the honourable member has alluded to.

I take her suggestion on further matters under advisement. Our focus at the moment is very much on trying to successfully complete these negotiations and, going for-

ward, ensure good prospects for workers in the province of Ontario.

The Speaker (Hon. Steve Peters): Supplementary?

Ms. Andrea Horwath: Well, sacrifices are being made, and not just in the auto sector. Workers across Ontario have accepted lower pay, reduced hours and fewer benefits just to keep their jobs.

I proposed a bill that would cap executive pay for companies receiving provincial money. I would like to ensure that high-flying executives make some of the same sacrifices that their employees are making right now, and help to put an end to the exorbitant golden handshakes and parachutes that we see all too often.

Since this government seems to accept the pay cap principle for GM and Chrysler, why won't it support a pay cap for all companies that receive government money?

Hon. George Smitherman: I think that what we see in the style and the content of this leader is a flashback to a time that most people would talk about in the context of the 1970s. In the case of Chrysler and the circumstances related to General Motors, obviously the extent to which governments and taxpayers are being relied upon to lend assistance is very high and very extraordinary in those circumstances.

Accordingly, we see it as appropriate to work in the area of caps related to compensation, but the honourable member's suggestion that this should translate across the breadth of the private sector, in all places where a business may receive some encouragement and support from government, is not a policy which we think is inviting investment in the province of Ontario.

I do suggest to the honourable member that rolling ourselves back to the ideological times of the 1970s is not the best approach to receive investment in the province—

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

Ms. Andrea Horwath: Perhaps this minister knows that Rodney Mott was the CEO of Stelco for one year when it was sold to US Steel. Stock options allowed him to walk away with \$67 million and a leisurely retirement along the Carolina coast. Key to restructuring was \$150 million provided by the Ontario government just two years before Mott walked away.

With a hard cap on executive pay, government money would be used to sustain jobs instead of making executives rich. Why won't this government support a hard cap on executive pay for all companies that receive taxpayers' money?

Mr. Paul Miller: Disgusting.

Hon. George Smitherman: I think what is more disgusting, to take a word that was offered by another member from Hamilton, is that this honourable member continues to talk about Stelco but doesn't fess up for the responsibility that she and her mates have with respect to decisions that Howard Hampton made at the cabinet table in a previous government.

This is part of the dynamic related to the matter of pensions in the province of Ontario. And you can see that the honourable members, Howard Hampton, as an example, don't like to be reminded that they were part of a series of decisions which forced the government of Ontario to step in and prop up a pension fund because Howard Hampton designated it as too big to fail. We think it's appropriate to limit compensation in the areas we have, related to Chrysler and related to General Motors, but the further degree of intervention in the private sector that the party offers is not on—

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

NUCLEAR WASTE

Ms. Andrea Horwath: Back to the Acting Premier. Last week, the Minister of Community Safety and Correctional Services expressed serious concerns about the safety of storing radioactive nuclear waste in his community of Sudbury. In fact, he urged Sudbury city council to veto any attempt whatsoever to store waste in their community. Yesterday the Premier said something different about nuclear waste. He said, "We know how to contain it and we know how to store it." Indeed, the McGuinty government has repeatedly assured Ontarians that nuclear power is safe.

How can Ontarians trust this government when a minister tells them one thing and the Premier tells them something entirely different?

Hon. George Smitherman: Perhaps it's because the honourable member hasn't had the privilege of serving in cabinet that she hasn't, Mr. Speaker, rationalized the circumstances where you are at once both—

Interjections.

Hon. George Smitherman: No; with respect, Mr. Speaker. The member's question suggests that a member of the cabinet can no longer be an MPP for the area that they represent, that they can no longer be a voice in the community.

The point is, with respect to the work that's going on by the nuclear waste management operation, to find a willing host. They're working through this process very diligently. They've been doing public forums established in 16 communities across the province of Ontario, and they seek to find a community that would be interested in the economic opportunities associated with the safe storage of nuclear product. That the honourable member takes that view in his community is the privilege of the local community—

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

Ms. Andrea Horwath: What's very clear is that this government is talking out of both sides of its mouth.

The Minister of Community Safety is not alone in his concerns, however: In 2005, the Nuclear Waste Management Organization concluded that there is no way to prove that storing nuclear waste underground will be safe. More and more communities, in fact, are saying no to nuclear waste. Temiskaming Shores, Kincardine and Toronto have all passed resolutions, signed agreements

or simply said no to nuclear waste. Just last October, the National Assembly of Quebec resolved that no nuclear waste could be brought into Quebec. The government says that it's looking for a willing community to host the waste.

What if no community in Ontario wants this dangerous waste? Will this government force it down citizens' throats?

Hon. George Smitherman: The honourable member seems incapable of even recognizing that it's a federal body, the Nuclear Waste Management Organization, that is involved in this process. They don't even have the respect—

Interjections.

The Speaker (Hon. Steve Peters): Deputy.

Hon. George Smitherman: The Nuclear Waste Management Organization has established 16 different places where they're conducting seminars in local communities as this federal body seeks to find a willing host for nuclear material. We have, in our capacities through Ontario Power Generation at Darlington and in partnership with Bruce Power, very safe storage of that nuclear material which has been created through our multiple generations of use for the purposes of electricity generation. I'm delighted that the honourable member has agreed to come and visit that so she can learn more about the storage as it has gone on so far and be more informed about the discussion, as it goes forward, to find a willing host.

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

Ms. Andrea Horwath: Without even having a community willing to store the current backlog of radioactive waste, the McGuinty government is signing on to produce even more waste. Even if we desperately needed the energy, that would be utterly, utterly irresponsible. But the fact is that we don't even need the energy from new nuclear power plants. In fact, energy demand is down 4% this year: 60 times this year we had so much surplus energy that we had to pay energy users to use it. Talk about conservation. The McGuinty government will be remembered as the government that built expensive nuclear reactors that simply were not needed. When will this government stop this madness and kick its nuclear addiction?

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Hon. George Smitherman: First off, I do want to say to the honourable member that we thank her for the compliment that she's offered, recognizing that the steps we've taken as a government have enhanced the reliability of electricity supply in the province of Ontario, because while they had the privilege of being in government, they didn't do anything.

With respect to nuclear, today in the province of Ontario that honourable member is benefiting substantially from nuclear power. It's all through our electrons, because it continues to be a very prominent source of electricity generation in the province of Ontario. We have plans to ensure that our nuclear fleet is renewed—not

new nuclear enhancing the capacity, but nuclear that will replace those units that come out of service. We think it's very important that we renew our nuclear fleet so that the people of the province of Ontario continue to have the advantage of one of the lowest climate-impact fuel sources to be found all across the planet. I encourage the honourable—

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

FIREFIGHTERS

Mr. Garfield Dunlop: My question today is for the Minister of Community Safety and Correctional Services. Minister, do you agree that Ontario's volunteer firefighters should be treated as equal to Ontario professional firefighters and be included immediately under presumptive legislation?

Hon. Rick Bartolucci: I'll transfer it to the Minister of Labour.

Hon. Peter Fonseca: I say to the member—and I appreciate the question—that firefighters across the province do hazardous, life-threatening work. That is why two years ago we brought forward presumptive legislation for professional firefighters. Within that legislation there is a regulation, and our officials at the Ministry of Labour have been working with stakeholders, firefighters, AMO, the fire chiefs of Ontario. Just as early as two weeks ago, I had an opportunity to speak with the fire chiefs of Ontario in discussing this very important matter. I told them it was an active file at our ministry. We will continue to do that and we want to ensure that firefighters across the province of Ontario deserve those—

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

Mr. Garfield Dunlop: I will redirect the question to the Minister of Community Safety because I believe it is a community safety issue with the firefighters. Minister, you are aware that this House unanimously passed presumptive legislation two years ago. In fact, the bill passed in one day. All three parties agreed and it was passed unanimously. The legislation and its regulations were implemented immediately and benefited professional firefighters only.

On May 14, your government used your majority to defeat a private member's bill by my colleague that would have seen volunteer firefighters treated equally. Minister, by defeating Mr. Arnott's bill you have sent a very negative message to the folks of rural Ontario; thousands of volunteer firefighters, their families and the millions of residents they serve.

As the minister responsible for the well-being and safety of the firefighters of Ontario, what will you do to ensure that volunteer firefighters are included immediately under presumptive legislation?

Hon. Peter Fonseca: I say to the member, as all of us know, firefighters are crucial to all our communities across Ontario. And if any firefighter—professional, volunteer, part-time—has gotten ill, has gotten injured,

they can inform the WSIB. A claim can be made. The WSIB will take all of those claims very seriously and investigate and look into those claims.

With regard to the regulation the member speaks of, we continue to meet with all stakeholders, with the fire chiefs, with AMO and with the firefighters as we move forward to protect all Ontario workers, including our precious firefighters.

JURY SELECTION

Mr. Peter Kormos: To the Attorney General: The Attorney General knows that CPIC's code of ethics requires that if an investigation is conducted using CPIC, that it only be for criminal investigative purposes unless it has the consent of the person who is the subject of that check. Why is the Attorney General using the police to conduct CPIC checks of potential jurors to determine not only if they've ever been convicted, but if they've ever been charged, if they've ever been acquitted and if they've had dealings with the mental health system, when it's been done without the consent or even knowledge of those people?

Hon. Christopher Bentley: The issues raised by my colleague are very important ones. They are in fact issues before the Ontario Court of Appeal in one particular case.

Let me say with respect to the general issue that the principle of having a jury that is fair and impartial is at the heart of our system of justice. It's a principle that we are going to and are determined to uphold. In fact, we have had a practice direction to all crowns since 2006 making clear that impartiality is at the heart of the jury system, that that's the crown's duty, that any information obtained by the crown should be disclosed to the defence, and that if criminal record checks are obtained, that material should be disclosed to the defence so that everybody has access to the same information.

The Speaker (Hon. Steve Peters): Supplementary.

Mr. Peter Kormos: The Attorney General knows full well that his own crown policy manual instructs that prosecutors should not request the police to undertake any investigations to the list of jurors other than criminal record checks. Yet his crown attorneys have been routinely calling upon the police to report back on charges laid, acquittals, disreputable persons—on any number of things that have nothing to do with the de facto conviction for an indictable offence, and there's been no disclosure to defence counsel.

What does this Attorney General say to us as to how long this has been going on, where it's been going on, and who's going to be held accountable for this clear breach of both CPIC standards and the crown attorneys' policy book, the Attorney General's own standards?

Hon. Christopher Bentley: Again, my friend raises very important issues, and he's right: Since 2006, there has been a clear direction, as he outlined, from the crown attorney—at 720 Bay—to all crowns throughout the province.

The cases he refers to are from one particular jurisdiction in the province of Ontario, both of which are

before the courts. But to ensure that impartiality is always at the heart of our jury system, we're making sure that the crown policy manual is being adhered to, and we're working with the privacy commissioner—and have already been in touch—to make sure that whatever else we do, a fair trial is ensured and the privacy rights of individuals are respected. We'll be working with the privacy commissioner and others and awaiting the decision of the Court of Appeal.

SERVICES FOR THE DEVELOPMENTALLY DISABLED

Mr. David Zimmer: I have a question for the Minister of Community and Social Services. Community Living Toronto is here for their annual lobby day. As you know, they work with Ontarians with severe developmental disabilities. It's an organization that every day makes a real difference in the lives of Ontarians with developmental disabilities. I see the results of their work every day in my riding of Willowdale.

You're the minister responsible for the developmental services sector. Minister, what are you doing to help the developmentally disabled, their community and their families?

Hon. Madeleine Meilleur: I'd like to thank the MPP for Willowdale for this question. Let me start by thanking and welcoming Community Living Toronto to Queen's Park for Community Living Day—one of our ministry's largest partners, and a partnership anchored on open dialogue and exchange of ideas.

When we first came to office, nowhere was the need for modernization greater than in the developmental sector. We heard loud and clear from people with developmental disabilities, their families and community agencies. This government has listened, and we have acted. Our government has closed the three remaining developmental sector facilities in Ontario, we passed Bill 77, and we've invested half a billion dollars in this sector. And the work is not yet done. That is why, working with organizations like Community Living Toronto and adding—

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

Mr. David Zimmer: Thank you, Minister. I do appreciate those initiatives and I know that you've got a positive relationship with the agencies and their families. But here's the real issue, Minister: Bill 77, the Services and Supports to Promote the Social Inclusion of Persons with Developmental Disabilities Act, received royal assent on October 8, 2008. That's seven months ago. The bill has yet to come into force. If there's any community that deserves and needs our help, it's this community and their families.

Minister, the simple question is, how much longer do families and persons with developmental challenges have to wait before the bill is proclaimed?

Hon. Madeleine Meilleur: The member is right: The bill has yet to be proclaimed because we are working hard on the vast number of regulations that are involved with a bill of this size. In the coming weeks, we will be posting our draft regulations on our ministry's website for public review and comment, and I will be posting minister's regulations in the fall of this year.

This was the process that was voted on and it is the open and transparent process that we will continue to follow. But let's not ignore the tremendous progress this government has already made in making Ontario's community inclusive for people with developmental disabilities. In total, we are now helping over 15,000 people with developmental disabilities live in the community close to their family and friends. Yes, we still have more to do, but we are proud of our accomplishments so far.

MUNICIPAL PLANNING

Mrs. Julia Munro: My question is for the Minister of Municipal Affairs and Housing. My constituents in Innisfil are very concerned about the city of Barrie's desire to annex large sections of their community. The town and its citizens want to know if they will lose a big portion of their commercial tax base to Barrie.

Minister, will you commit today to preserving the economic viability and quality of life of the town of Innisfil?

Hon. Jim Watson: I'd like to thank the honourable member. I have had a couple of discussions with the honourable member about the issue and I'm pleased that she arranged to bring the mayor of Innisfil to my office—I guess that was on February 18. I thank her for attending that meeting.

This is a long-standing issue that goes back many decades. The province of Ontario, in its Places to Grow provincial policy statement documents, has indicated that Barrie is one of the growth areas in Simcoe county. We have said all along that we would like the local residents and the local elected officials to find a local solution. That's why I did bring together the mayor and members of council from Barrie, the warden, Mr. Guergis, as well as Mayor Jackson from Innisfil. We still would like them to find a local solution. But at the end of the day, if we're not able to find a local solution, we will work collaboratively to find a solution—

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

Mrs. Julia Munro: Simcoe county is also worried about the economic risks. At your government's direction, they produced a growth plan that covers all of the county and the city of Orillia. Now there is a concern that a change to the boundary will have an impact on the plans of Simcoe county as a whole.

Can you assure my constituents and those of Simcoe county that any proposed changes will not have an adverse impact on the economic future of the area?

Hon. Jim Watson: As that matter falls under the jurisdiction of my colleague the Minister of Energy and Infrastructure, I will refer that to him.

Hon. George Smitherman: I want to thank the honourable member for the question. Like my colleague the Minister of Municipal Affairs and Housing, I spent a fair bit of time with various municipal representatives, including the warden and the CAO of the county of Simcoe, the council and mayor of the city of Barrie, and the mayor and town administrator from Innisfil, as we've all been seeking out solutions which are designed to balance a variety of priorities.

Certainly, we have a high expectation that the growth plan will be abided. It seeks to limit sprawl and intensify the development in particular areas where the infrastructure is well-suited to it. Barrie is obviously one of those, as the honourable member has spoken. I do believe, as we move forward, the honourable member will see that we continue to seek to abide all of the good principles that were embedded in the growth plan and do so in a fashion that's—

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

AUTOMOBILE INSURANCE

Mr. Michael Prue: My question is to the Minister of Finance. A recommendation contained in the Financial Services Commission of Ontario, FSCO, five-year auto insurance review would slash insurance payouts for serious car injuries by 75%. It would impoverish victims, push health care costs onto the taxpayer and, quite frankly, enrich the auto insurance industry. The medical and rehabilitation cost for non-catastrophic injury is now capped at \$100,000; the recommendation would lower the cap to \$25,000.

My question: Will the Minister of Finance stand in this House today and make it clear that he will reject this wrongheaded recommendation made by FSCO?

Hon. Dwight Duncan: No, not today. We are wrapping up consultations on FSCO's proposed recommendations. It's the first time the government has conducted a five-year review of insurance regulation. We think that's the appropriate position to take. There is a range of other recommendations from FSCO that are in fact very consumer-friendly, so we will be wrapping up that consultation. I indicated that I would like to have those final recommendations done in June, so that we can move on.

I'd also like to take the opportunity to remind the member that as a result of this government's efforts, car insurance premiums have come down some 13% for all Ontarians since we took office. It's important to find that balance between insurers and customers, and we intend to do just that.

The Speaker (Hon. Steve Peters): Supplementary?

Mr. Michael Prue: I wish the minister would have assured this House and the people of Ontario today.

If implemented, this recommendation would seriously damage access to rehabilitation services for accident victims. The insurance industry says they are not making any money. Well, if you look at the records for last year, 2008, a 7.5% return on investment was not really anything to sneeze at. Car accident victims will be the clear

losers if the cap is lowered. I'm asking again: Will the minister stand in this House, not in June but today, and make it clear that this government will reject this wrong-headed recommendation?

Hon. Dwight Duncan: Again, the answer is no. I'm continuing to wrap up consultations. I'm hearing from consumers across the province on a range of issues, not just that one. I think consultation is important, and I think we as a government want to build on the \$7 billion in premium savings Ontarians have experienced since we came to office in 2003.

I would also like to remind the member opposite that there are a variety of recommendations, many of which have been called for by consumers of auto insurance. We will find the right balance to protect the interests of Ontario motorists and consumers who purchase car insurance.

HEALTH CARE

Mr. Bruce Crozier: My question is to the Minister of Training, Colleges and Universities. In my community and communities across Ontario, health care is a key issue. They want to know that we're doing everything we can to ensure that their families have access to a quality health care system. Most importantly, they want to know that when they are sick or their children are sick, they have quick and easy access to a health care provider.

Ontario is in need of more doctors. Too many families are without a family physician, and over the past several years we have made significant progress in training and recruiting more doctors in Ontario. However, I still hear from constituents who do not have a doctor. Ontario needs more doctors, both family physicians as well as specialists. It seems to me it would make sense that we increase the supply. Speaker, through you to the minister: What are we doing to train more doctors so more Ontarians have access to health care providers?

Hon. John Milloy: The member certainly raises a concern that I think is held by all members of the House. That's why I was very pleased last week to be at the McMaster satellite medical school in my own community, in Waterloo region, to announce we would be providing funding for 100 additional medical spaces across the province over the next three years. These medical spots will be located at five campuses and, as I said, phased in over the next three years. Along with the announcement of the spots, we announced \$35 million in capital to help support this expansion.

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In total, since 2003 we've increased first-year medical spots by 260 new spaces. That's a 38% increase.

We also opened a new medical school in northern Ontario, and its first class of 56 students will graduate later this week. As well, as I mentioned, we've created satellite—

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

Mr. Bruce Crozier: The medical school spaces initiative will no doubt help the province of Ontario train

more doctors to build a healthier Ontario. Still, while these students will be an asset to the province's health care system when they graduate, Ontarians need to know that the government's plan to increase doctors is working. Many residents of this province have expressed concern that they live in communities that are not adequately reached by health care professionals.

Minister, please tell the House today what steps this government is taking to ensure that Ontarians have better access to qualified health care professionals.

Hon. John Milloy: To the Minister of Health.

Hon. David Caplan: I want to thank my colleague for a very important question.

There's no doubt that the additional 100 medical school spaces and five programs across the province will make a difference in delivering high-quality health care. We're also finding that more and more medical students are choosing family practice.

In 2008, 772 physicians graduated in Ontario and are moving into practice. We're projecting 822 physician graduates in 2009. That's the highest number recorded in the history of this province.

Access to primary care remains a top priority for me and for members on this side of the House. That's why we created 150 family health teams consisting of doctors, nurses, dietitians, social workers and other health professionals. Over the next two years we're going to add another 50 family health teams, as committed in our platform, targeting rural and underserved communities—

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

DRIVER LICENCES

Mr. John O'Toole: I'll give the Minister of Transportation a moment to get back to his seat.

Minister, over the weekend, I had the opportunity to visit some of the tourist attractions in my riding of Durham, including the Bowmanville Zoo and Jungle Cat World. Minister, the local attractions in Durham are ready for the 2009 tourist season. You would know that last weekend was Memorial Day weekend in the United States. The operators expressed concern about the possibility of a downturn in visitors from the United States.

Minister, in your own results-based briefing book you say, "The ministry is also pursuing new and innovative technologies to ensure that our programs and services meet people's needs...."

What steps are you taking as minister to ensure that our friends from the United States are welcome in Ontario and have easy and efficient access across the border?

Hon. James J. Bradley: First of all, applause is coming from my friend from Renfrew because he recognizes that I work with the Minister of Tourism very closely to ensure that our American friends are aware of the many attractions that are available not only in the

Niagara Peninsula, which I know the member wanted to talk about, but right across Ontario and in Durham, which he represents. We have appropriate signage on the highways to allow people to know where the various sites are that they can visit. We work in consultation with the federal government on ensuring, as practically as possible, that people are able to cross our borders and that when they cross the border they have all the information available to them—including the wonderful kiosks that we have and the actual offices we have under the auspices of the Ministry of Tourism to provide the necessary information.

The Speaker (Hon. Steve Peters): Supplementary?

Mr. John O'Toole: Minister, you know that cross-border travel is a two-way street. There are 35 million cars a day across the border.

This brings us to the topic of the enhanced driver's licence that many Ontarians hope to use to cross the border this season—actually, required on June 1. You've made promises that this would be available as we speak, and the deadline is next week. Minister, what have you done to ensure that the enhanced driver's licence will be available to Ontario drivers as the new border regulation comes into effect on Monday? And I guess the supplementary part to this is, what does the new enhanced driver's licence have to do with ensuring that American tourists are able to visit Ontario easily?

Hon. James J. Bradley: The member is very perceptive. This is almost like a set-up question, I must say.

Interjections.

Hon. James J. Bradley: We didn't set it up. I want to tell you that we didn't set it up.

Precisely by Ontario developing an enhanced security licence system, we have encouraged the state of New York, the state of Michigan and other states in the United States to duplicate this effort. It is known that, generally speaking, Americans are less inclined to get a passport than Canadians would be, so we wanted to ensure that when crossing our border, we would have an opportunity to have an enhanced security licence. I'm pleased to say that New York state has this in effect now, that Michigan is about to have it in effect, and that as a result, it's going to make it much easier for our American friends—

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

STUDENT ACHIEVEMENT

Mr. Rosario Marchese: My question is to the Minister of Education. The Ontario Public School Boards' Association had this to say about your school information finder website:

"While all parents are interested in information about academic achievement, we concur with the expressed views that data about income, immigration and so on are not nearly so relevant to parents as whether the school has an adjoining child care centre, after-4 programs, extracurricular activities and other wraparound services...."

“We respectfully request that, notwithstanding the changes that have been made this week”—meaning a while ago—“the website be taken down pending the output of the working group.”

Minister, the Ontario Public School Boards' Association, with which you work very closely, has asked that you take this website down. Why have you so casually dismissed them?

Hon. Kathleen O. Wynne: I know that the member opposite understands that we have moved to put in place a process to have a discussion about exactly the issues he's talking about: What more information should we have on the school information finder that would allow parents and community members to have a full picture of a profile of a school? All of the stakeholders—and I know the member opposite referenced some other people who have questions about the school information finder—will be invited to have input into that conversation.

I believe that that is the appropriate way forward, given that I believe parents do want to have information about the profile of schools so that they can reference what's going on at their own school and also put that in a context. So I look forward to that conversation with all stakeholders, including the Ontario Public School Boards' Association.

The Speaker (Hon. Steve Peters): Supplementary.

Mr. Rosario Marchese: You and the Premier have remained steadfast in your desire to have that demographic information on the website. You have not changed your mind on that.

There's something more we want to ask you about this. As you know, schools have attendance boundaries that determine which schools children are entitled to attend. The Ontario Public School Boards' Association is concerned that, as a result of your shopping cart approach to education, there is now an implied assumption that parents may choose to send their children to any school. This would have enormous implications for school boards, as you know. Will you guarantee that despite the shopping catalogue approach of your website, the school boards will still be able to establish and enforce attendance boundaries for neighbourhood schools?

Hon. Kathleen O. Wynne: First of all, the member opposite knows perfectly well that that comparator, that school bag function, has been taken off the website. There was concern about it. Part of the discussion that we will have at that round table is what information should be available on the school information finder.

The member opposite says that we've remained steadfast in the face of criticism. The reality is that we work with stakeholders every single day. We make decisions based on good policy and based on input. The fact that there may be a disagreement with some stakeholders on a particular issue doesn't mean that the world is ending. It doesn't mean that our relationships are falling apart. What it means is that we will have the conversation, and those relationships will be stronger because we've had that conversation.

MINING INDUSTRY

Mr. Bill Mauro: My question is for the Minister of Northern Development and Mines regarding the Rosehart report. As members of the House are well aware, in March 2008 our government welcomed Dr. Robert Rosehart's report entitled *Northwestern Ontario: Preparing for Change*. The report was a result of the 2007 budget announcement in which our government appointed Rosehart as the northwestern Ontario economic facilitator to work with local people and businesses to help inspire a new generation of growth in the northwest.

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Throughout the year, Dr. Rosehart held over 120 meetings with stakeholders and government reps, and met with 16 municipalities and more than 20 First Nation leaders. I was pleased to meet with Dr. Rosehart and provide him with my recommendations as well. The final report contained 47 recommendations.

Minister, could you please update the House on the progress that has been made since receiving Dr. Rosehart's recommendations last March?

Hon. Michael Gravelle: I want to thank my colleague from Thunder Bay–Atikokan for the question and for his strong support for what Dr. Rosehart has worked on over the last year and a half.

Certainly my ministry is excited about Dr. Rosehart's work and very pleased by the contributions that were made by many northern residents, businesses and stakeholders. Since receiving Dr. Rosehart's report last year, significant progress has been made to implement almost half of the 47 recommendations that were put forward.

This truly is considerable progress, as many of the recommendations represent long-term investments that will need support from the federal government, for example. Dr. Rosehart has clearly acknowledged that and acknowledged the progress that we've made as well, and we also want that to be considered in the growth plan for northern Ontario.

Certainly I'm happy and encouraged by the progress that's been made so far, and I really do feel this report demonstrates our government's commitment to ensuring that northwestern Ontario has a—

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

Mr. Bill Mauro: I think all northerners would agree that Rosehart's reports and recommendations for northwestern Ontario are very important. The region faces many unique opportunities and challenges, during both favourable and difficult economic times, and it's good to see that during this current period of uncertainty our government is working with northerners to create a more prosperous future for our region.

Minister, your ministry's Northern Ontario Heritage Fund Corp. is in place to further grow the north's economy, and since 2003, 9,360 new jobs have been created in northern Ontario through the use of this fund. I understand that expanding the Northern Ontario Heritage Fund Corp. programs was a recommendation put forward by

the Rosehart report. Could you please tell the House if any progress has been made on implementing this specific recommendation.

Hon. Michael Gravelle: Thanks again to my colleague for the question. I am very happy to report that last week in Thunder Bay I was able to announce that the Northern Ontario Heritage Fund Corp. is launching a new northern Ontario entrepreneur program. This new program is certainly consistent with one of the recommendations made by Dr. Rosehart; in fact, he called it one of his key project recommendations.

It's a pan-northern initiative that will fuel the entrepreneurial spirit that drives innovation, creates jobs and promotes economic growth throughout northern Ontario. This program will expand upon the young entrepreneur program, a very successful program which had an age restriction in place—that will be gone—and there will be other programs also in support of private sector investments. We are offering up to \$125,000 for people to put their ideas for new businesses up for application to our heritage fund.

I want to thank Dr. Rosehart for all the hard work he's done—

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

GOVERNMENT REGULATIONS

Mrs. Joyce Savoline: My question is for the Minister of Government Services. On February 17, I asked a question in the Legislature about what was happening with Ted Kindos, owner of Gator Ted's in Burlington. As you know, his issue is a patron's challenge to allow medicinal marijuana to be smoked, regardless of your no-smoking act.

The minister stated: "I know Gator Ted. He runs an establishment in my hometown.... He's caught between ... a regulatory rock and a hard place. This government is determined to make sure that we find a way to support Ted Kindos...."

Well, it's three months later, Mr. Minister. Mr. Kindos is facing a tribunal at the Human Rights Commission. He needs action, not your platitudes. What have you done to get Ted Kindos out of your regulatory jam?

Hon. Ted McMeekin: First of all, it's not our regulatory jam. As I suspect you know, Mr. Speaker, we administer the federal act on behalf of the feds. I can say to the honourable member opposite that we continue to be very concerned about Mr. Kindos, and we have done a number of things, notwithstanding the fact that this is before the Human Rights Tribunal and we're somewhat restrained. I have written to the federal Minister of Health suggesting that, since amendments to the act that we administer on behalf of the feds are currently before a standing committee, it would be appropriate for them to take action with respect to regulations. I've also copied all members of that committee, and we've heard back from the members of that committee that those potential revisions are under serious consideration even as I speak.

The Speaker (Hon. Steve Peters): Supplementary?

Mrs. Joyce Savoline: Here we go yet again: "It's not our problem. It's somebody else's problem"—and this man is going to lose his business.

Mr. Kindos has been told by the Ontario Human Rights Commission that he must permit a patron to smoke marijuana on his premises, and yet the Alcohol and Gaming Commission has told him he will be shut down if this person is allowed to light up. Ted Kindos has been playing a sick game of who's on first and what's on second as a result of this government's contradictory approach to tobacco versus marijuana smoke. Mr. Kindos is up to bat, Minister. You have thrown him two curveballs. Are you going to let him strike out?

Hon. Ted McMeekin: We don't throw curveballs on this side of the House. We deal very straight up with situations. We're right down the middle of the plate.

I can tell you that in addition to monitoring this situation very closely, the federal government has recently stated to us that smoking marijuana for medical purposes in a public place and potentially exposing others to the drug's effects is unacceptable. So we take them at their word on that. As they're before the committee actually dealing with potential regulatory changes, we anticipate that they'll take their responsibility seriously and do what needs to be done to protect honest, hard-working, good business people like Mr. Kindos.

NEWBORN SCREENING

M^{me} France Gélinas: Ma question est pour le ministre de la Santé et des Soins de longue durée.

Did you know that Ontario is the only province in Canada where the blood screening tests for celiac disease are not covered by the provincial government? Celiac disease affects about one out of 100. There are 107 of us in here; chances are, one of us has it and probably does not know. But if celiac disease is not detected early, those affected are exposing themselves to terrible complications: malnutrition, anemia, cancer, infertility, and the list goes on, all costing the health care system a significant amount of money. Yet the treatment, which is a gluten-free diet, does not cost the health care system a single penny. Minister, why won't Ontario cover this simple preventive measure?

Hon. David Caplan: The fact of the matter is that Ontario has the most extensive newborn screening program anywhere in Canada. It's because of the efforts of this government that we have expanded screening, and we always look for additional opportunities for that and for many other procedures. It's been regrettable that we've seen members opposite who have not supported the direction to expand and enhance services right across the province.

I thank the member for bringing this forward. I can assure the member that we are always looking for opportunities to provide additional help and support and to screen for diseases. We're going to continue with that approach as we move forward in the province of Ontario.

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

VISITOR

The Speaker (Hon. Steve Peters): I'd ask all members to join me in welcoming a former member, Norm Jamison, who represented Norfolk in the 35th Parliament. Welcome back to Queen's Park today, Norm.

There being no deferred votes, this House stands recessed until 3 p.m. this afternoon.

The House recessed from 1139 to 1500.

INTRODUCTION OF VISITORS

The Speaker (Hon. Steve Peters): I want to take this opportunity to welcome Mr. Wayne Wettlaufer back to the chamber. Wayne represented Kitchener in the 36th Parliament and Kitchener Centre in the 37th Parliament. Welcome back to Queen's Park, Wayne.

Mr. Jeff Leal: They haven't arrived yet, but they will be. It's a grade 11 history class from St. Peter's Secondary School from the riding of Peterborough. The teachers are Ms. Peggy Sullivan and Ms. Bernadette Peters. I know we'll welcome them. They'll be in the west members' gallery shortly; I think they're just being filed in.

The Speaker (Hon. Steve Peters): Is that Bernadette Peters, the actress?

Mr. Jeff Leal: This is just one of the more famous members of the Peters family of Peterborough. They could be distant relatives, and if they are distant relatives, I know you'd like to welcome them on your behalf. I think they are starting to file in now.

The Speaker (Hon. Steve Peters): I know the Speaker shouldn't be participating in debate, but he will in this case. The Speaker's original last name is Pidwerbeski, and the chances of the Peters and Pidwerbeskis being related are pretty slim there.

MEMBERS' STATEMENTS

RELAY FOR LIFE

Mr. Bill Murdoch: This Friday, May 29, students at Sacred Heart High School in Walkerton will be participating in this year's Relay for Life. Relay for Life is a fundraiser and awareness event put on by the Canadian Cancer Society. From this week until the end of fall, students and communities throughout Canada will be participating in events to bring awareness about cancer to the forefront and celebrate the lives of those who have won and lost their battle with cancer.

Relay for Life is a 12-hour, non-competitive overnight event. Teams of 10 people take turns walking around a track to raise funds to help make cancer history. The students of Sacred Heart High School will be putting on their 12-hour event this Friday.

When speaking to the students who chose to participate in the fundraiser, many spoke about knowing a

family member, friend or teacher who had cancer and what they'd gone through. The students told me that by participating in Relay for Life they will be hoping to help support leading-edge research for all forms of cancer. These students also wanted to get other students in the school informed about cancer and help make sure that many of them are educated on when and how cancer occurs. The Canadian Cancer Society actively supports educating people of all ages about cancer and works publicly to make sure that cancer prevention is a top priority at all levels of government.

Relay for Life events are taking place throughout my riding of Bruce-Grey-Owen Sound and throughout the province of Ontario. I would encourage my colleagues and citizens of Ontario to join a relay team, donate or stop by one of the local Relay for Life events to learn more about the Canadian Cancer Society and how to prevent cancer and make it history.

STUDENT ACHIEVEMENT

Mr. Rosario Marchese: I wanted to make a statement today around the whole issue of the school information finder website that the ministry has put up and to reflect the views of teachers and parents on this particular matter.

The ministry has facilitated a collection of data concerning the level of income of parents in a school, the level of education, the number of immigrant kids who are in that school and the number of special education kids who are in the school. We believe that collection of information and the facility that it allows parents to be able to look at—for what purpose, we don't know. We find that collection reprehensible and repugnant, totally unnecessary, and we have the support of teacher federations such as OECTA, OSSTF and ETFO.

Today, in a question, I said that the Ontario Public School Boards' Association is on board and against this. They urge the minister to get rid of that site, because clearly it's not useful to anyone. If it has information around whether a school has a teacher-librarian, a physical education teacher, a music teacher, or a daycare, that would be useful for parents to know, but this demographic information that talks about the level of income, the level of education, special ed and recent immigrants can only hurt the parents and those students in those schools. People should call the minister and tell her it's wrong.

COMMUNITY CUP

Mr. Yasir Naqvi: I rise today to share with the members of this House, the people of Ottawa and all Ontarians the very special annual event known as the Community Cup, a multicultural soccer tournament and activity day held in my riding of Ottawa Centre on June 28.

Organized by the Catholic Immigration Centre of Ottawa, the Community Cup welcomes all visitors to

explore the many activities taking place throughout the day, while 24 teams compete in both skill and spirit to earn the coveted cup.

This soccer tournament represents the very epitome of community building that is so essential for the ongoing growth of our open and welcoming Canadian society. With open arms and quick feet, the great people of Ottawa have utilized this outstanding opportunity for five years now to build long-lasting, positive relationships through friendly competition.

There will be many other activities and services to be had at this year's Community Cup beyond just soccer. The community tent, hosted by 25 different Ottawa community agencies, will have something for all visitors, from volunteering and job opportunities to health information and immigrant services. Or visit the language village to learn one of 12 languages in fun and interactive 20-minute sessions. There will also be fun for the whole family, with live entertainment, an international food bazaar, HOPE volleyball-inspired pickup games and the kids' zone.

I'm proud that our government wholeheartedly supports the Ottawa and new Canadian community as a banner sponsor of this event. Thanks to a \$10,000 community builders' grant from the Ministry of Citizenship and Immigration, this year's Community Cup will be bigger and better than ever.

Finally, I would like to recognize the hard work and leadership—

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

PINGLE'S FARM MARKET

Mr. John O'Toole: I rise today to pay tribute to a very successful operation in my riding, Pingle's Farm Market on Taunton Road East.

Colleen and Walter Pingle were recently honoured with a 2009 Farm Marketers of the Year Award from the Ontario Farm Fresh Marketing Association. This is a tribute to their hard work, dedication and vision in building an important destination for farm-fresh products and family fun. The market started 22 years ago as a simple picnic at the side of the road. Today the market has grown to include not only a market but also a pick-your-own operation, an educational school tour facility, a gift shop, greenhouse and special seasonal family activities.

I'd like to congratulate Walter and Colleen and their staff at Pingle's Farm Market for their leadership, innovation and for being named 2009 Farm Marketers of the Year. Come to visit Pingle's Farm Market, a terrific family destination located at the north end of Courtice Road in the community of Clarington in the region of Durham.

I fully expect that on June 16, the Minister of Agriculture, the Honourable Leona Dombrowsky, whom I personally invited, will attend, and it will be a great day to celebrate agriculture in Durham region.

ONTARIO VETERINARY COLLEGE

Mrs. Liz Sandals: I'm pleased to rise today to speak of two great projects under way at the Ontario Veterinary College at the University of Guelph.

Yesterday, OVC officially opened their large animal isolation unit. This sophisticated state-of-the-art patient housing and infection control facility is the first component of the new OVC Health Sciences Centre. This project was made possible thanks in part to funding from the Ministry of Agriculture, Food and Rural Affairs. The ministry provided \$25 million to the University of Guelph to assist the province in enhancing our ability to prevent and respond to outbreaks of communicable animal diseases.

I also participated recently in the sod-turning for the Hill's Pet Nutrition Primary Healthcare Centre. This is also part of the overall redevelopment of the Ontario Veterinary College. This project is supported by a \$9.5-million investment from the Ministry of Training, Colleges and Universities and a \$5-million contribution from Hill's Pet Nutrition.

The new primary health care centre will allow veterinary students to experience working in a typical small animal clinic, with emphasis on the importance of animal nutrition and wellness as well as hands-on clinical experience.

By investing in these clinical and research facilities, we are ensuring our veterinary students get experience they need to practise better—

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

1510

KIDS' FISHING DAY

Mr. Jerry J. Ouellette: I'd like to express my sincere thanks and appreciation to all the groups and volunteers who worked so hard for our ninth annual Kids' Fishing Day at Heber Down Conservation Area this past Saturday—another record-setting day. A great crowd of kids and parents alike came out to enjoy the beautiful sunny weather and take part in a fun-filled day of fishing and outdoor activities.

There was no cost for the event, and children were able to take part in many activities, including conservation, wetland and trapping displays, lure-making, face-painting, a casting competition, fish identification and a free lunch.

Many groups and organizations gave their time and effort to this special day. I'd like to thank Ducks Unlimited; CLOCA; OFAH; Zone E; Kids, Cops and Canadian Tire; Muskies Canada; MNR, Aurora district; Ontario Sporting Dog Association; Ontario Deerhound Association; Oshawa community health; South Oshawa Teen Council; Durham Regional Police; Pickering Rod and Gun Club; Lindsay Trappers Council; Valu-Mart Lindsay; Emm's Sports; Hawgtown Bassmasters; Eastview Boys and Girls Club; Simcoe Hall Settlement House; South Central Ontario Big Game Association; WT Hawkins; OPG; Calvary Baptist Church; and the Oshawa Professional Firefighters Association as well as

Westmount Kiwanis for all their help, along with Doug and Roli for doing the fish fry—and yes, Mr. O'Toole did show up. While Norm Monaghan's tireless work and dedication were greatly missed this year, he will never be forgotten.

As always, a special thanks goes out to Walter Oster and the Toronto Sportsmen's Show, who, year after year, contribute to the success of kids' fishing days right across Ontario.

I'd like to quote Sandra Sweet from Simcoe Hall Settlement House:

"It is a challenge to develop and instill appreciation for the environment in a child who has not experienced nature. How can we expect young people to respect and protect the future of our natural resources when they're not exactly sure what those natural resources are?"

Thanks again to everyone who made this experience possible for the children of our community.

GUYANA INDEPENDENCE DAY

Mr. Lorenzo Berardinetti: I rise today to pay tribute to the people of the Republic of Guyana as they celebrate their 43rd independence anniversary. On May 26th, 1966, the colony of British Guiana was granted political independence from Britain and called Guyana. Guyana is a native Amerindian word that means "land of many waters." Guyana is also a land of many races, with East Indians and African Guyanese comprising the bulk of the population. In spite of the race riots of the early 1960s and political turmoil prior to and following political independence, the Guyanese people have continued peaceful coexistence, especially between the two major ethnic groups.

The 1992 elections in post-independence Guyana marked a new chapter in that nation's history. Dr. Cheddi Jagan, who's considered the father of the Guyanese nation, became the first democratically elected president under free and fair elections.

Canada is home to over 200,000 Canadian Guyanese of all races, and they continue to make indelible contributions to our country and the province of Ontario.

I wish to share with this House a very small little story. The Prime Minister of Guyana, in unveiling a statue of Sir James Douglas on August 27, 2008, at Helena, Mahaica, in Guyana, described Sir Douglas as "Guyana's first gift to Canada as he was the first to work towards making Canada the country it is today." The father of British Columbia was Sir James Douglas, born 1803 in Mahaica, Guyana. Sir James Douglas became governor of British Columbia.

I ask all members to join me in extending our best wishes to all Guyanese Canadians in Ontario as they celebrate the 43rd anniversary of Guyana's independence.

YORK MEMORIAL COLLEGIATE INSTITUTE

Mrs. Laura Albanese: I rise in the House today to acknowledge and congratulate York Memorial high

school in my riding of York South–Weston. This year marks 80 years of providing exceptional education and support to students, residents and the community alike.

Since first opening its doors to the students of the old York community in 1929, thousands upon thousands of students have passed through its halls and filled its classrooms. A recent celebration brought many of those individuals back to the school where they spent some of their most engaging and, I am sure, most memorable times.

On May 9, I had the pleasure of participating in a reunion that brought together generations of alumni, teachers, staff, parents and students to relive memories old and new. There is no feeling like that of reconnecting with old friends who have, over the years, gone on to do different things in life. I understand that MPP Kevin Flynn, for example, the member from Oakville, attended York Memorial.

The diverse life and career paths that York Memorial alumni have taken are a testament to the rich and multi-faceted educational experience that the school continues to proudly offer. Today I rise to reflect on and celebrate an historic educational institution that not only honours a rich history but reflects the present-day community spirit of York South–Weston.

ENERGY CONSERVATION

Mrs. Carol Mitchell: I rise to speak about a very important and worthy initiative from the Ontario Power Authority happening today right in front of the Legislature.

Today, members of this Legislature and staff can go out front to the OPA booth and make the "Leg. pledge" by asking to "Count me in" to the province's energy conservation challenge.

Ontario's second province-wide Energy Conservation Week took place from May 17 to May 23. The conservation week marked the launch of a summer-long energy efficiency campaign, culminating in a mid-August Community Challenge Day.

Over the past few weeks the energy conservation team have been gathering pledges across the province, and to date, over 10,000 Ontarians have made the pledge to become more energy-efficient. On Community Challenge Day, it is expected that Ontarians will use all the tools they have learned about over the course of the summer to reduce their consumption.

More information about Community Challenge Day will be released in the coming weeks, so stay tuned and find out what you can do to help this great initiative succeed.

Conservation has been one of the cornerstones of this government's mandate to make the province greener and cleaner. I ask all members of this Legislature to join with me in saying "Count me in" to a brighter future for all Ontarians, in front of the Legislature. Sign up today.

STATEMENTS BY THE MINISTRY AND RESPONSES

IMMIGRANTS' SKILLS

Hon. Michael Chan: I rise to bring the honourable members up to date on the steps our government took last week to strengthen the economy by investing in the skills of newcomers.

People remain Ontario's number one asset. The advantages of a highly educated and skilled workforce are beyond debate.

Today's newcomers are the most highly trained in our history. In fact, about 70% of adult newcomers bring post-secondary education or training. It is critical for the economy to put newcomers' talents to work as quickly as possible.

I was therefore pleased to announce last week an investment of more than \$38 million in 38 bridge training programs across Ontario. This will help 10,000 newcomers get jobs that match their expertise.

Bridge training programs help newcomers bridge international qualifications and experience into Ontario requirements and practices. These projects offer a range of support to help newcomers get licensed and get jobs. Bridge training projects provide a range of support services, such as skills assessment, technical training, local work experience, language training specific to occupations, and mentorship.

Since 2003, more than 180 projects have helped 30,000 highly skilled newcomers get jobs in their field. Here are some of the results: The University of Toronto's international pharmacy graduate project has improved the pass rate on the pharmacy licensing examination from 20% to a whopping 90%; 90% of participants who complete the CARE bridge training program for internationally trained nurses obtain employment within six months; and Hire Immigrants Ottawa, a project sponsored by United Way Ottawa, has helped almost 600 skilled newcomers get jobs in their field.

Success is reflected in the feedback on these programs, from employers who have been able to recruit highly skilled workers, and from newcomers who, instead of seeing their skills eroded, are able to take advantage of opportunities to work in the field related to their studies.

We anticipate more of the same return on our latest investments in bridge training. The projects announced last week will have a wide-ranging impact. They cover an array of professions and trades, including health care, financial services, biotechnology, engineering, the environment, information technology and law, and they touch many communities: the GTA, Guelph, Hamilton, Kitchener-Waterloo, London, Ottawa and Windsor.

Last week's funding announcement was just the first stage in the expansion of this proven strategy. As well, I am pleased to advise that the 2009 Ontario budget commits a further \$50 million to expand bridge training programs over the next two years.

1520

Investing in people is a key part of our government's plan to create jobs and strengthen the Ontario economy. We are helping newcomers put their skills and talents to work for themselves, their families, and ultimately for Ontario. We know our prosperity tomorrow depends on the actions we take today. This is why we are investing in the skills of Ontarians.

The Speaker (Hon. Steve Peters): Responses?

Mr. John O'Toole: I want to commend the Minister of Citizenship and Immigration, the Honourable Michael Chan, for recognizing the important contribution that people make to Ontario. As he said, the theme is investing in people. Investing in newcomers to Ontario is a very important step, which would be supported by all members of the House, I'm sure. Building a strong Ontario for each us to share in, including the new Canadians, is an important commitment.

I'm always concerned when the government makes these announcements and I have to look with some uncertainty at where the funding really is and where it's coming from. A couple of years ago, without being critical, there were announcements made to organizations out of a fund that wasn't clearly outlined in the budget, which was questioned. Some of that was the second line training included in the bridge announcement today. But I do want to commend the minister for doing the right thing: making sure that people who come to Ontario, or Canada, for that matter, have the skills to participate in our wonderful society.

At this point in our comments it would be clear that I would like to share some of the time with Mr. Bailey, who's actually the critic in this field.

Mr. Robert Bailey: It's a pleasure for me to be able to respond today, on behalf of the official opposition, regarding bridge training for new immigrants. We recognize the importance that new Canadians play in our economy. Many immigrants to Canada are already well educated and highly trained, but the system has prohibited them from being able to fully participate in our labour force.

We are glad whenever the government gets serious about helping immigrants participate fully in our economy. However, there's less to this announcement than meets the eye. Actually, this is the trifecta of reannouncements. Funding was announced in the budget, re-announced again last week and reannounced here today. I think the minister may be going for a new record. Actually, this announcement isn't really much of an announcement. Under the Ontario Labour Mobility Act, the province is mandated to support skilled immigrants. So all they're doing is announcing what they're obligated to do in the first place.

We have some concerns on this side of the House that the money that is being spent on the bridge training centres will be spent on administration and not actually train anyone, as the member from Durham so aptly put; he pointed those issues out.

This government has a bad reputation for announcing grand programs that don't actually do anything at the end of the day. Time and again we have highlighted where the government's grand announcements don't actually translate to anything on the ground. I would hope that this isn't one of those announcements.

This government also needs to be careful that it is training people for jobs that actually exist. As a former minister said, this government is going to get into picking winners and losers. They just have a bad reputation for doing that: They pick the wrong ones. I hope they aren't trying the same thing with job training.

If you want a highly skilled workforce, the government needs to lower the apprenticeship ratio—that would be one good example right there—so that more people can get into the trades. When the economy does turn around, if and when it does, there is no point in helping new immigrants to be trained if they can't actually access those apprenticeship systems, because there are more applicants than there are actual spaces.

I would hope that this announcement is followed closely by an announcement of the reduction of apprenticeship ratios. That's something that in this province would really get training going and would be something laudable that this government could do.

In closing, I'd like to thank the member for Durham for taking part of that and introducing me.

Mr. Michael Prue: It's my privilege today to talk about the Minister of Citizenship and Immigration's policy pronouncements. For myself, I have to say that I value intrinsically what newcomers bring to this country. I value it because I spent more than 20 years of my life working for Immigration Canada before I became a politician. I saw people getting off the plane with hope in their eyes. Oftentimes they had very little. Some were escaping from poverty, some were escaping from war-torn countries, and some of them came leaving good lives behind. They came not so much for themselves but for their children and for the opportunities that would be available. To see that opportunity when it happens in this country is a wonderful thing, but to see when it doesn't happen is a shame.

I stand here to say that for every immigrant who has succeeded in this country—and literally hundreds of thousands have—there have been others who have not been so successful. It has been a waste of their talent and a frustration to those individuals.

When you go out into the community and meet people from racialized communities, they talk to you about their talents not being recognized. Whether it be an auditor, an accountant from Bangladesh who is not being recognized, whether it be a doctor from India who is not being recognized or whether it be an engineer from China who is not being recognized, we need to make sure that we use all of their skills and abilities, the ones that they brought with them—not to de-skill them, not to give them jobs in the same field at a lower level and at lower pay, but to use everything that they innately bring with them.

We need to understand in this country that poverty, increasingly, is racialized. If you look at the United Way of Greater Toronto and the 13 communities where they have shown that poverty is starting to take a foothold, most of those are communities where newcomers come to live in Canada. They are highly immigrant communities, they are places of first landing where people come and settle, and you will find that that is the face of poverty here today. We need to start keeping statistics on that, and we cannot be afraid to keep those kinds of statistics. I welcome the initiatives by the United Way and hope the government will continue to keep those statistics and understand who in fact is really poor and why they are being kept in poverty.

We need to do a number of things in order to get people out there to work. We need to increase our English as a second language. I don't think we're doing nearly enough of that in this province. French is the second language in some communities. We need to increase the services that are available through LINC. But, most importantly, we need to give opportunities for full universal child care. If anything is going to release particularly the newcomer women, it's going to be child care so they can go to school, so that they can find work and so that they know that their loved ones—their children—are being looked after while they're out there learning how it is to fully function and participate in Ontario and Canadian society.

Ultimately, though, I want to speak just for the minute or so that's left about what Ontario really should be doing. I've said this many times in this House, and it deserves telling again today: In 1976, the government of Quebec took a step that no other government has taken, not one other government in this country. They developed their own grid system for immigrants. They went out there and they decided that they were going to get into the immigration game, and they are allowed to do so under section 92 of the British North America Act. The government of Canada helps and has continued to pay for them to do that, so that in Quebec they have had 33 years of continuing experience on how to deal with newcomers.

If you want to know as an immigrant where you are most likely to be successful, where you are most likely to get the programs to learn French, where you are most likely to have your skills recognized, where you are most likely to get child care, and where you are most likely to be successful for yourself and for your family, you will find that not here in Ontario, unfortunately, but in Quebec.

If this government is truly serious about recognizing the skills and abilities of newcomers, then I think we have to do some of the things that were contained in the Quebec Immigration Act. We are going to have to go out and recruit those immigrants. We are going to have to recognize their skills, and look at those skills and give them documentation for those skills before they get here. Can you imagine saying, "You will be a doctor when you arrive in Canada"—not having to come here and take test

after test after test, but be recognized before you come? That is what Ontario should be doing. We should be funding those programs. We should be looking to the law. We should be taking the bold step. It has worked for 33 years in Quebec. It is time that the government of Ontario took that bold initiative.

1530

PETITIONS

TAXATION

Mrs. Joyce Savoline: I rise in the House today to read a petition to the Legislative Assembly of Ontario:

“Whereas residents in Burlington do not want the McGuinty 13% sales tax, which will raise the cost of goods and services they use every day; and

“Whereas the McGuinty 13% blended sales tax will cause everyone to pay more for gasoline for their cars, heat, telephone, cable and Internet services for their homes, and will be applied to house sales over \$400,000; and

“Whereas the McGuinty 13% blended sales tax will cause everyone to pay more for meals under \$4, haircuts, funeral services, gym memberships, newspapers, and lawyer and accountant fees; and

“Whereas the blended sales tax grab will affect everyone in the province: seniors, students, families and low-income Ontarians;

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

“That the McGuinty Liberal government not increase taxes for Ontario consumers.”

I agree with this petition; I will affix my name and give it to page Elliott.

POWER PLANT

Mr. Dave Levac: This petition is to the Legislative Assembly of Ontario, signed by clan mothers, subchiefs and chiefs and members of Six Nations, along with others.

“Whereas First Nations, Ontario, Canada and the world have a responsibility for the perpetual care and maintenance of our land and resources; and

“Whereas First Nations, Ontario, Canada and the world must work co-operatively to reduce greenhouse gas emissions resulting from power generation; and

“Whereas demand for clean electricity continues to grow; and

“Whereas our electricity demands are mostly reliant on fossil fuels, nuclear energy, and hydroelectric (water), all three will remain a part of the mix as we transition to renewable forms of electricity such as wind, solar, biomass and geothermal; and

“Whereas natural gas has the lowest greenhouse gas emissions of all the fossil fuels; and

“Whereas duly appointed leaders within the Haudenosaunee Six Nations confederacy, the Six Nations elected band council, the province of Ontario and the Ontario Power Authority support, in principle, the Eagles Nest power plant-power generation facility; and

“Whereas the proponents, Guswhenta Developments, have completed a Six Nations territory community-wide survey and received” vast “majority community support; and

“Whereas the Eagles Nest power plant establishes a template to explore further partnership opportunities toward the completion of new transmission lines and the restoration of existing lines within the Haldimand tract; and

“Whereas these initiatives and partnerships will provide an opportunity for the community of Six Nations to become energy self-sufficient over a 20-year period; and

“Whereas this power plant will assist in replacing the power from the soon-to-be-decommissioned Nanticoke coal-fired plant; and

“Whereas this native and non-native partnership will benefit the Six Nations, Brant and Ontario economy and will help to restore and enhance the goodwill and co-operation between these political entities;

“Therefore we, the undersigned, do hereby petition the Legislative Assembly of Ontario to issue a directive in respect to the Eagles Nest power plant-power generation facility and the historic partnership this project represents.”

I hereby sign this petition and offer it to page Kerala.

ONTARIO BUDGET

Mr. Norm Miller: I have a petition, signed by people from Emsdale, Huntsville, Gravenhurst and Carney, to do with the budget. It reads:

“To the Legislative Assembly of Ontario:

“Whereas the McGuinty government budget projects a spending explosion to \$109 billion in 2009-10; and

“Whereas much-needed tax cuts to help small and medium-sized businesses do not take effect until 2010...; and

“Whereas the McGuinty government has predicted it will increase the provincial debt by \$57 billion over the next seven years;

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

“That the McGuinty control government spending and reduce red tape; change the culture of government to help business comply with regulations, instead of its current approach of charging and fining businesses; and implement business tax cuts immediately.”

I support this petition and affix my signature to it.

SCHOOL FACILITIES

Mr. Phil McNeely: A petition to the Legislative Assembly of Ontario:

"Whereas St. Matthew Catholic High School is currently operating at 137% capacity and has been overcrowded for many years; and

"Whereas the Ottawa Catholic school board's capital plan identifies building an addition to St. Matthew Catholic High School as necessary (contingent on provincial grants) and planned for 2008; and

"Whereas the province of Ontario does not currently have a model to fund capital additions where school boards are not in debt and where these schools are in established communities and not part of the board's educational development charges bylaw;

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

"To immediately transfer to the Ottawa Catholic school board the necessary funds to design and build the planned addition to St. Matthew Catholic High School in Orléans."

I will send this down with Brittany.

WORKPLACE INSURANCE

Mr. Ted Arnott: I have a petition to the Legislative Assembly of Ontario, and it reads as follows:

"Whereas the government of Ontario is introducing a policy of forcing sole proprietors, partners, executive officers in a corporation and independent operators in construction to pay workers' compensation premiums on their own earnings in addition to the premiums they already pay on behalf of their employees; and

"Whereas such a policy will inflict an additional \$11,000 average cost on law-abiding business owners in the above-ground economy while doing nothing to root out the law-evading cheaters in the underground economy; and

"Whereas such a policy will not improve access to workplace health and safety education and training since law-abiding businesses already have access to all of these resources and law-evading businesses will continue to hide; and

"Whereas such a policy is not needed to level the playing field, since the rules already require that firms large and small must cover employees, while company leaders are exempt in both cases; and

"Whereas there has been no serious review of alternatives such as tracking who has coverage by name to limit abuse and other insurance options; and

"Whereas such a policy could be extended beyond construction to other sectors; and

"Whereas Ontario's slowing economy is hurting citizens and businesses, also resulting in Ontario becoming a first-time 'have-not' province;

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

"To vote against or repeal any legislation that requires independent operators, executive officers in a corporation, sole proprietors and partners in construction or in any other sector to pay WSIB premiums on their own earnings."

I support this petition and will affix my signature to it as well.

CHILD CUSTODY

Mr. Kim Craitor: I'm pleased to introduce this petition. I want to thank Mrs. Alexander for submitting a number of them to me. The petition reads as follows:

"To the Legislative Assembly of Ontario:

"We, the people of Ontario, deserve and have the right to request an amendment to the Children's Law Reform Act to emphasize the importance of children's relationships with their parents and grandparents, as requested in Bill 33 ...

"Whereas subsection 20(2.1) requires parents and others with custody of children to refrain from unreasonably placing obstacles to personal relations between the children and their grandparents; and

"Whereas subsection 24(2) contains a list of matters that a court must consider when determining the best interests of a child. The bill amends that subsection to include a specific reference to the importance of maintaining emotional ties between children and grandparents; and

"Whereas subsection 24(2.1) requires a court that is considering custody of or access to a child to give effect to the principle that a child should have as much contact with each parent and grandparent as is consistent with the best interests of the child; and

"Whereas subsection 24(2.2) requires a court that is considering custody of a child to take into consideration each applicant's willingness to facilitate as much contact between the child and each parent and grandparent as is consistent with the best interests of the child;

"We, the undersigned, hereby petition the Legislative Assembly of Ontario to amend the Children's Law Reform Act to emphasize the importance of children's relationships with their parents and grandparents."

Thank you.

TAXATION

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

"Whereas Dalton McGuinty said he wouldn't raise taxes in the 2003 election, but in 2004 he brought in the health tax, the biggest tax hike in Ontario's history; and

"Whereas Dalton McGuinty will increase taxes yet again with his new 13% combined sales tax, at a time when families and businesses can least afford it; and

"Whereas Dalton McGuinty's new 13% sales tax will increase the cost of goods and services that families and businesses buy every day, such as: coffee, newspapers and magazines; gas at the pumps; home heating oil and electricity; postage stamps; haircuts; dry cleaning; home renovations; real estate transactions; veterinary care; arena ice and soccer field rentals;

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

“That the Dalton McGuinty government wake up to Ontario’s current economic reality and stop raising taxes, once and for all, on Ontario’s hard-working families and businesses.”

This is submitted to me by realtors in the riding of Oshawa, and I affix my name in support.

FIREARMS CONTROL

Mr. Mike Colle: I have a petition from the good people of Eglinton–Lawrence who are worried about gun crime.

“Whereas there are a growing number of drive-by shootings and gun crimes in our communities;

“Whereas only police officers ... and lawfully licensed persons are allowed to possess handguns;

“Whereas a growing number of illegal handguns are transported, smuggled” daily across our borders and “found in cars driven in our communities;

“Whereas impounding cars” with illegal guns “and suspending driver’s licences” of the illegal gun carriers “on the spot by the police will make our communities safer;

“We, the undersigned, petition the Legislative Assembly of Ontario to pass Bill 56, a bill proposed by MPP Mike Colle and entitled the Unlawful Firearms in Vehicles Act, 2008, into law so that we can reduce the number of drive-by shootings” and take these illegal guns off of our streets.

I support taking illegal guns off our streets and I support this petition. I affix my name to it.

1540

TAXATION

Mr. Bill Murdoch: I have a petition to the Legislative Assembly of Ontario.

“Whereas the residents of Bruce–Grey–Owen Sound do not want a provincial harmonized sales tax that will raise the cost of goods and services they use every day; and

“Whereas the 13% blended sales tax will cause everyone to pay more for gasoline for their cars, heat, telephone, cable and Internet services for their homes, and will be applied to house sales over \$400,000; and

“Whereas the 13% blended sales tax will cause everyone to pay more for meals under \$4, haircuts, funeral services, gym memberships, newspapers, and lawyer and accountant fees; and

“Whereas the blended sales tax grab will affect everyone in the province: seniors, students, families and low-income Ontarians;

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

“That the McGuinty Liberal government not increase taxes for Ontario consumers.”

I have over 3,700 of these so far and more coming in.

ONTARIO BUDGET

Mr. Lorenzo Berardinetti: “To the Legislative Assembly of Ontario:

“Whereas the McGuinty government understands the present-day economic realities facing Ontario;

“Whereas the 2009 Ontario budget reflects the need to create and maintain jobs by proposing to spend \$32.5 billion in the next two years to build more public transit and improve existing infrastructure, all the while supporting and creating 300,000 jobs;

“Whereas workers are further being helped by additional job opportunities created in the green energy sector via the ... Green Economy Act that will, if passed, create 50,000 new jobs in the first three years of its existence;

“Whereas Ontarians who work hard each and every day to make ends meet will receive much-needed income tax relief in the form of a 17% tax cut to the tax rate in Ontario’s lowest tax bracket from the current 6.05% to 5.05%;

“Whereas Ontario’s future, represented by her children, will receive the Ontario child benefit two full years ahead of schedule, amounting to \$1,100 per eligible child;

“We, the undersigned, therefore applaud the McGuinty government for introducing a budget that protects all Ontarians during these very difficult economic times by investing in our greatest resource—our people.”

I agree with the petition and affix my signature to it.

MOTORCYCLE SAFETY

Mr. Robert Bailey: “To the Legislative Assembly of Ontario:

“Whereas Bill 117, presented by MPP Helena Jaczek on October 27, 2008, An Act to amend the Highway Traffic Act to prohibit the driving and operation of motorcycles with child passengers ...

“The Highway Traffic Act is amended by” the “following ... under 14 years old ...

“38.1 No person shall drive or operate a motorcycle on a highway if another person under the age of 14 years is a passenger ...;

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

“That Bill 117 be removed from the agenda and never become law.”

HOSPITAL FUNDING

Mr. Bob Delaney: I have a petition to the Ontario Legislative Assembly and I want to thank Annick Ouellet, a chartered accountant with Sidler and Co., for having collected the signatures. 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 ongoing 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. An ambulatory surgery centre would greatly increase the ability of surgeons to perform more procedures, reduce wait times for patients and free 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 2009-10 capital budget to begin planning and construction of an ambulatory surgery centre located in western Mississauga to serve the Mississauga-Halton area and enable greater access to ‘day surgery’ procedures that comprise about four fifths of all surgical procedures performed.”

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

ORDERS OF THE DAY

BUDGET MEASURES ACT, 2009

LOI DE 2009 SUR LES MESURES BUDGÉTAIRES

Mr. Gravelle, on behalf of Mr. Duncan, moved third reading of the following bill:

Bill 162, An Act respecting the budget measures and other matters / Projet de loi 162, Loi concernant les mesures budgétaires et d’autres questions.

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

Mr. Wayne Arthurs: I’m pleased to rise today to resume the debate on Bill 162, our Budget Measures Act, as we enter into third reading on this particular measure.

It is a particular pleasure, as we sit here, nearing the end of May, to be able to be doing this. This is a tradition, I would suggest, that this government has enacted during its time to move the budgetary cycle into presenting a budget before we reach the end of the fiscal year. Certainly, there have been times in the past when governments would be introducing their budgets in May. But here we are at the latter part of May, and we not only have had a budget that has been introduced by the finance minister and has had debate, but we have the budget measures bill and it has been to committee; and here we are, back for third reading at this point and ready, subject to the will of this Legislature, for its adoption. It’s not groundbreaking in that sense, but it sets out a strategy whereby the people of the province of Ontario know, as early as can reasonably be assumed to be possible, what the objectives of the Legislature are.

Ontario, like other jurisdictions, is feeling the effects of this global economic crisis that we’ve been faced with. The economy degenerated in a substantive way during the summer of last year and into the fall. The finance minister spoke to this matter in his fall economic statement. We’ve continued to see that activity. I think that

there’s a degree of optimism, as one looks at the marketplace out there, that things seem to be a little bit more stable in the investment climate, although that’s not necessarily reflected in the current job environment. We don’t know quite when and where all of this is going to land and when exactly we’re going to be through what we’re into today. The Premier has said on more than one occasion that this is the worst economic crisis that we’ve seen in some 80 years. It’s a reflection of what leaders around the world have been saying: These are unprecedented times in which we find ourselves. So we’ve looked at options that were available to us, as a provincial government, within the context of this economic situation we find ourselves in.

I think it’s important, though, to remind ourselves—because each budget, although it speaks to new initiatives and it speaks to currency in the context of what matters right now, today—of the tremendous investments that we’ve been making in this province, particularly during our time in government in these past five years.

We’ve made major investments in public health care, and I can see those in my own community. I’ve had the opportunity just recently, with the Minister of Health, the Honourable David Caplan, to see the redevelopment growth of our local hospital, the Ajax site of the Rouge Valley Health System, which has a major new development in the context of emergency and diagnostic capacity, something that has been so sorely needed for so long in the community that I represent. We’re actually seeing the construction. That doesn’t speak to this budget in the context of a new initiative, but it certainly speaks to this budget from the standpoint of the dollars that are available to continue this work and the preparation for its completion, as well as the need to operate facilities once they’re built. Building is just one small part. The building part is often the easy part. It’s recognizing the priorities and investing in those for the longer term.

At the same time, I had a chance, with the health minister, to join our family health team, the Durham West family health team. We started off in office under the former health minister, who initiated the family health team concept and put it out there, such that we put the first of those in place. At this point, Durham region only has one, and it’s the Durham West health team. We met with those people, who have been working so diligently over the past two years, building the health team and bringing together the professionals. It was really encouraging as we sat and listened to the health professionals speak of their excitement at working in that type of environment and about the learning that they’ll be able to achieve on a day-by-day basis—physicians who are no longer working in the context of their own little offices but are sharing with their peers in a health facility about the work that’s being done by health practitioners and by the support staff. These are the very kinds of investments we have been making in health care over the past five years, not just in this particular budget.

1550

We’re making major investments in our education system, everything from smaller class sizes through to

the investments in our post-secondary institutions and concluding postgraduate work. Those include enormous investments in infrastructure.

I want to speak briefly—this is another opportunity—about those investments. Just as recently as this week, there are members throughout this Legislature who have had the opportunity to see within their communities the commitment to investments, much of it ours but not all our own. We have to have partners in this regard, and to a large extent our federal partners are participating in this.

I had the opportunity yesterday, at the University of Toronto Scarborough, to make an announcement of \$70 million—\$35 million of that from the province of Ontario—for a new learning facility on that site: classrooms, laboratory commitments, space for their very significant co-op program. They are the centre for co-op programs for all of the U of T campuses. It will be the largest single building structure on that site in Scarborough since 1965.

It's this type of a budget, this stimulus budget that allows us, with our partners, to be able to make these types of commitments, not only in ridings like mine but in ridings across this province. There's more to that yet to follow. We're at the very early stages, as we begin to identify, through the applications that are made, those projects that are referred to as "shovel-ready," those that will see construction on those sites within a matter of days and weeks, in which there will be men and women working on those sites, taking home a paycheque that they might not otherwise have been taking home if there hadn't been those construction projects. Those projects will come to completion. There will be staff hired to operate those projects.

There will be, in the universities, professors; in those health clinics, the health teams; there will be health practitioners in those hospitals; there will be doctors and nurses working for a career, a lifetime of work, keeping us healthy, making sure we retain our health or teaching our children and our grandchildren what they need to know, developing in them the skills that will continue to retain Ontario as one of the greatest places in the world to live.

In order for Ontarians to have the type of public services that they are owed, that we deserve to give them as a government—that really is our role to the greatest extent, providing quality public service to the public that we serve—we expect that we have to look at things differently. And right now we are looking at things, I would suggest, very, very differently. We have to say to ourselves, how are we going to keep up with the rate of growth in health care expenditures? They're not slowing down. I would suggest that in this budget and probably in subsequent budgets there will be continuing efforts to slow the rate of growth, the curve of growth, so that we will still have funding available for all those other crucial elements of our communities. We have to look at the rate of growth within health care as an example.

We have to understand how we're going to be able to continue to make the post-secondary education invest-

ments so that they are available, so post-secondary education is available to all Ontarians of all ages once they are at that point in their life.

How are we going to make this a greener economy? How are we going to turn that corner and ensure that the next generation understands the need for and the opportunities that can be there for a green economy? It wasn't very long ago that very few in this room would have been talking about a green economy. We were talking about the environment and we were talking about the greening of the environment; we might have been talking about the greening of our cities. But the idea of a green economy—not just some green jobs—would have been foreign to us at that point in time, and now we find ourselves in the situation where we are openly and actively looking at our capacity within our budgetary context to build a green economy, to support those who will help develop that economy.

I spoke earlier about the eagerness we had to bring a budget in at an early stage, to set the stage for a fiscal and a calendar year as well. The Minister of Finance, on March 26, actually presented the budget in this place. It really has a two-stage approach to what we're doing. We are taking very immediate action to make Ontario more competitive with a short-term investment of some \$34 billion, including \$32.5 billion of that for infrastructure—in roads, in sewers, in bridges, in schools and in hospitals. As we drive down some of our highways and take a look as we travel, whether it's the 400-series highways, the TransCanada Highway or the secondary highways, to see as an example that so many Ontarians can see, the very investments that are being made in the infrastructure of this province at an accelerated rate from what we were seeing not so long ago.

My friend in Oshawa, who spoke earlier in the form of a petition, was talking about a sales tax. I know when he drives home along the 401 through Oshawa, he sees the redevelopment going on at Stevenson Road and an interchange that was planned for 50 years or talked about for 50 years that only came to fruition with our government. Now, it wasn't that others didn't have the opportunity. They chose not to make that the priority. I know that the member from Oshawa is so very pleased to see that happening in his community.

I had the opportunity to be driving along the Trans-Canada Highway, north of Napanee in the Belleville area, just during the past 10 days or so, and I know those members who use that route to travel to eastern Ontario, when they get off the 401, see the new construction going on between Highway 37 north of Belleville and easterly toward Highway 41, although not all the way through, and they see the major changes being made to Highway 7 and the safety that it's going to bring along that roadway. I've driven that roadway many, many times, and the truck traffic there is pretty substantive. When you take a look at the turns and the corners, and it drops off into the swamplands and the rock on one side, this is going to be not only a major improvement for the use of that roadway but a significant improvement for truck traffic and for the safety of all those using that roadway.

We need to make these investments. It's why we're committing to a very significant, short-term investment of some \$34 billion, almost all of which is focused on infrastructure. It really is part of a major stimulus at a time when we have such an economic decline, and we have to do all things possible and reasonable to invest wisely and invest in what is going to build on the long term of this province, and at the same time continue to make the wheels of the economy turn in the best way that we can.

As part of achieving all of this, we've announced a comprehensive tax reform package that, when fully implemented, will promote increased foreign and domestic investment and productivity here in Ontario. I know there are those across the floor from us who would like to speak about one element of that, and they like to raise these days in petitions and talk about our single-sales-tax initiatives. They like to frame it in a different way, not a totally clear way in any fashion. They're talking now about a 13% McGuinty tax. The reality is, for the vast majority of products that we buy we are all, each of us, already paying a GST and a PST, and those together are 13%. So for the vast majority of products and things that we already deal with, that's a tax we all pay within the context of living in this province.

There will be some elements that will change as a result of the harmonization of that, but it's so—do you know the key thing I've been hearing over the past number of months from my public? What we really have to look at is what the public expects of us, what they expect of us. One of the key elements they expect, and we've been hearing it time and time again: They speak to us about the need for governments to work together; they speak about the need for us here provincially, federally and municipally to work together. They don't want to hear about why one party's not doing one thing and another government's not doing other things: "Can't you guys just get over that? Can't you figure out a way to work together?" When you take a look at what our public expects broadly across the province and what they expect of governments, then you take the kinds of decisive actions in a comprehensive way to make that happen.

There will be little pieces of it that individuals won't like. If it's always about me, I'll find something that I don't like. But if it's about us in this place, us in this province, then you look forward. In doing that, we're looking at a comprehensive tax reform package. It wasn't that long ago that we initiated a harmonization of the collection of corporate tax, and that was so the corporations weren't submitting two sets of tax forms, weren't submitting tax forms to the provincial government and tax forms to the federal government in different sets of rules and regulations, in different sets of auditors, in different sets of returns, and going back and having to divide stuff all out to get it all right.

Now we're taking another very significant step. We're taking what we did with the federal government in the context of the harmonization of the corporate tax structure and we're moving that into the smaller business

and the consumer side of taxes. We're going to bring the tax structure together so that when you get your bill when you're out purchasing goods and services, you're going to get a single bill with a single tax number on it. As a small business or a business of any sort, when you're submitting your taxation, you're going to submit it to one entity, you're going to submit it under one set of rules, you're going to have one set of potential audits going on, and you're going to respond to one set of questions from one government. The government, in this case, that's going to act on our behalf, on behalf of Ontarians, is going to be the federal government. We'll work with them to ensure that they return to us the dollars that are collected as part of the provincial stream of that tax flow.

1600

Mr. Dave Levac: That's practical.

Mr. Wayne Arthurs: Right. The member for Brant says that that's just simply practical. It's practical, it's reasonable, and it's in a fashion whereby the public will know what's expected of them in the context of not getting a bill and saying, "Does this one have PST or GST?"

Now, I'm not sure when I buy something, because I never look really all that closely at those numbers, whether there may be some place, when I pick up a bill, that the retailer may not know and may have applied PST to something that wouldn't otherwise have it applicable. Or they may have applied GST to a PST item that they might not have otherwise known was applicable, because the rules are so confused. So this is going to be a much more straightforward, straight-up, easy-to-understand structure.

In doing that, we're also going to be doing some things that the business community has been calling on us consistently to do. We've made some very significant changes already. We've made changes on things like the business education tax to make it fair for businesses across the province of Ontario, and those measures are being phased in. They were part of an earlier budget. Even as recently as last year, we accelerated that in northern Ontario, recognizing the special needs that are there.

But we're going to be taking some further measures. We're now going to be moving forward on reductions in corporate tax. Over the next few years, the corporate tax in the province of Ontario will be reduced to some 10%. We've already taken initiatives on that in regard to manufacturing and the natural resources sectors, which we see being the hardest hit by the economy and the ones that need the most urgent and direct attention.

In doing all those things, we also want to be cognizant of what the needs of individual Ontarians are. Our priorities remain very much the same. Our priorities remain ensuring that we have a health system available to Ontarians. Our priorities remain that we have an education system that provides for young people the kind of learning environment and support that they need, that they have the opportunity to grow an education throughout their lives.

But there are those in our community who find themselves more vulnerable, who find that they don't have the advantages that others might have, and we have consistently, on this side of the House, worked toward strategies whereby we would improve the lot of those who are more vulnerable. Now, I will admit, as we will hear from other speakers, I am sure, that we haven't yet done enough, that there is more to do, that each year there will be more for us to do. But in this particular budget, specifically, we have increased the amount of Ontario Works for those who find themselves not able to be in the workplace. It's a modest 2%. And we have increased the amount of Ontario disability support payment for those who find themselves unable to be in the workplace. It's a modest 2%.

We have taken the first-ever Ontario child benefit in this province and we have accelerated its implementation by a full two years, so that as of July of this year, it will be fully implemented, up to \$1,100 per child, in those families where they find they have difficulty providing the type of quality of life that you or I in this House might be able to provide for our children. This was a major move of our government at the end of the last mandate to introduce the Ontario child benefit. It was being phased in, but we've seen the need to accelerate that and have used this budget as that opportunity, because of the economic situation we find ourselves in, to move that forward in a very expeditious fashion.

We continue to follow through on commitments to those who are in the workplace. We have had, I believe, six increases to the minimum wage since coming to office in 2003. It now stands at \$9.50. And scheduled for March 31, 2010: to achieve the goal we set out of \$10.25 for the minimum wage.

That in and of itself would probably cause debate in this House. We'd have those on one side opposite us who would say that's not enough, and those on the other side opposite us who would argue that it's too hard on small business, and thus the challenge of finding the right balance in doing a budget, the right balance in government in providing for the needs of those who have the greatest need, to protect and ensure that our business climate in this province is as competitive as it can be, and to ensure, as we work our way through this recessionary period and come out of it, that we're not standing still, that we're not treading water; that we are leaders, not only in Ontario—obviously leaders in Canada—but leaders in the world in attracting industry, in growing industry and ensuring that we have young people who are ready for those challenges: ready for a new green economy and ready for what this economy will look like. This budget is directed to that. It's a two-phase budget: one to deal with the reality and initiatives that we have before us today in short-term investments, as well as protecting those who are vulnerable in our community; and planning for our future to ensure we are a competitive jurisdiction and that we have the right balance.

I appreciate the opportunity that's been presented to me this afternoon. I very much enjoyed working through

this budgetary process and hope that when the vote is called on this, as early as tomorrow, all members of the Legislature will feel so inclined to stand in their place in support of the 2009 provincial budget.

Mr. Norman W. Sterling: Point of order.

The Acting Speaker (Mr. Ted Arnott): Point of order, the member for Carleton–Mississippi Mills.

Mr. Norman W. Sterling: Mr. Speaker, is this the budget debate or is this a debate on Bill 162?

The Acting Speaker (Mr. Ted Arnott): Debate on Bill 162, the budget bill, and thank you very much.

Further debate? I recognize again the member for Carleton–Mississippi Mills.

Mr. Norman W. Sterling: It's amazing how the parliamentary assistant to the finance minister can get up and speak for 20 minutes and not mention one sentence about the matter we're discussing, Bill 162. Bill 162 contains 31 different pieces of legislation, and the parliamentary assistant didn't mention one. He mentioned all this hokey-pokey stuff about the budget, what a wonderful budget it was and all the rest of it. Well, how can the people of Ontario get a picture of what this government is about when they stand up and don't even talk about the business of the day? The business of the day is Bill 162, 31 different pieces of legislation. The parliamentary assistant doesn't even mention one.

He talks about the McGuinty sales tax, the combined sales tax—not even in this bill. There's nothing in this bill which this member, this parliamentary assistant to the finance minister, mentioned in his speech. He talked about the big funds that they're putting forward towards infrastructure, of course not mentioning the fact that we're borrowing all the money to do this, that they're not paying that out of their current revenues and that it's going to be our children and our grandchildren who pay the bills on this. But notwithstanding that, not one word about Bill 162.

I want to talk about Bill 162 because it's an important piece of legislation. It's an important piece of legislation because it gives the finance minister unbelievable power to write cheques without consulting with anyone. This bill gives that minister, the finance minister, the right to write a cheque—and this cheque is going to be not for \$1 million, not for \$100 million; this cheque is going to be probably for \$2.5 billion, because that's what he's given himself space for, in terms of the documents which he has filed with this Legislative Assembly, in terms of the estimate book. He's given himself an interim fund—or a slush fund if you want to call it—of \$3.4 billion. Whereas normally the government gives itself space of about half a billion dollars, this finance minister has given himself a space of \$3.4 billion. What we're doing in this act is saying that he can write a cheque unilaterally—or not write a cheque—to the pension benefits guarantee fund for any amount that he decides in his head that he wants to do. He doesn't have to come back to the Legislature. He doesn't have to file supplementary estimates so that the members of the estimates committee will have an opportunity to cross-examine him on it. He

can do that unilaterally, and that we find extremely difficult to support. In fact, we won't support it and we won't be supporting the bill, primarily because of this one act out of the 31 acts.

I want to make it clear, as I did in my speech on second reading of this particular bill, that we support 28 of the 31 acts.

1610

One of the acts which the government put forward under schedule 13, the Government Advertising Act: This Government Advertising Act, which was brought in by this government before, put a great onus on the Auditor General to vet advertisements by ministers before they put them out, in terms of TV ads, circulars, mailouts and all those kinds of things. When we first saw schedule 13 of this, the Government Advertising Act, we thought it was an improvement. But guess what? When we got to committee, the government had decided that they were going to wipe it off the map. They were not going to include an amendment to the Government Advertising Act. When I questioned the minister one day in this Legislature about why this happened, why they are pulling back from this particular act, he mentioned consultations with the Auditor General. Then, in the committee that we had, albeit a very brief committee—one day of public hearings and a short period of time in clause-by-clause—I asked the parliamentary secretary, “Why did you pull this out? What are these consultations with the Auditor General?” The only conclusion that I can come to is that the Auditor General saw this as taking his powers to vet ads away from him and that the accountability was getting worse, not better, under this amendment to this legislation.

Mr. John Yakabuski: They tried to pull a fast one.

Mr. Norman W. Sterling: They tried to pull a fast one, but the Auditor General got them. He said, “Take this out,” or something. I don't know what he said. But obviously the government doesn't do this very often. They certainly don't take pieces out of their legislation when the opposition shows the fallacies of them. So that's one piece of this legislation we're very, very concerned about.

Also, we should talk about, so that people who might be watching this debate on Bill 162—because they wouldn't have gotten any clue about what Bill 162 is about from the government side of the benches, because they were just talking about the budget and should have had that speech in the budget debate. Under schedule 29, the government wants to give the teachers' pension board the right to manage other pension funds for other groups in the province of Ontario. Our caucus agrees with that. We believe that the teachers' pension board has done a pretty good job of handling the teachers' pension fund, and we thought that was a fair thing to do. However, what this government forgot to do was consult with the other largest pension fund in the province of Ontario. I'm talking about OMERS, the Ontario municipal employment retirement system. They forgot about them totally. So the people from OMERS came in and spoke to our

committee, and thankfully the government saw fit to accept my amendment and put OMERS in the same position as the teachers' pension plan, because OMERS has had a very good record of investment even during this period of time when we've had a lot of upset in the markets.

The reason I want to say that the government accepted my amendment was because my amendment was the same as their amendment—

Mr. Michael Prue: And the same as our amendment.

Mr. Norman W. Sterling: And the same as the New Democratic Party amendment. But because I've been around here for a few years, I was smart enough to file mine at 9 o'clock and the other guys were late at five after 9, so they accepted my amendment.

Mr. John Yakabuski: The early bird gets the worm, Norm.

Mr. Norman W. Sterling: The early bird gets the worm. That's exactly right. So they should learn, as they go along, that if they're dealing with an old vet like me, they'd better be careful.

Interjection.

Mr. Norman W. Sterling: Yeah, they'd love to have me out of here, Mr. Speaker. They'd love to have me out of here.

I want to thank Michael Nobrega, chief executive officer of OMERS, for bringing this to our attention, the NDP's attention and of course the government's attention. I was informed of that by my good friend David Angus of Capital Hill Group in Ottawa, who represents them.

Unfortunately, that spirit of co-operation that they extended to me on that amendment didn't extend to the other amendments that we put forward on that bill. I put forward this amendment, and I was supported by the New Democratic Party on it. We wanted the Minister of Finance to have more accountability when he writes that huge, big cheque which I believe will be over \$2 billion. I would like some other people involved in that decision, even if it is the cabinet of Ontario. He doesn't even have to go to the cabinet of Ontario to write that cheque. All he has to do is say, “I want to write the cheque. I've been given the power in the legislation to do so, and therefore, so be it.”

What I wanted was not only for the cabinet to be involved; I wanted the Legislative Assembly to be involved as well so that we could have a debate in this place about where that money was going. Is it going only to GM employees? Is it going to cover Nortel employees who are also supposed to be benefactors of the pension guarantee fund? I have many Nortel employees who live in the area that I represent, and I feel that if some of the people are going to be helped out here, then all of the people who should benefit from this particular pension fund guarantee should be helped out.

So we put forward amendments to have a debate about it, to have the cabinet involved in the decision. They were voted down. As my friend says, they talk about having accountability. Really, this particular act is about running away from accountability.

The other part of this legislation I want to talk about is schedule 27 of the bill, which deals with the interim appropriation bill for this government. As members know, in order for the government to be able to write the cheques out of the consolidated revenue fund to satisfy their budget and then their spending, they have to come to the Legislative Assembly for permission to do that, and that goes back a long, long way with regard to the accountability of the government to the legislative chamber.

Now, normally what happens is that the government comes usually a month before it needs to start spending this money, start writing the cheques. This government did kind of a sneaky thing back in October when they brought forward their first interim allocation bill for this financial year, which started in April. In October, they started to get permission to spend money on April 1. At that time, they came forward and asked for the right to write cheques for about \$50 billion—\$54 billion I think it was. In this bill, where we have 31 different acts, we find tucked in this bill another interim allocation bill for another blast of dough, another \$50 billion.

So here we are passing on third reading, two months into the financial year, the right to spend and write cheques for \$104 billion out of \$108 billion that they're projecting to spend over this total financial year. That means that they could close this place up and prorogue next week, on June 4, and not even come back here until March of next year. They could do that, by the fact that they've gone so early in terms of seeking this permission to write the cheques—

Mr. John Yakabuski: And we can't stop them.

1620

Mr. Norman W. Sterling: And we can't stop them. They can write the cheques, and write the cheques, and write the cheques until well into the next calendar year, into the 10th or 11th month of the fiscal year. I have never seen this before, where they have come so early in the financial year and asked for enough authority to spend money throughout the whole year. So it makes you a little bit suspicious of where they're going and what they're going to do in the coming months as we close down the Parliament.

There's some good legislation in here as well, and as I said on second reading, we support it. We support the amendments to the Taxation Act to give children in the care of children's aid societies the Ontario child benefit. We absolutely support that. These children should receive the same benefits as other Ontario children, and I believe that children's aid societies will then be put in a position to help out foster kids as parents can help out their own children who receive these kinds of benefits.

We support the changes to the Tobacco Tax Act. We obviously support restricting the progression of unmarked cigarettes.

Interjection.

Mr. Norman W. Sterling: But we have to point out, as the public accounts committee has pointed out, you've got to have somebody to enforce those laws, as my friend from Bruce-Grey-Owen Sound says.

Now, while I don't particularly like a freeze on my salary, we do agree that at this time it is an appropriate thing to do. We only think—or would like to have a little bit of a debate about the fact that perhaps all of those people who are receiving the same kind of compensation as MPPs and other public servants should also accept freezes as well, so that people who are struggling in our economy can benefit to a greater extent than those of us who are fortunate enough to have the kind of compensation packages that we presently do have.

I've outlined and talked about Bill 162, which I think we were supposed to do this afternoon. We oppose the pension reform bill that gives unilateral authority to the finance minister to either write or not write a cheque. It's dangerous to give one man that kind of unilateral power and not have him accountable, either to his cabinet or to this Legislative Assembly. We also oppose this second interim allocation bill that gives the government of the day just an unbelievable free hand at spending right to the end of the financial year, which will end on March 31, 2010.

I'm also very concerned with regard to the government's withdrawal of amendments to the advertising bill. I would love to have the Auditor General and the finance minister explain to us where the conflicts arose, and why, in fact, the Auditor General saw this as a diminution of his powers under the present Government Advertising Act.

With that, even though we are supporting 28 of the 30 acts that are going to be called for third reading, because of the grave nature of the pension reform act and the interim allocation bill, we will be forced to vote against this bill, notwithstanding that we do support those 28 other bills that are contained in this omnibus piece of legislation. Thank you very much.

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

Mr. Michael Prue: I have now had an opportunity to listen to both my esteemed colleagues, starting first with the parliamentary assistant to the Minister of Finance and then my esteemed colleague Mr. Sterling, Carleton-Mississippi Mills.

I think my colleague from Carleton-Mississippi Mills hit it right when he said that the parliamentary assistant did not deal with any of the substance of Bill 162. Of course, the tradition of this Legislature is that you do not have to, but what he did spend his time on was talking about the billions of dollars of money that is going to be spent on infrastructure, in this province and across Canada, all of the parliamentary and municipal jurisdictions of this country.

I suppose that we should be thankful that money is going to be spent on infrastructure—on the roads, the sewers, the bridges and all of the things that have been neglected for only too long. I think that when he talks about what people will remember in terms of this budget, he is hoping that that is what they are going to remember, but I will tell him that is not what is going to be remembered in this budget or in Bill 162.

This budget will be remembered for many, many years following what's going to happen next July, and that's going to be the imposition of the hated HST—or as some members of the Legislature like to call it, the blended sales tax or BST. That is what is going to be remembered. That is really what is going to be remembered. Don't anybody on the government benches think it's going to the largesse, the spending of money and how many infrastructure projects are built in your community—what is going to happen is that people are going to remember this as the budget that brought in an HST.

The second thing that's going to be remembered, particularly for those people who are of pensionable age or who are going to soon become of pensionable age, is probably much more germane to this bill, and that is the washing of the hands of this government on the pension guarantee fund. I think I was the first one to speak in the Legislature, looking through Bill 162 hurriedly as it was passed across to see what was contained within the body of the bill, and spoke because there was the opportunity for the minister to put money in, for the minister not to put money in, for the minister to do something about the pension guarantee fund, for the minister to do nothing about the pension guarantee fund. As the weeks have gone by since the introduction of Bill 162, and we're now closing in on the end of third reading, it's become increasingly clear to everyone who is out there what the true intent of this government is.

Now, had they made a mistake and had they been willing to fix it, we would have been more than happy to provide some assistance. I was unable to attend the last committee meeting of the finance committee, and my esteemed colleague the member from Timmins—James Bay substituted for me. He put forward the motion that we wanted to put forward, and I just want to read it into the record and explain what it would have done.

Mr. Gilles Bisson moved that “subsection 1(3) of schedule 24 to the bill be struck out and the following substituted:”—and it goes on—I'm just going to skip down out of the legalese:

“(4) If at any time the amount standing to the credit of the guarantee fund is insufficient for the purpose of paying claims, the Lieutenant Governor in Council shall authorize the Minister of Finance,

(a) to make loans out of the consolidated revenue fund to the guarantee fund on such terms and conditions as the Lieutenant Governor in Council directs;

(b) to make a grant to the guarantee fund out of money appropriated for that purpose by the Legislature; or

(c) to make both loans under clause (a) and a grant under clause (b).”

Mr. Bisson went on to explain what that would do. Quite literally, what that would do is give authority to the Lieutenant Governor in Council, i.e., the cabinet, to make the necessary loans and/or grants to the consolidated pension guarantee fund so that they didn't go broke. We know quite literally that there are hundreds of pensions in this province that are at risk. They are at risk through no

fault of their own but because the stock market collapsed last year; they are at risk through no fault of their own but quite simply because the pension guarantee fund has not been kept up to date in the way that it should have been kept up to date for the last 20 years. I will tell you, it was the last 20 years, and they were mostly—not all, but mostly—good times, and there would have been an opportunity to have done something about that, but nothing was done.

1630

I know that my own caucus spoke about this. I spoke about it, and Andrea Horwath, my colleague from Hamilton Centre, spoke about it when the pension portfolio was her own. My colleague from Hamilton East—Stoney Creek has stood up many times to talk about the consolidated pension fund, but to no avail.

Now we have here a section in Bill 162 that allows the government not to do anything, and I think that's the real shame about what is going on here today. The government members had an opportunity and chose not to speak about this, but it must be spoken to.

People are out there who are at very real risk of not having the pensions into which they have paid during their entire working lives. They're at very real risk, without that pension money and the monies available to them that would have been given by the pension guarantee consolidated fund, of finding themselves impecunious, of finding themselves, in their older age, not having the monies and the funds upon which they had relied and which they had counted on and to which they were entitled. I think that's what needs to be talked to. It's one of the reasons that New Democrats cannot support this bill. It's not because of the whole budget; it's because of Bill 162 and what it does.

As my colleague the member from Carleton—Mississippi Mills said, there are 32 applications here, but this, to my mind, is the most serious. The government appears to want to gloss over it, appears not to want to talk about it, appears to pretend that nothing is going to happen, appears to say that this is all some kind of—that it will be looked after.

I don't have his whole statement here, but I do have the part in which Mr. Arthurs—and it's reported as “Mr. Wayne Arthurs” in the Legislative Assembly of Ontario committees, after Mr. Bisson put in this motion. Mr. Wayne Arthurs, as the parliamentary assistant, made the following part of his statement. It says:

“Mr. Chairman, the government side won't be supporting the amendment. We think that the legislation as presented provides the right balance, with some flexibility for the Lieutenant Governor in Council to authorize a grant, if that be the case.” He went on to explain that the government would not be looking after all of those people who desperately need some kind of guarantee and stability in their pensions.

I just wanted to raise this issue and say that we, as New Democrats, tried to protect the pensioners out there. We tried to protect the people who have put their entire life savings into pensions. The government wants nothing

to do with it. They want to be remembered for spending federal monies. They want to be remembered for building infrastructure. They want to be remembered for a huge, whopping \$14-billion deficit and how the money is going to be spent. But I think the people of Ontario will remember them for two things. One is the imposition of the HST, which will come to full flower next July. The second one is the washing of their hands of the pension guarantee fund.

Those are the comments I wish to make today. I'm going to leave it to my esteemed colleague the member from Nickel Belt, who has a great deal she wishes to talk about in terms of the budget and the budget process.

The Acting Speaker (Mr. Ted Arnott): I go in rotation. Further debate?

M^{me} France Gélinas: Last Friday, May 22, I held a community forum to give the people of Sudbury a chance to comment on the budget and Bill 162, because some of them—I would say, most of them—did not find that the one-day consultation held in Toronto was very convenient for them to be heard. Most of the people of Sudbury did not have a chance to be heard, so I offered them the community forum, and they came. What you will hear this afternoon is what they had to say.

The first ones to present were Mrs. Rachelle Lacoste and Susan Nicholson. Both of them are from the Child and Family Centre in Sudbury. They started by explaining that one in five children is in need of mental health services. In the last 15 years, they had only seen an increase to their budget twice, which left them with a great deficit, which meant that they had to close the residential program that we used to have. After they closed it, they started using the program at Roberts/Smart. But we all know what's happening to their program. It was raised in this House that they are also closing their residential program. This means that not only will kids from Sudbury not have access to a residential program anymore if they need to, they need to be shipped out of their community. Now Roberts/Smart, which was one of the only ones to offer French-language services to the francophone kids of Sudbury, is also closing. That makes for hard times.

She talked about having to lay off 21 staff because of the closing of the program and the hard time that they are having. They're presently struggling with about a \$300,000 deficit. So because they don't want to lose their trained staff, what they have done is basically balanced the books by not replacing vacancies and by reintroducing what people in this House will recognize as Rae days, so that staff takes time without pay to help their employers balance the books, because they understand how important children's mental health is.

Those people are very knowledgeable. They knew about the roots of violence report and the increase of delinquency that happens when you don't have the proper mental health for children. They knew about the Fraser Mustard report and the importance of attachment in early childhood development if you want a healthy society, and they also participated in the Kids Matter campaign.

Unfortunately, there is no money in the budget for children's mental health, which means that the deplorable situation they came to me with is not about to change unless the government changes their mind and listens to the people from the Child and Family Centre of Sudbury.

The second group that came was Mrs. Denise Lafond and Paul Corsi. They are the executive director and the president of the Sudbury and District Home Builders Association. They wanted to talk to me and make sure that I brought a very clear message back to Queen's Park about the devastating effects the HST is going to have on their industry and on their members.

They can predict—and they have it well-documented—the devastating effect of the HST on home building in Sudbury and in Ontario, as well as for renovation. They talked about how last year on May 22 there were 72 new houses started up in Sudbury; this year it's down to 19.

Then they went through the process of people who are building a house: from the architect's fees that are going to go up 8%, the engineering fees going up 8%, the lawyer's fees going up 8%—and then, of course, they told me that 60% of the price of building a new home is labour, and this is also going to go up 8%. They find that this is the wrong tax at the wrong time.

They're also concerned about the full effect of the HST—or BST, whatever you want to call it—on buying a secondary residence. A lot of people in the north will have a camp which will be considered a secondary residence. And they're worried about renovation.

But basically what they showed is that 48% of the home construction in Sudbury is from private owners, those most at risk of going to the underground market. With this new tax, they know full well that people will go to the underground market more and more, which means that the legitimate tax revenue that should have been coming to the province will decrease even more. Not a pretty picture.

The next one actually presented in French, so I will present her comments in French. La prochaine qui a présenté, c'était M^{me} France Jodoin. Elle est la directrice de La Bouquinerie du Moulin, qui aura son ouverture jeudi matin. Donc, pour ceux qui nous écoutent, si vous êtes disponibles à 10 heures jeudi matin à Sudbury, c'est l'ouverture de La Bouquinerie du Moulin. Elle est une employée du Centre FORA, un centre qui fait de la formation de base ou de l'alphabétisation.

Elle a démontré l'importance de l'alphabétisation, de la formation de base. Parce qu'il n'y a pas de financement stable dans le budget pour aider les organismes qui font de la formation de base, il y a des conséquences sociales très importantes en ce moment avec toutes les mises à pied qui ont eu lieu à Sudbury. Les travailleurs qui n'ont même pas la formation de base se retrouvent en bien mauvaise posture, et son organisme aurait voulu voir un investissement par le gouvernement dans la formation de base. Malheureusement, ça non plus n'est pas là.

1640

The next presenter—I have very many in very few minutes—was Mr. John Closs, who is from the Sudbury

and District Labour Council, which represents about 15,000 workers in Sudbury. The labour council was asking to maintain the current and planned spending by the government on social services because our community has seen 700 layoffs at Xstrata nickel and all of the 4,000 workers at Vale Inco are presently on a production layoff for two months. This is having a tremendous effect on the demand for social services.

They also wanted to see funding in the budget for child care because child care is a work issue that is recognized by the Sudbury labour council. But here again there was no money in there for them. They would have liked to see a worker centre linked up with legal aid and funding for that centre in Sudbury, which is something that has been in the works for a long time.

They also asked for changes to Second Career because this program is too complicated and too hard for workers to gain access to, and they don't want it to be limited to high schools and colleges; it should include university training.

Going really fast, the next one was Kate Barber. She was from Lansdowne Public School. She talked about precarious living conditions and the effect that has on kids. She gave an example of a child who moved two and sometimes three times during the school year, which means a completely different curriculum from one school to the next, which means reorganizing transportation, child care etc. because the living conditions are so precarious and they are not able to get onto social housing because of the long waiting list. They would have liked to have seen more money in the budget for social housing so that situations like this do not happen.

Another presenter who proposed a recommendation—basically, she was the victim of a motor vehicle accident, and she came to talk about the proposal by financial services to decrease the lifetime amount from \$100,000 to \$25,000. She was very opposed to this and took her opportunity to talk to me about this.

The next person who came and talked was Naureen McChesney. Naureen is from Best Start, a program that supports child care services in Sudbury. She talked about the lack of funding in the budget for child care and for the new hubs that have been developing in and around Sudbury. She talked about the need to pay child care workers a decent wage that brings them above the poverty wage and that recognizes the important work those people do. Again, she would like modification to the budget so that those complaints can be taken into account.

Then came Mr. Claude Berthiaume. Claude Berthiaume is a councillor with the city of Greater Sudbury. He talked about the need for funding to the municipality. He certainly recognized that there has been some uploading of services that had to be paid by the municipality that are now being picked up by the province, but he complained about the cuts to OMPF, which is the Ontario municipal partnership fund. As the programs are being uploaded, so is the money that they used to get to pay for those programs.

He talked about the 90 members of FONOM, the Federation of Northern Ontario Municipalities, who have asked for an increase in the northern and rural fund. They would like this fund to be increased by \$15 per resident. All 90 of them have made requests to this government, but they have not received any answer back to their proposition, and they didn't see anything in the budget either to lead them to believe that this would be acted upon.

They would also liked to have seen funding for a northern Ontario school of architecture, which is a program that the city of Greater Sudbury has been working on for a long time.

They talked about affordable housing. The waiting list for affordable housing in Sudbury is extremely long.

I'm running out of time.

There were many people who wanted to be heard and clearly said that one day of public hearings in Toronto means that this government is not interested in hearing from people from Sudbury, because it was impossible for them to be heard. I was happy to be able to bring some of their comments here this afternoon.

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

Mr. John O'Toole: I have three points that I want to make very quickly. First, this government will go down with Bill 162 with three important, I would say, anchors—or at least they'll be dragging on their growth. One is the HST, which is a 13% tax on many items that currently aren't taxed at that rate. The second one, of course, would be the whole debate around pensions. There's an expert panel out there now, and people should pay attention; there's a lot going on in that file. Also, the opposition under Bob Runciman should feel very, very confident that the whole of schedule 13 has been removed from the bill. This was the advertising, where they're trying to get around the rules of disclosure in terms of government advertising and third party advertising—the Working Families Coalition—during election time. Those contributions are now a centrepiece that this government shouldn't be proud of at all.

The Acting Speaker (Mr. Ted Arnott): That concludes the time allocated for this debate.

Pursuant to the order of the House dated April 21, 2009, I am now required to put the question. Mr. Gravelle has moved third reading of Bill 162, An Act respecting the budget measures and other matters. Is it the pleasure of the House that the motion carry?

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

All those opposed will please say "nay."

In my opinion, the ayes have it.

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

I wish to inform the House that I have received a deferral notice pursuant to standing order 28(h). The chief government whip is requesting a deferral of the vote until tomorrow at the time of deferred votes after question period.

Third reading vote deferred.

EDUCATION AMENDMENT ACT
(KEEPING OUR KIDS SAFE
AT SCHOOL), 2009

LOI DE 2009 MODIFIANT
LA LOI SUR L'ÉDUCATION
(SÉCURITÉ DE NOS ENFANTS
À L'ÉCOLE)

Resuming the debate adjourned on May 14, 2009, on the motion for third reading of Bill 157, An Act to amend the Education Act.

The Acting Speaker (Mr. Ted Arnott): Further debate? I recognize the member for Burlington. No? I apologize; I need the advice of the table.

I am advised by the table that it is the turn of the New Democrats to lead off with their debate. The member for Trinity–Spadina.

Mr. Rosario Marchese: It is—

Interjections.

Hon. Jim Watson: Go get 'em, Rosie. Stand up.

Mr. Rosario Marchese: I will, Jim—and you don't have to be that big to be able to go after Liberals. You can be small, medium-sized, big, tall, fat, not fat; anything will do. As long as you've got a voice to go after the Liberals, it's a good day.

I welcome the citizens of Ontario. We are on live. It's almost 5 o'clock. And what day is it today? It's Tuesday.

I want to talk about the bill, Keeping Our Kids Safe at School, because I had a whole hour on second reading to say, "My God, we're spending"—

Interjections.

Mr. Rosario Marchese: No, no, this is a debate with Liberals. They already know what I'm going to say.

Interjections.

1650

Mr. Rosario Marchese: They're so loud.

Mr. Mike Colle: Only Liberals will listen to you.

Mr. Rosario Marchese: That's because we have a mutual understanding; right? And you love to hear me and you love to see what I've got to say. Because there were things said in the—

Interjection.

Mr. Rosario Marchese: Exactly. Some people just come to the Legislature for this. Exactly. And so I want to be able to tell you this is not a big bill. I mean, the Liberals present it as if somehow they are at the forefront of safety for our kids, that it's almost revolutionary what they're doing; in fact, when people across the country get to know what they've done, they're going to start duplicating what the Liberals have done here in Ontario. You wait and see, because so far ahead you are.

All you are doing is simply putting in the form of a law what we are already doing in practice. If that's revolutionary, I'm not quite sure.

Mr. Jeff Leal: Historic.

Mr. Rosario Marchese: I'm glad to tell you that most Liberals have not said it's an historic day, so that's good. Play it down a little bit.

Mr. Mike Colle: I'm going to go watch it on TV.

Mr. Rosario Marchese: You go relax, have some popcorn and some wine and just enjoy yourself.

I remember the minister's speech the other day and she said, "Schools don't exist in isolation from communities." I thought I said that on second reading. The point I made is that you've got to deal with prevention, that there's no point dealing with a problem in school when you haven't thought about how the problem comes into the school system and what it is that we could do before it becomes a problem.

So the minister kindly offers her opinion after that, and says "Schools don't exist in isolation from communities." That's right. The point I made was that there are a whole lot of social problems that exist, yes, outside of the school system and they're brought into the schools. What are we talking about? We're talking about special needs, mental illness, sexual abuse, substance abuse, alcohol or drugs at home. We're talking all sorts of problems that people have; the fetal alcohol syndrome that creates serious problems in children that are behavioural in nature but are not understood by teachers and/or doctors.

So I said to the minister, "These are the issues you've got to deal with." She confirmed that indeed that is the case. That this is not a simplistic approach, she was saying, and she's got other strategies, and not only does she have other strategies but there's more money devoted to social workers, psychologists, support workers and the like. I don't see them. So she on the one hand says, yes, we've got to do more; doesn't say we've got to do prevention, as I did, but recognizes there are problems; doesn't talk about how they're dealing with these problems, but at least she recognizes that, and then goes on to say that they're putting more money into social workers, psychologists, support workers. When I talk to these very people, they tell me there is a shortage of these people in the system. But if you listen to the minister, there is no shortage; in fact, she has been increasing services. So there's a disconnect between what is articulated by the minister and the parliamentary assistant versus what's really happening in the school system.

The safe schools action team—the final report was received in December, and Bill 157, the minister says, is but one piece of that and they will continue to provide a comprehensive response.

Interjection.

Mr. Rosario Marchese: Speaker, there's a member who is speaking louder than I am, if you don't mind.

The Acting Speaker (Mr. Ted Arnott): I need to hear the member for Trinity–Spadina and I would ask all members to allow me to do so. I'll return to the member for Trinity–Spadina.

Mr. Rosario Marchese: She says that Bill 157 is one piece of that and the comprehensive response is coming. Now we're five months into this report submitted by the parliamentary assistant and the safe schools action team, and what comes out of this report is this bill that does a couple of things, which I will speak to as I go. But the majority of recommendations have yet to be dealt with

and I'm assuming "in the fullness of time" means in my lifetime, because in five months, what we have out of 78 recommendations are two that are presented in this bill. I will speak to what OECTA said about this particular issue because they make a few good points, which I believe the parliamentary assistant and the ministry should have spoken to. But we still haven't acted on those.

The minister goes on to say, "We are now formalizing what is currently happening." She said that Ontario would be the first in Canada with legislation of this kind and that they're at the forefront. I'm giving a brief summary of what the minister said as a way of telling you that there wasn't much there. There isn't much in the bill, and there wasn't much more that was provided by the minister. And, to be unfair to the parliamentary assistant, who added some of her own comments, we didn't get much clarity from either of them in terms of what I said we needed to do.

Prevention for me is key, because if we do not understand what young people bring by way of social problems into the school and provide the resources and the support to those teachers to deal with them, teachers will not be adequately equipped to deal with those problems, and as a result, those problems will continue over and over again. I believe that's what we need to deal with.

The parliamentary assistant says that the statistics show that half of the girls in grades 9 and 11 reported sexual harassment and one third of the boys reported homophobic harassment. I say to myself, knowing what we know, including the Falconer report that spoke to this, what actions have we taken to deal with that? As far as I can tell, not much.

So the parliamentary assistant brings forward this information as part of her contribution to this debate, and I say to her and to you as a government, these are serious problems that you are well aware of, that the Falconer report has presented, to which you have not responded as a government, neither the minister nor the parliamentary assistant, and I'm puzzled as to why. You report the stats, which you as a government and Falconer have compiled, and yet you've done so little about it.

Where is the action on this five months into this report? All we have is Bill 157. We have the new equity and inclusive strategy, where 33 schools in urban, high-needs neighbourhoods are going to be getting some after-school activities and peer mentoring and some community use of schools as hubs. That's the basis of what we got from the parliamentary assistant about what we're doing with these problems. I'm telling you, it's not substantive. For me, it's not substantive in terms of how we deal with social, psychological and mental issues that teachers have to deal with on a daily basis. This is not an adequate response.

So I said to the minister when she talked about the new equity and inclusive strategy that you introduced this, yet in your info website, you allow for demographic information that includes the level of income of parents,

the level of education of parents, how many special students are in that school, how many new immigrants come into that school. You provide that information to parents and say, "This is what parents want." You call that part of a new equity and inclusive strategy, when you allow discriminatory practices to go on by the mere fact that you have allowed the compilation of this information and the facilitation of this information on a website for everybody to see, which permits parents to say, "This is a good school. This is a bad school. Don't send your kids here. Send them somewhere else?"

In the question that I asked the minister about whether she's going to keep the current policy that says you can only go to your local school or whether she's going to allow an implied strategy that says that you can now take your kid wherever you want—she didn't answer that question. It was the question that I posed to her today. Students can only go to their local schools, by and large, except for some different, extraordinary circumstances. Are you allowing by this strategy—which is implied—that kids can go somewhere else? She didn't answer that, which suggests that maybe there's a different kind of strategy afoot, that maybe the ministry is permitting some policy of choice for parents. I'm not quite sure. I know you're afraid of the thought. Even the word "choice" scares you, as it does me. I agree with you. Your minister should have said, "No, we're not changing our current policy," and when given the opportunity to do so and she doesn't deny it, one thinks, what else does she have in mind? As the OPSTA people, our trustee organization for Ontario, say, "It's implied that parents can do that." They're worried, and all the teacher federations are worried about this website. They all want this website to disappear, to go away. The minister is not saying to them, "You're right." In fact, she said to them, dismissively, "We like the demographics. The Premier says we'd like the demographics to stay," and so it stays. So all these collaborators with whom she's been working for years—what, we use them when they're with us, and when they're not, we simply dismiss them, as merely that they don't have the right information; that the minister is right and they're not? These collaborators, these teacher federations, OPSTA, trustees, students, are against this. Everybody appears to be against it except the Premier, the minister, and the tacit caucus that appears to agree with it—because I haven't heard anybody disagree with it.

1700

Anyway, so much for the new equity and inclusive strategy that the parliamentary assistant speaks of with the minister. So I wanted to comment on what the minister and the parliamentary assistant had said.

Now I want to get to what some of the collaborators, those who work in the educational system, have said about Bill 157, because they make some very useful suggestions.

OECTA, the Ontario English Catholic Teachers' Association, in their brief, make a number of very useful suggestions, which I liked, by the way.

They say:

“OECTA believes some recommendations that would have helped ensure that schools are safer, have been ignored”—that’s hardly a strong word, but they have been ignored—“including:

“(1)—and it’s on page 21 of the report that the parliamentary assistant was a big participant in—“that the Ministry of Education must make available resources to school boards on effective intervention strategies for school staff;” Joyce, doesn’t that make sense as a recommendation? That recommendation was ignored.

“(2)—on page 25 of the action team report—“that the Ministry of Education must develop a provincial manual to support school staff in responding to student-on-student incidents of sexual assault”—critical stuff, because I was moved to tears as, indeed, many of the Liberal members were, when we heard three parents talk about this very problem: student-on-student incidents of sexual assault. I have to tell you, I was very, very angry in terms of the information that I heard, that I believe to be true. Based on the information that I heard, the principals dealt with that very, very poorly, if not badly. In my view, when you have an issue of student-on-student incidents of sexual assault, that clearly requires action from principals, and that has written reports attached to it, and that advises the victims and those who victimized to deal with the problem, both for the abused and to deal with the abuser—nothing connected to that sort of thing. I’ve got to tell you, I asked very clearly, “Were the trustees informed?” “Yes.” “What did they do?” “Nothing.” In three incidents at those hearings, three parents talked about their experiences of their boys being sexually abused by other boys. I’m telling you, I have very little tolerance or patience when we don’t deal with these things adequately, in a speedy fashion and with the determination that we’re going to get to the bottom of it, that we’re going to solve it, that we’re going to deal with it and everybody at the end of the process, however hurtful, is going to be either unhappy or happy but dealt with adequately, properly.

OECTA makes this recommendation:

“(3) that the Ministry of Education must develop support materials for boards to assist principals with a process for investigating incidents, including investigations involving students with special education needs”—another good recommendation, three very good recommendations that are part of the report that the safe schools action team has put together, and we haven’t seen any action on that. There was no mention of this in the bill. There was no discussion and no possible debate about the fact that we need to deal with these issues included in the safe schools action team’s report that is clearly connected to the hearings, that is clearly connected to the bill.

We got absolutely nothing, yet there is clear direction given by the action team on how to deal with this. All we have are two recommendations that are part of this bill, and all the other 76 recommendations are yet to be dealt with, and I am getting old. I don’t know how long I will

be here, and it would be nice to think that the next 76 recommendations might be acted on. I’m telling you, if within five months we acted on two, and then we act within the next five months on another two, you understand that we’re never going to get to it in my lifetime.

Most of my Liberal colleagues on the other side are not responding; that’s okay. But I thought I would point out what OECTA said, what the parliamentary assistant knows because it’s part of her report. I’m telling you that what OECTA suggests is critical to this debate: “Make available resources to school boards on effective intervention strategies,” “develop a provincial manual to support school staff in responding to student-on-student incidents of sexual assault” and “develop support materials for boards to assist principals with a process for investigating incidents.” It’s good stuff. I would have done that before I introduced this bill, not after. I would have done that before, so that by the time the bill comes, you can already say as a government, “Here are the things we have already done.”

The other point they make on page 6 of their report: OECTA has grave concerns with 300.4 of the bill, which I’ll read for the benefit of the citizens watching: “If the Minister has established policies or guidelines under subsection 301(5.4), an employee of a board who observes a pupil of a school of the board behaving in a way that is likely to have a negative impact on the school climate shall intervene in accordance with those policies and guidelines and in accordance with any policies and guidelines established by the board under subsection 302(3.1).” OECTA says this about that, and then I’ll have my own view. They have grave concerns about this section that I just read. “The duty to intervene contemplated in” that section “will come into effect when the ministry and the board enact the applicable policies and guidelines. Any intervention on the part of board employees must comply with these policies and guidelines. In addition, a regulation may be passed that would define the circumstances in which a duty to intervene exists.... Currently, teachers use their professional judgment to make decisions about when it is appropriate and/or safe to intervene. Requiring teachers and other board employees to intervene when they observe risky, violent or dangerous student conduct at school is not only hazardous, but violates their right to refuse unsafe work under the Occupational Health and Safety Act. It forces the teacher or employee to make ... subjective decisions about the circumstances and events. Since Bill 157 already mandates a duty to report, it is not necessary to also require intervention. Calling for such intervention makes unfair and unreasonable demands of professionals who chose a career in teaching—not policing. In addition to the risks faced by employees who intervene, it is not clear whether the boards would be expected to assume liability for their employees who act in accordance with the requirements under section 300.4 should complaints be made to the children’s aid society....”

1710

It isn’t just OECTA that spoke to this. Other affiliates made the same point, and I made this point during second

reading. During second reading, I said that the bill obligates teachers to intervene. They have a duty to intervene when they see homophobic kinds of incidents and/or violent exchanges between students and/or any other incident that involves that kind of exchange, that kind of violence being shown by one person to the other, and/or name-calling, which might be safer than violence against two students who may be big boys, and a woman teacher might have to intervene.

I pointed out that this is a serious issue, that a teacher, by law, as it was currently written, as it was then written, and now modified—that it would have put an enormous pressure and a liability issue on the teacher to intervene, because if they did not, they would be liable.

The teachers pointed out that that's a concern. We pointed out that it was a concern. I'm happy to report that the government, on that one, listened, because you've got to give them credit. They were criticized by a few of us, and in the end they said, "Hmm. Maybe they have something there, and we might have to change the law." The Liberals can speak to their own changes, but at least they changed that one, to be fair to them. It took a little bit of persuasion, but it worked.

Let me get to another comment, made by a parent, who said on page 5 of her report, "What does our Ministry of Education intend to do with some or all of the very good recommendations put forth by the safe schools action team?" It was a good question. OECTA asks the same question. This parent asks the same question. I asked the very same question in second reading. I ask it again in third reading: When is this comprehensive response to the safe schools action team coming? Because I quite frankly do not have the confidence that the minister and/or this government will deal with these issues comprehensively. I'm telling you that they will come at a snail's pace, and that's not very helpful to anyone.

A report by OSSTF/FEESO, a submission to the standing Committee—the other acronym, FEESO, stands for "Fédération des enseignantes-enseignants des écoles secondaires de l'Ontario." On page 4, they say the following:

"Training—who has or will be trained in appropriate use of intervention methods? Teachers' and educational professionals' training is in curriculum and other kinds of support services, such as therapy and assessment. They are not trained nor do they have a mandate to intervene with youth violence....

"What kind of support/protection will be available to a member who is injured while intervening?"

As you can see, OSSTF has the same concerns, and had the same concerns, about the duty to intervene and the lack of training for teachers to intervene.

I am suggesting to you, Speaker, that the government has removed the duty to intervene, but in regulation, teachers will be required to respond, as the language goes in the new bill. It will be interesting to see what the regulations will say, and it will be interesting to see whether or not training will be part of what teachers will get as a way for them to be able to respond to issues of

serious bullying, serious aggression with one student and another or serious violence with one student against another.

I don't believe, quite frankly, the training is forthcoming. I don't believe it will happen. And even if told to us by the minister or the parliamentary assistant or the deputy that training is happening or has happened, I quite frankly do not believe that they will have that—do not believe it. The resources are simply not there for that to happen.

As a result, teachers will have a duty to respond without the adequate training. Poor teachers who have got to be policemen and policewomen. So many demands are being put on these people, I don't know how they do it sometimes. They have a duty to teach, but more and more every day, every year, they are obligated and have a duty to do more than just teach, and they're not taught at the faculties to do all the things that are required of them. God bless them.

Another submission by CUPE on this bill, and it's rather long. I'm going to take a drink and then read it for the record.

"Reporting to the principal

"An employee of a board who becomes aware that a pupil of a school of the board may have engaged in an activity described in subsection 306(1) or 310(1) shall, as soon as reasonably possible, report to the principal of the school about the matter.

"Same

"(2) Subsection (1) does not require an employee to report to a principal about a matter if the employee;

"(a) knows that a report has already been made to the principal about the matter; and

"(b) has no reason to believe that his or her report would provide the principal with useful additional information."

"CUPE Ontario submits that this section creates an unworkable process for CUPE members in Ontario schools and as such represents problematic legislative involvement in the operation of Ontario schools.

"CUPE Ontario submits that this section, if enacted, would create a needless volume of unnecessary and repetitive reports from CUPE-represented board employees to school principals. Currently, CUPE members, as vital members of the school community, report incidents and events to school principals where and when they become aware of situations that represent potentially harmful situations in Ontario schools.

"The proposed amendment to the Education Act attempts to create a legislated obligation to report and then introduces two impossible-to-enact exceptions to this obligation.

"How could an employee with confidence know that a report about an incident has already been made to a principal? To suggest that only one incident report is needed unnecessarily limits the information available to school administrators about potentially serious situations that may be occurring in the school community.

"The second of the proposed exceptions implies that CUPE-represented school board employees would not

need to report incidents if their reports contain no new information. How, without reporting and discussing an incident with a principal, could an employee possibly determine that their information regarding an incident does not represent new information for the administration of the school?

“This amendment to the Education Act, in CUPE Ontario’s view, creates an unworkable obligation on employees with the inclusion of the two exceptions. If this amendment is necessary in the view of the government, then CUPE Ontario proposes that the two exceptions be removed from the legislation.

“Additionally, if an obligation to report is created through legislation, then we believe that there must be some provision which relieves employees of any legal liability in cases where they make a report. In this respect, a possible model would be section 346 of the Education Act, which protects the Education Improvement Commission from liability.”

1720

It was a good intervention. It was an intervention that persuaded the Liberals, the parliamentary assistant and the minister to change that section and make it so that it’s workable and does not provide an incredible, copious amount of letter-writing that they would have had to do to protect themselves from any liability. In this regard once again, the government members listened, and we applaud them for having done that.

Intervention by board employees is another issue that they spoke to:

“300.4(1) If the minister has established policies or guidelines under subsection 301(5.4), an employee of a board who observes a pupil of a school of the board behaving in a way that is likely to have a negative impact on the school climate shall intervene in accordance with those policies and guidelines and in accordance with any policies and guidelines established by the board.”

“CUPE Ontario believes that this final amendment should be reconsidered as it requires CUPE-represented school board employees to make judgment calls about the type of student conduct that ‘is likely to have a negative impact on the school climate’ and to intervene in such situations.

“This section of Bill 157 will require substantial definition through policies or guidelines that the Ministry of Education may establish. In light of the open-ended scope of the concept of a negative impact on school climate, it is difficult to understand what sort of situations and interventions this section may require of CUPE-represented board employees.

“It is the view of CUPE Ontario that only properly trained school board employees should be making interventions with students. The need for appropriate training was clearly identified in the recent report of the Safe Schools Action Team report. CUPE supports the action team’s recommendation on training:

“—School boards must provide teachers, other school staff, school administrators, and trustees with sensitivity training in the areas of gender-based violence, homo-

phobia, sexual harassment, and inappropriate sexual behaviour.

“—School boards must provide principals, teachers, and other school staff with training on effective intervention practices to deal with gender-based violence, homophobia, sexual harassment, and inappropriate sexual behaviour on a routine basis.

“—School boards should work with their local children’s aid societies to develop and implement annual training for school administrators, teachers, and school staff on their duty to report under the Child and Family Services Act.”

These were the suggestions that were made by the Safe Schools Action Team report which CUPE highlights once again. I’ve got to tell you, their presentation was listened to as well and their duty to intervene was equally eliminated, and with good reason. We applaud the Liberals for removing what otherwise would have been a terrible mistake in law. They listened to that.

So at the end of it, you say, “Hmm. How much left is there of this bill?” Well, there are a couple of items. When I deal with the two remaining items, I say to myself, what do we have of substance in this bill? I will let the Liberal members who are listening and the citizens who are listening determine for themselves how revolutionary this bill ultimately will be.

Marchese made an amendment to Bill 157, and it reads as follows: “I move that subsection 300.1 of the act ... be amended by adding the following sections:

“Same

“(5) A delegation under this section shall be in accordance with” current employee “collective agreements.”

We would actually prefer that schools never be left without an administrator. We have concerns about schools being short-staffed and about the impact that a delegation of this rule will have on the classroom. We are prepared, however, to allow our concerns to be dealt with within collective agreements, where they exist. Many collective agreements have articles dealing with the concept of a teacher in charge, coverage of classes, planning and preparation time, and feel that any proposed legislation must respect these agreements.

Further:

“A delegation under this section shall be made from a list of employees who have volunteered for” possible “delegation.”

We do not believe that a principal should simply choose a favourite person or willy-nilly choose a teacher to be the delegate unless that teacher has volunteered to do so. Should a delegation be required, we feel that the interests of the students would be best served by the delegation of responsibility only to employees who have indicated their willingness to accept it. This would ensure that the position is filled by employees who feel they have the experience required, and we feel that this amendment will greatly improve the probability of success should such a delegation of responsibility be required.

We introduced that amendment as well and we felt it was a reasonable request, that all principals in every school would have a list of those who volunteer, and then, in the absence of a principal, you go through that list and you've got someone who's already delegated because they volunteered to do so.

Finally, if the delegation is in violation of a current collective agreement or there are no volunteer candidates for delegation, "the delegation must be made from a list of experienced administrators that the board creates for the purpose." This is actually our preferred position since we feel that no school should ever be without a qualified administrator. Meetings for administrators should take place as much as possible outside of school hours, not during the school day. If a supply teacher can be provided to replace an absent teacher, then a supply administrator can be provided to replace an absent principal or vice-principal. The board could create a supply list made up of retired principals and vice-principals.

I felt that these recommendations, by way of amendments presented, by and large, by many of the presenters were reasonable; they were rejected by the parliamentary assistant. Arguments were made which I think are untenable and unreasonable. If some of the Liberal members of committee and/or the parliamentary assistant would like to give their reasons in public here on third reading, I would welcome them, because they, quite frankly, do not make much sense.

So we say, first, that a delegation under this section shall be in accordance with current employee collective agreements where they exist; that a delegation under this section must be made from a list of employees who have volunteered; and third, that if the delegation's in violation of a current collective agreement or there are no volunteer candidates for delegation, the delegation must be made from a list of experienced administrators that the board will create for this purpose. They were rejected.

Where there were reasonable changes made by the government, because the presenters made good arguments against their bill motions—this too would have been something that I believe the Liberals could have supported and should have supported, and did not. I present them in this House so that people know that we moved an amendment—very reasonable—and it was rejected by them.

The other amendment that I want to speak to was introduced by the Conservatives, and I found it reasonable too. I think some changes could have been made to the motion presented by the Conservatives, but they had no interest in doing that, it appeared to me. I made a friendly amendment to one of their amendments, which was accepted by the Conservatives. I think it helped it a little bit. I think if the Liberals were interested in this, they could have made some amendments that would have made this bill much more effective.

1730

I will read it for the record because I think it's helpful. The Conservatives moved that the bill be amended by adding the following section to the act:

"If the principal of a school believes that a pupil of the school has been harmed as a result of an activity described in subsection 306(1) or 310(1), the principal shall, as soon as reasonably possible, notify" either, and we added "the superintendent," which was my suggestion as an amendment,

"(a) the chair of the board;

"(b) the director of education...;

"(c) the appropriate police department; and

"(d) if the activity is sexual in nature, the appropriate children's aid society."

It doesn't say that the principal must notify all of them. The amendment was that the principal would notify one of them. I find it reasonable. I find it reasonable that if we're talking about a serious issue where a child has been harmed—and yes, we would have to discuss what "harm" is in some way so that we don't say that every minor issue is cause for harm or is harm. You can't do that. You can't just simply report every issue on the basis of possible harm. We're talking about serious harm: that if serious harm happens, then it's the duty of the principal to notify somebody else, a superior, so that you make the best judgment with other people, and in effect cover yourself, so to speak, in terms of the judgment you make on your own.

I thought that was a good one. I thought it was a reasonable thing to do. It was rejected by the Liberals. They said, "Oh, there are too many thousands of possible issues that could come to our attention. We couldn't possibly do it all." I thought that if they wanted to be helpful, they could have tightened up the language and made that a very reasonable amendment, and not because Tories introduced it but because it was a duty of legislators to find a way who help students who have been harmed in one way or another. They rejected that one, and they rejected the one I'm about to read, which is:

"Safety plan

"300.3.2(1) If the principal of a school believes that a pupil of the school has been harmed as a result of an activity described in subsection 306(1) or 310(1), the principal shall, as soon as reasonably possible, develop a written safety plan for the harmed pupil and implement the plan."

I said to myself, what's wrong with that? If someone has been harmed, the principal should, as soon as reasonably possible, develop a written safety plan for the harmed pupil. What could be wrong with that? Yes, it might take a little more time for the principal, and yes, principals are overworked. I understand that. But if we're talking about harm to a student from which some students do not recover very easily or very well, then you have a written safety plan.

Is it wrong that the Conservatives introduced that amendment because they did?

Interjections.

Mr. Rosario Marchese: I would encourage you, Jeff—if you guys want to talk, go to the other side, because it's going to—

Interjection.

Mr. Rosario Marchese: I know, but if you're going to talk, please go on the other side.

A written safety plan for the harmed pupil was a good idea. I can say that as a New Democrat because the ultimate goal is how to protect students. It's not about me defending Tories; it's about me defending an appropriate measure and an appropriate amendment that would defend young people in the event that they've been harmed, and that a principal should have a written safety plan. I don't get it. I didn't get it then and I don't get it now as I read it.

"When developing a safety plan for a pupil, the principal shall consult with teachers who in the principal's opinion are likely to have an insight into what would constitute a helpful and appropriate plan for the pupil."

I thought, "Okay; eminently reasonable, once again." It was rejected.

The third one:

"Documentation by a principal

"300.3.3 If the principal of a school believes that a pupil of the school has been harmed as a result of an activity described in subsection 306(1) or 310(1), the principal shall maintain written documentation,

"(a) describing the activity and the harm;

"(b) describing the actions taken in response to the activity and the harm; and

"(c) setting out the reasons for the actions taken in response to the activity and the harm."

I thought, "Okay, that's another reasonable request. The principal shall maintain written documentation. How could you possibly be against that?" Well, the Liberals were. The parliamentary assistant and the members of that committee voted down that amendment. And I've got to tell you, there was no effort by the government to try to make it work, no effort whatsoever.

So that's the extent of the debate that we had, some of the presentations made by many, including the three parents I made mention of who told their tragic stories of sexual abuse and sexual violence of boys against boys and the inadequacy of the principal's response and the inadequacy of the trustees' response—not only inadequacy, but the lack of a response from the trustees and the lack of response from some of the boards who knew about some of these issues. I tell you, I was utterly frustrated by that and felt that action needed to be taken and that the minister and the parliamentary assistant should have dealt with this issue as recommended by the safe schools action team. They did nothing about that, leaving us, the MPPs and the parents, thinking that the government is simply not listening to them.

Upon review of all of this, I say to myself, "What's left in this bill?" Well, what's left of this skimpy bill is that teachers now have to report to the principal. This bill is about reporting a problem of bullying and of sexual violence or whatever form of violence to the principal. Most teachers will say, "We do report." We heard that; I hear that from federations. Some of them said, "The

problem is that we report it but we don't hear back from the principal." The principals that are good, like former principal Dave Levac, would have responded to the teachers and they would have had a plan in place to deal with the problem. But there are some principals who obviously may have received the information, may have been too busy to deal with it, may have forgotten because they're wrapped up in so many issues they've got to deal with, and so no written documentation, no response, no follow-up. Now the bill says you've got a duty to report.

Okay, duty to report; now what? What do we do once we've reported? It doesn't say. It doesn't say what we do once you report it. It doesn't talk about prevention, and it doesn't talk about what we do once we have the report about a problem in the school. With a student, with a violent act, with a serious issue of harm to students, there's no talk about what we do with this. This so-called wonderful bill that is going to be at the forefront of what, I do not know—it's a word the minister used—is legislation that will be the envy of everyone. I just don't know what is in this bill that will be the envy of anyone. Do you understand? There isn't much here.

1740

So we've had hearings, we have a bill, and we don't have much at the end of it. I've got to tell you I'm a bit disappointed. That's why in second reading I railed against the government about bringing something that talks about how you prevent the problem in the first place, because if you don't deal with that, this problem will continue over and over again, and it doesn't matter that you've disciplined somebody who caused harm; it doesn't matter because the problem will come back. If the problem is serious enough in nature, in terms of a mental illness or special ed issue, and/or an issue of substance abuse that's going on in the home or sexual abuse that's going on in the home—if that problem is there and we haven't dealt with it, and we haven't given the teachers the resources to know how to deal with it, the problem will come back, will repeat itself over and over again.

So I ask the parliamentary assistant, where are the issues connected to prevention? Tell me in detailed fashion how you are dealing with that. I ask the parliamentary assistant, who is leading the safe schools action group, when are you going to deal with some of the 76 recommendations contained in the report which address some of the matters that I have raised, that the parents have raised, that the teacher federations have raised, so that they can feel comforted in some way that you're actually going to help them, and in helping the teachers, thus help the students in some way? We've got nothing so far. We didn't get much in committee. We didn't get much from the parliamentary assistant and the minister in their lead on this bill. So I'm wondering, are there other members of that committee who are going to speak to this bill who will help to give some flesh to this bill, to make me feel at ease, to make the citizens feel at ease, to make the parents who are concerned feel at ease? I'm just hoping some of the Liberal members are going

to speak up, and if they don't and all we've got are speeches by the PA and the minister, it will be cold comfort to me and cold comfort to those who came to the committee hoping for something more.

This is it for my presentation. It will be difficult to oppose it. How do you oppose a simple bill that says, "Teachers shall report"—please, you're going to have to support it. So we're going to do that, but I can't help but be as critical as I possibly can of the inefficiencies of the bill, of the deficiencies of the bill, of what it doesn't do that it could have done, that it must do. I'm hoping that in my lifetime, or at least in the next two years, while they're still in government, some of the recommendations made by the schools action team will indeed be implemented by this government.

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

Mrs. Liz Sandals: Only two minutes.

First of all, I would like to assure the member from Trinity-Spadina that he will not get old, at least not waiting for further implementation of the other 76 recommendations, because that's already happening. We have work going on, as I speak, addressing the curriculum revisions that the safe schools action team recommended, addressing the data collection, the survey recommendations, the sexual assault manual which the member mentioned extensively. That work is being done because the ministry agrees, the minister agrees, that that's absolutely crucial work; we're working on that. Lockdown procedures we're discussing with the police chiefs' association, and we've got some great work that's being done on that. In terms of the provincial policies that are already in place, we will be revising all of those to incorporate a number of our recommendations. So things like the existing PPM 144, which talks about prevention—we will be updating that with further information. Safety plans: That will go into regulation because we agree absolutely that safety plans are wonderful. The member raised the issue of training. We need to get these things in place, then we will do the training. You can't do the training before you have this all in place.

What about the legislation? What's in the legislation are the recommendations out of those 78 that actually require legislation. If you look at what the students told us, if you look at what at Egale Canada tells us, if you're dealing with homophobia and sexual harassment, the most crucial thing is to establish a positive school climate. You do that by making sure that all staff intervene and respond when there are incidents. That's what's in the legislation.

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

Mrs. Joyce Savoline: I'd like to thank the member from Trinity-Spadina for his comments—well thought out. I was really pleased that he read into the record the amendments that were offered up that day.

This issue has no political boundaries, and yet the Liberal members on that committee, who form the majority of the committee, used this opportunity to vote against

every single amendment that was brought forward, whether it was by the NDP or the PCs, and I find that very regrettable.

Those amendments would have given this bill some substance and would have moved us forward in a positive direction. The government members said that they were listening. There were platitudes but there was absolutely no action when it came time to show that they really did understand what the experiences and observations of these folks telling their tragic stories were all about.

These amendments would have injected some clarity and some direction to the policy writers, to the regulation writers, those people who have to go away and try to figure out what it is the committee was actually talking about. They have nothing now. So we're going to leave all of this up to non-elected people and just wait and see what's going to happen.

Interjection.

Mrs. Joyce Savoline: I notice that the parliamentary assistant is laughing, which was noted, by the way, by many of the members who came to the committee to speak—that there was no emotion shown. They felt very, very out in the cold about it.

Interjection.

Mrs. Joyce Savoline: You received the e-mail.

These would have included accountability. They would have offered consequences to those who did not act to safeguard our kids through the education system when violent acts occurred. The government is asleep at the switch.

The Acting Speaker (Mr. Ted Arnott): Questions and comments? I return to the member for Trinity-Spadina.

Mr. Rosario Marchese: I appreciate the comments made by the members from Guelph and Burlington.

I also appreciate the fact that the parliamentary assistant only has two minutes to respond. However, there are 20 minutes left to the other members to respond to the many things that I raised. I know that the parliamentary assistant simply cannot cover everything in two-minute responses, so I am urging the other members of the committee who were there to speak, and if they don't have any notes, to get them, so that they can respond to the things that I have raised.

I think that the government has a duty to respond to the amendments that I put forth on the whole issue of the delegation of responsibility to a teacher when a principal has to leave during the day, because I believe that the questions that I raised are very, very pertinent and need to be addressed. They haven't talked about that here in public. So when they have their 20 minutes, they could do this. They will have time—because they won't be able to do that today, possibly—to get notes from the others and also to respond to the amendment made by the Conservative member from Burlington, because I think that, as I indicated, it was a very useful, thoughtful recommendation that, if the Liberals had put some thought into it, could have been a very useful amendment that we could have all been happy with.

As a result of not doing that, we have made this bill much weaker than it is. In fact, if they had adopted those amendments, we would have had much less to be critical of. By not agreeing to them, we have a lot more to say, as you can imagine.

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

Mrs. Joyce Savoline: I'll only have a few minutes to begin this, but I will begin.

I rise in the House today to speak to Bill 157, which is the Keeping Our Kids Safe at School amendment to the Education Act. But don't let that title fool you, because as you read the bill, it really doesn't do that at all. Unfortunately, the Liberal government has put forward at third reading a bill that will not, in fact, keep our kids safe in schools. What it will do is delude the government into thinking that they have done something to address the lack of accountability in the system when there is a student-on-student violent or sexual assault.

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The truth of the matter is that it was the PC caucus that brought forward real amendments that would safeguard our children to create consequences for those who fail to protect them. It is no wonder that the Liberals were not in favour of accountability measures. Their track record on accountability is less than stellar.

My first order of business here today is to begin to read into the record the victim impact statements of those courageous students, parents and their families who have suffered so greatly and who had hoped that Bill 157 would prevent other children from experiencing the same violence and abuse. They bravely, bravely stepped forward time and time again, reliving the victimization in the hope that this Liberal government would listen. I do not want their efforts to be in vain and I will continue to fight for them, just as this minister continues to let them down.

Several parents contributed to the public hearing process at the committee and their stories were so sensitive that we convened the meeting behind closed doors and off the Hansard record. After our amendments were defeated at committee, these brave parents once again wanted to ensure that they had made every effort to convince the Liberal government to strengthen this bill, so they opened up their hearts once again and are willing to have their stories read into the record. Without this painful account, it may be easy to dismiss their requests. I want the Minister of Education and this Liberal government to be aware of what is at stake here should they fail to create a real bill that protects our children.

The first victim impact statement belongs to a mother who has had to fight for her son's safety and security in school for far too long and who was ignored by the minister and the Ministry of Education repeatedly. It is also one of the most egregious cases of student-on-student abuse that has come to my attention. How anyone could fail to act in this case is beyond me, and I do not know how these people would sleep at night. But I want you to hear it in her own words, and I will read her statement for you now.

"It didn't matter how much I spoke up as a mother of a victim of student-on-student sexual abuse, nothing changed.

"I want to be a voice for families who have suffered the unimaginable at the hands of child perpetrators, a voice that many have tried to silence.

"There were no consequences for the perpetrator of our son after his disclosure due to the fact that the principal had not read the policies on sexual misconduct of children under the age of 12.

"By the time she read the policies, it was day three and she informed me that it was too late to suspend because the perpetrator was going to be home the next day as outside agencies continued their investigation.

"As time went on and I repeatedly addressed my concerns with regards to the perpetrator's actions the responses that I received were 'Mm-hmm' and 'Let it go.'

"Due to these responses and lack of due diligence in following policies, another child ended up being sexually abused as well, which went unreported to this child's family and" to children's aid.

"My family has continued to seek accountability. Seeing as no one at the Toronto District School Board will respond to my e-mails demanding accountability and justice.

"Rarely have I received a response from this Minister of Education as well.

"The board did investigate, but their final report was void of any discipline.

"The Toronto District School Board's response is to attempt an out-of-court settlement without a lawsuit being filed.

"I have taken my concerns to the College of Teachers, where my only hope for justice for my son and other victims lies.

"There has been no accountability for the failure to follow policies at any level, including this current government as well.

"As per the minister's regional office, they informed me that the trustees are the individuals who oversee the boards.

"I contacted them in March and they wanted the board to look at this case again.

"I informed them that as per the minister's regional office, they are the ones who should be overseeing and investigating this case separately.

"The chair of the board no longer responds to my e-mails to reopen this investigation either.

"How does our current minister continue to ignore such cover-ups with regard to the most heinous crimes against children?

"Those whose governing bodies we have filed on have now changed their stories since this case was investigated by the Toronto District School Board.

"Both the chair of the Toronto District School Board and our current education minister are aware of this case and its disturbing nature as well.

“As our minister implements Bill 157 to address some accountability with regard to those school principals whose inactions threaten our children’s safety, it is imperative that she do the same when it comes to accountability of those who should be under her watchful eye.

“Our education minister stated the following in the Legislature on March 12, 2009: ‘Even one incident of bullying or harassment in our schools is unacceptable. Each one is one too many. We know these incidents can have a lasting impact on the well-being of the people involved and on their families.’

“I draw my strength in knowing that my son knew that home was the safest place to come and always talked to me, no matter what he had to share.

“The sad reality is that the principal was well aware of what my son had endured and did nothing to create a safe environment for him and others.

“As per Bill 157, the principal decides whether or not the particular case they are dealing with would be harmful or not to report to parents of victims.

“There must be a requirement to report to police and the local children’s aid society who are trained to deal with all aspects of abuse and cultural concerns as well.

“Giving principals this discretion only creates a further reporting gap and can be further used as an excuse for non-compliance and inaction.

“This ends up as nothing short of gross negligence in terms of the very name of this bill: Keeping Our Kids Safe at School.

“Our most vulnerable members of society deserve far better. Still, there are no consequences for not reporting student-on-student abuse.

“When there are legal consequences for failure to report, compliance usually prevails.

“Any abusive incidents that would be reported to the police if they happened off school property must have the same response by administrators while at school.

“Our children’s safety can never be compromised while they are at school, due to a lack of clear requirements for mandatory reporting.

“On March 23, 2009, Minister Wynne stated the following: ‘Our principals in all our schools are very responsible leaders.’ I beg to differ.

“If this was the case, why are there so many families who continue to reach out to their MPPs and the media to share their concerns about bullying and student-on-student abuse?

“As parents, fighting for two years in an attempt to get accountability is beyond disgusting.

“Seeing an attempt to downplay my son’s disclosure to take away from administrative inaction and failure only adds further insult to injury, for not only our son, but my immediate and extended family as well.

“It is only by doing the following that Bill 157 will do what it was actually intended to do:

“—consequences for school administrators who fail to not only follow policies and procedures but proper reporting requirements put in place to ensure our students’ safety;

“—allocate counselling resources immediately for victim and abuser;

“—a mandated safety plan that is implemented with input from the victim’s family and amended with their consent as well;

“—a safety plan that is enforced and allows no form of contact between victim and perpetrator; even passing in a hallway would not be acceptable;

“—a safety plan that would have the perpetrator change their routines, not the victim;

“—ensuring that mandatory reporting was truly mandatory reporting to the police and to the children’s aid society;

“—remove words from this bill such as ‘shall’ and change the word to ‘will’; and

“—take away phrases like ‘as soon as reasonably possible.’

“Our family is unable to turn back time. However, we can move forward for the future and safety of our children. By implementing the changes spoken about, it will be then that this bill will be a step forward and will hopefully be the beginning of ‘keeping our kids safe at school.’”

That’s the end of the quote for the first impact statement. These are this mother’s words; they’re not my words.

It really upsets me to see the education system further victimize the student and the family. It is not just the child and the parents who struggle with the lingering effects of abuse; it is a weight on the family and in fact on the community. The 12-year-old daughter of our previous speaker was brave enough to tell her story and explain in her own words how her brother’s ordeal with student-on-student sexual abuse has affected her family.

I will end there and take it up, hopefully, tomorrow.

Third reading debate deemed adjourned.

The Acting Speaker (Mr. Ted Arnott): It being 6 o’clock, this House stands adjourned until tomorrow at 9 a.m.

The House adjourned at 1801.

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