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Thursday 5 May 2011

Jeudi 5 mai 2011

Speaker
Honourable Steve Peters

Président
L'honorable Steve Peters

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LEGISLATIVE ASSEMBLY
OF ONTARIO

Thursday 5 May 2011

ASSEMBLÉE LÉGISLATIVE
DE L'ONTARIO

Jeudi 5 mai 2011

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

BUILDING FAMILIES AND SUPPORTING
YOUTH TO BE SUCCESSFUL ACT, 2011

LOI DE 2011 FAVORISANT
LA FONDATION DE FAMILLES
ET LA RÉUSSITE CHEZ LES JEUNES

Resuming the debate adjourned on May 4, 2011, on the motion for second reading of Bill 179, An Act to amend the Child and Family Services Act respecting adoption and the provision of care and maintenance / *Projet de loi 179, Loi modifiant la Loi sur les services à l'enfance et à la famille en ce qui concerne l'adoption et les soins et l'entretien.*

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

Mrs. Elizabeth Witmer: It's a real pleasure for me to have this opportunity to contribute to the debate this morning on Bill 179, the Building Families and Supporting Youth to be Successful Act.

I'd like to begin by commending the member for Dufferin-Caledon on her outstanding work on this issue. She is a strong advocate and a passionate advocate for the children in this province. I share her passion.

I am extremely happy and pleased that this bill will, at long last, provide those young children and older children, the teens, who are crown wards, with the opportunity to see the legal barriers removed in order that they can be adopted. There are thousands of children waiting for adoption. On the other side, we have thousands of families who are wanting to adopt these children, but they cannot.

The approximate number of children adopted each year in Ontario through the three provincial adoption services is 1,600. The approximate number of crown wards is about 9,000. Clearly, we have a problem.

Children's aid societies in this province have been looking for change now for almost eight years. They have been pleading with the government to take action on the issue of crown wards and adopted children between the ages of 16 and 18. Also, if we go back a couple of

years, the Expert Panel on Infertility and Adoption, headed by Dr. David Johnston, the former president of the University of Waterloo and now the Governor General, also recommended that changes be made.

We have in the province, then, about 9,000 crown wards who are waiting for adoption, but last year only 993 were adopted. So we have seen very little change in recent years. Part of the reason is because the children's aid societies in Ontario do not have the means to review access orders in a timely manner, and part of the problem, of course, is that these children cannot be adopted at the present time.

Let's take a look at the current situation. Currently in Ontario, when a child becomes a ward of the crown, an access order is usually put in place by a judge with the best interests of the child in mind. This access order allows the child's parents, siblings and other relatives or close friends to have access to the child while they are under the care of a CAS organization. However, many of these access orders go unused and serve to create additional difficulties for the courts, the CAS and any person or family wanting to adopt the child. As soon as an access order is put in place at the present time, a crown ward can no longer be adopted. This legislation, which proposes to abolish the access orders, will finally make it easier for a crown ward to find an adoptive home.

Under this legislation, when a child is placed for adoption, all access orders attached to that child will be terminated, thereby streamlining the system and making it much easier for the CAS to find homes for crown wards. The CAS will then be responsible for notifying the holder of the access order that it is being terminated and that the child has been identified as a candidate for adoption. In the event that the access order was deemed to be beneficial for the child, a judge may issue an openness order allowing a continued relationship with the person who is beneficial or meaningful for the child. Prospective families will be notified of such a decision.

The second part of this bill concerns children aged 16 to 18 who want to return to the care of a CAS if they have left for any reason, as does happen. Presently, any child who enters care before the age of 16 is eligible to be in care until their 18th birthday. If a child aged 16 to 18 leaves care now, they are not able to return, as the age of care in Ontario is 16. The legislative changes that this bill is proposing will allow any child aged 16 to 18 who has previously been in care to return to the care of the CAS—a good change.

The changes that we have before us are positive changes. They are reforms that are necessary; however,

they are reforms that are long overdue. And there are other changes that we had hoped to see within this legislation that have not yet been brought forward by the government. For example, this bill fails to resolve the home study issue. We know that there is currently a list of about 1,500 families waiting to have a home study completed. As you can well imagine, Mr. Speaker, this is a massive backlog, and obviously, action must be taken.

In fact, as the member for Dufferin–Caledon pointed out, this number is actually much lower than the real figure due to the fact, which she indicated, that many CASs are telling willing families who want to adopt a child not to put their name forward for the waiting list because of the immense and unacceptable backlog. The ministry—the government—has not attempted to address this issue, other than to say that some temporary funding will be provided. There is no concrete long-term plan of action and guarantee that this issue will be addressed.

The second problem that we have with the bill is that this is going to force even more responsibility and work on the already overstressed and underfunded children's aid societies. This expands their mandate, as it does expand their workload. However, the government has not indicated that there will be any additional funding provided for the expansion of their mandate and their expanded role. We have been hearing increasingly in recent months and years from the CASs throughout Ontario that they are being forced to lay off staff and that they face severe budgetary constraints.

0910

Obviously, this government needs to address the issue and provide a funding model that corresponds to their mandate and their expanded role. We simply know that it is impossible for the CASs to continue to provide their essential services to our children at a high level without the financial means and the staff to do so.

Briefly, I'd also like to touch on the need to have more resources devoted to special-needs adoptions. Unfortunately, although we do see the adoption of children within the province of Ontario, those children with special needs have an extremely difficult time of finding an adoptive home, if they do at all, because these children with special needs require additional resources above and beyond what the average child requires. Once a family adopts a child with special needs, under the current terms, they are now solely responsible for ensuring that the child has access to the resources and the personnel that are required. Many families, as you can understand, find this financially difficult. They want to provide a loving home for this child, but they simply cannot afford to do so. Somehow, we need to provide incentives and support to these families who can provide those caring homes to those children with special needs.

I am encouraged with the legislation before us. I am pleased that it is going to remove the legal barriers currently preventing children who are crown wards from being adopted. As I said, there are about 9,000 of these children, and the majority of them who are older children today live in foster care group homes. Regrettably, these

children have not been in a position where they have been able to be adopted.

In my own community, in the region of Waterloo, I know that there are about 254 crown wards, of whom about 143 have court-issued access orders. In the past two years, 65 children were adopted locally. This is a little higher because our Family and Children's Services of the Waterloo Region has been a leader in finding permanent homes for these children, and for this I want to applaud the staff.

We're moving forward with the bill to remove the legal barrier to the adoption, as was recommended by the Expert Panel on Infertility and Adoption, and this is a good thing. I think we also have to recognize that by doing this, we are intervening earlier in the lives of our children, as we should. We know that those children who are never adopted are also less likely to complete high school. They are more likely to have children at an early age. They usually have more mental health issues or a need for social assistance, experience poverty and are in trouble with the law.

Again, I think we need to remember, just as our government introduced the Healthy Babies, Healthy Children program in order to identify those children at birth in this province who were going to be in need of additional support, whether it would be from nurses or from other agencies in the province of Ontario or from those who would visit families in order to make sure that families were able to relate and support those babies—by moving forward and making sure that all the children in this province who are in a position to be adopted can be adopted and put into homes where they will be loved and cared for; where they will find stability and develop the self-worth that is so important to their later life.

So I encourage everyone in this House to support this bill. I hope that we can move this bill forward very quickly, and let's do so for the children who are waiting to be adopted and for the thousands of families that are waiting for these children.

The Acting Speaker (Mr. Jim Wilson): Questions and comments?

Mr. Dave Levac: I appreciate the opportunity to speak to the comments made by the member from Kitchener–Waterloo.

I, for one, continue to remind people that legislation is always fluid, so we take from where we have been. Some legislation has been sitting on the books for decades and decades with no changes, and this is part of that continuation and the flow of the kind of legislation that we see now. The member rightfully points out that these impediments that are there stopped an awful lot of people from doing the things they wanted to do. She's acknowledged support for the vote, and I appreciate that.

When you take those impediments away, you provide for an opportunity for the adoptions to take place, which is exactly what the legislation is designed to do. The downside to this is taking a look at it and saying, "What else can you do? What else have you done? What haven't you done?" As I said, in terms of the fluid nature of legis-

lation, this is not being held out as the be-all and end-all of this issue. Quite frankly, we'll continue to see modifications and changes as we go along in society and its concepts and ideas change as well.

I appreciate the fact that the member is in support of the legislation. She also dutifully points out some of the areas which we should continue to take a look at and improve. I agree with her. That's the idea of opposition: to be able to stand up and say, "Here are some of the shortfalls, here are some of the shortcomings of the legislation and here are some different ideas that you may want to consider in the future."

But I want to come back to the point of making sure that people understand that there are many, many champions in this place who want to see the best for our children. To point anyone out in particular I think doesn't do justice to those who have fought long and hard to keep care of our children. To ensure that the parents have an opportunity to do that adoption is important, but more importantly, without disrespect, it is about the kids, and I appreciate the member's comments about that.

The Acting Speaker (Mr. Jim Wilson): Further questions and comments?

Mr. John O'Toole: I also want to echo my impressions and my thankfulness to the member from Kitchener–Waterloo. Her long experience here and her obvious care and compassionate approach to challenges are highly regarded. Her recognition of the work done by the member for Dufferin–Caledon is indeed very appropriate, as it would be for the member from Whitby–Oshawa and the work they've done on children's mental health.

I also say that there is unanimous agreement here, on both sides of the House, that this should move forward. There has been time to address some of the issues: Without making this a little bit edgy, the expert panel was released in 2009; it's 2011 now. We have had a wholesome discussion on this and there is unanimous support for the bill to go to committee to sort out a few of the issues.

The issues have been brought up in the context—the member from Welland has spoken a number of times on this and commented on the situation today, as we have all worked with the CASs in our areas: the lack of resources that are in the community. I don't blame anyone specifically, but the evidence is there for us to examine.

There are some barriers that even the expert panel—I'm sure they're pleased that we're moving forward and that the committee will deal with some of the issues.

Now, the barriers here represent real savings for families and real opportunities for families. A child in custody in a CAS today is about \$32,000 a year, perhaps more in some cases—difficult to serve. They're under a lot of stress to have transition funding to families that want to take these children into their families, and that's really the focus of everything. The member from Kitchener–Waterloo has stressed that children are at the centre of this, and we have to act responsibly and quickly to make sure that they're no longer vulnerable and that they have the joy of being in a family.

0920

The Acting Speaker (Mr. Jim Wilson): Questions and comments?

M^{me} France Gélinas: I agree with what my colleague just said, that we want as many children in Ontario to live within loving families.

There are many examples of kids who are under the responsibility of the crown in some of the First Nations in my riding, and those kids often have special needs. The CAS would have worked with them to finally have a support system built around the child. This support system costs money. Although we have many, many families who would love to take those children and adopt them and make them fully part of their family, they are poor families that could never be able to afford the cost of the support that this child needs to be able to become all that he or she could be.

The bill, the way it is now—we see all support, all monetary support for that child, disappear the minute the family takes it in and adopts it. For me and for the families that I deal with, this is a huge barrier. Their heart is open; their heart is big enough to take those children in, and they want to, but it is their income that isn't big enough to meet the needs of those children. The minute they adopt them, all support ceases immediately. So the work that has been done to support and to build a circle of support around the child would automatically disappear. This is the real barrier to adopting all of those crown ward children.

The Acting Speaker (Mr. Jim Wilson): Further questions and comments?

Mr. Frank Klees: I'm encouraged that we're discussing this legislation, and I want to thank my colleague from Kitchener–Waterloo for her insight into this issue.

I want to state for the record that I do believe that there is another dimension that must be addressed in this province when it comes to the issue of adoption. I have had a number of constituents speak with me about their experience as parents who want to adopt and who are, in fact, in the process of going through that exercise with the children's aid society. Their concern is the level of professionalism around the interview process that they are experiencing. I believe that the children's aid societies have a responsibility to ensure that the social workers who have the responsibility of interviewing potential adoptive parents are qualified to do so and that there are the appropriate accountability measures in place to ensure that that process is, in fact, a professional and sensitive process.

I'll have more to say about this as the debate goes on, but I just want to raise the issue that I believe that part of our problem is, in fact, the underfunding of our children's aid societies throughout this province, and that has to be addressed by this government.

The Acting Speaker (Mr. Jim Wilson): The honourable member for Kitchener–Waterloo has two minutes for her response.

Mrs. Elizabeth Witmer: I want to thank the members for Brant, Durham, Nickel Belt and Newmarket–Aurora.

Let me just repeat again: I welcome this change to the adoption law. As my colleague from Newmarket–Aurora has said, he has been in contact with families. I would say to you that much of what I’ve said today is based on conversations that I have had with families in my own community, people who have come to my office. There are many families out here who are looking to adopt children. Many of them, because they have been prevented from doing so within our own province, have obviously looked for international adoptions. But I can tell you that the process, whether it’s the home study or going through a lot of red tape and huge amounts of money—I know one family who would have preferred to have adopted a child here but weren’t able to do so—because we do know that we have so many crown wards who haven’t been eligible for adoption—and I know they have spent \$50,000.

This change to the legislation today is a welcome change. It is going to unite children who are looking to be part of a loving family with those families who currently have no children and want to provide to those children a loving, stable environment. It is a very good step forward. However, we need to keep in mind that there is a need for additional resources for the children’s aid societies and there is a need to facilitate the home studies. Obviously, we need to take a look at what else we can do to make sure that all children in this province are given the best start in life possible.

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

Ms. Smith moved second reading of Bill 179. Is it the pleasure of the House that the motion carry?

I hear some noes.

All those in favour, please say “aye.”

All those opposed, please say “nay.”

In my opinion, the ayes have it.

We’ll defer the vote until deferred votes after question period.

Second reading vote deferred.

SUPPORTING SMOKE-FREE ONTARIO
BY REDUCING CONTRABAND
TOBACCO ACT, 2011

LOI DE 2011 APPUYANT
LA STRATÉGIE ONTARIO SANS FUMÉE
PAR LA RÉDUCTION DU TABAC
DE CONTREBANDE

Ms. Aggelonitis moved second reading of the following bill:

Bill 186, An Act to amend the Tobacco Tax Act /
Projet de loi 186, Loi modifiant la Loi de la taxe sur le tabac.

The Acting Speaker (Mr. Jim Wilson): Debate? The Minister of Revenue.

Hon. Sophia Aggelonitis: I would like to share my time with the member from Scarborough–Guildwood.

Today I rise in the House to speak to the Supporting Smoke-Free Ontario by Reducing Contraband Tobacco Act. As I stated on April 21, when introducing this legislation, Bill 186 is part of our government’s commitment to create a smoke-free Ontario. In developing such an important piece of legislation, we considered the ideas and proposals of our many partners and stakeholders, who share our concern and our commitment to addressing this complex problem.

I’d like to share with the House some of what experts are saying. For example, Dr. Lynne Thurling, president of the College of Physicians and Surgeons of Ontario, says that her governing organization “warmly welcomes the government’s enhanced commitment to smoking cessation in Ontario and to reducing the supply of illegal tobacco across the province. We are committed to supporting initiatives that seek to improve the health of Ontarians and our health care system. We congratulate the government on this important initiative.”

Dr. Mark MacLeod, president of the Ontario Medical Association, states that the legislation “is another important step in the ongoing fight against tobacco. Keeping illegal cigarettes out of our children’s hands is a good thing.”

If passed, Bill 186 would help to protect our youth from the dangers of cheap, illegal tobacco. I cannot emphasize enough our important job as parents and leaders: We must do everything possible to prevent our youth from starting to smoke, and provide support to those who want to quit.

0930

Smoking kills thousands of people each and every year in the province of Ontario. This is an alarming number and cause for significant concern. As little as a few dollars can buy a young person a pack of illegal cigarettes. The low cost and easy availability of illegal tobacco represents an unfortunate incentive for them to take up smoking or to start again if they have already quit. These startling facts are a call to action for this government to remain focused on reducing the supply of illegal tobacco in Ontario.

Before I provide highlights of Bill 186, I’d like to remind members of the House of our government’s important progress when it comes to illegal tobacco in Ontario. In the last six of eight years, our government has brought forward measures to reduce the availability of illegal tobacco. Starting with the 2004 budget, several enhancements to the regulatory and enforcement provisions of the Tobacco Tax Act were introduced. Some of these included: (1) expanding provisions for seizing and disposing of unmarked cigarettes; and (2) increasing offences and penalties for individuals distributing tobacco without authorization, including increased sanctions for repeat offenders.

Further amendments to the Tobacco Tax Act were announced in 2006. The 2006 amendments strengthened Ontario’s tobacco-related enforcement activities by allowing increased information-sharing on tobacco-related matters among provincial, municipal and federal governments.

In the 2007 Ontario budget, several additional measures were taken to enforce tobacco tax compliance and protect tobacco tax revenue. For example, we assigned additional resources to increase enforcement activities relating to tobacco distribution and the retail sector; we also increased sanctions and enforcement measures associated with distributing and possessing illegal tobacco; and we added a provision to temporarily suspend a retailer's ability to sell tobacco products where the retailer had been found to be repeatedly in violation of the Tobacco Tax Act.

In the 2008 budget, we continued to build on many proposals enacted in the previous years. They included requiring persons who possess or import cigarette-making machines to be registered as manufacturers under the Tobacco Tax Act; also, we added more legislative provisions that would allow the seizure of tobacco products from persons found to be violating the legislation; and added fixed penalties to existing tax-based penalties that could be assessed against persons contravening the act.

In the 2009 Ontario budget, we further strengthened the enforcement elements of the Tobacco Tax Act. These measures included enforcement provisions aimed at individuals when there are reasonable and probable grounds to believe they have contravened the legislation; provisions that prohibit the possession of any quantity of unmarked cigarettes unless otherwise permitted; authority for the ministry to apply for a court order to permit retaining items seized that may lead to a Tobacco Tax Act contravention; and provisions that aligned certain penalties imposed on persons convicted of offences under the Tobacco Tax Act.

As a result of tougher enforcement measures introduced by this government since 2004—I'd like to also share some of those: The Ministry of Revenue's inspectors and investigators have seized 150 million illegal cigarettes, 978,000 untaxed cigars and 47 million grams of fine-cut tobacco between April 1, 2008, and March 31, 2011. Penalties assessed against those violating the Tobacco Tax Act total more than \$18.7 million since March 2006.

With Bill 186 introduced, I'm proud to say that this is the sixth out of eight years that this government has taken steps to strengthen enforcement against the illegal manufacture, distribution, sale and purchase of tobacco products. If Bill 186 is passed, our legislation would do five key things: First, it would transfer the responsibility for licensing raw leaf tobacco from the Ontario Flue-Cured Tobacco Growers' Marketing Board to the Ministry of Revenue. It would also license raw leaf tobacco importers to ensure that there is a level playing field for all raw leaf tobacco suppliers. Secondly, the bill proposes to set a revised fine structure to reflect possession of small amounts of contraband tobacco. Thirdly, for the first time, we would require fine-cut tobacco to be marked for better enforcement. Fourth, this bill would authorize police to seize illegal tobacco in plain view. Lastly, it would strengthen our relationship with First Nations leaders.

First, let's talk about the raw leaf. This bill would reduce the risk of Ontario raw leaf tobacco being used to manufacture illegal tobacco products by expanding regulation to include all types of raw leaf tobacco grown in, and imported into, Ontario. This would include fully and partially processed flue-cured burley and black or dark raw leaf tobacco.

Currently, flue-cured raw leaf tobacco cannot be grown or sold in Ontario unless legitimate sales contracts are in place with buyers who are licensed as required under federal and Ontario laws. However, raw leaf tobacco can end up in the possession of Ontario manufacturers who produce illegal tobacco products if: an Ontario producer sells it illegally; secondly, a legitimately licensed buyer exports raw leaf tobacco and it re-enters Ontario as an illegal import; thirdly, a licensed buyer or manufacturer uses some of its raw leaf tobacco to produce illegal products; or lastly, raw leaf tobacco grown outside Ontario is imported for use by illegal manufacturers.

We would work with our partner ministry, the Ministry of Agriculture, Food and Rural Affairs, and the agricultural community to ensure that there is a smooth transition that recognizes business operating requirements. New registrants who are not part of the current system would be identified and consulted. Lead time would also be needed to develop an electronic registry system to make the registration process more efficient for those involved in the tobacco-growing sector.

I'd now like to talk a little bit about the revised fine structure. The amendments propose, in Bill 186, a new fine structure for persons convicted of possessing small amounts of illegal tobacco products. The proposed fine structure for illegal cigarettes is: \$100 plus three times the tax for possession of up to 200 illegal cigarettes, for a maximum fine of \$174.10; \$250 plus three times the tax for possession of between 201 and 1,000 illegal cigarettes, for a maximum fine of \$620.50; and \$500 plus three times the tax for possession of between 1,001 and 10,000 illegal cigarettes, for a maximum fine of \$4,205.

The current fine structure would continue to apply to individuals convicted of possessing more than 10,000 illegal cigarettes and for those with any amount for the purpose of sale.

Michael Perley, of the Ontario Campaign for Action on Tobacco, said that the proposed fines are a step forward in deterring individuals who want to buy illegal cigarettes. The Canadian Press recently quoted him as saying, "By buying a \$15 bag of cigarettes, you wind up paying \$175 for it. That's a lesson that somebody won't soon forget."

Next, the legislation further proposes to have fine-cut tobacco marked in a similar fashion as to how legal cigarettes are marked. This would make it easier for enforcement officers to identify legal versus illegal fine-cut tobacco. When this provision does take place—hopefully takes place—police officers would be further authorized to seize illegal, unmarked, fine-cut tobacco in plain view. Another proposal contained in the legislation would authorize police officers to seize without delay—and that is

key: without delay—unmarked cigarettes in plain view. Currently, they have to contact the Ministry of Revenue to seek authorization to make the seizure.

0940

If passed, we will work with our police partners to ensure the effective implementation of these provisions.

Our government is pleased that the steps we've taken to strengthen tobacco enforcement over many years have not gone unnoticed. For example, and I wish to share this with the members of the House, on April 23, a Toronto Star editorial stated, "Since 2004, Ontario's Liberal government has taken many important steps to reduce tobacco use and discourage young people from picking up the addictive and deadly habit...."

"The government's new bill tackling contraband tobacco offers ... new measures to make people think twice about buying contraband cigarettes" and makes it "easier for police to crack down on the trade"—all well worthwhile.

Because illegal tobacco is a complex matter, this government remains committed to working with our partners to strengthen the enforcement of tobacco laws. We work closely with our federal colleagues, various police services and other partners on a regular basis to investigate and seize illegal tobacco products. In fact, the Cornwall Regional Task Force is an excellent example of how the Ontario government works with the Canada Border Services Agency and the RCMP, along with the OPP and local police services, to address illegal tobacco.

In 2010, the task force, of which the Ministry of Revenue is a member, successfully confiscated the following items involved in smuggling illegal tobacco: more than \$6 million in illegal tobacco products, more than \$660,000 in currency, 181 vehicles, 17 vessels and 22 trailers, with a combined value of more than \$2 million.

As the federal government has jurisdiction over borders and border enforcement, the Ministry of Revenue and the Ontario Provincial Police participate in the RCMP-led integrated border enforcement teams. They target cross-border criminal activity at Cornwall, Kingston, Niagara Falls, Windsor and Sault Ste. Marie. In addition, Ontario is in discussions with the Canada Revenue Agency, Public Safety Canada and Revenu Québec to advance co-operation on matters of common concern.

An integral part of the Bill 186 legislation is to strengthen our very important relationships with First Nations. If enacted, the Minister of Revenue would be permitted, in certain circumstances, to share Tobacco Tax Act information with First Nations' elected councils and make arrangements and agreements with these councils for administering and enforcing the Tobacco Tax Act on reserves.

Currently, the Ministry of Revenue is engaged with several First Nations leaders to hear ideas and concerns they have about tobacco on reserves. To further the government's understanding of tobacco issues on reserves, the ministry will be further engaging First Nations leaders and listening to their views on tobacco issues and their ideas for solutions. These ongoing and expanded discus-

sions are important steps the government is taking to ensure that the interests of First Nations are part of the government's effort to address the complex issues related to illegal tobacco.

With Bill 186, we are taking the next steps to help protect young people from the dangers of tobacco. Proposals contained in the Supporting Smoke-Free Ontario by Reducing Contraband Tobacco Act provide positive, realistic and balanced measures that would move us forward in our drive to reduce smoking across Ontario. We expect that this legislation would result in a meaningful, positive impact on controlling the supply and reducing the use of illegal tobacco in Ontario. This legislation is an important next step in reducing youth smoking rates, yet we must continue to be vigilant.

I believe that the measures contained in Bill 186 are the right ones, at the right time, that would make a real difference. I look forward to working with my colleagues in every party to make this bill law. Our kids are counting on all of us to pass this legislation.

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

Hon. Margaret R. Best: I'm certainly pleased to rise and speak to the second reading of our government's proposed Bill 186, the Supporting Smoke-Free Ontario by Reducing Contraband Tobacco Act, 2011. I want to thank my colleague Minister Aggelonitis for her work in this regard.

It is essential to recognize that Bill 186 is part of our whole-of-government approach to renewing and building on the significant foundation of the smoke-free Ontario strategy. Without a doubt, since 2005, the smoke-free Ontario strategy has embodied one of North America's most comprehensive anti-smoking initiatives.

Although today we focus on how far we have come and where we are going, I certainly feel compelled to remind this Legislature that many members opposite, including the leader of the official opposition, voted against our powerful tool to fight tobacco, the Smoke-Free Ontario Act. Nevertheless, I am pleased to advise this Legislature that despite the party opposite's lack of vision and support of this important, multi-faceted strategy, it has successfully discouraged young people from starting to smoke.

Our strategy has supported cessation efforts for smokers who want to quit; educated and raised awareness of the dangers of smoking cigarettes; prevented and discouraged Ontarians from starting to smoke; and it has made smoke-free environments the law in our province.

The party opposite is so out of touch that their member for Haldimand-Norfolk-Brant stated, "The jury is out on second-hand smoke." The member was speaking about the effects of second-hand smoke on individuals. The member obviously has not heard of Heather Crowe, who died in 2006 from years of exposure to second-hand smoke and who was a fearless supporter of the Smoke-Free Ontario Act. We will continue to protect Ontarians from the dangers of second-hand smoke, and certainly we honour the memory of Heather Crowe.

Today, 99% of bars, restaurants and other enclosed workplaces in the province are smoke-free, thanks to the Smoke-Free Ontario Act. When the Hudak PCs voted against that legislation in 2005, they rejected smoke-free environments. In fact, they rejected better health.

Interjection: No.

Hon. Margaret R. Best: Yes.

Our government has made sure that cigarettes can no longer be openly displayed at convenience stores, removing a temptation that might draw in would-be smokers. I would like to thank the MPP for Ottawa-Orléans for his tireless efforts on this particular initiative.

Our government has paid special attention to protecting our most precious resource, our children—indeed, our future—from the dangers of cigarette smoking, and that is precisely the reason why we banned smoking in motor vehicles when children 16 years of age and under are present. And again, like the 80% of Ontarians who supported our direction in this regard, I was astounded that opposition members railed against this move right up until the moment they voted for it. The current PC leader said at the time, “I don’t think” it “will make that much of a difference.” His colleague the member for Thornhill actually called our initiative “moron legislation.”

0950

Indeed, our children are also the reason our government passed legislation prohibiting the selling and distribution of flavoured cigarillos in Ontario. We are protecting our children from products designed to lure young people into smoking.

Interjections.

Hon. Margaret R. Best: And you guys can make jokes about it, but the young people are the future of our province.

We are committed to taking appropriate and effective action if we find that the tobacco industry is introducing new cigarillo products aimed at tempting children or adolescents. I found it rather bizarre that four PC members voted against this move as well—unbelievable—and, judging from the action across the way here today, it obviously looks to me like they don’t care about Ontario’s children.

I think it would be—

Ms. Lisa MacLeod: Point of order: I would ask that the minister, if she wants “honourable” in front of her name, withdraw the statement she just made. As a mother, I’m sitting on this side of House with a grandfather, I’m sitting with another father and another father with grandchildren. That was despicable. I understand partisanship, but she should—

The Acting Speaker (Mr. Jim Wilson): Thank you. There is nothing out of order in the minister’s comments.

Minister of Health Promotion, you have the floor.

Hon. Margaret R. Best: As I said—

Mr. Frank Klees: Point of order: I’m asking the minister to apologize for the comment that she has made. If she does not, I will ensure that she does not continue this debate.

The Acting Speaker (Mr. Jim Wilson): There’s nothing out of order. It’s up to the minister to make whatever comments she would like, as long as they’re parliamentary.

Hon. Margaret R. Best: Thank you, Mr. Speaker—

Mr. Ernie Hardeman: On a point of order: As a grandfather, I am really insulted by the minister across the aisle. I believe that if she is an honourable minister—

The Acting Speaker (Mr. Jim Wilson): Okay. Please have your seat.

Interjections.

The Acting Speaker (Mr. Jim Wilson): Order.

Interjections.

The Acting Speaker (Mr. Jim Wilson): Order. Member for Oxford.

Interjections.

The Acting Speaker (Mr. Jim Wilson): Member for Halton, come to order. The minister has the floor.

Minister?

Hon. Margaret R. Best: Thank you very much, Mr. Speaker, and I would remind the members opposite that I am entitled to be in the Legislature just as much as they are. And—

Mr. Frank Klees: Point of order: What she doesn’t have to right to do is insult and impugn motives in this place, and if she does not have the character, as a minister, to stand in her place and apologize for a comment that she knows is wrong—

The Acting Speaker (Mr. Jim Wilson): Order again. I don’t find anything that the minister said out of order. She’s entitled to her opinion. I’m here to facilitate free speech. We may disagree from time to time, but please let the Minister of Health Promotion have the floor and have her say.

Hon. Margaret R. Best: I must say, it’s unbelievable, the conduct of the members opposite. They obviously don’t care about—

Ms. Lisa MacLeod: Point of order.

The Acting Speaker (Mr. Jim Wilson): Is this a new point of order?

Ms. Lisa MacLeod: This is a new point of order: She’s just impugning motive, and again she’s insulted the official opposition benches. I assume she’s also insulted the third party—

The Acting Speaker (Mr. Jim Wilson): Thank you. I’ve ruled on this point of order and I don’t see a new point of order. The minister is entitled to her opinion and she does have the floor.

Minister.

Hon. Margaret R. Best: Actions truly speak louder than words, and their failure to support protective legislation relating to cigarettes speaks clearly about how they care about Ontario’s children. In the words of the young people, I would say, “Not”—

Ms. Lisa MacLeod: Point of order, Mr. Speaker.

The Acting Speaker (Mr. Jim Wilson): Are you just purposely interrupting the minister or do you have a new point of order?

Ms. Lisa MacLeod: She continues to try to insult the official opposition. It's clearly unparliamentary language, and it goes against the spirit of the standing orders.

The Acting Speaker (Mr. Jim Wilson): I'm going to rule that you may not like what the minister is saying, but I don't find anything that she's saying unparliamentary, and I don't believe she's using unparliamentary language, so I cannot rule in favour of your point of order.

Minister—and please, I'm not going to hear any more points of order on this. I'm not going to recognize you—

Interjections.

The Acting Speaker (Mr. Jim Wilson): And you're not going to argue with the Chair, or I'm going to throw you out of this place.

Mr. Ernie Hardeman: Mr. Speaker, she doesn't have a right to say that.

The Acting Speaker (Mr. Jim Wilson): The member for Oxford will come to order. The minister has the floor. Please allow her her right to free speech.

Minister.

Hon. Margaret R. Best: Our children are the reason we have taken the many steps we have. That said, let me assure you that our government is continuing our work in protecting the health of Ontario's children. If passed, Bill 186 will further shield our young people from this harmful habit and provide important means to save the lives of more Ontarians.

Smoking is the number one cause of preventable death and disease in Ontario.

Interruption.

The Acting Speaker (Mr. Jim Wilson): Come to order. Order.

The House will take a five-minute recess.

The House recessed from 0956 to 1001.

The Acting Speaker (Mr. Jim Wilson): If I may just make a comment, I would ask all members to be respectful of each other. While I did not hear anything unparliamentary in what the minister said, I would ask us all to try to be kind to each other and respectful.

The minister does have the floor. The Minister of Health Promotion and Sport.

Hon. Margaret R. Best: We are working across government to support additional action that builds on the smoke-free Ontario strategy. Our government is committed to working with our partners and stakeholders—

Interjections.

The Acting Speaker (Mr. Jim Wilson): Order. Order. Members of the official opposition will please come to order.

Interjections.

The Acting Speaker (Mr. Jim Wilson): Order. If the honourable members won't come to order, I will have no choice but to name the honourable members.

Thank you. The Minister of Health Promotion.

Hon. Margaret R. Best: We will continue to address the recommendations provided in the October 2010 report of the Tobacco Strategy Advisory Group.

Interjections.

The Acting Speaker (Mr. Jim Wilson): Again, I will have to name the honourable members, and you will not be able to participate for the rest of the day.

Minister of Health Promotion.

Hon. Margaret R. Best: Thank you very much, Mr. Speaker.

The passage of Bill 186 would be an important building block in the work of the Ministry of Health Promotion and Sport to help prevent young people from becoming addicted to tobacco and on our work to date on the Smoke-Free Ontario Act.

Under this government, the smoke-free Ontario strategy has earned international recognition as a pioneer in the battle against tobacco use. The additional steps that I have outlined will build on this legacy by fostering a healthier province, and save more lives. If passed, Bill 186 will further shield our young people from this harmful habit and provide important means to save the lives of more Ontarians.

Smoking is the number one cause of preventable death and disease in Ontario. Every year, it claims the lives of 13,000 people in this province. Smoking accounts for three times the combined deaths caused by alcohol, drugs, suicide, murder and car crashes. Smoking costs every single Ontarian. Smoking is, in fact, killing our families, our neighbours, our friends, our co-workers and our loved ones.

Tobacco-related disease costs the province's economy \$7.73 billion every year—\$1.93 billion in direct health care costs and \$5.8 billion in productivity losses. This is an incredible drain on Ontario's health care resources.

Suffice it to say that the human and financial costs of smoking and tobacco-related disease are staggering. That is why, over the past six years, our government has focused on supporting Ontarians to make informed choices, to protect and to improve their health and to save their own lives.

Programs and initiatives that discourage people from starting to smoke, and support for smokers in quitting, have always co-existed with legislative prohibitions within the smoke-free Ontario strategy. Similarly, the introduction of Bill 186 has coincided with the government announcing steps to further protect children and youth, including: resources to increase prevention efforts focused on protecting our young people; engaging youth to develop youth-led tobacco prevention initiatives; undertaking critical research to determine what works in reference to deterring young people from using tobacco products; and using this information to design and implement innovative, sustained and effective efforts to prevent youth from becoming addicted.

By providing more youth-focused resources and new innovative approaches to reach and involve the young people in our ongoing efforts, we will prevent even more young people from starting to use tobacco products in the first place. The outreach programs will include connecting with teenagers through youth engagement coordinators, working in each of the 36 public health units in the province, to support young people around tobacco con-

trol activities in their communities. The province's enhanced efforts to reduce tobacco use provide opportunities to encourage smokers in general to quit, through a series of new or expanding supports.

Let me clearly state that smoking is not—and I repeat: not—a lifestyle choice. Smoking is an addiction. The addiction to nicotine has been compared to addictions to heroin and cocaine. In fact, it is one of the toughest addictions to break, and we see that smokers rarely succeed in quitting on their first try. Effective cessation programs are crucial to supporting smokers on this difficult journey.

In fact, our government-supported initiatives have already assisted more than 1.25 million people to quit smoking since 2005, including: the Driven to Quit Challenge, the Leave the Pack Behind program, the Smokers' Helpline and Smokers' Helpline online STOP program, collaboration and support for the grassroots work of local public health units, and our recent collaboration with family health teams. These are just a few of the cessation initiatives that Ontario, in cross-sectoral partnerships with a broad range of stakeholders, has made available to help smokers.

In 2010-11, the Ministry of Health Promotion and Sport invested over \$6 million in smoking cessation programs and \$2.67 million in cessation marketing campaigns, social marketing campaigns such as the Canadian Cancer Society's Driven to Quit Challenge, the Heart and Stroke Foundation's Persistence campaign, and the Ontario Lung Association's Quit and Get Fit.

The Tobacco Strategy Advisory Group, established by the Ministry of Health Promotion and Sport, as well as the scientific advisory committee organized by the Ontario Agency for Health Protection and Promotion, called for a comprehensive cessation system.

Mr. Michael Perley of the Ontario Campaign for Action on Tobacco has written to us, saying that he is "very pleased by your recent announcement that the province will strengthen the Tobacco Tax Act," and to "express our appreciation for your personal support of this critically important initiative."

Our government is also expanding and improving supports to provide smokers with many more doors of access to get the help they need to kick the nasty habit. Our approach includes smoking cessation counselling in health care settings, including family health teams and other health professionals; collaborating with the Ministry of Health and Long-Term Care to deliver cessation services and cessation drugs; providing targeted help for smokers with chronic diseases who are in hospitals; expanding access to nicotine replacement therapies through primary care providers; and working with trade associations, employers and unions to provide workplace information and supports to employees who wish to quit smoking, more particularly in workplaces where smoking represents an increased risk.

1010

The Ministry of Health Promotion and Sport is currently investing a total of \$42.8 million in tobacco cess-

ation, prevention and protection programs. The province has announced that it is investing an additional \$5 million, an increase of more than 11%, to strengthen our ongoing efforts to prevent youth from starting to smoke and to support smokers in quitting. We are confident this new investment will focus on the priorities that will have the greatest impact on reducing smoking prevalence rates. These tips, coupled with the crackdown on illegal tobacco as proposed by Bill 186, will collectively reinvigorate the excellent work which has—

Mr. John Yakabuski: On a point of order, Mr. Speaker: Earlier today, the Minister of Health Promotion made comments in this House that, quite frankly, I believe, were not only inappropriate but certainly unparliamentary—

Mr. Ernie Hardeman: And highly offensive.

Mr. John Yakabuski: —and highly offensive to every member of the Progressive Conservative caucus, those who have children or grandchildren being specifically cited.

The tradition in this House, and it has been repeated by the Speaker on many occasions, is that when comments are made by a member of this House that result in grave disorder, they are generally deemed inappropriate and unparliamentary. By the very nature that they caused the disorder, it clearly indicates that there is something wrong and something offensive about those comments.

The comments by the Minister of Health Promotion—I will paraphrase, because I was not here present for the remarks, but I'm quite aware of the grave disorder that resulted from those remarks—were to the effect that members of the Progressive Conservative caucus do not care about their children or their grandchildren.

Speaker, there's not a person in this province who, if someone implied to them that they didn't care about their children or their grandchildren—if they had grandchildren—would not take personal offence to it and would not stand up and defend themselves and ask that person who made those comments, as a lady or a gentleman, to please retract them. Anyone, for the purpose of common decency, would, as that kind of person, retract them.

This is not a place to personally insult other members. This is a place to debate legislation. Each and every one of us comes here with that belief: that legislation that is debated in this House, if properly tabled, properly amended—that at the end of the day, we have something that benefits people in the province of Ontario. This is not a place to personally insult members of this House who have children or grandchildren, and I think that member, that minister, should apologize to this House and should apologize to the people of Ontario for taking debate to that level. It is beneath her. It is beneath this House.

The Acting Speaker (Mr. Jim Wilson): On the same point of order, the honourable member from Welland.

Mr. Peter Kormos: Speaker, surely a member in this House, in a debate around an issue so non-partisan as this issue, who is seeking support of the whole House, when

this sort of event occurs, be it advertently or inadvertently, especially a member of the executive, would simply stand up, say, "I withdraw," and apologize and then move on. Then it no longer becomes an issue and it no longer stands as an issue. It seems to me that that is what an experienced and honourable member of the chamber would do.

The Acting Speaker (Mr. Jim Wilson): Thank you. I did rule at the time on the comments of the minister. However, I do agree that disorder did occur and I would give the honourable minister an opportunity to withdraw those comments.

Hon. Margaret R. Best: Mr. Speaker, you know, I'm surprised at the ruling on this, considering—

Interjections.

The Acting Speaker (Mr. Jim Wilson): I'm making a ruling. My ruling was that I didn't find anything unparliamentary or out of order, but I am giving the honourable minister an opportunity to withdraw those comments.

Hon. Margaret R. Best: Mr. Speaker, I would just like to know from you if you would like me to withdraw just the comment relating to the children.

The Acting Speaker (Mr. Jim Wilson): Yes. I believe that was the comment that members took offence to.

Hon. Margaret R. Best: Mr. Speaker, I withdraw the comment relating to the children.

The Acting Speaker (Mr. Jim Wilson): Thank you.

Second reading debate deemed adjourned.

The Acting Speaker (Mr. Jim Wilson): It being 10:15 of the clock, this House stands in recess until 10:30, at which time we will have question period.

The House recessed from 1015 to 1030.

INTRODUCTION OF VISITORS

Hon. Monique M. Smith: I'm delighted today to welcome to the House one of the Ordre de la Pléiade recipients yesterday, a great representative of the francophone community in my region, Marguerite Martel. Madame Martel is here today with her two daughters, Doris Storie and Gisele Martel. Her other daughter, Carol Melanson, is not with us today but watching on TV, so good morning to Carol.

We welcome them here today and we congratulate her again on the Ordre de la Pléiade.

Hon. John Wilkinson: I'm delighted to introduce my constituent Katie Neu and her friend Andrew Dean. They're here today to observe the debate on Bill 183.

Katie is very famous in this country. She is one of the co-sponsors of Blue Day, an effort to prevent bullying of our children anywhere, but particularly in schools. Welcome to the Legislature.

Mr. Kim Craiton: I'm really pleased today to have a number of guests from my riding of Niagara Falls and from Fort Erie and Niagara-on-the-Lake. I'd like to start by introducing two guests from Niagara-on-the-Lake—

they're in the members' gallery—Paolo Miele, and with him is Phil Lebodac. They're both from Niagara-on-the-Lake. Enjoy your time up here, and you'll see how wonderful, how passionate and how we care about each other up here.

As well, I'd like to recognize—and you can't miss them—good friends of mine from Fort Erie. They have their special yellow shirts on. It's getting close to summer and it's sunshine weather, so they're here to brighten up Parliament.

I want to also recognize another good friend of mine, Wayne Gates. Wayne Gates is the president of CAW 199. He's also a member of Niagara Falls city council, newly elected. To all of my guests, welcome to Queen's Park.

Hon. Deborah Matthews: I am very, very pleased to welcome to the Legislature today representatives from the Association of Ontario Midwives. I want to issue a very special welcome to Allyson Booth. She is the treasurer of the association but, more importantly, she is the midwife who caught my grandson Paxon as he was born just four weeks ago.

Mr. Greg Sorbara: Following up on the comments of the Minister of Health and Long-Term Care, it gives me great pleasure to introduce my daughter Carla Sorbara, who is in the public gallery, and who is not only one of Ontario's outstanding midwives but the mother of three very outstanding grandchildren whom I have the honour of being a part of.

Mr. Jerry J. Ouellette: Staff and students from G.L. Roberts are about to join us in the gallery. I'd ask all members to join me in welcoming them.

The Speaker (Hon. Steve Peters): I'd like to take this opportunity to welcome two longtime friends of mine, Helen and Glynn Cole—welcome to Queen's Park—seated in the Speaker's gallery. Enjoy question period today.

ORAL QUESTIONS

ONTARIO PUBLIC SERVICE

Mr. John O'Toole: My question is to the Acting Premier. Records from the labour board reveal that Premier McGuinty cut a deal with leaders of the Ontario Public Service Employees Union to top up their salaries. The secret deal kicks in after the next election. The labour board records also show that the Premier sent government lawyers to fight to keep the deal with OPSEU secret from the public.

Now that Premier McGuinty got caught and the deal is exposed, will you tell the people of Ontario how much they are paying for the secret deal with OPSEU?

Hon. Dwight Duncan: The government of Ontario routinely negotiates collective agreements with a variety of bargaining agents. The agreements are subject to a mandate that is set by the treasury board. It is then negotiated by senior officials on behalf of the government,

and an agreement is reached eventually, hopefully without labour disruption and other tactics that are used in order to facilitate collective bargaining.

In this case, the deal was executed, shared with union leaders across the province and shared now at the labour board. This constitutes a fair deal over four years in which the government stood up for the taxpayers' interests.

The Speaker (Hon. Steve Peters): Supplementary?

Mr. John O'Toole: Your own lawyers called the Premier's deal with OPSEU "a secret deal." That was in the arguments they presented.

Based on the spending figures from public accounts, Ontario families are on the hook for tens of millions of dollars to pay for Premier McGuinty's secret deal.

Everything about this secret deal to hand out a secret pay increase shows that Premier McGuinty will do anything to stay in power. He sent you to do the dog-and-pony show and pretend wage restraints were coming, but he knew all along there was a secret deal to top up the salaries of 38,000 OPSEU employees by an extra 1% that kicks in after the election. How many other secret deals did Premier McGuinty cut on behalf of—

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

Hon. Dwight Duncan: In fact, there was no secret deal. Side letters are quite common in these circumstances. The overall settlements are down across the public and broader public sectors. This government, through its negotiating process, routinely does what it needs to do to protect taxpayer interests. At the end of the day, agreements are reached and arrived at. There are oftentimes side accords.

We will continue to negotiate with our bargaining partners across the public and broader public sectors as we protect the interests of taxpayers across the province.

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

Mr. John O'Toole: Minister, Ontario families want relief, but Premier McGuinty wants to spend their money on secret deals. Behind closed doors, he cuts a secret deal to increase wages, and when others learn about it, they dispatch lawyers to bury the secret even deeper. I ask you once again to show some respect for the taxpayers.

Here's an example: You did a phony PR scheme to say you would freeze public sector wages, but the money—back in health care—or cutting secret deals that kick in after the election, or fighting tooth and nail to keep secret deals covered up. Why don't you come clean with the people of—

The Speaker (Hon. Steve Peters): I'd ask the honourable member to withdraw that last comment that he made, please.

Mr. John O'Toole: I withdraw that.

Why don't you come clean with the people of Ontario? Tell them how much they're paying for this secret deal.

Hon. Dwight Duncan: What the member hasn't reported is the following: As part of this agreement, we cut costs by 1.25%. You know what we got in this deal? Here are the facts. The union agreed—

Interjections.

The Speaker (Hon. Steve Peters): The member from Oxford. The member from Halton.

Minister.

Hon. Dwight Duncan: The union agreed to eliminate termination pay. The union eliminated the ability to bank things like overtime. We changed automatic access—

Interjections.

The Speaker (Hon. Steve Peters): The member from Halton. The member from Oxford.

Mr. Ernie Hardeman: I didn't say anything.

The Speaker (Hon. Steve Peters): Member from Oxford, you just did. The member from Halton.

Mr. John Yakabuski: You don't have to worry about termination pay; you don't fire anyone—

The Speaker (Hon. Steve Peters): Renfrew.

Interjection.

The Speaker (Hon. Steve Peters): The member from Leeds will withdraw the comment that he's just made.

Mr. Steve Clark: Withdrawn.

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The Speaker (Hon. Steve Peters): Minister.

Hon. Dwight Duncan: The savings exceeded the 1% and represent a good deal for Ontario taxpayers, and we will continue to negotiate in a proper manner to not compromise the taxpayers' interests.

Their story is half-cocked, half wrong and incomplete. We will put the record forward and defend what saves taxpayers money and will continue to negotiate deals like that to lower the cost of the public sector as we transform government right across the province.

ONTARIO PUBLIC SERVICE

Ms. Lisa MacLeod: Back to the Acting Premier: The Association of Management, Administrative and Professional Crown Employees of Ontario, AMAPCEO, says that it used the public part of the OPSEU deal as a benchmark for its own contract, but they would have held out for more money if they had known about Premier McGuinty's secret deal with OPSEU. I'll bet other unions and arbitrators feel the same way. It's only a matter of time before they say that settled deals should be reopened to reflect the OPSEU secret deal.

How did Premier McGuinty pick which public sector unions will get these secret pay increases and which ones he wouldn't buy off? If the deal is so sweet—

The Speaker (Hon. Steve Peters): I ask the honourable member to withdraw the comment that she just made.

Ms. Lisa MacLeod: Withdraw.

The Speaker (Hon. Steve Peters): Minister?

Hon. Dwight Duncan: It was the member opposite who pointed out that this complaint arose from a union that doesn't think it got a big enough raise in their last agreement. My hope is, now that AMAPCEO—

Interjections.

The Speaker (Hon. Steve Peters): Minister.

Hon. Dwight Duncan: We cut more than 1% in costs, including the elimination of termination pay. That was not reported. We eliminated the ability to bank things like overtime. That was not reported. And we changed the automatic access to factor 80. So if AMAPCEO wants to give us those concessions, we'll gladly accept them.

Instead of defending AMAPCEO, why don't you defend taxpayers and acknowledge a deal that is fair to the union, fair to management and builds on our track record of good labour relations in tough times?

The Speaker (Hon. Steve Peters): Supplementary?

Ms. Lisa MacLeod: Somewhere along the way the minister lost truth, but I just must—

Interjections.

Hon. Rick Bartolucci: That's twice, Lisa. Apologize.

The Speaker (Hon. Steve Peters): Stop the clock. I don't need assistance from the government side.

The member will withdraw the comment she has just made.

Ms. Lisa MacLeod: Withdrawn, Mr. Speaker. But it shows how out of touch that Acting Premier and Premier McGuinty are: that they actually sent out a government official to say that keeping the deal a secret cost taxpayers less money. They actually think they've saved money because other unions settled for less as a result of the secret deal. It's only a matter of time before other unions are going to line up with AMAPCEO and fight to get their deals reopened.

How much more money will Ontario families—taxpayers all of them—have to pay because Dalton McGuinty decided that this secret deal—

The Speaker (Hon. Steve Peters): I remind the honourable member about the use of names; she should be using titles.

Minister.

Hon. Dwight Duncan: In fact, the government she was part of did very similar agreements. Let me give you two examples. They gave a union a me-too clause for factor 80, which means they would have the ability to retire early with a pension, after a similar deal was negotiated with another union. That's one. I'll take her through some of the other examples further on in question period.

If these other unions are prepared to eliminate termination pay, if they are prepared to eliminate the ability to bank things like overtime, if they are prepared to change automatic access to factor 80 if staff are surplus, then yes, we would welcome that.

This deal in fact saved taxpayers 1.25% versus the 1% wage increase, which was a fair exchange and builds on our track record of lowering the overall cost of public wage settlements in Ontario.

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

Ms. Lisa MacLeod: This is a government that wouldn't know how to lower the costs of government ever. They've never, ever done it. Teachers, nurses and other broader public sector unions still have to negotiate their collective agreements. At least publicly, Premier

McGuinty will say that he expects teachers and nurses to freeze their wages, but who knows how they'll feel now that Premier McGuinty's secret deal to top up the wages with other public sector unions is public? Or maybe he whispers something more reassuring in their ears when they get behind closed doors.

You strike secret deals, and it's Ontario families who ultimately pay. How many more secret deals will Ontario families have to pay for Premier McGuinty's quid pro quo with public sector unions?

Hon. Dwight Duncan: Part of this very public deal is the elimination of termination pay, the elimination of the ability to bank things like overtime, and changing automatic access to factor 80 of staff for surplus. I'll remind the members opposite that we had reduced the number of positions by 1,500 by 2010.

The final point I would make is that the last agreement that the party opposite reached with OPSEU, signed in January—

Interjection.

The Speaker (Hon. Steve Peters): The member from Simcoe North will withdraw the comment that he made.

Mr. Garfield Dunlop: Withdrawn, Speaker.

The Speaker (Hon. Steve Peters): Minister?

Hon. Dwight Duncan: The last agreement reached by the previous government in January 2002: 11.45% over three years. This deal represented 9% over four years. We are bringing down the average rate of settlement; we're doing it without strikes; we're working with our partners. They want to go back to the bad old days of strikes and fights. We're negotiating good deals that are good deals for the taxpayers. In this case, we saved the taxpayers a lot more money than the 1% that was put on the table.

TAXATION

Ms. Andrea Horwath: My question is to the Acting Premier. Yesterday, in British Columbia, a government-appointed independent panel revealed that the BC government had oversold the impact of the HST by making inflated claims about job creation and suggesting that families would be no worse off.

Since the Ontario government has made the very same claims, would the Acting Premier finally agree that he and his government have oversold the impact of the HST here in Ontario as well?

Hon. Dwight Duncan: The British Columbia deal for taxpayers was much different than the HST in Ontario. The government of British Columbia did not take the money given to them by the federal Conservative government and give it back to taxpayers. The British Columbia government did not cut personal taxes. They did not cut the small business tax rate, and they did not cut the corporate taxes that are helping our forestry and auto sectors get back on their feet. It was a much different deal.

We're seeing the results: 93% of jobs lost during the downturn are back. The deal is the right deal for tax-

payers. It is about growing the economy, and it's about a brighter future for our children.

The Speaker (Hon. Steve Peters): Supplementary?

Ms. Andrea Horwath: There is actually a way to resolve this. In BC, the government appointed an independent panel to determine the impact of the HST. So here's a challenge for the Acting Premier: If he truly believes what he says about his unfair HST, will he create an independent panel to review the tax and report back to Ontario families before October 6? Will the Acting Premier do that?

Hon. Dwight Duncan: No. We've already had a variety of studies done by a variety of economists from both sides of the spectrum. We have the support of a number of organizations. I'll remind you, the work done by Professor Mintz was peer-reviewed by a number of his colleagues—

Interjections.

The Speaker (Hon. Steve Peters): I just say to the member from Renfrew and the member from Oxford: During the rotation these are NDP questions. The NDP would like to hear the answers, and your interjections are making it extremely difficult for the leader of the third party to hear.

Minister?

Hon. Dwight Duncan: A variety of other reports; people like Hugh Mackenzie and others have come out with it. It's the right policy for Ontario. The tax cuts for low-income Ontarians are quite appropriate in the circumstances. The sales tax credits are appropriate. This is the right public policy to build a stronger and better economy for Ontario's future.

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

Ms. Andrea Horwath: I was actually referring to an independent panel. I guess the Acting Premier didn't hear that.

1050

But let's be clear. Just like the BC Liberal government, the McGuinty Liberals claimed that the HST would create jobs. Just like the BC Liberal government, the McGuinty Liberals claimed that the HST wouldn't cost families more. Both of these claims have been proven to be false in BC, and they are well on their way to being proven false here in Ontario. So why won't the Acting Premier, then, do exactly what was done in BC and create that independent panel to review the HST? What is he afraid of?

Hon. Dwight Duncan: There have been 10 published reports on the HST that are independent. I can assure you that people like Professor Mintz at the University of Calgary are quite independent from this government. Hugh Mackenzie of the Canadian Centre for Policy Alternatives is quite independent from this government. They have concluded the following: that this is the right tax package; that this, in fact, puts money in people's pockets, particularly low-income Ontarians.

What everybody's waiting to know: Instead of tip-toeing around it, will the leader of the NDP say she's

going to cancel the HST, or will she do what the NDP did in Nova Scotia and raise it by two points? That's the only question that's outstanding. Ten independent reports, studied to death: right policy, more jobs, better future.

SMART METERS

Ms. Andrea Horwath: My next question is also to the Acting Premier. With each passing day, it becomes clearer that the Premier's smart meter program is in chaos. The Ontario Energy Board has just approved EnWin Utilities' request to delay implementation of time-of-use pricing until December 1, 2012. That's a full 18 months after the mandatory deadline of June 30, 2011.

Can the Acting Premier tell us how many other local utilities are going to miss the mandatory deadline?

Hon. Dwight Duncan: To the Minister of Energy.

Hon. Brad Duguid: The member doesn't really know what she's referring to here. We have implemented 4.6 million smart meters across this country. The fact is, that is the best implementation program in the entire world.

No jurisdiction has modernized their energy system as effectively, efficiently, on time and on budget as we have here in this province. Two million customers across this province are now on time-of-use. By the end of June, three million will be on. Likely by the end of the year, there will be a majority of Ontario families on. By any reasonable standard, that's an extraordinary implementation and modernization of an energy system, and there's not a jurisdiction in the world that rivals that.

The Speaker (Hon. Steve Peters): Supplementary?

Ms. Andrea Horwath: This government's smart meter program is also running badly over budget. As of last September, an audit revealed that the billion dollars budgeted for the entire program had already been spent, yet not even one half of the planned smart meters had been hooked up to time-of-use billing.

With companies like EnWin in Windsor requiring an additional 18 months past the deadline to complete the transition to time-of-use billing, what is this Acting Premier's best estimate of how much over budget the disastrous smart meter program is going to eventually be? Will it be 20% over budget? Will it be 30% over budget? Will it be 50% over budget?

Hon. Brad Duguid: I think the leader of the third party has an obligation to be straightforward with Ontarians. The fact of the matter is—

Interjections.

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

I appreciate the assistance from both sides of the House in trying to deal with issues as they arise in the chamber. I would remind members on both sides that comments do get made in here that cause disorder in the House, and disorder is not helpful.

Interjection.

The Speaker (Hon. Steve Peters): It's not helpful for anyone in the chamber. I'm going to ask the minister to withdraw the comment that he just made, please.

Hon. Brad Duguid: Okay, Mr. Speaker. I'm happy to withdraw.

The Speaker (Hon. Steve Peters): No, an unequivocal withdrawal.

Hon. Brad Duguid: I'm happy to withdraw that, Mr. Speaker.

The leader of the opposition continues to use information that's not correct. I think it is very important that Ontario families have correct information. The time-of-use program, the smart meter program, is being implemented on time; it's on budget. It's good news for Ontarians because it is improving our system.

That leader has been leader for 778 days. What Ontario families deserve to know is: Do you support our efforts to modernize our energy system or do you not? Do you support our efforts to get out of dirty coal and replace it with clean sources of energy? Yes or no?

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

Ms. Andrea Horwath: On top of all this, Ontario families aren't benefiting from the government's smart meter program. Early reports suggest that most people are unable to shift their hydro use and are not getting a break on price.

Here's the big picture: Implementation is running badly behind schedule, the program is hundreds of millions of dollars over budget and the vast majority of Ontarians are getting no benefit whatsoever from the program. When will this government finally admit that its smart meter program has been a disaster and simply doesn't work?

Hon. Brad Duguid: This leader of the third party continues to put forward information that is factually incorrect. She can do that if she wants to—

The Speaker (Hon. Steve Peters): Stop the clock. You can find different ways to be critical of the member. Language like that isn't helpful. I just ask you to withdraw that, please.

Hon. Brad Duguid: Mr. Speaker, I'll withdraw that.

The Speaker (Hon. Steve Peters): An unequivocal withdrawal.

Hon. Brad Duguid: I thought that was, but I withdraw that.

Mr. Speaker, I'm not quite sure how I can disagree with the member here in this Legislature, but I'll do my very best. The member—

Interjection.

The Speaker (Hon. Steve Peters): The member from Durham will withdraw the comment that he just made.

Mr. John O'Toole: Withdraw.

Hon. Brad Duguid: I think what Ontario families need to know is, after 778 days as leader of the third party, what do that member and her party want to do to modernize our energy system? We need to modernize our energy system if we want to meet the needs of Ontario families into the future. And yet, you have fought us every step of the way and offered no alternative in place of what we're doing. Modernizing our energy system is an important part of building a strong, reliable, modern

energy system, and an important part of getting out of dirty coal and replacing it with cleaner sources of power. Why does the NDP stand in opposition to—

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

ONTARIO PUBLIC SERVICE

Mr. Peter Shurman: My question is also to the Acting Premier. On page 1 of the application to keep the public from seeing the secret side deal you cut with OPSEU, you argue how transparent you are. That's as absurd as saying that hydro bills are going down. Honestly, I can't make this stuff up. On page 3 of the application you call the side deal with OPSEU "the secret deal"; and I quote again, "the secret increase."

You used to at least try to dodge and deflect and stonewall. Now you're too out of gas to even do that. How soon until you start calling eHealth and LHINs "boondoggles" and your HST a "greedy tax grab"?

Hon. Dwight Duncan: The deal that eliminated termination pay, eliminated the ability to bank things like overtime and changed automatic access to factor 80 if staff are surplus in fact saved taxpayers money. These types of arrangements through side letters to collective agreements are relatively common. This particular agreement was shared across the province with all locals and with management. It's important to understand the give-and-take that goes on in collective bargaining. This deal represented a savings for Ontario taxpayers. It gave the government the ability to negotiate, which is important for the government in order that we can protect the taxpayer interest. If other unions want a similar concession package, we'll be happy to talk to them about it.

The Speaker (Hon. Steve Peters): Supplementary?

Mr. Peter Shurman: Premier McGuinty is out of gas and out of touch with Ontario families, who cannot afford his sweetheart deals that even government lawyers are calling "secret." They can't afford the money you waste trying to keep the Premier's secret deal a permanent secret. Even if you won't save the money you spend on secret deals to top up wages, you could have at least saved all of that money you wasted on pesky lawyers who end up admitting that it is a secret deal for a secret pay increase after all. Wouldn't it have been cheaper, Acting Premier, and more subtle, just to stand outside of polling stations and hand out cash?

Interjections.

The Speaker (Hon. Steve Peters): The member from Thornhill will withdraw that last comment that he made.

Mr. Peter Shurman: Withdrawn, Speaker.

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The Speaker (Hon. Steve Peters): Minister?

Hon. Dwight Duncan: There's certainly a lot of gas on the other side of the House.

This deal saved taxpayers. We have eliminated termination pay for the affected bargaining unit. We've eliminated the ability to bank things like overtime—something that you folks have called for, by the way. We've changed

automatic access to factor 80. We saved taxpayers 1.25%; the deal was 1% in cash. Instead, it's the right deal; it represents how bargaining should work. The employer needs to have the ability to negotiate the way we negotiated because we stood up for taxpayers.

If he wants to reopen deals and give unions more, that's his business. We want to bargain collectively and get a good deal for taxpayers and a good deal for the fine people who work in our public service right across Ontario.

OFFICE OF THE OMBUDSMAN

Mr. Rosario Marchese: My question is to the Acting Premier. This afternoon, we will be debating my Ombudsman bill, Bill 183. The bill would give the Ombudsman the power to oversee the Office of the Independent Police Review Director, universities, hospitals, long-term-care homes, school boards, children's aid societies and retirement homes.

We know that there are problems with these institutions because the Ombudsman received 4,000 complaints about them in 2010. We also know this because people call us every week from across the province to voice their horror stories. In fact, many of them are here, many of them came to the press conference this morning, they're here for this question period and they're going to be here for the debate this afternoon. That's how painful the stories are. They're parents, children, patients and the elderly, and they have nowhere to turn when the system fails them.

When will the government finally acknowledge that there are serious problems with our public—

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

Hon. Dwight Duncan: I understand that it's a private member's bill. The House will have the opportunity to vote on that this afternoon as, during private members' hours, members have the ability to vote as they see fit.

I'll ask some of my colleagues to address the specifics of this as we move forward into the supplementary, but our government is very proud of its record on access to— for instance, we extended freedom of information across a variety of institutions that weren't there before. We created a greater power for the auditor. He's now looking, for instance, at our last budget to look at the projections into the future.

I'll look forward to hearing the verdict of the House on this private bill and look forward to the ability of all members to cast their ballots either for or against this particular legislation.

The Speaker (Hon. Steve Peters): Supplementary?

Mr. Rosario Marchese: The people who are here and those who could not come are looking to you, the Premier and your government to validate their pain, to say, "We hear you," to give them a voice because many of them are voiceless. And you say, "Wait for the debate this afternoon and see what the verdict is." They're waiting for you to take action. You don't even need to hear my bill; you can do it today.

Last April, I asked the Minister of Children and Youth Services why she was adamantly against Ombudsman oversight over children's aid societies. The minister's response was that the Child and Family Services Review Board has oversight powers over children's aid societies. It seems that the minister was not aware at the time that that's no longer the case. In 2010, the Superior Court of Justice made a decision stating that the CFSRB does not have the power to hear certain CAS complaints. When will you—

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

Hon. Dwight Duncan: I look forward to debate today and I look forward to the views of members of the House.

I do want to remind the member opposite of some of the things that we have done in terms of accountability. First of all, we've expanded the sunshine list to include OPG and Hydro One. We gave the Auditor General an expanded role for value-for-money audits of the broader public sector, hospitals, universities and schools. We tightened the rules for travel and meals and made the Integrity Commissioner review the expenses of our 22 largest agencies. We provide a variety of supports and a variety of review mechanisms to people who access these services. I look forward to the response of the Legislature today to the member's bill—

Hon. Gerry Phillips: That's appropriate.

Hon. Dwight Duncan: —which is appropriate, as my colleague says. I congratulate the member for his passion in bringing this forward, and I look forward to the views of all of our colleagues on this legislation.

PUBLIC TRANSIT

Mr. Kuldip Kular: My question is for the Minister of Transportation. Minister, public transit is one of the most important issues to the people in my riding, Bramalea-Gore-Malton. Many of my constituents commute daily to downtown Toronto for work and school. Often, this involves travelling on several transit systems: their local regional transit; GO Transit; and, more often than not, the Toronto transit system.

Minister, I understand that our government has been working to make it easier for my constituents—indeed, all Ontario residents—to travel within the greater Toronto area using a smart card. We are finally catching up to other world-class cities with the use of an electronic fare payment in the greater Toronto and Hamilton area. I understand that Presto has been rolling out in various greater Toronto and Hamilton municipalities. Can the minister update the House on the progress made to date?

Hon. Kathleen O. Wynne: I'd like to thank the member for Bramalea-Gore-Malton for the question. Presto is the first-ever regional fare card for public transit users in Ontario. As the member noted, there are electronic cards already in use in other jurisdictions. London, Hong Kong, San Francisco, Seattle and Holland all have smart cards, and commuters are able to use them to great success.

Mr. Presto—Mr. Speaker.

Laughter.

Hon. Kathleen O. Wynne: Mr. Speaker, I like Presto. I like to think of the Presto card as a mechanism for regionalism in the greater Toronto area. It's allowing people to move around the system seamlessly, without having to carry a number of different cards and tokens, and people are very keen on using it.

The Speaker (Hon. Steve Peters): Supplementary?

Mr. Kuldip Kular: Thank you, Minister. This is great news for transit riders in those municipalities, and hopefully, the Presto card will encourage more people to leave their cars at home and take public transit to work or school.

It sounds like good progress has been made in getting GO Transit and local transit providers to use Presto in the places you have mentioned. I believe the agreement with the city of Toronto will help encourage the surrounding municipalities to move forward and integrate into the province's regional transit strategy.

However, the community of Brampton is still waiting to jump onto Presto. Can the minister tell my constituents in Bramalea–Gore–Malton when they can expect Presto to be in their communities?

Hon. Kathleen O. Wynne: Already, 39,000 cards have been issued to transit riders and those cards have been used 3.5 million times, so people really want this. I'm happy to say that the city of Toronto is also working with us to implement Presto.

I'm very pleased to say to the member that Presto is going to be implemented in Brampton Transit in the coming weeks. It's coming to Brampton. It's already—today—being implemented, as I speak, at the Richmond Hill GO station and the Agincourt GO station.

As I said, this is a mechanism for regionalism. It's part of the culture shift in which we're involved, where we're getting people out of cars and onto public transit. We're making the biggest investments in transit in a generation, and the Presto card, the smart fare card, is part of that transition. People want it and we're delivering it across the GTA today, and it's coming to Brampton.

HEALTH CARE

Mrs. Elizabeth Witmer: My question is for the Minister of Health. We've now learned that Premier McGuinty's priorities are very different than the ones of Ontario families. He is wasting public money on making secret deals and then hiring lawyers to keep Ontario families from knowing about them.

I can tell you, Ontario families want their hard-earned dollars spent on front-line health care. One priority is the reopening of the emergency room at Fort Erie Douglas Memorial Hospital, which our leader has promised to do.

I ask you: If Fort Erie families vote for the Liberals this fall, will you reopen the emergency room, or is the only way that it will be reopened is for those people to elect a Tim Hudak government?

Hon. Deborah Matthews: I'd like to thank the member for this rather interesting question. What I can tell

you is that we are working very, very hard to improve care in the Niagara area. The new hospital in St. Catharines is on schedule. It will bring cancer treatment to the people of Niagara so they no longer will have to travel to Hamilton to get the care when they are fighting cancer.

There are many initiatives in the Niagara area that we are working on. I am delighted that the Yellow Shirt Brigade is with us here again today. I was very pleased to meet with some of the municipal leaders recently to discuss health care in the Niagara region.

I look forward to the supplementary.

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The Speaker (Hon. Steve Peters): Supplementary?

Mrs. Elizabeth Witmer: Again to the Minister of Health: Yes, the members of the Yellow Shirt Brigade are here today. They, along with their families, their friends and the municipal leaders from across Niagara, are calling on this government for an independent investigation into the Niagara Health System. To date, they feel that no one has listened, and the health care cuts across Niagara are continuing.

Today will you show respect for these families who are calling for an independent investigation?

Hon. Deborah Matthews: I have nothing but the greatest of respect for the members of the Yellow Shirt Brigade and the other members in Niagara—

Interjections.

The Speaker (Hon. Steve Peters): Stop the clock. The minister and the member from the opposition seem to be having a disagreement. Debate is always healthy in this chamber, but we have a question and answer taking place, and this additional debate is interfering in that process. I would encourage those members, if they want to have that discussion, to take that discussion outside of the chamber, please.

Minister.

Hon. Deborah Matthews: I have to say that I find this question a bit mystifying, because it comes from a party that shut hospitals, that fired nurses when they had the chance when they were in government. This is also the party that has committed to cutting taxes. You cannot cut taxes without cutting health care. It is as easy as can be.

I can tell you that our government is committed to continuing to improve health care, to expand our family health teams and our nurse practitioner-led clinics, to drive wait times down and to improve the quality of care in this province.

They can't have it both ways. They can't say, "We're going to cut taxes and improve care." It cannot happen.

FINANCEMENT DES COLLÈGES

COLLEGE FUNDING

M^{me} France Gélinas: Ma question est pour le ministre de la Formation et des Collèges et Universités. Depuis 2002, le Collège Boréal a un campus à Toronto. Depuis neuf ans, ils essaient de consolider leurs campus. Les francophones de Toronto veulent pouvoir poursuivre leur

formation collégiale en français et se tournent vers Boréal en grand nombre. Les salles de classe de Boréal sont pleines à craquer. Pourquoi est-ce que les besoins des apprenants et apprenantes francophones comptent si peu pour votre ministère qu'après neuf ans, Boréal n'a toujours pas les fonds d'opération nécessaires à la consolidation de son campus à Toronto?

L'hon. John Milloy: D'abord, j'aimerais dire qu'on continue de travailler avec le Collège Boréal pour s'adresser à la situation.

As the honourable member knows, we have a great commitment to francophone education throughout Ontario. Collège Boréal offers services in northern Ontario and in the south of Ontario. As I said, we continue to work with them to make sure that they can offer the best services to francophone students here in the south.

We have made it a priority to make sure that we reach out to students—aboriginal students, students with disabilities, francophone students—who wish to study in French, students who, in fact, have been under-represented in this system.

The Speaker (Hon. Steve Peters): Supplementary?

M^{me} France Gélinas: Ça fait neuf ans. Le Collège Boréal a une proposition solide qui donnerait aux apprenants et apprenantes la chance de vivre une expérience collégiale comme dans tous les collèges anglophones. Pourquoi est-ce qu'au campus de Toronto, on n'a pas de cafétéria? On n'a pas de bibliothèque, on n'a pas d'espace de rassemblement; ils sont éparpillés un peu partout au travers de la ville de Toronto.

Quand est-ce que le ministre va reconnaître que les francophones en Ontario ont le droit à l'enseignement collégial en français équivalent à ce qui s'offre aux anglophones, et financer les fonds d'opération du campus de Boréal à Toronto?

Hon. John Milloy: We have invested billions of dollars in post-secondary education throughout this province, including funding to support francophone students in northern Ontario, eastern Ontario and the south of Ontario.

I am proud of the tremendous investments that we have made in Collège Boréal, partly through the support of my colleague the member from Sudbury, who is a great advocate for the support for Boréal. We continue to support Boréal's operations in the south of Ontario. We continue to work with Collège Boréal and all community colleges and universities throughout this province to make sure that they are providing outstanding education.

I find it passing strange that a member from a party that cut funding to our colleges and universities, that cut funding for student support, would stand up and be critical of the literally billions of dollars that we have invested in post-secondary education in this province, y compris l'éducation pour les francophones.

MIDWIFERY

Mrs. Maria Van Bommel: My question is for the Minister of Health and Long-Term Care. Minister, today

is International Day of the Midwife, and, as you indicated earlier, the Association of Ontario Midwives is currently in attendance here at question period and will be holding a reception later this afternoon, which I hope all members will attend.

Midwifery has long played a role in the prenatal care and birthing of babies around the world. As a matter of fact, my own husband was not only delivered but he was also named by the midwife who assisted his mother. I firmly believe in the skill and the integrity of midwives and I am proud to be part of a government that supports them so strongly.

Minister, could you tell the Legislature about how the Ontario government is supporting the great work of midwives across this province?

Hon. Deborah Matthews: Thank you to the member from Lambton–Kent–Middlesex for the question. I know how strongly she feels about this issue.

I would like to welcome the midwives to the Legislature this morning. I also want to thank them for the work they do every day to support families and to promote midwifery in Ontario. I genuinely respect the skills and the values and professionalism that midwives bring to our health care system in Ontario.

More and more parents are choosing the care of midwives. In fact, Ontario's 529 midwives delivered care to 16,000 women and their babies last year. That's over 10% of the births. Just over a month ago I saw first-hand the skill of midwives when my grandson Paxson was born to my daughter Christie and her husband Mark. I was there. I saw the work they do and I am eternally grateful.

The Speaker (Hon. Steve Peters): Supplementary?

Mrs. Maria Van Bommel: Thank you, Minister. I know that our highly qualified midwives are an important health care option available to Ontario families. As a matter of fact, this care is covered by OHIP both in hospitals and at home.

I know that midwifery services are in great demand across Ontario. Parents and grandparents understand and appreciate the value of the personal care provided by midwives. What is this government doing in order to meet the demand for midwifery services across this province?

Hon. Deborah Matthews: I'm very pleased to say that we are working toward ensuring that every woman who wants the care of a midwife is actually able to access the care of a midwife. We have come a long way. Since we were elected in 2003, we've more than tripled funding for midwife services, and we're committed to doing more. That's why we've expanded enrolment at three midwifery programs in Ontario. When the first expanded class graduates next year, 65 new midwives will be ready to practise. I met with some of those midwifery students at McMaster University just a few weeks ago. This is great news for Ontario families.

We've also worked with the College of Midwives of Ontario to expand the scope of practice for midwives so they can provide more services.

We are looking forward to the ongoing collaboration with midwives to further improve care in this province.

WIND TURBINES

Mr. John Yakabuski: My question is for the Minister of the Environment. Your ministry has received 750 complaints about wind turbines in just two years. That's more than one complaint a day. This should come as no surprise. Every member in this House has received complaints about the siting of wind turbines. You claim to have rules regulating the placement of wind turbines, but by your own admission you're doing absolutely nothing about non-compliance. Companies are in the business of making a profit. If your ministry issues no fines and issues no orders to comply, you are giving them your tacit approval to ignore the rules.

Why have you abandoned your responsibility as a government to set the rules and to also make sure that they are followed?

Hon. John Wilkinson: I want to thank the honourable member for the question. The principal reason we have a Minister of the Environment is to protect human health, particularly for our children, many of whom are visiting us today in the Legislature. They expect to have clean air to breathe. The number one reason our children go to emergency rooms is because of asthma due to poor air quality. On this side of the House, we are committed to cleaning up our air.

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I say to the member that when we came into power, we had some 10 wind turbines in the province of Ontario. Today there are well over 800. During the period in question, over two years, we received some 750-odd complaints from 50 families. The vast majority of those complaints came from 20. We take all of those complaints very seriously because it's important for us to make sure that we're protecting human health. That is exactly what we do. That's why, in every case, we review the complaint and we make sure that—

The Speaker (Hon. Steve Peters): Supplementary?

Mr. John Yakabuski: Let's compare the records, Minister. Your government brought in heavy-handed legislation that completely stripped municipalities of their voice in the placement of industrial wind farms. For over two years, you have brushed off reasonable requests from the public seeking assurances that development is being done responsibly. By contrast, over a year ago the Ontario PC Party introduced an opposition day motion that called for the study of health and environmental impacts of wind farms, and to restore the planning authority governing them to municipalities and local boards. Your caucus was whipped and voted against it. How does your party justify showing such little respect for the people you claim to represent?

Hon. John Wilkinson: Let's be very clear: When it comes to this issue, the facts are obvious. For over 800 wind turbines, we have received complaints on less than 1 in 20, and the position of the Progressive Conservative

Party is to shut them all down. You ask for a moratorium on wind. What do we get from wind? We get renewable energy. Do we get air pollution? No. Do we get negative effects for our children? Absolutely not. Your position is, because there's 1 in 20—and in every case, we investigate and we take those complaints very seriously. I say to the member, we'll put our record on this side of the House protecting—

Interjection.

The Speaker (Hon. Steve Peters): The member from Renfrew, you just asked a question. I would appreciate it if you would listen to the minister.

Minister.

Hon. John Wilkinson: All we know is, the party of the moratoria over there doesn't want to have renewable energy, so we can go back to burning dirty coal, which affects everyone in this House and all of our children. On this side of the House, we are for renewable energy. You are for the burning of dirty coal.

HEALTH CARE

Ms. Andrea Horwath: As already has been mentioned, we are joined at Queen's Park today by members of the Yellow Shirt Brigade. These community members have fought tirelessly to protect and restore health care in Niagara. As emergency rooms, medical beds and operating rooms close in Port Colborne and Fort Erie, as Niagara regional council and eight municipalities have passed resolutions requesting an independent investigation into the Niagara Health System, as over 13,000 signatures have been collected, the yellow shirts have fought endlessly to bring attention to the problems in Niagara. After ignoring Niagara's elected officials, will she do the same to the region's community activists?

Hon. Deborah Matthews: I have to say that I really object to the tenor of that question. We are working very hard to improve health care in the Niagara area. We do understand that there are issues that we need to address, and we are working hard to find those solutions.

Earlier this week, the member opposite raised an issue that was a complete—let me just offer clarification about long-term-care beds, because there was some misinformation in this House on that issue. There was speculation that there were beds being closed. That is completely untrue, and the question was based on unfounded information.

What I think is important to do is that all of us together have a responsibility to the people we serve as well as to our political parties. I would ask the member opposite to think about what she's doing to health care in Niagara.

The Speaker (Hon. Steve Peters): Supplementary?

Ms. Andrea Horwath: The pain and suffering caused by problems in Niagara's health care system are staggering. Patricia Anzovino, the grandmother of Reilly Anzovino, is with us here today. Reilly tragically died as her ambulance approached the Welland Hospital because the nearby Fort Erie emergency room was closed. Every

resident in Niagara is left wondering whether the health care services they need are going to be there for them when they're required the most.

Today, will the Minister of Health finally stop denying the situation in Niagara, which she continues to do right up until this very minute, and explain to the yellow shirts and all of their fellow citizens in the Niagara region how her government plans to address the problems that truly do exist in their region?

Hon. Deborah Matthews: I'd like to begin by offering my condolences to the grandmother who is represented here today. I think all of us can only imagine what you are dealing with. I very much look forward to the coroner's report. I know that the coroner is investigating this tragedy.

What I can tell you is that the focus on improving care in Niagara is strong; it is showing results. The urgent care centres in Fort Erie and Port Colborne are seeing higher volumes and they are seeing shorter wait times. We're seeing dramatically shorter wait times for procedures like hip replacements—

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

WATER QUALITY

Mr. Phil McNeely: My question is for the Minister of the Environment. Minister, Ontario families know that a sustainable water source is vital to our well-being and our way of life. Much of the world's fresh water is found right in our own backyard in the Great Lakes. A key plank of the Open Ontario act is to ensure that Ontario become a centre of excellence in developing clean water technology. Ontario has already been identified as a leader in the emerging market of clean water—a key driver of economic prosperity.

Minister, protecting the environment by creating good green jobs is a priority for the McGuinty government, but will Ontario really be able to become a leader in clean water technology?

Hon. John Wilkinson: I want to thank my friend for the question. For some context on this planet—the water planet: If you took all of the water on this planet and you said it was 100 litres, 97 of those litres would be salt water, which means we can't drink it. Two of those litres are frozen in our polar ice caps. Only one litre of that 100 litres is actually fresh drinking water. Fortunately, here in Ontario, we are the great stewards of one of the greatest reservoirs of fresh water in the world: the Great Lakes system. So we take great responsibility about how we need to steward that water. But in an increasingly thirsty world, what we need to do is export our expertise and our technology, not our water. That's why, in the Water Opportunities Act, we were very clear that we will not export our water, but we will export our technology to help an increasingly thirsty world.

The Speaker (Hon. Steve Peters): Supplementary?

Mr. Phil McNeely: The world relies on these Ontario companies to provide the technology to keep them safe. I

know that the good people of Ottawa–Orléans will be pleased to know that Ontario is creating green jobs, exporting our technologies around the world. Ontario's fresh water supply is a limited resource, one that must be cherished and protected for future generations.

Some residents in my riding want to make sure that any economic development does not come at the expense of this valuable resource. Minister, can you tell this House how the Water Opportunities and Water Conservation Act will actually improve water conservation in Ontario?

Hon. John Wilkinson: That's exactly why it is called the Water Opportunities and Water Conservation Act. I, for the life of me, cannot really understand why the opposition would vote against that; I don't know if it was the "opportunity" or the "conservation" part or the "water" part. But what I can tell you is that the global market is some \$400 billion a year. It's growing at 15%. There are already 22,000 people in the province of Ontario in that clean water sector; good-paying jobs, the kind of jobs that we want for our children.

I want to assure the member that, working with municipalities, we are helping them understand that if they can conserve water, they can lower the cost for people who use water, and in the same way, also make sure that we're preserving this precious, very valuable resource. I want to say to the member that we believe that water and the legacy of water that we have inherited is something that is so important that we steward. I want to thank him for his advocacy on this matter.

WIND TURBINES

Ms. Sylvia Jones: My question is for the Minister of the Environment. Based on your comments in the media today, you seem to believe that every problem resulting in the siting of industrial turbines will be solved by the companies who own them. That certainly explains why you've been ignoring the Whitworth and Kidd families in my riding since 2006. They have been forced out of their homes at the recommendation of their doctor, who used to be a medical officer of health, because of the constant noise and electrical pollution produced by the substation. Minister, after five years, isn't it time for you to act?

Hon. John Wilkinson: First of all, I want to thank the member for her question and for the advocacy on behalf of her constituents.

The reason the Ministry of the Environment is open 365 days a year, 24/7, is that people, if they feel that there is some detriment to their health due to an environmental issue, can call us. That's exactly why people call us. I want to say to the member that all the wind turbines that are up in the province are based on the old rules, and all of them are expected and required by law to comply. So when people complain, we take that very seriously and we investigate.

1130

One of the powers that we have at the Ministry of the Environment is the fact that they cannot operate without

our approval. So when we call a company and say that we have a concern, they take action. We expect them to take action. We take the complaints seriously; we investigate them.

I'm more than happy to discuss with the member concerns about her own particular constituents, but—

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

Ms. Sylvia Jones: Minister, they've been calling for five years. The point is, you have done nothing.

The substation is located 390 metres from the Kidd home and 490 metres from the Whitworth home, even though your own regulation states that substations must be, at minimum, 500 metres away from dwellings. You were also told in a meeting with the Amaranth councillors that there was no approval given for this substation, even though your ministry regulations demand it.

Minister, when are you going to stand up for the Kidds and the Whitworths in Dufferin–Caledon?

Hon. John Wilkinson: The question is, why did the member vote against the Green Energy Act, which was designed to ensure that we have, at the provincial level, the tools we require to ensure that companies are protecting human health? It is exactly why we uploaded responsibility for these issues to the provincial government: because it's our level of government that has the ability to deal with these companies and ensure that they are in full compliance with provincial laws.

As I said to the member, I have reviewed the correspondence between my ministry and your constituents, and I'd be more than happy to have a discussion with you and your constituents about this matter. Again, it is very important to understand that in all of these particular cases, our job is to protect human health, and at the Ministry of the Environment, we take that job very, very seriously. As a result, we will continue to do what is required to protect human health—

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

SOLDIERS' REMAINS

Mr. Paul Miller: My question is to the Minister of Tourism and Culture. On a few occasions in question period, I've raised the issue of the reburial of War of 1812 British, aboriginal and American soldiers' remains. The minister has sent me notes and has spoken to me to say that he's looking into the request for \$200,000 in funding specific to this project, but from where I sit, I can't see any action being taken.

Will the minister finally commit today, publicly and positively, to the city of Hamilton's request for \$200,000 for this reburial project?

Hon. Michael Chan: Thank you for the question. Yes, I did exchange notes, and even talked to the honourable member. Quite recently, I said to him that I'm still waiting for the mayor of Hamilton to respond to my letter.

But having said that, the War of 1812 bicentennial offers Ontario a unique opportunity to celebrate our rich

heritage while promoting tourism and generating economic activity. This is why our government has invested a total of \$27 million to enhance the War of 1812 heritage site. We've also invested over \$1 million to assist seven regional umbrella groups in planning local 1812 activities. This includes \$50,000 to the western corridor bicentennial alliance, which includes the city of Hamilton.

I appreciate the significance of the battle of Stoney Creek and the Smith's Knoll site to the city of Hamilton.

The Speaker (Hon. Steve Peters): Supplementary?

Mr. Paul Miller: With all due respect to the minister, he has received a letter from Mayor Eisenberger, from Councillor Clark, from me and from veterans, so that answer is not good enough.

We have a few months remaining until the bicentennial of the beginning of the War of 1812. We have just over two years until the commemoration of the June 5, 1813, Battle of Stoney Creek, Canada's sovereignty battle. Now is the right time. It's the right weather. It's a good time to start an archaeological dig.

Will this minister commit these funds now so that work can get started, or is he waiting to make this announcement in the fall? I hope not, because this is non-political. This is for the respect for the veterans of the War of 1812, and I would hope that this government would step up to the plate and honour our heroes.

Hon. Michael Chan: Thank you again for the question. The War of 1812 is a very significant event in our history. It was said that it even gave Canada its identity.

Let me repeat: I contacted the new mayor of Hamilton to encourage the city to work with the alliance, as its role is to identify local and regional bicentennial projects and priorities.

Our government commends and appreciates the collective efforts across Ontario to plan and develop the 1812 bicentennial activities. Come 2012, there will be celebrations of 1812 across Ontario.

CHILDREN'S MENTAL HEALTH SERVICES

Mr. Dave Levac: My question is for the Minister of Children and Youth Services. Over the years, I've seen a need for an increase in services for kids struggling with mental health challenges. As a principal and former educator, I've heard from parents—and I've worked with parents—that children have different needs than adults. They need supports that will help them address their problems quickly—identify them early and intervene early—to remain in school and grow to be productive citizens. Research is now showing that increased support for students with mental health issues lowers the dropout rate.

I also have with me the largest territory in Canada, the Six Nations—and I wanted to know whether or not the minister can help us with this and explain the support for children with mental health issues across the board, including the Six Nations territory on the Grand River.

Hon. Laurel C. Broten: I want to thank the member from Brant for his advocacy with respect to children's mental health, his advocacy with respect to the aboriginal communities that he represents in his community, and for bringing this issue to the floor of the Legislature once again.

I, too, have heard from many families, providers and experts about the importance of early identification, early intervention, meeting the special needs that children have in a non-stigmatizing way, meeting those needs in communities. Whether it's the Provincial Advocate for Children and Youth, Children's Mental Health Ontario, our ministry and our government, we all agree that an integrated mental health system must address the needs of children and youth in a specific way. That's why we're committing to investing in a comprehensive mental health and addictions strategy, starting with children and youth. Some of those children who will be at the very forefront, whom we need to pay special attention to—are the unique challenges faced by aboriginal communities, their children, and making sure that we are able to give those kids right across the province, on- and off-reserve, the services and supports they need to be everything that we aspire for them.

DEFERRED VOTES

BUILDING FAMILIES AND SUPPORTING YOUTH TO BE SUCCESSFUL ACT, 2011

LOI DE 2011 FAVORISANT LA FONDATION DE FAMILLES ET LA RÉUSSITE CHEZ LES JEUNES

The Speaker (Hon. Steve Peters): We have a deferred vote on the motion for second reading of Bill 179, An Act to amend the Child and Family Services Act respecting adoption and the provision of care and maintenance.

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

The division bells rang from 1138 to 1143.

The Speaker (Hon. Steve Peters): On April 19, 2011, Ms. Smith moved second reading of Bill 179. All those in favour will rise one at a time and be recorded by the Clerk.

Ayes

Albanese, Laura	Gélinas, France	Munro, Julia
Arthurs, Wayne	Gravelle, Michael	O'Toole, John
Balkissoon, Bas	Hampton, Howard	Ouellette, Jerry J.
Barrett, Toby	Hoskins, Eric	Pendergast, Leeanna
Bentley, Christopher	Jaczek, Helena	Phillips, Gerry
Berardinetti, Lorenzo	Jeffrey, Linda	Prue, Michael
Best, Margaret	Johnson, Rick	Ramal, Khalil
Bisson, Gilles	Jones, Sylvia	Rinaldi, Lou
Broten, Laurel C.	Kormos, Peter	Ruprecht, Tony
Brownell, Jim	Kular, Kuldeep	Sandals, Liz
Cansfield, Donna H.	Kwinter, Monte	Savoline, Joyce
Carroll, Aileen	Lalonde, Jean-Marc	Sergio, Mario
Chan, Michael	Leal, Jeff	Shurman, Peter
Chiarelli, Bob	Levac, Dave	Smith, Monique

Chudleigh, Ted	Marchese, Rosario	Sorbara, Greg
Craitor, Kim	Matthews, Deborah	Sousa, Charles
Delaney, Bob	McNeely, Phil	Wilkinson, John
Dhillon, Vic	Meilleur, Madeleine	Wynne, Kathleen O.
Dombrowsky, Leona	Miller, Norm	Yakabuski, John
Duguid, Brad	Miller, Paul	Zimmer, David
Duncan, Dwight	Milloy, John	
Dunlop, Garfield	Mitchell, Carol	

The Speaker (Hon. Steve Peters): Those opposed?

The Clerk of the Assembly (Ms. Deborah Deller):

The ayes are 64; the nays are 0.

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

Second reading agreed to.

The Speaker (Hon. Steve Peters): Shall the bill be ordered for third reading?

Hon. Laurel C. Broten: I would ask that the bill be referred to the Standing Committee on Social Policy.

The Speaker (Hon. Steve Peters): So ordered.

There being no further deferred votes, this House stands recessed until 1 p.m.

The House recessed from 1146 to 1300.

INTRODUCTION OF VISITORS

Mr. Tony Ruprecht: I am absolutely delighted to introduce to the Legislature two very important guests: Mr. Mehmet Budak, who is the executive director of the Turkish Canadian Chamber of Commerce, and Mr. Fatih Yegul, who is the executive director of the Anatolian Heritage Federation. They're here today to follow the proceedings because we're going to be introducing the Anatolian Heritage Day Act today.

MEMBERS' STATEMENTS

RENEWABLE ENERGY

Mr. Ted Arnott: There's only one thing spinning faster than the McGuinty Liberals' wind farms, and that is the rhetoric of the Minister of the Environment. It's really no surprise, given the complaints streaming in about wind farms, some 750 in the last two years alone. But instead of addressing the complaints and ensuring full compliance with the law, the Liberals are content just to brush off citizens with legitimate concerns. In fact, I'm receiving emails from people in Perth–Wellington, the environment minister's own riding. They are justifiably upset that their MPP isn't listening. They're angry that he keeps changing his story—and his story is inconsistent with the facts.

Yesterday, in a staged question, the minister said his ministry received some 45 wind farm applications, 24 of which were rejected for insufficient consultation. There's just one problem: No one believes him anymore. I certainly don't buy it. That's why he needs to release that list of applications and he needs to show proof that

consultation was in fact the main reason why those 24 applications were rejected.

Remember, this minister approved a wind farm in his own riding even though the municipality chose not to submit the consultation forms which were necessary, or so he used to tell his constituents. The minister said that if a wind farm application was incomplete, it would not be approved. He's never denied saying it, and for changing his story and brushing off all who disagree with him, including his own constituents, he should apologize.

ACCESSIBLE MEDIA INC.

Mr. Kevin Daniel Flynn: On a more positive note, it's a pleasure to rise and say a few words about a company called Accessible Media Inc.

A few weeks ago, I attended a unique fundraising event in Oakville supporting the Foundation Fighting Blindness. A young lady there whose name is Molly Burke and fellow students at White Oaks school organized a dinner in the dark to raise money for vision research. At the event, I spoke with Peter Burke, who is vice-president of a remarkable Ontario organization called Accessible Media Inc. AMI is a multimedia not-for-profit organization whose mission is to make all media accessible to all Canadians. They have two broadcast services and they serve more than five million Canadians who are blind, have low vision, are deaf or hearing impaired, are in need of literacy skills, or are learning English. The two broadcast systems have made AMI a world leader in accessible media.

VoicePrint is the world's largest service making news information accessible to all those who need it. TACTv is the world's first and only network to broadcast all programs with open description and closed captioning. I would encourage all members of the House to take a look at the efforts of AMI by visiting accessiblemedia.com.

STANDING COMMITTEE ON ESTIMATES

Mr. John Yakubuski: Yesterday I had the opportunity to join my colleague from Nepean—Carleton on the estimates committee, and I have to tell you how disappointed I was that the government has turned this committee into somewhat of a sham. Repeatedly, the Minister of Revenue—and it was the Ministry of Revenue that we had in front of estimates—stated that the Ministry of Revenue collects taxes. I think everybody understands that. We continually were questioning how much HST the ministry collected on hydro bills in the last year, at which point she could not answer the question or would not answer the question.

Does the ministry collect it? "Yes, that's what we do; we collect taxes." Do you count the money, I asked? Apparently they collect taxes but do not count the money. Yet the minister could tell us that police had seized 151 million contraband cigarettes in the province of Ontario. So they're counting cigarettes but not count-

ing the dollars that they're gaining from people on the HST on hydro bills.

We also asked them how much more HST they're going to collect off hydro bills now that they've raised the price of hydro repeatedly since last year when the HST came in. Again, no willingness to answer the question. Disappointed in the estimates committee; disappointed in the minister.

MIDWIFERY

Mr. Wayne Arthurs: I want to take this opportunity this afternoon to speak on the International Day of the Midwife. I'd also like to thank the Association of Ontario Midwives for the work they do every day to support and promote midwifery in Ontario.

Today we're here to celebrate the International Day of the Midwife at Queen's Park, and Queen's Park certainly is a fitting venue to mark this important day, because the government of Ontario holds such high value in the skills and professionalism that midwives bring to our health care system.

Since 1994, through the College of Midwives of Ontario, we've seen hundreds of midwives registered to practise in our province. It's a profession that is steadily growing in popularity among expectant parents. Just last year, the 529 midwives who are currently practising delivered exceptional care to 16,000 women, representing over 10% of the births in Ontario.

But even still, we're not able to provide the services to every woman who requests midwifery services, and that's something that we're going to change. Our government wants to ensure that every woman wanting a midwife has access to one, and that's why we committed to increasing the number of midwives by expanding enrolment at three midwifery education programs in Ontario, and when the first expanded class graduates next year, 65 new midwives will be ready to practise. This is great news for Ontario families, and I can assure you that our government is looking forward to our continued collaboration with the college and the association as we move this vital profession forward.

MATTHEWS HOUSE HOSPICE

Mr. Jim Wilson: I want to congratulate the volunteers at Matthews House Hospice for their successful Hike for Hospice on Sunday in Alliston. Families, seniors and businesses in south Simcoe provided tremendous support by donating more than \$21,000 to Matthews House in support of their good work.

But while Matthews House receives wonderful support from the community, government support is not as generous or even fair. There's a huge discrepancy between how hospices are funded in central Ontario. Matthews House receives 15.6% of their budget from the province while hospices in York region receive 35% to 40% and some as much as 75%. So my question to the Premier and the Minister of Health is, why is there such a

divergence of support from the province for the people of New Tecumseth?

The situation at Matthews House is increasingly urgent. They have lost one-time funding from both the Central LHIN and support from a three-year Ontario Trillium Foundation grant, which will result in a loss of employees and cuts in services. To make matters worse, the government can't even get their act together to solve this. The Central LHIN told Matthews House that they had to lobby the Minister of Health, and then the minister told them that they had to lobby the LHIN. In fact, they've been working with Amanda McGoev from the minister's office for months and months, but those conversations have been completely futile.

We need a solution to this problem. The time for talk is over; it's time for the minister to appoint someone with authority to sit down with us and hammer out a solution. There is absolutely no excuse for the ministry to deny requests for meetings with local health care providers.

DON VALLEY ART CLUB

Mr. Michael Prue: I rise today to talk about the Don Valley Art Club. It's the premier art club, I think, in the whole of the east end of Toronto. This weekend, they're going to start their annual juried show and sale, and as I said, they are made up of the finest local artists. They have talent that is unique to our city and to our province.

The idea of an artist colony in East York was first floated by True Davidson in East York, and the Don Valley Art Club came to paint some of the local scenes, including the wilderness area of the Don Valley and some of the street scenes in East York and in Toronto.

Today they are located at the Brick Works, which is run by Evergreen, off Bayview Avenue, and they do most of the painting there. The show will take place, commencing Saturday, May 7, at approximately noon and will run for the following two weekends. It's taking place at the paper mill at Todmorden, at Pottery Road between Broadview Avenue and Bayview Avenue. Everyone is welcome, and I would welcome people to come out to see and experience the unique talent of the people of Toronto, to buy some art, to recognize the greatness of the Don Valley Art Club and to actually take a little piece of the history of our community home with them.

I think the artists will be very happy to see everyone attend, and I thank everyone in advance for coming on out.

1310

TORONTO EAST GENERAL HOSPITAL

Mr. Lorenzo Berardinetti: I'd like to take this opportunity to extend my support for the redevelopment of Toronto East General Hospital. This hospital, which is located in Beaches–East York, is a major service provider for many residents of Scarborough Southwest. The hospital has an impressive track record as a provider of high-quality patient care while operating in a fiscally accountable manner.

Toronto East General has been implementing our government's health transformation agenda and, in doing so, is becoming a provincial leader in providing quality patient care. Indeed, on many occasions, our government has recognized the contributions of Mr. Rob Devitt, the hospital's chief executive officer, who, along with his senior staff, helped to build strong partnerships with other hospitals so that they can provide the best possible health care for all Ontarians.

Toronto East General first opened its doors over 80 years ago. The hospital has one of the lowest wait times for surgery in Toronto. It also has achieved a balanced budget for the 10th consecutive year.

Many residents in the riding of Scarborough Southwest and elsewhere count on Toronto East General as their community hospital. I believe it is important for us to ensure that my constituents and other constituents have access to the kinds of modern facilities that people enjoy elsewhere in the greater Toronto area. I urge our government to support the needed redevelopment of Toronto East General and that their proposal be prioritized.

HASAN SAVEHILAGHI

Mr. Khalil Ramal: I would like to take this opportunity to recognize the work being done by an innovative business operator in my community of London.

Hasan Savehilaghi is the founder and president of Yellow London Taxi. He came to Canada in 1991. An elementary school teacher by profession, he worked hard to update his education and his qualifications, but sadly, he couldn't find a job as a teacher. He was certified as an interpreter in the Ontario court system and he went on to drive a taxi in London.

But he wasn't happy with the unfair rules and regulations imposed on drivers, so he established the London Taxi Association to advocate for drivers. He devoted thousands of volunteer hours to his association, but he still wasn't satisfied. Cab drivers, most of whom were extremely bright and well-educated, were responsible for most of the operating costs of driving a taxi, so they would be better off running the business themselves.

Mr. Savehilaghi established Yellow London Taxi, set up as a co-operative. It's not a traditional cab company; it's owned by 50 shareholders, all of whom are drivers and owners of the taxis that they drive, and the board of directors is democratically elected by the shareholders.

Yellow London Taxi began operations in October 2009 with 12 cars. They now have 67 cars, and there are nearly 100 at the present time.

I want to congratulate Mr. Hasan Savehilaghi for his innovative idea and for putting all of the taxi drivers together to own the company and work together to have a good business for themselves and their families.

ANNIVERSARY OF POLISH CONSTITUTION

Mr. Tony Ruprecht: May 3 is of special significance to citizens of Polish ancestry who are today and to-

morrow, and indeed on the weekend, celebrating the 220th anniversary of the Polish constitution.

This constitution of Poland, already 220 years ago, guaranteed for the first time a great deal of personal freedom. It guaranteed freedom of speech; it guaranteed freedom of conscience; and what is really significant is that it guaranteed that there is a separation between the parliament, the executive and an independent judiciary.

Today, therefore, I am very delighted to say a few words about this constitution and invite all members to the flag-raising ceremony that will take place on Sunday at 2 o'clock in the afternoon.

First, we have an invitation directly from the president of the national Canadian-Polish Congress, Mrs. Berezowski; and also from the acting president of the Canadian Polish Congress, Toronto branch, Mr. Juliusz Kirejczyk. The commemoration mass will take place at St. Stanislaus Church, 12 Denison Street, on May 8 at 11 a.m. Then they will gather at the Polish Combatants Association at 206 Beverly Street and march from there to the Legislature at 2 o'clock.

On behalf of all of us, I wish the Polish Canadian Congress and all those who are celebrating the 220th anniversary of the Polish constitution the very best.

REPORTS BY COMMITTEES

STANDING COMMITTEE ON GENERAL GOVERNMENT

Mr. Jim Brownell: I beg leave to present a report from the Standing Committee on General Government and move its adoption.

The Clerk-at-the-Table (Ms. Tonia Grannum): Your committee begs to report the following bill as amended:

Bill 151, An Act to enact the Ontario Forest Tenure Modernization Act, 2011, and to amend the Crown Forest Sustainability Act, 1994 / Projet de loi 151, Loi édictant la Loi de 2011 sur la modernisation du régime de tenure forestière en Ontario et modifiant la Loi de 1994 sur la durabilité des forêts de la Couronne.

The Speaker (Hon. Steve Peters): Shall the report be received and adopted? Agreed?

All those in favour will say "aye."

All those opposed will say "nay."

In my opinion, the ayes have it.

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

The division bells rang from 1316 to 1321.

The Speaker (Hon. Steve Peters): All those in favour will rise one at a time and be recorded by the Clerk.

Ayes

Albanese, Laura	Dhillon, Vic	Phillips, Gerry
Arthurs, Wayne	Flynn, Kevin Daniel	Ramal, Khalil
Balkissoon, Bas	Jaczek, Helena	Rinaldi, Lou
Berardinetti, Lorenzo	Jeffrey, Linda	Ruprecht, Tony
Best, Margaret	Kular, Kuldip	Sandals, Liz

Brotten, Laurel C.	Kwinter, Monte	Sousa, Charles
Brownell, Jim	Levac, Dave	Van Bommel, Maria
Cansfield, Donna H.	Mangat, Amrit	Zimmer, David
Craitor, Kim	Moridi, Reza	
Delaney, Bob	Pendergast, Leeanna	

The Speaker (Hon. Steve Peters): Those opposed?

Nays

Arnott, Ted	Jones, Sylvia	Ouellette, Jerry J.
Chudleigh, Ted	Klees, Frank	Prue, Michael
Dunlop, Garfield	Kormos, Peter	Wilson, Jim
Gélinas, France	Marchese, Rosario	Yakabuski, John
Hardeman, Ernie	Miller, Paul	

The Clerk of the Assembly (Ms. Deborah Deller): The ayes are 28; the nays are 14.

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

Report adopted.

The Speaker (Hon. Steve Peters): Pursuant to the order of the House dated May 3, 2011, the bill is ordered for third reading.

STANDING COMMITTEE ON FINANCE AND ECONOMIC AFFAIRS

Mrs. Laura Albanese: I beg leave to present a report from the Standing Committee on Finance and Economic Affairs and move its adoption.

The Clerk-at-the-Table (Ms. Tonia Grannum): Your committee begs to report the following bill as amended:

Bill 173, An Act respecting 2011 Budget measures, interim appropriations and other matters / Projet de loi 173, Loi concernant les mesures budgétaires de 2011, l'affectation anticipée de crédits et d'autres questions.

The Speaker (Hon. Steve Peters): Shall the report be received and adopted? Agreed?

All those in favour will say "aye."

All those opposed will say "nay."

In my opinion, the ayes have it.

Interjections: Same vote.

Interjections: No.

The Speaker (Hon. Steve Peters): Call in the members. This will be a five-minute bell.

The division bells rang from 1324 to 1329.

The Speaker (Hon. Steve Peters): All those in favour will rise one at a time and be recorded by the Clerk.

Ayes

Albanese, Laura	Dhillon, Vic	Pendergast, Leeanna
Arthurs, Wayne	Flynn, Kevin Daniel	Phillips, Gerry
Balkissoon, Bas	Jaczek, Helena	Ramal, Khalil
Berardinetti, Lorenzo	Jeffrey, Linda	Rinaldi, Lou
Best, Margaret	Kular, Kuldip	Ruprecht, Tony
Brotten, Laurel C.	Kwinter, Monte	Sandals, Liz
Brownell, Jim	Lalonde, Jean-Marc	Sousa, Charles
Cansfield, Donna H.	Levac, Dave	Van Bommel, Maria
Craitor, Kim	Mangat, Amrit	Zimmer, David
Delaney, Bob	Moridi, Reza	

The Speaker (Hon. Steve Peters): Those opposed?

Nays

Arnott, Ted
Chudleigh, Ted
Dunlop, Garfield
Gélinas, France
Hardeman, Ernie

Jones, Sylvia
Klees, Frank
Kormos, Peter
Marchese, Rosario
Miller, Paul

Ouellette, Jerry J.
Prue, Michael
Wilson, Jim
Witmer, Elizabeth
Yakubski, John

The Clerk of the Assembly (Ms. Deborah Deller):

The ayes are 29; the nays are 15.

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

Report adopted.

The Speaker (Hon. Steve Peters): Pursuant to the order of the House dated April 13, 2011, the bill is ordered for third reading.

INTRODUCTION OF BILLS

ANATOLIAN HERITAGE DAY ACT, 2011

LOI DE 2011 SUR LE JOUR DU PATRIMOINE ANATOLIEN

Mr. Ruprecht moved first reading of the following bill:

Bill 192, An Act to proclaim Anatolian Heritage Day /
Projet de loi 192, Loi proclamant le Jour du patrimoine anatolien.

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

First reading agreed to.

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

Mr. Tony Ruprecht: I'm delighted to have some guests in the gallery to see this bill going through. The ancient region of Anatolia, which was also known as Asia Minor, was the cradle of some of the greatest civilizations in world history.

The Turkish-Canadian community and the Anatolian Heritage Federation continue to promote and enhance international awareness of this great achievement of the Anatolian civilization and, therefore, that March 15 in each year be proclaimed as Anatolian Heritage Day.

STATEMENTS BY THE MINISTRY AND RESPONSES

POVERTY PAUVRETÉ

Hon. Laurel C. Broten: I'm pleased to rise today to recognize an important anniversary. Tomorrow, May 6, will mark two years since Ontario's historic Poverty Reduction Act was passed in this Legislature. The act enshrined in law that poverty reduction is a priority for

our government and will be for all future Ontario governments.

Je suis heureuse de prendre la parole aujourd'hui pour commémorer un anniversaire important. Demain, le 6 mai, nous fêterons le deuxième anniversaire de l'adoption dans cette Assemblée législative de la Loi de 2009 sur la réduction de la pauvreté, une loi historique en Ontario. Cette loi inscrivait dans le cadre législatif que la réduction de la pauvreté est une priorité de notre gouvernement et qu'elle le sera pour tous les futurs gouvernements de l'Ontario.

With unanimous support from all parties, members of this House stood up for our most vulnerable citizens and recognized that reducing poverty is not just the right thing to do, it's the smart thing to do.

Ontario's poverty reduction strategy focuses on kids first. We cannot afford to ignore the potential of children growing up in poverty. That is why we remain committed to our ambitious goal of reducing the number of children living in poverty by 25% over five years. It is why we continue to make strategic investments in our children and our economy.

Over the last two years, our government has done more than any other government to help Ontarians living in poverty. Advocates like Jacquie Maund have recognized the effects of our investments. As she said, "The recession's impact on poverty rates would be greater, were it not for the steps taken to date by the Ontario government...."

The Ontario child benefit, created by our government, provides up to \$1,100 per child per year, and we remain committed to increasing the OCB to a maximum of \$1,310 per child annually. It is helping over one million children, and it is a primary reason why a single parent earning minimum wage, with a young child, will take home 58% more than in 2003, and that is over \$10,000 more per year. This, along with new tax credits and increases to the minimum wage, means parents are in a better position to leave social assistance and go to work—a goal we all share.

We're investing in full-day kindergarten for 120,000 children in 1,700 schools by 2012, with full implementation by 2014, benefiting about 250,000 children. Giving our kids the best start in life and the best education is the most important action we can take to break the cycle of poverty.

We're also investing in child and youth mental health, summer jobs for youth at risk, student nutrition and post-secondary education. We have released an affordable housing strategy, raised the minimum wage, provided dental care to low-income kids and started a comprehensive review of Ontario's social assistance system.

Les initiatives et les investissements mis en oeuvre par notre gouvernement ont créé un véritable changement pour les familles ontariennes. Mais nous savons que le gouvernement ne peut s'attaquer seul au problème de la pauvreté. La lutte contre la pauvreté nécessitera que tous les paliers du gouvernement, les citoyens, les organismes sans but lucratif et les partenaires communautaires continuent à travailler ensemble.

Our government's initiatives and investments have created real change for Ontario families, but we know that poverty is an issue government alone cannot tackle. The fight against poverty will continue to require ongoing collaborative efforts from all levels of government, citizens, the not-for-profit sector and community partners.

When we passed the Poverty Reduction Act, we committed ourselves to making a concrete difference in the lives of Ontario children. I trust that the members of this House will stand with us once again in this effort. Together with our partners, we can and we will break the cycle of poverty.

The Acting Speaker (Mr. Jim Wilson): Responses?

Ms. Sylvia Jones: I rise today on behalf of Tim Hudak and the Progressive Conservative caucus to respond to the minister on the second anniversary of the poverty reduction strategy.

I think—I hope—we can agree that the best way to reduce poverty in our province is by getting people back to work: jobs, that help lift people out of poverty. Helping people help themselves is behind a new special program in my community. Social services organizations and volunteers have come together to create the Gateway Community Centre for Dufferin county. Organized and staffed by volunteers, individuals who visit Gateway, which is located at St. Mark's church in Orangeville, will have an opportunity to improve and to learn new skills. The focus will be on life skills and skills to help them find employment.

In a very short period of time, a group of dedicated people are creating something positive in my community. Contrast that with a provincial government that is bogged down in regulation and red tape. Do you realize there are over 800 rules surrounding social assistance? Eight hundred. How can we reasonably expect Ontarians to get out of poverty when there are so many rules holding them back?

I find it rich for this minister to rise and talk about all of the great things her government has done to reduce poverty, when so many families are being left behind because of her inaction. I hear from families almost daily who have children with disabilities, who can't get the supports and services they need to ensure they're taken care of and can lead healthy and productive lives in our community. Families are driving themselves into poverty by paying out of pocket for supports and services that this government is not providing, or one parent is having to quit their job to take care of their child with a disability, leaving the family with a single income.

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When it comes to autism, the minister knows there are more children on wait-lists for provincially funded IBI therapy than there are children who are receiving it. While children sit on wait-lists for funding, some families are paying \$60,000 per year out of their own pockets for IBI. Families are selling their homes, cashing in their savings and mortgaging their futures to ensure that their children have access to treatment. That is Liberal-imposed poverty.

A poverty reduction strategy sounds like a great thing, but action is needed, not more words. We need a real strategy to create jobs and more opportunities for Ontario families. This is exactly what myself and the PC Conservative caucuses have been advocating for. My colleague and member for Haldimand–Norfolk has done a job with his private member's bill to allow individuals on ODSP to keep more of the money they earn. Under our current system, individuals are penalized for working. Further, recipients feel they're being condemned to a life of poverty as they continually see increased costs for electricity, gasoline and everyday items. Bill 23 passed second reading and was referred to the Standing Committee on Finance a year ago. This is a bill that was supported by all parties in the Legislature, yet you do not call it for public hearings.

My colleague the MPP from Sarnia–Lambton also introduced a private member's bill which would increase donations to food banks by providing a significant tax credit to farmers who donate their unsold produce. This is another private member's bill that passed second reading in this Legislature, yet again, this government has yet to call it to committee for public input.

I have to wonder if you are truly serious about reducing poverty in Ontario. It is steps and initiatives like these where we will see a real change in reducing poverty here in Ontario. If the government would pass these two private members' bills, that would be worth celebrating and see some real action to tackle poverty in Ontario.

Mr. Michael Prue: I'm often reminded, when I hear this minister speak, of the famous quotation by Nietzsche, who said, "What is the hardest thing for a person to see? That which is before their very eyes." This minister cannot see what is before her very eyes. Welfare and ODSP rates are all but frozen, keeping people in destitution and poverty by this government. The government continues the clawback policies that take money that is given by the federal government to help the poorest Ontarians and claws that money back from them, keeping them forever in poverty. This government has seen food bank usage go up every single year and literally almost every single month since they announced their 25 in 5 strategy. This government sees more seniors, more disabled, more First Nations, more new immigrants living in poverty now than were living three years ago when they announced their much-vaunted plan.

The minister likes to quote one person, and I think it is out of context. Given that, I'd like to give her some quotes of what other poverty people are saying about this much-vaunted plan. The 25 in 5 Network says, "The 2011 Ontario budget is disappointing for low-income people. There is little new here that will help people struggling in poverty."

They also went on to say, "Social assistance advocates were looking for a meaningful increase in social assistance rates and an easing of some of the rules that trap people in poverty. A 1% one-time increase to social assistance rates is scant help for people on social assistance when the items they need most—food, transportation, hydro—are rising at rates higher than inflation."

And to quote them again, “Nothing in the Ontario budget will help to address this growing hunger problem, and we fear these numbers will continue to rise.”

Or, as the Income Security Advocacy Centre so brilliantly stated, “Given skyrocketing food prices and continuing increases in energy and transportation costs, the budget’s 1% increase to OW and ODSP rates is more than disappointing and does not respond to deep poverty and desperation, particularly among single people on OW whose incomes are the lowest.”

They went on to say that “government has made no moves to change the punitive rules in OW and ODSP that effectively cap people’s incomes far below the poverty line and prevent them from improving their incomes on their own.

“Despite asking for advice on which rule changes to make—such as increasing asset limits, reducing earned income and child support deductions, and improving access to better education and skills training supports—the Ontario government has done nothing in this budget to loosen these restrictions on opportunity for people on OW and ODSP.

“Without improving incomes and opportunities for people on OW and ODSP, the government will miss its target of a 25% reduction in child poverty by 2013—and Ontario’s increasingly costly social deficit will simply continue to grow.”

Or maybe you want to hear from the Ontario Non-Profit Housing Association, which said, “The 2011 Ontario budget, released on March 29, did not include any new targeted investments in affordable housing; offering little hope to the” now “152,000 households on social housing wait-lists across Ontario—a number that is up by 8% since 2010.” And that coincides with the government’s great plan.

Or perhaps you want to listen to Barb Millsap, president of the Ontario Council of Co-operative Housing Federation of Canada, who said:

“We’re very disappointed.... We expected that the first provincial budget following the release of Ontario’s affordable housing strategy would bridge the gap in that plan by providing the funding needed to deliver a new supply of affordable housing. Instead, there is nothing at all for housing....

“Ontario’s housing waiting lists have swollen to over 141,000 households.... One in five Ontario renter households are still spending more than half their income on housing. Today, Queen’s Park missed a chance to help address Ontario’s housing gap by making an investment in affordable housing a cornerstone of Ontario’s economic recovery plan.”

Or how about Michael Shapcott, who said, “On the operating side, the annual budget of the Ontario Ministry of Municipal Affairs and Housing is slated to drop by 10% in the coming year to a total of \$602 million; and capital investments will be cut from \$660.7 million to \$95.1 million.”

What a great plan this minister has, what a wonderful plan.

PETITIONS

REPLACEMENT WORKERS

M^{me} France Gélinas: I have this petition from UFCW Local 1977, from Cambridge, and it reads as follows:

“Whereas strikes and lockouts are rare: 97% of collective agreements are settled without a strike or lockout; and

“Whereas anti-temporary replacement workers laws have existed in Quebec since 1978; in British Columbia since 1993; and successive governments in those two provinces have never repealed those laws; and

“Whereas anti-temporary replacement workers legislation has reduced the length and divisiveness of labour disputes; and

“Whereas the use of temporary replacement workers during a strike or lockout is damaging to the social fabric of a community in the short and the long term as well as the well-being of its residents;

“Therefore we, the undersigned, petition the Legislative Assembly of Ontario to enact legislation banning the use of temporary replacement workers during a strike or lockout.”

I fully support this petition, will affix my name to it and ask page Amira to bring it to the Clerk.

HOME CARE

Mr. Tony Ruprecht: This petition has been presented to me by Mr. William Diaz.

“To the Parliament of Ontario and the minister responsible for seniors:

“Whereas seniors who are disabled and/or ill are presently suffering at home; and

“Whereas the cost of a caregiver on a monthly basis who looks after a senior in their own home is around \$1,200, including room and board; and

“Whereas the cost of taking care of someone at home is at least 10 times less than the cost of a hospital bed; and

“Whereas most seniors with disabilities and/or illness are crowding an already overburdened health care system;

“Therefore we, the undersigned, strongly request that a basic government subsidy be established (based on a doctor’s evaluation) which will pay at least a minimum allowance for a caregiver.

“Seniors deserve to live at home as long and as independently as possible.”

Since I agree, I’m delighted to sign my name to it.

ONTARIO SOCIETY FOR THE PREVENTION OF CRUELTY TO ANIMALS

Mr. Frank Klees: I have a petition addressed to the Parliament of Ontario, submitted from individuals from across the province. It reads as follows:

“Whereas the Ontario Society for the Prevention of Cruelty to Animals (OSPCA) recently and unilaterally announced that it would euthanize all animals in its care at its Newmarket shelter, citing a ringworm outbreak as justification;

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“Whereas the euthanasia plan was stopped in the face of repeated calls for a stay in the Legislature and by the public, but not until 99 animals had been killed;

“Whereas the Premier and Community Safety Minister Rick Bartolucci refused to act, claiming the provincial government has no jurisdiction over the OSPCA;

“Therefore we, the undersigned, petition the Parliament of Ontario to immediately implement the resolution tabled at Queen’s Park ... on June 1, 2010, which reads as follows:

““That, in the opinion of this House, the Ontario Legislature call on the government of Ontario to review the powers and authority granted to the OSPCA under the OSPCA Act and to make the necessary legislative changes to bring those powers under the authority of the Minister of Community Safety and Correctional Services to ensure that there is a clearly defined and effective provincial oversight of all animal shelter services in the province, and to separate the inspection and enforcement powers of the OSPCA from its functions as a charity providing animal shelter services.””

I’m pleased to affix my signature to this petition because I fully support it, and I’ll give it to page Lukian to deliver it to the table.

CEMETERIES

Mr. Jim Brownell: I have a petition that reads as follows:

“To the Legislative Assembly of Ontario:

“Whereas protecting Ontario’s cemeteries is a shared responsibility and the foundation of a civilized society; and

“Whereas failure to safeguard one of our last remaining authentic cultural heritage resources, Ontario’s inactive cemeteries, would be disastrous for the continuity of the historical record and our collective culture in this province;

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

“The government must pass Bill 126, the Inactive Cemeteries Protection Act, 2010, to prohibit the relocation of inactive cemeteries in the province of Ontario.”

As I agree with this, I shall sign it and send it to the clerks’ table with Jonathan.

OFFICE OF THE OMBUDSMAN

Mr. Rosario Marchese: I’ve got a petition from hundreds of people from across Ontario, and it reads:

“Whereas the Ontario Ombudsman, who is an officer of the Legislature, is not allowed to provide trusted,

independent investigations of complaints in the areas of hospitals, long-term-care homes, school boards, children’s aid societies and retirement homes; and

“Whereas Ontario is the only province in Canada not allowing their Ombudsman to investigate any of these areas; and

“Whereas people wronged by these institutions are left feeling helpless and most have nowhere else to turn for help to correct systemic issues;

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

“Grant the Ombudsman the power to investigate hospitals, long-term-care homes, school boards, children’s aid societies and retirement homes.”

I am signing this petition because I agree with it.

CHILD CUSTODY

Mr. Kim Craiton: I’m pleased to introduce this petition to the House. The petition reads as follows:

“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 ... grandparents, as requested in Bill 22, put forward by MPP Kim Craiton.

“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 ... 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 ... 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 ... grandparents.”

I’m extremely proud to sign my name in support of this bill.

HOSPITAL SERVICES

Mr. Ted Chudleigh: I have a petition regarding the Milton District Hospital.

“The Time is Now!

“To the Legislative Assembly of Ontario:

“Whereas Milton is the fastest-growing community in Canada; and

“Whereas, during the past six years, 60,000 new people have moved to Milton and another 43,000 will be arriving in the next five years; and

“Whereas, over the next two decades, Milton will become the largest community in Halton region and the second-largest in the Mississauga Halton LHIN; and

“Whereas this rapidly expanding community is still served by a hospital that is undersized and outdated in terms of its physical facility and aging infrastructure that was designed and built to serve 30,000 people; and

“Whereas no other hospital in the region, including the new Oakville hospital, has planned to provide core hospital services to Milton and its growing population; and

“Whereas the Milton District Hospital has not received approval for any added service capacity in the past 25 years; and

“Whereas Halton Healthcare Services has developed a responsive plan to address expansion of Milton District Hospital which it shared with the Ministry of Health and Long-Term Care;

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

“That the Milton District Hospital expansion project be identified as an urgent and top priority of the province of Ontario’s multi-year infrastructure plan and that Milton District Hospital be authorized to move to the functional programming stage of the capital approval process.”

I’m pleased to sign this petition as I totally agree with it, and pass it to my page Jonathan, who will carry it to the table.

ASSISTANCE TO FARMERS

Mrs. Liz Sandals: I have a petition here from residents of Guelph, Wellington county and Dufferin county.

“To the Legislative Assembly of Ontario:

“Whereas agriculture plays an important role in Ontario’s economy, and strong, prosperous farms mean a strong, prosperous Ontario; and

“Whereas the establishment of a risk management program was the single most important action the provincial government could have done to help ensure the economic success of Ontario’s non-supply-managed commodities; and

“Whereas agriculture is a federal and provincial responsibility, and yet the federal government has refused to act and come to the table with their support;

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

“We applaud the Ontario government’s support of risk management programs and encourage the federal government to partner with the province and its farmers to support the risk management programs put in place by the province to bring much-needed stability, predictability and bankability to Ontario’s agricultural sector.”

ONTARIO DRUG BENEFIT PROGRAM

Mr. Khalil Ramal: “To the Legislative Assembly of Ontario:

“Whereas in January 2009, Health Canada approved the medication Soliris on a priority basis for patients with paroxysmal nocturnal hemoglobinuria (PNH); and

“Whereas PNH is an ultra-rare, progressive and life-threatening blood disorder for which there were no therapeutic options until Soliris; and

“Whereas Soliris is the first and only proven effective treatment for PNH, significantly benefiting patients around the world;

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

“To urge the Ministry of Health and Long-Term Care to immediately provide Soliris as a life-saving treatment option to patients with PNH in Ontario through public funding.”

I agree with this petition and also affix my signature to it and give it to page Benjamin.

IDENTITY THEFT

Mr. Tony Ruprecht: This petition has to do with identity theft. It’s to the Parliament of Ontario and specifically to the Minister of Government Services. It reads as follows:

“Whereas identity theft is the fastest-growing crime in North America;

“Whereas confidential and private information is being stolen on a regular basis, affecting literally thousands of people;

“Whereas the cost of this crime exceeds billions of dollars;

“Whereas countless hours are wasted to restore one’s good credit rating;

“Therefore we, the undersigned, demand that Bill 38, which passed the second reading unanimously in the Ontario Legislature on December 8 ... be brought before committee and that the following issues be included for consideration and debate:

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“(1) All consumer reports should be provided in a truncated (masked-out) form, protecting our vital private information such as SIN and loan account numbers.

“(2) Should a consumer reporting agency discover that there has been an unlawful disclosure of consumer information, the agency should immediately inform the affected consumer.

“(3) The consumer reporting agency shall only report credit inquiry records resulting from actual applications for credit or increase of credit, except in a report given to the consumer.

“(4) The consumer reporting agency shall investigate disputed information within 30 days and correct, supplement or automatically delete any information found unconfirmed, incomplete or inaccurate.”

Since I agree, Mr. Speaker, I'm delighted to sign this petition and provide it to you.

ONTARIO DRUG BENEFIT PROGRAM

Mr. Khalil Ramal: Thank you, Mr. Speaker, for allowing me to read the petition given to me by Hilary Handley from Toronto.

"To the Legislative Assembly of Ontario:

"Whereas in January 2009, Health Canada approved the medication Soliris on a priority basis for patients with paroxysmal nocturnal hemoglobinuria (PNH); and

"Whereas PNH is an ultra-rare, progressive and life-threatening blood disorder for which there were no therapeutic options until Soliris; and

"Whereas Soliris is the first and only proven effective treatment for PNH, significantly benefiting patients around the world;

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

"To urge the Ministry of Health and Long-Term Care to immediately provide Soliris as a life-saving treatment option to patients with PNH in Ontario through public funding."

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

CORRECTION OF RECORD

Mr. Michael Prue: On a point of order, Mr. Speaker: Just to correct the record, on April 13, 2011, during first reading of Bill 179, I prefaced my remarks with the following statement: "At the outset, I should inform the minister that this morning I was given a seventh critic portfolio, and it's this one." It should have read, "I was given a seventh critic portfolio for the carriage of this bill," because the critic for this area is and remains Andrea Horwath, but it is for the carriage of this bill that I am acting as critic.

The Acting Speaker (Mr. Jim Wilson): Thank you. That is a point of order, a correction of the record.

PRIVATE MEMBERS' PUBLIC BUSINESS

GREAT LAKES SHORELINE RIGHT OF PASSAGE ACT, 2011 LOI DE 2011 SUR LE DROIT DE PASSAGE SUR LE LITTORAL DES GRANDS LACS

Mr. Craitor moved second reading of the following bill:

Bill 32, An Act to create a right of passage along the shoreline of the Great Lakes / Projet de loi 32, Loi créant un droit de passage le long du littoral des Grands Lacs.

The Acting Speaker (Mr. Jim Wilson): Pursuant to standing order 98, the honourable member has 12 minutes for his presentation.

Mr. Kim Craitor: I'm extremely proud to have the opportunity to bring forward Bill 32, right of passage, and to have the right to be able to speak on it today.

Summer is coming. It will get warmer and warmer, and when it gets hot, thousands of Ontario families will head down to the absolutely marvellous sand beaches along the shores of our Great Lakes, beaches that are really wonderful most of the time. From Cape Cod to the Cape of Good Hope, from the Gulf Shores to Erie's southern shores, from South Beach to Daytona Beach, from Myrtle Beach to Malibu, all throughout the world people flock to their great beaches. It matters not if the land fronts on these beaches are there with five-star hotels or homes of the rich and famous; the public has a right of passage to access and enjoy their natural wonder.

Likewise, Ontario is blessed. It has great stretches of fabulous sand beaches, especially along our Great Lakes, whether it be from Crystal Beach to Wasaga Beach, from the shores of Ipperwash to the dunes of Sand Banks, or from Port Dover to Port Stanley. But the right of passage on Ontario beaches is truly ill-defined, or perhaps I'd better say that it's not even defined.

So the people of Tiny township have a big problem. So do the people of Fort Erie. Likewise, so do the citizens of Cobourg. More and more are finding out that nature's wonderful legacy is being fenced off by adjacent landowners.

The result is that the children of Ontario's summer—our children—are being denied a right of passage, both literally and figuratively. That's why I urge this Parliament to take a close look at Bill 32 and help properly define the right of passage along the Ontario Great Lakes so that people and children can enjoy walking and swimming along our great beaches.

I want to mention some people who have taken the time to come here to Queen's Park to support this bill. Joining me today are some super folks from right across Ontario. I want to first introduce Betty Van Osch, who is the president of Shorewalk. Thank you, Betty, for coming out. I want to mention Councillor Stephen Passero—I don't think he was able to get here—who is past president of Shorewalk and councillor for the town of Fort Erie. Garry Skerrett, the founder of Shorewalk, is here from Fort Erie. Garry, it's a pleasure to have you here. Serena Smith from Fort Erie and Paul Kassay from Crystal Beach—I had the pleasure of attending your birthday; I won't say for what year. It was a great birthday party. Amy King from Ridgeway and Bob Cairns, president of the Cobourg Beach Society: Thank you for coming out.

One name I want to mention is a former member of this House, who sadly passed away just a couple weeks ago; I was at his funeral. That was MPP Ray Haggerty, who sat on Shorewalk's advisory board. In fact, Ray Haggerty made the trip up here when we introduced this bill. He was one of those who passionately believed in the right of passage.

I was also happy to hear from some other people. Matthew Pearson of Lake Huron Centre for Coastal Conservation wasn't able to make it but sent best wishes; and Don, Kathy and Nicole, who I think may be here from Tiny township. It's nice to have you come up as well. Thank you.

The reason all these fine people are here is because each of their communities—some; certainly not all—is asserting a right that does not exist and is not supported in British common law. The people who are exerting this right, which they say they have, are doing it in the crudest way you can imagine. They are barricading Ontario's public beaches with chain link fences that stretch out into navigable international waters and placing inappropriate "No Trespassing" signs in front of those fences. In essence, they're simply putting fences right into Lake Ontario and saying, "We own it. We own the land all the way into the lake. It belongs to us, and you cannot walk along the shores of the Great Lakes."

Because of the ambiguity and the absence of a defining law, nothing is being done by any authority to exert the public's right of passage to walk along our wonderful beachfronts.

What does this proposed legislation do? I'm going to tell you what it doesn't do, first of all. What it doesn't do is expropriate or take away any legal right property owners may have; it does not permit the passage of anybody across private lands to access the shoreline beach; and it does not allow for the improper use of shoreline beaches. In fact, this legislation gives adjacent landowners and the beach itself protection from the use of motorized vehicles. It also allows the government to prescribe regulations to govern conduct on the beach. For example, it could be possible to regulate access to daylight hours, a right not currently in place.

I want to say that I'm truly indebted to the members of Fort Erie Shorewalk, Save the Beaches of Tiny township and the Cobourg Beach Society.

I want to mention one of my colleagues, the member from Welland, Peter Kormos—I'm not supposed to mention his name, but I just did. The member from Welland, way back when—I have the photograph of him; his hair was a lot darker back then—was involved in a demonstration to save our beaches. So this has been going on for a while.

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As Matthew Pearson from the Lake Huron Centre for Coastal Conservation says, "Securing the right of access along our Great Lakes beaches will become more and more important as temperatures tend to rise and demand for beach use increases. The exclusion of motorized vehicles on beaches is extremely important for protecting beach habitat and reducing the spread of invasive plants along our coastal lines."

Let me tell you why we're in this situation. As the pressures of the population grow and collide with the interests of private ownership, the issues of public access to the beaches of the Great Lakes in Ontario has become an increasingly controversial issue.

In fact, to put it in its simplest terms, can you imagine that a homeowner would put up a fence and the fence would go all the way out to the front of his yard and on to the sidewalk, and he would say, "You cannot walk along the sidewalks in front of my house because, in my opinion, I have a right to put a fence all the way there and it belongs to me"?

What we have are individuals who've gone the reverse way, put up fences in the back of their yards and put them right into the lake and have now blocked off access for the public to be able to access it.

I wanted to take a moment to read an article that I think clearly defines what we're trying to accomplish in this House today. It says:

"Jutting out from a fortified steel retaining wall at the end of Pleasant Beach Road at the border of Fort Erie and Port Colborne, a high fence made of steel beams and chain link continues on right to the water's edge.

"A bluntly worded sign posted by the property owner on the fence warns the beach is private, and trespassing beyond that point is prohibited.

"Braving a bone-chilling wind on Monday ... MPP Kim Craitor and ... resident Garry Skerrett stood next to the fence, dwarfed by the barrier but determined to see the day when it—and hundreds of other such barriers barring public access to beaches along the Great Lakes—are taken down.

"Craitor, whose riding includes Fort Erie, Niagara Falls and Niagara-on-the-Lake, introduced a private member's bill in the Ontario Legislature" to give people the right to walk along the Great Lakes shoreline.

"Skerrett, president of the Ontario Shorewalk Association, which has been fighting for public access to the beaches for about two years, said the time has come for the fences to come down. He was part of two busloads of people" at that time, "including Niagara high school students, who accompanied Craitor to Queen's Park to support his bill....

"Craitor said when Skerrett's group first approached him asking for help in ridding the Great Lakes of the fences put up by property owners, he was surprised to hear of the barriers that routinely bar the public from visiting places such as the Point Abino lighthouse, a national historic site." Can you imagine a fence being put up that would not allow people to walk along the Great Lakes shoreline to a national heritage site?

In absence of specific statutory rules or regulations, the bill would help define, through this legislation, that people have the right to walk the shorelines of Ontario. I know that a number of my colleagues on both sides of the House will be speaking to the bill and I'm looking forward to their input about the bill. I know that one of my colleagues will be speaking on it. I'll be pleased to do a wrap-up in the time that I have as well to give some more input as to why this bill is so significant to the rights of the people of Ontario.

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

Mr. Jerry J. Ouellette: I very much appreciate the opportunity to discuss Bill 32 in regard to this. First of

all, I completely agree with the member in regard to the fencing and that aspect and the impacts that go on about this legislation, but I spoke to a number of property owners in Oshawa who are on Lake Ontario and they had some specific concerns with it. The regulation component of the legislation that comes forward is somewhat concerning. The member mentioned the fact that there potentially could be closing hours that would be available for operation etc. A lot of individuals, particularly once upon a time—not so much in our community, because the smelt population has decreased substantially, but in my younger days, as the member from Beaches–East York would know, smelt fishing was very popular along the shores of Lake Ontario, where the smelt population is substantially decreased now. Yet in other areas throughout a number of the Great Lakes, it's still very popular. So looking at regulations, regulating hours; what's the impact going to be on those individuals who are actively out smelt fishing at that particular time?

Some of the other concerns are very specifically in regards to the definition of “high-water mark.” In the legislation, in the explanatory note, it specifically states, “The bill reserves a right of passage along the shoreline of the Great Lakes between the shoreline and high-water mark.” Then it goes on to give a definition of the “high-water mark.” In the act, it means “the mark on the shore where the presence and action of the water is so continuous as to leave a distinct mark either by erosion, destruction of terrestrial vegetation or other easily recognized characteristic.”

Part of the problem with that is that a lot of the conservation authorities are interpreting the high-water mark in different ways. There are three high-water marks. There's the spring high-water mark, which usually takes place in the Great Lakes at about June; then there's the annual high-water mark; and then there's the one that causes the problems that give everyone concern: the 100-year water mark.

For those who don't understand, once every 100 years, a hurricane passes through Ontario and substantially impacts the high-water marks in Ontario. A lot of the conservation authorities are utilizing the 100-year high-water mark on these properties now and disallowing individuals the ability to use those properties.

The ones whom I spoke with along Lake Ontario there—Mr. Crozier etc.—their concern was, “What's this going to mean now? The conservation authority is already disallowing us to use that 100-year high-water mark property in any way, shape or form.” The concern comes forward as, “What's going to take place in regards to that aspect?” When you look at the definition of the fact, that it would take into regulation how it's going to be affected, I think it needs to be clearly defined as to how it's going to unfold.

Some of the other areas—the specifics regarding the other individuals I spoke with: “Does this mean that somebody can come along, use the high-water mark as their area, and then sit down because they've walked into an area where they can have a beach bonfire? What's

going to be the impact there, and how is that going to be regulated and monitored etc. so that those individuals who use that for those purposes”—what is going to take place in Wasaga Beach, for example, as specifically mentioned to me in that particular area? Is somebody going to come along and now say that they can use that?

One of the other areas that I'm sure the member hasn't taken into consideration—because there have been discussions about this. I have to mention that access issues in the province of Ontario are very prevalent everywhere. It's not just along the Great Lakes; it's in other areas as well. Many may not know that 66 feet of shoreline in the inner lakes is predominantly owned by the municipalities until sold off. Those municipalities use that as revenue generation for the retail sale, plus the taxation, to allow them to have that. What would be the impacts on those in future expectations on those inland lakes by municipalities, should this go through?

We all set a precedent. I realize it's somewhat out there, but realistically, we know how politics works. “What happened there? Why can't we take it somewhere else?”

One of the other things: Places like Frenchman's Bay were brought forward as well. I'm not sure if individuals are familiar with how Frenchman's Bay came to be. The individual bought the land, then he opened up the shoreline to allow it to be flooded, and now we have a huge bay there, where everybody owns the land on the inside.

The same thing has taken place with, I believe, St Marys Cement. What they did there was they used a crown that allowed them access to establish a port inside the shoreline. Now we've got a port on St Marys Cement that's effectively going to be subject to legislation, where it's owned by the crown, yet they have ports and ships going in and out in this area on a regular basis. It's not private, but there are going to be impacts there. You have to bring some security to these individuals so they gain an understanding of how it's going to unfold or not unfold.

Another area is the First Nations response. You mentioned, I believe, at least one First Nation community. I'm not sure how they responded to this, in allowing that to take place. I know there's a number of them down Cornwall way—I think you mentioned the community. I'm not sure if it was Cornwall or the Belleville community. How is that going to impact First Nation communities that are right along the shorelines in a number of these areas in Ontario?

1420

As we move forward with these things, we need to work out the details to make sure that we get it right, so that it goes forward with the intent. I completely agree: Anybody who's fencing right down to the lake should not be allowed to do it in any way, shape or form, for numerous reasons. But then again, when I'm thinking about it, and when I thought about the debate, I realized that, for example, Balsam Lake Provincial Park has a drift problem with sand. The currents move along and move the sand along, so they use aspects like that to stop the

drift of sand from washing all the way along the shore. They use those effectively to ensure that the sand remains along those beaches that are there by putting those up. So if you want to disallow fencing, make sure it's not implementing or impacting those areas that are trying to put those up to protect the shoreline in the first place. Balsam Lake Provincial Park, although it's not on the Great Lakes, was the one that came to mind because I directly dealt with it and went up to and visibly saw the issue taking place there.

I didn't have time, upon finding out that I was to debate on this today, to find out whether it was going to impact any of the provincial parks and whether they specifically do it, whether it's Darlington or a large number of other ones along there.

Some of the other aspects that I hope the member will be able to address are places along Turkey Point and that. These individuals own large sections of land right down to the marsh there. How is that going to impact the Turkey Point club or the—there are a number of clubs, some of the other ones that the member from Haldimand-Norfolk has mentioned to me in the past as well. How are those private clubs going to be impacted for the utilization of that? And is it allowing public access in those particular areas where there are duck hunting clubs along those properties in that area?

You want to make sure that if access is being granted, they realize that these particular locations—and the same goes for Darlington Provincial Park. They open duck hunting in the fall on specific days, with specific regulations, only in the morning. Are individuals going to be allowed access to those specific areas while the duck hunt is taking place? These are all the small things that need to be taken into consideration when you bring legislation forward.

You mentioned bringing a couple of busloads of students down. Quite frankly, when I was in high school, that was a great place to be. We went out to many places where there weren't any houses around and we enjoyed the spring smelt fishing and all the things that went along with it. Now, if it's opened up right along with subdivisions abutting right up against that, what's the impact going to be? And are we not creating more problems for those individuals, as opposed to helping them out?

These are just some of the key aspects that I wanted to be sure that I got on the record, because as we move forward with legislation we want to make sure we address all the problems before they become problems because we didn't realize that, we didn't know that, and is that going to be effective?

We understand walking along the shoreline, but does that mean you're allowed to on a continuous path? Or does it mean you're allowed to walk to a specific site and establish a campsite, bring things along with you etc.? Or does it mean you're just allowed a hiking path? The right of passage is mentioned.

Those are some of the key things that I wanted to bring up at this time. Hopefully, the member will be able to address some of those, or the other individuals speaking on behalf of this legislation.

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

Mr. Michael Prue: At the outset, I want to assure the member that I will be supporting this bill. I think it's absolutely essential that it goes forward to second reading and much public debate and input.

I support this bill because I remember several years ago watching on the television almost every night the antics of Tiny township, watching people putting up fences and watching people tear them town, watching neighbours going at each other's throats, watching all kinds of community angst, having neighbour against neighbour, having people upset. It seems to me that we have to resolve this issue. If we need to resolve the issue, we need to resolve it in a way that will affect and support the majority of Ontarians. By the majority, I mean those who will be able to make and utilize our magnificent waterfronts along the Great Lakes.

If I had anything that I was worried about, it's perhaps that we should be looking at other lakes as well, because not all of the properties or the built-up areas are along the Great Lakes. I also note that Lake St. Clair is not one of the Great Lakes but has considerable properties along it and many beaches, and I'm sure that many Ontarians would make use of that as well as some of the larger lakes in Ontario: Lake Simcoe, Lake Nipissing, Lake Nipigon and others. Perhaps when this comes to committee, we can talk about expanding it to other locations.

I too have some difficulty about the whole concept of the high-water mark, because I note that on the Great Lakes, from year to year, you will see television reports and others about the lake levels being up or down. In some years, you will see lake levels being down so far that the docks where people normally pull their boats up are on dry land. In other years, you will see the lakes up at so high a level that the docks which people normally pull their boats up to are submerged. Those lake levels will change from year to year, depending on the amount of snowfall, depending on the amount of drought and how much water is released through the system, in some cases.

We need to have a definition, as my friend from Oshawa said earlier, that pinpoints where that high-water mark is. I would suggest that the high-water mark should be, at a minimum, the highest point at which it existed in the previous 10 years, if not where storms or hurricanes of the century have driven it further up. Property owners need to know, should this law be passed, exactly where that line is going to be, because it makes very little sense to me to see a couple of years of drought in a row and have it go further and further out and fences go further and further out and then you have a wet season and then the water is beyond the fence and the property owner has to take the fence down. I want to see it in such a way that the fence is never there in the first place. What is essential to happen is, that mark has to be far enough back that it is unlikely that the fence will ever go out into the water. I'd like to hear deputations on this, but I'd also like the mover of the bill and other members of this

House to have an opportunity to further define the high-water mark.

I want to commend the member from Niagara Falls for bringing this forward and reintroducing it again. As I've said so often on private members' bills, it is a shame that members like the member from Niagara Falls have to introduce and reintroduce a bill that is probably, again here today, going to pass with the consent of all sides of the House. It did last time, did it not? I think it did. But if it didn't, it should have. And it will likely happen again this time: that it's introduced with all the best intentions, with everyone speaking in favour of it, with everyone understanding what the bill contains, with everyone wanting it to have public input, go to second reading and one day become law.

We here in this House think—or most of us think—that the private members' bills are sometimes some of the best pieces of legislation that come here. Unfortunately, the majority of these best pieces of legislation never see the light of day. Almost every single private member's bill that has occurred in this House in the nearly 10 years that I have been here died on the order paper at second reading. If it does go to committee, the committee hears it, but it very seldom gets third reading. Only those scheduled few at the end of the year that are negotiated by the House leaders, that the government permits to come forward and to pass, actually come into law.

With some private members' bills, the opportunity is made available that the government will seize upon the bill and incorporate it into their own legislation and it will see effect that way. But it seems to me that if this place is to work, then we need to salute the efforts of the member from Niagara Falls. The government members need to be able to convince the government, which has a majority on every single committee in this House, to allow some of these bills to go forward. You cannot sit back there—and I say this to the government members—week after week and see your colleagues come up with good ideas that need to be passed and be content to allow them to die on the order paper. Please say that this is a good idea. Vote for it. And when we leave this place today, should it pass, go back to your caucus and say, "We don't want this bill"—or the 100 other good bills that have been put forward over the life of this Parliament—"to simply die." This is an opportunity to do something meaningful for the people of Ontario.

1430

Now, since I've been much younger, I've enjoyed going along the shorelines to go smelt fishing; I've enjoyed going along the shorelines for walks, to watch the bird life, to go swimming, to do a hundred things that Ontarians take for granted. I can tell you, at certain points in my life I have been accosted and stopped by someone who has said, "This is private property." My answer always was, even in my youth—my father taught me this valuable lesson, that they could own the land but they don't own the water—to simply step out into the water, where that was at all possible, and challenge the property owner to come out and take me out of the water. That, of

course, would be assault, as my father explained to me, because they have no right to own the water in Ontario.

In some places in Canada they do, and that's why, if you ever go to places like New Brunswick or Nova Scotia, up the Restigouche, if somebody wanted to go salmon fishing, the property owners own not only the property, but the river as well.

We cannot allow that to happen in Ontario. We need to make sure that everyone who wants to make recreational use of our waterways, everyone who wants an opportunity to enjoy nature and to simply get away in Ontario, has that chance. This is not something for the privileged few, for the rich, for those who happen to own a piece of property in a specific location. It is a birthright, I believe, for all Ontarians.

Other countries and other jurisdictions have agreed with this. If you go around the world and you look at some of them, you can see other states—other US states have already enacted this type of legislation. Many of the Caribbean islands, seeing the wealth that they have—it's not a Great Lake, it's an ocean, and perhaps the ocean is a little bit easier to define in terms of high-water marks, because it does not fluctuate as much as do our lakes and rivers or the Great Lakes. But they have unlimited access for all of their people so that their people who live there don't have to look at some big high-rise hotel that's being built by foreign interests for foreign tourists to stay in, and hear, "You can't go to that beach." A country like Barbados says it belongs to everybody; that beach belongs to everybody. I think we have to—I'm saying this for the benefit of the clerks' table, perhaps, which understands this best of all. It belongs literally to everyone, and we in Ontario have to do no less.

We have to look at other US states along the Great Lakes, which are starting to look seriously at this same phenomenon and are starting to enact types of legislation that will allow for public access of our truly great resort areas.

I note that the two chief areas where this has been a problem, or at least a problem reported to me in the newspapers, are along the shores near Fort Erie and along the shores in Tiny township, in and around the Owen Sound area. That is what's reported. That is what I see. But I'm sure it's happening elsewhere. I'm sure it's happening all over this province, where people are taking it onto themselves, in a belief that this is their property and no one else can share it and they want to live there alone. We have to put an end to that. I support the member's efforts to do exactly that. We will support this bill at second reading.

I especially want to thank groups like the Ontario Shorewalk Association, the property owners and others who have brought this issue forward and continue to bring this issue forward. This is something that all members should take a very hard look at. I know that there are some members of the Legislature who like to champion property ownership and the rights of private property. There are even some people who suggest that this should be put into the Constitution. I think it was left

out of the Constitution for very good reason, and that is because the public good and the public will is every bit as important and sometimes trumps that of property ownership. This is one of the cases where I firmly believe that it does.

The member from Niagara Falls has it right. We in Ontario need to make it right as well. People in Ontario deserve an unfettered right to access the greatest jewels that we have, the greatest opportunity for themselves and their families. Regardless of whether they are wealthy enough to own property, regardless of whether they live in that neighbourhood permanently or are simply visiting it, they have an unfettered and unqualified right to go forward and to enjoy everything that Ontario gives.

I ask all members of the House, on behalf of the member for Niagara Falls, to please vote for his bill. And for government members especially, please go back to your next caucus meeting and impress upon the Premier and the cabinet that this is a bill that should go forward, like so many others. Do not make him come back and do this a third time in the next House.

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

Mr. Khalil Ramal: I'm delighted to stand up and enter the debate on Bill 32, An Act to create a right of passage along the shoreline of the Great Lakes, which was introduced by my colleague the member from Niagara Falls. I listened to the debate that took place, and I listened to the member from Niagara Falls state the reasoning behind this bill. It made sense to me. I want to listen to the member from Beaches—East York, and I'm going to support this bill after we finish the debate and it's time for a vote, because I think it's important for all of us to enjoy the beauty of this province.

I'm from London, Ontario. We don't have a lake. We only have rivers and ponds. But we enjoy going to Lake Erie, to Port Stanley or to Lake Huron, to walk along the beach and enjoy the weather and the environment. Sometimes, if we want to swim, we can swim. It's shocking sometimes when you see a lot of big houses segregated, with fences around the houses, blocking the way to go through. So the member from Niagara Falls is asking reasonable questions to create some rules and regulations in this place to allow people to enjoy the nature of this province, the beauty of this province, because it's important.

People from across the planet want to visit Ontario. They have a right to walk along the shore and enjoy the beauty of the lakes. They can swim if they want to, and they can enjoy the beauty of these things.

Also, he was reasonable when he said that maybe we will offend people if we use motorcycles or a vehicle to go through. He is not asking for that. He is asking for passage on foot, because we don't want to offend the owners of the houses along the lake. It's incredibly important to share the wealth of nature with all of us in the province of Ontario, with all of us around the globe.

My sister-in-law came to visit from Lebanon almost two weeks ago. The first thing she said to me was, "I'm

wondering if you can take me to Niagara Falls," because Niagara Falls is well known in the whole world—the beauty of the Falls and the nature.

We went, despite the cold weather, and we walked along the Falls. She was shocked, because she was expecting to pay a fee to enter and walk and see the beauty of Niagara Falls. She was happy because she didn't have to pay a fee. She walked, and nobody asked her about anything else. She enjoyed the nature and the beauty of the Falls.

Niagara Falls is a landmark, and so many different lakes are landmarks in the province of Ontario. Many people from around the planet want to come and see our landmarks, whether it's the lakes, the Falls or the rivers, and they should be accessible for all of us because they're places where we can attract tourism, where we can attract people to go and enjoy themselves.

Also, we don't want to create an area only designated for rich people. They can build a palace, they can build a resort, and then also put a fence around the resort and block all the people from walking through or going through.

I listened to the remarks from the member from Oshawa, and I was very impressed with his technicalities, talking about the water in the spring, in the fall or the summertime, and how it shrinks back and forth—also, when we get hurricanes, how the water expands and also shrinks. We're lucky in the province of Ontario that we don't have tsunamis. That's what happened in Japan, where most of the houses shifted almost 10 feet away from the lakeshore.

1440

I think it's important for all of us to support the member from Niagara Falls and pass this bill, and also to continue to talk about the important things and important elements of our society being open to the public, open to the population of Ontario to enjoy, especially nature, which many people from around the planet want to come and see. It would be unfair for many people who cannot afford to go to a resort or expensive hotel; they can afford to walk along the lake and enjoy the beauty of nature.

Thank you, Mr. Speaker, for allowing me to speak and support Bill 32. Hopefully, all of us in this House support it and it becomes law in the province of Ontario, which opens up the province and especially the lakeshore on the Great Lakes to all of us to walk and enjoy.

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

The honourable member for Niagara Falls.

Mr. Kim Craitor: I will use the rest of the time to make just a few more comments and thank my colleagues for their input.

First, I want to say that I'm really pleased that a number of people have taken the time to come out here, because they had the opportunity to listen to some of my colleagues on the other side and hear some of their concerns, which I've heard as well from across this province. I think it's beneficial that you sort of hear both sides.

I also want to make one other comment. As an MPP for eight years, the best time in Parliament is private members' bills time. I've often said that's the time when there really is no politics. We speak from our hearts; we speak what we believe. I sometimes wish we could do private members' bills three or four days a week, because there are some fabulous bills that have been put forward by members from all three parties, some really innovative things that would be of benefit to the people of Ontario. One of the special times when I love being in Parliament is during private members' bills time.

I just want to close, in the time I have left, by sharing a couple of emails I received from different people to show the amount of support for the bill across this province. This came from Waterdown: "We support the right-of-passage act that has been proposed, and we sincerely hope this bill will be taken very seriously and passed quickly. As a family who have walked the beaches and the shores of Lake Huron in particular for 50-plus years, we feel very, very strongly that the shores of all the Great Lakes be kept open to all who wish to walk there. Developers and cottage owners have often had the strong voice in this matter locally, and now it is time for an equal voice on the side of the passage act. If it's not passed, the opportunity for those who cannot afford a lakefront property to walk along the shores will be gone and one more little bit of freedom taken away."

As well, Mr. Speaker, I wanted to mention that today is also about having solutions. That's what this bill is about. I just wanted to touch a bit on the United States. They have what is known as the public trust doctrine in the United States. In a country where private property rights are so deeply ingrained, it seems counterintuitive that a public right of access to the beaches of oceans and inland waters is recognized in every state. Nevertheless, such a right has been preserved in a legal doctrine, and it's known as the public trust. In essence, this document holds that the area below the high-water mark and the shoreline is held in trust for the public.

In Michigan, a group known as Save Our Shoreline, composed of mainly wealthy shoreline owners, challenged that doctrine. They said that they challenged the legislation for people to have these rights, not to exclude beach walkers but rather to prevent people from holding parties and lighting camp fires in front of private homes. I want to tell you that it went to the Supreme Court of Michigan, and in the decision, the Michigan Supreme Court held that the members of the public were entitled to walk the shores of the Great Lakes between the ordinary high-water mark, and under the public trust doctrine, the owners do not hold title to their property according to the terms of the deed and subject to the public trust.

Bill 32 in its simplest form just says that people would have the right to walk along the Great Lakes of Ontario and be able to enjoy themselves. It does have a number of exclusions, and that was mentioned: You can't drive vehicles, you can't have campfires, you can't stop and put out blankets,

You can't do any of those things. There are a lot of very positive things to protect the rights of homeowners. But in essence, it gives you that opportunity to enjoy our Great Lakes.

I want to conclude with just thanking my colleagues from Beaches and from Fanshawe as well for their comments.

There are some very positive things that were said, and that is, as the bill goes forward, in essence—you know, I'm pretty straightforward. These people came out, and I was very clear; I want to tell the House this. I was very fortunate, because one of my colleagues decided that he was not going to use his private member's time and he made it available, so I was able to access this time. As I explained to the people who have come here, it gave me a chance—because the bill cannot go forward. This is the reality. It's the end of our session and I did not want to bring them all the way up here with an expectation of a bill being able to go forward. But I said, "I would like you to come up. I will bring the bill to second reading so you can hear what's being said around the House, so it can get back out into the public domain."

I'm committed, once I'm re-elected—that's a little presumptuous; hopefully I'm re-elected—to bringing the bill forward again, and this kind of debate and input from the House and from my colleagues will help maybe redefine the bill, take in some of the concerns that were mentioned, that maybe need to be addressed. When it's brought back for the next session of Parliament after the election, then I'm confident that we will be able to move the bill forward and have it passed.

So I just want to conclude and say thank you very much to the House for allowing me to say a few words on this bill, and thank you to everyone who has taken all the time out of their busy schedules to come all the way up here. From Fort Erie to Toronto is a long trip, but it just shows, for everyone else, how passionate you are and how much you believe in this bill. So from my heart I thank you very much for that.

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

Seeing none, the honourable member does have two additional minutes if he would like to use it for a wrap-up.

Mr. Kim Craitor: I will stop with that. I think we've covered it very well. I appreciate it, and I'm one of those who, when it's time not to speak any further, I don't speak any further. So thank you very much.

The Acting Speaker (Mr. Jim Wilson): Thank you. The time for Mr. Craitor's ballot item has now expired. We will vote on the item in about 100 minutes' time.

NOVICE DRIVER "P" PLATE ACT, 2011

LOI DE 2011 EXIGEANT UNE PLAQUE «P» POUR LES CONDUCTEURS DÉBUTANTS

Mr. Flynn moved second reading of the following bill:
Bill 161, An Act to amend the Highway Traffic Act to require vehicles driven by novice drivers to display

markers or identifying devices / *Projet de loi 161, Loi modifiant le Code de la route pour exiger que les véhicules conduits par des conducteurs débutants affichent des marques ou des moyens d'identification.*

The Acting Speaker (Mr. Jim Wilson): Pursuant to standing order 98, the honourable member has 12 minutes for his presentation. Mr. Flynn.

Mr. Kevin Daniel Flynn: It is a pleasure to rise this afternoon and begin the debate on this issue. The bill before us is called the Novice Driver “P” Plate Act, and it would, if passed today, require young drivers in Ontario to place a “P” plate on their vehicle identifying themselves to other drivers and pedestrians as a novice driver. It’s a very simple idea. It’s an idea that is used in a lot of other countries and jurisdictions around the world. But much like many other bills that are brought forward, I think it’s common sense.

It’s a bill that’s unique, though, because of who really brought it forward. This is a bill that is co-sponsored by my colleagues in the House from Newmarket–Aurora and from Timmins–James Bay, who I think will be speaking a little bit later on this. The idea, however, and the actual piece of draft legislation, similar to what we are debating today, was brought forward by Alex Don.

Now, Alex, some of you will remember, was a former page in this House. Alex was in grade 7 or 8 at one point in his life and was living in Oakville at the time. He’s now in grade 12 at Assumption high school in Burlington. He’s doing quite well, and he’s off to university or college next. But before he did that, he started working on this project after he paid a visit to Australia in 2009 and saw the success of this program in another jurisdiction. He felt, as a young driver himself, that this provided a great safety system and something that the province of Ontario should be looking at. So it became his goal to bring this to Ontario by enacting a change in the Highway Traffic Act to introduce what is a very simple concept of a six-by-six-inch “P” plate that will be attached to any car when the vehicle is being driven by a young or novice driver. And the best way to think of this is as a large fridge magnet that would go on your car.

1450

This is a quote of Alex’s when he was interviewed by the media when he first came up with the idea. He said that “since young drivers are the most likely ones to have a fatal car accident and since 70% of all the deaths of young people in Canada are as a result of motor vehicle accidents, I thought someone should really make an effort to see what improvements might be made.” That’s exactly what he did, and as a young man, we should commend Alex for his courage in bringing this forward, because it takes a special sort of person to take this type of step. That’s why I’m extremely supportive of Alex bringing this initiative forward, and I suspect that’s why he’s got support from all parties in the House, because of the responsible attitude he has taken towards this and the courage he has shown.

I’m really encouraged to see a young person who has decided to take part in the legislative process, and he’s

bringing forward ideas that are designed to improve the safety of his peers. I’m grateful for the support, as I said, that was provided by the member for Newmarket–Aurora and the member for Timmins–James Bay, because I think they share the feeling that this is also about improving young driver safety, and more importantly, it starts a discussion about how we can make our roads safer.

The objective of Alex’s plan is simply to reduce fatalities—deaths—among young new drivers and improve road safety in Ontario for all drivers. The plan is to accomplish this by making a simple change in new-driver licensing legislation. I think this is an initiative that has a lot of merit. I’m sure that all the bugs haven’t been ironed out of it. I’m sure that there are some changes that other members in the House might like to see. I’m sure there may be some amendments that would be worthy of being brought forward. But I think, at the end of the day, it’s an initiative that should be examined and treated very, very seriously.

There are two jurisdictions that come to mind when you think of other places that employ this type of system: a province in Canada, that being British Columbia, and the jurisdiction where Alex first saw this, that is, in Australia—I believe it was in New South Wales. There have been successes in those jurisdictions. Australia saw deaths from motor vehicle accidents amongst young people drop considerably. In some cases, after the introduction of this program, the amount dropped to the lowest levels they’ve seen in Australia since the 1940s.

The benefits obviously include increased awareness of the novice driver on the road. Other drivers who are using the highways or the roads would know that there was a person driving that car who was just learning how to drive. Law enforcement officers, for example, will also have an easier job. They can easily spot the “P” plate on the car and know that the driver who is driving that car has unique driving obligations that are already set in legislation that has been passed by this House. Society in general is going to benefit if there are less serious and fatal accidents. From a budgetary point of view, obviously our own health care costs in the province will be less. There’s no reason why this shouldn’t drop insurance rates for drivers as well.

I think the value of the bill becomes apparent the more you think about it, and if we sent this off to committee and started a discussion on this, I think the debate and the details that might come forward would prove that this is a bill that is worthy of being passed.

But I think we need to get back to the other half of the point of this bill: about a young person being engaged in the legislative process. That’s something that I think we should be encouraging at all levels and from all parties. It is a very appropriate week for this type of a debate. Members will know that this is Education Week. Many of us have events planned in our own communities celebrating our publicly funded school systems, the teachers in those schools and the students in those schools. This is a great example of how our school system created an environment and supported the efforts of one of their

own students. The bill has the full support of the Halton Catholic District School Board,

Michael Pautler, director of education for the board, said, “Alex’s commitment to this initiative is truly noteworthy. The benefits and the implications of this program resonate on many levels, and Alex’s efforts serve as a model for the proactive engagement of youth to effect positive, tangible change” right in their own community.

Support and guidance for this bill was provided by a very special teacher, Mr. Fernando Costa, who is a youth councillor at Assumption high school and has also taught in Oakville and other areas in Halton as well.

Let me read you another quote from Alex about his time here and how that related to the bill that he has brought forward. He says, “I’m grateful for the training I received as a legislative page and the opportunity to engage with stakeholders and politicians to move forward. I want to say most of all, education empowers everyone, and our political system gives us the freedom to act. That’s what my “P” plate process shows. I am a young person, a new driver and I have acted according to what I have been taught and believe.” He ends it by saying, “How awesome is that?”

Earlier this week, we saw a very unique occurrence where several young people were elected to the House of Commons. Quite similar to people of different ages, it appears there’s some incredible young people in there and some who we may be wondering about. That’s no different than other people we elect on a regular basis or even around this House.

When I visit schools in my community, I often tell them that when they come down to Queen’s Park and they look at who has been elected in the province of Ontario, they’ll see people of different cultures, and they’ll see mainly men—some women but nowhere near enough. But there’s one group you don’t see elected at Queen’s Park, and that’s young people. I think they are missing a voice here. That’s why I’m so happy to bring forward this bill because it does give a voice to a young person.

I should point out that many other community members have expressed their support. Here’s what a few of them have said.

Jim Commerford, president and CEO of the YMCA of Hamilton/Burlington/Brantford, said, “We are deeply committed to the health and well-being of all young people, and we find the initiative of this young man worthy of attention and action. We formally add our voice in support of this.”

Here’s somebody everyone will know. Mr. Ken Lewenza of the Canadian Auto Workers says, “Road safety is important to all of us, particularly in ensuring that new drivers are treated with the necessary caution and care. Therefore, identifying provisional vehicle drivers to the public makes perfect sense.”

We’ve even got the chief of police in our own community of Halton. Chief Gary Crowell says, “Alex’s “P” program translates ideals into action by readily identifying less experienced drivers to enhance their safety

and the safety of others. It is obvious that Alex has done a great deal of research into this project which has resulted in a quality proposal. I commend him for this initiative. The Halton Regional Police Services endorses Alex’s “P” program, and we applaud his hard work in helping to make our communities safer.”

These are voices we should pay attention to. When a young person comes to the Legislature and presents us with an idea that directly impacts upon people in his age group and our age group, I think we should take it seriously.

As legislators, I don’t think this happens often enough. I look forward to hearing the debate this afternoon because it’s not only about the content of the bill, which I think is worthy of support and is at least of worthy of further examination through the committee system, but it is also about a young person engaging in the political system.

We’ve just seen a federal election where the turnout was not what we would expect it to be and not what we would hope it would. We saw young people perhaps begin to get engaged through vote mobs, I think they call them, and social media. I think a lot of thanks has to go out to Rick Mercer for the work he did in encouraging young people to become part of the political system.

But today, what we have before us is a very practical example of how we can assist a young person in feeling that they’re part of their political process, that if anyone like Alex out there in our own communities has a good idea, they shouldn’t feel afraid or intimidated about bringing it forward to their own elected officials, whether that be a town council, a regional council, a school board, the provincial government, the federal government. We’re elected to listen to people. We have a young person here today who wants us to listen him. He’s done a lot of work on it. I think that all parties would agree—we don’t always agree on everything—that there’s more room in the legislative process for young people.

1500

By showing your support for Alex today and for this bill, I think you’d demonstrate that we’re really serious about this and we are prepared to listen. That’s going to encourage other young people to step forward and bring forward even better ideas to make Ontario a better place.

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

Mr. Frank Klees: As co-sponsor of this private member’s bill, I too want to begin by welcoming Alex Don to the Legislature this afternoon. Please, if members would—

Applause.

Mr. Frank Klees: It’s not often that a proponent of a bill observes it being debated from the gallery. It’s a real honour for me to speak to this bill, particularly because the individual who’s observing the debate of a bill that he initiated is 18 years old, and with that 18 years of age obviously comes a great deal of maturity and responsibility and perseverance. When I say “perseverance,” it’s because Alex has not only learned about the legislative

process in bringing this forward but he has also experienced first-hand the political dimensions that are at work in this place. He achieved something that isn't very common; namely, to convince members from all three political parties to agree to sponsor the same bill. For that, I think we should applaud Alex one more time. Thank you.

Applause.

Mr. Frank Klees: I also want to acknowledge Fernando Costa, his teacher and counsellor, and David Medhurst, who have encouraged Alex as he worked on this initiative. I know that he's grateful as well for their support.

Alex Don is a shining example of the many Ontario youth who are demonstrating a sense of civic duty and community activism. When we have an opportunity to encourage that civic involvement, we have a responsibility to do so. I want to again thank Fernando Costa and David Medhurst for doing precisely that for Alex, for providing that encouragement and coming alongside and providing assistance to him.

It was in that same spirit of encouragement that I and my colleagues the member for Oakville and the member for Timmins–James Bay didn't hesitate to lend our support for the bill as co-sponsors. The fact that we're debating this bill also demonstrates how our parliamentary system of government can truly empower individuals to effect real change. This should be an encouraging message to all, especially to young people right across this province.

Often young people, particularly, question whether they can make a difference in the political process, and through this initiative, Alex has proven that they can. One person can make a difference. One young person with the kind of energy and dedication that Alex has had to this can make a great difference.

As was mentioned, he's a high school student at Assumption Catholic secondary school in Burlington, a former legislative page who I'm sure often sat in this place and was wondering, "What in the world is going on here?" Yet, rather than be discouraged by what he saw, he was actually motivated to become part of this process. We're very proud of this young man.

He came up with the idea that would form the basis of this bill during a family trip to Australia in 2009, where he noticed that novice drivers are required to display a symbol on their vehicles that informs other drivers to be patient and to exercise additional caution in sharing the road because that notice on those cars indicated that the person who is behind the wheel is a learner, is a novice driver.

This bill before us would require novice drivers in Ontario to place that "P" plate on their vehicle so that they could be identified as a novice driver. Alex has already been quoted by the member from Oakville for his motivation. He understood that in fact there are many young people in this province and throughout this country who unfortunately lose their lives as a result of vehicle crashes. In his words, "I thought the "P" plate

made so much common sense; I had to push it forward." And push it forward he did. That's why we're here debating this bill today.

In describing his own driving experience with a G1 licence, especially at rush hour and in parking lots, Alex said, "If more people knew I was a new driver, they might be more courteous or aware."

Actually, I'm thinking of getting one of those plates for my car, because the challenge we often have on the road is that people are not courteous; they're not aware. As a result of that we unfortunately have many unnecessary collisions on our roads.

The objective is to help reduce fatalities among novice drivers and improve road safety in Ontario by adopting this identification program. I want to make it very clear that this is for novice drivers. What is a novice driver? In the province of Ontario, "novice driver" is defined as "any driver ... who holds a G1, G2, M1, or M2 class driver's licence."

Essentially, it's not just focusing on young drivers. Certainly the vast majority of individuals who hold this class of licence would be young drivers, but there are also many others who come to this country and have their Ontario driver's licence for the first time, and aren't otherwise familiar with our road conditions and the rules of our roads. They too would fall into this classification of novice drivers.

I think it's important that we also recognize that this is not something out of the blue. This has been in place in New South Wales, Australia, since the late 1990s, and in fact, according to the records in that jurisdiction, it has resulted in significant road safety improvements as well as a reduction in fatalities among novice drivers.

A similar program has now been adopted in British Columbia, where a new driver must put an "N" plate, standing for "novice," on their vehicle for a period of 24 months. In Australia, the impetus behind the implementation of this program was the number of deaths involving young drivers. On April 14, 2011, Australian senator Trish Crossin was quoted as saying, "Last year, 334 young Australians aged between 17 and 25 died in road accidents.... It is a fact that young people, under the age of 25, are more likely to be involved in a car crash than any other age group...." Unfortunately, those statistics hold true for Ontario and Canada as well.

After implementing the "P" plate program in Queensland, Australia, police there reported significant reductions in fatalities, with 77 deaths in 2007 compared with 58 in 2008 and 53 in 2009. The number of young people injured in crashes has also been significantly reduced.

We have the evidence in other jurisdictions of the positive impact of this program. The "P" plate that is displayed on vehicles driven by probationary or novice drivers makes other drivers on the road aware that such cars are driven by inexperienced drivers, and I think that is simply a practical measure that would serve us all well. The program likewise allows law enforcement officers to readily spot a novice driver. The reason that is important—and I believe one of the reasons police services

support this—is that it helps identify novice drivers, who have some very specific restrictions in terms of how and where they can drive in this province.

For example, novice drivers in Ontario are restricted from driving on 400-series highways. There's also zero tolerance for blood alcohol content at all times. Only one other passenger is allowed in the front seat with a novice driver, and novice drivers are restricted from driving from midnight to 5 a.m. The benefits in terms of reducing fatal and serious accidents among novice drivers in particular are the most compelling argument in favour of the implementation of this program.

1510

I just want to make reference to the number of stakeholders in this province whom we have heard from already. I'm sure it's not just myself; probably every member in the Legislature has heard from stakeholders.

The member from Oakville has already referenced the fact that Halton Regional Police Chief Gary Crowell has formally endorsed this. Endorsements were also received from the Halton Catholic District School Board; the Ontario Public Service Employees Union; as has been mentioned, Ken Lewenza of the CAW; Jim Commerford, president and CEO of the YMCA of Hamilton/Burlington/Brantford; and Dr. Peter Fitzgerald, president of McMaster Children's Hospital.

We can't forget to mention that Alex's efforts to promote this program received the Toronto Star's laurel on January 22, 2011. I don't know how many members in this House have ever received a laurel from the Toronto Star. I can tell you, Speaker, I have not, and I may never; I probably never will. So a special congratulations to Alex on that achievement.

Once again, I want to commend Alex for his sense of responsibility as a young man that motivated him to work so diligently to bring this initiative forward. The result, the passage of this bill and the implementation of it, will, without question, help save lives, and we will owe that to Alex Don's initiative. Thank you, Alex.

The Acting Speaker (Mr. Ernie Hardeman): Further debate?

Mr. Gilles Bisson: I too am glad to participate in this debate. It is not often, as my good friend the member from—

Ms. Helena Jaczek: Newmarket—Aurora.

Mr. Gilles Bisson: Newmarket—Aurora. I don't know the riding names. I've been here for 21 years; I never paid attention.

I just want to say that he is right, that it's not often that you get an opportunity to make change in the way that Alex is making change here. There are some members in the House who have been here for a number of years who would like the opportunity to pass a bill in the way that this particular bill will probably get passed. It's somewhat ironic. It goes to show that if youth want to be engaged in the process of making legislation and being involved civically, either municipally, provincially or federally, if you set your mind to it and the conditions are right, you can do so.

It was mentioned that Alex was a page in the Legislature here some years ago. When he came to my office, I guess it was some four, five or six months ago, when we first started talking about this particular idea of his, I recognized him as he walked by and I wasn't too sure why until he pointed out that he had been a page in the Legislature. I guess, at that time, he was struck with what happened in this House and thought, "Here's an avenue to effect change that I can follow as a citizen." I just want to commend Alex for doing that.

Far too often, too many people in our society—and let's not talk about youth; let's talk about all citizens in our society—are not as engaged as they need to be in what we call democracy. I just look at what's happened in the Middle East over the last month or two. We see the people of Egypt, we see the people of Syria, we see the people of Libya, we see the people all over the Middle East who are literally dying in order to have the right to be engaged politically in their own countries, and we take it for granted here.

So when you see somebody like Alex stand up and say, "I want to be engaged as a citizen. I understand it's not just my right as a citizen to be engaged but it's my duty, and I'm going to be involved and I'll do what I can by being involved in the process," such as he has, I think our hat has got to go off to him. And we've got to say to other people, young and old, to be engaged, because I think you can learn a lot by watching what this young man has done.

The bill is a good idea. When he first brought it to me, I thought, "Jeez, that's a good idea." In fact, I remember reading some articles on this, as transportation critic some years ago, not only in Australia, but it seems to me that at one time this was done in some places in eastern Canada, if I remember correctly. The idea is a very simple one, as was said earlier: to put a large letter "P" in the windshield so other people know you're a novice driver and they should give you a little bit more patience, a little bit more understanding, and not get mad if it's taking you a little bit longer to park or if your driving may be a little bit slower—hopefully not a little bit faster—and we need to have regard that this is a novice driver.

I know that with all bills—and I'm sure that Alex has gotten this comment from some of his friends at school—some people would say, "I don't like it." Some people would say, "I'd rather nobody knows that I'm a novice driver, and I just go out and do what I want to do." But I say to those who might have said that to Alex or might have thought that themselves, sometimes, change is something that is hard to accept, especially when it affects us directly. I think you need to look back at what the examples are where this Legislature and others around the world have done things that have broken the mould.

I'm young enough in this House—I've been here for 21 years. I remember that drinking and driving used to almost be an accepted practice in this province. All of us in this House of my age can relate to stories where family

members were frequently drinking and driving with kids in the car. It was almost seen as something that just happened. It took some mothers who lost their husbands and their kids to drunken drivers to go out and to do the work that Alex did and educate not only the public, but, quite frankly, the members of this assembly that something had to be done. As a result of the work of MADD and others that were involved—and it was because of citizen engagement like Alex is having with us on this particular initiative—that we not only changed the legislation—and this is to my point that I want to speak to, Alex—but we've changed the attitude. That's what this bill is all about: trying to change the attitudes of those people out there.

First of all, do recognize you are a novice driver and that you can't take the car and do some of the things that you think you can do—because you really don't have the experience—and for those who are interacting with you on the roads and in various places across Ontario. I'm a pilot, and there's a saying when you first start flying: There's no such thing as an old, bold pilot. I guess that holds very true for this particular instance, because there is no such thing as an old, bold driver either, if you continue doing those kinds of things.

I just say to Alex, I think this makes a lot of sense. Since the idea was brought, I've had a chance, as a critic, to canvass some people out there who know something about these issues, to see just to what degree it would be supported or not supported. I spoke to the police associations in Ontario, the OPPA, and others in my own local municipal force. They see this as being plenty of common sense. They say that this is something that's long overdue and it would be quite helpful—and quite helpful for police officers to know as well, not because they want to focus in on young people, but just to understand what's going on in their own environment as they interrelate with the drivers in our municipalities across Ontario.

I also had an opportunity to talk to some people who are very involved with youth when it comes to driving, and those are the people who do the driving schools. When I raised it with them, they said that this makes ultimate sense. They feel that what's lacking at times when a young person goes and gets their licence is the experience that's needed in order to learn that certain things are not good habits, that you need to break them and that it takes some time to be able to learn those skills.

We will support this legislation. We will allow it to go to committee. I would hope—there's not a lot of time in this Parliament—that we can do that fairly quickly so that we can send a signal not just to Alex, but to other people out in Ontario that being engaged in the process actually can make something happen. I think it's incumbent upon us in this House, especially members on the government side, to ensure that this bill does get to committee—I don't think it needs a lot of time, maybe a day—and we try to bring this bill back for third reading this spring.

The House will rise, I would think, sometime in May, maybe at the latest in early June. If it's not passed by

third reading then, basically, it'll die on the order paper, and we'll have to start this all over again. I'm sure next year, you're going to be very busy in post-secondary education and may not have as much time on your hands to come and lobby all of us to move this thing forward. So for Alex and other people out there, now the ball is in our court. We need to take the responsibility that we're being asked to take, and that is to say, let's allow the bill to go forward, get it into committee so that if there is something we need to amend in the bill, we can do so reasonably, and then bring the bill back for third reading—we don't, I believe, need a long debate at third reading—so this bill can actually pass.

What a message I think that is, if it does pass, to youth and to all those citizens in the province of Ontario: to know that you can make a difference, that you can go to your local member of provincial Parliament, as Alex has done here—he had to do quite a different process because it was late in our session—but you can make the difference. In a lot of cases, people don't recognize that members have the ability to bring forward private members' bills, and most of our bills come from the ideas of our constituents. I think it allows the public to understand that you don't have to be cynical about politics. It is about change. It is about making things work. It is about trying to find solutions to problems that exist within our society. It is about good ideas. It is all of those things that make a society function. I think that if we're able to move this forward for third reading, it would be a good thing.

1520

I just want to end on this note and say a few words in French. I know that there are many students out there watching in the francophone schools, because some of them have talked to me. I would like to say a few words en regard de ce projet de loi parce que je pense que ce qu'Alex est en train de nous dire, c'est que n'importe qui qui décide qu'il veut avoir un effet sur la politique provinciale, fédérale ou municipale a l'habileté de le faire s'il décide de s'engager. Le fait qu'il s'engage, tel que l'a fait Alex, nous inspire à dire que n'importe quoi est possible. Si c'est la question, quand le public dit, « Écoute, il n'y a rien qu'on puisse faire. La politique est toujours la même chose. Ça ne fait pas de différence pour qui on vote. Il n'y a rien qui change », je pense qu'Alex est en train de démontrer que ce n'est pas le cas.

Dans ce cas-ci, Alex a dit qu'il avait une bonne idée. Il est allé visiter tous les députés—son député local et les députés de l'Assemblée. On lui a donné une suggestion, dans le temps, que ce serait plus important, on pense, d'essayer de le passer comme un projet de loi avec trois député, un de chaque parti, qui sont capables de le supporter. Alex a fait l'ouvrage qu'il avait besoin de faire pour amener ce projet de loi à ce point-ci. Là que ce projet de loi est ici à l'Assemblée, je suis convaincu que le projet de loi va passer la deuxième lecture. S'il ne passe pas la deuxième lecture, je vais tomber à terre, franchement.

La cle, et ce qui est vraiment le plus important, c'est ce que nous autres faisons une fois que c'est passé la

deuxième lecture. On a besoin de s'assurer que ce projet de loi parte de la deuxième lecture au comité, et une fois qu'on a fini au comité—peut-être une journée—envoyer ce projet de loi à la troisième lecture pour que ce projet de loi puisse être mis en vigueur avant que cette Assemblée se dissolve plus tard ce mois de mai ou au début du mois de juin. Pourquoi? Pas seulement pour Alex, dans le sens que c'est son projet de loi et il aimerait le voir avancer; je pense que c'est pour la question dont Alex essaie de nous parler à travers ce projet de loi. C'est de dire au monde : « Oui, tu peux faire une différence »; que cette Assemblée législative de l'Ontario, nos conseils municipaux et notre Parlement fédéral sont des places qui sont là pour le public—pour être capable d'avancer des dossiers qui sont importants et de s'assurer qu'à la fin de la journée, le public a l'habileté de faire une différence. Si on passe ce projet de loi, je pense qu'on dit ça en volume.

Again, on behalf of New Democrats, I want to say that we will be supporting this. I'd be very surprised if anybody votes against it. I look forward to this bill getting to committee. I will give it my support, and I really do want to see this bill come back for third reading, for final reading.

Finally, to Alex and all of those who were involved: Congratulations. This is a very well-done job on your part. Thank you very much for bringing this forward.

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

Ms. Helena Jaczek: It certainly is a pleasure for me to rise in support of Bill 161, An Act to amend the Highway Traffic Act to require vehicles driven by novice drivers to display markers or identifying devices.

I just have a couple of minutes to speak on this bill, so I just want to make a couple of comments. First of all, the fact that this is a co-sponsored bill: Having come to this place relatively recently, in 2007, and never having felt particularly adamantly partisan, it is certainly a pleasure to see all three parties co-sponsoring this bill. My congratulations to Alex Don for approaching all three parties with his idea so that it could be brought to this place as private members' business, an idea that I think everyone can clearly support.

In my own case, as a child growing up in England, seeing a bright red "L" on a driver's licence, as was certainly the case in those days, and I believe to the present day, was a sign that, clearly, here was a learner driver; the L was for "learner." I remember my mother explaining to me that one day I would also be in that position, and I actually aspired to have that L on a vehicle one day.

I was very surprised—

Mr. Gilles Bisson: You still have an L.

Ms. Helena Jaczek: In fact, a red L, too.

In fact, when I came to Canada as a teenager, I was astonished not to see those red Ls on vehicles here.

I think this is an idea, clearly, that other jurisdictions have embraced. We've heard some statistics related to the fact that in Australia they've seen a decline in injury, and as a physician, any decline in injury or, of course,

fatality is something that I certainly commend. The preventive aspects of this bill are extremely important.

I was considering what the effect of this is. Not only can other drivers perhaps take a more defensive approach to their driving when they see that there is a novice driver on the road, but also perhaps other individuals considering being passengers in a vehicle with a novice driver. We all know that many passengers in a vehicle can be somewhat distracting, so there may be some parents out there who, knowing that their children are going to be driven by a novice driver, may have some second thoughts, may ask some questions as to how many passengers will be in that vehicle. So there are all sorts of spin-off benefits for people to be alerted to this situation.

I'm certainly pleased that our government has taken a number of steps, including zero blood alcohol for those in the graduated licensing program. I think this is another incremental step towards improving safety on our roads. Really, it's hard to see any possible downside to this bill.

I'm fairly optimistic—it has been mentioned by my colleague from Timmins—James Bay—that a lot of what is being proposed could be accomplished even through regulation.

It would seem to me that this is something that we should move forward on expeditiously, and I look forward to seeing bright red Ps on our roads in the near future.

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

Mr. Wayne Arthurs: I'm pleased to have a couple of minutes to speak to Bill 161 and to recognize, as others have, the young man, Alex Don, who brought this idea forward, having been a page here and seeing how this process works, and to congratulate him on reaching out to a member from each of the three caucuses—the member from Oakville, the member from Newmarket—Aurora and the member from Timmins—James Bay—who have all spoken eloquently about the importance of this bill. I think we are all optimistic that it will continue through the process.

I was interested as I was listening to my friend across the way from Oak Ridges—Markham. She was speaking about the big red L. To keep it in a fairly non-partisan manner, we may want to get something like a big red L, a big orange D and a big blue C: "Learner: Drive Carefully." Maybe we can find a way to incorporate all of the partisanship and the non-partisanship in a fashion that would also express what the intent is here. Whether it's a P or an L or whatever it may be, it's all going to drive home the same idea.

Before I came to this place, in what I refer to as my first life—

Hon. Margaret R. Best: Your first wife?

Mr. Wayne Arthurs: No, life; not wife. I can only afford one wife, and that's my first wife.

In my first life, after school, I was a high school teacher, and during that time I had the opportunity to interact with students, both in my teaching environment and in the environment where I worked with students as

the student council adviser. So I got to see the kids in a whole range of areas. But I had the unfortunate situation of a young man who lost his life with a couple of his friends, as a result of driving—the member for Timmins—James Bay spoke about alcohol use in driving. He lost his life with two other young people, on a Thanksgiving weekend, as a result of alcohol being used at that time. I think it's this kind of a bill, this kind of a process, this kind of driving change in behaviour that would help on that front, as it currently does and has done through the efforts of MADD, to identify for young people the importance of care.

1530

Even having left teaching, I notice it myself at this point in time. I've been driving now for quite a number of years. I notice, as I get older, that I have a greater tendency to drive even more defensively. I find myself physically watching the traffic in a different way. I find myself physically backing off from the vehicle ahead of me. I notice lane changes that I might not have noticed 30 years ago, and take that as a signal that I should be taking a little more defensive care in what's happening around me.

I think if I was driving and I saw a letter "P" identifying a novice driver, it would say to me, "Give this individual a little more room. Take marginally more time before you think you need to pass that person," because they are a novice driver. They're learning this process in a busy environment.

I am optimistic that this process will continue. I think there's tremendous value in it. Alex, congratulations to you on bringing it forward to the members who are tri-sponsoring this here this afternoon, and let's hope it does see committee and see itself back in this Legislature—ideally in this session, but if that's not the case, it won't be the first private member's initiative that had to have at least one reiteration. When that happens, it will be to the benefit of young people throughout the province of Ontario.

The Acting Speaker (Mr. Jim Wilson): The honourable member for London—Fanshawe.

Mr. Khalil Ramal: Like other members in this House, I'd like to enter the debate on Bill 161 and also congratulate Alex Don for his achievement, for reaching out to three members of the parties of the House and convincing them to sponsor his bill and bring his idea forward to be debated.

As you know, since we've gotten elected, we've seen a lot of pages come and go in this place. I know most of them, basically all of them, as part of the requirement, have to be smart and intelligent to be here, to be able to absorb and go under the leadership of Wayne and help us across the House here to deal with many different issues, to listen to a lot of speeches, listen to us in debates, witness so many private members' bills and witness the passage of bills and laws in the province of Ontario.

It's not strange to see a person like Alex Don—he was sitting somewhere in this House, watching many different debates and watching many different ideas come to

this House to be debated. Probably he thought to himself, "One day I want to be here taking place in the debate or, at least before I get that chance, I want to think about very important issues concerning me, concerning the youth of this province of Ontario," so it can be introduced, debated, supported, passed and can become a law. So Alex, congratulations.

To the member from Oakville, who came forward with this idea, I know he introduced a similar bill in the past about novice drivers in the province of Ontario. I'm very passionate about driving in the province of Ontario because I drive all the time from London to Toronto to be here. I've witnessed a lot of bad drivers and so many different accidents on the highway.

I think it's important. I introduced in the past a conditional driver's licence for seniors and people who cannot drive on the 400-series highways, and I think this is similar; it's to create some kind of attention. Many people who drive don't pay attention to others.

I know your idea is that you want to create some special plate, a special lettering or a special signal—a special something—to identify the novice driver, whether in the city or on the highway, and to be looked after, not to be passed; to be recognized as people who just started driving, to preserve lives in the province of Ontario—the lives of the youth who are driving and the lives of others who drive in the opposite way.

I know from the statistics we show, we see, we read, that almost 70% of the deaths in the province of Ontario are among youth due to novice drivers.

I think it's a very important bill. There are always a lot of different ideas brought to this House by many of the members, and we debate them and we get into the details. I see overall that Bill 160—I don't know what the details and what the requirements are in order to have a "P" licence on your car. I know we talk about overall, and the member from Timmins—James Bay mentioned that maybe we don't have to pass the law; maybe it can be done through regulations, through the authority of the minister, he can ask her staff or her ministry to add the "P" or add some kind of identification on any car that a novice driver is driving in the province of Ontario.

Alex, congratulations. To all the pages with us today: I guess we should learn from Alex. Hopefully, you can come back next year with a lot of different ideas and give them to us. We can sponsor them and deal with them to become law in the province of Ontario.

The Acting Speaker (Mr. Jim Wilson): The member for Oakville has two minutes for his response.

Mr. Kevin Daniel Flynn: I think this has proven to me, when I decided that I would use my private member's time in this way, that it was a sensible thing to do, because I think all the members have responded in a very non-partisan way and have recognized a good idea.

I do want to thank those members, starting with the member from Newmarket—Aurora and the member from Timmins—James Bay, who are both co-sponsors of the bill. Speakers to the bill included the member from Pickering—Scarborough East, the member from Oak

Ridges–Markham and finally the member from London–Fanshawe.

The member from York West came up to me and said, “If we have it for young people, why not for seniors?” There’s an idea we might want to think about. If we phase licences in, we might want to consider phasing them out as well.

I think it provides us with a great opportunity to prove we’re serious about road safety, traffic safety, and that we’re serious about listening to young people. Often, we tell young people that they have a place in the system, and when the time comes to prove it, we fall short. This is an opportunity, in a very practical way, to show Alex and to show those who have assisted Alex—David Medhurst and Fernando Costa—that the system is serious about dealing with young people’s issues in a serious way.

I also wanted to take a minute to thank the Minister of Transportation. She has met with Alex; she has listened to Alex. She is treating the issue very, very seriously, because I understand she challenged Alex and she asked Alex some pretty hard questions that he had to answer. You’d think that if the Minister of Transportation had not been listening, she would have just heard Alex out and said, “Thank you very much.” Instead, she actually asked him some very probing questions about his idea.

I also want to thank Steve Ball, legislative counsel, and my own office for their work in turning what was a great idea from Alex into what has become private member’s Bill 161. I think we can make some history here. We can get this off to a committee. We can help with the safety of people in the province of Ontario and prove to people like Alex that there’s a place for him in politics.

The Acting Speaker (Mr. Jim Wilson): The time for this ballot item has expired. We’ll vote on Alex’s bill in about 50 minutes.

OMBUDSMAN STATUTE LAW
AMENDMENT ACT (DESIGNATED
PUBLIC BODIES), 2011
LOI DE 2011 MODIFIANT DES LOIS
EN CE QUI A TRAIT À L’OMBUDSMAN
(ORGANISMES PUBLICS DÉSIGNÉS)

Mr. Marchese moved second reading of the following bill:

Bill 183, An Act to amend the Ombudsman Act and the Police Services Act with respect to investigating designated public bodies / Projet de loi 183, Loi modifiant la Loi sur l’ombudsman et la Loi sur les services policiers en ce qui a trait aux enquêtes au sujet des organismes publics désignés.

The Acting Speaker (Mr. Jim Wilson): Pursuant to standing order 98, the honourable member has 12 minutes for his presentation. Mr. Marchese.

Mr. Rosario Marchese: Here’s what we want to do with this bill today: We want to expand the mandate of

the Ombudsman so that he can do more to protect Ontarians. That’s what the objective of Bill 183 is.

I want to thank the many people who came today, because they spent a whole day here. Some of them are facing me—most of them, actually, are facing me. I thought they were going to go there so that they could face you, but most of them are behind you. Some of them are there, and a few are here—

Mr. Michael Prue: And there. And over there, Rosie.

Mr. Rosario Marchese: —and some are over there. They spent the whole day here. This speaks to the incredible pain that many of them have experienced with one institution or another, whether it be children’s aid, a hospital, a long-term-care facility, a school board issue, or even a matter that’s related—and I don’t think many of those are here—to the independent police review director.

When you spend a whole day to come to a press conference in the morning, come to hear the question that we asked around 11 o’clock, and stick around until 3:30, 3:40—and we are on live—that speaks to the immense pain they experience and the desire they have to have the Ombudsman come in and shine a light on problems they believe, and I do too, in the various entities around which we spend billions of dollars and have no oversight over these bodies.

1540

The government might claim they have oversight in one form or another, but these people know there is no oversight. There is no independent oversight of these institutions, and that’s what we are calling for.

We are calling for an Ombudsman who has the investigative powers, the independence and the experience to investigate, identify problems, make recommendations to resolve them and then wait for the government to fix the problems. We have been waiting for a Premier who has the resolve and the strength to say, “If there are problems in these institutions, I want to know what they are, and then I’m going to fix them. And I’m going to send the Ombudsman in to do his review and wait for his resolutions.” But the government, each and every time, has refused to do that. I don’t understand why.

It can’t be for lack of money. When you look at every other province that has this power, you say to yourself, “How can Yukon do most of this?” Surely we’re a bit wealthier than Yukon—in the short term, until they discover more minerals, oil and gold. Who knows? Maybe they’ll get wealthier up there. Nova Scotia, Newfoundland and Labrador, New Brunswick, Quebec, Manitoba, Saskatchewan, Alberta, British Columbia: Most of these provinces have Ombudsman oversight over all these institutions that I mentioned, including, in many provinces, municipalities, including universities as well, which is part of my bill. If all the other provinces can do it, why is it that Ontario, so powerful in so many ways, still so relatively wealthy, can’t find the will to do it?

There is no downside. There is absolutely no downside. I understand that you as a government feel you would look bad, as you have every time the Ombudsman

has gone in, investigated something and forced you into a position to actually do something. But you can get ahead of the game. You can say, "I want the Ombudsman to go in, and I want him to bring back his recommendations, because I want to solve the problem." That's what you could do. Until you do that, of course you are going to be afraid of having the Ombudsman go into a hospital and reveal individual and/or systemic problems, because then you're going to look bad. Be bold. Be a leader from time to time, for God's sake. Do something.

Interruption.

The Acting Speaker (Mr. Jim Wilson): We're pleased to have you at Queen's Park today, but we have a very strict rule that you're allowed to watch the debate but not participate in it, and that includes clapping. Thank you. Rules are rules.

Mr. Rosario Marchese: We spend billions of dollars. We spend \$17 billion to fund our hospitals—\$17 billion. We spend another \$7 billion or \$8 billion for universities; to be fair, that includes colleges too. And for our elementary school system, we spend \$16 billion as well. We spend billions on long-term-care facilities. And yet, we don't have any significant oversight over these areas. In health care, if there is substandard care and somebody dies—we had a deputant today whose father died, something that would have been resolved. You have individuals fighting it out on their own, trying to investigate a problem on their own. You've got people here who have suffered through children's aid societies fighting on their own to resolve an unjust problem that they feel should be legitimately dealt with by somebody who has the power to deal with it. Yet they, on their own, have to find the resources, the money, to hire lawyers to solve the problem because they can't go anywhere to get that problem solved.

The Ombudsman, Monsieur Marin, said, "Families can be broken apart needlessly, or children can be deprived of stable foster-care, or adoptions can fail, or at times, children can suffer ... abuse, or even die."

We have kids in our school system who are falling through the cracks. They need special education and they're not getting it. Those kids suffer on their own, and those families suffer on their own, because we don't have a government any longer that feels they have an obligation to take care of them all. Why? Because it costs money. It does cost money, but in the meantime we leave them on their own to fend for themselves.

We've got kids who are bullied, some of them sexually abused. I've heard of some of those cases, and you would think that the trustees would be there to help or that the principals would be there to help. In many cases they are there, and sometimes they fail those parents and they fail those kids. We need an Ombudsman.

Parents don't know where to turn. They're alone, and there are thousands of people who feel they're on their own when they've got a problem. They don't know where to turn. Some of us feel that they know where to go and they know who to turn to for help. Most of them don't know what to do or who to go to for help. The only

person they could go to is an Ombudsman. We'll hear from the Liberal very soon, because I'm sure he's got other suggestions. That's the only person they can go to, because if they go to the Liberal MPP, I don't know what they're going to get. I don't know what you're going to get.

Mr. Khalil Ramal: Good service.

Mr. Rosario Marchese: The member from London—Fanshawe says, "Good service." God bless. He'll be speaking shortly because he's a good soldier for the Liberal Party. He'll be speaking on this; I know it.

But when there is a problem, either in a hospital or a school, related to abuse or special ed, what the members will do is refer them back to somebody else. If it's a school issue, they'll say, "Go to the trustee or the principal." If it's a hospital issue, they might even write a letter—God bless—or they might say simply, "It's beyond us." I don't know. If it's related to university, they might say, "Go to"—I don't know where they would send you; I have no idea where they would send you. If it's a children's aid society, they will tell you that there is an association that—my goodness, what's the name of the organization that will deal with it? The minister made reference to it: the family services review board, which is supposed to have oversight. The Superior Court of Justice just made a decision stating that this family services review board does not have the power to hear certain CAS complaints and has so far been forced to put 50 hearings on ice. Going to your Liberal MPP: What is that going to get you? I don't know. I really don't.

We need to be able to go somewhere and feel that when we state our case, somebody will hear it. We need to validate the pain that people are experiencing, and we don't validate that pain by saying, "We're taking care of things. We have systems in place," because we don't. We do not have the systems in place, and I argue it's time to let the Ombudsman in. There is absolutely no downside. If other provinces in Canada, including the Yukon, can do it, so can Ontario. It's time.

The amount of money that people spend on their own, and the amount of money that organizations spend to defend themselves against the complaints that people have—if all that money got directed to help the Ombudsman, just a little, a few, few dollars, he could do this job, no problem. He has been doing an amazing job with the resources he's got now. With just a few of those lawyer fees that boards spend to defend themselves, and hospitals—with all those dollars they use to defend themselves, if all that money could just be funnelled, just a little bit, to the Ombudsman's office, we'd have no problem. He would have no problem doing his job. The time has come; we can't put this off.

1550

I suspect this bill is going to pass. I really do. It's going to go to committee, wherein it will die unless we push them, and unless we push the Premier, and say that if this bill passes today, we want them to deal with it in this session. We've got two or three weeks left. We're going to have to push the Premier to make sure that once

this bill is passed in the Legislature, they then deal with it in committee. That's what I ask those of you who have come to do, and then we'll push the Liberals to make sure that happens.

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

Mr. David Zimmer: I'm happy to speak to this private member's bill brought forward by the member for Trinity-Spadina.

First of all, let me say that this government supports and welcomes the work of the Ombudsman of Ontario. In fact, I had the privilege of representing our government on the all-party committee that recently renewed the Ombudsman's appointment for the next three years.

Why did our government appoint this particular Ombudsman in the first place? Why did we renew the appointment? Why did I, on behalf of our government, join my colleagues opposite in unanimously recommending the reappointment of the Ombudsman? That's because our government, and indeed, all members of this chamber, have an interest and recognize the value of transparency in government agencies and oversight of the work, the decision-making process and what goes on in these government agencies or government transfer partners.

This bill would give the Ombudsman a jurisdiction that he does not already have, in the areas of the MUSH sector—universities and colleges, hospitals, long-term-care homes, school boards, children's aid societies, retirement homes—and an oversight role over the role of the independent police review director.

I've said that our government recognizes the value of oversight and transparency, and it's precisely that, because in each of those sectors in the MUSH sector that I've just outlined, there are already very stringent, very thoughtful, very careful mechanisms to oversee what is going on in those transfer agencies, boards and commissions and so on. The reason that we've already set up those mechanisms to oversee those sectors of the MUSH sector is because we want to ensure, as I've said before and say now for the third time, transparency and oversight.

In particular, in the hospital sector, we have something where the LHINs interact with the hospitals and through the hospital service accountability agreements. In child welfare services, we already have Family Court oversight of all child protection matters. A CAS ombudsman has oversight over the Child and Family Services Review Board. With respect to the Office of the Chief Coroner, it now has the authority to review the deaths of children who are in the care of the CAS. With respect to the Office of the Independent Police Review Director, that's an independent body that already has substantial authority and powers to deal with complaints about police officers, police services boards and so forth.

The issue here is, is there already oversight to ensure transparency and oversight of those sectors in the MUSH sector that this private member's bill now wants to bring the Ombudsman into? The clear answer is yes. When you

examine every one of those areas in the MUSH sector, be it the hospitals, the CAS, long-term care, the independent police review agency, the various school boards, if you examine how those MUSH sectors are overseen by an agency to ensure that there is transparency, there are already built-in mechanisms to ensure that.

The difficulty here is, if this private member's bill were to go forward, that we create another layer upon an already existing layer of oversight. The way this private member's bill would read, we would have the Ombudsman as an overseer of an overseer. So now we have an overseer overseeing an overseer who's overseeing the sectors in the MUSH sector.

At some point, the bureaucratic overload here becomes so much, becomes so dense, becomes so unfathomable and so unworkable that the very intent of this member's private member's bill, to ensure there is transparency and oversight, starts to choke on itself. So there is a certain benefit to clarity—

Interjections.

The Acting Speaker (Mr. Jim Wilson): Order. I can barely hear the honourable member, and I've got a speaker right in my ear.

Mr. Gilles Bisson: We can hear it. We don't like it.

The Acting Speaker (Mr. Jim Wilson): Listen, it's Thursday afternoon. I know people have had a long week, but the honourable member does have the floor, and please respect that.

Member for Willowdale.

Mr. David Zimmer: With all due respect to my friend opposite, what his private member's bill is going to do is make the system even more complicated. Let's keep it clear. Let's keep it tight. That's why we've set up those agencies to oversee those parts of the MUSH sector that the member's private member's bill is designed to cover.

I say that as someone who's a member of a government that supports the role of the Ombudsman. I personally sat on an all-party committee that renewed the appointment of the current sitting Ombudsman. The Ombudsman has his role. Those other agencies of oversight with respect to hospitals, schools, children's aid societies and police have their role. They do a competent role. They are careful about their role. They're responsible about the role. They ensure transparency and oversight.

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

Mr. Garfield Dunlop: I'm happy to stand today and support this bill. I'd love to see this bill get to committee after the support of the House today because I think there are some very good points in this bill, particularly around the fact that other jurisdictions in our country have the same type of legislation. I believe Yukon, BC etc. are all jurisdictions that have similar legislation.

But there's two things in my mind that make me believe we need this bill and why it's so important to have this bill. One is the Ombudsman's report. I compliment the Ombudsman's report on the G20. He came out with a report that said, "Caught in the Act." Thank God he did, because he actually identified the problem. Why

there was such a problem with the G20 was that we had a secret bill that was passed. The general public didn't know, the police hardly knew, and as a result of that, we had disturbances that were unnecessary here in the city of Toronto as a result of the G20. So I compliment the Ombudsman on that report, because we need to see more of that oversight. The government would never have come out with any kind of a report on that. Finally, they let Mr. McMurtry come out and he gave a similar report. The guilty people on the G20 were this government over here and the Minister of Community Safety and Correctional Services.

Second of all, why do we need it for something like the MUSH sector and, in particular, hospitals? We don't have to look any further than some of the money that was spent on the Deputy Minister of Health who was let go by this government or resigned from this government in 2009, and yet in the 2010 sunshine list ends up getting, I believe, something like \$600,000 or \$700,000 from a hospital over in Hamilton. That's my understanding. He was on the payroll over there somehow. We still don't know whether that was severance. We don't know whether he was paid some kind of secretive salary. But the reality is, that's \$700,000 in taxpayer dollars in the province of Ontario, and we in the opposition can't find out where that money went, how he was paid and under what agreement he was paid. That alone would tell me that we need some kind of oversight of that kind of spending right here in the province of Ontario, and automatically, the person to look at it, in my opinion, is the Ombudsman. I think that office has done a fairly good job of trying to keep an eye on these guys.

1600

We don't know what kinds of secret deals these guys are pulling off all the time. Almost every day we find something. I'd love to know what happened to the Samsung deal. We don't know that. We can't find anything on an \$8-billion deal—

Mr. Ted Chudleigh: Seven billion.

Mr. Garfield Dunlop: —a \$7-billion investment. We don't know any of the details of that deal.

I applaud the member for bringing it forward. I hope all the members of the House will pass this and let it go to second reading. I do think they'll try to kill it, that's for sure, but in the end, I congratulate you for bringing the bill forward, and I will be supporting it.

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

Mr. Michael Prue: I stand in support of this bill, and I stand in support of the Ombudsman. In my nearly 10 years in this House, I have seen the Ombudsman do remarkable service to the people of this province. When a government was trying to hide all the problems with MPAC—remember all the people who had their property assessments and couldn't get any satisfaction from the government? It was the Ombudsman who came in, investigated the complaints and found out that things were absolutely wrong. It was the Ombudsman who made the 12 or 15 recommendations which the government eventu-

ally had to say were right. The government wasn't listening to the opposition, the government wasn't listening to the people, but the government had to listen to the Ombudsman.

And when there were all the problems with people having to give their disabled children up to children's aid in order that they could get services, it was the Ombudsman who investigated that, who chastised the government and who made it right, so that parents no longer had to live in fear of having their children cut off from the very services that they needed, having to give them up for adoption or to the children's aid society and not look after them themselves.

It was the Ombudsman who did this, and the Ombudsman has done this service for us countless times in jurisdiction after jurisdiction over which the Ombudsman had control. This bill says that that good service, that service to the people of Ontario, to the people who have no other recourse—save and except the courts, which are expensive; save and except their MPP, who often does not have the resources or the wherewithal to individually look at it—that they need an Ombudsman. They need someone to go to.

I'm saying to my friend from Trinity–Spadina that he's right, and I'm saying to my friend from Willowdale that you're not right when you say that there are other bodies who can look at these things, because no other body in the entire province has had the same force and effect as the Ombudsman, save and except, perhaps, the auditor. Those are the two people whom the government fears—not just this government, but the government before them, which was Conservative; and not just Conservatives, but the government before them, which was NDP—because those two institutions can look at things that no one else can and can make reports that no one else can make.

So to stand up, as my learned friend from Willowdale did, and say that there are other institutions and it's bureaucracy upon bureaucracy is simply not correct. It is something that I think was beneath his usual capable level of debate in this place. We all know that there are little tiny boards with minuscule powers who can investigate, maybe, over many years and come to no conclusions—we all know that. But there are only two groups that have the kind of force and effect that the people of this province need.

The Premier often says, "Let the sunshine in." That's all this is going to do: let the sunshine in, and I for one, being a member of this Legislature, want it to shine in. I want it to shine in if it embarrasses the government side, the opposition side, the bureaucratic side, the many-boards-and-committees side of government. I want it to shine in because we have an obligation, to each and every person who sent us here as electors, to speak on their behalf and to do for them what they cannot do for themselves. That's what government is all about.

My friend from Trinity–Spadina says that his bill will allow the Ombudsman into Ontario's hospitals, long-term-care facilities, retirement homes, school boards and

children's aid societies, and that he alone—the Ombudsman—has the investigative powers, the resources, the independence and the experience to resolve complaints and fix problems. On that, he is absolutely right.

I just want to talk about some of these institutions. First are hospitals. Hospitals need an independent, effective oversight mechanism to deal with individual and systemic issues in health care. Every single person in this room has been in and has used a hospital—probably all of us—in the last year or two. We go there when we break our arms; we go there when we fall down; we go there when something goes wrong with our health; we go there when we simply need something investigated that is beyond the scope of our local health care practitioner. Yet we have no Ombudsman if something goes wrong. Some of the hospitals have individual ombudspeople, but they cannot investigate and probably will not investigate beyond the scope that is given to them by the local board.

Ontario is the only province that does not let the Ombudsman have a look at this. I have to wonder why. If every other province said that this is necessary; if every other province is not afraid of the Ombudsman looking, why are we? Why do we have members who stand up and say, “This is bureaucracy upon bureaucracy upon bureaucracy”? No, it's not. If someone feels aggrieved and that something has been done wrong to them, they have a place to go if it's not resolved within the hospital itself.

This is going to open it up to people who often don't have an opportunity to talk for themselves. In terms of students at school for school boards—there are some brave school board trustees and school boards across this province that want the Ombudsman to investigate themselves. I'm speaking here particularly about the Blue-water school board. For those who might be watching on television, that's the area around Sarnia. They have voted in support of Bill 183. They did so, I think, just a day or two ago.

Mr. Rosario Marchese: May 3.

Mr. Michael Prue: May 3; a couple of days ago, they voted in favour of Bill 183. They said, “Please, investigate if we are doing something wrong. Our children are too precious. The parents who want the best for their children need the Ombudsman to take a look.”

Children's aid societies: I used to be a member of the Toronto children's aid society. I was council's representative during the time of the Metropolitan Toronto council, when I was the mayor for some five years and a few years after that when the megacity of Toronto came about. I know that this is a difficult job. I know the workers have a difficult job. I know that the board tries its very best, but there are failures and failings of even the people who try their very best. There are failures and failings. They need to be able to be policed, to be looked at. They need to have a body that can say, “These procedures that you have adopted are not the right procedures.” They have to have that. I am not afraid of the Ombudsman going and looking there, even though I used to be a board member. I welcome it, and so do hundreds

and thousands of people who have been dealt with by children's aid societies across this province, either as parents or children themselves or people having to give their children up for adoption or who've had them taken away from them. They need someone to stand up and look to see whether justice has been done.

Long-term-care facilities: We have an aging population. We have tens of thousands or maybe 100,000 people who live in these long-term-care facilities. If they don't live there now, they soon will. Our population is aging very quickly, and they virtually have no one to speak for them save and except their families—and sadly, so sadly, many of the families after a time don't come back.

1610

I know when my own mother-in-law was in a long-term-care facility, I would go to see her once or twice every week—it was close to my home—so that she would have company and someone she knew. When I sat down amongst the other people who were there, they hadn't had a visitor, some of them, in weeks or months—some of them, sadly, even in years.

If they don't have someone to stand up for them—and all they had was the staff—if they don't have someone who can come in and say, “The facilities here are wrong and there need to be some improvements,” like an ombudsman, then they are going to continue to sit there in their soiled diapers, without a bath, without all of the necessary food, living and watching television that they don't understand without any activities. It's only an ombudsman who can help them.

Certainly, a group like the Royal Canadian Legion, of which I am proud to be a member, is on board on this. They think the Ombudsman should be involved because so many of their members, so many of those brave men and women who fought for us in the Second World War and in Korea, are now in that circumstance. They know they need an ombudsman.

I want to leave a little bit of time left for my friend who introduced the motion, but I want to say to the members opposite: Do not be afraid. Vote for this motion. Stand up. I mean, there's only three or four weeks left, but stand up today and say that you're not afraid of it. Let's make this an issue in the next election. Let's talk about giving the Ombudsman extra authority from all parties. Let's talk about this so that we do a service to the people of this province and so that we make sure that there is someone to whom every citizen in this wonderful province can go in time of need: someone who can stand up, someone who can speak on behalf of everyone, and when governments or institutions or agencies don't do it right, they will; they can be, they will be, remedied. I ask all members to support the bill from the member from Trinity-Spadina.

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

Mr. Khalil Ramal: I'm delighted to enter the debate on Bill 131. First, I want to welcome all the people who came from across Toronto and the province since this

morning to be at the press conference and listen to the debate in this House. There's no doubt in my mind that every one of you has a different story about a loved one or certain circumstances you've faced in your life, and you've faced difficulties.

I want to say at the beginning, before I start talking about our position—or my position, at least—it's not about the Ombudsman. All of us in this House supported the Ombudsman's role in the province of Ontario. I don't want to create the perception that the opposition is supporting the Ombudsman and we, as a government, are anti-Ombudsman.

We are the majority of this House. We could say “no” to a reappointment of the Ombudsman in the province of Ontario. Not a long time ago, collectively in this House, we stood together to reappoint the Ombudsman, to oversee the conduct of many different elements of our society because we believe strongly in accountability and transparency in the province of Ontario.

I have great respect for the member from Trinity–Spadina. He and I spoke yesterday. We talked about many different things—how sometimes his party and our party are close on many different issues to support the vulnerable people among us. Our ability to support vulnerable people still exists. Whether as a government or whether as an opposition party, all of us come from different regions, from different ridings, and we carry a lot of concerns from many different constituents, whether they're children's aid societies, school boards; whether it's police brutality, hospital corruption or whatever the issue might be. But the whole issue is that it's very important for all of us to put accountability and transparency on our agenda and focus on it.

I want to say to the member opposite, I know he spoke about the role of the Ombudsman. We puffed up the Ombudsman; we created him as a messiah who's going to fix everything for all of us in the province of Ontario. I don't understand that. He is doing an excellent job, what he does on a daily basis, but there is also another role for other people. The member talked about school boards. For goodness' sake, we elect trustees, elected by the people of Ontario. They're elected to support their constituents, to voice their concern at the school board, to look after their children, their kids, their schools and everything for the province of Ontario. So why would I take the role? Why do we have to destroy a democratic process and replace it with one person because we like that person? We have to have a system and we have to respect that system.

We have a board elected by the people of Ontario to oversee the conduct of the hospital. We have a LHIN to voice the concern of the people. We have an Auditor General, who has the right to go to a school board, who has the right to go to the hospital, who has the right to investigate everything.

I attended a committee one time here at Queen's Park when the Auditor General brought most of the school board CEOs or chairs and asked them about their credit cards and investigated all their conduct. It's very import-

ant for us to have agencies and organizations, on a regular basis, investigate many different aspects of our society.

Interjections.

Mr. Khalil Ramal: When they spoke, I listened, and I think they don't want to hear the truth. They brought people from across the province, which I respect and honour. I know lots of people went to the Ombudsman in my riding of London–Fanshawe. They were disappointed. They couldn't do anything for them, even the Ombudsman.

The Ombudsman has a role. In the end, he is a person who has a certain capacity. As a province of 13 million people, we have to delegate this capacity and this role to make sure every element of this province works according to rules and regulations because, in the end, we are responsible for the people of Ontario who elect us to be here.

Because we love someone, now we come, gathering the people, and we tell them, “Yes, the guy is going to be your saviour. This guy's going to be your messiah who's going to fix all your problems in life.” That's not correct. It's not fair.

We have a lot of good working people at the Auditor General's office. We have organizations like the Child and Family Services Review Board that oversee the conduct of the children's aid societies and many others. That's why we are talking about—

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

Mr. Frank Klees: I'm pleased to rise and speak to this bill. I want to thank the member from Trinity–Spadina for bringing it forward. I want to make it very, very clear that not only will I be voting in support of this bill, but it is also strongly supported by the PC caucus.

It's the kind of speeches that we've heard today from the member from Willowdale that give people reason for being cynical about politics and about government as a whole. What we have here is a bill that is simply saying that we want to expand the mandate of the Ombudsman to look into matters of concern in areas that touch the lives of so many people in this province that are now closed to the Ombudsman.

I don't like the fact that we have to be debating this bill at all, because in fact the real ombudsmen should be the members of cabinet—the cabinet ministers who are elected by people in this province to oversee government. But instead of being ombudsmen for the people who elected them, they become defenders of a bureaucracy gone wrong. The real ombudsmen should be the members of this Legislature, but the fact of the matter is, the members of this Legislature are cut off at the knees when they attempt to look into many of the issues that are going wrong, whether it be long-term-care facilities, whether it be a school board, whether it be a hospital or whether it be children's aid.

We, as members of the Legislature, are now forced to say that we need an officer of the Legislature to do the job that we are actually elected to do because of the

barriers that have been built up over time that actually keep us from doing the job and getting to the answers we need.

I want to speak specifically to two areas. One is the school boards. We have trustees elected to actually represent the people and students in this province on matters of education, but the reality is that most trustees have been neutered in terms of their ability to actually do the job because the directors of education in this province, to a large degree—the administration is dictating to trustees what the policies will be. There are very few trustees who actually can exercise and have the authority to do so, because over time their authority has been eroded. What we need is someone to be able to go and do the job of the trustees, because they're refusing to do it.

1620

I want to give you an example. With us in the House today, and I welcome her, is Lesa McDougall. She has had a serious challenge with the school board because of their inability or unwillingness to address a very serious issue that has to do with busing. She took her issue to the trustees and expected that the trustees would actually represent the parents and represent this issue. Here, unfortunately, is her experience, as related when she went to see the school boards: "School boards lack accountability, and the issue of student transportation procurement clearly demonstrates the disconnect between what the ministry says ought to happen and what in reality happens at the local" school board.

Here is what she said when she sat down with her school board: "I sat in a negotiations meeting with a superintendent of business who (when asked what the trustees thought about the whole RFP process as rolled out by the ministry) responded, 'It doesn't matter,' and then asked the Catholic board's superintendent of business, 'Do they know?' And again, 'Well, it wouldn't matter. We're going ahead with this'" anyway.

This is just one example. I had that example in York region, where parents were attempting to meet with trustees and they were told by the director of education that they should not and cannot meet with parents in private to discuss matters of education. It wasn't until I raised it in this House that this was actually then brought to the attention of that school board, and very quickly, things changed. But I can tell you this: Whether it's bullying or whether it is other issues, very few school board trustees are empowered to do what they were elected to do, and so we need an Ombudsman.

Another example is the children's aid society. In 1998, this House passed a piece of legislation called the Social Work and Social Service Work Act. The whole purpose of that legislation was to ensure that there are standards across this province for social workers and social service workers. It was to establish a college that would register social service workers and social workers so that there would be a disciplinary panel so that people could be held to a standard of accountability. What has happened over time? This same government has actually found a way to circumvent that legislation that was intended to

protect the public interest. Why? Because now, children's aid societies are calling those social workers "child protection workers." Do you know what that does? It ensures that every social worker working for a children's aid society is now not required to register as a social worker and therefore is not subject to those standards or to the disciplinary process. It is the government that has actually facilitated that circumvention, and so we have things going on in children's aid societies over which we have no control. It's going to take nothing short of an ombudsman going into those agencies and ensuring that the appropriate research is done and that these things are exposed.

I know what's happening because I was a cabinet minister too. I know the discussions that took place, and I'm sure they took place in the NDP when they were the government. This government, our government, here's what happens: What happens is, we don't want the Ombudsman to have access to all of these things because it may well embarrass us. It's actually cumbersome. We don't want those additional eyes and we don't want that sun to shine in. I say that we need that disclosure and that transparency. Our government, unfortunately, governments of all stripes, have come to the point where, rather than being willing to look at what the problem is and dealing with it, we circle the wagons and we ensure that we protect our bureaucracy, we ensure that we protect those agencies. Rather than saying, "Let's get it right; let's listen to the people who are affected by the social service, the public service, the educational services, our hospitals; let's listen and hear what is wrong with that administration and fix it," what we do is we circle the wagons and we defend it.

In the meantime, innocent people continue to be hurt; people who cannot speak for themselves are left unprotected, and the whole purpose of this act and the reason that we're supporting it is because we believe it's gone on far too long. People need to know that someone can move into these agencies, into these organizations—be it long-term care, be it a hospital, be it a school board—and ensure that the public interest is protected.

Again, I thank the member from Trinity–Spadina for bringing this forward. It will be interesting to see what the position of government members will be in this matter.

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

Mr. Rosario Marchese: I want to thank the Conservative members who spoke, and thank the member from Newmarket–Aurora for saying that the entire Conservative caucus is behind this bill. We appreciate that.

I was a bit disappointed with the member from Willowdale, I have to admit, particularly because he's a lawyer and ought to know better. If there was oversight already, these people wouldn't be here. They've been suffering a problem or another for years.

School boards do not have independent oversight. The trustees are sometimes the problemo. The principals are

sometimes the problem, or a superintendent. We need independent oversight. There is none.

In the hospitals, they must inform patients when errors occur and they must report critical patient safety measures—that's it. There is no oversight of hospitals.

So to hear the member from Willowdale say that we have enough measures in place is wrong and it's insulting.

When we talk about long-term-care facilities, we thought a revolution was coming with the former member from Toronto—

Interjections: Smitherman.

Mr. Rosario Marchese: Mr. Smitherman.

Ms. Cheri DiNovo: Toronto Centre.

Mr. Rosario Marchese: Toronto Centre. The revolution just never came. The Canadian Press reported that three quarters of the province's long-term-care facilities did not meet provincial standards of care. They said that in 2008. Standards of care are not unreasonable: two baths per week, regular changing of diapers—that's it.

Who is minding the store there? There is no oversight. There can be no duplication if there is no oversight to begin with. Do you understand that?

So it saddens me that the member from Willowdale stands up and says that this is going to be duplication. I believe he's speaking for the government, because most of you get notes from your ministries. So I believe he's speaking for most of you. That is sad, sad, sad, sad.

Here's what I feel: You're going to send it to a legislative committee—I know that, but based on what I heard from the member from Willowdale, who's the spokesperson for the government, it's going to be killed in committee. That's why I urge those of you who are here, you've got to remind your provincial members, particularly if they're Liberal, that they've got to do the right thing. They can't just pass it today; once we send it to committee, it's got to be dealt with in this session.

Thank you for coming.

The Acting Speaker (Mr. Jim Wilson): The time provided for private members' public business has now expired. It's time to vote.

GREAT LAKES SHORELINE
RIGHT OF PASSAGE ACT, 2011
LOI DE 2011 SUR LE DROIT
DE PASSAGE SUR LE LITTORAL
DES GRANDS LACS

The Acting Speaker (Mr. Jim Wilson): We'll first deal with ballot item number 7, standing in the name of Mr. Craitor.

Mr. Craitor has moved second reading of Bill 32, An Act to create a right of passage along the shoreline of the Great Lakes.

Is it the pleasure of the House that the motion carry? Carried.

Second reading agreed to.

The Acting Speaker (Mr. Jim Wilson): Mr. Craitor?

Mr. Kim Craitor: I'm pleased to ask that the bill be referred to the Standing Committee on Justice Policy.

The Acting Speaker (Mr. Jim Wilson): Agreed? So ordered.

NOVICE DRIVER "P" PLATE ACT, 2011

LOI DE 2011 EXIGEANT UNE PLAQUE «P»
POUR LES CONDUCTEURS DÉBUTANTS

The Acting Speaker (Mr. Jim Wilson): We will now deal with ballot item number 8.

Mr. Flynn has moved second reading of Bill 161, An Act to amend the Highway Traffic Act to require vehicles driven by novice drivers to display markers or identifying devices. Is it the pleasure of the House that the motion carry? Carried.

Second reading agreed to.

The Acting Speaker (Mr. Jim Wilson): Mr. Flynn?

Mr. Kevin Daniel Flynn: I would move that the bill be referred to the Standing Committee on Social Policy.

The Acting Speaker (Mr. Jim Wilson): Agreed? So ordered.

OMBUDSMAN STATUTE LAW
AMENDMENT ACT (DESIGNATED
PUBLIC BODIES), 2011

LOI DE 2011 MODIFIANT DES LOIS
EN CE QUI A TRAIT À L'OMBUDSMAN
(ORGANISMES PUBLICS DÉSIGNÉS)

The Acting Speaker (Mr. Jim Wilson): We will now deal with ballot item number 9.

Mr. Marchese has moved second reading of Bill 183, An Act to amend the Ombudsman Act and the Police Services Act with respect to investigating designated public bodies. Is it the pleasure of the House that the motion carry? I heard a no.

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 five-minute bell.

The division bells rang from 1631 to 1636.

The Acting Speaker (Mr. Jim Wilson): All those in favour of the motion will please rise and remain standing until recorded by the Clerk.

Ayes

Bisson, Gilles
Chudleigh, Ted
Craitor, Kim
DiNovo, Cheri

Hardeman, Ernie
Klees, Frank
Kormos, Peter
Marchese, Rosario

Miller, Paul
Prue, Michael
Tabuns, Peter

The Acting Speaker (Mr. Jim Wilson): All those opposed to the motion will please rise and remain standing until recorded by the Clerk.

Nays

Albanese, Laura	Jaczek, Helena	Ramal, Khalil
Arthurs, Wayne	Kular, Kuldip	Rinaldi, Lou
Balkissoon, Bas	Kwinter, Monte	Ruprecht, Tony
Berardinetti, Lorenzo	Mangat, Amrit	Sandals, Liz
Best, Margaret	Moridi, Reza	Sergio, Mario
Broten, Laurel C.	Pendergast, Leeanna	Sousa, Charles
Dhillon, Vic	Phillips, Gerry	
Flynn, Kevin Daniel	Qaadri, Shafiq	

The Clerk of the Assembly (Ms. Deborah Deller):
The ayes are 11; the nays are 22.

The Acting Speaker (Mr. Jim Wilson): I declare the motion lost.

Second reading negatived.

The Acting Speaker (Mr. Jim Wilson): All matters relating to private members' public business having been completed, I do now call orders of the day.

Hon. Gerry Phillips: I move adjournment of the House.

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

This House stands adjourned until Monday at 10:30 a.m.

The House adjourned at 1638.

LEGISLATIVE ASSEMBLY OF ONTARIO
ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

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

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

Clerk / Greffière: Deborah Deller

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

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

Member and Party / Député(e) et parti	Constituency / Circonscription	Other responsibilities / Autres responsabilités
Aggelonitis, Hon. / L'hon. Sophia (LIB)	Hamilton Mountain	Minister of Revenue / Ministre du Revenu Minister Responsible for Seniors / Ministre déléguée aux Affaires des personnes âgées
Albanese, Laura (LIB)	York South–Weston / York-Sud–Weston	
Arnott, Ted (PC)	Wellington–Halton Hills	Deputy Opposition House Leader / Leader parlementaire adjoint de l'opposition officielle
Arthurs, Wayne (LIB)	Pickering–Scarborough East / Pickering–Scarborough-Est	
Bailey, Robert (PC)	Sarnia–Lambton	
Balkissoon, Bas (LIB)	Scarborough–Rouge River	
Barrett, Toby (PC)	Haldimand–Norfolk	
Bartolucci, Hon. / L'hon. Rick (LIB)	Sudbury	Minister of Municipal Affairs and Housing / Ministre des Affaires municipales et du Logement
Bentley, Hon. / L'hon. Christopher (LIB)	London West / London-Ouest	Attorney General / Procureur général Minister of Aboriginal Affairs / Ministre des Affaires autochtones
Berardinetti, Lorenzo (LIB)	Scarborough Southwest / Scarborough-Sud-Ouest	
Best, Hon. / L'hon. Margaret R. (LIB)	Scarborough–Guildwood	Minister of Health Promotion and Sport / Ministre de la Promotion de la santé et du Sport
Bisson, Gilles (NDP)	Timmins–James Bay / Timmins–Baie James	
Bradley, Hon. / L'hon. James J. (LIB)	St. Catharines	Minister of Community Safety and Correctional Services / Ministre de la Sécurité communautaire et des Services correctionnels
Brotten, Hon. / L'hon. Laurel C. (LIB)	Etobicoke–Lakeshore	Minister of Children and Youth Services / Ministre des Services à l'enfance et à la jeunesse Minister Responsible for Women's Issues / Ministre déléguée à la Condition féminine
Brown, Michael A. (LIB)	Algoma–Manitoulin	
Brownell, Jim (LIB)	Stormont–Dundas–South Glengarry	
Cansfield, Donna H. (LIB)	Etobicoke Centre / Etobicoke-Centre	
Caplan, David (LIB)	Don Valley East / Don Valley-Est	
Carroll, Hon. / L'hon. Aileen (LIB)	Barrie	
Chan, Hon. / L'hon. Michael (LIB)	Markham–Unionville	Minister of Tourism and Culture / Ministre du Tourisme et de la Culture
Chiarelli, Hon. / L'hon. Bob (LIB)	Ottawa West–Nepean / Ottawa-Ouest–Nepean	Minister of Infrastructure / Ministre de l'Infrastructure
Chudleigh, Ted (PC)	Halton	
Clark, Steve (PC)	Leeds–Grenville	
Colle, Mike (LIB)	Eglinton–Lawrence	
Craitor, Kim (LIB)	Niagara Falls	
Crozier, Bruce (LIB)	Essex	Chair of the Committee of the Whole House / Président du comité plénier de l'Assemblée Deputy Speaker / Vice-président
Delaney, Bob (LIB)	Mississauga–Streetsville	
Dhillon, Vic (LIB)	Brampton West / Brampton-Ouest	
Dickson, Joe (LIB)	Ajax–Pickering	
DiNovo, Cheri (NDP)	Parkdale–High Park	Second Deputy Chair of the Committee of the Whole House / Deuxième vice-présidente du Comité plénier de l'Assemblée législative
Dombrowsky, Hon. / L'hon. Leona (LIB)	Prince Edward–Hastings	Minister of Education / Ministre de l'Éducation
Duguid, Hon. / L'hon. Brad (LIB)	Scarborough Centre / Scarborough-Centre	Minister of Energy / Ministre de l'Énergie

Member and Party / Député(e) et parti	Constituency / Circonscription	Other responsibilities / Autres responsabilités
Duncan, Hon. / L'hon. Dwight (LIB)	Windsor–Tecumseh	Chair of the Management Board of Cabinet / Président du Conseil de gestion du gouvernement Minister of Finance / Ministre des Finances
Dunlop, Garfield (PC) Elliott, Christine (PC)	Simcoe North / Simcoe-Nord Whitby–Oshawa	Deputy Leader, Official Opposition / Chef adjointe de l'opposition officielle
Flynn, Kevin Daniel (LIB) Gélinas, France (NDP) Gerretsen, Hon. / L'hon. John (LIB)	Oakville Nickel Belt Kingston and the Islands / Kingston et les Îles	Minister of Consumer Services / Ministre des Services aux consommateurs
Gravelle, Hon. / L'hon. Michael (LIB)	Thunder Bay–Superior North / Thunder Bay–Superior-Nord	Minister of Northern Development, Mines and Forestry / Ministre du Développement du Nord, des Mines et des Forêts
Hampton, Howard (NDP) Hardeman, Ernie (PC)	Kenora–Rainy River Oxford	Deputy Opposition House Leader / Leader parlementaire adjoint de l'opposition officielle
Hillier, Randy (PC)	Lanark–Frontenac–Lennox and Addington	
Horwath, Andrea (NDP)	Hamilton Centre / Hamilton-Centre	Leader, Recognized Party / Chef de parti reconnu Leader, New Democratic Party of Ontario / Chef du Nouveau parti démocratique de l'Ontario
Hoskins, Hon. / L'hon. Eric (LIB)	St. Paul's	Minister of Citizenship and Immigration / Ministre des Affaires civiques et de l'Immigration
Hoy, Pat (LIB) Hudak, Tim (PC)	Chatham–Kent–Essex Niagara West–Glanbrook / Niagara-Ouest–Glanbrook	Leader, Official Opposition / Chef de l'opposition officielle Leader, Progressive Conservative Party of Ontario / Chef du Parti progressiste-conservateur de l'Ontario
Jaczek, Helena (LIB) Jeffrey, Hon. / L'hon. Linda (LIB)	Oak Ridges–Markham Brampton–Springdale	Minister of Natural Resources / Ministre des Richesses naturelles
Johnson, Rick (LIB) Jones, Sylvia (PC) Klees, Frank (PC) Kormos, Peter (NDP) Kular, Kuldeep (LIB) Kwinter, Monte (LIB) Lalonde, Jean-Marc (LIB) Leal, Jeff (LIB) Levac, Dave (LIB) MacLeod, Lisa (PC) Mangat, Amrit (LIB)	Haliburton–Kawartha Lakes–Brock Dufferin–Caledon Newmarket–Aurora Welland Bramalea–Gore–Malton York Centre / York-Centre Glengarry–Prescott–Russell Peterborough Brant Nepean–Carleton Mississauga–Brampton South / Mississauga–Brampton-Sud	Third Party House Leader / Leader parlementaire de parti reconnu
Marchese, Rosario (NDP) Martiniuk, Gerry (PC) Matthews, Hon. / L'hon. Deborah (LIB)	Trinity–Spadina Cambridge London North Centre / London-Centre-Nord	Minister of Health and Long-Term Care / Ministre de la Santé et des Soins de longue durée
Mauro, Bill (LIB) McGuinty, Hon. / L'hon. Dalton (LIB)	Thunder Bay–Atikokan Ottawa South / Ottawa-Sud	Premier / Premier ministre Leader, Liberal Party of Ontario / Chef du Parti libéral de l'Ontario
McMeekin, Ted (LIB)	Ancaster–Dundas–Flamborough–Westdale	
McNeely, Phil (LIB) Meilleur, Hon. / L'hon. Madeleine (LIB)	Ottawa–Orléans Ottawa–Vanier	Minister of Community and Social Services / Ministre des Services sociaux et communautaires Minister Responsible for Francophone Affairs / Ministre déléguée aux Affaires francophones
Miller, Norm (PC) Miller, Paul (NDP)	Parry Sound–Muskoka Hamilton East–Stoney Creek / Hamilton-Est–Stoney Creek	
Milloy, Hon. / L'hon. John (LIB)	Kitchener Centre / Kitchener-Centre	Minister of Training, Colleges and Universities / Ministre de la Formation et des Collèges et Universités
Mitchell, Hon. / L'hon. Carol (LIB)	Huron–Bruce	Minister of Agriculture, Food and Rural Affairs / Ministre de l'Agriculture, de l'Alimentation et des Affaires rurales
Moridi, Reza (LIB)	Richmond Hill	

Member and Party / Député(e) et parti	Constituency / Circonscription	Other responsibilities / Autres responsabilités
Munro, Julia (PC)	York–Simcoe	Third Deputy Chair of the Committee of the Whole House / Troisième vice-présidente du Comité plénier de l'Assemblée législative
Murdoch, Bill (PC)	Bruce–Grey–Owen Sound	
Murray, Hon. / L'hon. Glen R. (LIB)	Toronto Centre / Toronto-Centre	Minister of Research and Innovation / Ministre de la Recherche et de l'Innovation
Naqvi, Yasir (LIB)	Ottawa Centre / Ottawa-Centre	
O'Toole, John (PC)	Durham	
Oraziotti, David (LIB)	Sault Ste. Marie	
Ouellette, Jerry J. (PC)	Oshawa	
Pendergast, Leeanna (LIB)	Kitchener–Conestoga	
Peters, Hon. / L'hon. Steve (LIB)	Elgin–Middlesex–London	Speaker / Président de l'Assemblée législative
Phillips, Hon. / L'hon. Gerry (LIB)	Scarborough–Agincourt	Chair of Cabinet / Président du Conseil des ministres Minister Without Portfolio / Ministre sans portefeuille Deputy Government House Leader / Leader parlementaire adjoint du gouvernement
Prue, Michael (NDP)	Beaches–East York	
Pupatello, Hon. / L'hon. Sandra (LIB)	Windsor West / Windsor-Ouest	Minister of Economic Development and Trade / Ministre du Développement économique et du Commerce
Qaadri, Shafiq (LIB)	Etobicoke North / Etobicoke-Nord	
Ramal, Khalil (LIB)	London–Fanshawe	
Ramsay, David (LIB)	Timiskaming–Cochrane	
Rinaldi, Lou (LIB)	Northumberland–Quinte West	
Ruprecht, Tony (LIB)	Davenport	
Sandals, Liz (LIB)	Guelph	
Savoline, Joyce (PC)	Burlington	
Sergio, Mario (LIB)	York West / York-Ouest	
Shurman, Peter (PC)	Thornhill	
Smith, Hon. / L'hon. Monique M. (LIB)	Nipissing	Minister of Intergovernmental Affairs / Ministre des Affaires intergouvernementales Government House Leader / Leader parlementaire du gouvernement
Sorbara, Greg (LIB)	Vaughan	
Sousa, Hon. / L'hon. Charles (LIB)	Mississauga South / Mississauga-Sud	Minister of Labour / Ministre du Travail
Sterling, Norman W. (PC)	Carleton–Mississippi Mills	
Tabuns, Peter (NDP)	Toronto–Danforth	Deputy Third Party House Leader / Leader parlementaire adjoint de parti reconnu
Takhar, Hon. / L'hon. Harinder S. (LIB)	Mississauga–Erindale	Minister of Government Services / Ministre des Services gouvernementaux
Van Bommel, Maria (LIB)	Lambton–Kent–Middlesex	
Wilkinson, Hon. / L'hon. John (LIB)	Perth–Wellington	Minister of the Environment / Ministre de l'Environnement
Wilson, Jim (PC)	Simcoe–Grey	First Deputy Chair of the Committee of the Whole House / Premier vice-président du comité plénier de l'Assemblée
Witmer, Elizabeth (PC)	Kitchener–Waterloo	
Wynne, Hon. / L'hon. Kathleen O. (LIB)	Don Valley West / Don Valley-Ouest	Minister of Transportation / Ministre des Transports
Yakabuski, John (PC)	Renfrew–Nipissing–Pembroke	Opposition House Leader / Leader parlementaire de l'opposition officielle
Zimmer, David (LIB)	Willowdale	
Vacant	Mississauga East–Cooksville / Mississauga-Est–Cooksville	

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Amrit Mangat, Yasir Naqvi
Michael Prue, Mario Sergio
Maria Van Bommel
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des comptes publics**

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Vice-Chair / Vice-président: Peter Shurman
Wayne Arthurs, Aileen Carroll
France Gélinas, Jerry J. Ouellette
David Ramsay, Liz Sandals
Peter Shurman, Norman W. Sterling
David Zimmer
Committee Clerk / Greffier: Trevor Day

**Standing Committee on Regulations and Private Bills / Comité
permanent des règlements et des projets de loi d'intérêt privé**

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Vice-Chair / Vice-président: Paul Miller
David Caplan, Kim Craitor
Jeff Leal, Gerry Martiniuk
Paul Miller, Bill Murdoch
Michael Prue, Lou Rinaldi
Tony Ruprecht
Committee Clerk / Greffière: Valerie Quioc Lim

**Standing Committee on Social Policy / Comité permanent de
la politique sociale**

Chair / Président: Shafiq Qadri
Vice-Chair / Vice-président: Vic Dhillon
Vic Dhillon, Cheri DiNovo
Rick Johnson, Sylvia Jones
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