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**Official Report
of Debates
(Hansard)**

**Journal
des débats
(Hansard)**

Wednesday 16 May 2007

Mercredi 16 mai 2007

Speaker
Honourable Michael A. Brown

Président
L'honorable Michael A. Brown

Clerk
Deborah Deller

Greffière
Deborah Deller

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LEGISLATIVE ASSEMBLY OF ONTARIO

Wednesday 16 May 2007

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Mercredi 16 mai 2007

*The House met at 1330.
Prayers.*

MEMBERS' STATEMENTS

NATIVE LAND DISPUTE

Mr. John Yakabuski (Renfrew–Nipissing–Pembroke): The illegal occupation of land in Caledonia is now into its 441st day, with no resolution in sight. The McGuinty government has spent untold thousands of tax dollars in smokescreen negotiating efforts by former Liberal politicians for a no-result performance.

Last week, following the suggestion of my colleague the MPP for Leeds–Grenville, the government finally appointed someone with professional mediation credentials. But, alas, mediations will be to no avail. The McGuinty government knows that acceptance of the occupiers' demands will cause outrage and, like so many other hot-potato issues, a deal—more likely, a caving in—will not occur until after the provincial election.

Now the Premier has suggested that native land claims should be negotiated and settled by a third party. That is a total abdication of the government's responsibility. As we've said before, when the going gets tough, he ducks.

The McGuinty government's failure to deal effectively with the challenges of Caledonia and uphold the rule of law has not only cost the taxpayers of Ontario millions of dollars and created a living hell for many Caledonians, it has also emboldened others to carry out similar acts and to threaten more to come. Mr. McGuinty's efforts to deflect responsibility for the Caledonia mess, and other actions it may foster, will not sell. We all know who is responsible, and his first name is Dalton.

LONG-TERM CARE

Mr. Peter Fonseca (Mississauga East): I rise today to acknowledge a tremendous effort from two individuals who are from my riding of Mississauga East. They have taken advantage of the democratic process in raising an important concern to their elected official. Out of cause for concern, Angela Shaw and Julie Curitti, both of whom are registered nurses and sit on the Cawthra Gardens Family Council, worked with the support of the Registered Nurses Association of Ontario, the Dietitians of Canada, CARP and the food service managers at the Cawthra Gardens facility to start a petition campaign.

I'm proud to announce that Angela and Julie, in concert with the other organizations and five additional people who are with us here today—Linda Dietrich, Leslie Carter, Wendy Fucile, Norma Nicholson and Tina Ottawa—worked on this petition and have managed to get over 19,000 signatures. I will be reading the petition and tabling the signatures this afternoon. This initiative, undertaken by Angela and Julie, is an example of individuals caring for the needs of seniors, knowing that seniors deserve the best of care.

I'm proud the McGuinty government has made much progress for the betterment of seniors in long-term-care homes. The group undertook this campaign because they want to improve the lives of seniors who live in long-term-care homes. The care of senior members of our society means so much to each and every one of us, because everyone is a senior in their lives and we all want what is best for them.

WATER QUALITY

Ms. Laurie Scott (Haliburton–Victoria–Brock): I rise today to recognize the excellent work and commitment to water supply and safety by the members of the Ontario Sewer and Watermain Construction Association. I would also like to note that Dalton McGuinty and his Minister of the Environment have completely disregarded questions and statements, and refused to respond to their own Watertight report on water and waste water infrastructure or to draft regulations on the Sustainable Water and Sewage Systems Act. Last year alone I brought this to the minister in April, June, October and November; not one response.

May 19 represents the seventh anniversary of the tragedy in Walkerton, and as stated in a press release from the Ontario Sewer and Watermain Construction Association, "In spite of an exhaustive inquiry into the tragedy and a detailed report by Justice O'Connor, the McGuinty government has not acted on the recommendations regarding the aging and neglected system of watermains and sewer pipes throughout the province." To date, there has been no plan articulated by the Minister of the Environment or the McGuinty government to address the key action items in the Walkerton report regarding piping infrastructure.

What we do know is that Dalton McGuinty and the Minister of the Environment continue to use the people of Walkerton as nothing more than a political football. What they refer to as action is a direct defiance of Justice

O'Connor's report by effectively downloading the cost and liabilities of their legislation onto municipalities and rural communities and creating another level of bureaucracy in order to do it. It's time for action. It's time for leadership and not more broken promises.

MUSEUM STRATHROY-CARADOC

Mrs. Maria Van Bommel (Lambton-Kent-Middlesex): I'm proud to announce today that on May 24, the municipality of Strathroy-Caradoc will be making history and will do so by celebrating the past. Museum Strathroy-Caradoc, completed in February of this year, will celebrate the official grand opening of its new state-of-the-art exhibition and storage facility. Home to over 20,000 community artefacts, the storage facility and its dynamic exhibition centre have found extraordinary success. Indeed, within the first three months of its opening, the museum, in partnership with the Royal Ontario Museum, drew over 6,000 visitors.

A grand opening of the museum will be celebrated with live music, historical demonstrations, tours and a new exhibition called Rural Roots. It will speak to the rich history that has seen the transformation of a small settlement into the present-day thriving rural community that it is, a history shared with many communities that hold the farm at their centre. It's expected that curators and enthusiasts from across the province will attend the grand opening.

May 24 will mark the beginning of a new chapter in the history of Strathroy-Caradoc. It signals the commitment of this municipality and the province to the commemoration of our history and its preservation for posterity. Most significantly, it ensures that the story of rural communities like Strathroy-Caradoc will remain alive for their residents, as well as making a wonderful discovery for our visitors. I commend and recommend to everyone the discovery story of Museum Strathroy-Caradoc, and I suggest that we all visit the new facility or at least try to do so by visiting it online.

WINDSOR BRIDGE

Mr. John O'Toole (Durham): I rise in the House today because of the McGuinty government's lack of action on the Windsor border access point. Members would know that the Windsor-Detroit border is the busiest international border in North America. In fact, over \$1.5 billion a year transfers through that border. Ten thousand trucks per day, 33,000 cars per day—this is an essential component of the very economy of Ontario. Quite frankly, needed improvement to crossing at the border will help address the gridlock in the community and emission issues with respect to traffic idling. But we have seen no plan from the McGuinty government, no plan whatsoever.

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In fact, I'm very surprised that a minister from the area, Dwight Duncan, has said, on March 12, "We"—the

Ontario government—"rejected the nine-point plan and the Detroit River tunnel..." The other minister, Sandra Pupatello, the Minister of Economic Development and Trade, from Windsor West, is completely missing on the topic, or in fact is working behind the scenes. And that's part of the suggestion here.

Quite frankly, if you look at the local government people there in the area, the local communities of Leamington, Amherstburg, LaSalle, Tecumseh, Essex, the city of Windsor—in fact, Mayor Eddie Francis—support the tunnel solution. There's no plan—

The Speaker (Hon. Michael A. Brown): Thank you. Members' statements?

MULTICULTURAL FESTIVAL

Mr. Michael Prue (Beaches-East York): I am happy today to rise to talk about a fantastic celebration that takes place nearly every year in my community in the riding of Beaches-East York. The East York Day multicultural festival will be Sunday, June 3, from 1 p.m. to 4 p.m. at the East York Community Centre.

This is a great opportunity for the people of East York, and we take it every year to celebrate our combined heritage, whether it is the heritage of the older community that has lived there for a long time or those newcomers who have chosen to settle in East York. It is an opportunity for them to learn about each other and to join in the local service groups and associations, such as the Leaside Lions Club, Meals on Wheels, Community Care East York and the East York Choir. They are all there to celebrate all things East York.

This festival also gives local businesses a great opportunity to display their goods, their services and get to know the community, and the community to know them. Of course there will be, as always, amazing international food to sample, a silent auction, performances by various multicultural groups; the Cypriot folk dance group will be there this year as well as the Hawaiian cultural group, because we do have Hawaiians in East York.

This festival represents 29 years—I would like to thank one particular individual in person. That is Mihir Ghosh, the president, who has kept this festival going. In spite of amalgamation and the many things that have happened to East York, we continue to celebrate who and what we are.

STAAL FAMILY

Mr. Bill Mauro (Thunder Bay-Atikokan): I rise today to salute two of Thunder Bay's finest, Eric and Jordan Staal, who helped lead Canada to a record 24th world hockey championship this past Sunday in Moscow, the first time Canada has gone unbeaten and untied in the tournament since 1937. For Eric, the Carolina Hurricanes star forward, it added another championship to his accomplishments that include the 2006 Stanley Cup. For Jordan, the Pittsburgh Penguins teenage star nominated for the Calder Memorial Trophy as the NHL's top rookie

this season, it was his first gold medal at a world tournament.

We also have to remember the contributions of their parents, Linda and Henry Staal of Thunder Bay, who were responsible for the family outdoor games that have become part of Canadian hockey lore. Henry constructed a rink close to regulation size on his 500-acre sod farm near Thunder Bay. His four sons and a cousin would play all night long, thanks to the lights Henry installed.

There are more Staals on the way. Marc Staal is a first-round draft choice of the Rangers who won two gold medals as a member of Canada's world junior team. He was just voted to the OHL all-star team and voted as the league's top defenceman. Jared Staal will be eligible for the NHL draft in 2008. Both played big parts in the Sudbury Wolves' playoff success that led them to the OHL finals.

Congratulations to all of the members of Team Canada who made the decision to go overseas to represent their country after a very long regular season. And special congratulations to Shane Doan, the captain of Team Canada, and Bob Nicholson, president of Hockey Canada, who led our team with the dignity and style we have come to expect from our Canadian players and administrators.

MAY DAY FESTIVAL

Mr. Mario G. Racco (Thornhill): Earlier this year, I was approached by Community Living York South, a non-profit organization which supports individuals with intellectual disabilities to live, learn, work and participate in the community. They had a vision of a celebration that would reflect the rich diversity within our community, complete with a variety of cuisines, performances and educational displays.

On Saturday, May 5, after months of planning and organization, the May Day festival became a reality. Five celebrations occurred simultaneously throughout the region of York, in Stouffville, Richmond Hill, Markham, Vaughan and the central location in my riding of Thornhill.

The festival was a resounding success. Situated in the lush surroundings of Adventure Valley in Thornhill, hundreds of individuals reflecting a variety of abilities, cultures and ethnicities came to enjoy the May Day festival, which included both indoor and outdoor attractions. Those who came with their families and friends were able to meet and interact with new people in an inclusive community environment.

May Day features a variety of Spanish, Indian and Chinese cuisine, as well as several performances, including a Chinese lotus dance, a traditional Hindu dance and a poetry reading.

I would like to thank Ritu Bhasin and Brenda Crouse of Community Living York South for all their efforts, as well as Chief Armand La Barge and Sergeants Paul Chiang and Ricky Veerappan of the York Regional Police, Councillor Sandra Racco from Vaughan and,

finally, Lynda Fishman, owner of Adventure Valley, for allowing us to use her beautiful facility.

GASOLINE PRICES

Mr. Brad Duguid (Scarborough Centre): I rise in the House today to talk about the issue of gas prices and the McGuinty government's commitment to giving Ontarians the tools to buffer themselves against higher gas prices.

The NDP has been doing a lot of talking about gas prices, but when they had the chance to make a difference, the member for Kenora–Rainy River and his party hiked the gas price by over 30% when they were in office. The NDP are now calling for regulated gas prices. But do the NDP even know what the price of gas is in regulated areas? Be careful what you ask for. In unregulated Toronto, the price of gas is \$1.07 per litre; however, in regulated Halifax it is \$1.15; in regulated Montreal, it is \$1.18; in regulated St. John's, it is a whopping \$1.20.

The McGuinty government has been working hard to help Ontarians deal with this issue. We've doubled the Ontario sales tax rebate for hybrid electric vehicles to \$2,000. Municipalities will receive two cents of the existing gas tax for public transit, while it will mean over \$300 million every year across this province. We are also asking the federal government to keep a close eye on the issue to address ongoing allegations about gas gouging.

The Ontario gas tax remains consistent at 14.7 cents per litre, even when gas prices go up, but the federal GST changes with the price, which gives the federal government an added incentive not to do anything on this. We will keep moving forward. We ask the federal government to do the same.

VISITORS

Mr. Paul Ferreira (York South–Weston): On a point of order, Mr. Speaker: I would like to welcome this afternoon to the House a group of approximately 30 grade 5 and 6 students from Lambton Park Community School in my riding. Welcome. Enjoy the show, guys.

REPORTS BY COMMITTEES

STANDING COMMITTEE ON JUSTICE POLICY

Mr. Lorenzo Berardinetti (Scarborough Southwest): I beg leave to present a report from the standing committee on justice policy and move its adoption.

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

Bill 198, An Act to amend the Ontario Water Resources Act to safeguard and sustain Ontario's water, to

make related amendments to the Safe Drinking Water Act, 2002 and to repeal the Water Transfer Control Act / Projet de loi 198, Loi visant à modifier la Loi sur les ressources en eau de l'Ontario afin d'assurer la sauvegarde et la durabilité des eaux de l'Ontario, à apporter des modifications connexes à la Loi de 2002 sur la salubrité de l'eau potable et à abroger la Loi sur le contrôle des transferts d'eau.

The Speaker (Hon. Michael A. Brown): Shall the report be received and adopted? Agreed? Agreed.

Pursuant to the order of the House dated Tuesday, April 24, 2007, the bill is ordered for third reading.

STANDING COMMITTEE ON GOVERNMENT AGENCIES

The Speaker (Hon. Michael A. Brown): I beg to inform the House that today the Clerk received the report on intended appointments dated May 16, 2007, of the standing committee on government agencies. Pursuant to standing order 106(e)9, the report is deemed to be adopted by the House.

1350

INTRODUCTION OF BILLS

EMPLOYMENT STANDARDS AMENDMENT ACT (MILITARY SERVICE LEAVE), 2007 LOI DE 2007 MODIFIANT LA LOI SUR LES NORMES D'EMPLOI (CONGÉ POUR SERVICE MILITAIRE)

Mr. Martiniuk moved first reading of the following bill:

Bill 226, An Act to amend the Employment Standards Act, 2000 with respect to military leave / Projet de loi 226, Loi modifiant la Loi de 2000 sur les normes d'emploi en ce qui a trait au congé militaire.

The Speaker (Hon. Michael A. Brown): Is it pleasure of the House that the motion carry? Carried.

The member may wish to make a brief statement.

Mr. Gerry Martiniuk (Cambridge): I'm pleased to introduce my private member's bill that protects reserve soldiers' civilian jobs. This bill would amend the Employment Standards Act in order to protect the civilian jobs of Canadian Forces reservists who volunteer for active service. Upon their return to their civilian jobs, reservists would receive the same salary, benefits and seniority status they would have attained had they remained in their civilian employment. While Canadian employers are encouraged to adopt policies concerning leave for military service, there is no legislation in Ontario that offers job protection to reservists willing to commit to a tour of duty.

The Canadian Forces currently has a reserve force of 25,000 members. I ask all of you in the Legislature to

support my private member's bill and offer a measure of job security to the members of the Canadian reserve forces. It is time that Canadian reservists' contributions to world peace are recognized by the people of Ontario.

JACK MINER MIGRATORY BIRD FOUNDATION REPEAL ACT, 2007 LOI DE 2007 ABROGEANT LA LOI INTITULÉE JACK MINER MIGRATORY BIRD FOUNDATION ACT

Mr. Crozier moved first reading of the following bill:

Bill 227, An Act to repeal The Jack Miner Migratory Bird Foundation Act, 1936 / Projet de loi 227, Loi abrogeant la loi intitulée The Jack Miner Migratory Bird Foundation Act, 1936.

The Speaker (Hon. Michael A. Brown): Is it the pleasure of the House that the motion carry? Carried.

The member may wish to make a brief statement.

Mr. Bruce Crozier (Essex): As I've just pointed out, the Jack Miner Migratory Bird Foundation was created in 1936 by a public bill. The Canada Revenue Agency has asked that they restructure their board of directors. The simplest way to do this is—they have now done that under the Corporations Act, and this private member's public bill merely repeals the original act.

MADRESA ASHRAFUL ULOOM ACT, 2007

Mr. Qaadri moved first reading of the following bill:

Bill Pr35, An Act respecting Madresa Ashraful Uloom.

The Speaker (Hon. Michael A. Brown): Is it the pleasure of the House that the motion carry? Carried.

MOTIONS

HOUSE SITTINGS

Hon. James J. Bradley (Minister of Tourism, minister responsible for seniors, Government House Leader): I have a very popular motion. I move that, notwithstanding any other order of the House, pursuant to standing order 9(c)(i), the House shall meet from 6:45 p.m. to 9:30 p.m. on Wednesday, May 16, 2007, for the purpose of considering government business.

The Speaker (Hon. Michael A. Brown): Mr. Bradley has moved government notice of motion 356. Is it the pleasure of the House that the motion carry?

All those in favour will say "aye."

All those opposed will say "nay."

In my opinion, the ayes have it.

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

The division bells rang from 1355 to 1400.

The Speaker: All those in favour will please rise one at a time and be recognized by the Clerk.

Ayes

Balkissoon, Bas	Duncan, Dwight	Phillips, Gerry
Bartolucci, Rick	Flynn, Kevin Daniel	Pupatello, Sandra
Bentley, Christopher	Fonseca, Peter	Qaadri, Shafiq
Berardinetti, Lorenzo	Gerretsen, John	Racco, Mario G.
Bountrogianni, Marie	Hoy, Pat	Ramal, Khalil
Bradley, James J.	Kwinter, Monte	Ruprecht, Tony
Broten, Laurel C.	Leal, Jeff	Sandals, Liz
Cansfield, Donna H.	Levac, Dave	Smith, Monique
Caplan, David	Matthews, Deborah	Smitherman, George
Chan, Michael	Mauro, Bill	Sorbara, Gregory S.
Colle, Mike	McMeekin, Ted	Takhar, Harinder S.
Crozier, Bruce	McNeely, Phil	Van Bommel, Maria
Delaney, Bob	Meilleur, Madeleine	Watson, Jim
Di Cocco, Caroline	Parsons, Ernie	Wilkinson, John
Dombrowsky, Leona	Patten, Richard	Wynne, Kathleen O.
Duguid, Brad	Peters, Steve	Zimmer, David

The Speaker: All those opposed will please rise one at a time and be recognized by the Clerk.

Nays

Arnott, Ted	Kormos, Peter	O'Toole, John
Bisson, Gilles	MacLeod, Lisa	Prue, Michael
Chudleigh, Ted	Marchese, Rosario	Runciman, Robert W.
Elliott, Christine	Martel, Shelley	Scott, Laurie
Ferreira, Paul	Martiniuk, Gerry	Tascona, Joseph N.
Hardeman, Ernie	Miller, Norm	Tory, John
Klees, Frank	Munro, Julia	Yakabuski, John

The Clerk of the Assembly (Ms. Deborah Deller):
The ayes are 48; the nays are 21.

The Speaker: I declare the motion carried.

STATEMENTS BY THE MINISTRY AND RESPONSES

ANAPHYLACTIC SHOCK L'ANAPHYLAXIE

Hon. Kathleen O. Wynne (Minister of Education):
Ensuring the safety and well-being of children in our schools is a priority of this government.

Nous voulons nous assurer que tous les élèves sont en sécurité, en santé et en mesure de se concentrer sur leurs études.

As part of an overall healthier schools strategy to assist the development of healthier lifestyle habits in our young people, our government has directed school boards to provide elementary students with 20 minutes of physical activity; banned junk food from elementary school vending machines and replaced them with healthier food and beverage choices; issued a challenge to schools to do at least one more thing to make their schools healthier, and I'm pleased to note that 1,200 schools took up our challenge; and made our schools more accessible to community groups, and we have supported the Lifesaving Society's swim to survive program.

Additionally, last year our government enacted a law requiring every school board in the province to establish and maintain an anaphylaxis policy.

"Anaphylaxis" is the term given to an allergic reaction that can be life threatening. According to Anaphylaxis Canada, approximately 1% to 2% of Canadians are at risk of having an anaphylactic reaction. That means up to 42,000 students in Ontario schools could experience life-threatening allergic reactions. Although food is the most common cause of anaphylaxis, insect stings, medicine and even latex can also cause a severe reaction.

The McGuinty government recognizes that anaphylaxis is a serious matter. Dealing with anaphylaxis requires having clear avoidance strategies in place and immediate response in the event of an emergency. Today, Mr. Speaker, I want to draw your attention to what our government is doing to protect all students.

The Legislature unanimously passed Sabrina's Law, which came into force on January 1, 2006. I would just like to take this opportunity to introduce Sara Shannon, Sabrina's mother, who is with us today in the gallery. She will be joined by Kathleen Whelan, Mary Shea and Marilyn Allen, all of whom have made the drive from Pembroke to be with us today.

This legislation was the first legislation of its kind anywhere in the world. The act is named in memory of Sabrina Shannon, a 13-year-old student who had severe dairy allergies. She died on September 29, 2003, after having an anaphylactic reaction.

I want to acknowledge the efforts of our colleague Dave Levac, MPP for Brant, and all of the other individuals, particularly in the Niagara area, for making Sabrina's Law a reality.

Sabrina's Law ensures that all school boards in Ontario have policies and procedures in place to protect children at risk for anaphylaxis. This includes providing regular training on dealing with life-threatening allergies for individuals who have direct contact with students on a regular basis. Last year, we worked with Anaphylaxis Canada to develop resources to support the implementation of Sabrina's Law. Together we developed an anaphylaxis resource kit for boards and schools to use. These kits assist in raising awareness of anaphylaxis in schools. The kits have been made available to all school boards and every publicly funded school in the province. They were also distributed to all boards of health.

I'm also pleased to report that together with Anaphylaxis Canada and TV Ontario, we have created a web-based e-learning module that boards, principals and other school staff can access to learn more about anaphylaxis. This site includes emergency procedures and online videos on how to administer emergency medication.

À chaque étape, le ministère a recueilli les commentaires des intervenants du secteur de l'éducation qui ont évalué les produits créés.

Now the McGuinty government has gone one step further. I'm pleased to announce that the Ministry of Children and Youth Services has made changes under the Ontario Day Nurseries Act that took effect May 2 this year, 2007. Now, all licensed child care programs in Ontario are required to have an anaphylaxis policy in place to help protect those children at risk within a child

care setting. The policy must include a strategy to reduce the risk of exposure to those elements that would cause an anaphylactic reaction and a communication plan for the dissemination of information on life-threatening allergies. Plans are developed for each child with an anaphylactic allergy with input from the child's parent or guardian and the child's physician. These plans include emergency procedures for each child. This amendment ensures that staff and volunteers providing care at day nurseries and private home child care locations have training on procedures to be followed in the event of a child having an anaphylactic reaction.

We believe that all children in Ontario have the right to feel and to be safe in their communities. This amendment, in conjunction with Sabrina's Law, is helping to do just that.

1410

AGRI-FOOD INDUSTRY

Hon. Leona Dombrowsky (Minister of Agriculture, Food and Rural Affairs): Yesterday, I had the pleasure of appearing on Citytv's Breakfast Television program to prepare a number of Ontario fresh food dishes, just in time for the long weekend. I was able to show many viewers how easy it is to create a great menu with good, fresh, homegrown Ontario food. Ontario food producers grow, raise and make excellent food products, and we want people right across Ontario to know it.

Speaker, as you may be aware, Ontario's agriculture and food industry is one of the province's leading economic sectors, one that contributes \$30 billion to the economy every year and provides jobs for 700,000 people. Ontario's agri-food industry has carved out a reputation for diversity, and we enjoy a growing profile as a popular agri-tourism destination. This year, we are marking the 30th anniversary of the highly successful Foodland Ontario program, which does a tremendous job of highlighting the many fruits and vegetables grown in the province. Foodland is a partnership between the government and many of Ontario's commodity organizations, including the Ontario Fruit and Vegetable Growers' Association, the Ontario Greenhouse Vegetable Growers, the Ontario Tender Fruit Producers' Marketing Board and the fresh vegetable growers of Ontario.

Each year, more than 1,200 grocery stores and 100 farmers' markets across the province promote Ontario-grown fresh produce under the Foodland program. This government continues to support Foodland Ontario, and we are committed to expanding the program as part of the Buy Ontario initiative. Under Buy Ontario, we are investing \$12.5 million to raise consumer awareness and promote the consumption of Ontario-grown and -processed foods. As part of this strategy, we will build on the success of the Foodland Ontario program. Buy Ontario will include deli products, fresh meats, dairy and baked goods as well as fruits and vegetables, so that all Ontario fresh foods are easily identified at the retail level.

While it is important for the government to help everyone grow Ontario's agri-food industry, everyone

has a role to play. Consumers have perhaps the most powerful role to play in making a difference in the future of the agri-food industry in Ontario. All of us should be asking for Ontario meats, produce, dairy and baked goods at the market and at the restaurant. If we buy Ontario, everybody wins: It's good for consumers because they're getting healthy, fresh food from right here at home; it supports our farmers and our rural economy; and it even supports our environment, because when products travel a shorter distance from farm to store, that means fewer greenhouse gas emissions.

Under the Buy Ontario strategy, we are providing funding to help the ongoing efforts of nine agri-food industry associations to promote the sale of Ontario products. For example, \$400,000 went to Homegrown Ontario, a marketing program developed by Ontario's lamb, veal and pork producers to help identify and promote Ontario red meats. Another \$500,000 went to the President's Council, an umbrella group of 27 farm and commodity organizations to promote Ontario farming and food products to consumers. In addition, this summer we will launch a Buy Ontario consumer awareness campaign, and it will be outstanding. We also know that there are a number of organizations that, every summer, present their own buy local campaigns in counties and regions across the province. We applaud their efforts. Buy local and Buy Ontario go hand in hand.

It's not just in the grocery stores and farmers' markets that you can look for Ontario-grown and -processed products. You will soon see Savour Ontario promotions, presented with the Ministry of Tourism and the Ontario Tourism Marketing Partnership Corp., in which fine and vacation dining restaurants are profiling Ontario food products on their menus.

These are examples of the multi-pronged approach our government is taking to help Ontario's agri-food sector get ahead in an increasingly challenging marketplace. We already know that Ontario's farmers lead the world in production and quality. We want to help them lead in innovation as well.

Over the past two months, we've also been across Ontario presenting 55 regional awards as part of the Premier's Award for Agri-Food Innovation Excellence. These awards celebrate the innovative spirit that Ontario farmers are using to grow their businesses. They serve as role models who can inspire even greater innovation across the province's agri-food sector. Many of the award winners have demonstrated inventive, original ideas for promoting Ontario's agri-food industry.

For example, West Grey Premium Beef in Bruce county brought together three separate businesspeople—a grocery store owner and two beef producers—to buy a small abattoir to add value to their products. From three employees in 2003 to two retail stores and 45 employees today, the business has greatly expanded and created an innovative branding program to promote its products.

Halton region's Enviro Mushroom Farm Inc. made major changes to their operation to tap into new markets

for exotic mushrooms. They are now growing enoki and king oyster varieties. Business has been so brisk that a second facility is being added and more staff hired to accommodate the demand for these mushrooms.

In another example, Foodlink Waterloo Region is a non-profit organization that provides valuable marketing services to farms and food enterprises in the area, including a major consumer education initiative that reaches out to consumers and encourages them to buy locally. This producer-led organization launched a Buy Local, Buy Fresh map and a Taste Local, Taste Fresh culinary tourism campaign.

These are a few of the award winners recognized for their significant contribution to rural communities and our economy through innovation, new market opportunities and value-added Ontario products. I congratulate them and each of the 55 winners of the first Premier's Award for Agri-Food Innovation Excellence.

The innovation and the efforts we see across the province's agri-food sector deserve our support. That is why I encourage all Ontarians to join the move to buy Ontario. I invite them to promote awareness and appreciation of the great bounty Ontario farmers and processors work so hard to bring to us. The next time you're dining out or food shopping, remember to pick Ontario freshness, because the more people buy into Buy Ontario, the better off everyone will be.

The Speaker (Hon. Michael A. Brown): Responses?

ANAPHYLACTIC SHOCK

Mr. Frank Klees (Oak Ridges): On behalf of John Tory and the PC caucus, I want to respond to the statement on anaphylaxis by the Minister of Education.

At the very outset, I want to congratulate my colleague the member for Brant, Mr. Dave Levac, who tabled his private member's Bill 3, entitled Sabrina's Law. That bill received all-party support in this House on May 16, 2005, and was implemented in January 2006. Bill 3 was named for the spirited, talented student Sabrina Shannon, who died of a fatal anaphylactic reaction during lunch in her school cafeteria.

Sabrina's Law requires school boards to have policies that include training for school staff on dealing with life-threatening allergies on a regular basis, creating individual plans for students who have anaphylaxis allergies, and having emergency procedures in place for anaphylactic students. To achieve this end, I can't emphasize enough the importance for the Ministry of Education to work co-operatively with our provincial education partners to ensure that Sabrina's Law is fully and effectively implemented.

To that end, I trust that the ministry has in fact been taking full advantage of the advisory group of parents and professionals who deal with anaphylaxis. It's important for the ministry to hear from as many parents and health care professionals as possible on this important matter on an ongoing basis.

In addition, it's critically important that as much information as possible regarding anaphylaxis and how to address this life-threatening situation be made available to schools, school boards and parents.

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Some parents have expressed concern that, even today, school boards continue to direct students to home instruction rather than allow school attendance. This is unacceptable. Parents have also raised concerns that they still face refusals from some schools to the use of EpiPens and that they would only call 911 in case of an emergency. Again, that is unacceptable. That is not the intent of the bill that my colleague brought forward. A lack of clarity in this area has been ongoing and is a source of tension. I would call on the minister to address these issues to ensure that the full intent of Mr. Levac's bill is implemented in this province.

AGRI-FOOD INDUSTRY

Mr. Ernie Hardeman (Oxford): I rise on behalf of John Tory and the PC caucus, and I'm pleased to have the opportunity to recognize some of Ontario's outstanding farmers. I know how hard farmers work and how much effort goes into producing our food.

While we have great family farm traditions in Ontario, farming has progressed and been modernized. Equipment has gone high-tech and in most cases is very expensive. Farmers have adopted and continue to look for new and better ways to do things. I want to highlight one example from the great riding of Oxford: James Hammerton, of Murgo Farms. In addition to farming, James is operating a tree-trimming service and has adapted machinery to safely and more efficiently trim branches and chip wood.

Even though I believe these farmers deserve to be recognized, I'm concerned that the McGuinty government is more focused on photo ops with farmers than listening to them and meeting their needs. Overall in the budget we saw planned spending for farmers and the agriculture industry cut by \$191 million. In spite of Dalton McGuinty's promise to make agriculture a lead ministry, this is just another broken promise.

Some other examples: When I questioned the Minister of Agriculture on the CAIS program three years ago, he defended it. We asked him question after question, and the McGuinty government defended the program. It took the federal auditor to say it doesn't work. It's too heavy on bureaucracy, too heavy on paperwork. The program is more interested in making sure farmers pay back overpayments than worrying about farmers getting their payment.

Minister, it's not enough to say, "Congratulations," and get your photo taken with the farmers. Photos won't help people who cannot afford to put seed in the ground or food on the tables of their own families. If you really care about farmers, you should put in place risk management and income stability programs that work. You should demonstrate that support every day, not just for pre-election photo ops.

ANAPHYLACTIC SHOCK

Mr. Rosario Marchese (Trinity–Spadina): New Democrats, as everyone knows, have been very supportive of Sabrina's Law, supportive of the member for Brant when he introduced this bill and supportive of the government when they introduced Sabrina's Law. We hear from parents that there are problems by way of implementation from time to time, and we assume this is part of a transition toward the adequate training of our staff. We assume that's all it is. I am convinced that the government's intentions are obviously very, very good and that the implementation is running its course as best it can. I assume that the advisory group to the minister on this has suggestions to her and that she is listening to them so that proper implementation of Sabrina's Law can save the lives of children wherever that might be the case.

AGRI-FOOD INDUSTRY

Mr. Howard Hampton (Kenora–Rainy River): New Democrats certainly celebrate and congratulate Ontario's farmers on the innovations and successes they have achieved, especially when we acknowledge the challenging circumstances under which some of these successes and innovations are being accomplished. I want to quote from the National Farmers Union, who talk about and raise some of the challenges. The National Farmers Union tells us that since fiscal year 2003-04, agricultural investment by the McGuinty government has been reduced in real dollars by 10%. That sounds like a government placing more challenges in the way of farmers. In fact, the National Farmers Union says that the 2007 McGuinty budget is going to see more cuts to the Ministry of Agriculture, Food and Rural Affairs, and the National Farmers Union wants to know where these cuts are going to take place and which farmers are going to be hurt even more. To quote the National Farmers Union spokesperson, "Family farmers are facing the worst five years of realized net income on record."

Farmers and their organizations have provided many possible solutions to address the issues for different sectors. In fact, I was hoping that today, maybe the McGuinty government would announce the new generation of farm safety nets they promised in the last election, but I guess that's not to be; or maybe a strategy to address the decimation of grain and oilseed farmers and their struggling communities across Ontario, but I guess that's not to be; or a plan to address the struggle of Niagara's grape juice growers, who now have nowhere to sell their grapes—in other words, they're out of business—or a strategy to assist beef farmers, who are still struggling with the aftermath of the BSE crisis, but that's not to be either from the McGuinty government; or maybe the risk management strategy and income stability strategy that farmers from across the province have been asking for, but I guess that's not to be either.

I do think farmers notice something. It took the McGuinty government only eight days to put in place a

\$40,000-a-year pay increase for themselves at the same time that farmers across the province were being ignored.

Mr. Richard Patten (Ottawa Centre): What did you get, Howie? What did you get, Howard?

Interjections.

Mr. Hampton: Some members of the Liberal Party want to know what I am doing with the pay increase. I'm giving it away to charities and to local community organizations, because you can't justify a \$40,000 pay increase when so many people, especially in rural Ontario, are struggling.

Interjections.

Hon. Jim Watson (Minister of Health Promotion): Are you going to get a tax receipt, Howard?

The Speaker (Hon. Michael A. Brown): Minister of Health Promotion.

Interjections.

The Speaker: Order. Member for Essex. The leader of the third party.

Mr. Hampton: I've never heard Liberals protest when someone says, "I'm simply going to give the pay increase to charities and local community organizations." I didn't know that supporting local charities would raise such opposition from the McGuinty Liberals.

I want to deal with what I think was really in the announcement today: Four months before an election campaign, the McGuinty government is really announcing two more advertising programs. One will be called Savour Ontario, and you'll see the ads on television, radio and newspapers; and the other one will be Buy Ontario, and you'll see the ads on television, radios and newspapers. Isn't it interesting? Just before an election, the McGuinty government announces more money for advertising—not more money for farmers; more money for advertising.

VISITORS

Mr. Peter Fonseca (Mississauga East): On a point of order, Mr. Speaker: I would like to acknowledge in the gallery Angela Shaw, Julie Curitti, Linda Dietrich, Norma Nicholson, Wendy Fucile and Tina Ottawa. They are dynamic nurses and dietitians from Mississauga East who put together a petition with 19,000 signatures to better the diets of our seniors in long-term-care homes. Thank you, ladies.

Mr. Ted McMeekin (Ancaster–Dundas–Flamborough–Aldershot): On a point of order, Mr. Speaker: I rise to draw attention to the Ontario Co-operative Association, which is here today. They're holding their spring reception this afternoon from 5 to 7 in rooms 228 and 230. It's important because you may recall that this House unanimously endorsed that we move towards their white paper recommendation to have a co-operative economic development secretariat.

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Mr. Ted Chudleigh (Halton): On a point of order, Mr. Speaker: I'd like to introduce to the House Blair Lancaster and Bryan Bourne, who are here with Breast

Cancer Support Services Inc. I'd like you to welcome them to our Legislature.

Mr. Khalil Ramal (London–Fanshawe): I would like to ask my colleagues to join me in welcoming Community Living London. Eleven people came from London to visit us today to see the democratic action in this place. They are here.

Hon. Michael Chan (Minister of Revenue): It is my distinct pleasure to acknowledge a delegation from Community Living York South who are sitting in the House this afternoon. I would also like to applaud them for the great work they've been doing for people with intellectual disabilities. Please join me in welcoming them to Queen's Park.

Mr. Michael Prue (Beaches–East York): It is my honour today to introduce my friend of more than 50 years, Muriel McDavid, who is making her first trip here in more than 45 years. She wants to make sure that you all treat me with respect.

Hon. Jim Watson (Minister of Health Promotion): I'm delighted to welcome in the gallery behind me a number of employees from the Ministry of Health Promotion who are on a very innovative exchange program here to learn about the other side of government, the legislative side. We welcome these hard-working employees of Health Promotion.

Mr. Dave Levac (Brant): For the sake of saving time, we want to welcome everyone else who has not been welcomed.

COMMUNITY LIVING DAY
JOURNÉE DE L'INTÉGRATION
COMMUNAUTAIRE

Hon. James J. Bradley (Minister of Tourism, minister responsible for seniors, Government House Leader): I believe we have unanimous consent for all parties to speak for up to five minutes to recognize Community Living Day.

The Speaker (Hon. Michael A. Brown): Mr. Bradley has asked for unanimous consent for all parties to speak for up to five minutes on Community Living Day. Agreed? Agreed.

Hon. Madeleine Meilleur (Minister of Community and Social Services, minister responsible for franco-phone affairs): I would like to request unanimous consent for all members to be permitted to wear the Community Living bracelet.

The Speaker: Ms. Meilleur has asked that we have unanimous consent to wear the Community Living bracelet. Agreed? Agreed.

Hon. Mrs. Meilleur: May is Community Living Month in Ontario. For thousands of individuals with a developmental disability, the guidance and support of volunteers and staff of local community living agencies provide the opportunity to realize their full potential. The expertise, dedication and compassion of our agencies make a real, positive difference in the lives of many

Ontarians, Ontarians who are striving to achieve greater independence and participate in communities.

We have a few of these agencies with us in the gallery today. I would like to recognize Diana Spacca, president, Community Living Toronto; Bruce Rivers, CEO, Community Living Toronto; David Barber, president, Community Living Ontario; and Keith Powell, executive director, Community Living Ontario.

I also know that Joe Cavanaugh, who lives a wonderful life supported by Community Living Mississauga, is here; Craig Demers, who is enjoying life supported by Community Living Essex County; Della Derrough, who has the support of Community Living Tillsonburg; Frank Knox, who is with Community Living Chatham-Kent; and Margaret Armistead, who benefits from Community Living Walkerton's help, are here in the House today. They all used to be residents of our facilities, and now they are enjoying life in the community. Kaye Jacksic, whose daughter, Brenda, was institutionalized for over 28 years, having lived in both Rideau Regional Centre and Northwestern Regional Centre, and who now lives in the Timmins community, is here today as well. Finally, I would like to say hello to Sam McKhail, who delivered me a fantastic lunch as part of Community Living Toronto's Appetite for Awareness Day, which kicked off Community Living Month in Toronto on May 1.

Recently, I had the opportunity to meet with developmental service providers at the Centre for Opportunities Respect and Empowerment, CORE, in Toronto, and Reena in Thornhill. There, I had the privilege to meet many individuals with developmental disabilities who were enjoying all kinds of activities with each other in their communities.

Nos organismes rendent cela possible. Ils fournissent des environnements offrant sécurité et sollicitude, et prodiguent de l'encouragement, des ressources et de la formation. Leur soutien crée des possibilités et fait valoir des compétences pour que les personnes qui ont une déficience intellectuelle puissent vivre, aller à l'école, travailler et jouir de loisirs dans la collectivité.

En collaborant avec les fournisseurs de services, les personnes qui ont une déficience intellectuelle et leurs familles, le gouvernement McGuinty a fait de grands progrès dans la transformation de notre système de services aux personnes ayant une déficience intellectuelle. Ensemble, nous bâtissons un système solide, ouvert sur l'avenir et durable.

Nous avons aidé des milliers de personnes à faire la transition afin de réintégrer la collectivité. Il n'en reste que 510 dans les trois derniers centres régionaux. Les familles des personnes qui ont fait la transition, dont bon nombre avaient initialement émis des réserves au sujet du changement, sont les premières à nous féliciter d'avoir fait ce qui, en bout de ligne, s'avère être ce qu'il convient de faire.

We have launched innovative programs like the successful passport initiative and the community network of specialized care, which are the first of their kind in this sector. Last year, our government made a record invest-

ment, the single largest one-year investment in developmental services. This year, we are doing even more.

At CORE, I had the pleasure of outlining further details of the budget investment in the developmental services sector. As you know, we are investing more than \$62 million this year, which will grow over four years to more than \$200 million. For the first time, developmental services agencies can count on planned multi-year increases for wages and services. At the same time, we are also enhancing programs and increasing supports to families caring for family members with a developmental disability at home. This budget has been welcomed by the developmental services sector as a move in the right direction. Our stakeholders are encouraged by our commitment to supporting and strengthening developmental services.

Je suis fière que notre budget appuie les travailleurs et travailleuses des services sociaux tout en ouvrant la voie à des collectivités plus englobantes. Nous investissons dans les programmes, les services et l'infrastructure des organismes. Mais ce qui est plus important, nous investissons dans les individus, les familles et les collectivités de l'Ontario.

Together, we are creating new possibilities and a stronger, more inclusive Ontario, an Ontario that benefits from the contributions of all its citizens.

In closing, I would like to acknowledge the wonderful work that was done by my parliamentary assistant, Ernie Parsons, in this sector.

Mrs. Julia Munro (York North): On behalf of John Tory and the PC caucus, I would like to welcome all of our guests who are joining us today to celebrate Community Living Day in Ontario. To all of the community living organizations, volunteers, parents and self-advocates, welcome to Queen's Park. I look forward to meeting many of you today.

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Community Living Ontario exists for one reason: to support the full inclusion of people who are identified as having an intellectual disability in all aspects of community living. I strongly support this goal, and I know that every member in this House wants to see Ontarians with any kind of disability integrated into our province as fully as possible.

For over 50 years, Community Living volunteers have advocated for community living issues. We have seen the accomplishments of their efforts to build awareness in Ontario. This awareness can be demonstrated in a number of ways, whether it's fundraising, participation in community events, such as a community choir in my riding, or the success many have had in volunteering and employment.

One of the things we must always remember about Ontarians with any kind of disability is that they want to make a contribution and to earn a living if they can. The government needs to work to eliminate barriers to work and to encourage companies to look at disabled Ontarians as potential employees. Being able to work or volunteer is not just about the possibility of earning money; it is

about enhancing the self-esteem of disabled Ontarians and the opportunities to learn new skills. We must value the contribution they can make to our society and its benefits both to themselves and to all of us.

In my own riding, I would like to highlight the good work done by Community Living Georgina and by Community Living Newmarket/Aurora District. Community Living Georgina has helped clients get work at Tim Hortons, Harvey's and Swiss Chalet in Keswick. They have placed permanent volunteers in the local library and the fire department. Whether it's paid or volunteered work, local residents with an intellectual disability are able to integrate into the community. Community Living Newmarket/Aurora District, amongst other ventures, shows the art of its clients in the Artistic Revival store on Main Street in Newmarket. They are also looking to become partners in this high-end craft store, providing many potential employment opportunities as well. They have also placed clients in every single Tim Hortons in Newmarket, with the company providing strong support to Community Living's supported employment program. I thank Community Living in both Georgina and Newmarket-Aurora, their staff and volunteers for all of the work that they do to assist clients and families.

I provide these local examples not just to give congratulations to my local agencies but to illustrate the importance of businesses and organizations working with and supporting Community Living. These businesses would not have hired disabled workers unless they could do the job. They took a chance and then found that the risk they took was a worthwhile one. I encourage businesses, volunteer groups and others to contact community living agencies in their local communities and investigate the possibility of hiring a Community Living client or accepting a volunteer.

Integrating someone with an intellectual disability should not be something out of the ordinary; it should just be an everyday event. Every person in Ontario has a contribution to make.

Mr. Michael Prue (Beaches-East York): It is my privilege to rise today to talk about Community Living Day on behalf of the New Democratic Party and our caucus.

This is the eighth annual event in this Legislature, but I remember that long before I was here as a member these past six years, I was a mayor of one of the municipalities—East York—in metropolitan Toronto and a member of Metro council. I remember back in those days that community living was a very integral celebration of this great city and of metropolitan Toronto, and that many times we had people from Community Living come before us to talk in those days about ordinary people being allowed to work and to live in the community, ordinary people like all of us. It is a celebration of those people with disabilities. They are us, and we are them. We are all part of the same community. It is not fair for people anywhere to think that these people with intellectual disabilities are any different than any of us; we are all the same. They enjoy and should enjoy the

same rights and the same privileges and the same opportunities and the same right to participate that all of us do.

I was inspired, as I always am on this day, to hear the stories of people who have made the transition from one of the institutions that we still have left in Ontario, the three of them, to the broader community. They are indeed inspiring stories. I only ask the government to make sure that there are more inspiring stories. But because we need, in order for this transition to take place, the very best of opportunities, we need to make sure that people who are leaving those institutions have sufficient monies, have sufficient programs, have sufficient opportunities and sufficient trained workers in the outside world to make that transition smooth and seamless and available to all of them. We need, of course, to ensure that where they go to is a better place than whence they came.

I would be remiss if I did not talk as well about the government and what is happening. The steps, unfortunately, I feel are a little small. I would like to commend the government, to start with, for the \$200 million they have committed to the process. Unfortunately, only \$62 million is being spent this year, and it does not, in my opinion and in the opinion of many in this House, address the serious wage gap that exists in all of those places that work with and assist those with developmental disabilities. Even in the unionized sector, the wages are only about \$34,000 a year, about \$650 a week, broken down to about \$16 or \$17 an hour.

Of the \$200 million that was announced in this budget, only \$62 million is being flowed this year. Developmental workers and, indeed, the entire community called for \$200 million this year alone. This government has produced a third of it. Developmental workers have called for this money to be delivered immediately. Of the \$62 million, 2% is going to agencies for base budgets, \$20 million is for new programs and \$20 million is supposedly to try to close the wage gap. But the government has not stated to date how that money is being distributed and who will get it. This money doesn't come close to bringing wages up to par, and employers as well as employees are saying this as well.

I'd like to highlight two particular people whom I have gotten to know over the years. The first one is Ryan Starkweather. Ryan Starkweather is the fiancé of the intern who is now working in my office. He has worked with people with disabilities since he was 14 years old. He went to Fanshawe College and received two years of specialized training to work as a developmental services worker. He worked in a number of group homes in London, Ontario, supporting people with significant challenges. He often had to work night shifts at drastically reduced wages and work for multiple group homes just to make ends meet. Despite his enjoyment of the job and the satisfaction he got from helping people achieve independence in the community, he had to leave the community living sector and go to school board to make enough money to support himself, not to mention supporting a family.

Many of the colleges that offer this course have told us repeatedly that specialized training has seen a dramatic

reduction in enrolment because students recognize they can't survive on the wages that the developmental sector can and will pay.

The second person I'd like to talk about is Ashley Orrett. She is the daughter of my executive assistant, Laurie Orrett, whom I think all members of this House know. She works for the Rena Foundation. She came home yesterday black and blue. She was hit, she was bitten, she was befouled, and yet she loves the people with whom she works. She loves the developmental services sector and her employer. She works every hour that is available to her. She is enrolled at Humber College, going into the second year of a two-year program, and she knows only too well that at the end of the second year of that program she will earn, at a maximum, \$15 an hour, about \$30,000 a year, in her chosen profession.

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I commend her, and I commend all of the people who are here today for taking on a job that pays oh, too little, but for taking on that job for the love of humanity, for the love of the people with whom they work. For the good job that they do on behalf of our province, I would commend them and I would ask them to please keep up the fight for decent and fair wages. Keep up the fight so that the people with whom you work have an equal opportunity with all of us in this great province of Ontario.

VISITORS

Ms. Judy Marsales (Hamilton West): I wanted to recognize Lily Sazz, who's joining us in the member's gallery today, a very accomplished musician from Hamilton. She has her own group called the Groove Corporation, but more importantly, she is the front lady for the S'women in Blues festival and event. We welcome you, Lily.

I apologize for missing the group hug earlier, Mr. Speaker.

ORAL QUESTIONS

NORTHERN ECONOMY

Mr. John Tory (Leader of the Opposition): My question is for the Premier and it concerns yet another of his broken promises. Now, when De Beers Canada broke ground on its billion-dollar Victor diamond mine project, the Premier issued a press release at that time and it said: "The McGuinty government has worked to create a favourable investment climate in Ontario."

Touted in the press release was the fact that provincial tax rates for mining were among the lowest in Canada. The Premier himself was saying at the groundbreaking event that's why De Beers was here. Then, a few months later—no discussion, no consultation, no nothing—the McGuinty government almost tripled the tax rate the Premier was boasting about at his photo op just a few weeks earlier.

Will the Premier acknowledge that his inconsistency, his sudden about-face, his kind of bait-and-switch approach has in fact sent very negative investment messages about Ontario, not just for the mining industry but for the province as a whole?

Hon. Dalton McGuinty (Premier, Minister of Research and Innovation): Obviously, I am not going to agree with the premise put forward in that particular question. Let me say that, as the leader of the official opposition does everything that he possibly can to bring about negative connotations associated with not only our government but with most of the province, we have been working very hard to encourage investment in this province.

I have personally travelled to places like Pakistan and India and China, and to the US and Europe as well, and we have been very successful in encouraging much new investment. In terms of the auto sector alone, we've landed \$7 billion worth of new investment, creating 7,000 direct jobs alone.

So I am much more optimistic about the state of the economy and about our future in the province of Ontario than is obviously the leader of the official opposition.

Mr. Tory: The Premier can travel anywhere he wants, but if you return home and then send negative investment signals to people around the world by changing the rules in the middle of the night, after people have put up hundreds of millions of dollars in investment based on the rules as they are, then the trips don't mean anything.

People who are looking to invest money in Ontario want certainty and they want consistency. This is the Premier who said in 2003 he would not raise taxes, and then he did, big time. This is the Premier who romanced De Beers, their money and their jobs, with boasts about low tax rates, and then savaged them with a big tax grab. Representatives from De Beers said—not me—this is the kind of treatment they would expect in a Third World country. They said that in this building, thanks to the McGuinty government's dumb move.

Did this register with the Premier at all? Did this register with the Premier at all as to the negative message this sends to people looking to invest in this province, the very same people you're visiting when you travel? Does it register with the Premier?

Hon. Mr. McGuinty: Yet again we have more negativity from the leader of the official opposition. We have in place a fair taxation regime when it comes to diamond mines. It is the fairest in Canada. It ensures that we remain competitive. It ensures that we continue to have the necessary revenues to support everything from our First Nations peoples to our health care, to our education and to our infrastructure.

If the leader of the official opposition is now going stand up here today and say that he's going to put the immediate economic interests of the diamond mining industry before the greater public interest, then he should say so. But we think we've struck the right balance. We think we have ensured that we remain competitive. We know we have extensive diamond deposits to be found in

northern Ontario. We continue to invite the international community to come here to Ontario to make their investments. I am proud to report that they are coming, that they are interested, and they are much more optimistic about our future—

The Speaker (Hon. Michael A. Brown): Thank you. Final supplementary?

Mr. Tory: The Premier misses the point. The people will not come here and invest hundreds of millions of dollars based on one set of rules, which the Premier himself boasted about at the groundbreaking, only to find that weeks later, his government changes the very same rules. They won't continue to come. It's not a negative message about Ontario; it's a message about the way in which the Premier has chosen to conduct himself. Again, it's consistent. The Premier is on record promising not to raise taxes. He's on record promising to help children with autism. He's promised that the coal plants would be closed by now. The Premier knew that De Beers came here because of low tax rates—he said so—and then he tripled those taxes in a punishing way.

The Premier knows we need this investment. He knows we need these jobs for the aboriginal people and others. This tax is disastrous for Ontario. Why did the Premier authorize this tax grab which has ruined his own credibility and Ontario's?

Hon. Mr. McGuinty: It's good to know that when push comes to shove, the leader of the official opposition is prepared to stand with the diamond companies. We are prepared to stand for fairness. We're prepared to do what it takes to ensure that we strike the appropriate balance between ensuring that we are competitive—and we are on a national basis—and that we continue to have the necessary revenues that help us get class sizes down, that help us hire more nurses, that help us put in place more MRIs and more CT scans, and that help us ensure we have the necessary environmental inspectors on the job. It's that holistic, comprehensive, intelligent and progressive view of our economy and our society that ensures we are truly competitive. The leader of the official opposition does not understand that. It's about a lot more than just royalties for diamond mines. It's about ensuring we have the financial resources to build the kind of economy and society that's in keeping with the values of the people of Ontario.

Interjections.

The Speaker: Order. New question?

Mr. Tory: My question again is to the Premier on the same subject. I will say this to you: I think one of the best ways we can demonstrate fairness to the aboriginal people and to other people in the north is to make sure they have the opportunity to get a good job. I would say that when the Premier talks about fairness, there is also the argument to be made that fairness should be extended as well to those who make the investments that create those jobs for people in the north. They're entitled to fairness as well, and the best fairness we can offer to the people in the north, aboriginal or otherwise, is the promise of a good, solid, secure job.

After the Premier broke his promise and nearly tripled the tax for diamond mines, the people from De Beers were outraged. At a reception right here in this building, they said that this was the kind of treatment they would expect from a Third World country, and they wondered if they'd made a mistake. In fact, they went on to say that not only might this be the first diamond mine in Ontario, it might be the last.

We have a resolution coming to this House tomorrow calling on the government to repeal this tax. Will you vote for this resolution? I urge your members to do so, so that we can get rid of this tax on the Victor diamond mine.

1500

Hon. Mr. McGuinty: Again, it's heartening to know that when the leader of the official opposition wants to take a strong stance, he'll do that on behalf of diamond companies. I'm delighted to know that he's prepared to take a strong stance.

But you know—and far be it from me to advise the leader of the official opposition—I noticed that he has not made reference to schools in this House for 146 days; he's not made reference to hospitals in this house for 57 days; he has not made reference to the environment for 224 days; and he has never, ever made reference to climate change in this House. So it's good to know, given all the pressing issues that face Ontario families, given that the greatest single challenge before the global community is climate change, given the desire we have to improve the quality of our schools and our health care, that the leader of the official opposition is in here standing up for profits for diamond mines.

Interjections.

The Speaker: Order. Minister of Health Promotion. Supplementary.

Mr. Tory: What I am in this House talking about today is jobs. It's about jobs for people in the north; it's about jobs for people all over Ontario. It's about the need we have to attract investment to this province so that we can create jobs so we can pay for all of those other things that the Premier talked about.

Here is what Christina Blizzard had to say about the diamond tax this past Sunday:

"Northern Ontario has been brought to its knees through job losses and mill closures.

"Young people in isolated aboriginal communities have one of the highest suicide rates in the western world. Why? Because there is no hope, no future.

"Along comes a project that promises to inject not just money but hope—and the dignity of a good job for young people. And what does the government do? It slaps a massive tax hike on it."

The Sault Star today quotes Stan Louttit, grand chief of the Mushkegowuk Council in Moose Factory. He says: "Are we going to continue wallowing in Third World conditions or are we going to prosper now? We can't because of what the government is going to do."

We have a resolution coming before this House. I ask the Premier, will the Premier vote for that resolution and urge his members to do likewise and repeal this tax?

Hon. Mr. McGuinty: I think the leader of the official opposition knows clearly where I stand on this issue; I think he knows where my caucus stands on this issue. We will be clear in that regard when we deal with this particular resolution.

But when it comes to clarity, I think one of the things that the people of Ontario might have a passing interest in is, where is the leader of the official opposition going to stand on our endangered species legislation, and does he have the full support of his caucus on this very important issue which speaks to our shared responsibility to preserve animal life, which enriches the quality of our overall life here in the province of Ontario?

I provide clarity, I provide transparency with respect to his resolution, but what the people of Ontario really want to know as well is, where does Mr. Tory stand and where does his caucus stand on our endangered species legislation?

Mr. Tory: On May 9, the Kirkland Lake Northern News ran an editorial—

Interjections.

The Speaker: Order. Final supplementary.

Mr. Tory: On May 9, the Kirkland Lake Northern News ran an editorial entitled "Killing the North." They described this tax as a "sneaky little paragraph" that is "a kick in the face for northern Ontario development."

"Diamonds," it says, "are one of the last mining hopes in the north as the lumber, pulp and paper industries falter."

We've seen thousands of jobs lost in the north since this government took office. This project was supposed to be a bright hope, but the shine has gone off it. According to the mayor of Timmins, he says he "worries with all the current diamond exploration taking place in the north, the tax could scare away potential investors." That's what he said, not me.

This is the exact opposite of the kind of policy we need for northern Ontario and for aboriginal people and for the kind of fairness that you talk about. We are committed to getting rid of this tax for this mine. My question again is, will you show some leadership on this, admit that a mistake was made here? Will the Premier show some leadership, admit that a mistake was made, vote for this resolution and encourage your members to do the same, to help the north, to help economic development in the north?

Hon. Mr. McGuinty: If there's a call for unanimity in this House, I would beg the leader of the official opposition to look for unanimity in terms of support for our endangered species legislation, an important bill before this House today.

Again, we are not nearly as pessimistic as the leader of the official opposition is when it comes to the future of the mining industry in northern Ontario. By any objective assessment and measure, we have the most vibrant, fastest-growing mining sector in all of North America. The leader of the official opposition says we should not be on a competitive footing with the rest of Canada when it comes to our royalties. We disagree with that. Those

diamonds belong to the people of Ontario. They don't belong to any one particular investor. We welcome that investment. We welcome the economic opportunities it will create, but we also welcome the revenues it will produce to help us support better schools, better health care, better protection for our environment, a stronger economy and better jobs, especially for the people in northern Ontario.

MANUFACTURING JOBS

Mr. Howard Hampton (Kenora–Rainy River): My question is for the Premier. The Kitchener–Waterloo region has lost 7,000 good-paying manufacturing jobs in the last few years. B. F. Goodrich, Image Craft, NCR Canada, La-Z-Boy, MTD—all of them gone. The lost manufacturing jobs represent 25% of the local workforce in the Kitchener–Waterloo region.

I believe that Ontario needs a jobs commissioner to fight for good jobs in Ontario, but you say no. My question is this: How many more people in Kitchener–Waterloo have to lose their job before the McGuinty government figures out that we do need a jobs commissioner to fight to sustain good jobs in Ontario?

Hon. Dalton McGuinty (Premier, Minister of Research and Innovation): There's no doubt that our economy is being challenged, especially insofar as manufacturing jobs are concerned. There's no doubt about that whatsoever.

But I have had the opportunity to visit Kitchener–Waterloo on a number of occasions since we earned the privilege of serving Ontarians as the government. There is an exuberance, an optimism, an enthusiasm and an entrepreneurialism that I would love to replicate in other communities right across this province only to be found in Kitchener–Waterloo. So the Kitchener–Waterloo that the leader of the NDP is talking about is not the Kitchener–Waterloo that I know.

I do know that there are some challenges there when it comes to the manufacturing sector but, at the same time, there is an overwhelming sense of optimism about continuing to work together and build jobs. Whether you're talking about BlackBerry or others in the high-tech sector, whether you're talking about the new pharmaceutical school that we have in place there, whether it's new investments in health care and education, that community is hustling and bustling and succeeding in the province of Ontario.

Mr. Hampton: I think this will be news in Kitchener–Waterloo: Seven thousand people lose good-paying manufacturing jobs and the Premier says everything is fine.

Premier, it's not just the Kitchener–Waterloo region. Let's look at the Thunder Bay region, where in fact if you look at the Norampac mill in Red Rock, the Bowater paper mill, the Bowater pulp mill, the Cascades paper mill, the Smurfit–Stone linerboard mill, the Abitibi paper mill, the Great West sawmill, the Northern Hardwood sawmill, the Bowater sawmill in Ignace, it's 2,100 direct

jobs that have been destroyed under the McGuinty government.

Your own government says those jobs carry a multiplier of four indirect jobs, for a total of 10,500 jobs. Tell me, how many more good-paying manufacturing jobs have to be lost in the Thunder Bay region before the McGuinty government says we need a jobs commissioner?

Hon. Mr. McGuinty: It's interesting that the leader of the NDP says he's in favour of the government taking action when it comes to supporting the manufacturing sector in Ontario, but when we put in place our advanced manufacturing strategy with an investment of half a billion dollars, the leader of the NDP voted against that. And when we've done other things that help support manufacturing in Thunder Bay, for example, with a billion-dollar investment in a subway, the leader of the NDP says he stands against that subway.

When I had the privilege to speak recently at a convention of the CAW, I was approached by representatives from Thunder Bay, who asked me if I might take up the cause with the NDP and seek their support in terms of our initiative and our investment in a new subway line, which will stand to the benefit of many families in Thunder Bay, many, many families in northwestern Ontario.

1510

Mr. Hampton: I'm sure people in Thunder Bay will appreciate the Premier's answer there too: 10,500 direct and indirect jobs destroyed in Thunder Bay, and the Premier says everything is fine.

Let me give you another example, Premier: the small town of Ignace, population 1,500 people. Under your government in the last few months, the sawmill was closed. Why? Because, as a direct result of the McGuinty government's support for the softwood lumber sellout deal, now all of the woodlands jobs—150—are gone. So in a few short months, over 200 jobs that support the local economy are gone. The local economy is devastated.

Premier, given that your policy of driving industrial hydro rates through the roof is responsible for so much job loss in Thunder Bay, and then the softwood lumber deal, is that why you oppose a jobs commissioner, because he might point out that in fact the McGuinty government has caused a lot of this job loss?

Hon. Mr. McGuinty: One of the things that we have in fact done, and we have taken a look at this in some considerable detail, is consider whether or not a jobs commissioner would be helpful. We have decided it would not. I would encourage my honourable colleague opposite to take a look at the BC experience, where they've also just recently decided to get rid of their jobs commissioner.

Let me tell you a little bit about the investments that we continue to make in northern Ontario. Beyond the \$1-billion investment in the forest sector strategy, there's a \$1.8-billion, five-year northern Ontario highway strategy, the first commitment of its kind for northern highways.

We've invested over \$1 billion in hospitals and health capital in communities like Sault Ste. Marie, North Bay, Timmins, Mattawa, Thunder Bay and Sudbury.

The leader of the NDP made reference to electricity costs. Well, we've provided \$140 million in rebates for the northern pulp and paper electricity transition program, meaning savings of as much as 50% over the course of three years.

I have never once said that there are not real challenges; we acknowledge that. But we also acknowledge that, working with the people of northern Ontario, we're making real progress.

NATIVE LAND CLAIMS

Mr. Howard Hampton (Kenora–Rainy River): To the Premier: Yes, the Liberal government in British Columbia, much like the McGuinty government in Ontario, says they don't need a jobs commissioner, while thousands of jobs are lost.

But I want to ask the Premier about his comments earlier today. The Premier called for the federal government to turn their attention to the plight of First Nations. The Premier said the federal government should be making efforts to improve life for aboriginal communities. Given the Premier's new-found concern for First Nation communities, can the Premier explain why the McGuinty government opposed legislation that would have enshrined resource revenue-sharing with First Nations in Ontario?

Hon. Dalton McGuinty (Premier, Minister of Research and Innovation): The comments I made earlier today were in connection with questions having to do with the fact that there are over 800 outstanding land claims in Canada today. The proposal that I put forward to Prime Minister Harper, one that has been supported by a number of others to this point in time, is that we consider putting in place a new process, an accelerated process, one that would ensure there's an independent, objective third party who presides over this issue of the land claims. Clearly at this point in time—and I don't blame this at all on Prime Minister Harper; this is an issue they have inherited—the federal government finds itself in a position of conflict. On many occasions, if there are lands to be transferred to our aboriginal communities, our First Nations people, those are lands that are owned by the crown in the right of Canada. So I put forward a positive, constructive proposal to the federal government, and I would ask the leader of the NDP for his support in this regard.

Mr. Hampton: Premier, the jobs commissioner issue provides an example, because there used to be an independent Indian claims commissioner. Do you know who did away with it? The last Liberal government eliminated the office of the independent Indian claims commissioner.

But I want to talk about a very specific claim. I want to talk about the claim of Kitchenuhmaykoosib, an Inninuwig First Nation in the north. The courts have

even had a chance to pronounce on this. The judge presiding said this is a very unique case: one, the fact that the exploration and development may take place on lands subject to an ongoing treaty land claim; two, the fact that the Ontario crown and the company have chosen to completely ignore the interests of the First Nations.

Premier, why doesn't your government start carrying your part of the ball? Stop lecturing other governments—

The Speaker (Hon. Michael A. Brown): The question has been asked. Premier?

Hon. Mr. McGuinty: To the minister responsible for aboriginal affairs.

Hon. David Ramsay (Minister of Natural Resources, minister responsible for aboriginal affairs): I know the leader of the third party understands the British North America Act and the Canadian Constitution, that the responsibility of our First Nations people is the responsibility of the federal government. But you have to appreciate and understand that when under the previous federal government those responsibilities failed, it was Premier Dalton McGuinty who stood in and made sure and ordered an evacuation of Kashechewan First Nation to save those people from Hudson Bay, and you had better appreciate that. So we continue to work with the federal government in supporting their role, but you have to understand that it's the primacy of the federal government.

Mr. Hampton: I beg to differ. I was here. The McGuinty government had to be dragged, kicking and screaming, to pay attention to the issues of Kashechewan First Nation.

But I want to quote the judge again, because this is what he says about the Ontario government, the McGuinty government: "Despite repeated judicial messages delivered over the course of 16 years, the evidentiary record available in this case sadly reveal that the provincial crown"—the McGuinty government—"has not heard or comprehended this message and has failed in fulfilling" its obligations.

I say to the McGuinty government, rather than trying to blame this federal government or that federal government, when is the McGuinty government going to start recognizing and fulfilling your obligations to the First Nations of Ontario instead of hitting them with mining royalty taxes?

Hon. Mr. Ramsay: You know, the leader of the third party really fails, I think, to comprehend all that we are doing on behalf of aboriginal people across this country. I would like to bring to his attention—and I'm sure he knows, because it comes from his own riding—the director of education for Keewatin-Patricia district, Janet Wilkinson, when she said, "I am so proud of what this government has done for acknowledging for the first time that education for aboriginal students has to be recognized. There is recognition for the first time in the funding model for aboriginal students and the projects being supported will generate new approaches to ensuring aboriginal students have equal opportunity." It's ministers like our education and our health ministers who

are stepping up to the plate and making sure that our aboriginal people have the services they need.

The Speaker: New question.

Mr. John Tory (Leader of the Opposition): My question is for the Premier. We have in Ontario our own one-one situation, among a number, which is of course Caledonia, which is now 441 days old, and we have hundreds of outstanding claims, as the Premier mentioned, across the country. We have the threat of disruptive protests on the books. I think there wouldn't be a person in Canada, leave alone in this Legislature, who wouldn't agree that we have to find a better way.

Now, the Premier mentioned in answer to a question earlier a proposal that he has put forward. I wonder, given Ontario's leadership role in the country, given that we have extensive public service resources available to us here which others perhaps don't, is the proposal the Premier has talked about a couple of times now, including here today, something that is in writing, that has been put forward to the federal government in writing? If the Premier would like to attract the support of the other parties on something where I think we would like to agree and work together to find a better way, could you make it available to us so that we might then have a look at it and see if we could support it?

Hon. Mr. McGuinty: My proposal is less than original in that it has been put forward by Stéphane Dion. It has been put forward by Chief Phil Fontaine. It has been put forward, I believe, by Premier Gordon Campbell. I believe, in fact, that there is a growing understanding within Prime Minister Harper's government that we all need to find a new way. As we stare into the face of this national day of action, I would encourage all those who are thinking of protesting on that particular day here in the province of Ontario that they respect the law, that they not compromise our economy, that they not compromise personal safety.

Having said that, I think it's incumbent upon all of us now, given that there are so many outstanding land claims, that we come together—and I made the offer today in the scrum. I said that if it can help for me to meet with Prime Minister Harper, if I can help by bringing together my colleagues from across the country, we are more than prepared to do so. But I think it's high time that collectively we find a better way to address these long-standing concerns.

1520

Mr. Tory: I would say to the Premier, one other group he left out might be that we could start by bringing into the equation here his colleagues in this House and share with us if there's a proposal. If there is a proposal Ontario would like to make, then why don't we make it and not rely necessarily on what Mr. Dion or anybody else has done?

On the point of the protest and so on, I join the Premier in urging people not to defy the law. I recognize that there are some who will disagree with me, but I don't think it's appropriate that anyone thinking of a blockade of a highway or a rail line or any other demonstration

which might be unlawful could plan it or announce it thinking there are no consequences to doing that kind of thing. I've suggested, and there are those who will disagree and have, that we make greater use of the courts, the institution we put in place to deal peacefully with these kinds of things.

My question to the Premier is this: With all the notice we have of these possible disruptions, is the Premier exploring all options available to him and to his government to protect the public interest and to uphold the rule of law and one law for all of us?

Hon. Mr. McGuinty: The leader of the official opposition knows full well that responsibility for upholding law and for enforcing law lies exclusively with our police. We will not interfere in their operations, in their preparations. I have every expectation that Commissioner Fantino will do everything that he thinks is appropriate in preparation for whatever might unfold, but I will remain optimistic. I think we're all charged with that responsibility; we should remain optimistic.

The other thing I would say is that we are considering a national day of action. This is something that goes far beyond the province of Ontario. I fully expect that the Prime Minister and Minister Prentice and other appropriate people in the federal cabinet will be giving some very thoughtful consideration to how the federal government intends to react, and not only just to react but to put in place some kind of—

The Speaker: Thank you, Premier.

TORONTO POLICE SERVICE

Mr. Peter Kormos (Niagara Centre): To the Premier: CBC Radio reports that Susan Eng, while she was a member of the Toronto Police Services Board, was the subject of surveillance being conducted by the Toronto police force and that Julian Fantino, then with the Toronto Police Services Board, either directed or supervised that surveillance of Miss Eng as a member of the police services board. Was the Premier aware of this when he appointed Mr. Fantino to head Ontario's provincial police?

Hon. Dalton McGuinty (Premier, Minister of Research and Innovation): To the Minister of Community Safety.

Hon. Monte Kwinter (Minister of Community Safety and Correctional Services): There have been allegations over the years about this particular situation. It was 16 years ago. It was public knowledge. This is something that was out there. It isn't something that suddenly has come up. What has happened is that we have a situation where this particular situation has to be dealt with either in the courts or by the police service itself. It is not something in which we as a government have any role to play. Under the Police Services Act, I have the ability to handle complaints about the commissioner of the OPP and the deputy commissioner. I don't have the ability to go into an individual police service

and interfere with that. There is a body, OCCPS, that can take complaints and deal with individual police services.

Mr. Kormos: Speaker, I don't have to tell you how inappropriate, indeed improper, it is for a police force to be investigating or subjecting a member of their board to surveillance. I ask the government this: Is Mr. Fantino going to be asked to step aside pending an investigation of this highly inappropriate, indeed improper, conduct concerning himself and his police force?

Hon. Mr. Kwinter: The member has decided that this is a fait accompli, that's it done, that there's no counter-rebuttal. That is not the way the system works. This is something that, as I say, was 16 years ago. It is something that does not, at the moment, impact on anyone else. There is a mechanism for that to be addressed, and it is not in this particular location.

CONSUMER PROTECTION

Mr. Tony Ruprecht (Davenport): I have a question to the Minister of Government Services on payday lending. Ontarians who are unable to get a bank account are forced to get their cheques cashed at payday lending stores or chequing stores. They're being charged, as all of us know, exorbitant rates. Those who are financially stretched and need money before their payday are charged outrageous interest rates and get into crippling debt.

Federal legislation is already in place and became law in early May. What's our government response? What are we doing to ensure that Ontarians are being protected?

Hon. Gerry Phillips (Minister of Government Services): I'll say what I've said here before. We would have preferred that the federal government had taken a leadership role in this. They decided not to.

I will say this: We fully intend to make certain that these payday loans are properly regulated. My own view is that they will need to be licensed. My own view is that we will need to set a maximum rate that they can charge. I do want to make sure that we have public input into this. We have a discussion paper that, over the next few weeks, we're asking the public's input on. I would also say that, contrary to what the public may believe, none of the other provinces—Manitoba has not set a rate yet; Nova Scotia has not set a rate yet. We have put in place some temporary moves that I've announced. We'll make sure that in the offices of the payday lenders, you have a clear sign of what it's going to cost you. Then I will undertake, as I've said, to make certain these are properly regulated. That's a commitment by the government of Ontario.

Interjections.

Mr. Ruprecht: Just a minute now, Mr. Speaker.

The Speaker (Hon. Michael A. Brown): I'm having great difficulty hearing the member for Davenport. Supplementary.

Mr. Ruprecht: This is, as you know, a very important issue in my riding. I might even say it's an important

issue in your riding as well. If you would only pay attention, you might even learn something.

All of us have seen this industry emerge and grow. In fact, I know that there are some ridings here whose payday institutions, loan services and chequing institutions—there are maybe 14 to 15 of these stores in our ridings. That's an outrageous number.

First they emerged as chequing stores and cashing stores, but now they are being payday lenders. My question is very simple. This industry is now being asked to be regulated. Why are we still consulting? Don't we have enough information? How is Ontario going to—

The Speaker: The question has been asked. Minister.

Hon. Mr. Phillips: I do appreciate the question. There are different opinions on this. I would just say to the public that we've only to look at the NDP caucus. We have a private member's bill from Mr. Kormos that recommends one approach. That's the Manitoba approach, where they're licensed, where the rate is set, where they are essentially controlled by the government. Yesterday we had a different approach by the member from Parkdale—High Park, which said to take the Quebec approach. The Quebec approach essentially put them out of business. So this, I think, illustrates the reason for consultation. The NDP caucus gives us conflicting advice.

1530

The last thing I would say—and this was the advice from the Attorney General in 1992, Marion Boyd, talking about the Quebec situation. She said, "The official charging of fees stops, but the underground charging of fees does not."

What's the point of that? It is that advice we're getting broadly, in this case three pieces of advice from the NDP caucus, illustrates—

The Speaker: Thank you. New question?

IMMIGRANT SERVICES

Mr. Frank Klees (Oak Ridges): My question is to the Minister of Citizenship and Immigration. Yesterday, I put a question to the minister regarding two agreements: one, the Canada-Ontario immigration agreement; the second, the Ontario-Canada labour market agreement. Specifically, the minister has direct responsibility for one of those agreements. Yesterday, he wasn't sure about that agreement and its contents. Surely he's had an opportunity now to familiarize himself with the agreement, and under the accountability section the minister is responsible to table annually a report relating to the accountability and the practices relating to the treatment of the funds and the program's success.

Speaker, through you to the minister, I'm going to ask, whether in fact he has met his obligations under the terms of this agreement and tabled that report, and if not, when he expects to do so.

Hon. Mike Colle (Minister of Citizenship and Immigration): Yesterday, I tried to make things clear to the member, who referred to two different agreements. He referred to the Ontario-Canada labour market agree-

ment, which is not under my ministry. What is under my ministry is the Canada-Ontario immigration agreement, which is the result of this government, after 20 years of Ontario not getting the program investment from the federal government that the newcomers deserve—we finally got that agreement. That agreement means that over the next five years, \$920 million will be invested by the federal government into programs like language training, like settlement programs, that are much needed in Ontario. That is being done in co-operation with the federal government. We're happy that's starting, and we think more should be done quicker.

Mr. Klees: I did in fact refer to the Canada-Ontario immigration agreement. I specifically advised the minister that there are sections in this agreement that he signed on November 21, 2005, that contain specific accountability requirements, one of which is that he as minister is to file, to make public, a report that relates to accountability of the program.

The minister now, four successive times, is refusing to answer the question. I'm going to draw the conclusion that he has not met his obligations under the terms of this agreement; and I'm going to ask him now: Will he undertake to file that report and make it public, as he agreed to do when he signed the agreement in 2005?

Hon. Mr. Colle: Mr. Speaker, I'm going to refer it to the Minister of Training, Colleges and Universities.

Hon. Christopher Bentley (Minister of Training, Colleges and Universities): When the honourable member asked the question yesterday, he mixed up two agreements. He didn't know which agreement he was talking about. He was asking the honourable member, my colleague Minister Colle, about the labour market development and immigration services agreements. No wonder the honourable member couldn't understand the answer that was coming out. You need to actually read the agreements.

There's one paragraph in the immigration agreement—a separate agreement that my colleague signed—that's been complied with, as he's made clear. There is an entirely separate accountability mechanism in the labour market development agreement, because, unlike my colleague, in my ministry, the federal government actually did what the member referenced yesterday, which was to transfer programs and services to us.

Nice try with the question. You have to read the agreement. We demand better standards of management than that, sir.

EDUCATION FUNDING

Mr. Rosario Marchese (Trinity–Spadina): My question is to the Minister of Education. Today the Bluewater District School Board announced that it is eliminating up to 16 staff from office and plant operations, 17 positions from secondary school staffing and French immersion programs, and cutting special education programs. In the Near North board, parents are bracing for cuts to elementary teachers and educational assistants. That means

cuts or, for parents who have the time and money, more fundraising. Is this the Liberal government's plan for the future: Parents who can afford to fundraise get great schools and those who can't get cuts?

Hon. Kathleen O. Wynne (Minister of Education): Because we were able to get the grants for student needs out to boards in a very timely manner this year, the boards are having time to plan their budgets. We are going to hear some of the issues that boards are dealing with, because, I have said many times in this House, we are dealing with declining enrolment across this whole province. So boards—none of whom have fewer dollars this year, by the way; they all have more dollars, but fewer students—are having to make adjustments.

The thing about this member opposite that is surprising to me is that he should understand that what we're doing about publicly funded education in this province is something he should be supporting. He should be working with us, because he knows, as a former school trustee, that we are on the right track, that publicly funded education is in much better shape than it was under the previous government. He should be working with us.

Mr. Marchese: Minister, despite cuts, the Near North board will spend \$875,000 more than it receives from you for its special education programs. Bluewater's superintendent of business, Dean Currie, says that officials are making the cuts to pay down a deficit of more than \$3 million. Boards are being forced to cut educational assistants, elementary teachers and special education programs because the minister refuses to properly fund essentials. When will the minister fund essential services and stop subcontracting parents to do her job?

Hon. Ms. Wynne: Again I go back to the fact that we have put \$3.5 billion into publicly funded education in this province since we were elected. The previous government took \$2 billion out of education. Across the province, more than 50 boards are in declining enrolment. In the face of that decline, we have increased funding.

The other reality is that we have a real respect for school trustees and we believe that school trustees at the local level have the information that they need to make the decisions on a local basis about the schools in their riding.

It surprises me, because the member opposite was a school trustee. He understands how important it is for trustees to be able to do their jobs. We're letting them do their jobs. They are working with more money than they had last year. I look forward to the day when the NDP works with us and starts to rebuild with us public confidence in publicly funded education. That's what they should be doing with us.

HEALTH CARE

Mr. Dave Levac (Brant): My question is for the Minister of Health and Long-Term Care. Minister, people often judge the health care system based on how they are

treated as a person. Whether it's being able to get medical appointments or diagnostic scans, people want to know that the system's working for them as patients and that they will be treated with the respect and dignity that they deserve. The right to be treated with respect should follow us all the way through life, especially as we approach the end of life. One day we will all face that fate and we need to have the proper supports in place to help people to be as comforted and comfortable as possible.

1540

The minister knows of my support for end-of-life supports and services. The population is aging and we need more access to end-of-life supports, such as the Stedman hospice in Brantford. What are you doing to address this growing need in the Hamilton Niagara Haldimand Brant LHIN?

Hon. George Smitherman (Deputy Premier, Minister of Health and Long-Term Care): I appreciate the question from the honourable member from Brant with respect to needs for end-of-life care and supports in the Hamilton Niagara Haldimand Brant LHIN. I want to acknowledge that the model of care that was developed in his community is a fantastic one, which we've been very proud to support. We're proud as well that in the year-end investments that were captured in the budget, we were able to invest a further \$9.9 million in six residential hospices across the province of Ontario. We know that the Conservatives have been against any of these investments, unless of course it happens to be in the leader's riding, in which case they lobby to be in the press release.

In the LHIN that was spoken of by the honourable leader, the Dr. Bob Kemp Hospice in Stoney Creek received \$1.6 million for capital support. Hospice Niagara began fundraising in 2005 with a capital campaign of \$3.8 million. We donated a further \$1.6 million, all part of the investment that we're making. On top of that, each of these residential hospices will receive \$580,000 of annual operating—

The Speaker (Hon. Michael A. Brown): Thank you. Supplementary?

Mr. Levac: The minister tells us of the good news. By the way, it's the first type of funding for end-of-life services in the province's history, and I appreciate that.

I said that the doctor shortage is a major concern for constituents as the population ages, and even before so. There will even be more pressures on doctors currently practising. You've rightfully said that we can't solve the problem overnight, but there are people in Ontario who do not have access to a family doctor right now. In my riding of Brant, we have a small urban and rural component contained within the riding, and it is often more difficult for rural areas to attract family doctors. To help with that problem, you have announced a new family health team and a new community health care centre, which have been traditionally successful at rostering new patients.

I ask the minister this: How else is he addressing the primary concerns of care and the unique needs of other residents in the Hamilton Niagara Haldimand Brant LHIN?

Hon. Mr. Smitherman: One thing that we're enormously proud of is that the great capabilities of McMaster University will be called upon significantly as we build a new satellite medical school in Niagara. In addition, I can tell the honourable member that if we look at the community of Erie-Lincoln, we see evidence of important government investment, part of which has led to 500,000 additional people in Ontario having access to a family physician.

In the Smithville family health team, 1,255 patients orphaned by previous governments have now received access to quality care. In the Beamsville family health team, a further 912 formerly orphaned patients have received care. And in the community of Port Colborne, working with the folks in Fort Erie, there's the development of a new community health centre. All of these models are building on the capacity to have a team approach in health care that is enhancing the quality of care while at the same time enhancing our capacity to care for more Ontarians—further progress in the investments that we've made in health care paying dividends for Ontarians.

YEAR-END GRANTS

Mr. Tim Hudak (Erie-Lincoln): A question to the Minister of Finance: The 2006 auditor's report criticized the minister's end-of-year, mad money spending spree by saying, "In many cases, normal accountability and control provisions were reduced or eliminated to ensure the transfers that qualify for immediate expensing prior to the March 31, 2006, fiscal year-end." In response, the minister said, "We will implement every single recommendation of the AG's 2006 report," but he just couldn't help himself. He broke that promise with a super-sized \$1.4-billion slush fund, much of it to further the interests of the Ontario Liberal Party rather than hard-working taxpayers. Why did the minister break his promise to the AG and the taxpayers of this province?

Hon. Greg Sorbara (Minister of Finance, Chair of the Management Board of Cabinet): It would be much better if he actually read the full comments of the Auditor General, where he says—now, the Auditor General does, I admit, have some criticism of the public service accounting board standards; those are beyond our control. But if he would just read the rest of the paragraph, he would see that all of our year-end expenditures are absolutely and completely consistent with generally accepted accounting principles and how those payments are recorded in public statements like those of the province of Ontario.

Mr. Hudak: As we know, the Minister of Finance wears three hats: As the Minister of Finance, he writes the cheques; as the head of treasury board, he checks and puts them in envelopes; and as the chair of the Liberal

campaign, he obviously wants to see Liberal MPPs hang on to their seats.

We saw, unfortunately, the Mike Colle slush fund that put Liberal Party candidates, Liberal Party presidents and Liberal Party donors to the front of the list and other well-qualified groups to the back of the list. We saw \$50 million for your friends at Magna corporation when they were amassing finances to fund Chrysler. They fell short; I guess you didn't give them enough money in your end-of-year slush fund. The minister is running around and handing out pre-election cheques like he's Paul Martin on speed. Minister, how do we know that your role as chair of the Ontario Liberal Party campaign hasn't trumped your responsibilities as the Minister of Finance?

Hon. Mr. Sorbara: Mr. Speaker, if I can get to the heart of his question, I will tell him that Liberal members in this caucus will be returned to this House, I believe, because of what we have accomplished in education. Liberal members will return to this House because of what we have accomplished in health care. Liberal members will be returned to this House because of what we've accomplished in tourism, in agriculture, in energy. And Liberal members will be returned to this House because the people of Ontario never want to return to a government which before an election hid, concealed, a \$5.6-billion deficit.

AIR-RAIL LINK

Mr. Paul Ferreira (York South-Weston): My question is to the Minister of the Environment. I have risen a number of times in this House to ask about the status of the environmental assessment concerning the Blue 22 air-rail link and the expansion of GO service along the Georgetown rail corridor. At this point in time, we still do not know what this minister thinks of the EA's terms of reference. We were told an answer would be forthcoming in late January. Then we were told it would come shortly after the by-election. Three months later, still not a peep.

My question is a fairly straightforward one: When will this minister quit stalling and give us an answer one way or the other on the terms of reference?

Hon. Laurel C. Broten (Minister of the Environment): Let me assure the member opposite that I will take the time necessary, as I do in each and every instance, with the expertise at the Ministry of the Environment, to ensure that we examine fully terms of reference that are put forward by independent proponents and make sure that we take the time to ensure the environmental assessment process is right.

The question I would pose to you is, why don't you continue to champion transit in your community by speaking to your leader about the fact that we should see a subway built in Toronto?

Mr. Ferreira: For each day that this minister stalls on this issue, the longer commuters along the Georgetown corridor must wait for better service. The present train

capacity is inadequate, with limited weekday service and no service at all on weekends.

However, the situation can be addressed immediately. In 1994, GO Transit completed the Georgetown corridor all-day-service environmental study report. The study answers all the questions that need to be answered to provide the expanded GO service that is so desperately needed along the Georgetown south corridor. This minister can say yes to public transit and no to private high-speed trains by accepting the 1994 study, which would get the extra trains rolling without the need to waste money on a new and flawed Blue 22 environmental assessment. If her government is as committed to public transit as she claims, why won't she do it now?

1550

Hon. Ms. Broten: Let me assure my friend opposite that I have stood on the platform and spoken to the people in this community alongside the Liberal candidate, Laura Albanese, who has brought forward productive and useful comments to the Ministry of the Environment on behalf of her community. Let me assure the members opposite that I will take the time to ensure that this matter and the concerns of the community are fully examined and that all of the issues are addressed.

But I ask my friend again, why does he not stand in his place and speak in favour of public transit for a community, York region, that has none? Why don't you move down to the front row and speak to your leader about his opposition to historic public transit investments in the city of Toronto? Why don't you take a significant and relevant stand on behalf of your city to tackle the significant issue of climate change instead of playing politics with an important issue to your community?

TOURISM

Mr. Bruce Crozier (Essex): My question is for the Minister of Tourism. In my riding, like yours, there's a very distinct tourist draw, that being our beautiful wineries. Minister, what are some of the initiatives our government has done to promote the wine industry?

Hon. James J. Bradley (Minister of Tourism, minister responsible for seniors, Government House Leader): I thank the member for Essex for his question and his commitment to the promotion of the Ontario wine industry.

The wine industry is extremely important to a number of regions in Ontario, including, of course, the Niagara region, and is exceedingly important to this government. That is why, in 2004, we announced a \$10-million commitment to the industry over five years. In 2006 our investment was further strengthened with one-time support of \$5 million and a \$10-million, three-year program for VQA wines sold in the LCBO.

We're also pursuing innovative ways to help the industry promote Ontario wines and winery tourism. Last Friday we announced that wineries and breweries will be able to apply for a licence that will let them sell single servings of their products on their manufacturing site.

This can be done to help educate winery and brewery guests, promote the local product and help improve Ontario's tourism experience.

Mr. Phil McNeely (Ottawa–Orléans): My question is for the Minister of Tourism as well. Ontario has the highest visitation rate in all the country. People come from all over the world, including from within Canada and Ontario's borders. They come to enjoy the longest continuous skating rink in the world and to enjoy one of many lush natural areas that our government has protected in the green belt, our beautiful Petrie Island Park in Orléans on the mighty Ottawa River. Our government has invested \$2 million in the World Junior Hockey Championship for January 2009, the single largest sporting event in Ottawa's history. This event will attract thousands of visitors to our beautiful city, home, by the way, of the Ottawa Senators.

Minister, I know that one of the areas that you, as Minister of Tourism, have focused on is convention development in the province of Ontario. Can you please tell this House what we, as a government, are doing to attract convention business to Ontario?

Hon. Mr. Bradley: I'll avoid the reference to hockey and say I would like to thank the member for Ottawa–Orléans for his excellent question.

The member is correct in pointing out that our government has invested heavily in attracting convention business in the province. In fact, since 2003, we have invested more than \$7 million in convention development all across the province, in addition to substantial investments in the Ottawa Congress Centre.

As well, in the 2007 budget, our government allocated \$35 million to help build the Niagara convention centre. I know that all members from the Niagara region would agree that the jobs and economic boost this will create will be good for the area. In fact, my good friend from Erie–Lincoln said the investment will certainly be good for the tourism sector, and he and I certainly agree on that. Anna Pierce, the executive director of Niagara Falls Tourism, is excited about the investment our government has made.

Our government is investing in the convention business in this province because we are committed to creating jobs and ensuring Ontario's economic prospects. Go, Sabres, go.

PETITIONS

STEVENSON MEMORIAL HOSPITAL

Mr. Jim Wilson (Simcoe–Grey): “Whereas Stevenson Memorial Hospital needs \$1.4 million in new funding over the next three years to get its birthing unit reopened and to ensure that they can recruit enough obstetricians and health care providers to supply a stable and ongoing service for expectant mothers in our area; and

“Whereas forcing expectant mothers to drive to Newmarket, Barrie or Orangeville to give birth is not only unacceptable, it is a potential safety hazard; and

“Whereas Stevenson Memorial Hospital cannot reopen the unit under its current budget and the McGuinty government has been unresponsive to repeated requests for new funding;

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

“That the McGuinty Liberal government immediately provide the required \$1.4 million in new funding to Stevenson Memorial Hospital so that the local birthing unit can reopen and so that mothers can give birth in Alliston.”

I agree with this petition and I'm signing it.

NON-PROFIT HOUSING

The Acting Speaker (Mr. Michael Prue): The member from Oakville—excuse me, the member from York South–Weston.

Mr. Paul Ferreira (York South–Weston): Thank you, Mr. Speaker. I was afraid you were going to bypass me.

“To the Legislative Assembly of Ontario:

“Whereas every citizen of Ontario should have a safe, healthy and decent home; and

“Whereas thousands of individuals and families are denied this basic right when the province of Ontario downloaded affordable housing to the city of Toronto but refused to pay for the hundreds of millions of dollars in deferred capital repairs; and

“Whereas poor living conditions undermine the safety and security of communities, harming children, youth and families living in affordable homes; and

“Whereas failure to invest in good repair undermines the values of the province's affordable housing as the condition of the housing stock deteriorates; and

“Whereas poor living conditions have a damaging impact on the health of communities, costing Ontarians millions in health costs; and

“Whereas investment in housing pays off in better residences and in stronger, safer ... communities; and

“Whereas residents of Toronto Community Housing have waited five years for the province to pay its bills and bring affordable housing to a state of good repair;

“We, the undersigned, petition the Legislative Assembly of Ontario to:

“Accept its responsibilities and invest \$300 million to ensure that all residents of Toronto Community Housing have a safe, decent and healthy home.”

I'm proud to affix my signature to this petition and hand it to page Safa.

ONTARIO DISABILITY SUPPORT PROGRAM

Mr. Kevin Daniel Flynn (Oakville): I have a petition that has been collected by Steven Muir, who is sitting in

the east gallery. He's a member of Oakville Community Living, a self-advocate and works in my constituency office. In the interest of time, I will just read the end of the petition:

"We, the undersigned, petition the Legislature of Ontario to increase the Ontario disability support program payments on an annual basis to ensure it covers the cost-of-living increase incurred by ODSP recipients."

LONG-TERM CARE

Mr. Bill Murdoch (Bruce-Grey-Owen Sound): I have a petition to the Legislative Assembly.

"Whereas the proposed Long-Term Care Homes Act is extremely lengthy and complex and requires full and extensive parliamentary and public debate and committee hearings throughout the province; and

"Whereas the rigid, pervasive and detailed framework proposed is excessive and will stifle innovation and flexibility in the long-term-care sector...."

There are a bunch more "whereases," but I will hurry it up:

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

"We demand that the McGuinty government withdraw the proposed act, or remove the offending sections, and fulfill its commitment by a substantial increase in funding on a multi-year basis in the order of the promised \$6,000 per resident, per year."

I have signed this.

Mr. Peter Fonseca (Mississauga East): "To the Legislative Assembly of Ontario:

"Whereas the McGuinty government's transformation agenda targets health improvement, illness prevention and improved quality of life for all Ontarians, and current literature and research indicate that sound nutrition directly impacts healthy outcomes;

"Whereas current literature and research indicates that the acuity and nutritional needs of residents of long-term-care homes is rising and there is an increasing frail resident population in long-term-care homes, with 25% to 60% at moderate to high nutritional risk, and that healthier long-term-care residents would decrease unnecessary hospitalizations, clogging of emergency wards and the use of acute care beds in hospital environments;

"Whereas the raw food cost funding, which was \$4.26 per resident per day in 1993 and is now \$5.46 per day per resident, has not kept pace with inflation and has presented a barrier to providing nutritionally balanced meals and providing for the increasing specialized dietary needs, and following an extensive study, an immediate increase in raw food cost funding from \$5.46 per day per resident to \$7 per resident per day has been recommended by the Dietitians of Canada (raw food cost in Ontario long-term-care homes funding review and priority recommendations dated November 2006) to provide for the nutritional needs of this population, and these recommendations are viewed as a best practice and are recognized by professional stakeholders;

"Whereas, although the McGuinty government has made significant investments in many areas of long-term care, most of these investments are not visible to family members, and there is a growing concern among family members that inadequate raw food cost funding is a barrier to planning quality menus and providing nutritionally balanced meals and beverages, and family members must speak for long-term-care residents who are unable to speak for themselves;

"Whereas the increasing multicultural nature of our aging society requires the introduction of more diverse food choices and ethnic, cultural and religious requirements which lead to the increased food costs;

"We, the undersigned, petition the Legislative Assembly of Ontario to adopt the Dietitians of Canada (Ontario region) report and recommendations (raw food cost in Ontario long-term-care homes funding review and priority recommendations dated November 2006) and immediately increase the raw food costs in long-term care from \$5.46 per day per resident to \$7 per day per resident in order to meet the nutritional needs of this population."

I agree with this, I sign this petition and I will give it to page Christian to hand to the table. I also thank the dietitians and registered nurses who helped put this petition together. I've actually got 19,000 signatures on this petition.

ORDERS OF THE DAY

REGULATORY MODERNIZATION ACT, 2007

LOI DE 2007 SUR LA MODERNISATION DE LA RÉGLEMENTATION

Resuming the debate adjourned on April 25, 2007, on the motion for third reading of Bill 69, An Act to allow for information sharing about regulated organizations to improve efficiency in the administration and enforcement of regulatory legislation and to make consequential amendments to other Acts/ Projet de loi 69, Loi permettant l'échange de renseignements sur les organismes réglementés afin de rendre plus efficaces l'application et l'exécution de la législation de nature réglementaire et apportant des modifications corrélatives à d'autres lois.

The Acting Speaker (Mr. Michael Prue): Pursuant to the order of the House dated May 15, 2007, I am now required to put the question.

On April 25, 2007, Mr. Peters moved third reading of Bill 69, An Act to allow for information sharing about regulated organizations to improve efficiency in the administration and enforcement of regulatory legislation and to make consequential amendments to other Acts. Is it the pleasure of the House that the motion carry? I heard a no.

All those in favour will please say "aye."

All those opposed will please say “nay.”

In my opinion, the ayes have it.

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

The division bells rang from 1602 to 1612.

The Acting Speaker: All those in favour will please rise and be recorded by the Clerk.

Ayes

Balkissoon, Bas	Flynn, Kevin Daniel	Patten, Richard
Bartolucci, Rick	Fonseca, Peter	Peters, Steve
Bentley, Christopher	Gerretsen, John	Phillips, Gerry
Bisson, Gilles	Hoy, Pat	Pupatello, Sandra
Bountrogianni, Marie	Kormos, Peter	Qaadri, Shafiq
Bradley, James J.	Kular, Kuldeep	Racco, Mario G.
Cansfield, Donna H.	Kwinter, Monte	Ramal, Khalil
Caplan, David	Lalonde, Jean-Marc	Ramsay, David
Chan, Michael	Leal, Jeff	Rinaldi, Lou
Colle, Mike	Levac, Dave	Ruprecht, Tony
Crozier, Bruce	Marchese, Rosario	Sandals, Liz
Delaney, Bob	Matthews, Deborah	Sergio, Mario
Dhillon, Vic	McMeekin, Ted	Smith, Monique
Di Cocco, Caroline	McNeely, Phil	Takhar, Harinder S.
Dombrowsky, Leona	Millroy, John	Van Bommel, Maria
Duguid, Brad	Mitchell, Carol	Wilkinson, John
Duncan, Dwight	Mossop, Jennifer F.	Wynne, Kathleen O.
Ferreira, Paul	Parsons, Ernie	Zimmer, David

The Acting Speaker: Those opposed will please stand and be recognized by the Clerk.

Nays

Arnott, Ted	Martiniuk, Gerry	Savoline, Joyce
Dunlop, Garfield	Miller, Norm	Scott, Laurie
Elliott, Christine	Munro, Julia	Tascona, Joseph N.
Hardeman, Ernie	Murdoch, Bill	Yakabuski, John
Hudak, Tim	O'Toole, John	
Klees, Frank	Runciman, Robert W.	

The Clerk of the Assembly (Ms. Deborah Deller): The ayes are 54; the nays are 16.

The Acting Speaker: I declare the motion carried.

Be it resolved that the bill do now pass and be entitled as in the motion.

ENDANGERED SPECIES ACT, 2007 LOI DE 2007 SUR LES ESPÈCES EN VOIE DE DISPARITION

Mr. Ramsay moved third reading of the following bill:

Bill 184, An Act to protect species at risk and to make related changes to other Acts / Projet de loi 184, Loi visant à protéger les espèces en péril et à apporter des modifications connexes à d'autres lois.

The Acting Speaker (Mr. Michael Prue): Mr. Ramsay.

Hon. David Ramsay (Minister of Natural Resources, minister responsible for aboriginal affairs): It's a great pleasure to rise in the House today to move third reading of Bill 184, the Endangered Species Act, 2007. This bill, if passed, will expand protection for Ontario species at risk and their habitats and help ensure that future generations of Ontarians enjoy the benefits of a healthy, abundant, biologically diverse natural environment.

The McGuinty government believes the people of Ontario deserve the many benefits that come from conserving our province's unique natural heritage and rich biodiversity. With this proposed legislation, we also recognize and seek to strengthen the direct link between a healthy, sustainable environment and a healthy, sustainable economy.

Right now, there are more than 175 species in our province that need our attention and help, and it is up to us to take the necessary action so that we can shorten that list before handing it over to the next generation. We can only wish that our ancestors had had the foresight to issue a similar call to action in time to save some of the species that were once plentiful in North America and that are now extinct.

I have an excerpt here from a book called *Our Vanishing Wild Life* by William Hornaday, which was published in 1913. Mr. Hornaday, who was an American, is in turn quoting from a report of a select committee of the Senate of the state of Ohio on a proposed bill to protect the passenger pigeon in 1857. The excerpt from the committee's report states as follows: "The passenger pigeon needs no protection." It continued to talk about all the benefits and support that this particular species had and that it was in absolutely no danger. We all know how that story ended. Almost about 60 years later, the last living passenger pigeon died in a Cincinnati zoo in 1912.

To quote further from the prescient Mr. Hornaday: "We no longer destroy great works of art ... but we have yet to attain the state of civilization where the destruction of a glorious work of nature, whether it be a cliff, a forest, or species of mammal or bird, is regarded with equal abhorrence."

He wrote that in 1913. Unfortunately there were many more decades of destruction to come. But his vision of a civilization that values nature and practises conservation is finally gaining ground.

The legislation I am presenting for third reading today supports the highest conservation values and represents how far we have come as a society in understanding our national heritage. We can all take pride in knowing that, if passed, Bill 184 would make Ontario a North American leader in the protection and recovery of species and their habitats.

1620

I would like to take this opportunity to publicly acknowledge and thank the staff of the Ministry of Natural Resources whose hard work, diligence and dedication has helped to ensure this proposed legislation achieves those very high standards. In fact, the head of the unit, Debbie Ramsay, is in the Legislature today, and I'd like to thank her personally for her help and all the work of her team. It's a great team.

A number of changes have been made to Bill 184 since first reading as a result of further consultation with interested parties and through debate in the House. I want to thank the individuals, stakeholder groups, aboriginal peoples and members of the opposition and third parties who have contributed to this process by making their

views known, and in doing so, have helped to make this a stronger bill.

To give you just a few examples of changes and modifications made, we added an additional purpose to the bill to signal the high priority being placed on stewardship, on engaging individuals in the process of protection and recovery. We've also increased accountability by setting a number of timelines, including one within which the minister must make a public statement of the actions the government intends to take in response to a recovery strategy. We've also strengthened the provisions that guard against illegal trade in species at risk. We adopted an opposition motion that would allow for possession of a species originating outside of Ontario if it were lawfully killed, captured or taken in that jurisdiction. This motion aims to provide greater certainty for business, such as fur auction houses in Ontario, by allowing them to continue to import and sell furs from species that are not considered to be at risk in the jurisdiction from which the species originated.

We are grateful for the support and input we have received in developing this proposed legislation, both since first reading on March 20 and during the period of review and consultation that began one year ago. An impressive amount of work has been undertaken by individuals, aboriginal peoples, stakeholder groups and landowners to ensure that the proposed legislation addresses the measures needed for optimum protection and recovery of species and their habitats.

During that extensive consultation process, ministry staff had multiple meetings with organizations representing agricultural interests and with representatives from mining and the aggregates industry. We also met with the Association of Municipalities of Ontario. The public was consulted through face-to-face meetings, newspaper ads, a discussion paper, online questionnaire and three environmental bill of rights, EBR, postings. Our EBR postings have generated thousands of responses from interested stakeholders and individuals from right across the province. In a more recent EBR posting, we received more than 320 individual comments, 500 faxes and close to 800 e-mails. Included in this response, were individual submissions from our key stakeholder groups. Roundtable discussions took place during the month of April in Windsor, Kingston and Thunder Bay. All comments received at meetings, from the EBR postings and from written submissions were carefully evaluated and considered in drafting the legislation that is now before you for third reading.

The ministry also conducted a separate process in which it engaged aboriginal communities in discussions across the province. We have ensured that the proposed legislation is mindful of the aboriginal and treaty rights protected under the federal Constitution Act. Ontario will continue to meet its constitutional obligations in respect to aboriginal peoples.

Following first reading of Bill 184, First Nation communities and major aboriginal organizations were invited to participate in additional meetings to present

their views on the proposed legislation and to talk about how the unique role of aboriginal peoples might be further recognized and supported through this legislation. During these additional discussions, we heard that aboriginal representatives generally support the overall aims and objectives of improved species-at-risk legislation.

We also heard that they will continue to advocate for ongoing and meaningful consultation as well as respect for, and recognition of, aboriginal and treaty rights. We believe the proposed legislation is unique in Canada for its inclusion of specific provisions to accommodate aboriginal interests.

The purposes section of the act, for example, highlights aboriginal traditional knowledge as one of the key sources of information for identifying species at risk. We will ensure that aboriginal traditional knowledge and perspectives are represented and integrated into the implementation process.

MNR staff will continue to welcome input on ways in which aboriginal interests can be addressed as an affirmation of our mutual commitment to achieve protection and recovery of species at risk.

If Bill 184 is passed, we will work closely with all interested parties to discuss common ground and approaches to implementation. There will be opportunities for these groups and individuals to contribute to the development of policies, regulations and procedures, as well as the stewardship and incentive program through the postings on the environmental registry.

I intend, as well, to create an advisory committee made up of representatives from key stakeholder groups to help guide the implementation of the act. As we move forward, we will seek to engage aboriginal associations, our federal counterparts, environmental groups, the resource use sector, and agricultural and landowner sector to develop a range of implementation tools.

I'm also asking the ministry staff to review the implications that the new legislation has on other existing legislation, regulations, policies and programs so that we might take the necessary steps to harmonize the act within our own ministry and with other ministries as well.

As I stated earlier, right now in Ontario more than 175 of the province's 30,000 species are identified as being at risk, and may disappear from our province if their current rate of decline continues. In recognition of the need to take action, I am pleased to say that the government has made a commitment to regulate the habitat of a minimum of 10 species within one year of the proclamation of the act, should it be passed. The 10 species for which habitat will be regulated within the first year after proclamation are the woodland caribou, the barn owl, the American badger, the eastern prairie fringed-orchid, the peregrine falcon, the Jefferson salamander, the few-flowered club rush, the western silvery aster, the Engelmann's quillwort, and the wood turtle.

I would also point out that the proposed legislation includes a presumption of protection, stipulating that all

species that have been scientifically assessed as being at risk would be protected automatically. This presumption of protection eliminates the current time-consuming and cumbersome process that has been a significant hindrance to providing adequate protection in a timely and effective manner.

Regardless of how we go about it, helping species recover can be costly and complex. The best course of action is always to prevent species from declining in the first place through responsible stewardship practices. We have made sure that the proposed legislation includes new provisions that would provide even stronger support for stewardship. One of these provisions stipulates the creation of the species-at-risk-in-Ontario stewardship program to promote stewardship and other related activities. In creating this program, we recognize the leadership and contribution of landowners, the agricultural community, the land and resource use sectors, aboriginal people and the general public in the protection and recovery of species at risk.

The first of a series of workshops with stakeholders was held last week to begin development of this program. These workshops will be supplemented with wider consultation once a framework for the program has been developed. A separate process to engage aboriginal communities is also being developed. The stewardship program will work in conjunction with existing stewardship agencies and other partners. It will support province-wide stewardship and recovery of species at risk, embrace new scientific information and be responsive to changing environmental, social and economic conditions.

As I stated in the House when presenting Bill 184 for first reading, the government proposes to back up this commitment to enhanced stewardship with the funding of \$18 million over four years—through the species-at-risk-in-Ontario stewardship fund—to support public stewardship efforts.

The fund would provide incentives to landowners, farmers, aboriginal peoples, research institutions, industries, conservation organizations and others to encourage activities that support the protection of species at risk. Activities eligible under this fund may include outreach and education projects, purchase of priority habitat from willing sellers, habitat enhancement and recovery, and youth employment and research initiatives.

While stewardship is the focus of Bill 184, our bill also contains a modern and comprehensive set of enforcement provisions that reflect the importance placed on the protection and recovery of species at risk and would ensure effective enforcement. These provisions would put this legislation on par with other more recent provincial statutes.

In respect to enforcement officers entering private land, I would like to note right here in the House that a warrant issued by a justice is normally required to enter and inspect any private land or place. Warrants would only be issued if the justice believes there are reasonable grounds to indicate that an inspection would assist in

determining compliance with the act. Unless there are urgent circumstances, enforcement officers will obtain a warrant to access private land to search for evidence related to an offence. At no time would MNR staff be allowed to enter private land simply to search for the presence of a species at risk.

1630

I will conclude my remarks by reminding the members of the House that the time for Ontario to expand and improve protection of species at risk is long overdue. We know that the existing species-at-risk legislation is rigid, outdated and limited in scope in terms of the protection it provides. We also know that the current legislation lags behind the protection for species provided by other provinces and undermines Ontario's commitment under the accord for the protection of species at risk in Canada. When Ontario signed the 1996 accord for protection of species at risk in Canada, along with other provinces and territories, the government of the day made a commitment to put in place an effective legislative framework to protect our province's endangered and threatened species. This commitment remains unfulfilled in Ontario, while most other provinces have updated, or are updating, their legislation for species at risk today. We must act now to meet our commitment to the accord and our obligation to the people of Ontario.

If passed, Bill 184 would not only meet that obligation, but would also represent a milestone in the protection and recovery of species at risk in Ontario and establish a benchmark for the rest of the world.

The Acting Speaker: Further debate?

Mr. Tim Hudak (Erie-Lincoln): I'm pleased to rise in debate on third reading of Bill 184. I enjoyed the minister's remarks just previous. There's no doubt that it's important for all of us to make efforts—all parties in the Legislature and in our own ridings—to protect endangered species and sensitive habitat. In fact, I was proud to have played a role, along with local conservationists, naturalists, municipal leaders and folks who just cared, to help preserve Marcy's Woods, a pristine piece of Carolinian forest along Lake Erie. As the expression goes, "They're not making any more of it" along Lake Erie. We had acted, under the previous government—then-Minister of Municipal Affairs and Housing David Young had brought in a ministerial zoning order, the MZO, to protect Marcy's Woods from development. That policy was continued by the current government to ensure that that last jewel in Fort Erie, on the border with Port Colborne, is preserved for future generations to enjoy.

Similarly, I was very proud as the MPP for the Wainfleet area to work with the then Progressive Conservative government of Mike Harris to put funds, in partnership with the Niagara Peninsula Conservation Authority, toward the preservation of the Wainfleet Bog, which had been mined for peat for generations. Obviously, it was a fuel source at the time, but this had caused considerable damage to that unique environment and habitat in Wainfleet. The previous PC government had put funds forward

in the late 1990s—I was pleased to be part of that—to preserve the Wainfleet Bog. I want to commend the Niagara Peninsula Conservation Authority for their leadership and their stewardship, along with the Port Colborne and District Conservation Club, among others, in maintaining that site.

Recently, I had a chance to work with Gord Harry—Gord Harry, sadly, passing away not too long after Christmas. I know that my colleague the Minister of Tourism knew Gord as well, who was an exemplary leader when it came to preserving natural areas, not only in Wainfleet but throughout the peninsula itself. As the former chair of the Niagara Peninsula Conservation Authority and a long-time member of the authority itself, Gord had been a strong champion of preserving the unique ecosystem along the old Lakewood Camp. Lakewood Camp eventually was sold. There will be significant parts that are going to be developed along the lake; people want to have a lakefront property. But there has been some land set aside to preserve the habitat for endangered species along that area. I do commend Gord and his family for his outstanding leadership. He will be sadly missed. In fact, Mr. Speaker, you may be aware that we had a very nice ceremony just a few weeks ago when they dedicated a new trail system through Wainfleet to Gord's memory and his commitment to preserving our natural spaces.

Also, I was pleased to be part of initiatives in the previous PC government of setting aside more land along the Niagara Escarpment for public protection, enhancing the Bruce Trail through that area as well. I know that my colleagues in the other two parties have a similar commitment to preserving and conserving land along the Niagara Escarpment and to using some funds from taxpayers to purchasing those from private landowners or giving tax breaks in return, or easements for properties like those along the escarpment.

We all had different species assigned to us—endangered species—by Environmental Defence a few weeks ago. Mr. Leal's was not a seal, however. I can't remember exactly what it was; it just rhymes.

Mr. Jeff Leal (Peterborough): It was a wise owl.

Mr. Hudak: Really? It was a wise owl? That's a good one. Good for you. Mine was Fowler's toad. I have that actually on my website, timhudak.ca—a picture of my card. They're reminiscent of hockey cards or baseball cards. I know my friends from St. Marys wanted me to say "baseball cards" as well.

Interjection.

Mr. Hudak: The which?

Mr. John Wilkinson (Perth–Middlesex): The queen snake.

Mr. Hudak: Queen snake? I wonder what the connection is? The queen snake.

At any rate, I was assigned to be the guardian over, as an MPP, the Fowler's toad. Appropriate, because Fowler's toad is an endangered species found in some of those areas I mentioned like Marcy's Woods or the Lakewood Camp property, Wainfleet Bog, among others, the

toad finding its home along the Lake Erie shoreline in the beautiful riding of Erie–Lincoln.

Mr. Leal: The member for Durham, I think, was a beautiful flower.

Mr. Hudak: The member from Durham certainly is a beautiful flower. I'm not sure if there's a particular species but—

Mr. John O'Toole (Durham): A rose by any other name.

Mr. Hudak: The member's beauty—as he says, "A rose by any other name"—is obvious for all of us to see. Hopefully the cameras are capturing him just behind me, although that would obviously be a distraction for those watching at home.

At any rate, I was very pleased to be a part of a number of these initiatives and I will maintain my efforts as an MPP to help preserve unique ecosystems and these conservation initiatives that have done much good over the years. I'm pleased to help my friend the Fowler's toad. Although my private member's bill to give them the franchise to vote, Mr. Speaker, may not find favour here in the Legislative Assembly, other initiatives for Fowler's toad—I didn't get a smile out of you on that one; it was just a joke. But other initiatives to protect the habitat of the Fowler's toad will find favour with the MPP from Erie–Lincoln.

I was also pleased to be part of a Progressive Conservative government that brought forward a number of initiatives, some continued by the current government, others not. My colleague from Durham mentions Lands for Life. Obviously we're both very proud to be part of the Lands for Life initiative, part of the government that brought those initiatives forward. Lands for Life, of course, provided land use and resource management direction for crown lands and resources in an area covering a massive 45% of the province of Ontario. It's a planning process that involved a series of planning phases, extensive consultations across northern Ontario that led to Living Legacy, one of the hallmark achievements of the Mike Harris government. It was the single largest expansion of parks and protected areas in the history of not only Ontario but in the history of Canada. Along with that massive expansion of parks and protected areas, some \$100 million in funds were invested to help support those protected areas.

The Smart Growth strategy that Minister Hodgson, actually, a former municipal affairs minister, had done much to promote—many of those items were carried on in the current government's planning process. I'd still like to call it the Smart Growth plan. They call it Places to Grow and you put a different-coloured cover on the announcement. As my colleague said, many of those principles were simply copied and given a new name. But that initiative that had begun as the Smart Growth strategy was recently recognized by the American Planning Association for its forward-looking nature—another accomplishment of the previous PC government. Of course, the Oak Ridges moraine legislation that similarly had support dollars behind it: This Progressive Conser-

vative initiative was award-winning, recognized by Ontario's Environmental Commissioner. This is consistent with previous Progressive Conservative governments, like that of Bill Davis, that brought in the Niagara Escarpment plan, the Niagara Escarpment Commission. My colleague Norm Sterling, from Lanark–Carleton, played a role in that, and in our government, as well, and remains strongly committed to the NEC. I think it was the Robarts government that brought forward the Bruce Trail system.

Norm Sterling served under the—

Mr. O'Toole: It was the Miller government.

Mr. Hudak:—Miller government. The member for Durham is distracting me. I was going to say there is a proud history of Progressive Conservative initiatives in conservation and setting aside natural areas, of which we should be proud.

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As part of the Bill Davis government in 1971, the previous legislation was brought forward. I think—my colleague from Parry Sound–Muskoka will correct me if I'm wrong—it was René Brunelle who was the minister in 1971, who brought forward the previous act that was far-reaching. In fact, it was the first bill of its kind in all of Canada. Other provinces emulated that act, a powerful act to protect endangered species that has sustained to this day, until Bill 184. It has not been amended, if I am correct, since that time, some 31 years ago.

No doubt, as legislation shows the wear of time, you often need to update it. Bills at that time often had less flexibility in them than bills that come before the assembly in the 21st century. I will give you a couple of examples of some things that were rather inflexible in the previous bill brought forward by the Davis government. Obviously, the principles were right; it was heralded at the time. It was a landmark piece of legislation that has done much to help endangered species in the province. Now, three decades later, it's important to improve upon that legislation.

In the old bill, there was a lack of flexibility. If there was a tree, for example, that was an endangered species, and it was diseased and rotting, you were not allowed to cut down that tree under the previous bill. There was a risk, obviously, of that tree infecting others in the same forest or area. A wise person would say it's probably better to cull that one tree than lose the whole copse or orchard or what have you.

Interjection.

Mr. Hudak: I think the member will probably agree that this bill is an improvement over the inflexibility of some items in the previous Davis bill that now, with legislative drafting, will give more flexibility to address situations like that.

By way of another example, if there was a court that was being developed and there were snakes in that area, you could weigh, in this legislation, the at-large social and economic benefits by creating substitute habitat for the snakes close by and still proceed with a needed project that would help advance the economy and bring

other social benefits. There's another example of some flexibility that was lacking in the previous legislation that will be improved upon in Bill 184.

Finally, this will allow for species-specific habitat to be protected rather than the general application of automatic habitat under the 31-year-old piece of legislation. This would mean that if a habitat were protective or essential to a species' survival in a particular area of the province, that could be designated, as opposed to applying across the province as a whole in areas where the species may not exist or have no chance of returning.

So there are, I recognize, improvements in this bill. We as the Progressive Conservative caucus, with the outstanding leadership of Norm Miller, our critic for natural resources, brought forward some very sensible, reasonable amendments to this legislation, which would have improved the bill, in my view and, I think, in the view of a lot of people who followed this bill very closely—I want again to commend our critic for natural resources, the member from Parry Sound–Muskoka, who knows the bill inside and out, and brought forward many sensible improvements to the legislation. Sadly, they didn't make it through committee. I think he had one amendment that did succeed in passing, but a number of others did not.

The legislation would have been enhanced in its ability to protect endangered species by having more funds set aside for farmers, for landowners. We have a great concern that particular landowners or farmers whose income stream may be impacted by the discovery of habitat on their property would suffer a significant financial loss. There's no doubt that endangered species bring a general benefit across the province of Ontario or internationally, and therefore out of the public purse should come some substantial compensation for those individual landowners. There are some funds set aside—not nearly enough—but I do have a fear that we'll see, as we did with the Greenbelt Foundation, funds used for advertising for political purposes or polling rather than helping to protect species habitat and helping out individual landowners.

I thought the member from Parry Sound–Muskoka brought forward some sensible changes in terms of more clearly defining what habitat was, and, similarly, to make sure that it is the minister who is ultimately responsible for making the decision. After all, we're elected for reasons: to make decisions, to be the final person responsible, the desk where the buck stops. We've had some concerns about farming this out to a committee rather than making the minister ultimately responsible for decisions both here in the assembly and across the province as a whole.

These are consistent with principles that our leader, John Tory, had brought forward in addressing private property rights issues: ensuring that adequate funds have been allocated to properly compensate those who will be financially affected by this type of legislation, involving simple guidelines to provide property owners with the ability to apply for some form of compensation if the

government brings in future policies and regulations that change the existing use of one's property.

The government should provide proper advance notice to property owners and provide them with the opportunity to voice their concern before new regulations come into force, and some sort of appeal mechanism if there is a dramatic change or a dramatic hindrance in the ability of property owners and their families to earn a living due to changes in the designation of their land.

At any rate, I know that our hard-working critic has much more to say about this. Maybe I have exceeded my seven minutes' time, although I did get a green light to go past the seven, I do want to say in my defence.

At any rate, I think there could be improvements to this bill. I certainly have concern by a number of constituents who will be impacted by this. We will continue to champion enhanced compensation to landowners and farmers impacted by this legislation. But I do believe the time has come to build on the excellent work done by the Davis government and the Harris PC government by bringing in new legislation. I will be supporting this bill upon vote later today and will continue to champion the rights of farmers and landowners impacted by this legislation and those of the Fowler's toad and other endangered species.

Interjection.

Mr. Hudak: With that—I'm getting the hint—I will conclude my remarks.

Mr. Gilles Bisson (Timmins—James Bay): My poor colleague the critic for the MNR hopefully has some time to be able to get his comments on the record.

Interjection.

Mr. Bisson: You guys are having a good one back here, I can see. Not a problem. Pas de problème, mon collègue.

First of all, I want to say and put on the record that my caucus will be voting for this bill as it has been amended. However, I do want to point out that I'm going to be voting against it personally, and I want to explain some of the reasons why.

First of all, I think a bit of a statement at the beginning has to be made. People who live in northern Ontario consider themselves environmentalists. I know for some in the south in the environmental movement they see that maybe as not the case. I've just got to say right upfront that our backyard is the boreal forest. Our backyard is basically the place not only where we play, but the place where we work and the place where we live. We understand as northerners far more than anybody else the importance, when it comes to the forest and the environment that we live in, that we do things in a sustainable way.

However, you need to recognize that, by and large, northern Ontario is a resource-based economy. Some of the issues that have been raised through this particular debate and also by groups who had very little time to come and present here in Toronto—and I'm going to speak to that a little bit later. For example, the Ontario Forest Industries Association, tourist outfitters, First

Nations, mayors and reeves from various communities said, "Listen, we're all on the same page. We all want to have species-at-risk legislation that will achieve the aim that we are setting forward, and that is to make sure we not only protect those species that are at risk, but that we try to find strategies and approaches that will allow us to build back those species that we still have a chance to save."

Nobody understands that more than somebody in northern Ontario, because, as I said, it is our backyard. It is where we live. It is where we play. It's part of our natural environment. In much the same way as the agricultural industry, it is to our benefit to make sure that at the end, whatever we do when it comes to impacting our environment is done in a sustainable way.

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Now I want to get into some of the reasons why I personally have some problems with this bill and why others in northern Ontario have the same view.

Number one, and I guess the biggest thing, is the lack of ability for the people in northern Ontario to be engaged in this debate. We recognize that this bill affects all parts of Ontario, but let's be real: A big part of it is going to affect northern Ontario. A lot of the sites or the areas that we're going to protect when it comes to new habitat for endangered species will be areas that are in northern Ontario that may be utilized by the agricultural industry, might be utilized by cottagers, might be utilized by people in the forestry or the mining industry.

We needed to find a way in this bill, I think, to engage in a debate in northern Ontario on how we're able to make that happen. One of the things that we heard loud and clear—from the mayor of Schreiber to the Grand Chief of Nishnawbe-Aski Nation to the mayor of the city of Timmins, they're all saying the same thing: "We need to be engaged in discussion with you when you're talking about developing legislation that will impact on our environment."

People of northern Ontario specifically—and some others across the province, but specifically the north—felt that this whole process really disenfranchised them as far as their ability to influence what would be species-at-risk legislation in the end. People asked something that was not all that hard. All they asked for was that during the intersession—my House leader, Mr. Kormos from the New Democratic Party, offered to the government that we basically extend the break of the House that we're going to have next week by a week in order to allow for real public hearings in northern Ontario so we can go to the Thunder Bays of this world, so we can go to Sault Ste. Marie, to Timmins, to the Moosonees or wherever we needed to go in order to engage with northerners. Northerners are interested in being part of the process that finds solutions to the issues that challenge us as a society. All that people were asking was to be engaged.

This government, in its haste, decided, "No, we're going to time-allocate this legislation and we're going to basically ram it through with very minimal hearings here in Toronto," where people either had to drive or fly to

come down to committee here in order to present, or try to participate by phone or teleconference. That, as far as I'm concerned, is not a way of being able to draft legislation.

I'd just point out to the environmental movement that the government had three and a half years to do this. It's not like they were elected yesterday. They were elected three and a half years ago, and they could have decided to do this legislation last fall or last spring, when we had the time to do this right. People where I come from in northern Ontario and others in the environmental movement asked me, "Do you think the government will do this this spring?" I said, "Absolutely not; there's not enough time. The government's not going to introduce legislation like this in a spring session when you don't have enough time to do proper committee hearings." This is an important bill to all Ontarians, and we need to have an opportunity to take a look at it, to look at how we're able to amend the legislation and make it work for the aims that we've stated in the bill, in the purpose clauses of this bill.

So I want to say up front that one of the reasons that a lot of northerners have reacted badly is this whole lack of consultation. It doesn't matter if you're the mayor of a community, it doesn't matter if you're from the forest industry, if you're a cottager, if you're from the agricultural community or you're from the First Nations; it was the same message. Everybody said the same thing: "You're rushing this thing through and you're not giving us a chance to properly look at this bill and how we're able to make it work."

Now, I want to say again for the record that nobody is opposed to the idea of endangered species legislation. Nobody who came before the committee, that I heard, was completely against the idea. What people wanted were some amendments in order to deal with some of the concerns around the legislation. Let me just go through some of them.

I know for some members—and this is not casting aspersions against other members, but not everybody knows all legislation that exists in the province of Ontario. But one bill that I know my good friend Mr. Miller knows quite well and I know quite well is the sustainable forestry development act. That bill basically sets out how we're going to approach forestry in the province of Ontario. We have given licence to forest companies to harvest trees in our crown forests. The reality in northern Ontario is that the vast majority of the forest is held by the crown, and by way of licences through the sustainable forestry development act, individual forest companies are able to basically harvest trees based on what's in the forest planning management manuals.

One of the points that the industry and other northerners tried to make was, how come nobody is taking the time to recognize the work that has been done under, first of all, the forest EA? There was a forest environmental assessment that was done for a period of five years that looked at this issue as well as others in regards to how we

impact the forest in the practices of harvesting timber. We looked at a number of issues under that forest EA about how we develop policy so that we're able to do that in a sustainable way, so that if you are going to harvest timber, it's done in a way that takes into account the habitat of the marten, the moose, the fish or whatever it might be, so that we're doing it in a way that is not going to be harmful to those species.

In fact, a lot of people who have not been to northern Ontario were the ones most supporting this bill. If you took the time to come and take a look at what's happened—there are always bad examples out there on anything, but by and large, the forest industry has done a fairly good job. I fly. I have my own aircraft. I get a chance to take a look on a daily basis, when I'm flying, at what happens as far as forest management practices. Basically, what we do is that we try to harvest in a way that's sustainable and so that we coexist with the natural habitat. That is all done through the forest management process. I can tell you that that process works fairly well. For example, when cutting, we need to make sure that we take into account what is happening vis-à-vis the other species that are in the forest that we come in contact with as a result of harvesting practices.

One of the amendments that we asked for and that I put forward, and it was a very simple one, was an amendment that would have basically said that the sustainable forestry development act and Bill 184, the act protecting species at risk, are able to work together so that as we're doing forest management, we can take this bill and its principles and put them in our forest management planning manuals. I thought that was a pretty reasonable thing to do. In fact, it would give us better forest management planning and allow us to better be able to protect the endangered species. But the government decided, "No, we're not going to allow that to happen. We're going to disconnect the forest management planning process from Bill 184," which to me seems kind of absurd. If the people who are doing the most activity on crown land are forest companies, you would think that you would have legislation that dovetails with the work that is already being done.

So there were two points here. One was, industry was saying, "You're not giving us credit for what we've already done and what we continue to do. We're basically developing policy every day, by way of our experiences of harvesting in the bush, to be able to protect species at risk." I was saying earlier, I get a chance to fly over large tracts of land in my riding and other parts of northern Ontario. One of the things that I like to do, especially in the fall and the spring when we don't have a lot of leaves, is fly low enough to be able to take a look at, "Are there caribou? Are there moose? Are there polar bears and all of those animals?" I can tell you that they're coming back. The moose population in northern Ontario is actually increasing in a number of areas. One of the reasons is that in the past, the forest companies didn't do a good job of managing how they interacted with moose when it came to harvesting. The sustainable forestry

development act, along with the forest planning management manuals, has seen that the practices of the industry in many cases have stopped the decline of the moose population in many areas and in fact have assisted in turning things around.

We harvest moose as well in northern Ontario. People do hunt. That is one of the things that we do in northern Ontario. I myself haven't hunted in many years; I've given it up a long time ago. But a lot of people take hunting very seriously. We need to also look at how we coexist with them as far as whatever happens in the forest.

So my first point on the forest planning management manual is that we need to recognize the work that forest companies are doing and continue to do and utilize the science that they're developing on a daily basis, along with the local citizens' committees, to be able to integrate Bill 184 with the forest planning management manual. That was one of the points.

The other thing is—and again, we never got a chance to find out, at the end of the day, if the government was right on this argument or if the First Nations were right on this argument, because we never got a chance to fully get into this debate. There are a number of First Nations communities who have contacted me as the critic for both natural resources and aboriginal affairs, plus communities that are in my constituency, who have said, "Listen, we've had lots of experience in the past with the MNR coming in and creating parks and not consulting us." Polar Bear Provincial Park and a number of other parks across the north have been created around communities without due regard to the traditional uses that First Nations have had vis-à-vis the land.

1700

One of the arguments that they made was, "Listen, we need something stronger than just a non-derogation clause that protects our traditional use of land. We don't want to be in a position that all of a sudden habitat is protected next to Attawapiskat, Big Trout Lake or wherever it might be that is going to impact on a First Nation's right to use land in a traditional sense," to gather food for their families and to do those activities that they traditionally do within those particular lands. They worry that under the legislation you could protect habitat on traditional lands and then have that land taken out of circulation where First Nations would not be able to do some of their traditional activities.

Was that the case? The way that I read the legislation, you can argue it both ways. I think there's a fairly strong case to be made by First Nations that they're right. I can understand some of the argument that the government made. But because we had a lack of consultation, we did not get a good answer in regard to, "How will this impact on First Nations' ability to continue using their traditional lands according to their needs? Will habitat that is protected under this legislation supersede the right of a First Nation individual or community?"

One would argue that the non-derogation clause is the one that should take care of that. But I heard plenty of

comments from First Nations leaders and others who said, "Listen, we don't believe that's the case. Every time we're told by government, 'Don't worry, we're protecting your rights,' we end up losing more and more ability to access our traditional territories." So the history that First Nations have had with our governments has shown them that they should be wary.

This brings me to another point that's not directly related to this legislation but is something that I think the government needs to hear. We're hearing more and more First Nations saying, "Listen, you're not going to do development on our traditional territories unless you deal with us and deal with the issues that are important to us in regard to making sure that we're not frozen out of development and that whatever happens on our traditional lands is done in an environmentally sustainable way." I'm telling you, this kind of action by way of Bill 184 and not properly consulting First Nations does absolutely nothing, and I would say it would hurt the ability of the provincial government to get the balance that we need between First Nations and developers towards development. What you've done in this legislation is continue what all governments have done in the past, by and large, and that is to not listen to First Nations and not consult with them in a meaningful way about what they need done.

We need to do two things with First Nations—three, quite frankly. One is, we have to deal with the existing claims on treaties. We can't be passing the buck over to the federal government as the Premier suggested today by way of a press conference. The federal government is going to continue dragging their heels; they don't have an interest. But they are Ontario citizens, and the province of Ontario has to be part of the solution. We signed many of these treaties, such as Treaty No. 9 and others. So we need to, first of all, deal with those issues.

The second thing that needs to be done is that we need to deal with land use planning. That would have been a good way to start under Bill 184, except we didn't do it, and that is to give First Nations a say about how development is going to happen on their traditional territories. Third, we have to do revenue sharing. I'm telling you, there's not a community in northern Ontario, a First Nations community or otherwise, that is not interested in development. We all want development, including First Nations—more so for First Nations, because they have none. But what they're saying is, "You have to do it right. You have to, first of all, make sure that we're part of the land use planning process and that we're able to share the revenue of those projects after."

One of the issues, as I was saying, in addition to why I'm not going to be supporting this legislation is the failure of this government to consult First Nations and, quite frankly, the failure of this government to take seriously their concerns in regard to their fear that traditional lands that they currently use could be subject to the protections under this legislation, or part of that land, and then they lose the ability to utilize that land in a traditional sense.

The other thing that I quite object to is the following: I understand that we have to protect habitat if we're serious about protecting endangered species. I'm not going to argue for one second that we don't have to do that. I think that's an integral part of this legislation and, quite frankly, it's one of the strong parts of this legislation. But we didn't do anything to figure out how we can offset the loss of land that people will have as a result of protecting habitat. What do you do if a farmer loses part of his or her land to protection of habitat? We've got to be able to look at either compensation or, at the very least, finding ways of being able to swap crown land for private land or purchase of other private land to make sure that the person is made whole.

If you're a forest company and you lose allowable cut—let me explain this to people. If a mill is operating, let's say, with a licence that allows 300,000 cubic metres of wood to be cut, and all of a sudden we start protecting habitat on a sustainable forestry licence and diminish the allowable cut from 300,000 to 250,000, that means jobs. That was one of the fears that was raised by many of the northerners who came before us: mayors, chambers of commerce, First Nations, certainly the forest companies and others that raised that issue.

I think the fair compromise was to say, "Okay, let's do what we did in Lands for Life, and that is to swap land." We proposed an amendment in this legislation—I did as the New Democratic critic—that we have an ability to swap crown land in the event that a habitat is protected. I understand you've got to protect the habitat to protect the species—no argument—but why are the government and some of the environmental movement so opposed to allowing land swaps? If you're going to lose 50,000 cubic metres of allowable cut, there has to be an effort—it may be difficult—on the part of the crown to say, "We need to protect this particular land. It's going to impact you by 50,000 cubic metres. Let's go look at how we're able to get you 50,000 cubic metres somewhere else." In some areas, that will be easier done than others, I agree, because in some areas allocation of timber is very tight. But at least there should have been something in this legislation to get the government to deal with this, because now one of the realities is—and this is one of the fears—that you could end up impacting the allowable cut to forest companies, putting northern jobs in jeopardy. That's one of the reasons I'm not voting for this legislation.

People may think that's wrong, but I represent a part of the province that is a resource-based economy. It means that we're in the mining business, we're in the forestry business, we're in the hydroelectric business, and there have to be ways to do that, yes, in a sustainable way. I don't want to be in a position where jobs are lost in our communities across northern Ontario as a result of legislation. That's why I proposed that amendment. I thought that was a reasonable approach.

I would have voted for this thing at the drop of a hat if the government had done three things. One was if they had done what we asked them as far as committee work,

to properly consult. The second was if we had gotten the amendment in regard to merging Bill 184 with the forest management planning process. That would have made a lot of sense. It would have allowed the principles of Bill 184 to be part of the planning process about how we're going to harvest trees and also take into consideration what we're already doing in the planning process to make sure that it's a living forest and that when we're doing work in the forest industry in harvesting, we take into consideration those principles under Bill 184. The last part was if the government had at least allowed an amendment that would have said that where crown lands are affected and somebody—a forest company, a First Nation, a mining company, a cottager, a farmer, whoever it may be—loses access to their territory or land that they've been using for whatever activity, there's an attempt by the government to swap crown land somewhere else. It seemed to me a reasonable amendment, something that the government was not allowed to do. Again, that is one of the reasons that I will vote against it.

I want to say for the record again, just in case people have tuned in, that the NDP caucus will be voting for the legislation. My colleagues had this debate at our caucus yesterday, and there's a very strong view that this is an important piece of legislation for the province of Ontario and the protection of species at risk, but I cannot vote for it, for the reasons I've set forward, as I represent a part of the world that I think needs to be heard.

Another thing that I wanted to talk about in regard to the legislation is that there was an amendment that was brought forward—and I'm going to end on this point because I know my colleague would like to have a few words. Do you want me to stop now?

Ms. Cheri DiNovo (Parkdale–High Park): I'm fine.

Mr. Bisson: Okay. Very quickly, there was an amendment that was brought forward. There was a concern that the people who are appointed to the COSSARO group could be biased. There was a worry by some—I don't necessarily share that—that if you appointed scientists with a pro-environment or a pro-development slant, whatever they do under the protection of species may be biased by where they come from. So there was an amendment to the legislation that says that if anybody on COSSARO, in any way, shape or form, intends to lobby the government on anything having to do with MNR issues, they are prohibited from doing so. I said to the government, "Hang on a second. This means to say that the very people we're going to be needing on COSSARO, the people in the industry and the people in the environmental movement—the biologists, scientists and others, who know far more about species at risk and habitat than you and I know put together—a lot of them will not be able to sit on COSSARO because in their daily lives, they deal with the MNR."

1710

Imagine if you're a forester in the forest industry. Do you think that foresters don't deal with the MNR on forestry issues daily and issues having to do with species? If I'm a forester, I deal with planning for the

preservation of marten, moose and fish habitat. That's stuff that you do on a daily basis, and you have to be in discussion with the Ministry of Natural Resources. Imagine if you are an environmentalist who's working in the industry as a biologist or a scientist, and part of your job is to lobby government when it comes to legislation or anything that the MNR does that will positively affect our natural environment. That includes pretty well everybody I know, from Rick Smith all the way through. All of these people are specialists in their domain, but they're also lobbyists. I said to the government, "If what you're trying to do is remove the bias from COSSARO, all you've done is prohibit the very best of our minds in Ontario from being able to participate on COSSARO, because the best people are the ones that we see around this place every day, who know far more about this stuff than we all do collectively."

Again, I end on this point: The government should have taken the time, done what we asked them and travelled this bill to northern Ontario. We should have given northerners a chance to speak on this bill and to suggest proper amendments.

I look forward to the vote that will ensue, I'm sure, within about the next hour.

Mr. David Oraziotti (Sault Ste. Marie): I'm pleased to rise in the House this afternoon to support the Minister of Natural Resources on third reading of Bill 184, the Endangered Species Act, 2007.

If I was asked to describe Bill 184 in a few words, I'd say that it was science-based, stewardship-focused, flexible and balanced. I would also say it's progressive and well designed to meet the environmental challenges of the 21st century. We know that it's been 36 years since this bill has been updated—1971—and only 42 of 176 endangered species are currently protected. So we have much work to do, and this bill takes us in a direction that Ontarians want to go, that this government wants to go, and that makes our endangered species legislation the best in Canada.

There are a number of key considerations I'd like to highlight. When the decision was made to update and modernize the existing Endangered Species Act, the government was mindful of a number of these considerations:

- the need to provide better protection measures for species and their habitat, while at the same time allowing for social and economic concerns to be addressed;

- the need to create legislative provisions, policies and programs that take into account the views and interests of a range of key partners and stakeholders. That was certainly something that was done during the consultation process, and it will continue;

- the need to ensure a science-based process for determining which species are at risk. It's not a political decision; it's not a partisan issue. It is a science-based decision that needs to be made with respect to species at risk;

- the need to provide adequate resources and develop the necessary tools to implement the proposed legislation effectively; and

- the need to engage the Ontario public, key partners and other stakeholders, all of whom have a shared interest and responsibility in the protection and recovery of species and their habitat.

The proposed legislation that Minister Ramsay has put forward for third reading today reflects all of those considerations and incorporates the input received during an extensive consultation process.

Some of the highlights of the bill in terms of moving forward with some of the amendments that have been made: The proposed legislation contains a number of significantly improved provisions over the existing act, some of which I'm going to highlight in the next few minutes.

First of all, the purposes we have established for the proposed act are:

- to identify species at risk based on the best available scientific information, including information obtained from community knowledge and aboriginal traditional knowledge, all of which we heard at the hearings and the consultations. Those amendments have been incorporated;

- to protect species that are at risk and their habitats, and to promote the recovery of species that are at risk; and

- to promote stewardship activities to assist in the protection and recovery of species at risk.

We've talked a little bit about the role of science. There is a strong role for science in this bill. The bill also stipulates that science must play a strengthening role in determining which species are added to the list for protection and their designation on that list. Under the provisions of the proposed legislation, the status of a species would be determined by an independent, science-based body called the Committee on the Status of Species at Risk in Ontario, or COSSARO, which would base its decision on the best available scientific information. This is significant in that it places responsibility for designating a species at risk in the hands of independent scientific experts, where it belongs, and out of the political arena. We're further ensuring that the independence of this committee be maintained by adding a stipulation to the bill that would require that the committee not include lobbyists who have worked on matters related to the act.

Another benefit of the bill is that once the committee has assessed a species as being at risk, that species would automatically be added to the species-at-risk-in-Ontario list. This stipulation eliminates the erroneous and time-consuming process that is currently required to have a species regulated under the act. Automatic protection means that, unless otherwise authorized, a person may not kill, harm, harass, capture, take, collect, possess, transport or buy or sell any species on that list. Similarly, the habitat of species assessed by the committee as endangered or threatened will automatically be protected.

It is, however, recognized that a transition strategy is necessary for the large number of species currently identified as endangered or threatened but not currently protected under the existing Endangered Species Act.

The habitat protection provisions of the proposed legislation would not apply to these species until five years after proclamation of the act, unless a specific scientific habitat protection regulation had in fact been passed.

With respect to recovery strategies, which form an important aspect of this legislation, Bill 184 places a strong emphasis on recovery in addition to protection. First of all, it includes a stipulation that recovery strategies be prepared for all species identified as endangered or threatened. Elements that must be included in the recovery strategies are identified in the legislation. These include the habitat needs of a species, a description of threats to the survival and recovery of the species, and recommendations on objectives for protection and recovery.

Another stipulation is the nine-month timeline within which the minister must make public a statement of the actions the government intends to take in response to a recovery strategy. The bill also requires that such statements be considered when decisions are made under the act, such as issuing of permits. Furthermore, Bill 184 requires that the Ministry of Natural Resources implement actions which are feasible and for which it has responsibility, and also requires that a review be undertaken within five years of statements being issued in response to recovery strategies to assess progress towards achieving protection and the recovery of the species.

The bill also achieves additional flexibility and balance, unlike the current act, which is somewhat more rigid in a number of respects. Bill 184 incorporates a balanced approach that includes a much-needed degree of flexibility. We need the kind of flexibility that would remove current impediments to protecting and recovering species, and encourage and support greater and more effective stewardship by private landowners.

The proposed legislation would also allow the government to make decisions to accommodate compatible land use activities and, at the same time, support sustainable social and economic development. The goal would be an overall outcome that ultimately benefits the species and the habitat.

The proposed legislation contains a suite of mechanisms, including agreements, permits and regulations, that allow for flexibility and maintain an appropriate role for government.

In addition, a number of improvements have been made to the reporting requirements and enforcement section of the legislation. Bill 184 includes significant public requirements to report on species to be assessed, species status reports, recovery strategies for species, and priorities for government actions to implement these recovery plans. The bill also includes a comprehensive set of enforcement provisions to reflect the importance placed on the protection and recovery of species at risk and to help ensure effective enforcement.

1720

With respect to aboriginal and treaty rights, our government certainly is mindful of the aboriginal and treaty rights protected under the federal Constitution Act. In

addition to a commitment to ongoing dialogue with aboriginal peoples as the new legislation is implemented, the proposed legislation includes a non-derogation clause and provisions to help address aboriginal interests. The act also recognizes and incorporates the important role that aboriginal traditional knowledge can play in achieving protection and recovery of species at risk.

When it comes to stewardship, as Minister Ramsay has made clear, the proposed legislation takes a stewardship-first approach. Stewardship is not just a responsibility for government. The agricultural community, rural landowners, the land use and resource management sectors, municipalities and the general public all have a very important role to play in protecting and restoring habitats. The proposed legislation supports the role by explicitly providing for the creation of a stewardship program. This program aims to promote stewardship and other related activities that would assist in the protection and recovery of species at risk.

In conclusion, I am proud to support third reading of this important piece of legislation. By passing this bill, we would fundamentally change Ontario's approach to protecting species at risk, making it more effective and, as I said at the outset, better able to meet the environmental challenges of the 21st century. There is no doubt that with Bill 184 we have succeeded in developing progressive, precedent-setting legislation that would offer optimum protection for Ontario's species at risk as well as support the overall social and economic well-being of our citizens now and in the future. I urge all members to support Bill 184.

Mr. Norm Miller (Parry Sound–Muskoka): It's my pleasure to add to the debate this afternoon on Bill 184, the Endangered Species Act, on third reading. I have previously had an opportunity to speak a full hour on second reading, so I did get a chance to go through the bill in some detail then. The member from Erie–Lincoln, in his enthusiasm to speak this afternoon, used up a fair amount of my time. I had a prepared speech that I was hoping to deliver, but I won't have time to get through the whole thing. So if the conclusion doesn't quite follow with the rest of the speech, it's because I had to cut out a good portion of it.

I'd like to start by pointing out how inadequate the entire process has been with respect to Bill 184. Various stakeholders have pressed for meaningful public consultation since the start of the process, but their calls went unheeded. I have asked this government and the minister responsible for increased public consultations right across the province with those individuals and groups that would be most affected by this legislation, and the member from Timmins–James Bay echoed that.

I've stood in this House and read on the record the concerns of municipalities, First Nations and industry representatives who agree that this government did not properly consult with them on endangered species legislation. I just received another letter from the county of Peterborough. I won't read the whole thing because I don't have time, but they just say, "We were not afforded

the normal time to review the details of the government's proposed framework as the information was posted by your government on the Environment Bill of Rights website on December 22, 2006, the day our offices closed" for the new year. They go on to say that they want public consultations.

The Liberal government's response to these desperate pleas was two days of public hearings in Toronto. As you very well know, Minister, many of the interested and affected parties do not live in the Toronto area. They don't live in southern Ontario, making it virtually impossible for the many people who would greatly appreciate an opportunity to be consulted to have any say at all. By holding hearings only in Toronto, this government is sending the distinct message that public input from northern and rural-based stakeholders is not as important as input from interest groups that are based in Toronto and the surrounding area.

On the second and final day of public hearings, the committee had the opportunity to hear from Anne Krassilowsky, the mayor of Dryden, who made the long journey to come before the committee and was given 10 minutes to present her case. I'd like to share with the members of this House Ms. Krassilowsky's opinion with respect to the consultation process, as she herself expressed at committee. She said: "With all due respect, Mr. Chairman, two days of hearings in Toronto, approximately 1,278 miles away, a trip which would take you 24 hours from my neighbouring community of Kenora to the outskirts of Toronto, is unacceptable. In context, that is the same distance between Toronto and Sydney, Nova Scotia on Cape Breton Island, or Toronto to just short of Tampa, Florida. The people left working in the forest, facing a shortage of time and money, are not in a position to travel those same miles to make their concerns heard here today, yet they do need to have their say."

This, in the words of a northern mayor, is how rural and northern stakeholders feel about the direction that the government has decided to take with this legislation. These groups asked you to have broad and meaningful public consultations and I, on many occasions, offered to travel around the province as the critic for our party. What you gave them was geographically and time restricted public hearings without having any real debate at these committee hearings on their concerns.

Every member in this House knows that policy-making often involves reconciling opposing interests. With this legislation, the Minister of Natural Resources had the absolute pleasure of starting from a great place. All of the stakeholders that have an interest in this legislation agree that protecting our imperilled species is an important objective that must be addressed by the government. In other words, everyone who is affected or has an interest in Bill 184 agrees that it should be updated. This includes all the stakeholders and, I would say, all the members on both sides of this House.

Despite this unanimously agreed upon starting point, the minister has not been able to properly address the justifiable concerns that many stakeholders have brought

forward. Concerned stakeholders are not denying the importance of the legislation. They are not denying the need to protect endangered, threatened and special-concern species in our wonderful province. What these groups are asking for is that proper attention be paid to their concerns with the legislation and the negative implications that the implementation of this bill may have on landowners, farmers and the forestry sector. They want to ensure that they are properly compensated for any possible losses that they may face as a result of this legislation. They want to absolutely ensure that flexibility is, in fact, a central component of the bill.

One of the central concerns with this legislation relates to the automatic broad habitat protection that will be in place immediately after a species is listed by COSSARO as endangered or threatened. While species-specific habitat protection can be developed, stakeholders are concerned that it can take years for such protection to be implemented in regulation.

In the interim, persons affected by broad habitat protection are left anxiously waiting and stand to lose significant revenue. However, the ministry has not earmarked any funding for the landowners, farmers and industry that will likely be most affected by the legislation. The government has provided \$18 million over four years to promote stewardship activities protecting habitat and green space. While this funding is welcome, it will not provide the funding necessary to fully implement this bill and properly compensate those who will be affected by its implementation.

Ensuring ministerial accountability in the listing and habitat protection is another recommendation put forward by various stakeholders in an effort to ensure flexibility remains an important aspect of this legislation. Instead of giving due regard to these concerns, there was no real debate in the short time allocated for public hearings and clause-by-clause reading of the bill. The opposition parties had less than 24 hours to put together all of their amendments after the final presentation was made to committee members.

I would like to just divert for a second to point out the timetable we worked under. That is that on May 8 we had our final day of public hearings. Those ended at 6 o'clock, so we had groups there from 5 o'clock to 6 o'clock making recommendations. Then we had until noon the next day. Noon on Tuesday the 9th was the deadline for having amendments done. Amendments involve an idea, first of all, but then they involve getting lawyers to write up the proper legalese in the proper format. That was due by noon on Tuesday, and then we had the actual clause-by-clause. As you know, this bill was time-allocated, so after spending a fair amount of time getting 13 amendments together, we then ended up on Wednesday afternoon with all of one hour and 15 minutes to actually put forward the amendments and give some rationale why they made sense and speak on their behalf. Because of the nature of the time allocation motion, at 5 o'clock on Wednesday the 10th, those amendments not yet moved "shall be deemed to be moved," so

at that point, about half the amendments of the PC, the NDP and the government were just voted on with no debate, no explanation at all on those various amendments. Because of the nature of the time frame, we had absolutely no idea of what we were actually voting on. At that point I didn't bother voting on them.

1730

Now the government has just today, this morning—and I would like to thank the minister for giving me a briefing on the amended bill. I might point out that the timing of that is such that it was after we had our last caucus meeting, when it would have been an opportunity for me to inform our members about how the bill has changed with the amendments that were made.

I just wanted to get on the record what a ridiculous time frame this bill was under and how it doesn't serve the purpose of creating the best-quality bill that this province deserves. This is simply not enough time to pay to the bill on the recommendations put forward by stakeholders, the attention and thorough debate that they so rightly deserve. Because of the Liberal government's rush to have this legislation passed, we were not even given the chance to explain all of the amendments that we put forth. Most of the amendments—PC, NDP and government alike—were not properly explained or debated in committee. I find it unfortunate that these amendments are being labelled as detrimental to the legislation when we didn't even get a chance to engage in proper debate on their stated and intended purposes.

I would like to take this opportunity to read out some of the amendments that we put forth on this bill and did not have the opportunity to debate, amendments which the Liberal members of the committee voted down. One of our amendments called for subclause 17(2)(d)(ii) of the bill to be struck out and the following substituted:

“(ii) The minister has consulted with an independent expert on the possible effects of the activity on the likelihood that the activity will jeopardize the survival or recovery of the species in Ontario, and the expert has submitted a written report to the minister on that issue.”

Another amendment that we did not get a chance to debate called for sub-subclause 17(6)(a)(ii)(B) of the bill to be struck out and the following substituted:

“(B) the minister has consulted with an independent expert on the possible effects of the amendment on the likelihood that the activity will jeopardize the survival or recovery of the species in Ontario.”

We do not feel that these amendments would have worked to water down the legislation, as the Liberals would have the public believe. In fact, Save Our Species would also agree that these amendments would strengthen the bill, as it was this coalition that recommended these changes to ensure “the highest standard of review be in place.”

In addition to denouncing our amendments, Liberal members have been criticizing the Conservative Party record with respect to the protection of imperilled species. I would like to make it clear that the Progressive Conservative Party is second to none with respect to our

contribution to ensuring the protection to our species at risk. The member from Erie–Lincoln spoke for some time on the Lands for Life process, and the member from Timmins–James Bay referenced it as well. That was under Premier Mike Harris, when an area the size of Lake Ontario was brought under various forms of protection in parks or conservation reserves. In fact, I would like to remind the members opposite that it was the Premier Bill Davis government that first introduced the Endangered Species Act in 1971. René Brunelle was the minister; I think it was called lands and forests at that point. The Conservative Party appreciated the importance of preserving our species at risk when other jurisdictions had not even moved on the issue. We provided leadership in the legal protection of imperilled species—leadership that both the government members and the opposition members of the day acknowledged and applauded. Given our record on the issue, I wonder where the members opposite got any information to the contrary.

This brings me to my last point in the shortened time I have available to speak: How will the government afford to implement this potentially costly piece of legislation? According to Gord Miller, the Environmental Commissioner, and Andy Houser, former MNR director of fish and wildlife, the ministry is in an economic crisis. Recently, the government slashed MNR's budget by 5%, a total of \$36 million. There is simply not enough money in the ministry's budget to properly finance already existing programs without the added financial stress of new legislation. Currently, the fish and wildlife program is underfunded and conservation officers are doing everything in their power to raise money to gas up their trucks. In their rush to have this bill passed, the McGuinty Liberals have shown complete disregard for the democratic process, refusing to provide meaningful and broad public consultations, limiting debate and restricting the time available to review all the recommendations brought forth by various stakeholders to the committee. It is unfortunate that the government did not ensure a fair and democratic process was in place with the proposed legislation.

Having said that, I support updating our endangered-species legislation and ensuring that our imperilled species are properly protected. Along with my support, however, comes the hope that the government will properly fund the Ministry of Natural Resources to ensure that this bill can be properly implemented and that those who are negatively affected by its implementation are compensated for any financial loss.

In conclusion, there were a lot of other points that I wanted to talk about. I was glad to hear the minister talk about harmonizing with other acts. We also had an amendment to make this act work with the Crown Forest Sustainability Act. That was another one of the amendments that we didn't get an opportunity to debate in committee because of the ridiculous time schedule under which we were operating with this bill.

Ms. DiNovo: Right up front, I'll say that I'm going to vote for this bill; I'm going to support it. It's a step in the

right direction. As I went to the Environmental Defence function, I understand that I am the honorary guardian of the American chestnut. I read on the back of this, "Ontario needs an Endangered Species Act with teeth: mandatory habitat protection, science-based listing, timely recovery plans and stewardship funding." What I'm going to talk about is why this doesn't have teeth. I'm going to vote for it because it's a step, but I'm also going to give a little bit of the background of what's been going on and what's really happening in this House, which has nothing to do with endangered species—perhaps endangered Liberal species but not any of the animal or tree or flora/fauna variety.

First of all, this is like a government that's sinking like a stone on the environmental portfolio. This is a government that's putting \$40 billion to \$45 billion into nuclear reactors. This is a government that refuses to close Nanticoke and the coal-fired plants, despite the promises to the contrary. This is a government that refused to pass the New Democrat Party bill to bring in the Kyoto Protocol in this province—not wait for anybody, but let's do it now because—

Interjection.

Ms. DiNovo: That's Gilles's bill, the member from Timmins–James Bay.

So this is what in fact this government has been up to on the environmental portfolio, and all of a sudden, after three and a half years of doing nothing, they bring in—voilà—this endangered species bill. Why, one might ask, are they doing it now? And more to the point, why invoke closure on this bill? This is a very interesting political point. Do you know that this bill will not come into effect until June 2008? Why? They managed to bring in a pay raise for themselves in eight days—\$40,000 for Dalton McGuinty. This is a majority government who can do anything they want whenever they want—they're a majority—and yet for some reason they're rushing us through. You heard the concerns about not consulting with First Nations. Yet this bill is not even going to come into effect until June 2008. So one might ask, where's the rush? Well, obviously there's a political motive. This place is nothing if not political, and the political motive here is to hold it over the heads of everyone in the upcoming election, to be able to say, "We did something." But have they really done something? No, not until June 2008. This is an American plan with an American timeline. That's what's happening here.

The other issue that I want to point out environmentally is that we're not going to have any species if we don't do something about climate change. This is not a government that has anything to say on that file. We've all seen An Inconvenient Truth; we all know the plight of species like the polar bear.

Mr. Bisson: I'm a polar bear.

Ms. DiNovo: There you go.

If this was really a manifestation of this government's concern for endangered species, they would certainly move on that.

The other aspect of this bill that we've heard a number of members speak on is enforcement. You know, you don't have a law unless you have enforcement. This bill is akin to having laws about, for example, driving but having no police force to enforce any of them. I would love to know, with these overworked, underpaid conservation officers, where they're going to find the time, where they're going to find the means to enforce any of this bill.

Our concern is—and it's very symptomatic of other bills that this government passes as well, by the way; this is part and parcel of the McGuinty Liberals' modus operandi. They pass wonderful-sounding legislation with no teeth whatsoever and no way of actually being implemented on the ground.

So my concerns are not with passing the bill. My concerns are with actually enacting the bill, to see that not only is it not put off for yet another year, but that when it does finally, finally get passed, it actually has somebody out there in the field making sure that the letter of the law is being enforced, because that's certainly not the case right now, absolutely not the case.

I only have a minute left, but I want to reinforce what is really happening here, and it's political. What's really happening here is a government wrapping itself in some green cloak around endangered species when in fact they do nothing about climate change, which is a huge threat. It's a threat to the boreal forest and it's a threat to all of us, including endangered species. We're the endangered species as well when it comes to climate change. This is a government that's done nothing on that portfolio whatsoever. In fact, they've broken every promise they made about the coal-fired plants. Unfortunately, they haven't broken the promise about nuclear reactors. So there we go. Then they bring in this. They bring it in with a ridiculous timeline—sometime, never, in the future—and they don't give it any teeth whatsoever in terms of investing in conservation officers who could actually enforce this law. So let's make very clear to those listening and watching at home and to the environmentalists who are here, who have done their best, I might say, and thank you for all the work that you've done on this file: I'm going to vote for it, but I'm going to vote for it with a heavy heart, because I know what's behind it.

The Acting Speaker: Further debate?

Seeing no further debate, and pursuant to the order of the House, I am now required to call the question.

Mr. Ramsay has moved third reading of Bill 184, An Act to protect species at risk and to make related changes to other Acts. Is it the pleasure of the House that the motion carry? I heard some noes.

All those in favour will please say "aye."

All those opposed will please say "nay."

In my opinion, the ayes have it.

There being more than five members, call in the members. There will be a 10-minute bell.

The division bells rang from 1742 to 1752.

The Acting Speaker:

All those in favour will please stand to be recorded by the Clerk.

Ayes

Arnott, Ted
 Balkissoon, Bas
 Bartolucci, Rick
 Bentley, Christopher
 Berardinetti, Lorenzo
 Bountrogianni, Marie
 Bradley, James J.
 Broten, Laurel C.
 Bryant, Michael
 Cansfield, Donna H.
 Caplan, David
 Colle, Mike
 Crozier, Bruce
 Dhillon, Vic
 Di Cocco, Caroline
 DiNovo, Cheri
 Dombrowsky, Leona
 Duncan, Dwight
 Dunlop, Garfield
 Elliott, Christine
 Ferreira, Paul

Flynn, Kevin Daniel
 Fonseca, Peter
 Gerretsen, John
 Hardeman, Ernie
 Hoy, Pat
 Hudak, Tim
 Kormos, Peter
 Kular, Kuldip
 Kwinter, Monte
 Levac, Dave
 Marchese, Rosario
 McGuinty, Dalton
 McMeekin, Ted
 McNeely, Phil
 Miller, Norm
 Milloy, John
 Mitchell, Carol
 Mossop, Jennifer F.
 Munro, Julia
 O'Toole, John
 Oraziotti, David

Patten, Richard
 Phillips, Gerry
 Qaadri, Shafiq
 Racco, Mario G.
 Ramal, Khalil
 Ramsay, David
 Rinaldi, Lou
 Runciman, Robert W.
 Sandals, Liz
 Savoline, Joyce
 Sergio, Mario
 Smith, Monique
 Smitherman, George
 Sterling, Norman W.
 Tabuns, Peter
 Tascona, Joseph N.
 Van Bommel, Maria
 Wilkinson, John
 Wynne, Kathleen O.
 Zimmer, David

The Acting Speaker: All those opposed will please rise and be recorded by the Clerk.

Nays

Bisson, Gilles
 Martiniuk, Gerry

Murdoch, Bill
 Scott, Laurie

Yakabuski, John

The Clerk of the Assembly (Ms. Deborah Deller):
 The ayes are 62; the nays are 5.

The Acting Speaker: I declare the motion carried. Be it resolved that the bill do now pass and be entitled as in the motion.

The time being nearly 6 of the clock, I declare that this House stands recessed until tonight at 6:45.

The House adjourned at 1756.

Evening meeting reported in volume B.

LEGISLATIVE ASSEMBLY OF ONTARIO
ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Lieutenant Governor / Lieutenant-gouverneur: Hon. / L'hon. James K. Bartleman
Speaker / Président: Hon. / L'hon. Michael A. Brown
Clerk / Greffière: Deborah Deller
Sergeant-at-Arms / Sergent d'armes: Dennis Clark

Constituency Circonscription	Member/Party Député(e) / Parti	Constituency Circonscription	Member/Party Député(e) / Parti
Algoma–Manitoulin	Brown, Hon. / L'hon. Michael A. (L) Speaker / Président	Haliburton–Victoria–Brock	Scott, Laurie (PC)
Ancaster–Dundas– Flamborough–Aldershot	McMeekin, Ted (L)	Halton	Chudleigh, Ted (PC)
Barrie–Simcoe–Bradford	Tascona, Joseph N. (PC) Second Deputy Chair of the Committee of the Whole House / Deuxième Vice-Président du Comité plénier de l'Assemblée législative	Hamilton East / Hamilton-Est	Horwath, Andrea (ND)
Beaches–East York / Beaches–York-Est	Prue, Michael (ND)	Hamilton Mountain	Bountrogianni, Hon. / L'hon. Marie (L) Minister of Intergovernmental Affairs, minister responsible for democratic renewal / ministre des Affaires intergouvernementales, ministre responsable du Renouveau démocratique
Bramalea–Gore–Malton– Springdale	Kular, Kuldip (L)	Hamilton West / Hamilton-Ouest	Marsales, Judy (L)
Brampton Centre / Brampton-Centre	Jeffrey, Linda (L)	Hastings–Frontenac–Lennox and Addington	Dombrowsky, Hon. / L'hon. Leona (L) Minister of Agriculture, Food and Rural Affairs / ministre de l'Agriculture, de l'Alimentation et des Affaires rurales
Brampton West–Mississauga / Brampton-Ouest–Mississauga	Dhillon, Vic (L)	Huron–Bruce	Mitchell, Carol (L)
Brant	Levac, Dave (L)	Kenora–Rainy River	Hampton, Howard (ND) Leader of the New Democratic Party / chef du Nouveau Parti démocratique
Bruce–Grey–Owen Sound	Murdoch, Bill (PC)	Kingston and the Islands / Kingston et les îles	Gerretsen, Hon. / L'hon. John (L) Minister of Municipal Affairs and Housing / ministre des Affaires municipales et du Logement
Burlington	Savoline, Joyce (PC)	Kitchener Centre / Kitchener-Centre	Milloy, John (L)
Cambridge	Martiniuk, Gerry (PC)	Kitchener–Waterloo	Witmer, Elizabeth (PC)
Chatham–Kent Essex	Hoy, Pat (L)	Lambton–Kent–Middlesex	Van Bommel, Maria (L)
Davenport	Ruprecht, Tony (L)	Lanark–Carleton	Sterling, Norman W. (PC)
Don Valley East / Don Valley-Est	Caplan, Hon. / L'hon. David (L) Minister of Public Infrastructure Renewal, deputy government House leader / ministre du Renouvellement de l'infrastructure publique, leader parlementaire adjoint du gouvernement	Leeds–Grenville	Runciman, Robert W. (PC)
Don Valley West / Don Valley-Ouest	Wynne, Hon. / L'hon. Kathleen O. (L) Minister of Education / ministre de l'Éducation	London North Centre / London-Centre-Nord	Matthews, Deborah (L)
Dufferin–Peel– Wellington–Grey	Tory, John (PC) Leader of the Opposition / chef de l'opposition	London West / London-Ouest	Bentley, Hon. / L'hon. Christopher (L) Minister of Training, Colleges and Universities / ministre de la Formation et des Collèges et Universités
Durham	O'Toole, John (PC)	London–Fanshawe	Ramal, Khalil (L)
Eglinton–Lawrence	Colle, Hon. / L'hon. Mike (L) Minister of Citizenship and Immigration / ministre des Affaires civiques et de l'Immigration	Markham	Chan, Hon. / L'hon. Michael (L) Minister of Revenue / ministre du Revenu
Elgin–Middlesex–London	Peters, Hon. / L'hon. Steve (L) Minister of Labour / ministre du Travail	Mississauga Centre / Mississauga-Centre	Takhar, Hon. / L'hon. Harinder S. (L) Minister of Small Business and Entrepreneurship / ministre des Petites Entreprises et de l'Entrepreneuriat
Erie–Lincoln Essex	Hudak, Tim (PC)	Mississauga East / Mississauga-Est	Fonseca, Peter (L)
	Crozier, Bruce (L) Deputy Speaker, Chair of the Committee of the Whole House / Vice-Président, Président du Comité plénier de l'Assemblée législative	Mississauga South / Mississauga-Sud	Peterson, Tim (Ind.)
Etobicoke Centre / Etobicoke-Centre	Cansfield, Hon. / L'hon. Donna H. (L) Minister of Transportation / ministre des Transports	Mississauga West / Mississauga-Ouest	Delaney, Bob (L)
Etobicoke North / Etobicoke-Nord	Qaadri, Shafiq (L)	Nepean–Carleton	MacLeod, Lisa (PC)
Etobicoke–Lakeshore	Broten, Hon. / L'hon. Laurel C. (L) Minister of the Environment / ministre de l'Environnement	Niagara Centre / Niagara-Centre	Kormos, Peter (ND)
Glengarry–Prescott–Russell	Lalonde, Jean-Marc (L)	Niagara Falls	Craiton, Kim (L)
Guelph–Wellington	Sandals, Liz (L)	Nickel Belt	Martel, Shelley (ND)
Haldimand–Norfolk–Brant	Barrett, Toby (PC)	Nipissing	Smith, Monique M. (L)

Constituency Circonscription	Member/Party Député(e) / Parti	Constituency Circonscription	Member/Party Député(e) / Parti
Northumberland	Rinaldi, Lou (L)	Stormont–Dundas– Charlottenburgh	Brownell, Jim (L)
Oak Ridges	Klees, Frank (PC)	Sudbury	Bartolucci, Hon. / L'hon. Rick (L) Minister of Northern Development and Mines / ministre du Développement du Nord et des Mines
Oakville	Flynn, Kevin Daniel (L)	Thornhill	Racco, Mario G. (L)
Oshawa	Ouellette, Jerry J. (PC)	Thunder Bay–Atikokan	Mauro, Bill (L)
Ottawa Centre / Ottawa–Centre	Patten, Richard (L)	Thunder Bay–Superior	Gravelle, Michael (L)
Ottawa South / Ottawa–Sud	McGuinty, Hon. / L'hon. Dalton (L) Premier and President of the Council, Minister of Research and Innovation / premier ministre et président du Conseil, ministre de la Recherche et de l'Innovation	North / Thunder Bay–Superior- Nord	
Ottawa West–Nepean / Ottawa–Ouest–Nepean	Watson, Hon. / L'hon. Jim (L) Minister of Health Promotion / ministre de la Promotion de la santé	Timiskaming–Cochrane	Ramsay, Hon. / L'hon. David (L) Minister of Natural Resources, minister responsible for Aboriginal Affairs / ministre des Richesses naturelles, ministre délégué aux Affaires autochtones
Ottawa–Orléans	McNeely, Phil (L)	Timmins–James Bay / Timmins–Baie James	Bisson, Gilles (ND)
Ottawa–Vanier	Meilleur, Hon. / L'hon. Madeleine (L) Minister of Community and Social Services, minister responsible for francophone affairs / ministre des Services sociaux et communautaires, ministre déléguée aux Affaires francophones	Toronto Centre–Rosedale / Toronto–Centre–Rosedale	Smitherman, Hon. / L'hon. George (L) Deputy Premier, Minister of Health and Long-Term Care / vice-premier ministre, ministre de la Santé et des Soins de longue durée
Oxford	Hardeman, Ernie (PC)	Toronto–Danforth	Tabuns, Peter (ND)
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Perth–Middlesex	Wilkinson, John (L)	Waterloo–Wellington	Arnott, Ted (PC) First Deputy Chair of the Committee of the Whole House / Premier Vice-Président du Comité plénier de l'Assemblée législative
Peterborough	Leal, Jeff (L)	Whitby–Ajax	Elliott, Christine (PC)
Pickering–Ajax–Uxbridge	Arthurs, Wayne (L)	Willowdale	Zimmer, David (L)
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Renfrew–Nipissing–Pembroke	Yakabuski, John (PC)	Windsor–St. Clair	Duncan, Hon. / L'hon. Dwight (L) Minister of Energy / ministre de l'Énergie
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Scarborough–Agincourt	Phillips, Hon. / L'hon. Gerry (L) Minister of Government Services / ministre des Services gouvernementaux		
Scarborough–Rouge River	Balkissoon, Bas (L)		
Simcoe North / Simcoe–Nord	Dunlop, Garfield (PC)		
Simcoe–Grey	Wilson, Jim (PC)		
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St. Paul's	Bryant, Hon. / L'hon. Michael (L) Attorney General / procureur général		
Stoney Creek	Mossop, Jennifer F. (L)		

A list arranged by members' surnames and including all responsibilities of each member appears in the first and last issues of each session and on the first Monday of each month.

Une liste alphabétique des noms des députés, comprenant toutes les responsabilités de chaque député, figure dans les premier et dernier numéros de chaque session et le premier lundi de chaque mois.

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