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Tuesday 31 May 2016

Mardi 31 mai 2016

Speaker
Honourable Dave Levac

Président
L'honorable Dave Levac

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LEGISLATIVE ASSEMBLY
OF ONTARIO

Tuesday 31 May 2016

ASSEMBLÉE LÉGISLATIVE
DE L'ONTARIO

Mardi 31 mai 2016

The House met at 0900.

The Speaker (Hon. Dave Levac): Good morning. Please join me in prayer.

Prayers.

ORDERS OF THE DAY

The Speaker (Hon. Dave Levac): Minister of Agriculture, Food and Rural Affairs

Hon. Jeff Leal: First of all, I want to wish my daughter Shanae all the very best in OFSAA tennis this morning out in Scarborough.

It's with great pleasure that we want to move forward with government order G151.

WASTE-FREE ONTARIO ACT, 2016

LOI DE 2016 FAVORISANT
UN ONTARIO SANS DÉCHETS

Resuming the debate adjourned on May 19, 2016, on the motion for third reading of the following bill:

Bill 151, An Act to enact the Resource Recovery and Circular Economy Act, 2016 and the Waste Diversion Transition Act, 2016 and to repeal the Waste Diversion Act, 2002 / Projet de loi 151, Loi édictant la Loi de 2016 sur la récupération des ressources et l'économie circulaire et la Loi transitoire de 2016 sur le réacheminement des déchets et abrogeant la Loi de 2002 sur le réacheminement des déchets.

The Speaker (Hon. Dave Levac): We have a point of order.

Mr. Steve Clark: Is there a quorum, Speaker?

The Speaker (Hon. Dave Levac): Do we have a quorum?

The Deputy Clerk (Mr. Todd Decker): A quorum is present.

The Speaker (Hon. Dave Levac): We have a quorum. Further debate?

Ms. Teresa J. Armstrong: Thank you, Speaker. I thought you were standing up on another matter there.

I am here to debate third reading of Bill 151, and I rise today to discuss a very important issue, because the environment is a huge piece of the way we live. Yesterday, we heard from indigenous peoples on how important Mother Earth is to our whole circular existence when it comes to human beings and the health of how we treat each other. If we don't have our environment, we actually aren't kind to each other, as described yesterday, so

I'm pleased to stand here today to discuss Bill 151, the Waste-Free Ontario Act, and its third reading here in this chamber.

I believe environmental governance at all levels is a critical factor in trying to support environmental sustainability, with the ultimate goal of achieving sustainable development, consumption and production. The waste we generate plays a critical role in today's society and economy. At the same time, it has major impacts on our environment and our health. Many forms of waste can and do become hazardous and pose dangers to our lives, to nature and to the communities we live in.

Waste and waste diversion are impacted by all three levels of government—federal, provincial and municipal—but we know that waste management in Canada is primarily regulated at the provincial level. Every day, Ontario generates more than 33,000 tonnes of waste. That's more than 900 kilograms per person each year. This is a massive problem, yet we continue to send waste materials, which can leak contaminants, to disposal sites and landfills. This typically requires more energy, resources and new materials than reusing or recycling does.

Most important are hazardous wastes, which are primarily generated by industrial and manufacturing processes, as they need special handling to minimize their effects on the environment and our health.

In Ontario, historically, waste-related issues have been regulated by the Environmental Protection Act, the Environmental Assessment Act and the Waste Diversion Act. Bill 151, the Waste-Free Ontario Act, 2016, would now replace the Waste Diversion Act by enacting the Resource Recovery and Circular Economy Act.

The title and definition of "resource recovery and circular economy" have deliberately been left out of the act. We all know that this is a standard protocol when proposing legislation: to ensure that there are clearly worded definitions included. This ensures that there is no vagueness around the rights and responsibilities, and jurisdiction, yet it would seem that this government is bent on keeping this bill worded as vaguely as possible to prevent real accountability and responsibility.

I believe it was my colleague from Bramalea-Gore-Malton, in his comments on second reading, who rightfully called this bill enabling legislation. We have seen this behaviour a number of times from this government, where they create legislation around a general idea with built-in loopholes to ensure that they can't be held accountable or be transparent in case things don't play out as expected. This is a highly problematic approach to governance, yet it has become the new Liberal standard:

Title it progressively, write it vaguely and stand back and see what happens so they can deny responsibility.

Unfortunately, it's the people of Ontario who are left dealing with the problems created by this approach. They pay the price each and every time this House doesn't act with due diligence. I know that my colleagues tried to address this concern through committee, but few of our amendments were accepted by the government. But that's the job we are here for.

We are here to punish this government—excuse me—we are here to punish this government, but we are here more so to push this government to do the right thing for everyone. It's kind of funny how “push” turns unconsciously into “punish,” isn't it? Not only for themselves, but primarily we focused on cleaning up the ambiguous language they were hiding behind, but we had little luck with our efforts.

Local communities across the province need us to take the lead on this file. I spoke about the challenges with the landfill in my hometown of London. We have a large one, and since it was put in place, we have struggled with the implementation and adoption of recycling programs. Our green bin and composting programs have faced uphill battles, because it's easier and cheaper to dump our waste instead of reducing or reusing it.

We are on the path that leads away from sustainable consumption and production. We need to move beyond easy answers and start thinking about how best to promote resource and energy efficiency, sustainable infrastructure and providing access to basic services, green and decent jobs, and a better quality of life for all.

When we're talking about the environment, it's not just the moment. Environment is about the future and future generations, and the health of our Mother Earth. That's what we're doing here today: We're setting the tone; we're setting things in motion for the future of Mother Earth, the future of our children and what they inherit from us as legislators. If we integrate sustainable consumption and production into our efforts, we reduce future economic, environmental and social costs, strengthen our economy and economic competitiveness, and reduce poverty.

We also need to change the way we engage with municipalities. They need to be treated as equal partners at the table. Municipalities made crystal clear what they needed from us to help manage waste, recycling and reuse programs across the province. They were very vocal about what they needed in the bill. It was pretty clear, in bringing this bill forward and moving it through the legislative process, that full respect had to be accorded to municipalities, and that the bill needed changes to ensure that they were treated properly.

0910

Speaker, the Association of Municipalities of Ontario asked this government to hear them, to understand the reality of their experience. As the folks who are running the trucks and transfer stations, and the people collecting the waste—whether it's sent for disposal or recycling—they made an entirely reasonable request. What is not

reasonable is ignoring their concerns, and not being prepared to understand their front-line experiences and challenges.

Frankly, this was a huge missed opportunity to demonstrate to municipalities across Ontario that we are listening, that we understand how hard things are for them and that we must work together to find solutions. But most importantly, it would let them know that the respect we have for them goes beyond lip service. This government has to know that it's better to have a willing partner than an obstinate one. If any waste program is going to work in Ontario, we need everyone willing to do their part and to be ready, willing and eager to offer solutions.

They asked for amendments to section 11 of the Waste Diversion Transition Act and action on fair funding, but again were rebuffed. They needed your help regarding payments to municipalities from producers for the operation of the Blue Box Program. The current language is identical to a section in the Waste Diversion Act. If you recall, this same section was the subject of arbitration in 2014 between AMO and the city of Toronto and Stewardship Ontario.

Despite the municipal award, stewards continue to dispute the interpretation of this section. AMO further explored the standing committee to amend the language to clearly state that municipal governments should be paid the applicable percentage by producers for blue box services, based on the verified net cost of the program as determined through WDO.

We respectfully ask that you make sure that the section 11 language of the transition act is crystal clear and non-disputable by parties, when you report back to the Legislature. It's an ongoing concern, and they voiced the different reasons why this should be clear, so that there is not this ambiguity around these sections.

As you can see, Speaker, once again they were reminded that they indeed are not real partners in the eyes of this government. We continue to offer Ontario municipalities little to no options. They end up in the unfortunate position where they feel they must take legal action. It is entirely unfair to put our municipalities in a situation where the only action they can take is to leverage their homeowners' property taxes in legal disputes. All of this means that we are moving further and further away from our goals of sustainable consumption.

As far back as 1992, the UN Conference on Environment and Development, held in Rio de Janeiro, recognized sustainable consumption and production as an overarching theme to link environmental and developmental challenges. Agenda 21 states that “the major cause of the continued deterioration of the global environment is the unsustainable pattern of consumption and production.” Speaker, that is something we also need to address when speaking to education and educating consumers—consumers of the environment. We need to talk about recycling much more than we have and about the compost issue as well.

I know that London talked about a green bin program. They're not implementing it at this point, but it is an on-

going concern. People have composters in their backyards, kind of like a balance between not having the green bin. But more and more we should be composting our waste. There's so much we can compost that's left behind. When we talk about sustainability and consumption, the piece that I think we really also need to focus on is the green bin and the composting of vegetation. I think that's a very strong piece in making a healthy way for people to reduce their waste.

Back to the UN meeting, Speaker, 10 years after, leaders from around the world signed the Johannesburg Plan of Implementation of the World Summit on Sustainable Development. Chapter 3 of the plan was devoted to changing unsustainable patterns of consumption and production, and declared "that fundamental changes in the way societies produce and consume are indispensable for achieving global sustainable development ... all countries should promote sustainable consumption and production patterns...." I think that is exactly what we should be talking about: all countries, all provinces, all cities. We need to make that advancement now. We can't continue to put it off. The environment can't wait.

Other countries around the world recognize that fundamental changes in the way societies consume and produce are indispensable for achieving global sustainable development. They adopted the 10-year framework of programs on sustainable consumption and production patterns.

But sadly, Speaker, we are nowhere near those levels of understanding and participation. These are bold ideas that transform how societies conceive of not merely their waste but their production. How unfortunate that in this House, we can't even hear the needs of our municipality partners or recognize that producers need to accept a greater level of responsibility.

When we talk about the environment, there's the consumer and there's the producer, and there's a government: Those three chains. Everyone has a role to play. We need to define and have clarity around the roles of producers. The more they produce heavier packaging, the more our landfills are being used. If we can encourage less packaging and even responsibility at the end of that—if there's a cost associated with the more packaging you have for a product, then there should be a cost to that as well for disposal at the end. Maybe that would be an incentive for producers to be more environmentally conscious when they talk about what they put—packaging around their items, their goods.

Producers have the best opportunity to redesign products and systems to eliminate waste. Assigning them full responsibility for the end-of-life management of their products is consistent with that principle.

It was my colleague from Toronto–Danforth, who has spoken very passionately on this bill, who suggested a provision in the act that allows municipalities to be the beneficiary of any penalties or fines for non-compliance. Unfortunately, it wasn't successful, as the government voted against that important amendment. We did fight at committee. I know the member from Toronto–Danforth

is very passionate about the environment. He is our critic for the environment and energy. This government, during committee, hasn't taken many of the amendments the NDP has proposed, and the proposals that we make actually make bills stronger.

I do have to give the government some credit. They did take some of our amendments and refurbished them for that purpose, but it is disappointing that they don't take them as they're presented, because they are strong amendments to these acts.

Frankly, it's very disappointing to know that if a producer ignores the law and frustrates it, flouts it, and the municipalities get stuck with the cost, then if there are penalties applied to that producer for their failure to comply with the law, it's the municipalities who pay the price. We have to have the responsibility borne on the producers. That's the vital flaw in this bill, and I am concerned about how that will play out in terms of costs to municipalities.

I know that my hometown of London is already struggling with the costs, and now that they are forced to take on this extra burden, it will be highly problematic for that. Again, I think the municipalities need to be treated fairly. They need to have access to these payments that are made when producers ignore the law. Municipalities, since I've been elected, have told us how they've been struggling financially, and to put this extra piece back to them as a responsibility is wholly unfair.

0920

Lastly, I want to address the role of the ministry in enforcement and compliance. The Canadian Environmental Law Association came to committee and delivered remarks saying, "We're ... recommending that compliance and enforcement should not be carried out by the new authority under Bill 151. Instead, Bill 151 should be amended to ensure that compliance and enforcement activities are conducted by the Ministry of the Environment and Climate Change."

Another quote continues: "In our view, Mr. Chairman, environmental enforcement is a core government function that should not be downloaded or outsourced to a third-party entity, especially one that lacks the enforcement track record, experience and resources of the ministry. Simply put, there is no evidence that delegating enforcement to the authority will result in better or more timely or more effective enforcement of the regulatory standards under Bill 151."

That would be another concern that's been brought forward at committee. It's very valid, because if you have legislation to do good—to do better—for the people of Ontario, but the enforcement piece isn't there, it's a very weak bill.

There are concerns about the definitions, that they weren't strong enough. There are concerns about enforcement. And there are concerns about putting costs back on municipalities that producers should be responsible for when they ultimately produce that excessive waste.

But saying that, this bill is something we are going to support. Environmental bills are very important to our

society today. I think the new approach to the environment is about reduce, reuse and recycle. This is in sync with that philosophy to some degree.

I'm glad I had the opportunity to give our comments on this bill and some of the things that we were concerned about.

The Acting Speaker (Mr. Rick Nicholls): Questions and comments?

Hon. Bill Mauro: I want to thank the member for her observations on Bill 151, the Waste-Free Ontario Act, and I want to thank our minister for bringing this piece of legislation forward.

Perhaps for those who are watching at home, some might wonder, "At what point does this type of legislation become unnecessary?" We've been talking about waste diversion in the province for a very long time, and while a great deal has been accomplished, I think what this legislation speaks to is the fact that there is still more work that needs to be done.

For me, personally, I think about it from my own personal experiences, remembering where we were maybe 15 or 20 years ago and where we've come—both also the work yet to be done.

I can think back to my time on municipal council in the city of Thunder Bay as a ward councillor representing Northwood ward for six years, from 1997 to 2003. One of the most contentious things that we dealt with during my term in those six years around waste diversion—just around the time a Blue Box Program was being started in the city of Thunder Bay—was how much garbage a person could put out on the curbside every week, if you can imagine. At that time in 1997, when I was elected, it was unlimited. You could put out 25, 30 bags, 30 cans; it didn't matter. I can remember when, as a council, we undertook that particular reduction. We first suggested going down to five and then down to three, and you would have thought the sky was falling. But ultimately that change was made and people came to accept it, and much waste was being diverted from the landfill.

Another great example would be what we're doing in the city of Thunder Bay with methane capture from our landfill, capturing that methane. I would say that project was supported with financing from the province of Ontario, from our government, to reduce greenhouse gas emissions and turn that methane into electrical production to help the city of Thunder Bay.

There's work that's going on. There's more to be done. Much has been accomplished but there's still further to go.

I thank you for the time.

The Acting Speaker (Mr. Rick Nicholls): Further questions?

Ms. Lisa M. Thompson: I'm pleased to add my voice to the debate on Bill 151 today. If anyone was tuned in to the evolution of how Bill 151 came to be, we have to recognize, and the government needs to recognize, that Bill 151 is a marked improvement over its predecessor, Bill 91. Some may say, why was it improved? Because it embraced so much of what the PC Party of Ontario

brought forward in opposition to Bill 91. They learned from their mistakes with Bill 91 and they took good steps forward in this version of the Waste-Free Ontario Act.

In particular, I want to give my appreciation to the folks whom we worked with in terms of our briefings and in terms of bringing forward an environment where they were open to ideas. To that end, they were open to some amendments that strengthened Bill 151. It bodes well because, through the PC amendments in committee, we ensured that there is a finite timeline in which the ministry has to report back to the House with regard to eliminating eco-taxes. We don't need any more taxes in Ontario. We're pleased that the government agreed to identify a timeline in which they would phase out eco-taxes.

But as I said committee, we do reserve the right to watch over how this particular legislation evolves, because there are some worrisome parts. As we heard from stakeholders, we're concerned about how the authority is going to come forward. The minister selecting five individuals who then, in turn, bring on six more to the entire authority is a red flag, as is bureaucratic waste like the waste cops that this bill is going to introduce.

All in all, it's a marked improvement and we will be supporting it.

The Acting Speaker (Mr. Rick Nicholls): Further questions and comments?

Mr. Michael Mantha: I'm happy to be here this morning listening to the words of the member for London—Fanshawe, who put a very big focus on how this will affect municipalities and some of the questions that they had.

I do want to give a shout-out to one of the communities in my area, Goulais River, a small community north of Sault Ste. Marie, that has taken the initiative in their community. The local services board has taken a huge step forward. They had a recycling program that was there and, unfortunately, the government funding that had been available to them to initiate this ran out. They went through the entire process of engaging with the community to have their recycling program reinstated, and they have. Congratulations to them. I know there are other communities in the Sault North area, such as Searchmont, that are going to be looking at it as well.

The member brought up some very good points in regard to how this affects the municipalities and some of the concerns they had. Here are a couple of concerns from AMO that they had:

- the lack of recognition of the integrated municipal waste system responsibilities now and in the future;

- no formal role for municipalities at the decision-making table in a future state impacts our waste system;

- language of the WDTA simply continues long-standing conflicts between municipalities, governments and stewards;

- no formal role for municipal governments in the transition of existing waste diversion programs;

- no recognition of full producer responsibility for designated products/packaging, no matter where the waste stream comes from; and

—last but not least, no principles for setting producer responsibility targets are outlined in this act.

Have some of those been addressed through the amendments and discussions on behalf of municipalities? I hate to tell you, Mr. Speaker, but no, they were not. The struggle will still continue and the downloading will be passed on to municipalities. This is definitely not something that we need.

The Acting Speaker (Mr. Rick Nicholls): Further questions and comments?

Mrs. Amrit Mangat: I'm pleased to speak to Bill 151. This proposed legislation would help us divert more waste from landfills. As our Minister of Natural Resources and Forestry said, it would also help us reach our greenhouse gas reduction targets in the waste sector and it would boost the economy by creating the conditions to create more jobs, recover more resources and, as the Conference Board of Canada said, if we recover only 60% of the material, it would add \$1.5 billion to our GDP.

In short, I would like to say that this proposed legislation is good for the environment, it's good for our economy, it's good for the people of Ontario, it's good for municipalities, and it's good for the taxpayers. I'm very pleased to support this bill and I look forward to the speedy passage of this bill.

0930

The Acting Speaker (Mr. Rick Nicholls): Back to the member from London–Fanshawe for final comments.

Ms. Teresa J. Armstrong: I would like to thank the Minister of Natural Resources and Forestry, the member from Huron–Bruce, the wonderful member from Algoma–Manitoulin and the member from Mississauga–Brampton South. We're all in agreement here. I think most people you can talk to are in agreement about the environment and that the environment is linked to our survival as people.

There's no disputing that finally this government has taken some action. This bill discussion started back in 2008. It is a long overdue bill and there are some good things in it; there's no disputing that. The member from Huron–Bruce commented on the evolution of the environment and where this bill is today. It's definitely a supportable bill. We voiced our concerns about the responsibilities that have been, like the member from Algoma–Manitoulin said, downloaded to the municipalities.

I wish those partnerships were stronger when it comes to the environment, because you would have much more vigorous participation and energy in getting the environment to where it needs to go. People would act quicker and they would act with positive attitudes. Always, when there are costs involved, people are trying to cut corners.

Environment: For sure we need to move forward. Is this a good bill? Yes, there's definitely an improvement. We look forward to supporting the bill. I look forward 10, 15 years, as time evolves, to this bill evolving with the environment so we can continue to make improvements for the health of our society.

The Acting Speaker (Mr. Rick Nicholls): Further debate?

Mr. John Yakabuski: It's a pleasure for me to join the debate this morning—surprisingly. I was waiting for a member from the opposite side to stand. But perhaps they have said all that needs to be said on the part of the government on this particular bill.

I want to start out by saying what a great job—

Hon. Michael Coteau: Maybe the member should realize that it wasn't us. It was your turn.

Mr. John Yakabuski: Oh, is that right?

Hon. Michael Coteau: Yes.

Mr. John Yakabuski: It goes from the NDP to the Liberals, I say to the minister. So would you like to correct your record?

Did you just get elected here, Michael? Sorry, I wanted you to know the procedure. It goes NDP—

Interjections.

The Acting Speaker (Mr. Rick Nicholls): Since there seems to be a little bit of confusion, first of all, I just want to remind all members in the House that when referring to members, you refer to them by either their ministerial title or by their riding.

Secondly, the first call did go out for further debate. Looking towards the government side, there was no one standing. It then went over to the official opposition side.

You have the floor, sir. Please continue.

Mr. John Yakabuski: Thank you for that clarification, Speaker. I'm sure the Minister of Culture will be pleased to have that clarification as well.

Anyway, first of all, I want to start out by—boy, they get sensitive over there right away. But I want to say we're going to support the bill.

Hon. Michael Coteau: Oh.

Mr. John Yakabuski: Yes, we're going to support the bill. I want to thank my colleague from Huron–Bruce, Lisa Thompson, for doing such a tremendous job as our environmental critic, but also in helping to shepherd this bill through the House and making us as a caucus understand its ramifications much better than we would have otherwise. One of the reasons that we've decided we're going to support this bill is that it is a significant improvement over its previous iteration that came to this House in Bill 91.

The government learned, and one of the things it learned—they actually incorporated a significant amount of the input from the PC caucus, partly through our former environment critic, Michael Harris from Kitchener–Conestoga, and also the continued work of our member from Huron–Bruce.

That is a positive sign that maybe there is a glimmer of hope in this Legislature on the part of the Liberals actually starting to take notice and maybe listen a little bit to the opposition. But I say just a glimmer of hope, because every time I think there is this positive sign, I have my hopes dashed because of some other action on the part of the government, such as a time allocation motion where they bring the guillotine down on debate, or some other kind of overbearing action on the part of a

majority that continues to flex its muscles at the expense of the minority, and certainly at the expense of the people of the province of Ontario. But as I say, I'm an optimistic fellow, and I'm always hopeful that we'll find a better way of operating in this House.

Speaking of this House, it's interesting. I was at the 70th anniversary of the Rotary Club in Eganville on Sunday.

Hon. James J. Bradley: Eganville.

Mr. John Yakabuski: The great town of Eganville—village of Eganville, part of the now municipality of Bonnechere Valley.

Hon. James J. Bradley: Is Rooney's gone?

Mr. John Yakabuski: Rooney's is gone, I say to the former Minister of the Environment from St. Catharines and now the Minister without Portfolio, but not without opinion. I say to the former Minister of the Environment, yes, Rooney's hotel burned down several years ago. I certainly—

Hon. James J. Bradley: Were you ever there?

Mr. John Yakabuski: I was definitely at Rooney's hotel more than once. But we're off the subject. Back to Eganville: The master of ceremonies introduces me, and he's talking about the fact that I work here at Queen's Park. He says, "I want to show Mr. Yakabuski a map of the central part of Toronto from"—it was 18-something, prior to Confederation. He shows the people where Queen's Park is and everything. Then he says, "Now I want to give you a magnified version," and it shows where the caption is right next to the Legislative Assembly building, where it would be: "temporary lunatic asylum." That's part of what was here on the grounds of Queen's Park at that time. I told the crowd that the only thing that has changed is that it has now become permanent. That's what it seems like here in this chamber sometimes, in the context of debate.

Hon. Michael Coteau: That is so awful.

Mr. John Yakabuski: It's terrible, yes.

It's become permanent, and I had to get back to work, head back on Sunday evening because my room was waiting.

But back to the bill: a little history on waste diversion, which today is probably one of the most significant—certainly for rural municipalities like ours, where we don't have big budgets, it's become one of the biggest budget line items for the municipality, the handling of waste.

I remember when we moved to the house that I live in today. When we moved there in 1960, it was quite a different world.

Mr. Steve Clark: That's the year I was born.

Mr. John Yakabuski: That's the year that my colleague from Leeds-Grenville was born. You mean I'm older than you?

So in 1960, garbage pickup was only beginning in the village of Barry's Bay, but when you went down behind our home to the ravine—there was a ravine—there was all kinds of stuff down in that ravine: old cans and wine bottles and all kinds of that kind of stuff. People didn't

even go to the—they didn't even have a landfill. Everybody had a landfill in their backyard. That's where some of that stuff was actually just thrown, down over the edge of the ravine.

How things have changed. I can't get it figured out. We've got a chart in the house today as to what's going to be picked up on Monday, what's going to be picked up on Tuesday, Wednesday, every second week Thursday, every week in the summertime, every second week in the wintertime. So you have to have this schedule on the fridge or somewhere in the house so that you know, at 6 o'clock in the morning, which buckets have to be out there, because recycling is picked up every week but not the same recycling. One week it might be paper. The next week it's plastic or maybe cans.

0940

It's like you get up in the morning—I have to say, and I hope that I don't get into trouble over this, that I've got to admit I'm not the one putting it out, ever, if very often. I really haven't got much to do with it, so maybe I shouldn't be talking about it because I am probably going to get myself in trouble. But I know that on occasion, at 8 or 9 o'clock in the morning, the recycling buckets are still there and everything is still in them. Then my wife will say, "Oh, it's paper week and I put out the cans." It's confusing sometimes, because there's so many different ways of managing the waste stream today that just didn't exist years and years ago. So that's a little bit on the personal side about how important it's become.

It's not like this government just invented recycling. In fact, I may be wrong—I know somebody said that the Liberals claimed they brought out the Blue Box Program, but I believe it was the Conservatives that instituted—

Hon. James J. Bradley: I won an award.

Mr. John Yakabuski: The original Blue Box Program came from the Conservatives, but the member from St. Catharines may want to dispute that.

Hon. James J. Bradley: Province-wide.

Mr. John Yakabuski: Oh, province-wide. Oh, the Liberals made it province-wide, but they didn't invent the program. You know, when Henry Ford first brought out the car, not everybody got one the next week. It was the Conservatives who brought out the Blue Box Program and perhaps the Liberals expanded on it. Well, whoop-de-do. Once you put a man on the moon, it wasn't that hard to get the second one there. Good Lord, they would take the credit for everything. They want to take the credit for everything.

Anyway, it was the Conservatives who brought out the Blue Box Program. They're the ones who instituted the program here in the province of Ontario. In fact, it was the Conservatives who first brought out a Ministry of the Environment. And we take a lot of flak from people on the other side. The Liberals like to portray themselves as the champions of the environment, the ones that have made protecting the environment their life story, their reason for being here. But it was the provincial PC Party that brought out the Ministry of the Environment, because they recognized that if we are going to live in a

prosperous province that affords everyone the opportunity to be successful, then we've got to take care of Mother Earth as well. We've got to make sure the environment we're living in is one that we prioritize as requiring our protection, and not just our use, not just our enjoyment. Should we enjoy the environment? Absolutely. But we've got to make sure that we're taking the necessary steps to protect that environment as well.

We've got state-of-the-art environmental facilities in my riding. I look at the Ottawa Valley Waste Recovery Centre. When it was first being planned, a lot of people said, "Oh, this isn't going to work." This is a marvellous, marvellous example of reducing waste in the waste stream. We're way ahead of the provincial average, for the municipalities that participate in the Ottawa Valley Waste Recovery Centre—way ahead.

In fact—and you know me; I'm not very often that critical of the government, but from time to time I have to be—let's just talk about waste diversion. I recall that in 2003, the former member for Prince Edward–Hastings—it might have been called something else at that time—Leona Dombrowsky, was the new environment minister. She promised a 60% diversion rate, I think, by 2008, somewhere around there. Our waste diversion rate in the province of Ontario today is no better than it was when the Liberals took office. They brought out a whole cadre of programs, but they haven't been successful. I think they have to take responsibility for that.

We all recall the fiasco surrounding eco taxes. Do you remember that, Speaker? Remember that summer when the eco taxes hit the airwaves and people just went apoplectic? One of the ones that was the best example of something gone awry was a bag of ready-mix cement. The eco taxes on a bag of ready-mix cement amounted to more money than the bag of cement itself. It was a 66-pound—30 kilograms—bag of cement. The cement itself was less expensive than the eco taxes.

If you made concrete out of that bag of cement—let's say it was ready-mix concrete—where was that going once that hardened up and was used as an anchor or some kind of a post or whatever small amount of concrete? Yet the eco taxes were more expensive than the product itself.

The whole program made no sense. But what does make sense—and the PCs need to take credit for this, as well as the other stakeholders out there who told them this eco tax madness was just that, madness. They are phasing these things out and they have committed to a timetable, and that's something everybody wants to see and support.

When it comes to protecting the environment, nobody has a monopoly on the right ideas and nobody should be castigated as being the villain in this discussion either. I believe that every member of this assembly is absolutely committed to protecting our environment.

At the end of the day, I'm probably not going to leave my children a lot of money unless they do something to enhance the retirement package for MPPs in this House, but probably not a lot of money. I hope I'm going to

leave them a reasonably good name, but what I have to make sure that I have done right is that I've done everything that I can do to leave the earth and our environment, both locally and globally, in a better condition than in which we found it.

Interjection.

Mr. John Yakabuski: What's that?

Interjection.

Mr. John Yakabuski: My colleague from Haliburton.

Ms. Laurie Scott: Does that mean blue box or green box?

Mr. John Yakabuski: I'm not sure what box she's referring to right now. Is it the recycling box or is it the box that I'm going to leave this world in? I'm assuring her of one thing: There will be no interest in recycling me once I'm done. There will be no interest in that.

But it is our responsibility as legislators to make sure we leave this earth in a better condition than in which we found it. I think we all take that responsibility seriously so that our children and our grandchildren will pick up on that.

The one thing that I will say is that the children of today—look, when I was growing up in school, there was no education. I mean, we had common sense. Thank goodness we had common sense. I'll tell you a little bit about that common sense—and you knew what was right and wrong.

I'll tell you a story about my son, Lucas, who is going to be 25 in July. Just little things: When he was a little boy and he would be in school or whatever and have maybe some candy wrappers or whatever, there was no way those candy wrappers would ever be thrown on the ground. He knew that was the wrong thing to do. They went into his pocket. When he would come home from school or wherever he was, whenever we were doing the laundry we would find wrappers—I wasn't doing the laundry either—and stuff like that in his pants pockets.

One Sunday afternoon, my wife was taking Lucas and another boy down to the corner store in Eganville for some ice cream and some treats. When they were coming back from the store, back to her mother's, she turned around and Lucas and the other boy were some space behind her and Lucas was having this discussion with the other boy.

0950

Vicky walks back, wondering what's going on, and Lucas was telling him he had to pick up that paper that he threw on the ground because that's not what you do with paper. They had paper from some of the candies, and he just threw it on the ground, and Lucas was challenging him on that, saying, "No, you've got to pick that up and take that back to Grandma's house and put it in the garbage." That's not only good responsibility, but it's common sense. It's one of my biggest pet peeves, and maybe he picked that up a little bit.

I just can't stand it when I'm driving down the highway and I see somebody throw something out the window, garbage on the highways, or anywhere else, whether it's on a golf course—I go out and play golf

sometimes, and on a golf course there are waste cans at every tee box, but then you drive and you see beer cans and crap thrown along the cart paths. There's no reason for that whatsoever. That's why everybody has to take individual responsibility, as well, to do their part. I always say that if you can carry something to wherever you were using it, then you can carry the empty back to wherever the proper place for disposal is. That's something we all need to take seriously.

I've almost gotten into more than an argument, on occasion, over people littering. I take that very seriously. I've actually pulled somebody over at the next stoplight, when I saw them throw garbage out the window of their vehicle, and have had heated discussions with them over that kind of practice. There's no room for that in this world. Everybody needs to take that responsibility seriously.

If we all do our part, and government does its part, and opposition does its part, we'll all have this bill—and we're going to have this bill shortly. It's going to strengthen our waste diversion here in the province of Ontario. That's a good thing. At some point we need to change the mindset about packaging and all that, but that's a discussion for another day. Maybe we'll have that another time.

I thank you for the opportunity to speak this morning, Speaker.

The Acting Speaker (Mr. Rick Nicholls): Questions and comments?

Ms. Jennifer K. French: I'm pleased to comment on the member from Renfrew–Nipissing–Pembroke's comments on Bill 151, the Waste-Free Ontario Act. I would like to say, to his point, that while people might not have an interest in recycling him, we certainly have an interest in hearing his comments, and we might recycle some of his lines, so it isn't all for naught.

His point that our job here as legislators and, really, as citizens of Ontario is to leave the world in a better condition than we found it in is something that we do need to carry forward in our day to day, whether that is, like his son Lucas, taking our candy wrappers home with us or to the next garbage can and not leaving them as we're walking. I think our children know that. We need to remember that.

I remember being a child not that long ago—although when I do the math, it's getting up there—and I remember some of the campaigns. When you're young, there are catchy slogans that you remember: reduce, reuse, recycle. It's interesting when we think about reduce, reuse, recycle. As consumers, the message was for us, but, now, as we see packaging and industry growing and we see a consumer-driven society, a waste-driven society, the onus of reducing, reusing and recycling really does now fall to the producers as well, and needs to. They need to reduce their packaging and wasteful materials. We see more targeted recycling programs, whether it's at stores that allow you to bring your electronics, batteries or appliances back—to have these recycling programs is an important piece as well.

I'm realizing it was almost 30 years ago, when I was living in Palgrave, that the region of Peel had compost bins that families could get, whether for free or for a low cost, and I remember that it was my job and my brother's job to take the waste out to the compost bin. My brother loved it as a wildlife preserve.

Anyway, we see that we can encourage this behaviour in our families from the beginning.

The Acting Speaker (Mr. Rick Nicholls): Further comments?

Hon. James J. Bradley: I am delighted to respond to what is always an entertaining intervention by the member from Barry's Bay, among other places. If I want to follow what is happening in his riding, I can read the Eganville Leader. He is found in the Eganville Leader second only to the federal member, Cheryl Gallant, who seems to be very active in the riding.

By the way, I had a chance, when I was Minister of the Environment, to visit the riding, and I was welcomed by the member very warmly. We were at a waste management facility at the time with the good local folks. I thought it was a very good day. Again, the federal member, Cheryl Gallant, showed up at this particular event. I don't recall that it had anything to do with the federal government, but nevertheless she was there with the member, I'm sure to support him in supporting the government of the day.

I had the opportunity to serve with the member's father, Paul Yakabuski, in this House a number of years ago as well, so I appreciate his interventions when they are here.

I'm glad to see that the Conservative Party is now supporting this. The road to Damascus is very crowded now with people who are getting on the environmental bandwagon. I even see that at the convention in Vancouver there were some converts to environmentalism.

I want to point out to the member, by the way—he mentioned Henry Ford inventing the car. I don't think Henry Ford actually invented the car. What he invented was the assembly line, just as the city of Mississauga invented the Blue Box Program. Then the province of Ontario, under the Peterson government, made it a province-wide program. There's a direct parallel in that particular case.

I am pleased to see that this bill is finally going to proceed, that there's going to be joy amongst a consensus of the people right across this province. I thank the member for his timely intervention.

The Acting Speaker (Mr. Rick Nicholls): Further questions and comments?

Ms. Lisa M. Thompson: I want to congratulate my colleague and friend from Renfrew–Nipissing–Pembroke because he always brings a unique perspective to the debate. I appreciate very much how he took time to demonstrate to the people here in the House how the PCs have always—always—held the environment as a priority. We've been walking by example in what we have done through the decades. I appreciated him pointing that out, very much so.

Specifically with regard to Bill 151, while we reserve the right to put the government on notice, saying we're going to be watching the evolution of this legislation, I feel at this time I should share a few flags, some concerns from stakeholders who have come forward saying they're a little concerned about all these policy statements that could come forward at the minister's discretion.

Again, we want accountability; we want transparency. When there's so much power put in the hands of one person—and currently, that one person who holds the minister role in terms of the Ministry of Environment and Climate Change has proven himself to be a little reckless from time to time, not only with his comments but the direction in which he has tried to steer his caucus and government. We issue a warning flag in that regard. We cannot afford to move forward in Ontario with some comprehensive plans, all while the leadership takes a left turn and goes off script and causes a lot of concern for stakeholders. That's just another warning flag that we have with regard to putting so much power into the hands of one person.

But overall, Bill 151 is a marked improvement because of the embracing of many good ideas coming from the PC Party of Ontario.

The Acting Speaker (Mr. Rick Nicholls): Further questions and comments?

Mrs. Lisa Gretzky: It's always a pleasure to rise and bring the voice of my constituents from Windsor West to any debate that we're having.

Today we're debating Bill 151, the Waste-Free Ontario Act, which I've had the pleasure of speaking to several times. Today I get to talk about some of the things the member from Renfrew–Nipissing–Pembroke touched on.

It's never been my goal to have to follow the member from Renfrew–Nipissing–Pembroke. I don't know how you follow a member who is so passionate and so animated when he speaks. I'm sure I'm not quite as entertaining as he is.

1000

Several members have touched on education and how we need to make sure that people understand reduce, reuse and recycle, so I'm going to talk about that. I'm going to talk about my own home and how shocking it is when I look at how much recycling we have compared to how much garbage goes out to the curb for collection. People would think that's a good thing, but I marvel at how much—here's free advertising: We have one of the large Herby Curbys—if you don't have one, you should probably go get one; they're fantastic—and it's overflowing all the time.

It amazes me how much prepackaged food there is out there. Clearly, we buy too much of it. It's getting harder and harder to stick to food that isn't prepackaged. Dietitians will tell you to stick to the outside perimeters of the grocery stores for the healthy foods, but more and more of that has become prepackaged produce and other things. So it's becoming very difficult to buy things that aren't prepackaged, and the result of that is more and

more people, if they are choosing to recycle—and I certainly hope they are—will find that their recycle bins are overflowing. We have a Herby Curby and we also have a blue box for the overflow. I think it's incumbent on the producers to be looking at how to reduce packaging so that when they do make it into the households, and the consumers are using it, there are fewer and fewer items that have to be used for recycling or garbage.

The Acting Speaker (Mr. Rick Nicholls): Back to the member from Renfrew–Nipissing–Pembroke for his final comments.

Mr. John Yakabuski: I appreciate the comments of the member from Oshawa, the member from St. Catharines, the member from Huron–Bruce and the member from Windsor West.

I did misspeak when I said that Henry Ford invented the car. I know that that's not accurate. He did invent the assembly line. I was really thinking of the Model T; it popularized the Model T. But I am at a disadvantage to the member from St. Catharines because, probably, he actually drove a Model T here when he first got elected to the assembly, so he's had that personal history of driving one of Henry Ford's pride and joys.

But back to the issue: We can all kibitz around and have a little fun on this sometimes, but the importance of the environment cannot be overstated. Governments at all levels, regardless of which party is in power, have recognized that it is a priority ministry no matter which jurisdiction or what government or party is in power.

We all are taking the steps that we can. This bill is a positive step. We recognize that it has a much more common-sense approach in it than its previous son, Bill 91, and a lot of that is because of the suggestions made by the PC caucus and the PC environment critics, both Michael Harris and Lisa Thompson. When we're done this, when this bill passes, we'll be in a better position than we are today.

To all of the comments, waste diversion is something that is not going to become a smaller problem; it's going to become a bigger problem. We have to continue to find ways to reduce the amount that goes into our landfills. We can't invent more land, so we'd better start inventing less waste. No more land, so let's make less waste.

The Acting Speaker (Mr. Rick Nicholls): Further debate?

Mr. Jagmeet Singh: I notice that there's a number of members from the Sikh community in the galleries. I want to extend my invitation and my welcome to them, and in the members' gallery as well.

I'm also honoured to join the debate on Bill 151. First and foremost, let's make it clear that New Democrats support this bill. We support initiatives to reduce waste. There are a number of issues, obviously, with the bill, but let's first and foremost address the overall concern and the reason why we support it.

In our society, and we've heard a number of members talk about this, we have a very serious responsibility now. We are at a turning point in our society where we really need to look at how we can, in earnest, take care of our environment and protect our environment.

The member from Nipissing talked about how we need to protect Mother Earth. Our members from the New Democratic Party talked about how important it is to ensure we reduce waste. There's a connection between waste and climate change. There's a connection between the increased amount of waste we're producing and the negative impact that waste production has on our environment. That connection is absolutely clear.

Reducing waste on a practical level, in the sense that we don't have an unlimited source of land to put that waste, is important. But in addition, the extended impact is that increased waste in our system, in our society, wherever it ends up, whether it's in landfills, whether it's in the water—the waste that is produced will negatively impact our environment. And it has impacted our environment in a negative manner, and there's clear evidence to support that.

We need to be doing as much as possible. We need to be doing everything we can to ensure we move away from the previous way of thinking, which was that there's limitless land, we can produce limitless waste, and it's not going to have an impact because this world is so big. We're learning more and more, and this world is becoming smaller and smaller on many levels: economically, with global trade, but also with the fact that we're seeing the impact of the production of waste and the human impact on our environment, and it's real. We need to address that. So that's a positive thing.

The other main element of this bill that I want to highlight as being an absolutely positive step is the idea of ensuring that the individual producer has responsibility for the end of life of products produced. That general concept of individual producer responsibility is absolutely a very positive step in the right direction. It allows the producer the opportunity that they actually are making sure the product that they're designing has a concern about the end of life. They're looking at ways to ensure that their product is not only something that they can market effectively but also, at the end of life, is not something that's going to become a waste or a burden on society. That's a very important step.

Now, some of the concerns about the initiative: One is, the bill itself is named the Waste-Free Ontario Act. That's obviously a very positive name. We want to move towards a society where there is absolutely no waste. We also want to move to a society that ensures there's a circular economy, that if there is any produce or any sort of product left behind at the end of use, that can be reused in a way that does not create waste, that it's reused in a circular manner.

However, the issue that I have with the bill is that, despite the title, there isn't actually a clear, legislated goal of a waste-free Ontario. It sounds great as a title, and it's something that in fact New Democrats support as an initiative and as a vision, but the bill doesn't actually have a concrete goal set where it says that you must create a waste-free system. It does not have that requirement, and that is a problem. As a vision, obviously, it's something absolutely important and I'm glad that it's

been raised, but we need to ensure that our bills are reflecting what they're actually doing. In this case, the bill does not achieve that goal. This is an area where the government could ensure that the legislation matches the title, and actually has set concrete goals and objectives that are actually designed to say, "Yes, we want this target to be achieved by a certain time, so that we do indeed have this waste-free Ontario." So that's a concern, that it's not there.

Again, with the individual producer responsibility, one of the things that is absolutely important is that it allows the producer to come up with creative ways to reduce waste. That's something where we look forward to seeing the innovation. Some of the other members have said, in effect, when we talk about what we do with waste, we hear the three Rs all the time: reduce, reuse, recycle. They're in that order for a reason. I think it's important to highlight this.

The most important thing we can do—we think about waste and we always think about, "Let's recycle more. Let's encourage more recycling." Recycling is absolutely important. But the first R is reduce, and that's why it is the first: because it's the most important. We need to ensure that in the beginning of the process, we're reducing waste, so that it's not a matter of always looking towards how we can reuse the waste that we've generated. We need to ensure that producers are looking at how they can reduce waste in the first place.

There are a lot of strategies around that and we really need to look at some serious solutions. There are many areas of packaging that I'm sure—when we look at the product ourselves, we think, "Why is there so much packaging? It's so unnecessary." There's ways to look at—instead of packaging items for individual use, in a way that's to be discarded, looking at ways that the consumer can actually have an item they can bring into the store and refill. That idea of using their own materials to refill, using their own receptacles to refill, is something that the producers could look to creative ways of marketing so that they can encourage people to bring back that same item that was sold and it could be the item that they put the new product in. These are ideas that I'm hoping producers are going to look at in terms of their strategy.

1010

The initial point that I started with was the connection between waste production and climate change. I just want to quote Environmental Defence and the Toronto Environmental Alliance. They support the bill, and I want to highlight their comments, both from Environmental Defence and the Toronto Environmental Alliance:

"We welcome the Strategy for a Waste-Free Ontario and are very pleased to see Ontario making the explicit link between waste and climate change and committing to a vision for a circular economy where Ontario produces zero waste."

They acknowledge and are pleased with this connection. I also want to reiterate that it's absolutely important to connect waste and climate change.

Where I also agree is this vision for a circular economy. Again, I implore the government: Let's move from

just a vision to a concrete plan for a waste-free Ontario; let's move beyond simply a plan to concrete, objective criteria to actually set targets so that we can achieve that goal. So that's reiterating that concern.

With respect to other elements of the bill that I have some concerns with, the bill suggests the creation of a new delegated administrative authority. One of the concerns I have is that any time we create a delegated administrative authority, there are concerns around accountability. When you create an arm's-length-from-the-government entity, there are always concerns about how the government can continue to provide oversight over this entity, which is essentially only in existence because of the government's mandate. We've seen in other circumstances—not exactly the same, but where we have administrative authorities, the government doesn't have the same ability to ensure that they're actually doing the job they were supposed to do, that they set out to do, that they were mandated to do.

One example—something similar, but not exactly the same—is with respect to Tarion. Tarion is an arm's-length entity. It's not directly under the ministry or any particular ministry, but it exists solely because this government has created a mandate that this is the only new home warranty system in the province. When you have a system like that, what happens is consumers are required to purchase their home warranty through this one entity. So their entire funding is based on the people of Ontario purchasing it. But when it comes to the concerns that the consumer raises—if someone buys a home and says, “Listen, this home warranty program is not working very well. They're actually rejecting claims time and time again,” there is really no recourse. Right now, people complain, and they don't have a way to seek a remedy.

Similarly, if we have a delegated administrative authority in this case and there are concerns about the way it's operating, the way it's developing policies, the way it's administering, we don't know if the government will be able to provide the necessary oversight. We have other examples where it hasn't worked, so that's why it's important to look to other examples and say, listen, if it hasn't worked in this case, maybe it won't work in the current example, when it comes to this waste management issue.

I raise that concern because there have been a number of other delegated administrative authorities that have shown to be not the most effective way of delivering the service, but more importantly have had serious problems with respect to oversight, transparency and accountability. So that's an area of concern that I have.

The bill lists a number of provincial interests that will guide the way and the manner in which the rollout of the strategy will happen. The strategy will be guided by these provincial interests and, ideally, the way the producer creates new strategies or new solutions will be guided by these principles. These principles are very positive, and I want to highlight some of them: minimizing greenhouse gas emissions; minimizing waste generation; increasing

the durability, reusability and recyclability of products and packaging; holding those responsible for the design of products and packaging responsible for their end-of-life management; reducing hazardous and toxic materials in products and packaging; minimizing the need for waste disposal; plus “any other related thing that may be prescribed.”

Those provincial interests are indeed something positive.

I understand that time is just about winding down, so I'll just wrap up by saying that the bill has some very positive elements. It's very important for us to move toward a society that reduces waste, and I'm encouraged by the bill. There are certainly some issues we can address, but we'll absolutely be supporting the bill.

The Acting Speaker (Mr. Rick Nicholls): Thank you very much. Just to the member, you will have time when this bill is called again to complete your debate.

Third reading debate deemed adjourned.

The Acting Speaker (Mr. Rick Nicholls): Since it is now 10:15, this House stands recessed until 10:30.

The House recessed from 1015 to 1030.

INTRODUCTION OF VISITORS

The Speaker (Hon. Dave Levac): Before we move into introduction of guests, I will be introducing our guests for the tribute today, including former members.

So with us today, not as part of the tribute but somebody who is here as well, is the former member from Ottawa West–Nepean in the 38th and 39th Parliaments, Mr. Jim Watson. Thank you, Jim.

Now it's time for introduction of guests.

Mr. Toby Barrett: I'm certain we all welcome the cattlemen here today. It's a day that we look forward to. Don't miss the barbecue at noon.

Mr. Peter Tabuns: It's my pleasure to introduce the family of page captain Emily Dale: her parents, Julie Dale and Steve Dale; her sister Megan; and her brother Cameron. Welcome to the Legislature.

Hon. Jeff Leal: It's a great honour for me to introduce, in the members' east gallery today, Mr. Matt Bowman, who is president of the Beef Farmers of Ontario; Mr. Joe Hill, vice-president of the Beef Farmers of Ontario; and two people from the great riding of Peterborough who are very good friends of mine, Garnet Toms, who is a director, and Dave Cavanagh, who is a director. Welcome to Queen's Park.

Mr. Ted Arnott: I too wish to welcome Joe Hill and also Dave Stewart from the Ontario Cattlemen's Association, who are here today, as well as my constituent Terry Mundell from the Greater Toronto Hotel Association. Welcome to Queen's Park.

Ms. Sarah Campbell: I'm very happy to welcome the students and staff of Beaver Brae Secondary School from Kenora to Queen's Park. I'd also like to give a special welcome to Sheena Wheeler, who is a teacher at Beaver Brae and a former page of the Ontario Legislature. Welcome to Queen's Park.

Hon. Michael Coteau: We have some visitors from the Greater Toronto Hotel Association in the House this morning: Terry Mundell, president and CEO of the GTHA; David Kelley, chair of the board; and Edwin Frizzell, executive committee member. I'd like to welcome them to the Legislature and also remind all members here today that there's a reception here this evening. Thank you very much for joining us today.

Ms. Lisa MacLeod: Obviously, I would like to add my voice in welcoming my mayor, Jim Watson, here, and also Councillor Catherine McKenney; her daughter Kenney; my husband, Joe; and my daughter, Victoria. Ottawa is taking over Queen's Park today, if we haven't already done it, sir.

Mr. John Vanthof: I would also like to welcome the Beef Farmers of Ontario here today, and my constituent, the president of Beef Farmers of Ontario, Matt Bowman.

Hon. Kevin Daniel Flynn: Only five Canadian productions have ever made it to Broadway. I'm pleased today to introduce Irene Sankoff and David Hein, the producers of *Come From Away*, and Michael Rubinoff, who is the associate dean of the department of visual and performing arts at Sheridan College. Speaker, please welcome them to Queen's Park. They're opening on Broadway in 2017.

Mr. Todd Smith: It's a pleasure to introduce a number of the members from the Punjabi Sikh community here for question period today: Balinder Singh Badesha, Manjit Singh Grewal from the Malton gurdwara, Bikram Singh Bal, Jas Dhadda, Harjit Jaswal, Pam Hundal, Gulab Saini, and others from the Sikh Motorcycle Club who are here today. Welcome, all.

Mrs. Marie-France Lalonde: I would like all members of the House to acknowledge a very special occasion, a very special day on his birthday today. He is sitting in the underpress, one of our staff from the whip, Brendan McClughan. Happy birthday, Brendan.

Hon. Kathleen O. Wynne: I'd like to welcome Ms. Cheung's grade 8 class from Westwood Middle School. To the students, welcome to the Legislature.

Hon. Dipika Damerla: Today is World No Tobacco Day and we are celebrating that. We're also celebrating the 10th anniversary of smoke-free Ontario here in the Legislature later today at Queen's Park. We're doing that by giving out 10 Heather Crowe Smoke-Free Ontario Awards. The ceremony will take place right after question period in room 228. I ask everybody to attend.

More importantly, we have a number of special guests who have travelled from across Ontario to attend the Heather Crowe Smoke-Free Ontario Awards. I'd like to introduce them once again: the honourable Jim Watson, the mayor of Ottawa; Will Bulmer, city of Ottawa; from the Heart and Stroke Foundation, Cristin Napier, Jeffrey Li and Maha Sohail; from the Ontario Lung Association, Ledja Peci, Peter Glazier, Sherry Zarins, Chris Yaccato and Andrea Stevens Lavigne; and the award recipients, Ted Boadway, Vito Chiefari, Jane Ling, the city of Hamilton board of health, Porcupine Gold Mines, Ontario Finnish Resthome Association, Ottawa Model for Smok-

ing Cessation, Simon Hoad, Mary Ransom and Jenny Schiff.

We welcome you all. We thank you for your contributions. We look forward to honouring you and everybody—

The Speaker (Hon. Dave Levac): Thank you.

The member from Bruce–Grey–Owen Sound.

Mr. Bill Walker: It's a pleasure to introduce Rob Lipsett, a member of the Beef Farmers of Ontario, from the great riding of Bruce–Grey–Owen Sound and the son of former MPP Ron Lipsett.

Mr. Mike Colle: I'd like to welcome Kelci Gershon, who is the aunt of page Nava Wu. Welcome.

Hon. Yasir Naqvi: I want to welcome a very hard-working constituent of mine from Ottawa Centre. Please welcome Will Bulmer from Old Ottawa East. Welcome to Queen's Park, Will.

L'hon. Madeleine Meilleur: I would like to introduce my intern Christian Petit-frère, originaire de Haïti, qui a été pris dans le tremblement de terre, qui est venu rejoindre sa famille ici à Toronto et qui maintenant étudie en droit à l'Université d'Ottawa.

Mr. Robert Bailey: I'd like to introduce a constituent of mine, Mr. Tom Wilson, a director of the Beef Farmers of Ontario. Welcome here to Queen's Park today.

Hon. Kevin Daniel Flynn: Our page Katelyn is joined today by somebody very important in her life: her grandfather Francis Recagno is here at Queen's Park today. Please give him a warm welcome.

LEGISLATIVE PAGES

The Speaker (Hon. Dave Levac): At this time, I would ask all members to join me in welcoming our pages. Our new pages are here and we're going to introduce them. Please assemble.

From Halton, Alexandra Wu; from Mississauga–Brampton South, Alina Saleh; from Parkdale–High Park, Ariane Parent; from Peterborough, Claire Williams; from Sudbury, Colleen Gauvreau; from Etobicoke Centre, Daniel Smart-Reed; from Pickering–Scarborough East, Daniel Zung; from Toronto–Danforth, Emily Dale; from Willowdale, Emma Zhou; from Markham–Unionville, Huzaifah Muhammad; from Ancaster–Dundas–Flamborough–Westdale, Jacob Rudolph; from Mississauga South, Julia Michaud; from Oakville, Katelyn Recagno; from Davenport, Lianhao Qu; from Welland, Mélina Dubé; from Scarborough Centre, Nadine Elsaddig; from Eglinton–Lawrence, Nava Wu; from Brampton West, Sahil Bhagat; from Scarborough Southwest, Sulin Fletcher; from Haldimand–Norfolk, Thomas Rickus; and from Oak Ridges–Markham, Waleed Malik.

These are our pages for this couple of weeks.

1040

VISITORS

The Speaker (Hon. Dave Levac): The Minister of Aboriginal Affairs, for introductions.

Hon. David Zimmer: It's my honour to recognize page captain Emma Zhou from Willowdale. Her mother, Maggie, is here, and her father, William, and her brother, Daniel. Welcome to the Legislature.

The Speaker (Hon. Dave Levac): Would the members please join me in welcoming the families and friends of the late Michael Murray Dietsch, MPP for St. Catharines–Brock during the 34th Parliament, who are seated in the Speaker's gallery: his wife, Gail; his sons Michael, Matthew and his wife, Kristen; and Paul and his wife, Natasha; his daughters Patricia Tebbutt, Jody Golding; and Linda Dietsch-Bird and her husband, David; his grandchildren Bram, Melissa, Sean, Tyler, Liam, Kaleb, Austin, Nolan and Leah; and many friends. We welcome you to the tribute. Thank you for being here.

Also in the Speaker's gallery for the tribute is the former member from Brantford in the 34th parliament, my grade 12 world politics teacher, Mr. David Neumann.

MICHAEL DIETSCH

The Speaker (Hon. Dave Levac): I would call upon the government House leader for a point of order.

Hon. Yasir Naqvi: I believe you will find that we have unanimous consent to pay tribute to Michael Murray Dietsch, former member for St. Catharines–Brock, with a representative from each caucus speaking for up to five minutes.

The Speaker (Hon. Dave Levac): The government House leader is seeking unanimous consent to pay tribute. Do we agree? Agreed.

I'll call upon the member from Niagara West–Glanbrook.]

Mr. Tim Hudak: If Tip O'Neill once said, "All politics is local," then Mike Dietsch lived it. He and his wife, Gail, were still busy raising their six kids—Pat, Linda, Jody, Mike, Paul and Matthew—when he decided to run for provincial office as the MPP for the riding of St. Catharines–Brock in 1987. Mike successfully ran for the Liberals as part of a Peterson government sweep.

But when Mike told Gail that he wanted to run for the nomination provincially, Gail was terrified. Gail was an army brat. She and Mike actually met when her dad, Chief Warrant Officer William Bowman, ran the army camp in Niagara-on-the-Lake and Mike worked there. She says her dad wasn't too happy with the crowd she ran around with in Hamilton—those from Niagara can understand that about Hamilton—so he liked Mike.

So they had been raising six kids. She loved living in the country, and Mike was an automotive worker and a farmer, and they loved being at home with the family. So Gail wondered—a lot—if being here at Queen's Park in the Legislature and being in Toronto was going to change them and change their family. Even friends and neighbours wondered, if Mike were elected, how the Dietsch family might no longer be the ordinary folks that they loved spending time with. But when Mike Dietsch made up his mind, he stuck to it, and Gail fully supported him.

Knowing Mike as I did—I knew him for his municipal politics—I knew full well that nothing would change. Mike always said, "I am who I am," and assured Gail they'd always stay grounded—so grounded, in fact, that Gail kept her job in Niagara-on-the-Lake, driving a school bus. When Mike was off at Queen's Park, she loved working with the kids. Friends and neighbours would ask, incredulously, "Now with Mike elected, you're not still driving a bus, are you?" She said, "Of course I am. I love it. I'm a part of the community."

And local pays off. In the nomination in 1987, people saw the writing on the wall. The Liberals were on the move, and it was a big contest: five contestants in the nomination, and a lot of big names. Truth be told, folks thought Mike would be lucky to come in fourth in that race. But he actually went door to door during the nomination and met with the members, and he built a team. He divvied up the lists of memberships between husband-and-wife pairs and had them go together as well, knocking door to door on his behalf.

Because of his local reputation and dedication, and because of his approach and hard work, he actually came first on the first ballot and stayed first all the way through to win that nomination. He defied the odds through good old-fashioned hard work and a smart game plan. He applied the same smarts and work ethic in the general election, visiting 19,000 homes during that campaign. He was feeling confident on election night with good reason. He actually beat former MPP and future regional chair Peter Partington. That was no easy contest.

So no surprise, when Mike arrived here in 1987, he fully threw himself into the work, but he never forgot about the folks back home. He brought forward three private members' bills that made a huge difference—actually, he not only brought them forward but had each of them pass, Speaker, and all to do with the grape and wine industry. Any of us from Niagara, Prince Edward county, the Lake Erie north shore and across the province know the importance of that industry. His three bills resulted in the allowance of credit card sales at wineries, Sunday openings at wineries and an irrigation bill to allow farmers to use irrigation ditches to water their crops—so way ahead of his time. Back in the early 1990s, late 1980s, there was a small number of wineries, and he helped build a successful sector that adds millions and millions of dollars to our economy each and every year.

Ironically, I found out, though, Speaker, that once he arrived in 1987, Mike stopped drinking altogether—not even wine. He felt he should focus fully on his work. Even at home, Christmas dinners, out for dinner with the family, he wanted to focus on his job. But even though Mike didn't have any wine, whenever he went out for dinner with Gail, the family or anybody else, he demanded to see the wine lists. He'd call the sommelier over or the head waiter, and if there wasn't Ontario wine on that list, they heard about it. Then, come Monday morning, he'd follow up with a letter back to the restaurant and all of the wineries—there were only seven back then in

Niagara-on-the-Lake; he called them the group of seven—and told them that this would be an outstanding establishment to show off their product. No wonder he earned himself the nickname “the Winer” around here at Queen’s Park—no H of course.

As much as Mike felt it was his duty to give back to his community, his leadership was very well respected by all the work he did and those he worked with, his constituents, but never at the expense of his family. He always had time for his kids, despite the demanding schedule and the travel back and forth to Toronto. When three of the kids played lacrosse one summer, Mike and Gail just packed up the whole family and spent their summer holidays camping at the lacrosse tournaments across our province, ensuring the whole family spent quality time together despite the hectic schedule.

One year, they took all eight family members in a crew cab truck and drove across Canada—seven weeks of that, packed in there with the kids. Gail said that was the only other time in her life she was terrified with one of Mike’s decisions. He valued family ahead of everything else, and I’m sure his wife of 52 years, Gail, his six kids and his 17 grandchildren deeply feel his absence today, but no doubt his grandchildren are enormously proud of what their grandpa stood for, what he accomplished for the folks back home and that he never, ever lost sight of that old adage, “Dance with the one who brung ya.”

It’s an honour to pay tribute to Mike Dietsch and all he accomplished for our province.

The Speaker (Hon. Dave Levac): Further tribute?

Mr. Wayne Gates: It’s an honour and privilege for me to rise and say a few words about former MPP for St. Catharines–Brock Michael Dietsch, who was an auto-worker, just like myself.

I’d like to thank his wife, Gail; his sons, Matt, Paul and Michael; his daughters, Pat, Linda and Jody and all his many grandchildren for being here today.

Some of you may wonder why I’m rising to speak about an MPP from an area called St. Catharines–Brock. In 1987, this was actually a riding that existed in Niagara and, despite its name, contained the town of Niagara-on-the-Lake, which today is in my riding.

When talking about Mike, you will see that despite the name of the riding, MPP Mike was a man who cared deeply for Niagara-on-the-Lake and worked very hard on behalf of the people of the town.

Former Lord Mayor Dave Eke said that he was committed to his family, to his community and to the people he represented.

1050

During his three years here in the Legislature, he managed to do something that I think most of us would be shocked to hear: He managed to pass three private member’s bills. The MPPs who are here today are happy if we get one. If anyone had any doubt that Mr. Dietsch stood up for the people and the businesses of Niagara-on-the-Lake, let me read out to you briefly what these bills were about:

- first, a bill to allow credit card sales at wineries;
- second, a bill to allow wineries to open on Sunday;
- third, and equally important, a bill that would allow farmers to use irrigation ditches to water their crops.

Looking at Niagara-on-the-Lake today, you can point at those three bills and say with confidence that they helped to build the town that we know.

But Mike was so much more than just an MPP with an incredible mind for the constituents he served. Speaking to everyone who knew him, the first thing they tell you is, simply, that he was a great community man.

Mr. Speaker, I need to pause here for a second and explain something that’s a little interesting about the town of Niagara-on-the-Lake. As many of you know, the town is deeply connected to the history of this province, and to this country. Before the War of 1812, the town—which was called Newark at that time—was actually the first capital of what would become Ontario. It was also the first seat of government for this province. I suppose as a bit of tribute to that incredible heritage, the town remains one of the few jurisdictions that does not call the head of council a mayor. In fact, the actual title is Lord Mayor. Today, the Lord Mayor is Pat Darte, who has continued Mike’s tradition of serving his community.

Mr. Speaker, I am sure you are aware that Mr. Dietsch was not only the Deputy Lord Mayor of the town from 1985 to 1987, but after his time as an MPP he became the Lord Mayor of the town, in 1991. He did such a good job that his neighbours and friends re-elected him in 1994. Rounding out his incredible career, he ran for regional council in 1997, and of course he won.

As you can see, Michael Dietsch held just about every electable position for the people of Niagara-on-the-Lake that he could possibly hold. He was elected so many times because the people of Niagara knew they could depend on him to fight for their interests. I believe his record speaks for itself.

While in office, Mike helped secure—this is very important for Niagara—the second campus at Niagara College, in Niagara-on-the-Lake, and he was there when they broke ground in 1998 with the president of the college, Dan Patterson, a good friend of Mike’s as well. Mike’s wife, Gail, always said that that was his greatest achievement.

Mike also had a big hand in the successful wine industry and the many projects he oversaw as Lord Mayor. The people of Niagara have a lot to say thank you to Mike for.

Mr. Speaker, I’d also like to recognize that beyond his incredible legacy, Mr. Dietsch left behind his wife, Gail, to whom he was married for 52 years, six children and 17 grandchildren. Two of his sons, Matt and Paul, own a very successful restaurant in Niagara-on-the-Lake called Sandtrap and have used it to continue their father’s legacy by giving back to the community.

Mike was a family man, a community man—I’m going to add this: he was an auto worker—and one strong representative. I’m proud to stand here with my colleagues today and honour such a great individual.

The Speaker (Hon. Dave Levac): Further tribute?

Hon. James J. Bradley: The great disadvantage, Mr. Speaker, of being third is that everything has been said that should be said about Mike, and very eloquently by the members representing the Conservative Party and the New Democratic Party. I would say ditto to everything that they have had to say. But let me say, first of all, that I knew Mike personally for a long period of time before he was elected to the Legislature, and then he represented part of the city of St. Catharines and the surrounding area, including Niagara-on-the-Lake. His heart was in Niagara-on-the-Lake, quite obviously.

He was, first and foremost, as members have said, a constituency person. He never felt his role was to reflect the views of the Ontario government, of which he was part, to the people of his riding. His role was to reflect the views of the people of his riding to those of us who sat in the Ontario Legislature. He never got Toronto-itis or legislator-itis when he was over here because he recognized how important his own community was, that the people who elected him should come first and foremost in his mind. And so if there was a conflict between what the government policy might be and what Mike Dietsch thought was best for his constituency, you knew where he stood.

His family will tell you, believe it or not, that he could be stubborn from time to time. They'll be shocked to hear that, of course. But he could be, and he was stubborn for a good reason. He was stubborn because he wanted to ensure that his riding was always first and foremost in the eyes of the government and in the eyes of those of us who sit in this assembly.

It is mentioned what his role was municipally. Many people in this House have come from the municipal sector. It's a good grounding for people who sit in the Legislature today. Not essential, but it is a good grounding. As Lord Mayor of Niagara-on-the-Lake, Deputy Lord Mayor, as an alderman, as they were called then, and as a member of regional council, he was always very feisty. I always remember one term he used: "no way, shape or form." He used that very often when he was referring to something that wasn't going to happen or, if it would, it would be over his dead body, politically speaking.

As a member of caucus, Mike was very outspoken. He wasn't afraid, with the Premier sitting there and with others in the cabinet sitting in the caucus, to offend any of them if he felt it was necessary to offend them. And he took up causes. The drought that hit the Niagara Peninsula was one that both members have mentioned, where a bill was brought forward to allow water to be used from drainage ditches. It sounds very basic, but it was very important to the farmers. He understood that because he had a small farm himself, as well as being an autoworker. He maintained both, which allowed Gail to be able to spend a lot of time with the family. He did as well, even when he was here. I am a lacrosse fan, and I used to see him from time to time at lacrosse tournaments where the boys were playing and at other activities with the family, because he was also a very strong family person, and everybody in Niagara-on-the-Lake knew that.

When you think of the grape and wine industry, it was in its fairly fledgling days at the time, a very difficult and challenging time, and he wasn't afraid to assist it. It sounds odd today that you couldn't use a credit card at a winery, and that's why he brought forward that bill. There were also other odd things you couldn't do in a winery. You couldn't go there on a Sunday, and yet many of the people visiting the Niagara region came on a Sunday, so Sunday openings happened to be allowed.

Also near and dear to his heart was Niagara College, as was mentioned, and the campus in Niagara-on-the-Lake. It's a beautiful campus, by the way. I think most members of the Legislature have been there at one time or another.

What a lot of people outside of Niagara-on-the-Lake didn't know was that Mike had a chronic illness. He had cancer for 18 years, but he never wore that on his sleeve. If somebody had asked how he was, his answer would be, "Well, how are you?" He never sought sympathy. He never allowed that to get in the way of doing a job and he carried that extremely well. It was a burden, but nevertheless he carried it extremely well.

1100

So we will be remembering him for many years to come in this Legislature. I attended the funeral, and I remember there were people from all political stripes, people from all kinds of backgrounds who crowded into the funeral and the reception after to pay tribute to Mike and certainly to Gail, his wife of 52 years; to members of the family, to members of the greater family and to friends. Everybody in Niagara-on-the-Lake at one time or another was a friend of Mike Dietsch.

We're deeply grateful to you for sharing Mike with those of us in the Legislature and with the people of Ontario. He'll be remembered fondly by all of his residents and by those who served with him.

The Speaker (Hon. Dave Levac): I would like to take this moment to thank all the members for their very heartfelt and kind words that reflect our camaraderie and our friendship. I would also like to tell the family that a copy of Hansard and a DVD or a disk will be provided to the family as a token of our esteem, appreciation and love for Mike Dietsch. I thank you very much for the gift of Mike. Thank you very much, everyone.

Therefore, it is now time for question period.

ORAL QUESTIONS

HEALTH CARE FUNDING

Mr. Patrick Brown: My question is for the Premier. Yesterday, five different MPPs asked the Premier if she had confidence in her Minister of Health. They asked whether the Premier would fire him or shuffle him out of the Minister of Health portfolio. Despite all the cuts, the Premier wouldn't answer the question. Five times she avoided answering the question. So it's clear, if this Pre-

mier agrees with the cuts, she will keep him as Minister of Health. If she doesn't agree with the cuts, she will shuffle him out.

Mr. Speaker, here is a crystal-clear question: Will the Minister of Health still have his job as Minister of Health after the next cabinet shuffle, and does the Premier have confidence in him?

Interjections.

The Speaker (Hon. Dave Levac): I'm trying to deal with that side. The members will come to order. I'm not going to tolerate that constantly.

Premier?

Hon. Kathleen O. Wynne: I have confidence in my Minister of Health. I have confidence in my cabinet. I have confidence in my caucus. I have confidence in this team.

We are in the process of building this province up. We are making investments across the province in hospitals, in schools, in transit, in transportation, in roads and bridges. We are making investments in this province that are going to stand this province in good stead into the future, that are going to make us more prosperous.

Our economy is growing. We're one of the leaders in the country. We are leading this country with our diverse, strong economy. Do I have confidence in my cabinet? Absolutely, Mr. Speaker, I do.

Interjections.

The Speaker (Hon. Dave Levac): Be seated, please. Thank you. Start the clock, please.

Supplementary?

Mr. Patrick Brown: Again to the Premier: It will be with extreme disappointment to Ontario nurses, physicians and patients that you stand by this embattled health minister.

I toured the Scarborough Hospital yesterday and again I got to see—

Interjections.

The Speaker (Hon. Dave Levac): I'm sorry. Stop the clock.

I am now going to move to individuals. I'm going to start with the member from Beaches–East York.

Interjection: Who is not in his seat.

The Speaker (Hon. Dave Levac): And that's not helpful when I'm trying to get the other side to come to order. That goes for everybody. I'm coming to every individual today.

Please finish.

Mr. Patrick Brown: Touring the Scarborough Hospital, I was able to realize the negative effects of these Liberal cuts. You know who put it best, actually? Former Liberal MPP Bas Balkissoon, who described the situation in Scarborough as not meeting “the needs of modern medicine.”

Yet the Scarborough Hospital wasn't on the government's past capital projects nor in their future plans. All the government does is fund more studies. The hospital staff feel that they're not even on the radar with this government.

Will the Premier put the hacksaw away and finally give the Scarborough Hospital the support it deserves?

Hon. Kathleen O. Wynne: I know the Minister of Health and Long-Term Care is going to want to comment on the Scarborough issue.

But I think it is really important to recognize that this is the leader of a party that has consistently—consistently—voted against and opposed the investments that we are making in health care—\$1 billion in our budget. The Leader of the Opposition and their party voted against that and opposed those investments: \$345 million more for hospitals, new funding; \$12 billion to build and renovate hospitals around the province; \$50 million a year to deal with maintenance and deferred maintenance issues.

All of those investments the Leader of the Opposition has opposed, and they have voted against them. It's a bit rich for him to stand up and say that we need to invest more when they vote against every initiative.

Interjections.

The Speaker (Hon. Dave Levac): Be seated, please. Thank you.

Final supplementary.

Mr. Patrick Brown: Back to the Premier: I proudly opposed the budget that cut 1,400 nurses. I proudly opposed the budget that took \$800 million from physicians to take away from patient care.

But let's be very specific about the Scarborough Hospital. The operating rooms are the oldest in the province, created in 1956. The staff of the Scarborough Hospital told me that they're half the size they're supposed to be, to such an extent that they have to put equipment for the operating room in the hallways. It is unacceptable for patient care.

Seven years ago, the province did a study saying that they unequivocally needed new operating rooms. You have sat on the news for seven years that these operating rooms don't meet the standards of modern medicine.

So my question is, will you finally show the respect to the people of Scarborough by giving them the new operating rooms that your own studies show are needed?

Interjections.

The Speaker (Hon. Dave Levac): Stop the clock, please.

Be seated, please.

Mr. John Yakabuski: He stood up for Scarborough and now he's gone—a brave man, Balkissoon.

The Speaker (Hon. Dave Levac): The member from Renfrew–Nipissing–Pembroke, come to order.

Premier?

Hon. Kathleen O. Wynne: Minister of Health and Long-Term Care.

Hon. Eric Hoskins: I am so pleased that the official opposition has finally demonstrated some interest in Scarborough. I don't recall in the last two years a single health care question about Scarborough. I don't know if the timing is coincidental.

But I was recently in Scarborough myself. I stood side by side with every MPP from Scarborough and Durham,

as we announced the result of a one-year focus on health care in Scarborough, where we announced a \$19-million contribution to Scarborough Hospital for diagnostic imaging; we announced a \$5-million planning grant for both Durham and Scarborough regions so we could build new infrastructure; we announced a \$4.5-million increase in operating funds this year for Rouge Valley hospital, \$3 million in new funding for Scarborough Hospital and \$2.6 million more for Lakeridge.

Interjections.

The Speaker (Hon. Dave Levac): Be seated, please. Thank you.

Interjection.

The Speaker (Hon. Dave Levac): The Minister of Tourism, Culture and Sport will come to order.

New question.

CLIMATE CHANGE

Mr. Patrick Brown: My question is for the Premier. A couple of weeks ago, the Globe and Mail acquired a 57-page climate change action plan. The document was stamped “cabinet confidential.” Now, we all know about “cabinet confidential,” and it’s an important part of our system, an important principle of our parliamentary system. It is a serious breach of trust and ethics to leak cabinet documents. Thanks to the Globe and Mail, we also know the Premier doesn’t trust her own cabinet.

So my question is, does the Premier know which minister walked out of cabinet with this confidential document?

1110

Hon. Kathleen O. Wynne: I think that the Leader of the Opposition, like his former colleague in the Wildrose in Alberta, really doesn’t want to talk about climate change. He doesn’t want to talk about the realities that we have to take this challenge head-on, that we must make change. We must tackle this because we have a responsibility as a jurisdiction in Canada and as part of the globe. The changes that we’re making—the cap-and-trade, the Climate Change Action Plan that we’re putting in place—are going to drive innovation in this province, are going to drive down greenhouse gas emissions, and are going to help Canada to meet its commitment in the global fight.

The Speaker (Hon. Dave Levac): Supplementary?

Mr. Patrick Brown: Again to the Premier: My question was actually about the cabinet leak, but I’ll ask another question.

According to the Globe and Mail, the Premier believes some ministers are not pulling their weight. To be honest, I happen to agree with the Premier. But who exactly isn’t pulling their weight? Is it the Minister of Children and Youth Services, who took away IBI therapy from five-year-old children with autism? Is it the Minister of Health, who recklessly fired 1,400 nurses? Is it the Minister of Community and Social Services, who has thrown away \$292 million on computer systems that don’t work?

Mr. Speaker, can the Premier tell us exactly which minister she thinks isn’t pulling their weight and which one of them leaked the cabinet document?

Interjections.

The Speaker (Hon. Dave Levac): Be seated, please.

Mr. Mike Colle: Do you believe in climate change? Ask him.

The Speaker (Hon. Dave Levac): The member from Eglinton–Lawrence, come to order.

Mr. Mike Colle: Do you believe in it? Stand up and say it.

The Speaker (Hon. Dave Levac): The member from Eglinton–Lawrence, second time.

Premier?

Hon. Kathleen O. Wynne: Once again, I would say to the Leader of the Opposition, I actually do understand why he would want to lower himself to make personal, divisive attacks, because he cannot take on the challenge of talking about climate—

Interjection.

The Speaker (Hon. Dave Levac): The member from Prince Edward–Hastings.

Finish, please.

Hon. Kathleen O. Wynne: I have been crystal clear, Mr. Speaker, that we on this side of the House see it as our responsibility to tackle this threat that is probably the greatest threat that humanity has ever faced. The fact that we have taken the largest initiative in North America by shutting down the coal-fired plants doesn’t mean we can rest on our laurels. It means that we have to move ahead and we have to take initiatives that lead the country and lead the globe in terms of developing innovation and technology to tackle the greenhouse gas emissions on this planet.

The Speaker (Hon. Dave Levac): Final supplementary.

Mr. Patrick Brown: Back to the Premier: The personal and divisive comments that I was attributing are sourced to you, the Premier of Ontario, in the Globe and Mail.

Let me add one other reference to the Premier’s opinions. Liberal sources went on to tell the Globe that the Premier believes “longer-serving members of cabinet are not particularly effective communicators.” Again, I happen to agree with the Premier. Just look at the Minister of Education and how she blew millions of dollars on pizza parties and hotel rooms. Or look at the Minister of Energy, who told us that the gas plant scandal was going to cost a cup of coffee. Let’s not forget the Minister of the Environment, who told us they were going to ban both nuclear and natural gas.

Someone in this cabinet leaked this ridiculous plan to ban natural gas. So instead of throwing one of these ministers under the bus, is the Premier going to take responsibility for this cabinet leak and the ridiculous plan to ban natural gas?

Interjections.

The Speaker (Hon. Dave Levac): Be seated, please.

Interjection.

The Speaker (Hon. Dave Levac): The member from Renfrew–Nipissing–Pembroke, second time.

Premier?

Hon. Kathleen O. Wynne: Mr. Speaker, the comments attributed to me about my team are false. I made it clear when I was in Alberta that we have no intention of banning natural gas.

Here's what we're going to do with the bus: We're going to make sure the bus is clean, we're going to make sure that it's emissions-free and we're going to make sure that we have a province that is a leader in fighting climate change—something that that party has opposed at every turn.

ENERGY POLICIES

Ms. Andrea Horwath: My question is for the Premier. The Premier did not run on a platform to sell Hydro One. In fact, she stood in this House and said straight from her own lips that it was not for sale, and she promised, at the same time, that she was going to be open and transparent. Eighty per cent of the people of Ontario want to keep Hydro One public, and over 200 municipalities say the same thing. Not a single Ontarian voted for the sell-off of Hydro One, but today, for the very first time in the history of our province, private shareholder meetings are happening across the street because this Premier broke her promise.

Will the Premier do the right thing and stop selling off any further shares of Hydro One?

Interjections.

The Speaker (Hon. Dave Levac): Be seated, please.

Premier?

Hon. Kathleen O. Wynne: I know that the leader of the third party knows that I ran on a platform that was designed to invest in infrastructure across this province. What that means is to build transit, to build roads and bridges, and we talked about assets—

Mr. Paul Miller: You never mentioned Hydro.

The Speaker (Hon. Dave Levac): The member from Hamilton East–Stoney Creek.

Hon. Kathleen O. Wynne: We talked about a review of assets that was going to generate revenue to allow us to make those investments.

The leader of the third party was clear about that because she started opposing it right from the get-go. She opposed those investments in transit, she opposed those investments in expanding the northern highways and she opposed those investments in hospitals and schools around the province because she fundamentally opposed the investments in infrastructure that are so desperately needed for this economy.

That's what we ran on, and that's exactly what we're doing.

The Speaker (Hon. Dave Levac): Supplementary?

Ms. Andrea Horwath: Speaker, what I fundamentally oppose is a Premier who is not telling the truth to the people of this province around this—

Interjections.

Ms. Andrea Horwath: I withdraw. Speaker, I withdraw.

The Speaker (Hon. Dave Levac): I'm going to ask the member to withdraw because you can't say indirectly what you can't say directly.

Ms. Andrea Horwath: I did actually withdraw, Speaker, and I do withdraw.

The Speaker (Hon. Dave Levac): Thank you.

Ms. Andrea Horwath: What I actually fundamentally oppose is a government that doesn't tell the people of the province their intention to sell off a revenue-generating asset that belongs to the people of this province.

What I also fundamentally oppose is a Premier who is not paying attention to what the Financial Accountability Officer of this province says, which is that, in fact, the worst way to try to fund infrastructure is to sell off a revenue-generating asset in the province of Ontario. That's what I fundamentally oppose.

My question is, why is this Premier not standing up for what is best for the people of this province?

Premier Wynne: Hon. Kathleen O. Wynne: Minister of Finance.

Hon. Charles Sousa: Mr. Speaker, we've been clear all along that we want to maximize the value of assets owned by the people of Ontario to better produce value to reinvest in new assets to have even greater returns. That's exactly what's happening. In fact, we now have a corporation that is more improved and more customer-focused. It has greater investments and has increased value for the shareholders, who are the people of Ontario right now. It has unlocked billions of dollars needed—

Interjection.

The Speaker (Hon. Dave Levac): The member from Hamilton East–Stoney Creek, second time.

Minister?

1120

Hon. Charles Sousa: It's unlocked billions of dollars of needed capital to invest in infrastructure, which the member opposite has opposed. More importantly, the foregone revenue the member talks about is in fact being made up by greater returns that are being had as a result of the investments that we make.

The Speaker (Hon. Dave Levac): Final supplementary.

Ms. Andrea Horwath: Selling off Hydro One will shoot the rates through the roof. It happens every time there is a privatization of hydro, regardless of where in the world it has happened. It started with Mike Harris right here in the province of Ontario, and this Premier is finishing his job.

It is bad for families. It is bad for businesses. It is bad for Ontario's bottom line, says the Financial Accountability Officer. The independent Financial Accountability Officer says it will actually cost us money. It means a bigger deficit and less money for transit and infrastructure.

The evidence is clear. The Liberal claims simply are not based in reality. They are nothing but Liberal Party

spin. Will this Premier stop the sell-off before it is too late?

Interjections.

The Speaker (Hon. Dave Levac): Be seated, please. Thank you.
Minister?

Hon. Charles Sousa: Talking about spin, the member opposite knows all too well the Ontario Energy Board actually sets the rates. It won't be Hydro One. She also knows that we're doing this in tranches to minimize the risk, unlike what happened with the sale of the 407.

We still retain the largest ownership of Hydro One, a much more improved company, and the markets have indicated that the reaction to the Hydro One process is making it more valuable, is providing even greater dividends to the province. No one can have more than 10% ownership of Hydro One, which minimizes the very risks the member is talking about.

The majority of the province, the majority of the company is still owned by retail investors that are Ontarians, as well as the province of Ontario. It's better for the province. It's more money for infrastructure. It's better for our economy.

HOSPITAL FUNDING

Ms. Andrea Horwath: Back to the Premier—but I have to say our priority is people, not the markets. It's people, Speaker. That's what should be important.

Ontarians want to know that when their loved—

Interjections.

The Speaker (Hon. Dave Levac): Order.

Please carry on.

Ms. Andrea Horwath: Ontarians want to know that when their loved ones need care, their hospital is safe and it's been properly repaired.

Records show—the ones that New Democrats got—just how much repair work is needed at each hospital in Ontario. Collectively, it's over \$3.2 billion of repair backlogs, but the government has censored which hospitals actually need the work.

Will this Premier actually be open and transparent, show Ontarians the respect they deserve and release the complete list?

Hon. Kathleen O. Wynne: Minister of Health and Long-Term Care.

Hon. Eric Hoskins: Well, I know what the leader of the third party is suggesting. She wants to reveal, in advance of any bidding process, to potential contractors, to bidders—she wants to reveal what the hospital, the Ministry of Health and the government think is the cost of renovating or improving or maintaining a facility—to give that unfair advantage in a bidding process, which would enable those potential bidders to actually reflect what they believe they can get rather than the best price, which is what government should be looking for.

But it's important to note as well that when we look at the issue of deferred maintenance, it doesn't simply represent a total of all the necessary repairs required to

enable a hospital to deliver quality services. It represents the dollars that would be required to upgrade all hospitals in Ontario to “brand new hospital” status.

The Speaker (Hon. Dave Levac): Supplementary?

Ms. Andrea Horwath: This has nothing to do with contractors; it has to do with the rights of people to know what's happening in their local hospitals.

Yesterday, the Minister of Health told reporters that hospitals with the greatest repair needs include entirely new builds. He apparently clarified this a little while later to say that some of this might be in places where hospitals may actually be replaced. But of course, the government isn't releasing the names of those hospitals, so the Liberals are asking Ontarians to just take their word for it. We don't know if a hospital that needs \$200 million in maintenance is slated to be replaced in a year, in 20 years or at all.

Until the government releases the facts, they're expecting Ontarians to just trust them. Will this Premier show Ontarians the respect they deserve and release the complete list?

Hon. Eric Hoskins: Mr. Speaker, I know that the leader of the third party wants to completely disrupt, if not destroy, the competitive bidding process. It would be completely inappropriate, for example, for a new build as well, to actually provide a dollar-value estimate from the government in terms of what we think is required to build that new hospital or to renovate it. It's just ludicrous, quite frankly, Mr. Speaker.

I'm proud of this government's record of past investment. We have 35 new or highly renovated hospital projects under way in the province right now as we speak, Mr. Speaker. We're investing \$12 billion in new capital spends over the next 10 years—\$100 million each and every year just specifically for maintenance.

As I mentioned, for deferred maintenance, it would be the example of your house, of what it would cost to rebuild your house so it is in brand new status. That's a very different thing than what's required to provide quality health care.

The Speaker (Hon. Dave Levac): Final supplementary.

Ms. Andrea Horwath: Speaker, more than \$3.2 billion is needed to fix our hospitals just to keep them safe and prevent imminent breakdowns. That was what was reported in the FOI that we received from this minister's staff and his ministry. He had better read the FOI that we received.

According to the auditor, Ontario is falling behind each and every year when it comes to making those investments. In fact, the auditor said, “In the last five years, hospitals spent on average \$45 million a year of operating funds”—that should be going to patient care—“on capital and other funding needs.” This is happening at the same time that the Liberals froze hospital operating budgets, Speaker, for four straight years.

When will this Premier and this minister cut the spin and admit that the Liberals are failing to properly fund hospital repairs?

Hon. Eric Hoskins: Mr. Speaker, it's precisely in response to our agreement with the Auditor General's report that we put substantial new funds into the budget that was recently approved. So I'm not sure what the leader of the third party is referring to and why they chose not to support a budget that agreed with the Auditor General, that invested more money, \$12 billion in capital, doubling the deferred maintenance from \$50 million a year to \$100 million a year. We're making those investments, notwithstanding them voting against the budget. We responded to the Auditor General's report. We've responded to the needs that have been identified for us and on our behalf by the hospitals across the province.

It's important to recognize what deferred maintenance is. It's an estimation, on a go-forward basis, for a whole slew of activities that may need to be replaced in the coming years. We've got a plan to do that in an orderly, responsible fashion that maintains the quality of care.

GOVERNMENT ACCOUNTABILITY

Mr. Victor Fedeli: Good morning, Speaker. My question is for the Premier.

This morning, the Financial Accountability Officer confirmed what we here already know: This government is neither open nor transparent. He said it is "highly disappointing" that instead of looking to maximize information disclosure, this government restricts disclosure. This impedes "the ability of MPPs to perform their ... duties of holding the government to account."

They have repeatedly missed reporting requirements under the Fiscal Transparency and Accountability Act since 2012. They cancelled the gas plant scandal hearings, removed Legislature officer oversight on Hydro One, and regularly stonewalled the FAO and Auditor General from receiving necessary information.

I ask the Premier: Are cabinet leaks and criminal investigations the only way we can ever get the real facts here?

Hon. Kathleen O. Wynne: Let me talk about the Financial Accountability Officer. We have a real respect for this office. The member opposite knows that we worked—

Interjections.

The Speaker (Hon. Dave Levac): Finish, please.

Hon. Kathleen O. Wynne: Ministries work closely with the FAO. The member opposite knows that we worked with the opposition parties. We recognize, during a minority Parliament, that we worked together to establish the office of the FAO. Both the legislation and the office of the Financial Accountability Officer were modelled after the parliamentary budget officer.

Interjection.

The Speaker (Hon. Dave Levac): Member from Leeds–Grenville.

1130

Hon. Kathleen O. Wynne: That was the agreement and the discussion that we talked about with the oppos-

ition. It is the office, and the parameters of his job and of that office are modelled after the parliamentary budget officer. That is the work that we did together.

Interjection.

The Speaker (Hon. Dave Levac): Member from Leeds–Grenville, second time.

Supplementary?

Mr. Victor Fedeli: Back to the Premier: The FAO told us that there is "a broader pattern" of refusals for access to information. He also said the government's stonewalling has made it "difficult ... to assess the plausibility of the government's financial projections and to evaluate risks that ... those projections would not be met." He doesn't trust their numbers.

The FAO said the government is withholding documents and shocked us, Speaker, by saying he believes this is "political direction."

This is unbelievable. From backroom deals to stonewalling officers of the Legislature, this government only does what's best for the Liberal Party.

Speaker, will the Premier end this pattern of obstruction and give the FAO the necessary documents to do his job?

Hon. Kathleen O. Wynne: Minister of Finance.

Hon. Charles Sousa: I want to reiterate that we work very closely with the Financial Accountability Officer—the first of its kind in Canada for a province to undertake.

Additionally—

Interjections.

The Speaker (Hon. Dave Levac): Thank you. Minister?

Hon. Charles Sousa: Mr. Speaker, we respect the work that the Financial Accountability Officer does for our province. That's why we put in place the opportunities to have more forward thinking and review of the actions that we take.

Additionally, we will be sending a government-wide directive to all offices to ensure that offices are responding to the FAO in a consistent and timely manner. To be clear: Requests for information from the FAO are responded to by non-partisan officials, not by the political staff.

During the minority government, all parties worked together to establish the FAO and the legislation that governs the office. We are working within those parameters. We'll continue to work collaboratively with the FAO on an ongoing basis and we will provide the information that we're allowed.

GOVERNMENT ACCOUNTABILITY

Ms. Catherine Fife: My question is to the Premier. Speaker, the NDP fought hard to ensure that this Legislature and MPPs have a Financial Accountability Officer here. New Democrats believe in independent oversight. When the legislation was written, no one expected the Premier and the Liberal government to deny the Financial Accountability Officer the information he needs to do his job.

This morning, the FAO called a news conference and he said, “It is highly disappointing that instead of looking to maximize the information that the government can provide to MPPs and through them all Ontarians, the government is focusing on how it can restrict disclosure of information.”

Why is this Premier trying to undermine yet another independent watchdog?

Hon. Kathleen O. Wynne: Minister of Finance.

Hon. Charles Sousa: Mr. Speaker—

Interjections.

The Speaker (Hon. Dave Levac): Be seated, please. Thank you.

Minister?

Hon. Charles Sousa: We value the work that the Financial Accountability Officer does. We are working collaboratively with them. We recognize the necessity for a timely manner in which information is received. We also recognize the duty that we have in regard to confidentiality requirements in the work that we do. I know the members opposite respect that, and if they don't they should. We will continue to work with the Financial Accountability Officer to provide the information necessary—

Interjection.

The Speaker (Hon. Dave Levac): The member from Renfrew–Nipissing–Pembroke is warned.

Interjection.

The Speaker (Hon. Dave Levac): You've got two.

Hon. Charles Sousa: Mr. Speaker, we'll continue to work with the FAO, as we always have.

The Speaker (Hon. Dave Levac): Supplementary?

Ms. Catherine Fife: The Liberals have tried to undermine the Auditor General of this province. They have fought with the Ombudsman's office. Now they're refusing to give the Financial Accountability Officer the information that he needs to assess the financial impact of this government's decisions.

Mr. Speaker, there is a pattern here. This government seems to have a problem with transparency and accountability and openness. As the FAO has said this morning: “They are saying that they're an ‘open government,’ and I'm saying, ‘Well, let's see the data to show that you're open.’”

The Premier talks a lot—a lot—about openness and transparency. Will she be open with Ontario's independent, non-partisan Financial Accountability Officer, or will she continue to stonewall?

Hon. Charles Sousa: We will continue to work with the FAO. I talk with him on an ongoing basis. Even yesterday, my officials met with the FAO, because we recognize how important the work he does is and that he must have information on a timely basis within the confines—in fact, the FAO recently said, “I respect the concept of cabinet confidentiality,” that yes, they do need to have cabinet confidentiality. We do require some degree of confidentiality when we're putting forward some of the issues.

We recognize as well that the FAO, as well as the Auditor General, requires information when it's available. At this point in time, we will make everything available. A directive is being sent across the ministries to ensure that the officials, which are the non-partisan officials of this government, which does have an ongoing relationship with the FAO—to provide the information that is required within the act that that member approved and supported, Mr. Speaker.

TRUTH AND RECONCILIATION COMMISSION

Ms. Sophie Kiwala: My question is for the Minister of Aboriginal Affairs. Yesterday, I was so proud to be in this room to hear the Premier apologize to survivors of residential schools for this dark chapter in our history and the lasting impacts it still has for indigenous peoples. The Premier announced, as part of her apology, a new strategy to bring meaningful change to the lives of indigenous people and the communities in the spirit of reconciliation called The Journey Together, Ontario's action plan for reconciliation with indigenous peoples.

Can the minister please tell us more about this action plan and tell us why it is so important for our relationship with indigenous peoples in Ontario?

Hon. David Zimmer: I thank the member for that very important question. Since the release of the final report of the Truth and Reconciliation Commission last December, the Ministry of Aboriginal Affairs has been working across ministries to prepare Ontario's response to this document. It is a whole-of-government response. We are taking action on the recommendations. It is a priority for this government.

I am very pleased to reiterate that commitment with yesterday's announcement of the document The Journey Together. This is another step on the path to reconciliation, but it is not the end of the journey. There is much, much work to do, together with our indigenous partners and all Ontarians, to make meaningful change and genuine reconciliation a reality.

The Speaker (Hon. Dave Levac): Supplementary?

Ms. Sophie Kiwala: It is wonderful to hear that the government is honouring the commitments it has made to address the legacy of residential schools and work with indigenous partners to develop a new path forward towards reconciliation.

I know that taking action on the recommendations contained in the Truth and Reconciliation Commission report is a priority for the Ontario government and that we are committed towards achieving true reconciliation. I understand that the action plan builds on positive first steps already taken by our government to strengthen the partnerships based on mutual respect and shared benefits.

Could the minister please tell us more about the steps our government will take to bring real change to the lives of indigenous peoples and communities?

The Speaker (Hon. Dave Levac): Thank you. Minister?

Hon. David Zimmer: The Journey Together, Ontario's Commitment to Reconciliation with Indigenous Peoples, is aimed at improving social, economic and health outcomes through five broad themes. The themes are: (1) understanding the legacy of residential schools; (2) closing the gaps and removing the barriers; (3) creating a culturally relevant and responsive justice system; (4) supporting indigenous culture; and (5) reconciling relations with indigenous peoples.

Ontario plans to invest \$253 million over the next three years on programs and actions guided by these five themes, which are in turn a response to the 94 recommendations of the TRC report. Shaped by the document *The Journey Together, Ontario*, along with indigenous partners and the federal government, will work to achieve measurable change for indigenous communities. It's long required.

1140

ROAD SAFETY

Mr. Patrick Brown: My question is for the Premier. Ontario is a vibrant province with a rich and diverse culture. Our pluralism makes us stronger. Freedom of religion is fundamental to the freedom we love and enjoy in Canada. In Sikhism, the wearing of the turban is an essential symbol of identity of the members of the Sikh faith. And now it's time for a motorcycle helmet exemption for Sikh riders, like the ones that exist in British Columbia, Manitoba and the United Kingdom.

Will the Premier commit to amending the Highway Traffic Act to accommodate the rights of Sikhs to display their faith?

Hon. Kathleen O. Wynne: I agree with the member opposite, and our government recognizes the importance of preserving the fundamental right of religious expression. We have to strike the right balance between public safety and religious accommodation. It is absolutely critical. We're very proud of our record of road safety in Ontario. We consistently rank among the safest roads in North America. In Ontario crash data, we know that riders without helmets involved in a collision had a 17% greater risk of being killed or seriously injured—17%.

Mr. Todd Smith: Why did you promise it, then?

The Speaker (Hon. Dave Levac): Order, please.

Hon. Kathleen O. Wynne: Mr. Speaker, I will say to the heckler opposite that I have never said this is something that we would do. There are people in this room who know and my caucus knows that I said we would look at it. We would look for the evidence, and the evidence points to safety, requiring a helmet on motorcycles.

The Speaker (Hon. Dave Levac): Supplementary?

Mr. Patrick Brown: Again to the Premier: Standing up for freedom of religion shouldn't be something you only do at the Khalsa Day Parade or before an election. It is something that you should do each and every day.

Members of the community, some who are present here today, feel betrayed by the Premier. They feel that

she went back on her promise, and it's not just the Premier going back on her promise; it's every member of your caucus in Peel.

I will try again: Will you honour your promise? Will you honour the promise that the members of your government made? Will you do the right thing and support the member from Prince Edward–Hastings and his bill to amend the Highway Traffic Act to accommodate members of the Sikh faith?

Interjections.

The Speaker (Hon. Dave Levac): Stop the clock, please. Be seated, please. Thank you.

Premier?

Hon. Kathleen O. Wynne: I have struggled with this issue. I struggled with this issue when I was the Minister of Transportation and I have struggled with this issue as Premier.

I understand the politics that the Leader of the Opposition is playing, Mr. Speaker, but he is perpetrating a falsehood. I never, ever—

Interjections.

The Speaker (Hon. Dave Levac): No, I ask.

Withdraw.

Hon. Kathleen O. Wynne: I withdraw.

The Speaker (Hon. Dave Levac): Thank you.

Hon. Kathleen O. Wynne: I have never said that we would take this move.

When we know that wearing helmets means that injury rates go down 75%, I will not be the Premier who stands in front of a mother whose son has been killed because he was not wearing a helmet. I will not be that Premier, Mr. Speaker. I am going to make sure that we do everything we can to keep the roads in Ontario safe.

Interjections.

The Speaker (Hon. Dave Levac): Be seated, please. Thank you.

New question.

ABORIGINAL CHILDREN AND YOUTH

Ms. Sarah Campbell: To the Premier: In April, Azraya Kokopenace, a 14-year-old girl and member of the Grassy Narrows First Nation, walked away from the Lake of the Woods hospital in Kenora and she was found dead two days later. There's a lot we don't know about what happened to Azraya. Why did the police drop her off at the hospital? Why did she walk away? But what we do know from her father is that Azraya needed help. Azraya was involved in the child welfare system and under the care of the hospital when she went missing.

Will the Premier commit to bringing the Kokopenace family and her community of Grassy Narrows some peace and back their call for a coroner's inquest?

Hon. Kathleen O. Wynne: Minister of Children and Youth Services.

Hon. Tracy MacCharles: I want to thank the member for this important question. Whenever a child in the welfare system or outside of it is devastatingly impacted, as described here, we are all deeply concerned. We know

there's more work to do in the child welfare system. We're working very hard with our indigenous partners in reforming that system and supporting culturally appropriate services and programs to those communities and, quite frankly, looking at the broader system as well to make sure that children in care are front and centre and that those children's best interests are always put first and foremost.

We work very closely with our indigenous partners on child welfare reform when it comes to those communities, and we'll continue that work with them.

The Speaker (Hon. Dave Levac): Supplementary?

Ms. Sarah Campbell: To be clear, these services don't exist. They don't even exist in Kenora, where families are told that they have to travel 500 kilometres to Thunder Bay to access some of these very basic mental health services for youth.

Yesterday's announcement at the truth and reconciliation process was a moment when government recognized the need to listen, to be humble, to acknowledge the powerful legacy of our relationships with First Nations. But we need to do more than just acknowledge; we need action on this mental health crisis resulting from this legacy for First Nations, especially for young people.

A coroner's inquest is required here. What response does the Premier have to Azraya's family and to the community of Grassy Narrows, which is already reeling from environmental devastation? What action is the Premier prepared to take?

Hon. Tracy MacCharles: Yesterday was indeed a very important day. In fact, I held a third round table with our Métis, ONWA and family friendship centres to develop the work further on our soon-to-be renamed indigenous child and youth strategy. A big part of that is making sure we have the right mental health supports for indigenous children, both from a prevention point of view as well as when children in those communities enter care.

The Minister of Health has announced additional funding to support the Mental Health and Addictions Strategy, and we recognize that additional supports are always required. We've supported training for aboriginal mental health addiction workers with annual funding of \$3 million.

Is there more to do? Yes. I'm happy to talk one-on-one with this member about this particular—

The Speaker (Hon. Dave Levac): Thank you.
New question.

YOUTH SERVICES

Ms. Daiene Vernile: My question is for the Attorney General. Our government is committed to ending chronic homelessness in 10 years. We're also delivering on our priority of targeting youth homelessness. We know that LGBTQ and two-spirited youth experience far higher rates of homelessness than other young people. These grim statistics reflect the toll that homophobia and transphobia take on our youth. They face violence and harass-

ment in our schools, within families and other communities. They have rejection of their sexual identity, which is integral to who they are.

Could the minister please tell us what this government is doing to help support LGBTQ and two-spirited youth in Ontario?

Hon. Madeleine Meilleur: I want to thank the member from Kitchener Centre for her important question. Every young person, as they grow and develop, needs a supportive home and a caring adult to help them reach their full potential.

Just this morning, the Premier announced that our government is supporting the OUTreach program, a mental health support crisis centre for LGBTQ youth run by Egale Canada Human Rights Trust. We are providing up to \$1.5 million in funding for this drop-in crisis centre over three years. It gives young people who are homeless or at risk of becoming homeless an array of crucial services.

Too often, our community's youth avoid seeking help because of encounters with homophobia and transphobia at other institutions. Egale offers them an accepting and welcoming place to get the kind of help that can make a profound difference in their life.

The Speaker (Hon. Dave Levac): Supplementary?

Ms. Daiene Vernile: I'd like to thank the minister for her answer and for her attention and her commitment to this very important issue. We know that this mental health support crisis centre offers an accepting and welcoming place to get the kind of help that makes a profound difference in a young person's life.

On Wednesday, the Premier is going to be attending the pride flag-raising at Queen's Park. This is a very important symbol of Ontario's commitment to equality.

1150

Minister, despite how far we have come over the past few decades, we still have a very long way to go. For example, Ontario's current law on who can form a family is outdated, as it does not reflect present realities. Minister, can you please tell this House what you are doing to ensure that Ontario's laws do reflect acceptance for all families?

Hon. Madeleine Meilleur: First, let me thank the member from Parkdale–High Park for bringing forward her private member's bill that would modernize our legislation. We are committed, as I said last week, to fixing this.

As the Premier said this morning, she asked me to bring forward legislation in September that would, if passed, ensure that all parents are clearly recognized in Ontario, whether they be gay or straight and whether their children are conceived with or without assistance.

For this legislation, the Premier asked me to work with the member from Parkdale–High Park and stakeholders to craft a bill based on the work that has already been done by the Uniform Law Conference of Canada. The conference consulted with provinces, stakeholders and legal experts in preparing its guidance. It provides a solid starting point for an Ontario bill—British Columbia and

Alberta already have this bill in place—because we would like to see the definition changed in Ontario by the end of this year—

The Speaker (Hon. Dave Levac): Thank you.
New question.

AUTISM TREATMENT

Ms. Sylvia Jones: My question is to the Minister of Children and Youth Services. Minister, let me share the story of Chelsea and her son, Charlie. On May 4, Charlie was told he was being terminated from IBI therapy as of September, just in time for Charlie to go to school. The problem is, Minister, that Charlie isn't ready for school. He hasn't achieved half of his developmental goals. So Charlie is expected to go to school in September without the tools that he needs to succeed. Charlie is being set up to fail. It's not right and it's not fair.

I will ask the minister again: Will she reverse her decision and allow children like Charlie to continue receiving IBI therapy until they have met their developmental goals?

Hon. Tracy MacCharles: I want to thank my critic for the question as well. It's important to remember, for children who are in IBI therapy currently, that they will continue in IBI therapy until their next assessment.

I think that there's a myth out there, a myth that needs to be clarified: These children, after a clinical assessment, are not automatically dropped. They will be assessed and their future treatment will be recommended by a clinician, and a transition plan will be established.

It's important to remember, too, that IBI and ABA are essentially the same thing. The difference is the intensity of the service. What we're moving to is a system that moves away from extreme choices, and we are building a model—

The Speaker (Hon. Dave Levac): Thank you.
Interjection.

The Speaker (Hon. Dave Levac): The member from Dufferin–Caledon, come to order.
Supplementary?

Ms. Sylvia Jones: It is very frustrating, Speaker. The message is not getting through. This is not a myth. From Chelsea's e-mail: "My son, Charlie, was terminated from IBI at his six-month progress service. He is not ready for school."

Charlie has waited two years to start IBI therapy, only to be told that he's out in September—no appeal, no transition, no direct funding option.

I will ask again, on behalf of the children like Charlie and the thousands of kids in Ontario with ASD: Will the minister reverse her decision to remove IBI therapy for kids over five until she has a coordinated provincial autism strategy in place?

Interjections.

The Speaker (Hon. Dave Levac): Be seated, please.
Thank you.
Minister?

Hon. Tracy MacCharles: My commitment to families and these children is that they will have a personalized plan of care that is responsive to their needs and to their changing circumstances. Families have asked us for this, and providers have been asking for this. Experts have said this. That's exactly why we're doing this.

I'm very pleased to say, Speaker, that we're working very closely with the Ministry of Education when it comes to the Connections program, to ensure smooth transitions well before a child goes into the school system and while they start in a school system.

I'm also very pleased to report that, as of this point, over 434 families have met with their service provider. That has just happened in a week. Over half of the involved families have had their first meeting. Some are taking second meetings.

We're monitoring these situations on a case-by-case basis with the families. We're listening to what the families are saying and we're—

Interjections.

The Speaker (Hon. Dave Levac): The member from Dufferin–Caledon, second time.

The member from Hamilton Mountain, second time.

The member from Leeds–Grenville is warned.

New question.

MERCURY POISONING

M^{me} France Gélinas: Ma question est pour la première ministre.

Yesterday, the day we apologized to our First Nations people, the Premier said that she did not know the source and had not read the report into the cleanup options for the mercury poisoning the First Nations people of Grassy Narrows. Well, maybe I can help, Speaker. It is the government-appointed working group, and I don't know why no one in the government has read it, because they got the report back in April.

It is disappointing to hear in response to the report that, yesterday, the Ministry of the Environment said, "Currently there is no evidence to suggest that mercury levels in the river system are such that any remediation, beyond continuing natural sedimentation remediation, would be warranted."

Does the Premier think that this is an acceptable response to the First Nations people of Grassy Narrows?

Hon. Kathleen O. Wynne: I actually have now read the recommendations of the report. From those recommendations, it's not very clear exactly what the solution is. If the member opposite looks through the recommendations, she will see that the first recommendation starts with putting in place some field studies to determine whether there is mercury still leaking and to determine whether capping or dredging or some other solution would be the answer.

I said yesterday that I had not read the report; the report has been read in government. I have now looked at the recommendations, and I certainly will be talking with

the Minister of the Environment to see if that recommendation around field studies is something that we can do.

Rest assured, Mr. Speaker, there is no clear direction in that report that points to a simple solution. It is a complex issue. There may be some solutions that have arisen in the last few years, but there is no one solution that's going to solve the mercury problem at Grassy Narrows.

The Speaker (Hon. Dave Levac): Supplementary?

M^{me} France Gélinas: The report says that remediation can be enhanced by applying a layer of clay to the source of the sediments, very much like we have done in my riding with similar problems. It is safe, it is cheap, and it is an effective method.

Leaders at Grassy Narrows First Nation travelled, again, the 1,700 kilometres to come to Queen's Park to plead with this government to act, to clean up the river that is poisoning them. Two years ago, Chief Steve Fobister had to starve himself on the lawn at Queen's Park to get a meeting with this government. It took a Japanese research team to fly around the world to get that research restarted.

Speaker, my question on behalf of the good people of Grassy Narrows is simple: When will the Premier clean up the mercury contamination in Wabigoon River and Clay Lake?

Hon. Kathleen O. Wynne: Mr. Speaker, I—
Interjections.

The Speaker (Hon. Dave Levac): Be seated, please. Premier?

Hon. Kathleen O. Wynne: Mr. Speaker, I have sat in the community hall at Grassy Narrows. I have heard from residents who have been affected, some of whom have gotten compensation; others from surrounding communities have not. The discussion that was referenced, in terms of the Japanese expert and the issues around Minamata disease—I have heard those concerns. I have also heard from scientists who have differing views about how that water can be cleaned up and how the mercury can be dealt with.

As I said, the report that I have now seen, that I have looked at, suggests that there is a need for some field studies to look at what the possibilities might be.

The member opposite can pick one solution. There are partial solutions. The report says that there are certain sections of the river starting downstream that might be dealt with. We're going to look at that report and make a decision.

1200

BEEF PRODUCERS

Mr. Grant Crack: My question is for the Minister of Agriculture, Food and Rural Affairs, and this question is in good taste. Summer weather has arrived and barbecue season has arrived. My mouth waters when I speak of all the folks across the province that will be grilling seasoned steaks, barbecuing steaks and beef hamburgers. They're going to be topped off with Ontario tomatoes, lettuce and French's ketchup.

I was excited to hear how important beef farming is in Ontario. Cattle farming in our great province generates almost \$9 billion in retail sales every year. But with beef from other provinces and countries sold in our grocery stores, can the minister explain how the government is supporting Ontario's beef farmers to help ensure that they remain competitive?

Hon. Jeff Leal: I want to really thank the member from Glengarry–Prescott–Russell for that very meaty question this morning. Remember the famous Wendy's commercial, when Dave Thomas was there and that little old lady came up and said, "Where's the beef?" The beef will be out front of Queen's Park, corn-fed beef. I recommend that everybody get out there and sample the very best beef that Ontario has to offer.

As the member has indicated, beef is a very important part of Ontario's agri-food sector, responsible for 9,500 jobs in primary production and another 9,000 jobs in processing. Last year, seven days a week, Ontario exported 58 million kilograms of chilled and frozen beef worth \$355 million. This government, from the made-in-Ontario Risk Management Program to cost-shared funding under Growing Forward 2—farmers can access a range of programs to support sustainable growth.

Today, I want to focus on a program unique to beef farming in Ontario: the feeder cattle loan program. I'll talk about it in the supplementary—

The Speaker (Hon. Dave Levac): Yes, you will. Supplementary?

Mr. Grant Crack: Thank you to the hard-working and articulate Minister of Agriculture, Food and Rural Affairs for that response. It's good to know that our government is ensuring that beef farmers have access to a wide range of programs that will support growth and help new farmers get started. By working together, Ontario can support a thriving cattle industry across the province.

Since being established, the Feeder Cattle Loan Guarantee Program has supported nearly \$1.53 billion in direct economic activity. There has also never been a claim against the government's guarantee in the history of the program. In order to improve the program, the Beef Farmers of Ontario have been asking the government to increase the maximum individual loan limits under the Feeder Cattle Loan Guarantee Program and increase the loan guarantee.

Can the hard-working minister elaborate on the improvements that the government is making to the feeder cattle loan program?

Hon. Jeff Leal: I want to say that the member from Glengarry–Prescott–Russell's supplementary—that was a sizzling, sizzling supplementary.

This morning, I had the great honour of working with our industry. At 7 a.m., we made the announcement that, effective immediately, we are doubling the cap on the Feeder Cattle Loan Guarantee Program in the province of Ontario. That is, the program is going from \$130 million to \$260 million per year. This, along with changes that we made last year to double the individual lending limits, will allow more farmers access to competitive interest rates and new farmers to get into this exciting industry.

We're also looking at making changes to make it easier to access the loan program. This government stands with the farmers of the province of Ontario.

MILTON COURTHOUSE

Mr. Ted Arnott: My question is for the Attorney General. As the Attorney General knows, we've been working with local municipal officials, including regional chair Gary Carr, lawyers and Halton area MPPs, to push for a new Halton courthouse. A new courthouse in Halton is urgently needed. The existing facility in Milton is aging, overcrowded and completely inadequate in terms of security and privacy. Questions have even been raised about access to justice.

When I raised this issue in question period in March 2015, the Attorney General assured us that a new Halton courthouse was a priority. That was 14 months ago. Can the Attorney General update the House on the status of the planning process, which surely should be under way, for a new Halton courthouse, and what specific steps she has taken to move this project forward?

Hon. Madeleine Meilleur: I want to thank the member for his question. Yes, the Milton courthouse is still our number one priority in our ministry, and we recognize that the Milton courthouse has many deficits. I hear it from my side, from the MPPs from Burlington, Halton, Mississauga–Streetsville, and the Minister of Finance, the Minister of Labour. They're all—I think I will need security pretty soon, because I hear it. It's a priority. We're working on it. My ministry is already on the Milton courthouse. I visited the Milton courthouse. I know the situation, and we will keep you posted on the progress of this file.

VISITORS

The Speaker (Hon. Dave Levac): The government House leader on a point of order.

Hon. Yasir Naqvi: I would be remiss not to recognize three very important guests who were in the assembly with us. I want to recognize Joyce Crago, who is the artist behind the exhibit "Because It's 2016" and lives in my community of Ottawa Centre. With her was councillor Catherine McKenney, who represents the Somerset ward in the community of Ottawa Centre, along with her daughter Kenney. I welcome them to Queen's Park.

The Speaker (Hon. Dave Levac): I am going to say that that's not a point of order, and as a result of yesterday and some reflection of mine—we have set aside time to introduce people. If they're not in the House at that time, I would ask you to introduce them anyway. This is going to become a problem for us, that we keep expanding the times in which we use—right now, we're in between a vote. So I'm going to ask all members to be sensitive to the fact that these after-the-fact things are happening and we should improve it.

The member from Prince Edward–Hastings on a point of order.

Mr. Todd Smith: Two guests that I was remiss—
The Speaker (Hon. Dave Levac): That's not a point of order. And I'm going to be insistent on that, people.

DEFERRED VOTES

TIME ALLOCATION

The Speaker (Hon. Dave Levac): We have a deferred vote on government notice of motion number 74, as amended, related to arranging proceedings of Bill 201, An Act to amend the Election Finances Act and the Taxation Act, 2007.

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

The division bells rang from 1207 to 1212.

The Speaker (Hon. Dave Levac): On May 30, Mr. Naqvi moved government notice of motion number 74, which was amended to read as follows:

"That, notwithstanding any standing order"—

Interjection: Dispense.

The Speaker (Hon. Dave Levac): Dispense? Dispensed.

All those in favour of the motion, as amended, please rise one at a time and be recognized by the Clerk.

Ayes

Albanese, Laura	Harris, Michael	Munro, Julia
Anderson, Granville	Hoggarth, Ann	Naidoo-Harris, Indira
Arnott, Ted	Hoskins, Eric	Naqvi, Yasir
Bailey, Robert	Hudak, Tim	Nicholls, Rick
Baker, Yvan	Hunter, Mitzie	Oraziotti, David
Ballard, Chris	Jaczek, Helena	Potts, Arthur
Barrett, Toby	Jones, Sylvia	Qaadri, Shafiq
Bradley, James J.	Kiwala, Sophie	Rinaldi, Lou
Chan, Michael	Lalonde, Marie-France	Sandals, Liz
Clark, Steve	Leal, Jeff	Scott, Laurie
Coe, Lorne	MacCharles, Tracy	Sergio, Mario
Colle, Mike	MacLeod, Lisa	Smith, Todd
Coteau, Michael	Malhi, Harinder	Sousa, Charles
Crack, Grant	Mangat, Amrit	Takhar, Harinder S.
Damerla, Dipika	Martins, Cristina	Thibeault, Glenn
Del Duca, Steven	Martow, Gila	Vernile, Daiene
Delaney, Bob	Matthews, Deborah	Walker, Bill
Dhillon, Vic	Mauro, Bill	Wilson, Jim
Dickson, Joe	McGarry, Kathryn	Wong, Soo
Dong, Han	McMahon, Eleanor	Wynne, Kathleen O.
Duguid, Brad	McMeekin, Ted	Yakubski, John
Flynn, Kevin Daniel	Meilleur, Madeleine	Yurek, Jeff
Fraser, John	Miller, Norm	Zimmer, David
Hardeman, Ernie	Moridi, Reza	

The Speaker (Hon. Dave Levac): All those opposed, please rise one at a time and be recognized by the Clerk.

Nays

Armstrong, Teresa J.	Gélinas, France	Natyshak, Taras
Bisson, Gilles	Gretzky, Lisa	Sattler, Peggy
Campbell, Sarah	Hatfield, Percy	Singh, Jagmeet
Fife, Catherine	Horwath, Andrea	Tabuns, Peter
French, Jennifer K.	Mantha, Michael	Taylor, Monique
Gates, Wayne	Miller, Paul	Vanthof, John

The Clerk of the Assembly (Ms. Deborah Deller): The ayes are 71; the nays are 18.

The Speaker (Hon. Dave Levac): I declare the motion, as amended, carried.

Motion, as amended, agreed to.

The Speaker (Hon. Dave Levac): There are no further deferred votes. This House stands recessed until 3 p.m.

The House recessed from 1216 to 1500.

INTRODUCTION OF VISITORS

The Speaker (Hon. Dave Levac): Introduction of guests. The member from Leeds–Grenville.

Mr. Steve Clark: Speaker, I will respect your ruling from this morning. Even though they're not here in the Legislature at the present time, I'd like to introduce to you, and through you to members of the Legislative Assembly, constituents from my riding of Leeds–Grenville. I'd like to introduce Gareth Jones and Chrisy Tremblay. Welcome to Queen's Park.

The Speaker (Hon. Dave Levac): Thank you for acknowledging our introduction process.

The member from Toronto–Danforth.

Mr. Peter Tabuns: Speaker, I'm in the same situation. I have two guests who I assume will be here very shortly: Vince and Espy Leitao.

The Speaker (Hon. Dave Levac): Further introductions?

Mr. Bill Walker: My cousin Jim Cole was here earlier, out on the grounds, from the Beef Ontario group. He's a director and very involved with the co-operatives up in our neck of the woods. I didn't know he was here today on behalf of Beef Ontario until I was out having lunch.

MEMBERS' STATEMENTS

WORLD NO TOBACCO DAY

Mr. Bill Walker: Today is the World Health Organization's World No Tobacco Day, an event that is particularly relevant for our province, given Ontario's serious illegal cigarette problem.

Contraband tobacco is extremely cheap. A baggie of 200 cigarettes often costs less than a movie ticket or one tenth the price of legal product. It is sold through a criminal distribution network that connects cigarettes to kids without the hassles of checking for ID. I've heard it from people right in my own riding of Bruce–Grey–Owen Sound: The youth today are smoking contraband because they are very inexpensive and easily accessible. As such, illegal cigarettes are a prime source for youth smoking. In fact, a study by the Centre for Addiction and Mental Health flagged the easy accessibility to contraband tobacco and its low price as prime reasons for our stubbornly high youth smoking rate.

Ontario has the worst contraband tobacco problem in Canada. An average one in three cigarettes purchased in

2015 were illegal, and so far these disturbing statistics have held true for the first part of 2016.

Illegal cigarettes also fund some of Canada's least desirable elements. The RCMP estimates that contraband tobacco is the cash cow of more than 175 criminal gangs, who use the proceeds to finance other activities including guns, drugs and human smuggling.

World No Tobacco Day offers an important opportunity to discuss the fact that illegal cigarettes continue to be a scourge on Ontario's communities. They fund organized crime, they facilitate youth smoking and they short-change taxpayers a phenomenal amount of money.

In Quebec, tough anti-contraband measures introduced in 2009 have led to a 50% decrease in contraband. As such, I remind the Ontario government that it too needs to fully enforce its Smoke-Free Ontario Act and take action today to crack down on the sale of contraband tobacco in our communities.

POVERTY

Mr. Paul Miller: Appalling levels of poverty persist in this province, most especially and shamefully in many of our First Nations communities, but also in my own riding of Hamilton East–Stoney Creek.

Ontario's desperately low social assistance rates leave families hungry, under-housed and sick; and 30,000 people in Hamilton work every day but do not earn enough to pull themselves out of poverty because they do not earn a living wage. As a result, more than one in five children in Hamilton live in poverty.

But today I'm bringing good news, Speaker. The city of Hamilton this month announced a 10-year poverty reduction strategy which I hope the government will follow. Funded with \$50 million of the city's own resources—even though the city is suffering from infrastructure problems—the city is investing \$20 million in affordable housing and \$30 million in other anti-poverty work. The city's investment plan will be guided by the priorities articulated by local residents and community groups, instead of following the all-too-familiar top-down approach.

Some may say that tackling poverty is part of the province's job description, and indeed it is. We here have a moral imperative to reduce poverty, but instead of passing the buck and waiting for adequate provincial help, Hamilton leaders are taking responsibility for their people.

I want to commend Hamilton city council and the mayor of Hamilton in particular for their leadership and initiative in fighting against poverty. I ask the provincial government to work with the city of Hamilton and to offer real financial support to build on this rare municipal investment.

LALI VIJ

Ms. Indira Naidoo-Harris: I am honoured to speak today on a sombre anniversary for so many Ontario residents. This past Saturday marked 25 years since the

tragic death of prominent South Asian radio and television broadcaster Lali Vij. On May 28, 1991, this respected Toronto journalist was gunned down in an act of senseless violence in the parking lot of his downtown studio. While this is a sad anniversary, we will always remember Lali Vij for his wonderful personality and numerous contributions.

He was the popular host and producer of the Sounds of Asia television show, which ran for many years on both Global Television and Citytv. It featured many talented people from South Asia and gained international recognition. Prior to that, he hosted a radio program called Voice of India, broadcasting in Hindi. Lali Vij was a respected and admired member of the South Asian community and was instrumental in shaping multicultural media and entertainment right here in Ontario.

I hope that all members of the House will join me in extending our sympathies to his wife, Sameer, and their two sons. The impact Lali Vij made on the South Asian ethnocultural communities will be long-lasting. Twenty-five years after his passing, the legacy of Lali Vij remains strong.

LANGUAGE TRAINING

Mr. Victor Fedeli: Buon giorno a tutti. I rise today to speak on the importance of foreign-language training in our education system. Learning a foreign language not only supports the social and cultural development of a child; it also provides them significant economic advantages in an increasingly globalized and free-trade-oriented world. As such, it is deeply concerning to see that the York Catholic District School Board is once again considering cutting its Italian-language program. This program boasts a 40-year tradition. More than one million students in Ontario have studied Italian in Toronto and York region. In fact, Italian Ambassador Gian Cornado recently wrote directly to Premier Wynne urging the government to ensure the long-term sustainability of this program.

However, the school board has cited “funding reductions announced by the province” as a reason for the potential cut. This is unacceptable, given that the Auditor General recently found that the government has taken over \$80 million out of the classroom, effectively starving funding for programs such as this. I urge the government, specifically those MPPs representing York region, to do the right thing and fight for the preservation of the Italian-language program at this evening’s school board meeting.

The Speaker (Hon. Dave Levac): Further members’ statements?

Interjections.

The Speaker (Hon. Dave Levac): I’ll start the clock over again.

Interjections.

The Speaker (Hon. Dave Levac): Excuse me. We’ve really taken a spiral when we’re starting to heckle each other in these circumstances.

The member from Algoma–Manitoulin.

LYME DISEASE

Mr. Michael Mantha: Well, Speaker, on a little bit of a lighter note, May is Lyme Disease Awareness Month. Stakeholders, organizations, Lyme advocates and various participants across the country hold events as a way to raise awareness and shine the light on the importance of Lyme disease.

In Ontario alone, we have several awareness events being held, such as one on May 17 when Niagara Falls was lit up Lyme green. On May 21, Albion Falls had special Lyme lighting. On May 22, the CN Tower was lit up to recognize chronic Lyme disease awareness. A few weeks ago, I participated in Lyme Ontario’s A Walk for Hope in Burlington. A Walk for Hope is not only for Lyme patients; it includes caregivers, families and friends. It is an opportunity for the Lyme community to gather together and show support for one another.

As Lyme disease grows, we continue to work together with a common goal, raising awareness for developing diagnosis and treatment options within Ontario and in Canada.

Often people ask me, “Why do you do this?” I do it for:

—Sarah Brunner, a nutritionist out of Thunder Bay;

—Doug Thompson, a maple syrup producer out of St. Joseph Island;

—Paige Spencer, a beautiful young girl out of Mississauga;

—Denis Villebrun, a father and grandfather out of Elliot Lake;

—Corinne and Sarah, two beautiful young ladies that I met in Burlington just a couple of weeks ago;

—Lyme support groups such as Ontario Lyme Alliance, Lyme Ontario and CanLyme; and

—a beautiful little boy from Thessalon, Austin Chillman, whom I met just a couple of weeks ago.

It’s easy to get involved. Several Ontarians have already taken up the challenge. I have taken the challenge, Mr. Speaker. Have you? Take a bite out of Lyme; it goes a long way.

The Speaker (Hon. Dave Levac): I have no comment about that prop.

1510

SESSION TORONTO CRAFT BEER FESTIVAL

Mr. Han Dong: I’m pleased to rise today to acknowledge and celebrate the upcoming Session Toronto Craft Beer Festival that will be taking place in Toronto on June 11. The seventh annual craft beer festival will open Ontario Craft Beer Week, bringing brewers from all over the province to Toronto to showcase their unique beverages.

This morning, I was honoured to work in collaboration with 3 Brasseurs to make a very special brew of craft beer that will be entering this year’s craft beer festival. This special brew will bring a cultural aspect to the

festival by marrying a signature 3 Brewers ale with a special Chinese tea.

As the culture of craft beer continues to grow in Toronto and throughout Ontario, I'm excited to see this festival and many more like it coming to Trinity-Spadina. I would like to invite every member of this House to join me on June 11, and I encourage all Ontarians to come experience the festival first-hand. And remember: Always drink responsibly.

SPECIAL OLYMPICS ONTARIO PROVINCIAL SPRING GAMES

Mr. Jeff Yurek: I'm pleased to rise today to recognize the St. Thomas athletes who competed in the Special Olympics Ontario Provincial Spring Games. The games just took place May 26 to 28 in Guelph. The motto of this year's games was "Believe and Achieve," and it was one of the largest games held ever in Ontario, with six sports and over 900 athletes, coaches and team delegates. The sports included swimming, powerlifting, basketball, rhythmic dance and five- and 10-pin bowling.

I'm delighted to note that every athlete from St. Thomas achieved medal standing, and I would like to announce their names: Dan Robertson, five-pin bowling, silver; Matt Morrow, swimming, three gold, one silver; Zack Griffith, swimming, one gold; and Gordie Michie, swimming, four gold. Gordie is going to Rio for the Paralympic Games.

The St. Thomas Swish basketball team won a silver. Team members were Rahim Jamani, Pete Martens, Jason Spriggs, Nick Hansen, Dillon Calvert, Jarrod Psonack, Isaac McDonnell-Gordon, Chris Freeman, captain Alex White, and coaches Trevor Armstrong and Dave Strickland.

Since the very first Special Olympic Games were held in Toronto in 1969, the organization has continued to grow, providing year-round sports training and athletic competition for individuals with intellectual disabilities. It's a wonderful opportunity for participants to demonstrate courage, experience joy and develop skills along with friendships along the way.

Once again, congratulations to all the athletes, and thank you to the coaches and volunteers that help make this a successful event.

The Speaker (Hon. Dave Levac): I'm not going to tell the member that my buddy Pete Charnish from Brantford had four golds and a silver. I'm not going to tell him that.

SMOKE-FREE ONTARIO UN ONTARIO SANS FUMÉE

Mrs. Marie-France Lalonde: Today marks the 10th anniversary of the Smoke-Free Ontario Act and World No Tobacco Day. On this 10th anniversary I want to extend congratulations to the University of Ottawa Heart Institute and their Ottawa model of smoking cessation. They were one of 10 recipients of the government of

Ontario's Heather Crowe awards that were presented earlier today. The purpose of the Heather Crowe Smoke-Free Ontario Award is to recognize individuals, groups and organizations across Ontario that have made a significant contribution towards the achievement of milestones and accomplishments of the smoke-free Ontario strategy in the past 10 years.

I also want to highlight the tremendous work done by my predecessor from the wonderful riding of Ottawa-Orléans in creating a smoke-free Ontario. Phil McNeely was a smoke-free advocate who proposed an amendment to the original Smoke-Free Ontario Act. The amendment that he proposed would ban having an open wall of cigarettes in convenience stores and retail businesses. The McNeely amendment was adopted and put into the Smoke-Free Ontario Act and has helped keep cigarettes out of sight of children.

Donc, en ce 10^e anniversaire de l'Ontario sans fumée, ainsi que la Journée mondiale sans tabac, je suis fière de ce qui a été accompli par la province afin d'assurer que la génération à venir pourra vivre dans un environnement sain.

SIKH MARTYRDOM PARADE

Ms. Harinder Malhi: Mr. Speaker, I rise before you today to speak about a religious event this upcoming Sunday in my riding of Brampton-Springdale. This Sunday, the Gurdwara Guru Nanak Mission Centre in Brampton-Springdale will host their fifth annual parade to commemorate Sikh martyrdom.

Martyrdom in Sikhism represents an important element of the faith. The martyrdoms of Sikh gurus and those who followed are regarded as instructional ideals for Sikhs and have greatly influenced Sikh culture and Sikh practices.

The concept of martyrdom was made explicitly part of Sikh teachings by Guru Nanak Dev Ji. The fifth guru, Guru Arjun Dev Ji is regarded as the first Sikh martyr. The later martyrdom of Guru Tegh Bahadur Ji, who refused to convert to Islam in an effort to protect Hindu religious practice, is credited with making respect for freedom of conscience a key part of Sikh identity.

Our government has always had a long-standing respect for human rights and respect for religious freedoms. These rights are vital to us as Canadians, and those responsible for atrocities must be held accountable. As we remember the lives lost in 1984, we must remain vigilant that the basic human rights of all are respected and such tragedies are never repeated.

I invite everyone to join me and the Brampton-Springdale community at the Gurdwara Guru Nanak Mission Centre in commemorating the lives of the Sikh martyrs. The parade will be from 2 p.m. to 5 p.m., and we will walk in memory of the shaheeds, those who lost their lives in the names of the Sikh faith during injustices against the religion. The annual parade highlights the concepts of religious freedom, freedom of expression, and value and tolerance in the Sikh faith.

I sincerely thank all residents and businesses in the neighbourhood for their support and co-operation and, once again, invite everyone to join us.

The Speaker (Hon. Dave Levac): I thank all members for their statements.

ANNUAL REPORT, ENVIRONMENTAL COMMISSIONER OF ONTARIO

The Speaker (Hon. Dave Levac): I beg to inform that House that I have today laid upon the table the Annual Energy Conservation Progress Report, 2015-16, from the Environmental Commissioner.

REPORTS BY COMMITTEES

STANDING COMMITTEE ON GOVERNMENT AGENCIES

The Speaker (Hon. Dave Levac): I beg to inform the House that today the Clerk received the report on intended appointments, dated May 31, 2016, of the Standing Committee on Government Agencies. Pursuant to standing order 108(f)(9), the report is deemed to be adopted by the House.

Report deemed adopted.

STANDING COMMITTEE ON SOCIAL POLICY

Mr. Peter Tabuns: I beg leave to present a report from the Standing Committee on Social Policy and move its adoption.

The Clerk-at-the-Table (Mr. Trevor Day): Mr. Tabuns from the Standing Committee on Social Policy presents the committee's report as follows and moves its adoption:

Your committee begs to report the following bill, as amended:

Bill 186, An Act to establish the Ontario Retirement Pension Plan / Projet de loi 186, Loi établissant le Régime de retraite de la province de l'Ontario.

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

Report adopted.

The Speaker (Hon. Dave Levac): Pursuant to the order of the House dated May 5, 2016, the bill is ordered for third reading.

STANDING COMMITTEE ON GENERAL GOVERNMENT

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

The Clerk-at-the-Table (Mr. Trevor Day): Mr. Crack from the Standing Committee on General

Government presents the committee's report as follows and moves its adoption:

Your committee begs to report the following bill without amendment:

Bill 178, An Act to amend the Smoke-Free Ontario Act / Projet de loi 178, Loi modifiant la Loi favorisant un Ontario sans fumée.

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

Report adopted.

The Speaker (Hon. Dave Levac): The bill is therefore ordered for third reading.

INTRODUCTION OF BILLS

FINANCIAL ACCOUNTABILITY OFFICER AMENDMENT ACT, 2016

LOI DE 2016

MODIFIANT LA LOI SUR LE DIRECTEUR DE LA RESPONSABILITÉ FINANCIÈRE

Ms. Fife moved first reading of the following bill:

Bill 208, An Act to amend the Financial Accountability Officer Act, 2013 with respect to the Financial Accountability Officer's access to information / Projet de loi 208, Loi modifiant la Loi de 2013 sur le directeur de la responsabilité financière en ce qui concerne le droit d'accès à l'information du directeur de la responsabilité financière.

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

First reading agreed to.

The Speaker (Hon. Dave Levac): The member for a short statement.

Ms. Catherine Fife: Currently, subsection 12(2) of the Financial Accountability Officer Act, 2013, prevents the Financial Accountability Officer from accessing certain cabinet records. This is replaced to entitle the Financial Accountability Officer to certain records or things belonging to or used by a ministry or public entity if the Financial Accountability Officer believes it to be necessary to perform his or her duties under the act, subject to the other exceptions in the act.

1520

STATEMENTS BY THE MINISTRY AND RESPONSES

SEXUAL VIOLENCE AND HARASSMENT

LA VIOLENCE ET LE HARCÈLEMENT À CARACTÈRE SEXUEL

The Speaker (Hon. Dave Levac): Statements by ministries? Minister of Children and Youth Services.

Hon. Tracy MacCharles: Thank you, Speaker. I'll be speaking this afternoon as the minister responsible for women's issues.

I rise to recognize May as Sexual Assault Prevention Month and June 1 to 7 as Sexual Harassment Awareness Week in Ontario.

Je prends la parole aujourd'hui pour rappeler que mai est le Mois de la prévention de l'agression sexuelle et que la Semaine de sensibilisation au harcèlement sexuel se déroule du 1^{er} au 7 juin en Ontario.

Both of these occasions provide the opportunity to raise awareness of sexual violence and harassment and talk about what we're doing to stop them.

A year ago, the Premier announced Ontario's strong commitment to end sexual violence and harassment by releasing a three-year, \$41-million action plan entitled "It's Never Okay."

This past March, we released a progress report that shows we've had a busy and productive year. Phase 1 of the action plan's award-winning public education program is built around #WhoWillYouHelp. It shows a measurable increase in awareness about sexual violence and harassment. Our multimedia public education campaign sparked attention not just in Ontario but around the globe. Our ad campaign reached over 85 million people and our Facebook post reached over 1.9 million people, the highest ever for the Ontario government.

Among other supports for survivors, we've invested an additional \$1.1 million in annual funding over three years for hospital-based sexual and domestic violence treatment centres to maintain 24/7 access to appropriate and timely care. We stabilized and increased the annual investment by \$1.75 million for Ontario's 42 community-based sexual assault centres for services like crisis help lines, counselling and referrals.

Our work continues to build momentum, but there is still a long road ahead. The statistics are indeed sobering. One in three women will experience sexual violence in her lifetime. This can't continue. Many women who have survived sexual assault feel alone and isolated. They may be reluctant or afraid to come forward or to seek help and look for justice.

Our action plan is moving sexual assault and harassment out of the shadows. It's changing attitudes, providing more supports for survivors, and making workplaces and campuses safer and more responsive to complaints about sexual violence and harassment.

In the fall, we launched phase two of our public education campaign with #ItsNeverOkay or #JamaisAcceptable. The objective now is to remove any misconceptions around the grey areas so people know exactly what constitutes sexual violence and harassment.

On March 8, International Women's Day, the government passed legislation to support the action plan. The sexual violence and harassment action plan will increase safety in workplaces and on campuses and provide better support for survivors.

In February, the Premier made another strong commitment with the announcement of Walking Together:

Ontario's Long-Term Strategy to End Violence Against Indigenous Women and girls. Indigenous women experience significantly greater rates of domestic violence, assault, homicide and sexual exploitation. Through this new strategy, Ontario and indigenous communities have come together to end the cycle of violence and ensure that future generations of indigenous women can live the way they deserve, with safety and respect.

We are also firmly behind dismantling another destructive issue that affects Ontarians, and that is human trafficking. This is not an issue that happens somewhere else to people far away; human trafficking is going on right now and in our own backyards. Our government is working on a comprehensive strategy to fight human trafficking which is being developed with the help of survivors, indigenous partners, youth and labour partners.

Our approach for this strategy will first and foremost be survivor-centred. It will respond to the needs on the ground and focus on collaboration with other levels of government, women's groups, survivors, indigenous leaders, community services and justice partners.

I want to recognize our many partners who share our government's commitment to end sexual violence: women's organizations; diverse communities; our partners in the community, education, health and justice sectors; front-line workers; and members of Ontario's Roundtable on Violence Against Women and the Joint Working Group on Violence Against Aboriginal Women.

Ensemble, nous ferons de l'Ontario un endroit où tout le monde peut vivre sans crainte de la violence et du harcèlement à caractère sexuel.

Together, we'll make Ontario a place where everyone can be free from the fear of sexual violence and harassment.

The Speaker (Hon. Dave Levac): It's time for responses.

Ms. Laurie Scott: I'm pleased to rise on behalf of the Progressive Conservative caucus to speak to Sexual Assault Prevention Month.

For far too long, the issue of sexual harassment and sexual violence and assault have been hidden in the dark. Acknowledging that sexual assault happens is a first step toward addressing this issue. Many experts have said that "sexual violence" is an umbrella term, covering behaviours ranging from unwanted sexual advances or sexual touching to stalking and rape. It can also be psychological, conveyed through verbal threats and various forms of social media, such as we see on Twitter and Facebook.

It was back a year and a half or more ago that the Progressive Conservative caucus repeatedly pushed for the creation of the Select Committee on Sexual Violence and Harassment. We were happy when the government agreed to put that forward, and an all-party committee did a lot of hard work travelling across the province, from Thunder Bay to Windsor, Kingston, Sioux Lookout, Ottawa, Sudbury and of course many meetings here in Toronto, listening to survivors, to family members, to advocates, to health care providers, to the justice and social support workers.

Last December, the committee presented the final report that had many important recommendations and touched on many, many ministries. We know that sexual violence is pervasive and can happen in any part of Ontario at any time. The frequency of sexual violence was shocking and disheartening: one in three Canadian women will experience sexual assault in their lifetime, the majority of the victims being under the age of 25.

While there were 7,618 sexual assaults reported to police in Ontario in 2014, it is estimated that almost 90% of sexual assaults are not reported to the police. Our children and youth are particularly vulnerable. Our indigenous peoples, members of the LGBTQ community and newcomers are disproportionately targeted.

The Premier did say that our select committee's initiatives would complement their efforts against sexual violence and harassment. We hope to see more of this going forward because I think the select committee accomplished something that will hopefully benefit our province for years to come, and we hope that the government does complement, as the Premier said, the recommendations with the action plan that was brought forward.

I would like to acknowledge the "It's Never Okay" campaign and #WhoWillYouHelp, very successful public advertisements that promote the philosophy. We did support Bill 132, the Sexual Violence and Harassment Action Plan Act. We did make some recommendations in committee—we heard from 19 groups, actually, that wanted to include not only students but faculty and staff on campus who may find that they need support themselves against the sexual violence and harassment that have occurred upon them.

We were hoping that the government would take that into consideration. We had 11 amendments. They did not get through, but we hope that the government is still listening, because it is an issue that was brought up many times in committee.

I think we also owe it to the victims and survivors of sexual assault to protect them from being victimized and to help them heal. I've called on the government for better support of our probation and parole officers and for crown attorneys to be notified when offenders who are let out refuse to sign their orders. We saw, in Renfrew county, the example of three women who were murdered by a repeat offender.

1530

I know that the member sitting beside me, from Renfrew–Nipissing–Pembroke, brought forward Bill 130, which called for electronic monitoring of sexual or domestic violence offenders when released on parole. I think that is something we need to act on quickly to prevent more deaths from occurring, especially of vulnerable women—it's especially a factor in rural Ontario, where services just aren't as close. We hope that the minister can institute some of those suggestions we have brought forward.

I know that human trafficking was mentioned today. I really appreciate the minister's mentioning human

trafficking, which is an alarming example of sexual violence and harassment, with over 90% of the victims being Canadian-born. I brought both a motion and a bill before the Legislature. It has been passed, and I know that the minister mentioned they are going to release the plan in June, so I look forward to that. I'm really pleased that they addressed that today.

I just want to conclude by thanking all the tireless work of front-line service providers and victim services, including my own in Haliburton–Kawartha Lakes–Brock, which provide an invaluable service.

Ms. Peggy Sattler: I'm pleased to rise, as women's issues critic on behalf of the Ontario NDP caucus, to respond to the minister's statement on Sexual Assault Prevention Month.

I want to begin by offering my profound thanks and lasting admiration for the difficult and draining work that front-line workers do in sexual assault centres, rape crisis centres and violence against women agencies across the province to prevent sexual violence and raise awareness of sexual assault. Most of all, I want to thank them for their commitment to listening to survivors, believing what they say and helping them move forward with compassion and empathy.

I also want to acknowledge survivors of sexual assault for their courage in sharing their stories, their willingness to support each other and their determination to end sexual violence and abuse.

In addition to awareness activities that have been undertaken as part of Sexual Assault Prevention Month and throughout this past year, this May saw sexual assault front and centre on the media and public agenda. The month began with the brave disclosure by Temerra Dixon of the trauma she experienced because of the doctor who sexually abused her and three other female patients. Temerra went public because of the disciplinary panel's decision to allow the doctor to keep his licence and continue to practise after being found guilty.

Speaker, there can be no question that groping and any physical contact between physicians and their patients constitutes sexual assault. It represents a shocking betrayal of trust and a violation of a physician's duty of care. But, while current legislation makes revocation of a physician's licence mandatory for nearly every other form of sexual abuse, there is no automatic revocation in the case of sexual touching. This is wrong, Speaker, and it has to change. Doctors who molest their patients should not be allowed to continue to practise.

Ontario patients and advocates have been calling for years for this legal loophole to change. The College of Physicians and Surgeons has joined the call for amendments to revoke the licences of all doctors who abuse. A year and a half ago, the government created a task force to study this issue. The study is complete, but the report is sitting on the minister's desk. The longer the government refuses to release the report, the longer patients, especially female patients, will remain unprotected from this kind of sexual assault.

This past month also saw the Ghomeshi trial come to a close with the signing of a peace bond, the issuing of an

apology to Kathryn Borel and the withdrawal of the sexual assault charge against him. This reignited the public discussion about sexual violence and the justice system that has been playing out in the media and in living rooms across the nation for more than a year. What the Ghomeshi spectacle reveals is the grim reality behind the statistics of sexual assault and why so many sexual assault survivors do not report their assaults to the police. They fear not being believed; they fear being judged for what they did or what they wore; they fear being re-victimised and re-traumatized by the criminal justice process.

I hope that this month marks the moment when the government acknowledges the complete failure of our current legal system to deal with sexual assault. Independent legal advice for sexual assault survivors is a good start, but I urge this government to do more. I urge this government to implement the recommendations of the all-party Select Committee on Sexual Violence and Harassment, to provide dedicated legal representation for survivors, access to sexual assault courts and restorative justice, and extensive training for all involved.

More importantly, when 19 out of 20 victims of sexual assault choose not to go through the justice system, we need prevention and we need support that enables survivors to heal.

My private member's bill, Bill 177, which passed second reading in this Legislature in March with all-party support, is a critical piece of the support that is needed. My bill would provide up to 10 days of paid leave for workers who have experienced sexual violence or domestic violence to seek medical attention, to access counselling, to relocate, to talk to police and lawyers, or go to court. My bill would also require mandatory workplace training on sexual violence and domestic violence. I urge this Liberal government to move my bill through committee or to reintroduce it as government legislation.

One out of three Ontario women will experience some form of sexual violence in their lifetime. Most will be under the age of 25. Most will know the person who attacked them. The overwhelming majority will not report their assault to the police. We can and must do better to prevent sexual violence from occurring and to put in place appropriate supports to allow survivors to heal from the harm they experienced.

The Speaker (Hon. Dave Levac): I thank all members for their statements.

PETITIONS

GOVERNMENT SERVICES

Mr. Steve Clark: I want to thank Amanda and Sam LeGoueff, OPSEU and members of Local 434, and the council and citizens of North Grenville and neighbouring municipalities, for their support of the #SayNoToThe

Close campaign and this petition, with over 8,600 signatures.

“Petition to the Legislative Assembly of Ontario:

“Whereas the Ministry of Government and Consumer Services has announced it is closing the ServiceOntario centre in the town of Kemptville in February 2017; and

“Whereas Kemptville is one of the fastest-growing communities in eastern Ontario with hundreds of housing starts and millions of dollars of investment in recent years; and

“Whereas the community has several businesses, including automobile dealerships, that face increased costs and inconvenience to their customers if they lose direct access to a local ServiceOntario centre; and

“Whereas closing Kemptville's ServiceOntario centre would cause unnecessary hardship to young families and seniors who do not have Internet access or transportation to attend a ServiceOntario location outside of the community; and

“Whereas the government has provided no information or a business case to support its sudden decision;

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

“That the Minister of Government and Consumer Services immediately reverse the decision to close Kemptville's ServiceOntario centre and ensure residents of this fast-growing community can access government services where they live.”

I support this petition 100%, will sign it and send it to the table with page Alexandra.

CROWN ATTORNEYS

Ms. Sarah Campbell: “To the Legislative Assembly of Ontario:

“Whereas all Ontarians deserve fair and equitable access to justice as a basic right;

“Whereas the former crown attorney for the Rainy River district has retired and the Ministry of the Attorney General has not yet appointed a new, permanent crown attorney for the district;

“Whereas the Premier of Ontario has said that she does ‘not have the time frame’ for when a new crown attorney will be appointed;

“Whereas the Attorney General said, ‘No final determination has been made regarding the permanent filling of the crown attorney position;’

“Whereas statistics show that the crown attorney of the Rainy River district has the highest case load per capita in northern Ontario;

“Whereas a temporary crown attorney from another district may not understand the needs and dynamics of the Rainy River district, in particular the specific needs of First Nations communities;

“Whereas the towns of Fort Frances and Atikokan, the Fort Frances chief secretariat, the Rainy River District Municipal Association, the Northwestern Ontario Municipal Association, the local law association and numerous residents of the Rainy River district have called upon the

Ministry of the Attorney General to reappoint a permanent, resident crown attorney for Rainy River;

“We, the undersigned, petition the Legislative Assembly of Ontario to recognize the needs of the residents of the Rainy River district and the numerous First Nations communities of northwestern Ontario by appointing a permanent, resident crown attorney for the Rainy River district.”

I wholeheartedly support this, will affix my signature and give it to page Katelyn to deliver to the table.

MEN’S HEALTH

Mr. Arthur Potts: I have a petition here that I know that the Minister of Culture and Sport agrees with.

“Whereas men’s health is an integral component of population health, affecting Ontario families, communities, businesses and society;

“Whereas many men’s health issues—if not all—benefit from early diagnosis, which is most often achieved through proactive monitoring of health and regular examinations;

“Whereas the stigma associated with a number of men’s health issues, and the failure to conduct regular physical examinations, can be at least partially mitigated through increased public awareness and the sharing of personal stories;

1540

“Whereas June is a special and significant month for men and their families, with the third Sunday in June recognized internationally as Father’s Day;

“Whereas groups like the Canadian Men’s Health Foundation are developing innovative tools and programs, like the YouCheck health awareness tool, that could be promoted during a dedicated awareness week;

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

“To support increased awareness and advocacy of men’s health issues by working towards passage and adoption of Bill 170, An Act to proclaim the week immediately preceding the third Sunday in June as Men’s Health Awareness Week.”

It’s an excellent idea. I agree with this petition. I’ll leave it with Colleen and send it to the table.

CHILDREN’S IMMUNIZATION PROGRAM

Mr. Todd Smith: I have a petition here dropped off at my Toronto office from residents across Ontario.

“A petition to the Legislative Assembly of Ontario:

“Whereas the province of Ontario has a plan and/or action to amend the legislation under the Immunization of School Pupils Act ... regarding religious and conscientious exemption regulations;

“Whereas the proposed and/or tabled amendment requiring ‘education sessions’ interferes with our informed consent rights as specified in Ontario’s Health Care Consent Act, 1996, specifically ‘Elements of

consent’ 11(1)3, ‘The consent must be given voluntarily’ and 4, ‘The consent must not be obtained through misrepresentation or fraud;’

“Whereas the proposed and/or tabled amendment interferes with our constitutional rights under the Charter of Rights and Freedoms;

“Whereas vaccines are injected, complex biochemical compounds that carry a risk of injury and death;

“Whereas the province of Ontario and the government of Canada take no responsibility for vaccine injuries and deaths;

“Whereas education sessions are a waste of limited health care dollars that could be better spent elsewhere;

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

“Cease the passing of any legislation under the Immunization of School Pupils Act that would require Ontario residents who have made a religious or conscientious decision to exempt their child from any or all vaccinations under the act:

“(1) to submit to an ‘education session’ or

“(2) to submit to any other coerced and/or forced measures under the ISPA.”

I’ll send this to the table with page Jacob.

BEREAVEMENT LEAVE

Mr. Peter Tabuns: “To the Legislative Assembly of Ontario:

“Whereas the death of a child is one of the most painful events that a person can experience. Parents whose child dies as a result of illness or injury do not have statutory leave, nor job protection while taking a leave to recover from such a loss, in the province of Ontario;

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

“To pass Bill 175, Jonathan’s Law (Employee Leave of Absence When Child Dies), 2016.”

I agree with this petition. I sign it and I will give it to page Nava for submission.

LUNG HEALTH

Mrs. Kathryn McGarry: I have a petition here addressed to the Legislative Assembly of Ontario.

“Whereas lung disease affects 2.4 million people in the province of Ontario;

“Of the four chronic diseases responsible for 79% of deaths (cancers, cardiovascular diseases, lung disease and diabetes) lung disease is the only one without a dedicated province-wide strategy;

“In the Ontario Lung Association report, Your Lungs, Your Life, it is estimated that lung disease currently costs the Ontario taxpayers more than \$4 billion a year in direct and indirect health care costs, and that this figure is estimated to rise to more than \$80 billion seven short years from now;

“One in five Ontario schoolchildren has asthma;

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

“To allow for depositions on ... private member’s bill, Bill 41, Lung Health Act, 2014, which establishes a lung health advisory council to make recommendations to the Minister of Health and Long-Term Care on lung health issues; and requires the minister to develop and implement an Ontario lung health action plan with respect to research, prevention, diagnosis and treatment of lung disease; and”

“Once debated at committee, to expedite Bill 41” through third and final reading.

I agree with the petition and put my name on it.

ENERGY POLICIES

Mr. Robert Bailey: This petition is addressed to the Legislative Assembly of Ontario.

“Whereas the” Liberal government of Ontario “is proposing to force all Ontarians using natural gas energy for their homes or businesses to switch to more expensive electricity; and

“Whereas for the 76% of homes and businesses in Ontario that heat with natural gas, switching to electricity will increase their home energy bills by more than \$3,000 per year; and

“Whereas the elimination of affordable natural gas will devastate family budgets and destroy the province’s natural gas industry; and

“Whereas the plan to ban the use of natural gas in Ontario is just one small part of” this Liberal government’s “radical environmental agenda that is threatening the jobs and financial well-being of hundreds of thousands of Ontario residents;

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

“That the” Liberal government and “Premier Wynne immediately scrap this plan and instead allow Ontario residents and businesses the freedom to use natural gas to meet their heating and energy needs.”

Mr. Speaker, I agree with this and will send this down with Thomas to the table.

ACCIDENT BENEFITS

Mr. Jagmeet Singh: In light of the cuts that are going to happen to our benefits in auto insurance tomorrow, I have a petition requesting the end of previous cuts. It reads as follows:

“To the Legislative Assembly of Ontario:

“Whereas Ontario Regulation 347/13 has made four changes to the Statutory Accident Benefits Schedule (SABS), also known as Ontario Regulation 34/10 effective Feb 1, 2014. These regulations have considerably reduced the dollar amounts allocated for patients receiving assessments and treatment following a motor vehicle accident; ...

“Whereas this petition is to validate that the \$3,500 minor injury guideline monetary fund is an insufficient amount to enable auto accident patients with soft tissue

injury ... to reach optimal recovery to their pre-accident status...;

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

“To remove the minor injury guideline, sections 18(1) and 18(2) of the Ontario Statutory Accident Benefits Schedule and incorporate rebuttal examination reports back into the system.”

I agree with this petition, Mr. Speaker, and I will affix my signature.

WATER FLUORIDATION

Mrs. Kathryn McGarry: I have a petition here addressed to the Ontario Legislative Assembly.

“Whereas scientific studies conducted during the past 70 years have consistently shown that community water fluoridation is a safe and effective means of preventing dental decay and is a public health measure endorsed by more than 90 national and international health organizations, including the Ontario Chief Medical Officer of Health and the Ontario Dental Association; and

“Whereas recent experience in Canadian cities that have removed fluoride from drinking water has led directly to a dramatic increase in tooth decay; and

“Whereas the Ontario Ministry of Health and Long-Term Care urges support for amending the Fluoridation Act to ensure community water fluoridation is mandatory; and

“Whereas the Ontario Ministry of Municipal Affairs and Housing urges support for the removal of provisions allowing Ontario municipalities to cease drinking water fluoridation, or fail to start drinking water fluoridation, from the Ontario Municipal Act;

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

“That the Premier of Ontario direct the Ministries of Municipal Affairs and Housing and Health and Long-Term Care to amend all applicable legislation and regulations to make the fluoridation of municipal drinking water mandatory in all municipal water systems across the province of Ontario before the end of the first session of the current Ontario Parliament.”

I agree with these signatures, affix my name and give it to Emma to bring to the table.

SPECIAL-NEEDS STUDENTS

The Acting Speaker (Mr. Rick Nicholls): Further petitions? The member from Northumberland–Quinte West—no. Sorry. Prince Edward–Hastings.

Mr. Todd Smith: That’s good. You’re new here.

“To the Legislative Assembly of Ontario:

“Whereas demonstration schools in Ontario provide ... necessary support for children with special education needs;

“Whereas the current review by the government of Ontario of demonstration schools and other special education programs has placed a freeze on student intake and the hiring of teaching staff;

“Whereas children in need of specialized education and their parents require access to demonstration schools and other essential support services;

“Whereas freezing student intake is unacceptable as it leaves the most vulnerable students behind;

“Whereas this situation could result in the closure of many specialized education programs, depriving children with special needs of their best opportunity to learn;

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

“To immediately reinstate funding streams for demonstration schools and other specialized education services for the duration of the review and to commit to ensuring every student in need is allowed the chance to receive an education and achieve their potential.”

I agree with this, will sign it and send it to the table with page Colleen.

The Acting Speaker (Mr. Rick Nicholls): I’d like to thank the newer member from Prince Edward–Hastings.

LYME DISEASE

The Acting Speaker (Mr. Rick Nicholls): Further petitions? The member from Manitoulin—Algoma–Manitoulin.

Mr. Michael Mantha: You are new again, Mr. Speaker. Nice try.

This is a petition to the Legislative Assembly of Ontario.

“Whereas Ontario does not have a strategy on Lyme disease; and

“Whereas the Public Health Agency of Canada is developing an Action Plan on Lyme Disease; and

1550

“Whereas Toronto Public Health says that transmission of the disease requires the tick to be attached for 24 hours, so early intervention and diagnosis is of primary importance; and

“Whereas a motion was introduced to the Legislative Assembly of Ontario encouraging the government to adopt a strategy on Lyme disease, while taking into account the impact the disease has upon individuals and families in Ontario;

“We, the undersigned, petition the government of Ontario to develop an integrated strategy on Lyme disease consistent with the action plan of the Public Health Agency of Canada, taking into account available treatments, accessibility issues and the efficacy of the currently available diagnostic mechanisms. In so doing, it should consult with representatives of the health care community and patients’ groups within one year.” It’s now two.

I agree with this petition and sign my name to it.

LUNG HEALTH

Mrs. Kathryn McGarry: I have another petition here, and this comes to me from King City. It’s addressed to the Legislative Assembly of Ontario.

“Whereas lung disease affects 2.4 million people in the province of Ontario;

“Of the four chronic diseases responsible for 79% of deaths (cancers, cardiovascular diseases, lung disease and diabetes) lung disease is the only one without a dedicated province-wide strategy;

“In the Ontario Lung Association report, *Your Lungs, Your Life*, it is estimated that lung disease currently costs the Ontario taxpayers more than \$4 billion a year in direct and indirect health care costs, and that this figure is estimated to rise to more than \$80 billion seven short years from now;

“One in five Ontario schoolchildren has asthma;

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

“To allow for deputations on ... private member’s bill, Bill 41, Lung Health Act, 2014, which establishes a lung health advisory council to make recommendations to the Minister of Health and Long-Term Care on lung health issues” and to immediately debate it at committee and then expedite its passage to third and final reading.

I agree with the petition and give it to Colleen to bring down to the table with my signature on it.

The Acting Speaker (Mr. Rick Nicholls): The time for petitions has now expired.

ORDERS OF THE DAY

SUPPORTING ONTARIO’S TRAILS ACT, 2016

LOI DE 2016 SUR LE SOUTIEN AUX SENTIERS DE L’ONTARIO

Mr. Coteau moved third reading of the following bill:

Bill 100, An Act to enact the Ontario Trails Act, 2016 and to amend various Acts / Projet de loi 100, Loi édictant la Loi de 2016 sur les sentiers de l’Ontario et modifiant diverses lois.

The Acting Speaker (Mr. Rick Nicholls): I recognize the minister. You may begin debate.

Hon. Michael Coteau: Thank you, Mr. Speaker.

It’s been a real golden year for sport here in Ontario. We’ve had some incredible high-profile events, like the NBA all-star game and the thrill that has been brought forward with the Blue Jays’ successful season last year and, of course, the Raptors’ season finale this year. It’s been a very successful year for sport here in the province of Ontario.

There’s been a real boost of enthusiasm among sport enthusiasts of all ages, in all communities across the province. It really leaves a strong legacy of success. Our government is committed to building on that legacy. We want to help every Ontarian lead a healthy and active life.

Earlier this year we launched Game ON, our action plan for amateur sport here in the province. The goal of this strategy is to provide strong support for sport participation and community recreation, with the goal of

helping our elite athletes develop their talent and ensuring everyone has the chance to enjoy sport here in the province. A particular focus in the first year of the sport plan is helping women, newcomers and members in indigenous communities gain better access to the sport and recreation opportunities that they deserve.

Our priority as a government is to help all Ontarians lead a healthier, more fulfilling life. To that end, I'm very proud to speak for the third time on the Supporting Ontario's Trails Act, 2016, which, if passed, would help improve, sustain and promote Ontario's urban, suburban, rural and remote land and water trails.

Mr. Speaker, I want to say that I will be sharing my time today with the parliamentary assistant, the member from Kingston and the Islands, who I have to say has done an excellent job working not only on this bill but also on many things in relation to tourism, culture and sport. Thank you.

The parliamentary assistant will be discussing in more detail the extensive consultation process that we put in place as a government to develop this important piece of proposed legislation.

I'd like to address how we're supporting the Supporting Ontario's Trails Act, 2016. If passed, it would increase access to our network of trails here in Ontario and, as a result, will support both a healthier and more prosperous province.

I want to take a moment to thank everyone who has provided input to developing this legislation. This includes trail providers, trail users and, of course, stakeholders.

The MPP for Kingston and the Islands will illustrate that the bill we are discussing here today is a result of consultations and collaboration that have taken place over many, many years, with the creation of the Ontario Trails Strategy back in 2005.

In the fall of 2013, the ministry led province-wide consultations looking at different ways our government could strengthen the original strategy to address outstanding concerns and advance Ontario's trail system for future generations. There were five regional consultations that took place, in Ottawa, Ingersoll, Toronto, Thunder Bay and North Bay. We had two of these consultations within indigenous communities, which were held in Toronto and Thunder Bay, and we talked to representatives from 80 municipalities and 48 trail organizations, health organizations, indigenous communities, tourism organizations and many, many more.

Eighty submissions were received through the Environmental Registry during a 48-day consultation period. We heard about issues from people on the ground—people directly involved in protecting, growing and making use of our trail system.

We talked about issues around liability, securing land for trails, trespassing, protecting private and public property, and more.

We discussed opportunities that our trail systems hold as one of our greatest treasures here in Ontario, and we were encouraged to pursue ways to promote trails,

conduct research, share best practices and expand our water trail opportunities.

The bill that is before the House is the product of more than a decade of ongoing consultation and collaboration with the people of Ontario, and is a response to stakeholders with real interest in the future of Ontario's trails.

Stakeholders told us that we need to find ways to better promote awareness around our trails. We want to begin with improving access to and awareness of Ontario trails for every resident and visitor. If passed, Mr. Speaker, this legislation would proclaim an annual Trails Week here in Ontario. It would coincide with International Trails Day, which takes place in June.

International Trails Day is an annual celebration of trails to promote their development and use and healthier lifestyles. This year, that particular day takes place on June 4, so it's coming up very shortly.

This bill, if passed, would allow for the recognition of Ontario trails of distinction, to increase trail awareness and local tourism. Ontario trails of distinction would be promoted on the government of Ontario website.

Future consultations would be required in the course of establishing voluntary best practices, and targets and classification systems, as well as establishing a process for recognizing these incredible trails of distinction. These consultations would be conducted with provincial ministries, our agencies, municipalities, indigenous communities, stakeholders and others that have an interest in trails.

In the end, if passed, the Supporting Ontario Trails Act would make it simpler for trail users to find out about trails that best suit them. It would find out what their expectations were around those trails and, of course, this classification system would have the ability to match their abilities with a specific trail.

1600

By establishing a voluntary classification system for trails, we would be able to promote trails and provide useful and consistent information to Ontarians and visitors here in Ontario. It would promote consistency across the province while maintaining flexibility to allow for different types of trails. The simple one-step method for hikers, cyclists, snowmobilers and ATV riders to plan their trail experience would allow them to choose the route that provides them with the level of challenge and adventure that suits them. It would make user access easier and cultivate trails tourism, further supported by encouraging best practice sharing related to, for example, trail management and signage.

One other important way to encourage the number of trail users is by adding clarity to the Occupiers' Liability Act. Currently, there is some legal ambiguity around what standard of care is owed to users of trails. For example, if an ATV club charges a membership fee for coordinating rides on a portion of the Ontario trail network, it is legally questionable what level of trail care is required from the owner of the trail. If passed, Bill 100 would clarify the standard of care required by not-for-profits and public owners and managers of trails. Trail

organizations and managers must still seek out permission from the landowners. The proposed amendments to the Occupiers' Liability Act would help make owners more comfortable with giving such permission by clarifying that the users of the free marked recreational trails use them at their own discretion and their own risk, even if the owner or occupier of the trail gets money from the government for other reasons, such as levies or charging parking fees. If passed, Bill 100 would clarify legislation, encouraging further partnerships between businesses and owners of trails.

There has been a lot of discussion on how landowners' rights will be protected under this proposed piece of legislation. I'd like to stress the fact that the Supporting Ontario's Trails Act makes a firm commitment to protecting landowners. Many trails cross private lands with access freely given by the landowners to share their properties with trail users. Trespassing and damages caused by trespassers is a great concern, and recouping damages can be a very difficult process, often forcing a landowner to file a land claim in court. If passed, Bill 100 would streamline the process by which landowners can claim damages caused to their property. The legislation, if passed, would also strengthen the consequences of trespassing on private or agricultural land. It would increase the fines that may be imposed on trespassers from \$2,000 to \$10,000, consistent with other provincial statutes. It would also respond to requests from stakeholders like the Ontario Federation of Agriculture by removing the ceiling on damages that can be claimed as part of the prosecution.

This legislation acknowledges the need to protect private landowners against damage. We recognize the essential role of property owners in sustaining our trails here in the province of Ontario. By making it easier for property owners to recoup damages, we anticipate that there will be an increase in the number of property owners willing to allow easements on their property.

Easements, Mr. Speaker, have been probably the most contentious piece in this piece of legislation since its introduction. We had a lot of discussion around easements, and I think we've landed in a place which will allow people to be satisfied. In this House and among the public, there have been questions regarding the benefits of these amendments and a perception that the proposed legislation would lead to forced easements and a loss of control by landowners over their property. I want to take this opportunity to restate, for the record, that Bill 100 provides landowners and eligible bodies an additional option to consider with respect to trails. In no way will this bill force anyone into easements. I just want to be clear here: In no way will this bill force anyone into easements.

The bill provides that landowners may grant an easement to an eligible body for trail-related purposes. Easements granted by owners under the proposed legislation would still have to be negotiated between the willing landowner and the eligible bodies, and be registered on the title to the land. The landowner and the eligible body

both have to agree in writing to the terms of the easement. The proposed legislation requires an easement contract to address assignment of the easement from one eligible body to another. It also clarifies the process for assigning an easement from one eligible body to another.

No property owner in Ontario will ever be compelled to provide an easement. The easement is 100% voluntary.

The proposed legislation, if passed, also strengthens the protection of Ontario's public lands. In support of the stand-alone Supporting Ontario's Trails Act, 2015, the Public Lands Act would be amended to protect public lands and property from damage, and strengthen compliance and enforcement under the act. If passed, changes would make damages to crown land and property an offence, and damage would be defined in subsequent regulation.

The Ministry of Natural Resources and Forestry would also be able to rehabilitate the land and repair the damage and recover its costs through the court system. A court would be able to order the offender to rehabilitate the lands and repair any damage to crown land or property. Fines under the act would be increased and amendments would also allow the court to impose any additional fines where there has been monetary benefit from the commission of the offence under the act. The act would be amended to increase the length of time in which a person could lay charges, up to a maximum of five years from the date of the offence. Enforcement officers would be provided with new enforcement tools to stop vehicles, inspect documents and arrest persons suspected or caught violating this act.

We want to ensure that private and public lands remain protected and undamaged. This benefits landowners, Ontario taxpayers, the environment and every single person that uses our trail system. Protection of our trails allows for greater access, and that encourages an active lifestyle which promotes a culture of physical and mental wellness. In 2014, a survey was conducted by the ministry that reported that over 90% of trail users here in Ontario believe that trail use and being part of that trail system had a positive impact on their physical and mental health.

Our trails are good for our physical and mental health, and they're good for Ontario tourism and our economy. We know that the tourism sector here in the province of Ontario contributes over \$28 billion back into our economy and supports over 350,000 jobs. I have to say, as a side note, that a lot of those jobs go to young people here in the province of Ontario. Our trail tourism is significant and it's a growing part of that number.

In 2014, Ontario hikers spent more than \$1.6 billion, including more than \$900 million on day hiking expenditures and almost \$700 million on overnight hiking expenditures. That translates into more than \$500 million added to the Ontario GDP, and more than 18,000 jobs and \$800 million in labour income; a total economic benefit to Ontario of almost \$1.4 billion, plus \$259 million in total provincial taxes.

Those are good reasons for all of us in this Legislature to support this proposed legislation. That's why we've

invested, as a government, \$130 million in both direct and indirect funding to support Ontario trails between 2009 and 2015, and that's why we continue to invest in trails. That's why we supported connecting the gaps in the Trans Canada Trail to create 2,000 kilometres of continuous trail here in Ontario as part of the Pan Am and Parapan Am Games legacy. That's why we invested in the creation of the William G. Davis—Bill Davis—Trail, as well as the Waterfront Trail, which has approximately 1,600 kilometres of trail, and a new vision for the Great Lakes Waterfront Trail.

1610

That's why I'm so proud to take the lead on this proposed legislation. The Supporting Ontario's Trails Act will help build both a healthier and more prosperous Ontario.

Ontario's fantastic network of trails is the result of hard work and the time of volunteers and members of trail clubs and other not-for-profit organizations. It is a result of our private property owners' willingness to share their properties with trail users. It's an important bill that would not have been possible without so much participation and so many passionate stakeholders whose input led to the shaping of this bill and the amendments.

If passed, this bill will ensure better management of trail activity. It will protect public land and private property by modernizing stewardship, compliance and enforcement tools. I am confident that, if passed, the Supporting Ontario's Trails Act, 2015, will be universally recognized as a landmark piece of legislation. I encourage all members of this House to show their support for Bill 100, to recognize the significance of our world-class trail system and to protect and sustain this treasure for future generations of Ontarians.

The Acting Speaker (Mr. Rick Nicholls): The minister did state that he's sharing his time. I recognize the member from Kingston and the Islands.

Ms. Sophie Kiwala: I have to say that it is a pleasure to share my time today with my colleague the Minister of Tourism, Culture and Sport. Before he runs away, I also want to say what a pleasure it is to work with him, not only on Bill 100, but also on the Pan Am and Parapan Am Games. You've been an inspiration to work with, and I thank you very much.

As the minister has stated, the proposed Supporting Ontario's Trails Act, 2015, is important for Ontario and the future of our province's health and well-being, economic prosperity, and natural and cultural heritage resources.

This bill, if passed, will support the protection, development and promotion of thousands of kilometres of trails for the public to use, often free of charge, now and for generations to come. Our trails give millions of Ontarians and visitors access to unforgettable experiences in natural and built settings, including some of the most treasured and protected outdoor areas in the world.

Sustaining Ontario's urban, suburban, rural and remote land and water trails is an obligation we have to our children. It's an obligation our government takes very

seriously. We have proudly supported the development of our trail networks for many years, and I want to take a moment to briefly outline some of our work to date.

Since 2005, we have established the Ontario Trails Coordinating Committee to oversee the implementation of the Ontario Trails Strategy. We've mapped approximately 4,000 trailheads, representing over 21,000 kilometres of trails across Ontario. We funded a variety of local, regional and provincial trail projects, improved accessibility for people with disabilities, developed an award-winning central website for trails and added more than 250 kilometres of trail through Ontario's Pan Am and Parapan Am Games Promotion, Celebration and Legacy Strategy. From 2009 to 2015, our government invested over \$130 million in both direct and indirect funding to support our trails system here in the province of Ontario.

This proposed legislation would, if passed, build on these achievements, supporting the closing of our existing gaps in our trails networks and promoting the enhancement in the quality of Ontario's trails. The Supporting Ontario's Trails Act, 2015, would proclaim an annual Trails Week and allow for the establishment of voluntary best practices, a trails classification system and the recognition of trails of distinction. It would require that a trails strategy be maintained and reviewed periodically and set out a mechanism for trail easements.

If passed, supporting provisions would include amendments to the Occupiers' Liability Act, the Public Lands Act, the Trespass to Property Act and other complementary amendments.

I would like to speak in a little more detail about the thorough process of consultation that was essential to the creation of this comprehensive legislation. I think we can all agree that the strong democratic institutions we cherish are built on the values of open government, because while the people of Ontario look to the government for strong leadership, we know that leadership depends on ensuring open government, and open government depends on consultation.

Our government believes that developing important policy demands a direct, substantive and influential role for Ontarians in shaping policies and decisions that affect them. Effective leadership also means making the right choices and defending the right of Ontarians today and in the future to the services they rely on and to enjoy safe, clean and healthy communities that support active living for all.

The Supporting Ontario's Trails Act, 2015, is the result of more than a decade of effective and extensive consultation and collaboration—a richly informative dialogue. This was done to solicit meaningful input from the full range of trail stakeholders, input that provided representative and balanced perspective on issues and opportunities.

In December of 2004, the then Minister of Tourism and Recreation, the Honourable Jim Bradley, established a minister's advisory committee on trails representing 22 stakeholder organizations and chaired by MPP Tim

Peterson, the parliamentary assistant to the minister. Participating organizations included the Ontario Trails Council, the Ontario Federation of Snowmobile Clubs, the Northern Ontario Native Tourism Association, the Ontario Federation of Anglers and Hunters, the Bruce Trail Conservancy, Conservation Ontario, the Ontario Federation of Agriculture, the Active Living Alliance for Canadians with a Disability, and others.

Over the winter of 2005, approximately 1,000 stakeholders with special expertise attended nine workshops and 14 regional consultations to provide input on topics such as active living and promoting access, environmental and heritage impacts, tourism potential, economic sustainability, and landowner concerns. The resulting Ontario Trails Strategy released that year supported continued co-operation among governments and the not-for-profit and private sectors towards a shared vision for trails. The strategy established strategic directions for planning, managing, promoting and using trails in Ontario.

Still, there remained long-standing trail issues that needed to be addressed, including the need for a legislative mechanism to establish trail easements, clarifying liability and the standard of trail care required by not-for-profit and public organizations, and increasing allowable compensation for damage to property due to trespassing.

Our government also wanted to respond to stakeholder calls for improving the opportunities for trails tourism and the enhanced management, promotion and use of trails.

There was also a need to enhance the Ministry of Natural Resources and Forestry's ability to manage trails on crown land by providing greater compliance and enforcement options and by creating an offence for damage to crown land and property. Damage would be defined in a subsequent regulation.

Province-wide consultations began in 2013, including two indigenous engagement sessions and five regional sessions. Across the province, we heard the concerns and priorities of our different trail partners. Sessions were attended by over 250 individuals, which included representatives from 80 municipalities, 48 trail organizations, 42 other not-for-profit institutions, 17 health organizations, 12 tourism organizations and eight conservation authorities, among many others.

1620

We also received 80 submissions through the Environmental Registry. Through these consultations and submissions, stakeholders identified liability as a top priority, with calls for greater clarity in the Occupiers' Liability Act. Securing land for trails was also identified by stakeholders as a top priority, with continued support for trail-specific easements that are not costly or complicated.

Trespassing has always been an issue, and stakeholders emphasized that various types of trespassing should be considered; for example, intentional versus unintentional trespassing and motorized as compared to non-motorized users.

Stakeholders also called for increased compensation for damage to property. All stakeholders wanted to see strong protection of private and public property.

Some stakeholders called for more training and stronger provincial coordination of trail standards related to the planning, design and maintenance of signage.

The feedback we received also advocated the inclusion of trails in the provincial policy statement and other land use policies.

There were calls for a code of ethics to reduce conflict among trail users.

We also heard about the need for a trails classification system by trail type, difficulty and so on, along with more standardized trail signage.

Stakeholders pointed out some great opportunities to enhance trails tourism and promote trails, including water trail opportunities, and to strengthen the role of trails in active transportation.

There were calls for trail-specific research with a trails inventory and a repository of trail data and best practices, and studies of the environmental impact of different user groups.

Mr. Speaker, the Supporting Ontario's Trails Act, 2016, was designed to address these issues in a comprehensive way, and it's been developed in collaboration with 12 other ministries.

This past May 4, I sat on the Standing Committee of the Legislative Assembly on Bill 100. The stakeholder testimony we received was invaluable and resulted in further important amendments to the legislation.

We heard from Bill Mungall of Hike Ontario, who told me that the changes under Bill 100 will improve the sustainability of Ontario's trails system for the future. We heard from Mike Clewer from the Ontario Federation of Snowmobile Clubs, who's actually visiting with us today. I know Mike appreciated that we incorporated their feedback from previous consultation sessions in the bill and was very happy with the changes to the Motorized Snow Vehicles Act to help reduce the burden of insurance claims.

Patrick Connor from the Ontario Trails Council also praised the change to trespassing and damage penalties, and the improved clarity and safeguards for the Occupiers' Liability Act, enabling provincial bodies and organizations to have a reduced duty while benefiting from provincial programs encouraging their activity, such as sharing licence fees collected by the province.

Peter Jeffery, speaking on behalf of the Ontario Federation of Agriculture, supported the removal of the ceiling on damages caused by trespassers, recoverable as part of the prosecution, something which Bill 100 eliminates.

The Essex Region Conservation Authority was very supportive of the many aspects already in the bill. Richard Wyma praised the initiatives on Trails Week, trails of distinction and the trail classification system as positive items that will support Ontario's trail network.

Mr. Speaker, if passed, the act would help the trails community more effectively develop, operate and

promote trails by addressing long-standing land access liability, trespassing and protection-of-property challenges. As enabling legislation, it would provide the government with the authority to provide guidance to the trail sector on promotion initiatives to increase awareness and regional tourism.

If passed, the legislation would proclaim an annual trails week in Ontario to coincide with International Trails Day in June.

Amendments would respond to stakeholder requests for a mechanism to promote trails more effectively and ensure consistency across the province. The proposed legislation would position the province as a leader in the development, management and promotion of trails in Canada. Through an ongoing process of consultation, the proposed legislation would allow for the establishment of voluntary best practices. It would establish a classification system as well as a process for recognizing trails of distinction. It would require the publication of the name of every trail recognized as an Ontario trail of distinction on a government of Ontario website, along with a trail classification system and best practices and targets, if established.

At standing committee, Patrick Connor of the Ontario Trails Council praised the measures on voluntary best practices, saying how important it is to recognize those with expert knowledge, knowledge of the sector, and an understanding of the commitment that these community leaders are making.

The voluntary classification system could be used to promote trails and provide useful and consistent information to Ontarians and visitors. It would help users find the right trail for their skill level and their interests, designating trails according to the level of difficulty, similar to downhill ski hills with the black diamond and other designations. Trails could be classified on the basis of permitted uses—hiking or snowmobiling, for example—and could include multi-use trail categories. Other factors could include accessibility and amenities.

A process for recognition would be developed for the trail classification system at a later time through consultation with provincial ministries, agencies, municipalities, indigenous communities, stakeholders and others that have an interest in trails. Voluntary best practices could include trail management and signage, which would ensure consistency across the province while allowing for flexibility due to different types of trails or varying capacity of trail operators. If widely adopted, voluntary best practices could help promote trails more effectively, and educating trail users on their responsibilities would help protect the rights of landowners.

The legislation recognizing the Ontario trails of distinction would increase trail awareness and local tourism, responding to stakeholder requests for a mechanism to promote trails more effectively. Our government looks to achieve this goal through the proposed standalone Supporting Ontario's Trails Act, 2016, and through proposed amendments to five laws across several different ministries.

Our primary partners in the development of this legislation have been the Ministry of Natural Resources and Forestry and the Ministry of the Attorney General. The legislative proposals include changes to the Public Lands Act, the Occupiers' Liability Act and the Trespass to Property Act, as well as the complementary amendments to the Motorized Snow Vehicles Act and Off-Road Vehicles Act. The Public Lands Act would be amended to protect public lands and property from damage and to strengthen compliance and enforcement under the act.

We worked with committee members to develop changes to the bill to address the concerns that we heard. The granting of an easement has always been voluntary. It remains voluntary under the proposed legislation. I want to stress that, if passed, the bill would now include a clear statement of the voluntary nature of granting an easement under this act by an owner of the land.

1630

We added language that clearly articulates that easements are voluntary, that requires easement contracts to address what types of activities can take place on the easement, including hiking and snowmobiling, and that requires contracts to address any restrictions on the transfer of the easement from one group to another and clarifies how the process of transferring an easement should properly take place. These changes should reassure owners of land who are interested in having a trail easement on their property but who have concerns about how their land might be used or are concerned about a change of the original eligible body.

Mr. Speaker, we'll continue to work closely with ministries and stakeholders who have an interest in trails or trail-related activities as we move forward. If passed, Bill 100 incorporates the goals of the Ontario Trails Strategy into the legislation and requires its periodic review. That ongoing consultation extends to the mechanism for trail easements. I want to clarify once more that Bill 100 does not change the public process for getting an easement. Any easement sought must follow the Planning Act, and that means a public process. It means going to the municipality, the landowner and the trail organization, and applying for consent and posting and circulating to neighbouring landowners. So the process of consultation is embedded into the legislation. No one will ever be able to register an easement on someone's land without their knowledge.

As such, Bill 100 reflects our government's ongoing commitment to consultation as the foundation on which the democratic process is built. Prior to introduction, we engaged with stakeholders. During the debate and at committee, we listened and accepted amendments to Bill 100. And, finally, if the bill is passed, there will be continued and ongoing discussions with landowners, trail users and organizations, as well as with the broader trail community.

Overall, Mr. Speaker, the passage of this legislation would help deliver on the government's commitment to implement a refreshed Ontario Trails Strategy, including the introduction of trails legislation.

We are proud of what this legislation can accomplish, if passed. Mr. Speaker, if passed, the legislation we are proposing addresses many long-standing issues, such as securing long-term access to the land, liability, protection of property, and trespassing. Trail organizations, municipalities, the provincial government and other organizations, as well as indigenous communities, farmers and the general public, will all benefit. We will work together to ensure that trails are safe, accessible spaces where Ontarians of all ages and abilities can enjoy being active in Ontario's beautiful outdoor settings.

Trails contribute to our economy, benefit our environment and improve our health and our mental health. The Supporting Ontario Trails Act, 2015, would protect and improve thousands of kilometres of the province's trails system while encouraging its expansion. Our government is proud to help protect and expand Ontario's trails system. I call on all members here to join us in that effort by passing this bill today.

The Acting Speaker (Mr. Rick Nicholls): Questions and comments?

Further debate? I recognize the member for Leeds–Grenville.

Applause.

Mr. Steve Clark: As Ontario PC critic for tourism, culture and sport, I'm honoured to rise. I want to thank everyone for their generous applause for the third reading debate for Bill 100, the Supporting Ontario Trails Act, 2015.

I do want to say at the outset, Speaker, that I'll be sharing my time this afternoon with the following members: Carleton–Mississippi Mills, Renfrew–Nipissing–Pembroke, Nepean–Carleton, Dufferin–Caledon and Bruce–Grey–Owen Sound. I'm pleased that other members of our Ontario PC caucus do have the chance to participate, because I know this bill is very, very important in all of their ridings.

As I'll get to during my time today, many of us have work to do this summer, including the minister and the parliamentary assistant, to maintain trail access.

Before I get there, it's appropriate on legislation dealing with trails in Ontario that I begin by talking about the journey that's brought us here today for third reading debate on Bill 100. As we all know, the bill was tabled for first reading more than a year ago. The consultations which the minister and his parliamentary assistant have bragged so much about weren't widespread, and they actually took place in the fall of 2013. That's approaching three years, Speaker.

So it was no surprise that prior to the return to the Legislature this spring, the issue exploded. Property owners who up until now had no idea that Bill 100 even existed began to raise some very serious concerns. Specifically, they worried about the implications of schedule 1, section 12, dealing with easements.

During second reading debate, I spoke at great length about my experience in Leeds–Grenville with property owners who suddenly closed off access to snowmobiles and ATV clubs. For years—years, Speaker—voluntary

handshake agreements based on mutual trust and respect allowed a world-class trail system to be built and maintained. But the intrusion of government into that relationship between trail groups and property owners upset the balance. As a result, some property owners decided to close off access immediately. Others warned that if Bill 100 passed, they too would close off their access.

I worked very hard in my riding to convince property owners not to close those gates, to give me a chance to work with the government on this legislation. I even provided snowmobile clubs with a letter that they could take to property owners who had expressed concerns.

Most on this side of the House know what my original request to the minister was. It was to pull back the bill and to get into rural and northern Ontario to have some direct consultation. Speaker, that didn't happen. The minister ignored my request. I was disappointed that instead, the government's response was accusing me of trying to stoke fears, which is absolute nonsense. My only interest was in maintaining those trails that are vital to the tourism economy in Leeds–Grenville and across the province. I'm not going to put that at risk by playing politics.

What I wanted was better communication with all affected parties. In particular, I wanted property owners, who are often an overlooked group—I recognize that they are really, truly Ontario's trail champions. I wanted those property owners' voices to be heard.

That's the history that led up to Bill 100 at second reading. I opposed it then, but now that it's been through committee, I want to give the minister some credit. It was apparent at second reading and at committee that he listened during second reading debate to what I and many Ontario PC caucus members and the third party and trails groups were saying. He recognized, I think, that the approach this government has taken with so much of its legislative agenda—to stubbornly forge ahead, as if only their voices mattered—would result in disaster. As a result, today we have a better piece of legislation in front of us.

Our amendments to Bill 100, I believe, do address some of the concerns of property owners. First and foremost, there is no longer any question that an easement would be established without the agreement of a property owner. Our amendment added the following to schedule 12:

“Granting of easement voluntary

“(3.1) For greater certainty, the decision to grant an easement under subsection (3) is voluntary.”

Bill 100 is clear. If you're a property owner with a handshake agreement allowing snowmobiles, ATVs or any other trail group to cross your land, the government can't force you and can't force an easement on you.

Now, I have to say this: We—and myself, personally—are extremely disappointed that the government and the minister used its majority at committee to vote down an amendment to remove the transferability of easements between so-called “eligible bodies.” But even

here, it's important to stress, we did manage to give certainty to property owners who might wish to voluntarily establish an easement. We added a new subsection 5.1 to ensure easements can contain one or more covenants agreed to by the property owner and the body to whom the easement is granted. These covenants would clearly state what uses and activities are allowed on the property. To further address the transferability concerns, these covenants remain in place no matter how many times, or to whom, an easement is transferred.

1640

Finally, Bill 100 now includes our amendment adding subsection 8 to allow for easements to contain one or more covenants addressing the transfer process. Specifically, new subsection 8.1 states that no easement can be assigned by one eligible body to another without the following: (1) the property owner receives reasonable notice; (2) the transfer is made in writing; and (3) the transfer meets any conditions outlined in the covenants contained in the original agreement.

To sum up, our amendments accomplished the following:

- There is language in the bill clearly stating that any easement is voluntary;

- Any easement agreed to would contain covenants that specifically state what can and what can't happen on the property;

- Those covenants remain even if the easement is transferred from one eligible body to another; and

- Easements can only provide covenants regarding future transfers to provide full transparency in the process for property owners and to ensure there are no surprises down the road.

With all of these changes that we were able to get at committee, I'm going to be personally supporting this bill at third reading. It's important to stress that I'm supporting it with the full confidence that we've addressed the concerns of property owners. I say that because, as I mentioned earlier, many of us who represent rural and northern ridings have work to do this summer. We've got work to do this summer to get those closed trails reopened. I'll be meeting with snowmobile clubs and ATV clubs and the property owners they rely on to provide some of the best network of trails in Ontario.

Those trails remain at risk, as the following email I received last month from Bernie Davy, president of the Grenville Snowmobile Association, makes very clear, Speaker:

"As a further update to your office, I wish to confirm that as of today, the Grenville snowmobile club has 11 landowners who have officially closed our trail system on their properties.

"At this point in time, Grenville Snowmobile Association is basically closed down for next fall as far as trails are concerned because of the location of these properties, unless something happens to change or delete Bill 100.

"I realize it is not just the snowmobile clubs that are being hurt by this, but the whole economy is going to take a big hit if this is not corrected."

To Bernie and all the other members who are club presidents in my riding, I want to say that we've been able to change Bill 100 to address some of the concerns of your partner property owners. Over the summer and early fall, I want to stand shoulder to shoulder with these clubs, I want to work with property owners, and I want to try to explain some of the changes and help get those trails open.

To the minister, I say today that your work, your parliamentary assistant's work and your ministry's work is not over after third reading. You have to be prepared to roll up your sleeves and join me and my colleagues in our effort to keep trails open in all of our ridings.

I'll turn it over to the member for Carleton–Mississippi Mills.

The Acting Speaker (Mr. Rick Nicholls): Continuing with the lead from the official opposition, I recognize the member from Carleton–Mississippi Mills.

Mr. Jack MacLaren: Bill 100 is a bad bill, and it should be voted down.

Bill 100 says that an easement for a snowmobile trail could be placed on a farmer's property. An easement is a legal document that gives someone else a legal right to do something on your private property. An easement becomes legal when it is registered on the title to the farm at the land registry office. A farmer does not have the legal authority to remove an easement from his own property. An easement is the removal of a farmer's private property rights.

Farmers and snowmobilers have had a positive working relationship for trails across farmland for more than 40 years. It has been a respectful partnership for both sides; it works. So who thinks we need Bill 100 with its talk of easements and eligible bodies who will control the easements? Farmers didn't ask for easements. Snowmobilers didn't ask for easements. An easement offers no benefit to either party, but the government thinks we need Bill 100. Why?

Section 5 of the bill says, "The minister may recognize a trail as an Ontario trail of distinction."

Section 6 says, "The minister may establish a trail classification system."

Section 8 says, "The minister shall maintain an Ontario trails strategy."

Section 12.1 says that an "eligible body" means the crown; any government agency, board or commission; a First Nation band or community; a municipality; a conservation authority; a board under the Education Act; a registered charity, trustee or donor; any American land conservancy trust under section 170(h) of the Internal Revenue Code of the United States; or any other person or body or nominee.

Section 12.3 says that an easement may be granted to an eligible body.

Section 12.8 says, "An easement may be assigned by an eligible body to another eligible body...."

Section 13 says that this act does not apply to government-owned or -controlled land.

As you can see, just about anybody can be an eligible body. Therefore, just about anybody will have a right to use your private property if you grant the easement.

It is interesting to see that the government does not want this act to apply to their properties, only private property. I also find it interesting that there's no talk of easements in urban areas. I wonder how the residents of Rockcliffe in Ottawa or the Bridle Path in Toronto would react to a bill allowing bicycle paths or walking trails through their front and back yards. There's always the risk that the legislation could be amended to change "may" to "must grant an easement." This was done with the provincial policy statement a few years ago.

Another even more worrisome risk is that the terms "Ontario trail of distinction," "trail classification system" and "Ontario trails strategy" could be incorporated into provincial policy for land use planning and then forced into municipal official land use plans as land use restrictions on private property.

Remember, when it comes to land use planning, the province can do anything. The province can override whatever local governments do. This was done with wetlands. First came the powerless "wetland" designation, which over time was changed to the "provincially significant wetlands" designation, which meant that any kind of work or alteration was prohibited by law. The private landowner lost the use and wealth of his property.

Bill 100 is a threat to private property rights. Some farmers are closing their farms to snowmobile trails to protect their property rights. This is pitting neighbour against neighbour for no reason. Bill 100 must be voted down. Then, farmers and snowmobilers can work together to restore the trust and co-operation that they had before, so that the trails can be open for the enjoyment of Ontarians for decades to come.

1650

Mr. Speaker, Kurtis Andrews and Terrance Green are two very respected farm lawyers who have provided legal opinions on this bill. Mr. Andrews states:

"The bill does nothing but cause serious problems for landowners.

"It is obvious that the sole purpose of the bill is to take away property rights from property owners.

"To this end, I agree with the position of the" Ontario Landowners Association.

"Bottom line: the 'trail bill' is a terrible piece of proposed legislation with nothing but downside from a property owner's perspective.

"I would certainly never support the bill.

"Kurtis Andrews, farm lawyer, Ottawa."

Mr. Green states:

"If I was representing a farmer, I would tell him to write the president of the snowmobile club and inform them that at the end of this season they are to close the trail over the farm as any and all permissions to cross over the farm are revoked with the delivery of this letter.

"I would also tell the farmer or private property owner not to sign any paper, formal or not, that confirms or gives consent to any use of the private property."

That's Terrance Green, lawyer at Green and Associates Law Offices in Ottawa.

Mr. Speaker, I would like to read to you part of a letter from Tom Black, president of the Ontario Landowners Association, regarding his concerns with Bill 100:

"At first glance, most people will think that there is not much to worry about concerning Bill 100, but the Ontario Landowners Association ... has learned the hard way that if you let bad legislation pass, then the only way to fix it is in" the courts, "at great expense to the individual.

"I talked to people from the Ontario Trails Council ... the people who want this bill passed, and they told me that there are about 2,500 trails in Ontario that total about 80,000 kilometres; 20,000 kilometres of those are on private property.

"Only 25% of the trails in Ontario are on private property and therefore only 25% of Ontario's trails are affected by this bill.

"The other 75% of the trails do not fall under the authority of this bill.

"This would lead one to wonder if the objective of this bill is to secure rights to private property rather than to secure the future of trails.

"If the intent of the legislation is to protect and preserve snowmobile trails, shouldn't it apply to all trails?"

"Shouldn't it apply to government property as well as private property?"

"One thing for sure, most people on the rural roads know that when you mention conservation authorities, private property, and easements in the same act, nothing good will come of it."

That's Tom Black, president, Ontario Landowners Association.

Mr. Speaker, farmers were not asked if they wanted this bill. The bill does nothing for farmers. The bill does nothing for snowmobilers. Farmers and snowmobilers have had a positive working relationship for over 40 years. There is no problem. We don't need a solution to a problem that doesn't exist. This is a bill that does nothing to solve a problem that doesn't even exist. Surely we are not going to stand here in this House, the Legislative Assembly of Ontario, and tell the people of Ontario that we are going to vote for nothing to do nothing.

In conclusion, Mr. Speaker, Bill 100 is much ado about nothing. It is undeserving of support. It must be voted down.

The Acting Speaker (Mr. Rick Nicholls): I recognize the member from Dufferin-Caledon.

Ms. Sylvia Jones: I'm pleased to rise to speak to Bill 100. It has, as previous speakers have mentioned, caused a little bit of an issue in the spring of 2016. But I want to talk about the process. To me, Bill 100 is all about how the process works. We, as legislators and opposition members, are supposed to listen and react and respond to what the government of the day brings forward. The Minister of Tourism, Culture and Sport brought forward Bill 100. Full disclosure: I will admit that I was quite

happy with sections of Bill 100, because part of it incorporated a section of one of my private member's bills relating to trespassing on private property, which is a valid and important part of what is here.

But I really want to talk about and acknowledge and thank our critic, the member from Leeds–Grenville. He studied the bill, he reached out to stakeholders who are impacted and he understood what the issues surrounding it were and what people were concerned about. He raised them with the minister. He brought forward those amendments. There were many, many discussions. The member from Leeds–Grenville sits right next to me, and I often saw conversations between the Minister of Tourism, Culture and Sport and our critic. They were trying to work out solutions. I think that what you have in this third reading amendment to Bill 100 is the improvements we were looking for.

To my colleague from Leeds–Grenville: Good on you. Good for being the type of critic we need, raising concerns and bringing forward reasoned amendments that the government was willing to get behind. To the Minister of Tourism, Culture and Sport: Thank you for actually listening. Thank you for doing your job as a minister, hearing our concerns and making those changes.

We sort of laugh about it here, but I often talk about the value of committee and how it is so frustrating, as an opposition member, when we bring forward amendments and it's just, "No, no, no, no."

To me, Bill 100 is about how this process can work. I just want to say that we can have some improvements as a result of it; we have a better piece of legislation now. I said at second reading that if you changed section 24—I believe it was the famous section 24—

Mr. John Yakabuski: Twelve.

Ms. Sylvia Jones: Sorry; 12. Thank you. If you clarify section 12, then I want to support this legislation and I will support this legislation.

I want to say thank you to Leeds–Grenville and thank you to the minister. You've made those amendments. You've clarified it. You've made the language more understandable for everybody who is engaged and involved. Congratulations. I'm happy to support it.

The Acting Speaker (Mr. Rick Nicholls): I recognize the member from Renfrew–Nipissing–Pembroke.

Mr. John Yakabuski: It's a pleasure to join third reading debate on Bill 100. Like many of my colleagues, I was very disappointed when this piece of legislation came out and the government failed in its responsibility to do the pre-legislation consultation that is so important, which could have avoided so many of the problems that Bill 100 brought forth.

We, as individual members, with constituencies like mine in Renfrew–Nipissing–Pembroke, have extensive snowmobile clubs running through our ridings. Once people were really aware of what was happening, there was a great deal of concern. What happened was confusion: a poorly delivered message on the part of the government, and a poorly drafted piece of legislation that caused a great deal of consternation—I'll get back to the

good part about it later. The minister doesn't have to leave; he doesn't have to cry. We'll fix it up. But a poorly drafted piece of legislation caused a great deal of consternation and led to the last thing we needed in our ridings with regard to snowmobiling and the absolutely vital effect it has on our local economies and, of course, the economy across the province of Ontario. What it led to, I say to the minister, was the closing of trails.

Now, you can say, "Well, there's nothing in the bill that should have caused that," or, "There's nothing in the bill that deals with the issue of easements that should have led to that." But the reality is that trails were closed, and you had a responsibility, as a government, to deal with that issue. We had a responsibility as members to deal with that issue, and we did. We met with people in our ridings. We met with snowmobile clubs. I met extensively with snowmobile clubs, and I met with many individual landowners who have trails traversing their property.

1700

I said at the time that I had the undertaking and the commitment from the minister that they were going to fix this piece of legislation. And I said at the time that if the minister is true to his word and fixes this piece of legislation, then I will not only support it in principle; I will vote for it in the House.

I want to give a whole lot of credit to my colleague from Leeds–Grenville, Steve Clark, because he did exactly what was necessary. He took the critic's role extremely seriously, because he saw what could happen if this bill was not fixed. If this bill was not fixed, snowmobiling as we know it in Renfrew county would no longer exist. Snowmobiling in Leeds–Grenville would no longer exist. I'm sure I speak for my colleagues in Haliburton–Kawartha Lakes–Brock and Bruce–Grey–Owen Sound and Prince Edward–Hastings—

Ms. Lisa MacLeod: And Ottawa.

Mr. John Yakabuski: —and Ottawa–Carleton. I mean, if trails were closed, we would not have the industry. It is vital that those trails open. You've got to have a seamless trail system in order for it work.

So we proposed and received. We did not get everything we wanted. I won't reread the amendments; my colleague did that. We didn't get everything that we wanted, but we got what was substantively necessary for me to be able to comfortably go back to these landowners now, through the summer—because this thing has got to be put to bed before the snow flies. We can go back to our landowners and say to Joe or Bill or Michael or whomever—

Hon. Michael Coteau: Granville.

Mr. John Yakabuski: "Granville, I am absolutely confident that the changes that have been made in this piece of legislation with regard to the establishments of easements, the assignments of easements and the ability to put covenants within those easements give you absolute protection on your property should you open that property to snowmobilers." I am confident that I can do that now that this Bill 100 has been amended.

Tomorrow, when we have a deferred vote on this bill, I will be true to what I said to the people in my riding: that if the government does what they said they're going to do—it's not that often that I stand here happy to be able to say that. Because this is how it should work: The government brings out a piece of legislation, it's not right, but by working with the opposition, they make it right. That's the way this place is supposed to work.

Tomorrow, I will be voting for this piece of legislation. I hope it passes and that the snowmobiles run freely through Renfrew county and all of Ontario this fall and winter, and that our economy continues to benefit from the tremendous sport that snowmobiling is.

The Acting Speaker (Mr. Rick Nicholls): Continuing with debate, I recognize the member from Nepean–Carleton.

Ms. Lisa MacLeod: I'm really pleased to follow my colleague from Renfrew–Nipissing–Pembroke and my colleague from Dufferin–Caledon. I think they both speak a lot of common sense, and I think that was what was needed in this piece of legislation.

I do want to commend the Minister of Tourism, Culture and Sport for taking the time to work with our critic from Leeds–Grenville to improve the legislation. As my colleagues have aptly pointed out, I, for example, voted against this legislation, Bill 100, in the second reading. And I want to tell the minister that his willingness to work with my colleague from Leeds–Grenville has done something I've never done in my 10-year career here at Queen's Park, which is to actually switch my vote from second reading to third reading.

It is critical that the amendments that Mr. Clark from Leeds–Grenville brought forward at committee passed. We didn't, as my colleague from Renfrew–Nipissing–Pembroke states, get everything we wanted, but we did ensure that all easements are voluntary, that we knew that when an easement is transferred the use of the property cannot change, and that all easements must address property transfers.

As my colleague from Renfrew–Nipissing–Pembroke pointed out, as did my colleague from Leeds–Grenville, the big concern for many of us was that the snowmobile trails would have been closed. This caused a great deal of confusion, particularly in rural Ottawa, where people were not aware of what this bill meant and how it was going to impact either the landowner or the snowmobilers.

From my perspective, I think that the common-sense approach that was taken in order to perfect this piece of legislation, or at least make it better, is the reason that, for the first time in my career, I'm able to say that a bad bill was made better because a critic did their job in ensuring that the concerns of the public were well represented. Now, that doesn't happen all the time. We know for a fact that it doesn't happen all of the time. We look at, for example, the Ontario pension plan or we look at the old HST bill that was rammed through this assembly in 2010. You look at a wide variety of legislation, even the Green Energy Act, which doesn't

seem make a lot of sense to Ontario families, but what has happened in this case—and you have to give credit to the minister and to the official opposition critic for doing what we're supposed to do here, which is working to make something better. It would be impossible for me to vote against a piece of legislation when everything we asked for, with the exception of maybe one or two small amendments, was passed.

So I ask members who may have voted against this bill, as I did in the second reading: How do you not take yes for an answer? We asked the government for changes. It's very rare that they make accommodations for us, and in this particular case, they did. How do we not take yes for an answer? I think the responsible thing to do is to actually support this legislation, to make sure that the trails are open come next winter. I think the real issue we would have had is that those trails would have been closed. When I think of the conversations I've had, for example, with the former president of the Ottawa–Carleton snowmobilers' club, George Darouze, who's now a city councillor in Ottawa, it was all around the confusion that we were left in because we weren't aware of the government actually wanting to come forward and to listen.

With that, Speaker, I am going to follow the lead of my critic, Mr. Clark, and many of the speakers before me from the Progressive Conservative caucus. I will be supporting this piece of legislation, but I think it's really important to underscore the tremendous leadership role and work that went into the series of amendments to improve the bill by Steve Clark from Leeds–Grenville.

Thank you, Speaker, for the opportunity to debate this bill.

The Acting Speaker (Mr. Rick Nicholls): Continuing along, I recognize the member from Bruce–Grey–Owen Sound.

Mr. Bill Walker: It's a pleasure to speak to this bill. My riding is big, big, big from a tourism perspective and the economy, and from day one, I looked at this bill and said that we have to ensure we have a network of trails systems in our province for the viability of not only my great area of Bruce–Grey–Owen Sound but all tourism.

I also want to acknowledge my colleague Steve Clark from Leeds–Grenville, our critic, who has taken this very seriously and taken those amendments.

When I stood at second reading, even though I voted for it then—and I took a lot of heat in my riding from people who said that I should never help this government or support this government. I felt it was a piece of legislation that, with some work—and I spoke very directly to the minister and asked that minister to ensure that those concerns, particularly of the property owners, were addressed, and I want to acknowledge again that he has. We have found some of those amendments.

Mr. Speaker, tourism represents 4% of our GDP in the province of Ontario, supports 350,000 jobs and represents about \$1.4 billion in economic benefits. We need to ensure that we keep that trail system alive for that fact, very specifically.

As we went through the debate, what we found were some amendments. We wanted a new subsection, subsection (5.1), to guarantee that easements can contain one or more covenants, agreed to by the property owner and the body to whom the easement is granted. At least one of the speakers today has left out the word that it's voluntary. That's the biggest thing that I want to reinforce here and I've said it to the people in my riding: It is voluntary on behalf of the landowner, the property owner. It's not moving forward by anybody. No one is coming in and saying that you have to do this, unless they agree. That, we have been able to get some certainty around.

These covenants can state what uses and activities are allowed on the property. To further address the transferability concerns, these covenants stay in place no matter how many times or to whom an easement is transferred. And, finally, Bill 100 now includes our amendment adding subsection (8) to allow for easements to contain one or more covenants addressing the transfer process.

1710

Specifically, new subsection 8.1 states that no easement can be assigned by one eligible body to another without the following:

- (1) The property owner receives reasonable notice.
- (2) The transfer is made in writing.
- (3) The transfer meets any conditions outlined in the covenants contained in the original agreement.

We talked very specifically about those. That was the feedback I received from the people in my riding, and we brought those forward. Again, I'm proud to say that we got most of those amendments that we asked for, and it's a bill that I believe I'll certainly be supporting.

We also found, in a lot of the deputations—for example, the Bruce Trail, which is, obviously, a huge, huge economic potential and asset for this province. They came out and told us that they were challenged before without easements, because they couldn't get access to property. It's very technical. They had to own the piece next door to be able to even look at that piece of property. This allows them to maintain and actually get more.

They are 895 kilometres long, about 60% in public ownership and 40% private land. They have 950 agreements with landowners to allow the Bruce Trail across their land, and yet only 22 easements, because it was so technical, because it took so much time to get that done.

At the end of the day, this is something that they have supported. They wanted this to happen and believe it will help to enhance the perpetuity and sustainability of the Bruce Trail.

The snowmobile clubs: The Ontario Federation of Snowmobile Clubs certainly supports it, and my local snowmobile clubs. Sadly, because of a lot of misinformation—and a number of my colleagues have alluded to the way this bill was brought out at first—there was a lot of uncertainty out there, and landowners started to shut

down their trails. That's not good for any of us in Ontario, if we lose our trails system. So we were very specific, saying that it has to maintain the voluntary; it has to be specific and clear. It has provided certainty with the way the easements are going to be introduced. I think we've been able to accomplish something that is going to work for everyone in the long term. It's going to benefit people.

Trespassing fines: I'm again going to pay credit to my colleague from Dufferin–Caledon. The trespassing fines went from \$2,000 to \$10,000. The property owners there—we've been able to try to give them some compensation for those rogue people that actually do create damage out on our trails. The award for damages by trespassers: There used to be a \$1,000 limit, and that has been taken out of the bill, which I believe, again, is a good enhancement for those people, those landowners.

This is a very important bill to my riding. We're big on tourism. We have a lot of people. We have the Bruce Trail, snowmobile clubs, ATV trails, biking trails, and walking trails. From day one, I have said that this is a bill we have to support, because I believe it is a good piece of legislation. Most of my colleagues—Randy Hillier, who used to be part of the landowners, said it's a good piece of legislation, and he looks through legislation fairly clearly and fairly closely. At the end of the day, I'm pleased that we've been able to get those amendments.

My colleague Steve Clark from Leeds–Grenville has done a tremendous amount of work—and there is a lot of work. A number of my colleagues in here have spoken, again, to how this isn't over just once we do the vote tomorrow. We have to work with a lot of those clubs, particularly those ones that made a very quick snap decision to say, "I'm shutting off my property." If we don't have access to those trails, we don't have snowmobile clubs. If we don't have snowmobile clubs, we don't have that economic driver that we so greatly benefit from and need, to ensure those jobs and the ripple effect to our economies.

I'm pleased to say that I think the system has worked. We've taken it to second reading. We've gotten some amendments. We're back now. Tomorrow, we'll vote on this. I am certainly going to be supporting this for the benefit of Ontario as a whole, that those clubs will have access to the trails, and the users will have it. It's good for the economy; it's good for our health; it's good for the environment. I'm pleased to say I'll be supporting this bill tomorrow.

The Acting Speaker (Mr. Rick Nicholls): Questions and comments?

Further debate? I recognize the member—

Mr. Paul Miller: Hamilton East–Stoney Creek.

The Acting Speaker (Mr. Rick Nicholls): Hamilton East–Stoney Creek.

Mr. Paul Miller: Speaker, I'm pleased to rise today and speak about the Supporting Ontario's Trails Act.

The main problem with Bill 100 is that the consultation and communication has not been as extensive as it needed to be.

In addition to that, section 12 of schedule 1, dealing with easements, has stirred up quite the controversy. It needed amendments, additions and deletions. Some of those have happened, I'm pleased to say, but others have not.

There are 2,500 trails in Ontario, stretching over 80,000 kilometres. Trails are not just for recreational use. In northern Ontario, people often rely on their trails in the absence of passable roads or highways. We cannot neglect that, and this is one of the reasons why this bill is so important to the north.

The NDP supports the objectives of this bill because we want to see trails improved, maintained and expanded. But the misinformation that has been spread about this bill has created some fear. It has had some very negative knock-on effects for northern Ontario that need to be arrested now, but only the government has the ability to do so. We need the ministry to reach out to the public, explain what the bill is really about and talk to the people impacted, one to one, about their concerns, because trust in government is probably at its all-time low, I'm sorry to say. If people start hearing that the government is going to take their land, they get anxious; they get scared. Well, Speaker, who wouldn't?

The government is not taking anyone's land with this bill; there's an option in here for a landowner to grant easements. Whether an easement is perpetual or term-limited is the decision of landowner. So too is the decision over whether or not to grant an easement at all in the first place. No landowner has to give away any land. No landowner has to have their land forcibly taken from them. This bill is meant to reconcile the interests of landowners and trail users. It does that by providing a greater, stronger protective framework for both landowners and trail users, but that framework is of no use if people do not understand it.

As the member from Leeds–Grenville said in earlier debate, the agreements reached between trail users and landowners are very delicate. The interpretations of these agreements are very delicate. Anything that endangers this delicate balance and these delicate agreements is a threat to northern communities. All it takes is one anxious landowner to close a part of the trail to break the whole system. Depending on the location, the trail could be permanently severed in two. Most likely, if one landowner is worried, there will be others too, and they're watching very closely. So pretty soon you'll have other landowners saying, "Hey, why am I leaving myself vulnerable when my neighbours are taking steps to protect themselves?" Then, we're cutting the trail in multiple locations. We may not have usable trails anymore. It might be too fragmented, especially if it goes through difficult terrain that is not accessible by good roads.

We need to understand there is a pre-existing ecosystem here. The government needs to understand that as well. The intention of the bill is to allow for solid legal supports to be put in place with the ecosystem where it could be beneficial to both landowners and trail users. These would only be reached through more individually

negotiated agreements, but this is not the perception out there. Whatever we can say about good intentions, there has been a failure of communication around this bill. People need to have confidence that the bill will be a benefit to both the landowners and the trail users.

Yes, this bill will affect urban trails, which are of enormous recreational benefit to the people of Toronto, Ottawa, Hamilton, Peterborough and all over the other cities in this province, but the overwhelming impact of the bill will be in rural or northern Ontario. Let us not pretend otherwise: That's where it's really going to be effective. In second reading debate, we asked the government to take the committee hearings and the consultations there. In the committee meetings to organize the hearings for this bill, I moved a motion to hold two days of committee hearings in northern Ontario in order to make these hearings accessible to the people most affected by this legislation because we understood that farmers and snowmobilers, who are often the same people, weren't going to travel in great numbers here to Queen's Park from Timiskaming–Cochrane, James Bay, Kenora–Rainy River and eastern Ontario.

It was completely out of touch and insulting to rural and northern Ontarians to say that they needed to take time out of their lives and spend hundreds, sometimes thousands, of dollars to come all the way to Toronto in order to make their voices heard.

This is one Ontario, and we need to make sure that all Ontarians' voices are heard equally. If we have a bill sitting here that primarily affects rural and northern Ontario, then that's where the hearings need to be.

The committee members of the PC Party supported my motion. To our great disappointment, but sadly not to our great surprise, the members of the government party voted against it. They seemed to genuinely believe that they had done a marvellous job with their consultation process. Well, listening to a lot of witnesses in front of the committee, we may have disabused some of them of that notion.

Time and time again, we heard testimony that consultations had not been adequate. Some groups had never even been contacted. Over and over again, we heard that the failure of communication around this bill had created terrible knock-on effects for the trail system in rural and northern Ontario.

What they've been doing hasn't worked. The failure to reach out to communities directly affected is not good enough at this point. Holding two days of hearings in Toronto and not allowing adequate time either to register as a witness or to prepare or send a written submission wasn't very good either.

My colleagues and I have been speaking very forcibly about the facts and myths of this bill, but it's the government's job to promote their legislation, to ensure that the public has a proper understanding of their legislation, and to make sure that the bill has a positive impact on the trail system in our province. If it doesn't, if it continues to result in the closure of trails, whatever the text of the legislation says, Bill 100 will have been a total disaster, setting back Ontario's trail system for decades.

1720

I had hoped that the government would have accepted our amendments of the bill. We proposed clear, plain-English additions to the legislation that would have reassured any reader, be they a landowner or a trail user, that the false stories circulating about the bill held no water. Early on, we had been under the impression that the government was receptive to our modest proposals, but they steadily drew back, and when it came to the crunch, the Liberals on the committee didn't support any of our new amendments.

These were pretty good policy ideas, Speaker, that had no negative impact on the bill whatsoever and would have helped diffuse some of the tensions surrounding the legislation. I'm sorry to say that, as is often the case, good amendments weren't accepted in committee for political rather than policy reasons, and that's pretty sad.

One of our amendments stated that, "For greater certainty, an agreement between the owner of the land and an eligible body that gives the organization the right to use or access all or a portion of the land on a seasonal basis does not constitute an easement for the purposes of this section unless the agreement so specifies." It was very clear, Speaker—very specific. Any landowner reading this would have been reassured that had none of their existing or future handshake agreements would ever, ever be converted into an easement on their property. I don't understand why the government didn't accept this. The legislation obviously doesn't intend to do such a thing, so why not allow a plain-English addition to make it crystal clear to everyone reading, especially when this has been one of the biggest myths circulating around Bill 100?

Another one of our amendments stated, "For greater certainty, nothing in this section shall be interpreted so as to give an eligible body the right or power to reserve or create an easement on an owner's land except in accordance with subsection (3) or (4)." The government's excuse for not supporting this amendment was that it would restrict the ability of one eligible body to assign an easement to another eligible body. That is very obviously not the case.

Even though we were not in favour of the subsection on assignments for transfers, the amendment said nothing about transferring an existing easement. It spoke only about creating a new one. All this amendment did was to clarify that no eligible body would have the power to impose an easement on private land. Again, it was reassuring that the existing system of the agreement would not be part of a slippery slope into some sort of automatic easement or claim or easement. It is very disappointing, Speaker, that the government members were unwilling to support a common sense amendment such as this.

Now, I don't want to be all negative. To their credit, the government did accept one clarifying amendment that had been proposed by all three parties. The bill has thus been amended to state that the decision to grant an easement under subsection (3) is voluntary. I'm pleased that the Minister of Tourism, Culture and Sport listened to the opposition parties and the committee witnesses in

this case and accepted that, a positive amendment. The minister has already been quoted as saying that, "An easement pursuant to Bill 100, if passed, would be a voluntary agreement between a landowner and an eligible body or bodies. No property owner would be compelled to provide an easement unless they agreed to do so." This amendment incorporated that ministerial statement into the legislation.

With all that happening, the only way to reassure landowners of the truth of this statement was to insert clear language to that effect directly in the bill. In this case, it did that. I only wish it had done the same for our other two amendments that had similar purposes.

As my colleague from Timiskaming-Cochrane has said, words like "easement" and "covenant" are trigger words for lawyers. So as well as more clarity in the language, we need better communication and outreach so that people can see for themselves and be reassured that existing arrangements are not affected, that the cloud of lawyers and the possibility of losing power over your land are blown away. As for the options around easements, those need to be written and communicated very clearly as well, so that everyone is clear about their rights. Something that many of the members and their constituents have found problematic is the ability of an eligible body to assign an easement to another eligible body.

There simply aren't enough conditions on this. This is the kind of provision that will have landowners dead set against the legislation. We supported the PC amendment to remove schedule 1, section 12, subsection (8) entirely, as we heard both at committee and back in our ridings that it was causing far too much grief for any possible benefit it provided. Unfortunately the government was not willing to back down on this one.

Just as a point of information, Speaker, I'll be sharing my time with the members from Timiskaming-Cochrane and Algoma-Manitoulin.

As a result of that, we are not satisfied with the legislation in front of us. Some amendments have been made to ease some of the concerns about this, but it does not remove the problem entirely. What we were looking for was an assurance in the legislation that if any assignment or transfer did occur, it would be conditional on the consent of the property owner. I appreciate that the minister's office did reach out to us on this, but we weren't able to cross the divide. This wasn't something our constituents wanted us to compromise on, so we couldn't.

I'd like to repeat how deeply disappointed we are that the government refused to take the committee hearings for this bill on the road to northern Ontario. We proposed two days of hearings in the north, perhaps in places like Sudbury or Sault Ste. Marie, but the Liberal members turned it down.

In second reading debate, the member for Kingston and the Islands informed the House that 11 ministries participated in the process of developing this legislation. It is good to see collaboration across government lines

and between ministries. I don't want to downplay the importance of that for developing good public policy, but it's far from sufficient, and it is of absolutely no reassurance to the people in rural and northern Ontario. What happens at Queen's Park in committees and through ministries really doesn't get to them. They want it in plain, straight English so there can be no technicalities, there can be no games played and they feel comfortable with it.

We on the opposition side of the House had hoped the government would make this process more accessible to the people it really impacts. I had hoped, at the very least, if not out of respect for the people of rural and northern Ontario and if not out of genuine desire for good public policy, that the government might be persuaded to engage more deeply with these communities out of pure political self-interest. Because nothing is going to alienate them further from this government faster than the perception that they are ramming through a bill for rural Ontario designed in Toronto and discussed in Toronto, in this building, and that the only consultations they hold are in Toronto, in this building, and with some of the people in Toronto. It certainly doesn't give the north a warm feeling about their involvement that they don't have the decency or the respect to go and have an open, two-way conversation with the people in communities most directly affected by this legislation, in the north.

That infuriates people. It alienates them and causes great resentment for southern Ontario and this building. That mood is growing in the province, unfortunately. We have to change that. We have to make the people in northern Ontario feel part of the process, part of our great province and all the good things that they bring to the table.

But it's not just geographic. The government is going out of its way to alienate so many demographics and segments of the population across this province, and that includes a lot of people even in Toronto. Imagine making enemies out of the parents of autistic children. It beggars belief that a government in a hole would keep on digging, but there they are, about to break through the earth's crust with some of these policies. The culture of scandal and waste surrounding the government has created deep distrust among the people of Ontario, and rightfully so.

Now they are hearing about a bill that might take away their rights over their own land, and they are willing to believe it, or at least consider the possibility, because the government's track record doesn't give them any confidence in its good faith or good intentions. I guess what they're saying is that they have been burned before and they don't want to be burned again.

It's not just geographic. The government is going out of its way to alienate some demographics and segments across the province. That includes a lot of people in Toronto, as I've said.

Remember, the farmers and landowners don't gain personally from allowing access to these trails. So when they hear bad stories about this bill, they rightly get

nervous, because they have a lot to lose if they are true, a lot more than they have to gain if they are false. It's going to require very honest, good-faith outreach from this government to reassure private landowners they have nothing to fear from this bill.

This is a well-intentioned bill, Speaker, I must admit, and we supported it at second reading in the hope that the government would be willing to accept constructive amendments and that the government would be willing to take the committee hearings and consultations on the road to communities impacted by this legislation. Well, we got a quarter of the way there, and that's profoundly disappointing, to say the least.

I will give some credit to the minister. He both proposed and accepted some constructive amendments that have improved the legislation. There are many ministers in the government who will not listen and will not amend bills, which is not good, but, as my colleague from Timiskaming-Cochrane said, you've got the government with lawyers, and the eligible bodies and the future eligible bodies will all have lawyers, but what about the landowners? If they get into a process where they need a lawyer, they're not going to bother. They're going to say, "Sorry, you're not going across my land," because why would they punish themselves through that and put themselves through all that aggravation of cost and lawyers?

1730

This legislation needs to be clear that a lawyer doesn't need to be involved at all—no lawyers, no courts, no judges. Once there's legal uncertainty, the deal would be off—game over for the trails. I urge the government to listen to what you've been hearing repeatedly and consistently from members on this side of the House.

When this bill receives royal assent, you'll have to take it on the road again. You'll have to take it to places that actually have these trails and depend on these trails. It needs to be done properly for the people of rural Ontario, especially for the parts of the province that depend on these trails for snowmobiling, not just for their own access, but for the snowmobile industry and all the tourist dollars that follow in certain parts of this province. Local economies depend on it, and it takes a few landowners to say no and the whole system of trails collapses in our province. That would be terrible. It would be a real blow for these communities and such an unnecessary one.

It can easily be avoided if this government takes out their road show and talks with people who actually use these trails and own the land that these trails go on, not their Toronto spokesperson or their Toronto stakeholders; go directly to the people themselves. I urge the government to not just go and talk, but to listen to what they say. This could be a very beneficial bill for Ontario trails and for rural Ontario, and it would be a terrible shame if poor communication and the unwillingness to engage turned this good bill into a disaster for the trail system. Don't let it happen.

We all want the Ontario trail system to expand and flourish. We all want to act in a way that benefits the

people of rural Ontario and northern Ontario. But if the government doesn't communicate, if it doesn't take the bus around the province, then I truly fear that, one by one, farmers and landowners across Ontario are going to lose their faith and maybe close off some of the trails. They're going to cancel long-standing agreements and understandings that used to be made with a handshake. The threads that run across our province and within our communities could be broken. The trails across Ontario will start shutting down. They will destroy accessibility. They will ruin livelihoods. They will damage the fabric of many communities. And this government will wear it. If it falls apart, they'll wear it.

It doesn't have to be that way, Speaker. I know that the minister knows this. This legislation can still be a success story for the Ontario trail system. I hope the government comes to an understanding of that. I hope the government will listen to the people of northern Ontario and the rest of Ontario: eastern Ontario, western Ontario and southern Ontario.

Mr. Rick Nicholls: Continuing with debate, I recognize the member from Timiskaming–Cochrane.

Mr. John Vanthof: Just to start off, I will be sharing my time with the member from Algoma–Manitoulin.

Once again, it's an opportunity and an honour to be able to rise in this House, and specifically to speak about Bill 100, the trails act. At the start, I had an opportunity to speak on second reading, and I'd like to repeat part of it again, just for clarity. I'm a proud snowmobiler and I'm a member of the Tri-Town Sno Travellers. I'm also a property owner. Another snowmobile club, Club Echo from Earlton, has had the right to use my property for the last 30 years, I believe. I am confident that that will continue.

In my first 20 minutes on this bill, I concentrated on the snowmobile part of this that affects snowmobilers. I'm going to do that again in third reading. It's very important to my riding, and not just to my riding but to northern Ontario, and not just northern Ontario but to the province as a whole, because the snowmobile trail system is not only a great source of enjoyment for many people, but it's also a very big economic driver.

When I spoke the first time in second reading on this bill—and just for anyone who's interested, first reading is kind of a formality. In second reading, those of our members who want to speak to it speak to it, unless the government decides to time-allocate. But most times, people get to speak to it. Then it goes to committee where the public gets to speak to it. Then it goes through an amendment process, and some amendments are accepted and some are rejected. Then it comes back for third reading and passage.

In my first kick at the can, I identified three issues with this bill. The other speakers here have done a pretty good job of saying that the big issue is that if property owners lose faith, they will take away the right to use their property.

One of the issues that property owners have with this bill is, there is a section in this bill that allows an

easement to be granted to a club. There's a reason for that, and I gave an example: If a club wants to put a bridge onto an obstacle, if they need to put a bridge over that obstacle, and it's on private land, right now it's with a handshake. This bridge could cost \$200,000, and a year from now the property owner could say, "No, you are no longer allowed through my land," so the investment in that bridge could be gone. That's why a club would want an easement. If that was the case on my property, I think it would be a valid proposition to put an easement. Many property owners were concerned, as were we, that the easement—it had to be very plain in this bill, because the intent of the bill hasn't changed on that issue. But the language has, due to our work, and the official opposition, and the government working with us, the minister working with us, and his staff. It's much clearer in the bill now that an easement is a voluntary process initiated by the property owner. If the property owner does not want to grant an easement, it won't be granted. That's a crucial change in this bill. I'm not going to go through which amendment is which.

For property owners like me in my part of the world and across the province, the easement process is a voluntary process. I am going to continue to grant Club Echo the use of my property. I am not going to grant them an easement. I am going to grant them the right to use my property on a seasonal basis. That is not an easement, and that will still give me, and my fellow property owners, the ultimate control of that property. That's an improvement.

Another issue that we put forward, and that I put forward in my first kick at the can at second reading, was that the main issues in this bill were with people in rural Ontario, specifically northern Ontario, and that this bill should be at least travelled to northern Ontario so that property owners from throughout the province could participate in the process. That wasn't done. The hearings were held here. I'm not one who tends to overblow things, but that, quite frankly, was a slap in the face to property owners. It was clearly identified. On our side, the third party, the NDP—we weren't asking for months of hearings, to delay this, because this is very important to us. We do not want the trail system to fail. But the government thought otherwise, so the hearings were only in Toronto.

I attended part of the hearings, and I would like to put on the record that the Ontario Federation of Snowmobile Clubs made a very good presentation and they understood what the issue is. The issue isn't about stakeholder groups, as the federation of snowmobile clubs is, as the Ontario Trails Council is, even as the landowners are. The issue is with individual property owners. That's the issue. Those are the people who haven't really been consulted, and those people are actually the people who allow the use, as I do—I allow the use of my land for no financial benefit at all. Actually, it's a financial loss, because on farmland, when there's a snowmobile trail, the yield is much less. We do it for the good of the community. So the fact that we weren't—and I say "we"

as a collective “we,” because I think I was fairly well consulted because I’m the MPP, but my fellow property owners don’t feel that well consulted.

The third issue that hasn’t been addressed in this bill—and I’ve listened this afternoon, and I don’t think it has been addressed very well. The third issue in this bill is for those property owners who, out of the good of their heart, do grant an easement.

1740

Within this bill, if you grant an easement to one group, unless you make sure that it’s stipulated by—and you know what: For this bill, if you grant an easement, before you do that, you’d better consult a lawyer. This bill does not protect property owners who grant an easement, because the default position in this bill is if—and I’ll use, as my example, a bridge. If I grant an easement for the bridge to a federation, clubs or any club, and I don’t specifically put in, in a covenant, that this easement is not to be transferred, then it’s fully transferable. So the default position of this bill is to allow the transfer of easements to other groups.

Quite frankly, I find that abhorrent because the property owner who actually grants the easement is not protected unless he or she gets a very good lawyer. I brought up in the second reading that this was a no-go for me. It still is. I’m going to support this bill because I think there are some good changes to be made, but I want to make it very clear for those people who were going to grant an easement that the default position is not in favour of the property owner. That is a huge, huge problem.

People say, “Oh, no, it’s easy to understand.” I’ll read an amendment. We put forward an amendment: “For greater certainty, nothing in this section shall be interpreted so as to give an eligible body the right or power to reserve or create an easement on an owner’s land except in accordance with subsection (3) or (4).”

What that amendment was for is to clarify in people’s minds that—just like I do, I grant a yearly use permit—even if I do that for 20 years, it slowly doesn’t morph into some kind of easement. That’s what we put that in for. The Liberal members voted against it, and their argument was that the amendment would restrict the ability of one eligible body to assign an easement to another eligible body. Even the Liberal members in that committee did not understand this bill.

So I beg people to understand: If you are going to enter into an easement with any club—and there are cases where it’s a perfectly legitimate thing to do—it’s going to cost you the money for a lawyer. It had better be a good one because you have the ability now to put covenants in, which is a good thing, but they’re not going to go in by themselves. At minimum, it should be put in that, if you decide to grant an easement as a property owner, the easement should not be transferable, and it should be very clear who can go on that trail with the easement and for how long. I’m sure there are other ones. But if you just grant an open-ended easement because—in my case, with the Federation of Snowmobile Clubs,

my local club, I have a very good relationship with the club. In my personal case, I wouldn’t have a problem working together with my snowmobile club. If they need an easement on one of my properties, I wouldn’t have a problem, but I know that you need to get your own legal opinion to be protected because in 10 years you might not be dealing with the same people, and whoever you deal with might not be the same. You might not be as happy. That’s very, very important.

That’s a real problem with this bill: The default position with the easement is for the trail organization. It’s not for the property owner. That, in my opinion, is inexcusable. That’s why I’m really focusing on this issue.

Yes, I support this act. I fully support the snowmobile system, and there are a lot of improvements for the snowmobile system, but the fact that if you are one of those people who actually goes out of your way to grant an easement, you could be punished in the future by doing so if you don’t take the proper legal precautions—because, like I said in second reading, the government has lots of lawyers and the trail organizations have lots of lawyers. Somehow the government’s lawyers missed this or didn’t understand it. The government has lots of legal representation advising the members on the committees, and obviously the member in this committee did not understand what was being proposed, because her debate made no sense at all. That’s a problem. Again, the act is much clearer on whether an easement is voluntary or not. It’s voluntary. That’s a good thing.

They didn’t have hearings in the places where it really mattered, with the people who really mattered. That’s a problem, because there are still people out there who have never been consulted, who have never really heard about what this is. They’re going to read an article in the paper and they very well could no longer allow the use of their property based on a rumour. That’s tragic, because the trail system is very important. That could be because the government never bothered to actually go to places where trails are a lifeline, a lifeblood.

Like I said, OFSC came here and they did a great job. There were a couple of others—and I’m not going to name them. But I was sitting at those hearings, and you know what? The OFSC did a great job. I was happy that I was an OFSC member, and I was fairly confident because I allowed them the use of my land. But the next person who came to testify, I thought, “Boy, if he comes on my farm, I’m closing the trail the next day or the same day.” But the way this act is set up now, if the trail group transfers their easement, I could very well get the other guy. That is a huge risk.

If I can leave the people of my area—overall, Bill 100 is good. It lessens your liability. It doesn’t take away the power of your land, but it has a huge caveat, and that is, if you decide to grant any type of easement, be very, very careful; be very, very afraid. And if you’re going to be very afraid, you know what you do? You protect yourself. If it makes sense, if the easement makes sense—because you know there will be people who will want to do this, and I can think of examples in my riding where it

makes perfect sense—be very, very careful. Make sure you are protected. Usually a bill, a law, in my opinion, a balanced law—everyone should be equally protected. With this, with the section that allows you to grant an easement, once you decide to grant an easement, the default position goes to the trail organization; it doesn't go to you. You are not equally protected. You will have to make sure that you pay for a lawyer—and it had better be a good one—and that he or she makes sure that there are covenants in that easement that protect the property owner, because they are not in there as part of the bill.

The Acting Speaker (Mr. Rick Nicholls): I recognize the member from Algoma–Manitoulin.

Ms. Lisa MacLeod: Bring us home, Mantha. Bring us home.

Mr. Michael Mantha: I will. I'm going to invite you all to my home in Algoma–Manitoulin, because I think what was significantly done in committee and also through our discussions, the amendments that were done—it's going to take a lot of work with the Ski-Doo clubs, with the trail activists over the course of the summer, but I think we've done enough in order to satisfy them, along with the landowners on Manitoulin Island, across the North Shore and in the northern part of my riding, that we'll be able to see some good activities going on over the course of the winter.

There's a few things I wanted to touch on. We're getting late in the hour of the day, Mr. Speaker, so I'll be brief in my comments.

The member from Timiskaming–Cochrane really articulated and presented the concerns for the individuals who are going to be thinking of putting in an easement—I'll touch on that a little bit later. But the major concerns that were coming from my area—and first, I want to go back to the debate that was shut down on this particular bill and the fact that we didn't consult with many of the affected areas within this province. The simple ask—that we wanted to go out to where the individuals were that were really going to be affected by the amendments in this bill, throughout northern Ontario—was not something that was accepted by the Liberal government. However, we did have an opportunity to hear from the trail enthusiasts at committee, and I was very much involved with those discussions at the committee stage.

1750

The major concerns that were coming out from my area—one was the interpretation, under section 4 or 5, that the minister may recognize a trail as an Ontario trail of distinction or the minister may establish a trail classification system. Some of the individuals were confused as to what that exactly meant. Does that give special designation to the minister to assign the trail, or to go over and disregard a landowner's choice of granting that trail on his property, if it had been there historically and now he wanted to change his mind? Through the discussions that we had in committee, it basically means that if a landowner, along with a Ski-Doo club and maybe a municipality, has identified a trail—and let's call it the Blue Bayou Trail or the Blueberry Patch

Trail—and they want to identify that in order to promote it, in order to have an enhanced economic opportunity to attract people to their communities, they will do so. That's what that means. So that was one of the concerns that was there from many of the people across my area.

The other thing that people are very encouraged about when they're looking at this bill is that we're actually going to develop a trails strategy now. There's going to be more of a focus on the importance of Ski-Doo clubs and there's going to be more importance on the trails that are within our areas, and the minister will have to report back to this House.

So there are good things in this bill, as we go through it, that were encouraging to individuals across this province—that they were now going to be part of the greater discussion. That's also key: being part of that greater discussion. You have to reach out to those areas across this province. You have to have an engagement process.

When there was a lot of confusion that came out of this bill, and when the minister basically stood up and said, "Wait a second; just trust us. We'll get this done. We'll get this right"—I'm sorry, but the history is there. Your track record has not been very good with Ontarians over the course of the last few years as far as trusting you in regard to what you're going to be doing and how these amendments are going to change and how in this piece of legislation we're going to change the historical significance and the agreements that have been there between landowners and particularly the trail enthusiasts. The OFSC made an excellent presentation.

The other concern that was cleared was—this is going to continue being a voluntary process. The landowner who had the voluntary agreement with the Ski-Doo enthusiasts—you had that handshake. It's a volunteer process. It has always been there. It has always worked. People wanted to make sure that it is going to be there. I can say, by participating at the committee stage, that those agreements are going to be there going forward. That is the second-biggest concern that I had from constituents across my riding.

The other thing concerned the discussions particularly around schedule 12 and the concerns that are there when it comes to the easement. There were definitely some huge uncertainties that were there, and I'm going to be working very diligently along with the Ski-Doo clubs over the course of the summer to clarify that to individuals. My recommendation that I'm going to be making to landowners is, don't get into an easement. Stay away from them. Continue with the practice that you had, with a handshake and a voluntary agreement. If you open up that Pandora's box, you'd better make darn sure that you have every restriction, a clear understanding of who is going to be using that trail for what period of time, for what groups, for what duration, how long, and just making sure that it's crystal clear. Get your legal department, get your legal representatives to help you make sure that you know exactly what will happen if you are going to grant that easement.

It is important that we have those easements in certain areas. You have to understand that. We're going to be putting a lot of money on these trails, and the amount of Ski-Doo's that are going to be using these areas—some of these grids are quite costly, so we're going to be doing that.

Applause.

Mr. Michael Mantha: I'm not done. They shut down the damn debate when I stood up in this House, when I wanted to speak. They can stay here a couple of more minutes and listen to me, for crying out loud, because these are the voices and these are the views from the individuals across Algoma–Manitoulin. I was quite prepared that morning with a darn good speech. I had a 20-minute speech to deliver, and they shut down the debate on me.

I've articulated the points and concerns from the constituents that I have across Algoma–Manitoulin. I look forward to engaging with them. I am going to be supporting this act because the principle that the agreements are going to be voluntary is going to go forward, and I'm looking to present that and having those discussions with my constituents in my riding.

I'm done.

The Acting Speaker (Mr. Rick Nicholls): Questions and comments? Further debate?

Mr. Coteau has moved third reading of Bill 100, An Act to enact the Ontario Trails Act, 2015 and to amend various Acts. Is it the pleasure of the House that the motion carry?

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

All those opposed to the motion will please say "nay."
In my opinion, the ayes have it. Call in the members. There will be a 30-minute bell.

Interjections.

The Acting Speaker (Mr. Rick Nicholls): Order, please.

I have received a deferral slip to the Speaker of the Legislative Assembly: "Pursuant to standing order 28(h), I request that the vote on third reading of Bill 100 be deferred until deferred votes on Wednesday, June 1, 2016."

Third reading vote deferred.

The Acting Speaker (Mr. Rick Nicholls): Seeing as it is now close to 6 o'clock, this House stands adjourned until 9 o'clock tomorrow morning.

The House adjourned at 1757.

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Hunter, Hon. / L'hon. Mitzie (LIB)	Scarborough–Guildwood	Associate Minister of Finance (Ontario Retirement Pension Plan) / Ministre associée des Finances (Régime de retraite de la province de l'Ontario)
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McMahon, Eleanor (LIB)	Burlington	
McMeekin, Hon. / L'hon. Ted (LIB)	Ancaster–Dundas–Flamborough– Westdale	Minister of Municipal Affairs and Housing / Ministre des Affaires municipales et du Logement
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Vernile, Daiene (LIB)	Kitchener Centre / Kitchener-Centre	
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Wilson, Jim (PC)	Simcoe–Grey	Opposition House Leader / Leader parlementaire de l'opposition officielle
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Soo Wong
Committee Clerk / Greffier: Trevor Day

**Standing Committee on Public Accounts / Comité permanent
des comptes publics**

Chair / Président: Ernie Hardeman
Vice-Chair / Vice-présidente: Lisa MacLeod
Chris Ballard, John Fraser
Ernie Hardeman, Percy Hatfield
Lisa MacLeod, Harinder Malhi
Peter Z. Milczyn, Julia Munro
Lou Rinaldi
Committee Clerk / Greffière: Valerie Quioc Lim

**Standing Committee on Regulations and Private Bills / Comité
permanent des règlements et des projets de loi d'intérêt privé**

Chair / Présidente: Indira Naidoo-Harris
Vice-Chair / Vice-présidente: Kathryn McGarry
Lorenzo Berardinetti, Bob Delaney
Joe Dickson, Jennifer K. French
Amrit Mangat, Kathryn McGarry
Indira Naidoo-Harris, Bill Walker
Jeff Yurek
Committee Clerk / Greffier: Christopher Tyrell

**Standing Committee on Social Policy / Comité permanent de
la politique sociale**

Chair / Président: Peter Tabuns
Vice-Chair / Vice-président: Jagmeet Singh
Granville Anderson, Lorne Coe
Vic Dhillon, John Fraser
Marie-France Lalonde, Gila Martow
Kathryn McGarry, Jagmeet Singh
Peter Tabuns
Committee Clerk / Greffier: Katch Koch

Continued from back cover

Autism treatment

Ms. Sylvia Jones	9706
Hon. Tracy MacCharles	9706

Mercury poisoning

Mme France Gélinas	9706
Hon. Kathleen O. Wynne	9706

Beef producers

Mr. Grant Crack	9707
Hon. Jeff Leal	9707

Milton courthouse

Mr. Ted Arnott	9708
Hon. Madeleine Meilleur	9708

Visitors

Hon. Yasir Naqvi	9708
The Speaker (Hon. Dave Levac)	9708

DEFERRED VOTES / VOTES DIFFÉRÉS

Time allocation

Motion, as amended, agreed to	9709
-------------------------------------	------

**INTRODUCTION OF VISITORS /
PRÉSENTATION DES VISITEURS**

Mr. Steve Clark	9709
Mr. Peter Tabuns	9709
Mr. Bill Walker	9709

**MEMBERS' STATEMENTS /
DÉCLARATIONS DES DÉPUTÉS**

World No Tobacco Day

Mr. Bill Walker	9709
-----------------------	------

Poverty

Mr. Paul Miller	9709
-----------------------	------

Lali Vij

Ms. Indira Naidoo-Harris	9709
--------------------------------	------

Language training

Mr. Victor Fedeli	9710
-------------------------	------

Lyme disease

Mr. Michael Mantha	9710
--------------------------	------

Session Toronto Craft Beer Festival

Mr. Han Dong	9710
--------------------	------

Special Olympics Ontario Provincial Spring Games

Mr. Jeff Yurek	9711
----------------------	------

Smoke-free Ontario / Un Ontario sans fumée

Mrs. Marie-France Lalonde	9711
---------------------------------	------

Sikh martyrdom parade

Ms. Harinder Malhi	9711
--------------------------	------

**Annual report, Environmental Commissioner of
Ontario**

The Speaker (Hon. Dave Levac)	9712
-------------------------------------	------

**REPORTS BY COMMITTEES /
RAPPORTS DES COMITÉS**

Standing Committee on Government Agencies

The Speaker (Hon. Dave Levac)	9712
Report deemed adopted	9712

Standing Committee on Social Policy

Mr. Peter Tabuns	9712
Report adopted	9712

Standing Committee on General Government

Mr. Grant Crack	9712
Report adopted	9712

**INTRODUCTION OF BILLS /
DÉPÔT DES PROJETS DE LOI**

**Financial Accountability Officer Amendment Act,
2016, Bill 208, Ms. Fife / Loi de 2016 modifiant la
Loi sur le directeur de la responsabilité financière,
projet de loi 208, Mme Fife**

First reading agreed to	9712
Ms. Catherine Fife	9712

**STATEMENTS BY THE MINISTRY
AND RESPONSES / DÉCLARATIONS
MINISTÉRIELLES ET RÉPONSES**

**Sexual violence and harassment / La violence et le
harcèlement à caractère sexuel**

Hon. Tracy MacCharles	9713
Ms. Laurie Scott	9713
Ms. Peggy Sattler	9714

PETITIONS / PÉTITIONS

Government services

Mr. Steve Clark	9715
-----------------------	------

Crown attorneys

Ms. Sarah Campbell	9715
--------------------------	------

Men's health

Mr. Arthur Potts	9716
------------------------	------

Children's immunization program

Mr. Todd Smith	9716
----------------------	------

Bereavement leave

Mr. Peter Tabuns	9716
------------------------	------

Lung health

Mrs. Kathryn McGarry	9716
----------------------------	------

Energy policies	
Mr. Robert Bailey	9717
Accident benefits	
Mr. Jagmeet Singh.....	9717
Water fluoridation	
Mrs. Kathryn McGarry	9717
Special-needs students	
Mr. Todd Smith	9717
Lyme disease	
Mr. Michael Mantha	9718
Lung health	
Mrs. Kathryn McGarry	9718

ORDERS OF THE DAY / ORDRE DU JOUR

Supporting Ontario's Trails Act, 2016, Bill 100, Mr. Coteau / Loi de 2016 sur le soutien aux sentiers de l'Ontario, projet de loi 100, M. Coteau	
Hon. Michael Coteau	9718
Ms. Sophie Kiwala	9721
Mr. Steve Clark.....	9724
Mr. Jack MacLaren.....	9725
Ms. Sylvia Jones	9726
Mr. John Yakabuski.....	9727
Ms. Lisa MacLeod.....	9728
Mr. Bill Walker.....	9728
Mr. Paul Miller	9729
Mr. John Vanthof.....	9733
Mr. Michael Mantha.....	9735
Third reading vote deferred	9736

CONTENTS / TABLE DES MATIÈRES

Tuesday 31 May 2016 / Mardi 31 mai 2016

ORDERS OF THE DAY / ORDRE DU JOUR

Waste-Free Ontario Act, 2016, Bill 151, Mr. Murray / Loi de 2016 favorisant un Ontario sans déchets, projet de loi 151, M. Murray

Ms. Teresa J. Armstrong	9683
Hon. Bill Mauro	9686
Ms. Lisa M. Thompson	9686
Mr. Michael Mantha	9686
Mrs. Amrit Mangat	9687
Ms. Teresa J. Armstrong	9687
Mr. John Yakabuski	9687
Ms. Jennifer K. French.....	9690
Hon. James J. Bradley.....	9690
Ms. Lisa M. Thompson.....	9690
Mrs. Lisa Gretzky	9691
Mr. John Yakabuski	9691
Mr. Jagmeet Singh	9691
Third reading debate deemed adjourned	9693

INTRODUCTION OF VISITORS / PRÉSENTATION DES VISITEURS

The Speaker (Hon. Dave Levac).....	9693
Mr. Toby Barrett	9693
Mr. Peter Tabuns.....	9693
Hon. Jeff Leal.....	9693
Mr. Ted Arnott.....	9693
Ms. Sarah Campbell.....	9693
Hon. Michael Coteau	9694
Ms. Lisa MacLeod	9694
Mr. John Vanthof.....	9694
Hon. Kevin Daniel Flynn	9694
Mr. Todd Smith.....	9694
Mrs. Marie-France Lalonde	9694
Hon. Kathleen O. Wynne.....	9694
Hon. Dipika Damerla	9694
Mr. Bill Walker	9694
Mr. Mike Colle.....	9694
Hon. Yasir Naqvi	9694
L'hon. Madeleine Meilleur	9694
Mr. Robert Bailey	9694
Hon. Kevin Daniel Flynn	9694
Legislative pages	
The Speaker (Hon. Dave Levac).....	9694

Visitors

Hon. David Zimmer	9695
The Speaker (Hon. Dave Levac)	9695

Michael Dietsch

Mr. Tim Hudak.....	9695
Mr. Wayne Gates	9696
Hon. James J. Bradley.....	9697
The Speaker (Hon. Dave Levac)	9697

ORAL QUESTIONS / QUESTIONS ORALES

Health care funding

Mr. Patrick Brown.....	9697
Hon. Kathleen O. Wynne	9698
Hon. Eric Hoskins	9698

Climate change

Mr. Patrick Brown.....	9699
Hon. Kathleen O. Wynne	9699

Energy policies

Ms. Andrea Horwath.....	9700
Hon. Kathleen O. Wynne	9700
Hon. Charles Sousa	9700

Hospital funding

Ms. Andrea Horwath.....	9701
Hon. Eric Hoskins	9701

Government accountability

Mr. Victor Fedeli.....	9702
Hon. Kathleen O. Wynne	9702
Hon. Charles Sousa	9702

Government accountability

Ms. Catherine Fife.....	9702
Hon. Charles Sousa	9703

Truth and Reconciliation Commission

Ms. Sophie Kiwala	9703
Hon. David Zimmer	9703

Road safety

Mr. Patrick Brown.....	9704
Hon. Kathleen O. Wynne	9704

Aboriginal children and youth

Ms. Sarah Campbell.....	9704
Hon. Tracy MacCharles	9704

Youth services

Ms. Daiene Vernile	9705
Hon. Madeleine Meilleur	9705

Continued on inside back cover