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Wednesday 25 March 2009

Mercredi 25 mars 2009

Speaker
Honourable Steve Peters

Président
L'honorable Steve Peters

Clerk
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**LEGISLATIVE ASSEMBLY
OF ONTARIO**

Wednesday 25 March 2009

**ASSEMBLÉE LÉGISLATIVE
DE L'ONTARIO**

Mercredi 25 mars 2009

The House met at 0900.

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

Prayers.

ORDERS OF THE DAY

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

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

Resuming the debate adjourned on March 23, 2009, on the motion for second reading of Bill 157, An Act to amend the Education Act / Projet de loi 157, Loi modifiant la Loi sur l'éducation.

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

Mr. Paul Miller: I rise today to discuss Bill 157, An Act to amend the Education Act. As New Democrats said when this bill was introduced, we will be supporting this bill. The issue of safety in our schools is one that my colleagues and I have raised in the Legislature, and as such we will support this bill, but we also have a number of comments of constructive criticism on this very serious issue. We also want to recognize the commitment to this issue by MPP Joyce Savoline in ensuring that the Liberal government could not ignore this issue.

Broader issues impacting violence in schools and youth violence: Our students must be able to attend school without fear. The goal of our schools is to provide a place of learning and growth, an environment that nurtures creativity and critical thinking, to teach skills and knowledge that equip these young people for future possibilities. The practical reality of schools in Ontario is that the Harris era cuts have not been addressed in the past six years. Teachers and education workers are stretched so thin that it is difficult for them to engage with students in the school environment in the way that is needed and that they desire. Support staff in schools have been slashed. Necessary after-school programs are limited. Ontario's schools are divided into haves and have-nots according to the ability of the parents and school committees to fundraise. In a broader context, we see challenges of poverty, recent job loss, and disenfranch-

isement of racialized and immigrant communities, just to name a few of the factors.

What does all this have to do with safety in schools and mandatory reporting? Well, as the Falconer report on the roots of youth violence and even the safe schools workgroup tell us to varying degrees, violence in schools, individual incidents, a culture of silence or simply the inability for staff to be present as necessary due to the unrealistic demands on their time are an accumulation of a variety of factors that need to be addressed. I wanted to ensure that we do not lose sight of what is required across the board to address what is at the heart of keeping our kids safe in schools. This safety, we see, is so intrinsically linked to broader social issues and access to services.

Reporting: This bill requires mandatory reporting on many levels by teachers who see activities which may warrant suspension. They must report to a principal. The principal, in turn, must make a judgment call to inform parents of the affected party and to contact those of the perpetrating party. This reporting, and the duties and powers related, extending to other workers who are not necessarily employed by the board but do interact with students raises some questions. Does this include cafeteria workers, social service workers and police officers in schools? Do these individuals have correct training that would allow them to have the confidence necessary to take on this role?

Defining terms of the legislation: Parents have a right to know what is happening to their kids, particularly when there are incidents that require their attention. We know that we can't call parents for every single conflict that a child is involved in. Teachers cannot do that. The system would crawl to a halt if every incident had to be reported and would not be logical. There are serious incidents where calling parents is automatic and necessary. What we will need is a way to judge all the incidents that are between. Those incidents are not easily defined. Educators need a direction to help determine what needs to be reported and what does not. We will support anything that will assist educators to protect our children and keep our parents informed.

Much will depend on the definition of "reportable incident." Teachers are already required, as the minister said, to report suspected cases of child abuse to the principal, who then has the responsibility to report externally. In situations of violent incidents among students, the practice is for teachers to report to the principal. The legislation clarifies that responsibility.

In the experience of our member from Toronto as a former teacher and as a critic for a long time, teachers do

report violent problems when they happen. It is in their interest to do so—to protect themselves, if nothing else, and to protect those young people. So reporting happens. Whether or not there's support at the higher levels is sometimes another question, but even then the principals of course have a lot to do, and they have to use their judgment and time wisely. In some cases, they may fail in their judgment in that regard, but in his experience most teachers have done the job of reporting, but this also codifies it, helps them and lets them do it.

Teachers have been silenced. Moreover, we find that teachers do report incidents from across the spectrum. They take them to their principals, to their higher-ups, and what they find is that their reports are dismissed and they are silenced, and that, above all, no school wants a bad reputation. No school wants to be known as the one with the problems. No school wants to be pinned with a stigma of overwhelming disciplinary problems. For one reason or another, principals are scared to acknowledge some of these incidents. Principals are also under considerable pressure to reduce the number of suspensions, so that government will be perceived as doing something about school violence.

But what we're talking about here is suspendable offences. Are our school administrators ready to deal with that, and how? It would do us all well to have another look at this TDSB report on safety in schools, the Falconer report, and read closely about the culture of silence developing in schools across this province. That is one of the biggest, if not the biggest, obstacles to safety in our schools.

Issues mandatory reporting does not deal with: I do want to say that mandatory reporting doesn't deal with the issues that we should be talking about. Mandatory reporting doesn't deal with issues of mental illness. Mandatory reporting doesn't deal with kids who come to school where in their family there's substance or alcohol abuse. Many of these issues at home bring violence to the school. Some of these students are possibly sexually abused or emotionally abused, and these kids act out violently at school as a result. Mandatory reporting doesn't deal with that. The Liberals and Tories might say, "That's not what they're supposed to be doing," but we should be talking about what we should be doing to prevent problems before we're in a situation where teachers are forced to report violent or difficult problems. Reporting is good, but it doesn't address the causes of youth violence.

How do we effectively deal with youth violence? Dealing with youth violence requires more than accurate reporting and putting a few police in schools. We would like to see legislation that puts more support staff, social workers, psychologists and other people who deal with mental illness in our school system as a way of reducing tensions that contribute to violence.

0910

The provincial safety and equity officer: Again, going back to the Toronto District School Board, the community safety advisory panel recommended the creation

of a provincial safety and equity officer, to be a central repository for the reporting of serious issues of school safety. We have not heard the minister respond to that recommendation by Julian Falconer and the advisory panel. In fact, there is no acknowledgment in the minister's school safety report of the invaluable TDSB report in which this recommendation is included, which is odd—an embarrassing oversight. We do not know whether the minister or the Liberals will speak to many of the recommendations made by Falconer. They claim they have about 80% of what is in the report still to be addressed.

Here are just a few of the specific recommendations from the Falconer report, which, if acted upon, would have considerable impact on the safety of our students for this bill:

"The TDSB should establish school-based teams made up of social workers, child/youth workers and teachers to help family caregivers navigate and access the mental health services their children and youth require, and these teams should make use of a variety of treatment techniques and work across" different disciplines.

"The TDSB should provide wraparound programming in schools where there is a significant population of students who are in jeopardy of falling outside of the education system....

"The panel finds that selected ... schools in marginalized communities should be designated as community hubs. Community hub schools will become the focus of the neighbourhoods that they serve. Local community organizations and groups will be encouraged to become part of the school community, in order to facilitate a closer connection between the school and the students, the parents and the community....

"The TDSB should restore the community outreach worker position. The panel recommends that the community outreach worker gather, coordinate and act as a clearinghouse concerning information about current programs and services provided by the existing community partners and schools.

"In order to facilitate in the building of community hubs, the TDSB should review the level of caretaking staff at each school to determine if there is sufficient staff to maintain the schools such that schools can serve as a welcoming and positive environment for the community....

"The Ministry of Education should increase the benchmark costs for all components of the funding formula (the foundations grant, the special purpose grant and the pupil accommodation grant), so as to close the gap between funding provided and actual costs of operations.

"The panel recommends that the Ministry of Education, in consultation with school boards and other members of the education community, should develop mechanisms for annually reviewing and updating benchmarks in the funding formula and for conducting a more comprehensive overall review of the funding formula every five years.

"The Ministry of Education should increase the funding of the demographic component of the LOG to the

level that is stipulated by the 1997 expert panel that studied the creation of the learning opportunities grant—\$400 million (adjusted to reflect inflation).

“The Ministry of Education should ‘sweater’ the demographic component of the learning opportunities grant so that the funds received by the board are used solely for providing programs to mitigate socio-economic factors affecting marginalized students. The new demographic component should include a built-in accountability process mandating that school boards report annually on the programs and services funded by the grant, and on their effectiveness.

“The Ministry of Education should reconstitute the local priorities amount as 5% of the basic amount of school boards’ pupil foundation grant (updated as per above-noted recommendation), and that boards apply the local priorities amount to locally established priorities, programs and services aimed at the continuous improvement of student learning and achievement with particular focus paid to at-risk schools....

“The TDSB should hire 20 new full-time social workers.

“The 20 new full-time social workers should be dedicated to high-priority schools determined by the board based on criteria that include dropout rates, high absenteeism, suspension/expulsion data, LOI ranking and the number of safety incident reports.

“The panel recommends that the 20 new full-time social workers dedicated to high-priority schools should not be assigned to more than two schools each.

“The TDSB should hire 20 additional child and youth counsellors.

They “should be dedicated to high-priority schools determined by the board based on criteria that include dropout rates, high absenteeism, suspension/expulsion” etc.

“The panel recommends that the TDSB should hire 24 ... attendance counsellors to meet the needs created by the mandatory learning to 18 provisions of Bill 52.”

Additional areas of the bill could address acknowledging old policies that haven’t worked and trying new approaches.

As well as the Falconer recommendations, there are many other things that the government could be dealing with. The bill contains statements like this: “If the minister has established policies or guidelines...,” and “The minister may establish policies and guidelines....” The ministry must establish policy and guidelines, but has not done so since 1994, clarifying the role of everyone involved in reporting and documenting and when such reporting and documenting is to include reports of the OSR. The legislation is based on the faulty assumption that old directives and policies are fine. What is needed is a comprehensive review of policies and procedures and guidelines.

Regarding reporting, it is a matter of the health and safety of our staff as well as our students. If the old policies and procedures were adequate, we wouldn’t have the situation in the schools that we have today. It is the view of many teachers that it is due to the failure to

clarify and define roles, and the failure to keep documentation which would allow province-wide tracking of violent incidents, including those deemed to be less serious. This bill seems to have been largely advanced to address a few instances where principals failed to follow existing board policies on the issue, so it really needed at all—that’s a little confusing.

The NDP have been saying for years that we need to restore and increase the number of social workers, child and youth care workers and support workers in schools.

Gender-based violence and responses: The gender-based abuses and assaults that occur in our schools are so prevalent that they are almost accepted as normal. The government’s response to the criticism of the Safe Schools Act was to simply have school boards suspend fewer students. There are students who will cross the line no matter where you draw it. They must be dealt with to protect the learning environment. While some suspensions are inevitable, many involve special-needs students who are not being offered the programs and support they are entitled to.

Alternative programming: There is a real lack of alternative programming for students who would benefit from education in the trades, service and technical areas. The current approach, which is to lower the dropout rate by lowering expectations, does not give students the skill they require and reduces accountability, which results in lower standards and less discipline in schools.

There is a prosperity gap. Schools are a reflection of the prosperity gap and the tensions and violence that exist in our society. The problems in schools cannot be solved by focusing only on the schools. It is the provincial government, not the boards, who has to accept responsibility for the current situation. The problems contained in the Falconer report and the government’s own task force report are a direct result of the indifference and the lack of support by the government.

More adults in schools: We must compensate for the past indifference and lack of provincial support by immediately providing the funding for social workers, child and youth workers, attendance counsellors, community outreach staff, monitors and extra teachers that the NDP, parents and educators, and now the Falconer report, have called for. We need more adults in our schools and we need them now.

Schools need to be able to provide alternative programming to meet the needs of their students. Our schools must be safe; our students must be protected and free of violence, abuse and threats. Students and their parents must be held accountable for unacceptable behaviour, but this is only possible in a system where parents are given the opportunity to provide their children with a sense of hope based on the legitimate expectation of success in the future.

There is a failure of the Safe Schools Act. There must be rules and sanctions, but our response to violence should not be centred on reporting incidents and sanctions, threats and punishments. If the approach worked, the Safe Schools Act would not have been the spectacular

failure it was. There must be rules to protect our students, and students who engage in criminal behaviour must be dealt with by the criminal justice system.

However, the imposition of sanctions should be the last resort, not the first knee-jerk response to a situation. Essentially, sanctions are an admission of failure on the part of the system. Before sanctions are imposed, we must be able to offer our students every chance for success. Our schools must be given the tools for success, not failure.

Violence in the schools is a product of the problems in our society. The government must take immediate steps to reduce the prosperity gap in our society. We need to provide real opportunity for currently marginalized groups to succeed. We can't be telling marginalized groups that they need to pull themselves up by their own bootstraps when they have no boots. We need a \$10 minimum wage now. Social assistance levels must improve to reflect the reality of raising a family. Adequate public housing must be provided. Municipalities must be helped to provide the social and recreational services which they are required.

In conclusion, we hope the minister and the Liberals will speak to all these issues more than just doing mandatory reporting. This is a first tiny step. The students of this province deserve so much more, and the educators deserve so much more. What are we waiting for?

0920

The Deputy Speaker (Mr. Bruce Crozier): Questions and comments?

Mrs. Liz Sandals: I've just got two minutes, but I think I would like to give a little bit of an introduction to the bill, seeing as we're just starting to debate it today. The safe schools action team, which I chair, was re-engaged by Minister Wynne a year ago. We presented our report to her in December, and I'm very pleased that Minister Wynne is acting on it so quickly.

One of the things that she asked us to do in this report was to look at the gaps in reporting. That is why this legislation that we're bringing forward is quite specific, because we know where there already are requirements around reporting, and we know that much of what is in this bill is already done by school staff routinely. But unfortunately, there have been some rather egregious incidents where what would seem to be common sense hasn't been followed. We know that usually it is, but we need to make sure those exceptions aren't happening.

The two gaps we found in reporting were, number one, that school staff don't always report to the principal when there has been some sort of behaviour. It actually is spelled out clearly in the bill what those incidents are. If there is an incident that the principal must consider for suspension, if there is an incident that the principal must consider for expulsion, then the principal needs to be told. How can they make a decision if nobody tells them? That's the first piece.

The second piece was that we found out sometimes that even though principals were aware of these incidents, they didn't always inform the parents of the vic-

tim. Again, the requirement for when you tell the parents of the victim is the same as when you have to report to the principal: The incident is serious enough for the principal to consider either suspension or expulsion. There is an exception here, which is if informing the parent would do further harm to the student; for example, for fear that the student might be punished, thrown out of the home, whatever, by the parent.

I'll talk at some future time about the intervention rules, but that addresses—

The Deputy Speaker (Mr. Bruce Crozier): Thank you. Questions and comments?

Mr. John O'Toole: I always listen to the member from Hamilton East–Stoney Creek with interest, and I think his prepared remarks today were well thought through in terms of first supporting and then explaining in some detail the reasons why the bill is more superficial than one would be led to believe. Really, it is an important issue, and I hope to have the chance, in the limited time we're allowed to speak, to address some of the deficiencies of the bill. I have serious misgivings, actually, listening to our critic, Ms. Savoline, who did what I considered a superlative job in commenting critically on an important bill affecting the protection of our youth in our public school system. Doing the right thing is what people perceive is being done here with Bill 157, An Act to amend the Education Act, but in fact it doesn't really deliver.

On closer scrutiny—and I think the member from Hamilton East tried to make this point very clear when he was referring to the TDSB Falconer report. He made it very clear that there were some inconsistencies there: the lack of supports for students at risk. That's that the infrastructure to make this program work is needed, and it simply isn't here. In fact, if you look at the work done on this issue of violence in schools, protecting children, and protecting vulnerable children, and bullying, this bill misses the mark. It's tragic that the public are going to be expecting something to be delivered when in fact it's not being delivered.

I would say that the member from Hamilton East–Stoney Creek's remarks are worth listening to and worth responding to, and I'd expect that he will, in his summary, let us know if this bill meets the mark or not.

The Deputy Speaker (Mr. Bruce Crozier): Questions and comments?

Mr. Rick Johnson: It's my pleasure to speak in support of Bill 157, the Keeping Our Kids Safe at School bill. Children have a right to attend school in a safe and caring environment, and I absolutely support this. My roles as a school trustee, past chair of the Trillium Lakeshore District School Board and president of the Ontario Public School Boards' Association have given me a unique perspective into the needs of this bill. I would like to thank the member from Hamilton East–Stoney Creek for his comments this morning.

Over my 12 years as a school trustee, I received many calls from parents, from staff in schools, and from my children and their friends, talking about the need to be

able to feel safe in school. This bill addresses many of the key issues that happen in schools today, such as bullying, violence, vandalism, sexual assault, drug trafficking, etc., and the need for principals to deal with these issues and contact police if necessary, because children need to feel safe.

Enshrining the ability of principals to delegate school discipline and safety issues to a VP or teacher in their absence is another key part of this bill that will do much to ensure that children have the ability to learn in a safe and caring environment. There are many parts of this bill that will certainly improve the quality of education for children throughout Ontario.

The Deputy Speaker (Mr. Bruce Crozier): Questions and comments? Member for Hamilton East–Stoney Creek, you have two minutes to respond.

Mr. Paul Miller: I'd like to thank my colleagues from Durham, Guelph and Haliburton–Kawartha Lakes–Brock. I'd also like to reiterate the work that the member from Burlington, Ms. Savoline, did on this bill. She deserves a lot of credit. She had a lot of good input to this bill, and hopefully there are more things we'd like to see put in down the road.

I'd like to especially thank the member from Durham for his kind words. He shares my opinion that this bill does fall short in many areas that we would like to have seen addressed. The member from Guelph put it in a manner that was well presented; however, she did admit she saw some weaknesses in the bill that she would like to have seen addressed.

I am a firm believer that if you're going to do research and put a bill in front of this House, you should take the time necessary to get it right the first time. That way you avoid future amendments and future private members' bills that have to be brought forward to address some of the issues the bill doesn't address.

I'm not a person who likes to hurry bills through. I like to do my research, analyze it and do the right thing the first time. I don't like bills that skim the surface, so to speak, and there's not a lot of depth. I would like to see bills in the House that actually address all the major issues, not just part of them. It's a start, but as I brought forward, there are a lot of things that have been left out and haven't been addressed that are a major part of the situations we have in schools. I hope that in the future the government will see the light of day and deal with those issues.

The Deputy Speaker (Mr. Bruce Crozier): Further debate?

Mr. Jeff Leal: It's indeed a pleasure to have the opportunity to get some thoughts on the record this morning with regard to Bill 157, the Education Amendment Act (Keeping Our Kids Safe at School), 2009. I think I can bring an interesting perspective to this bill. My wife, Karen, is the vice-principal at St. Anne's school in Peterborough, and one of the jobs of vice-principals, of course, is to look after discipline within a school.

I'm particularly pleased that John Mackle, the director of the Peterborough Victoria Northumberland Clarington

separate school board, and his counterpart Ms. Sylvia Terpstra, the director of the Kawartha Pine Ridge public school board, have certainly been extremely active on this file in terms of working with their principals and vice-principals and the need to make sure we have appropriate reporting of incidents in school: areas such as bullying, violence, vandalism, sexual assault and drug trafficking.

Just for the record, John Mackle, the director of the PVNCC, actually started his teaching career with the member from Eglinton–Lawrence at Michael Power school right here in Toronto. I know that the member from Eglinton–Lawrence and Mr. Mackle have had a long-standing relationship and certainly converse from time to time on a number of issues.

0930

There's no question that words mean something. I remember as a young student—those were the days of the separate school system—where you had days off for holy days, and maybe the member from Durham would also remember those days. It was mandatory, of course, to go to mass in the morning. The local priest would do a head count to make sure all the students were there; in the afternoon, it was like a professional development day.

I remember one incident when I was about seven or eight. We were going to the local playground to play some road hockey, and the non-Catholic students saw us all walk by and they said, "There's the dogan family." I'd never heard that term before. I remember going home that evening and asking my mom what was meant by that because, "I'm Jeff Leal, part of the Leal family, and they called us members of the dogan family." My mother explained to me in a very clear and concise manner that "dogan" was a derogatory term for Roman Catholics. I didn't have a clue about that, but I thought about it for a moment. I think it goes to the heart of how words do mean something and how they can have a serious and detrimental effect on students.

I remember in about 1982 we, through Trent University, had a large number of international students that came to Peterborough. In particular, in 1982 I remember there was a very serious incident with a Somali student. It started as verbal abuse of the Somali student and then it worked into physical abuse. The mayor of Peterborough at the time, the late Robert Barker, immediately set up a racial relations committee in the city of Peterborough. He brought together representatives from both school boards and the Peterborough Lakefield police services board to put together a committee. Under that came a local program called the VIP program, which stood for Values, Influences and Peers. This was a program that went into both the elementary and secondary schools in Peterborough to start to work with students in order to educate them and provide information on how we could achieve a higher level of tolerance in the area. I know both Trent University and Fleming College were involved in that program.

I'd like to get on the record today that the president of Trent, Bonnie Patterson, is leaving after 10 years in her

leadership role. We wish her well in her future endeavours. Secondly, the other individual that is leaving is the chancellor, Roberta Bondar, and I want to make reference to her in terms of this bill. Roberta Bondar has been a real hands-on chancellor at Trent University. She spent a lot of time in elementary and secondary classrooms, particularly talking to young females, which I think is extremely important. She talked about her educational background, and indeed, in her case, literally had the opportunity to reach the stars. I think individuals like her are very important to get into the classrooms and highlight serious issues of bullying, violence, vandalism, sexual assault and drug trafficking.

This government has gone a long way over the last six years. As long as I've known you, Mr. Speaker, you've spent a great deal of time in classrooms in the riding of Essex to make sure that we see evidence of a new, much more positive learning environment in our classrooms across the province of Ontario. We've seen more and more teachers hired. We've seen more administrative staff being involved in the system. I think we've gone a long way in the last six years to bring about a higher degree of harmony in our classrooms.

In the future, I look forward to hearing remarks from my new colleague from Haliburton-Kawartha Lakes-Brock, who in his old role prior to his election to the House on March 5 was very involved as chair of the Trillium Lakelands District School Board, bringing forward a lot of the new initiatives that I think have been so helpful in our classrooms.

We have a solid record when it comes to making our schools safer. We amended Bill 212 to include bullying as a suspendable offence. We annualized \$2.3 million for suspension and expulsion programs. We annualized \$10.5 million to support professional resources, more attendance counsellors, psychologists etc. We provided an additional \$10 million for additional supports for urban and priority schools.

One of the great things that we accomplished—the Minister of Transportation is with us today—is that we got rid of those punitive fees for using schools on weekends. We talk about schools being crucial hubs in communities, and certainly in rural communities. Prior to the 2003 elections, they would say, “Mr. Leal, we would love to be using our school gyms on the weekend, but we can't because we can't afford the fees to pay custodian staff time and a half to be there on the weekend.” A lot of those sports activities and community activities are great avenues for our kids to be involved in the community, to socialize, to work with their peers and, frankly, to give them the opportunity to feel part of something. One of the ways that we address bullying, violence, vandalism, sexual assault and drug trafficking is to have people involved in something, feeling that they're worthwhile and can make a contribution. One of the ways they do that is through participation in sports teams and other community activities. The Minister of Transportation needs to be saluted for his leadership in getting rid of those punitive fees. This has been an infusion of financial

resources into our schools that has certainly been very, very well received.

We've also, as I said, provided \$6 million for the Focus on Youth program, \$1 million for Kids Help Phone and \$4 million for training on safe, equitable and inclusive schools. In Peterborough we are very, very fortunate to have Alan Vallillee, who is the director of Kinark children's services, to work closely with both school boards to identify students who need some special help. We're very pleased that Bill 157 is part and parcel of keeping our kids safe in school as a continuation of those programs that we've already put in place.

I'll just touch briefly on the safe schools action team, which did an incredible job—the member from Guelph was very, very involved in that—identifying a gap in reporting requirements in legislation and policy for school staff other than the principal to report serious student-on-student incidents, hearing that parents of victims of serious student-on-student incidents were not always informed, and hearing from students not to ignore inappropriate and disrespectful behaviour and certainly not to condone it.

I think Bill 157 is a comprehensive way to bring all the important parties together to deal with what is and can be a very serious matter, to get to the heart of the matter, provide the appropriate supports to make sure that these incidents don't occur. I'm pleased today to have the opportunity to support Bill 157. I know my school boards in the Peterborough area are very pleased with this piece of legislation.

The Deputy Speaker (Mr. Bruce Crozier): Questions and comments?

Mr. John O'Toole: It's always entertaining to listen to the member from Peterborough. He does bring a sort of sentimental approach to it that I can relate to. I believe that if bullying is part of what this intervention bill is about, it is important to make sure that the children are feeling safe and indeed are safe in the schools. I think this bill, as I said before, attempts to do that. I suspect it will have public hearings. I expect it was drafted quickly, even to the extent that the member from Guelph has made comment that there are some shortfalls in the bill. That is true. Our critic, Ms. Savoline, I think, pointed out some very helpful recommendations.

We will likely support the bill, but it just simply does not deliver to make the schools safer. There's nothing going to change here. This is all what Shakespeare called all show and no dough. He said it in a much more fancy fashion, shall we say.

0940

In the next few minutes, I'll have the opportunity to speak on the bill and I will only point out what the bill does; I won't make overt criticisms. But I think the member from Peterborough mentioning that the president of Trent University, Bonnie Patterson, is leaving after 10 years—that is worth knowing. She's a wonderful person—I've met her many times—and I think she has done much for the school.

I would think that this isn't in any way critical of the administration in the schools; what it's critical of is giv-

ing the principals, the chief administrators in the schools, the real tools to do the job and to intervene when and where necessary, which is no different than in the children's aid, where we're protecting our children and their priorities come first. This isn't in the bill.

The Deputy Speaker (Mr. Bruce Crozier): Questions and comments?

Mr. Paul Miller: I'd like to compliment the member from Peterborough. He always adds a personal touch to his comments. But I have to say, given his remarks about the comments made about him in the Catholic school, that it wasn't restricted strictly to Catholic schools. Trust me, in the public system we had bullies too. Looking back on those days—and unfortunately, it doesn't happen as much anymore—there would have been that one quiet kid, the one big kid who didn't like bullies, and he would stick up for the little guys or whoever was being pushed around. But now, because of the system and the weapons that are in schools now, people stay out of it because they are afraid for their personal safety.

The member from Peterborough is correct in saying that there are things that continually come up in schools that are new that society is dealing with and that we have to address. There will obviously be more things that will come along down the road that we'll have to address in this House. I feel that in the bill itself—the member from Durham is correct—there are a lot of things that haven't been addressed. But, yes, it is a start, and, yes, we will support it, because we feel that any kind of discipline or restrictive measures in the school system that are going to help clean up our society of the abuse, the bullying and the things that go on in our schools which are unnecessary and unacceptable, we will support in any way we can.

I hope that when there are future bills that come forward that the opposition brings and that address things in schools that could be helpful, the government of the day will take it upon themselves to open their minds and their pens to opposition suggestions, which are very helpful at times, as witnessed by the member from Burlington and her good input.

The Deputy Speaker (Mr. Bruce Crozier): Questions and comments?

M. Jean-Marc Lalonde: Je dois tout d'abord remercier et féliciter la ministre de l'Éducation, M^{me} Wynne, pour avoir pris le temps d'étudier à fond ce qui se passe dans nos écoles.

Dans ma région de Glengarry–Prescott–Russell, je dois dire que j'ai 54 écoles élémentaires et 12 secondaires. Rarement, nous sommes appelés pour des cas de ce qu'on appelle « bullying », ou des jeunes qui font pression sur les autres.

Mais je dois dire que hier, avec beaucoup de mes collègues, j'ai assisté à un film qui a été présenté ici même à Toronto qui s'appelle « Milk » et qui concerne la discrimination des citoyens de cette ville de la Californie.

Ces choses se passent assez souvent dans nos écoles et je crois aujourd'hui qu'avec ce projet de loi, on va vraiment prendre soin de la discrimination qui se passe et,

aussi souvent, de ce qu'on appelle, encore une fois, la pression qu'on met sur les enfants dans nos cours d'école. Le paragraphe 300.1(1) dit : « Le directeur d'une école peut déléguer par écrit aux personnes suivantes l'un ou l'autre des pouvoirs ou des fonctions que lui attribue la présente partie :

« a) un directeur adjoint de l'école;

« b) un enseignant employé à l'école. »

Donc, cela veut dire que le directeur de l'école va maintenant avoir le pouvoir « d'appointer » ou de donner des responsabilités à ses subordonnés ou aux personnes qui sont sous sa direction afin de s'assurer que dans nos écoles, nos enfants sont bien protégés et sont aussi respectés quant à leur point de vue et leurs droits qui sont employés dans notre belle province.

Encore une fois, je dois féliciter le député de Peterborough pour ses points soulevés.

The Deputy Speaker (Mr. Bruce Crozier): Questions and comments?

Mr. John Yakabuski: It's a pleasure to comment on the address by the member from Peterborough. I enjoy it when the member speaks in this chamber, because he does add a personal touch to it. But on this particular bill, he spoke mostly about his personal experience and almost never touched on the bill, because there isn't much in the bill.

The reality is that so much of what this government has done in the last four years is about bringing forth pieces of legislation that really don't address, or won't accomplish, the intended goals of the government. It's just fitting into the political agenda of the government.

The member for Peterborough talks about the history. I can well imagine that when he was a young student in that system—and I don't know if he's young or old; I think we're around the same age, but maybe he's a little younger—could he have envisioned that we would be living in a time when 23 schools in Toronto have a policeman on site because of violence in our schools, because of bullying, because of problems, because of uncontrolled acts of violence that continue to go on in our schools? Could he have envisioned at that time, as a student growing up in the system of the 1960s, that we would actually be dealing with these kinds of issues in the province of Ontario, and particularly in the city of Toronto, in 2008 and 2009?

This government continues to talk about addressing the problem of violence in schools, and we're talking about bullying specifically, and mandatory reporting in this instance, but it clearly has done very little to change the environment and the activities that are going on in our schools with respect to violence—

The Deputy Speaker (Mr. Bruce Crozier): Thank you. Member for Peterborough, you have two minutes to respond.

Mr. Jeff Leal: I appreciate the thoughtful comments from my colleagues from Durham, Hamilton East–Stoney Creek, Glengarry–Prescott–Russell and my good friend, the member from Renfrew–Nipissing–Pembroke.

I want to get on the record that the member from Glengarry–Prescott–Russell did a superb job of coaching the Ontario LegisKaters a couple of weeks ago. We came up a little short in the game—

Mr. John Yakabuski: It wasn't the coaching, eh?

Mr. Jeff Leal: It wasn't the coaching. No, no, the coaching was expert. The team needs a little bit of work.

But let me get back here. I think the member from Renfrew–Nipissing–Pembroke makes a good point. You're right: When I was a student at St. John the Baptist in the mid-1960s—I don't want to date myself too much—no, there was never any anticipation of a police officer ever being in my elementary or secondary school.

But one of the key things is that, when I chat with teachers—and the member from Durham's wife, Peg, was an outstanding teacher at PVNCC—part of the problem, as I see it, is that we haven't nipped many of these incidents quickly enough. If you let one incident go, it tends to multiply and it keeps going and going and going until you have a really serious situation where the ramifications are enormous.

One of the things about this bill: When it's fully implemented in 2012, there will be a structure in place that will identify very early where there are incidents of bullying, violence, vandalism and sexual abuse, to bring to bear all the services you can at a very early stage, to make sure that this conduct is changed, and you can do it through a variety of approaches.

I believe sincerely that Bill 157 is targeted at getting to this at a very early stage.

The Deputy Speaker (Mr. Bruce Crozier): Further debate?

Mr. John O'Toole: In the brief time that I'm allowed to comment on the bill, I'm going to try to stick to the bill rather than talk about other things.

The best way to start on this bill is to examine its structure and content and highlight what isn't in it. There has been a lot of work done on this, and I think you have to look at the genesis of why the government is charged with bringing in some satisfactory response to some tragedies in our schools.

0950

I think the most important one that the public would be aware of is the incident at C.W. Jefferys Collegiate. I think that is a very important backdrop, where a young child was abused and injured, etc. I'll just read into the record here: "That incident only came to light during an internal investigation into the shooting-death of Jordan Manners at the school last May." This is part of a report in the National Post on January 7, 2008.

"Allegations had also been made at the time of the attack that school administrators knew of it and had even transferred the girl to another school"—in other words, they took care of the evidence—"but did not tell police or children's aid.

"Six months later, in December 2007, police laid the failure-to-report charges."

That went through a number of steps in the justice system where the charges against the school's adminis-

trators were laid by the police and the former administrators were put on paid leave.

The Child and Family Services Act only says that evidence or suspicion of abuse must be reported forthwith, and that it is certainly in a timely manner. I think that was mentioned by the member from Renfrew–Nipissing–Pembroke when he said that if there is physical abuse in the school that's suspected—even in the home—the teacher today, under the Child and Family Services Act, has the duty to report. If they don't, they could be charged. My wife was a teacher and Ms. Munro, the next member of our caucus to speak, was a teacher. If they suspect some abuse in the home, they're required to report it. I think that's fair and it's important and it's relevant to this case.

The charges against the school administrators, I said, were dropped. "Justice of the Peace Gabriel John said the charges against Charis Newton-Thompson, former principal at the Toronto school, and former vice-principals Stan Gordon and Silvio Tallevi were sworn last December—well after the six-month time limit in the Provincial Offences Act." That was reported in May 2008.

Attorney General Chris Bentley said at the time that the crown believed that "the charges were laid within the necessary time." So there's the crown laying the charge, and there's the Attorney General, Chris Bentley, a minister in cabinet, saying that they should have been charged in a timely manner, and he believed they were.

Now this is all very technical, but I guess the issue here, without going into too much detail—I'll come back to this to wrap up that story for those that may be interested in the story. But if I read the act, it does nothing more than this—this is important. In section 1—gosh, I wish I had more time. I'm not going to have enough time to cover all this evidence that needs to be put on the table; I'm going to read it, though. Section 300.1 permits the principal of a school—this is the key word—to "delegate" his or her power, duties and functions.

Section 300.2 requires board employees who have become aware that a pupil may have engaged in an activity listed in another section of the bill, section 306 or section 310 of the act, to report on the matter to the principal. So they're delegating these things that the teachers and other people—they have to report to the principal, which is good; they're the top administrator in the school and that's their duty, to run the school in a safe and secure manner.

Here's the issue: Section 300.3—this is the subtlety of this—requires a principal who believes that a pupil has been harmed as a result of an activity listed in sections 306 or 310 of the act to notify the parent or guardian of the pupil. But there's the subjective part here: They're not mandated. They can if they want. That's the subtlety here: They're not mandated to report it to the police. I don't think they're qualified to make an assessment of a medical nature. Was the bruise caused accidentally in the schoolyard or was it inflicted in a fight that they witnessed or somebody witnessed? I think what's missing here is that it should be mandated to be reported, as my

wife would have if she suspected child abuse. It's mandated that they report it. Why isn't that in here?

If I go back to what I was reading earlier, and this is to do with the C.W. Jefferys issue, Chris Bentley said that the crown's position, if the alleged offences are continuing offences, meaning that it found that—face a \$1,000 fine for each day the allegations were unreported. But it goes on to say that in August, Bonnie Croll, an Ontario court judge, deemed that the crown's appeal of the May decision to quash the charges against the principal and vice-principal of C.W. Jefferys—that's August 13, 2008.

The crown argues in its appeal—this is the crown; that's Mr. Bentley's lawyers—that non-reporting of the incidents was a continuous offence and did not end at the time of the alleged assault. The Attorney General's office had 30 days to appeal the decision. Through arbitration, it was decided that Charis Newton-Thompson, the former principal of C.W. Jefferys, would become manager of a curriculum review—in other words, they took her out of her job—in charge of ensuring that current and new curriculum for kindergarten to grade 12 is inclusive and reflects the diverse population of the city etc. Former Vice-Principal Stan Gordon now works at an adult school, while Silvio Tallevi retired. They were probably pressured—I'm saying that without having any real information about that—to get off the front page.

What is the minister actually doing here? As I said before, I'm going to read section 2. This is the bill: "Section 2 of the bill adds subsections (5.1) to (5.4) to section 301 of the act. Subsection (5.1) permits the minister to establish policies and guidelines governing"—here's the key word—"delegation" authority "by principals under section 300.1. Subsections (5.2) and (5.3) permit the minister to establish policies and guidelines requiring certain individuals who are not board employees"—these are volunteers in the school; they must report these observations to the principal. If they see something going on, they've got to report to the principal. Once again it goes back to the principal, who doesn't have to report it. They have this sort of magical power that they can—why wouldn't they report it? Even if you suspect it, you should report it to the police, who are trained to investigate these things.

I think it's a large, gaping hole in the side of the Titanic here. This thing's going to sink. This thing doesn't work. I'm going to read, with your indulgence, Mr. Speaker—I'm finding this more and more difficult as I read the bill—the explanatory notes: "Section 3 of the bill adds subsections (0.1) and (3.1) to section 302 of the act"—all technical stuff. "Subsection (0.1) requires boards to establish policies and guidelines governing"—here it is again—"delegation by principals under section 300.1." So all it does—it's sad to think that they wasted all this ink. I don't even know—I'm just going to get down to the bottom line here.

This thing here is actually one and a half pages long, and we're talking about children's safety. All they had to say is "suspected violence" or "bullying," or use a regulatory framework of words to describe events: pushing,

shoving, bullying, abusing, even calling them a dogan or whatever Mr. Leal called them. This is inappropriate behaviour. This should be reported and investigated by somebody who's trained to investigate. Just because you're a principal or somebody else, it doesn't mean you're qualified; nor am I. I should report. If I saw one of our pages here being pushed around by another page, I think I should have to report that to probably the Speaker or maybe the Sergeant at Arms. It's not appropriate.

This section that I just mentioned delegates this authority back to the principal. I should clarify that here as I read, "set out what the principal shall and shall not disclose when notifying a parent or guardian...."

1000

Why would they withhold anything from the parent? I'm a parent of five children. One of my children is a high school teacher. I always go into that. My children are the most important part of my life. My wife was a teacher, and my children are our pride and joy. Our youngest is 30, so they're older children. I'm obviously much older. One is a teacher in England. One has just finished her master's degree in Scotland. She lives on the Isle of Man. One is in Australia, married with two children. I always talk about that in the Legislature because, really, that's my legitimate story in life. I have two other boys: One is a lawyer in Toronto, and the other works in the medical field.

I just say this: With the parent issue here of being told or not told, I really think they have a responsibility to report the stuff to the parent and family—a single parent even more so, perhaps. The parent is the primary caregiver. The parent is the primary educator. The inflections here are just wrong. They're protecting the system. These three administrators, the principal and two vice-principals, as I told you in this report in the paper, got charged, and actually they moved them for failing to report. They were charged with failing to report this bullying, an event that led to a young student's death.

Let's make it clear here: I fully respect teaching and teaching the subjects that they have degrees and studies in, whether it's math or culture or art or music—very important. But they're not police investigators, and if they suspect something, they should look at it as an adult with a mature mind.

These things have been going on for some time. If you want to look at the McMurtry-Curling report—that was a report commissioned by the McGuinty government. Mr. Curling was the former Speaker of the Legislature. I think he resigned. I'm not sure. He was the Speaker here at one time. He actually sat on this side of the House in opposition and held up the House for some time, but those were in his more sorry days. He worked with the former Chief Justice for the province of Ontario, Roy McMurtry.

Here's what it says: Although the report was commissioned in reaction to the death of Jordan Manners in the hallway of C.W. Jefferys high school, "McMurtry and Curling don't say much about that ... other than noting while schools should call police if serious crime occurs,

they shouldn't be overly quick to react lest 'racialized students' (translation, black students) suffer 'increased criminalization.'"

Then you get into the soft, sensitive socialization of justice. I don't want to get into anything more than that. In other words, if it was thought to be a racial thing going on in the school, maybe they shouldn't exacerbate it by calling in the police. I guess you have to be sensitive to these things.

But how do you feel about the teachers and principals lacking the clarity in the legislation of what they should or shouldn't do? They're hanging it on the principal. Everybody's got a delegated authority to report to the principal, and the principal has to make this big decision. What are they going to do? Realistically, let's review that option.

Realistically, the principal, if they are—and I think most of them are good administrators; no question about that. They're trained and educated. It comes down to, who would they ask for advice? Well, they all have a superintendent that they work with. The superintendent would be making around \$150,000 to \$200,000 a year—pretty well paid. They're not teaching. They're there to be administrators. Some would question if that's too much money, but that's another debate, another day. The superintendent should be saying, "Well, let's look at this case." They're not a police officer either. They're not trained in investigative techniques and other kinds of forensic things—police officers are, and other trained professionals. If the superintendent didn't know, what would they do? Who would they seek advice from? They'd go to the director. The director of education may make as much as \$500,000. What? What are they actually doing? But anyway, that's another question. I raise that question because they should be the ones that are charged, not the principal. Failure to report should rest with the top person. It's no different than when we look at the issues in the market today. The buck stops where? At the top, not down in the school or at the middle of the corporation. You don't blame the employee on the floor of a workshop, like the issues going on—AIG is a good example. Lehman is the top guy, I think. That's where the buck stops. He is the guy making \$15 million or whatever he's making. It's just disgusting what these people make. That's a whole other issue that upsets me beyond belief.

But the point I'm trying to make is that this bill delegates the authority—everybody in the school has to report it to the principal. And then the principal may or may not, or should or should not, report it for reasons that could be social—you could be interfering with a little quarrel that's going on. If there's something that's happened that threatens the safety of one child, then all of the children are in threat of their safety. That's what this bill fails to do: to mandate reporting.

I think, listening to the speakers today, and I would even say the new member here, whom I want to congratulate formally, Mr. Johnson from Haliburton-Kawartha Lakes-Brock—I have known him since 1994, I guess: a

good person, and he will bring a lot to this debate here. I wish he wasn't here, but that's a different debate. It's not because I don't like him, though. I would only say that because he, as well, has a great deal of experience, and he may respond in his two minutes.

Also, the member from Guelph: I remember that before she was here, she was very involved. I think she was the head of all of the school trustees in the province of Ontario, the boards, and she's very highly regarded in the educational sector.

As well, the Minister of Education, even before she was here, was an NDP lobbyist, really.

Interjections.

Mr. John O'Toole: Well, I thought she was NDP always. Didn't you? Everybody did, really. But she is very passionate and committed to education.

But this bill fails. It's something I'm going to support because it makes a move in the right direction, but let's get it right.

Our critic had the answer to the question here, and I would say that the member from Burlington, Mrs. Savoline, in her speech—I was in my office last week, and I watched her response as our critic. She said it perfectly, that we want to support it, but we want it to do the job and do the job correctly. That's what this is about, and that's what this debate is about. I bring a bit of that passion that I bring to things because, if you're going to do it, as I said—and the member from Hamilton East-Stoney Creek said it as well—do it right. We're here. We want to protect the children. That's clear. I don't want any ambiguity about that at all. But the tools simply aren't here in this little one-and-a-half-page bill.

I'd like to find out who is getting to not do it. Who are the stakeholders that are telling them, "No, don't do it"? I wonder who it is. I would like to find out. It could be the teachers' union, because there could be a pay thing involved here. I'm not bashing them. But somebody got to the minister, because they're not doing the job.

I'm going to say that it's a bill where we're all on the same page, but there are not enough pages. There are a few pages missing here. I also am aware that this bill will come into force in 2010 but into full force not till 2012, which conveniently is after the next election.

I think this bill simply doesn't do the job. It's a weak response to an important issue.

Thank you for the opportunity to speak briefly on this bill.

The Deputy Speaker (Mr. Bruce Crozier): This House will recess until 10—

Interjection.

The Deputy Speaker (Mr. Bruce Crozier): Well, there was one other time when you had me not go into that process, but okay. Questions and comments?

1010

Mr. Paul Miller: I would like to commend the member from the official opposition. He touched on a lot of things that were concerns for me. But there's one item, a big item, in this bill that we're not talking about, and it's the stress on the teachers themselves. My wife also was a

teacher. I'm telling you, when I grew up, if you did something in the school you got disciplined in the school and you got it twice as bad at home.

Mr. John Yakabuski: Four times as bad.

Mr. Paul Miller: Four times as bad. Now some of the parents will go the schools and say, "My little Johnny wouldn't do that."

Mr. John Yakabuski: "Why pick on Johnny?"

Mr. Paul Miller: "Why are you picking on Johnny?" Well, Johnny did do it and Johnny got away with it, and all he has to do is get sent home to play with his computer for three days. That's not the way that the system should be working. You don't reward somebody by sending him home to play with video games or go to the show or go out and play road hockey. I would have been probably cutting lawns, cutting hedges, putting out garbage or painting if I was doing something that my parents would not have tolerated. They would have backed the teacher. Even if maybe I wasn't so guilty, I was still guilty, because that's what maintained discipline in our schools when I was growing up.

That's gone. Now the kids know that the worst scenario is, you're going to go to the principal's office. You can say whatever you want to the teacher. They've got third and fourth graders swearing at the teachers. I would have had a bar of soap in my mouth. I know you can't do that anymore, but that's the way it was. Now the kids are rewarded: "Oh, you go home, little Johnny, and play with your computer games." Absolutely unacceptable.

The discipline begins in the home. If the parents can't control the child, what chance does the teacher have? What chance does the principal have? All the principal can do is expel the kid. That doesn't help the kid, because he's not learning; he's at home playing video games. That's not good for our education system.

The teachers have lost all the instruments of any kind of discipline. They cannot enforce anything, and the kids—

The Deputy Speaker (Mr. Bruce Crozier): Thank you. Questions and comments?

Mrs. Carol Mitchell: I'm very pleased to rise to speak to Bill 157. I just want to clear up a couple of points. It's very clear that this bill will come into effect on February 1, 2010.

I want to speak specifically to some of the comments that the member from Durham made, and that is with regard to the reporting mechanisms by the principal. Clearly, that is covered off in other pieces of legislation. The protocols are well-established. It's not only through government policy; it is also through board policy as well. So that is a very specific point that the member from Durham raised, and I did want to address it and the concerns of the member.

The other thing that I wanted to speak to today was to talk about the schools. As many of you know, I have over 45 schools in my riding, and one of the things that I notice when I go into the schools is that in every school, down the hallways, we talk about respect. We talk about general behaviour which is supportive of everyone's in-

dividual rights. They talk about things that are important to them, and also that they, the children themselves, want an environment that is conducive to respect for every student. They know that and they understand that. I know that when I talk to the students, that's one of the things that they talk about: respect, and a global understanding.

I just wanted to relate: I had a school that sent me 15 letters of all of the issues that were important to grades 3 and 4. They took the time—

The Deputy Speaker (Mr. Bruce Crozier): Thank you. Questions and comments?

Mrs. Julia Munro: I'm pleased to have this opportunity to make a couple of comments with regard to the member from Durham's speech.

I think the important thing for us here to understand is that the purpose of the bill was to close the gap, and yet, when one looks at the reality of the problems that are faced by many schools and, very importantly, many students and their families, this does not. It may paper over, but the critical issues still remain in the schools.

The minister, in response to a number of comments made by the education critic and others, has referred to the amount of money that is being spent. But when I look at the families that are impacted through bullying and things like that, and the victims who have had the temerity to come forward, clearly this bill really does only paper over that gap. It doesn't do anything particularly for those victims. So rather than send letters out about all the millions of dollars that have been spent, the minister needs to be looking at the effectiveness and the accountability of that, and how that is helping the individual children who are the perpetrators and those who are the victims. In the course of all of this, they seem to have been lost in this discussion. We're still left with mechanisms that will not stand that test, that strength, to be able to make sure that there's proper—

The Deputy Speaker (Mr. Bruce Crozier): Thank you.

This House will recess until 10:30 of the clock.

Second reading debate deemed adjourned.

The House recessed from 1016 to 1030.

INTRODUCTION OF VISITORS

Hon. Harinder S. Takhar: I'm very pleased to introduce the mother of our page Jackson Amos and his grandparents Glen and Karen Jackson. They came all the way from Emo to be with us. The page is acting as the captain of the team today.

Hon. Sandra Pupatello: I'm pleased to introduce today a guest from Windsor, Tina D'Agnillo, who's the mother of page Michele D'Agnillo from Windsor West. A special welcome to Tina.

Hon. Donna H. Cansfield: I'm more than delighted to be able to present to you staff from the Ministry of Natural Resources' wildlife section. There are 17 of them here today. These are the folks who implement and develop the very ecologically based strategic policies for

the ministry. We are delighted that they are going to share the session with us this morning.

Hon. Michael Gravelle: Today we are welcoming a large contingent from the mining sector in the province of Ontario, many of whom will be meeting with a number of our colleagues today. So, certainly, I want to welcome representatives from the Ontario Mining Association and others from the sector. Also, if I may invite all members to come to our Meet the Miners reception this afternoon starting at 5:30 p.m. in the legislative dining room.

Welcome to all the delegations.

The Speaker (Hon. Steve Peters): On behalf of page Teresa Baszak, we would like to welcome her mother, Margaret, her brother John, her brother Luke, her grandmother Irene and her grandmother Dorothy Breen. Welcome to Queen's Park today.

On behalf of page Victoria Carney, we would like to welcome her mother, Sylvia Carney, to the Legislature today.

LEGISLATIVE PAGES

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

Jackson Amos, Mississauga–Erindale; Mark Ang, Don Valley East; Teresa Baszak, Etobicoke–Lakeshore; René Bongers, Leeds–Grenville; Victoria Carney, Kitchener–Waterloo; Carmen Chen, Markham–Unionville; Ian Coomes, Halton; Michele D'Agnillo, Windsor West; Lisa Di Vona, Simcoe–Grey; Daphnée Dubouchet-Olsheski, Ottawa–Vanier; Everett Kehew, Oxford; Sean Kyte, Renfrew–Nipissing–Pembroke; Sarah Nadon, Sault Ste. Marie; Michael Niven, Algoma–Manitoulin; Emily Parker, Barrie; Olivia Peters, Scarborough Southwest—and the Speaker's niece; Ahsan Shahzad, Brampton West; Noel Smith, Whitby–Oshawa; Megan Wood, Scarborough–Guildwood; Marissa Yott, Burlington.

Welcome, pages. Please resume your positions.

It is now time for oral questions.

ORAL QUESTIONS

TAXATION

Mr. Robert W. Runciman: Through you, Speaker, to the Premier: Today's media reports are indicating that you intend to once again break a solemn promise and impose new taxes on struggling Ontario families through tax harmonization. I quote something you said just last June: "Why would you raise taxes in a time of economic challenges?" That's you saying that, Premier, just a few months ago.

Can you confirm that your apparent addiction to spending and increased taxes is leading you down the path to yet another broken promise?

Hon. Dalton McGuinty: There's always a tremendous amount of delicious speculation at this time of the year, and I guess that's only natural, and probably healthy in a democracy.

What I can say and what I will repeat as we very much look forward to the budget tomorrow is that there are two overriding objectives we are seeking to achieve in the budget. Number one is that we want to help Ontario families better weather this global economic storm. Secondly, we want to strengthen this economy. The recovery will come, and when it does, we want to be in a position to seize those new opportunities and new possibilities. We understand that a strong economy is the foundation on which are built our good-quality public services. So we'll do both: help our families and strengthen the economy.

The Speaker (Hon. Steve Peters): Supplementary?

Mr. Robert W. Runciman: In the last provincial election, we all remember the Premier saying, "I won't cut your taxes, but I promise I won't increase them, either." Talk about déjà vu. If indeed on Thursday you break another solemn commitment to the people of Ontario, sir, I think you can be accurately described as a serial promise breaker, and suffering Ontarians are paying the price.

Premier, do you believe that, as leader of the government, breaking your word to the people of this province is perfectly acceptable?

Hon. Dalton McGuinty: Again, I think before the accusations begin, we should wait for the budget and we'll see what it does. I'm always interested, of course, in the views held by the opposition, but I'm more interested in the views held by the people of Ontario. We will be inspired by their values and their aspirations.

Again, I think there are a couple of things that they want us to do in this particular budget, and it's an important budget, given the times. They want us to see if we can do more to help each other through this difficult period. At the same time, they want to have a reason to be hopeful for their future. They want to know that, coming together, we can strengthen our economy; we can build a more solid foundation for our future growth and future jobs. Our budget will speak to both those overriding objectives.

Interjections.

The Speaker (Hon. Steve Peters): I'm hearing a number of comments from the government side regarding an ongoing police investigation and I would appreciate those comments not being made in this chamber.

Final supplementary.

Mr. Robert W. Runciman: Yesterday, the Premier was musing about his first big breach of faith, bringing in the largest tax increase in the province's history after another of his solemn election promises not to increase taxes. He said Ontarians forgave him for that whopper and he's confident he can lead struggling Ontarians down the path once again, that they will forgive and forget. That's an open insult, in my view, to Ontario voters.

Premier, these are difficult times. Hundreds of thousands of people have lost their jobs. Families and com-

munities are struggling. How can you, in good conscience, once again break faith with the people of Ontario and bring in new taxes that will hurt the most vulnerable during these difficult times?

1040

Hon. Dalton McGuinty: It is true: There are some things that Ontarians will have a hard time forgetting. That \$5.6-billion deficit which was hidden from their view was something that was very disappointing for them.

Fortunately, working together with Ontarians, we have eliminated that deficit. We have had a number of years of solid economic growth. We have fixed the roof while the sun was shining. Today Ontarians have better schools, better health care, better environmental protections, better supports for our most vulnerable and a stronger economic foundation.

But now we need to do more. I'm in full agreement with that: We need to do more to protect our families from this storm and to strengthen the foundation of the economy so it will support public services going into the future.

TAXATION

Mr. Robert W. Runciman: Back to the Premier: In 2004, the Premier wanted to tax meals costing under \$4. It was only after a massive protest and negative polling results for the Liberal Party that he backtracked. This latest tax grab goes to show that the Premier continually is simply looking for ways to siphon hard-earned money from Ontario families. You live in taxpayer-subsidized housing in a tony Toronto neighbourhood. You're in a comfortable bubble.

Do you have any idea what average Ontario families are going through right now and what your latest tax grab is going to do to them?

Hon. Dalton McGuinty: Again, my honourable colleague is making assumptions and speculating. He's within his rights to do that, but I think we should wait for the budget and see what the actual positions found within that are.

One of the things that I can say, that I said before, is that we will find ways to provide better supports to Ontario families. These are difficult times. We're going to take measures at the same time to strengthen the economy, because we know that unless we enhance our capacity to do so, we are going to place our public services at risk. So we will do both, once again: Protect our families to help them weather the storm and strengthen the economic foundation so that we can better support our public services.

The Speaker (Hon. Steve Peters): Supplementary?

Mr. Robert W. Runciman: I think it's pretty clear from the Premier's public comments that they're going ahead with this, and I'm not sure that he understands the scope of this tax grab. It's going to increase the cost of diapers, hygiene products, heating fuel, food, books for students, used cars, municipal services and housing. On

top of your new tax for home energy audits, you're now slapping down seniors, people with disabilities and those on fixed incomes with another one of your tax grabs.

Premier, you already have the folks in this province by the throat. How much tighter are you going to squeeze them?

The Speaker (Hon. Steve Peters): I ask the honourable member to withdraw his comment, please.

Mr. Robert W. Runciman: Speaker, I will respect your request and withdraw.

Hon. Dalton McGuinty: Yesterday, the leader of the official opposition said that his party is, in theory, in favour of a single sales tax. We know that the federal Conservative Party is in favour of a single sales tax. When this party prepared a minority report for the advice offered to the Minister of Finance, they said that we should heed the call of the federal government and take immediate action to fix Ontario's uncompetitive tax structure. I'm trying to figure out from one day to the next where they stand on this issue, because yesterday they appeared to be in favour of it but today they are saying that they're afraid of it. We're not quite sure where they stand on this particular issue.

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

Mr. Robert W. Runciman: That's yet another effort by the Premier to muddy the waters and get people away from the fact that he's breaking another solemn promise. That's what's happening here. How can the people of this province trust this Premier in terms of anything he says—anything he says?

Premier, how many more times are you willing to make a promise and then turn around and break it? You said yourself that an economic downturn is the worst time to increase taxes. Did you even believe it when you said it yourself?

Hon. Dalton McGuinty: We're looking forward to delivering the budget tomorrow in this august chamber. We're looking forward to speaking to the values and aspirations of the people of Ontario. We're looking forward to ensuring that we work as hard as we can to achieve two overriding objectives: help families today better weather this global economic storm and, at the same time, strengthen our economy.

But there's one more thing I'm looking forward to, and that's the reaction of the opposition to our budget, because when they're staring in the face of the specifics, it will be important to know whether or not they're with the people of Ontario in the supports that we provide them to help them better manage the challenge of the day. It will be interesting to learn whether or not they're in favour of strengthening the economy and lending support to Ontario businesses.

TAXATION

Ms. Andrea Horwath: To the Premier: During one of Ontario's worst recessions, with tens of thousands of jobs lost, why is the Premier going to be raising taxes on

things like heating oil, diapers, children's clothing, feminine hygiene products and other basic essentials that families need?

Hon. Dalton McGuinty: I'll try to be as creative as I can, but I'm not sure I can keep saying the same thing in so many different ways to so many different questions.

There's a lot of anticipation when it comes to the budget, and I can understand that. As I said before, it's natural and I think it's healthy. But what I can say to my honourable colleague is: Take a look at what we've done during the course of the past five years. Take a look at our most recent announcement to accelerate a dramatic enhancement of the Ontario child benefit from \$50 a month to \$92 a month at a time of great economic challenge. That was a plan we'd originally put in place to achieve by 2011, but we brought that forward to 2009 because we thought it was important to help struggling families.

If the member wants to get a good sense of where we're going to go, take a look at where we've been.

The Speaker (Hon. Steve Peters): Supplementary?

Ms. Andrea Horwath: Back to the Premier: On Thursday, the McGuinty Liberals are inviting Ontarians to celebrate their "8% more" event. That's 8% more to heat their homes, 8% more to dress their kids, 8% more to read the paper, 8% more for the corner hot dog and even 8% more to take the family dog to the vet. Why is the Premier slapping an 8% sales tax on families at a time when they can least afford it?

Hon. Dalton McGuinty: Again, there's all kinds of speculation here. We'll be looking forward to introducing the budget in the House. I think—I hope—the member will be supportive of the measures that we put in place to protect our families and provide them with additional supports.

But we've got a couple of objectives here. To repeat: We have to find a way to better support our families, including those who struggle the most, and at the same time we have to find ways to better strengthen our economy. The recovery will come, and when it does come, we want to seize those new opportunities. So that's what our budget will do.

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

Ms. Andrea Horwath: A few months ago, this Premier told families to go shopping; that was going to help the economy. Since then, he got a call on his direct line from big business, and when they said, "Jump," he said, "How high?"

Now the Premier is saying, 8% more on heating oil, educational books, veterinary care, bicycles, vitamins, and dry cleaning, right in the middle of an economic crisis that has left Ontarians worrying about their jobs, their savings and their pensions. What planet is this Premier on, to hit families with an 8% tax right in the middle of a jobs crisis?

Hon. Dalton McGuinty: I've always said that proceeding with a single sales tax could not happen, could not even be contemplated, unless we had significant fed-

eral support and unless we had in place protections for Ontario families. I've always said that.

But what puzzles me a little bit is that the NDP still have in place, to the best of my knowledge, a policy that we increase the Ontario provincial sales tax by 1%. Unless the honourable member is prepared to say today that that is no longer the party position, I continue to ask myself why it would be helpful to Ontario families to increase the PST by 1%.

The Speaker (Hon. Steve Peters): Question? Leader of the third party.

TAXATION

Ms. Andrea Horwath: This Premier's tax grab—

Interjection: To the Premier.

Ms. Andrea Horwath: To the Premier; sorry. This Premier's tax grab is not just on everyday purchases; this regressive sales tax grab means higher taxes on new homes.

Between January and March, Ontario lost 27,000 construction jobs across Ontario. Housing starts are down 35% year over year. When prospective homebuyers are struggling and the residential construction sector is hurting, why is the Premier raising the tax on new homes?

Interjection.

Hon. Dalton McGuinty: Speaker, it's—

Mr. Rosario Marchese: Just trying to help.

1050

Hon. Dalton McGuinty: You're more than helpful.

My colleague raises real concerns, and I do not want to dismiss those, but I would ask her to hold her fire until she sees the budget and sees the initiatives that we put in place.

We are mindful of the needs of families, particularly struggling families, at this point in our history. We're mindful of the needs of the economy as well. We sense that if we don't do more to strengthen this economy, which is under tremendous stress as a result of both this worldwide recession and the growing impact of globalization, we're going to put at risk our capacity to support those good-quality public services. That's why our budget will do both: help families today, and strengthen the economy for tomorrow.

The Speaker (Hon. Steve Peters): Supplementary?

Ms. Andrea Horwath: Back to the Premier: Housing starts in Barrie are down 72%; in Hamilton, 55%; Kingston, down 72%; Oshawa, down 71%; Toronto, down 40%; Ottawa, down 18%. In one month alone, 27,000 jobs were lost in the construction sector. If people are not buying houses, nobody is going to be building them, Premier.

Why is this Premier raising taxes on new homes in the province of Ontario?

Hon. Dalton McGuinty: I mentioned the other day that there's a report from the UN saying that we're losing 30 million to 40 million jobs globally because of this worldwide recession.

Construction is a real concern for us, but that's why one of the really good pieces of news is the one that I announced just a couple of days ago with Minister Smitherman. We're investing \$32.5 billion in infrastructure over the course of the next two years. That's 300,000 jobs that we're talking about there. That's new roads and schools and hospitals and public transit. It's designed to put as many people to work as we possibly can right away. At the same time, it improves quality of life in our communities and it enhances economic productivity.

So, the fact is we're doing much right now to invest in jobs, particularly in the area of construction.

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

Ms. Andrea Horwath: It's really obvious that the Premier is out of touch with the people of this province. He just doesn't seem to get it. Ontarians are about to be slapped with yet another tax, a regressive tax, that's going to take hundreds of dollars directly out of their pockets, a few dollars at a time, every time they visit the drugstore or the grocery store. How does this do anything to get people through the tough times that we're experiencing in this province?

Hon. Dalton McGuinty: Again, I'd ask my honourable colleague to wait and see the specifics of the budget and the supports that we put in place to better help our families.

When Minister Matthews and I attended the Cabbagetown Youth Centre a few days ago, we had an opportunity to meet with some families there, and I remember in particular talking to a mother whose household income, she told me, was \$16,000. She lived with her husband, two kids—one six, one four years of age—and her mother-in-law. She told me that her greatest wish was just to have enough money to put her six-year-old into swimming lessons. That's why I was proud, on behalf of Ontarians, to tell that mom, and all struggling moms, that we're going to take the Ontario child benefit from \$50 to \$92 a month. That additional \$42 a month—it's not the end of the world; I understand that—is a bit more to help those moms make those decisions that are important to those families.

SMALL BUSINESS

Mr. Norm Miller: I have a question for the Minister of Small Business and Consumer Services.

Minister, small businesses across Ontario desperately need to get access to capital. The Canadian Federation of Independent Business reports that the number of businesses in Ontario struggling to access financing through banks has almost doubled from 15% in 2007 to 28% by the end of 2008.

Our party is proposing an access-to-credit program, similar to the federal government's Canada small business financing program, but run through Ontario's credit unions. This program would help new businesses get started, as well as help them make improvements and expand. A program like this would stimulate economic growth and create jobs in Ontario.

Minister, are you willing to implement a program like this that would give small and medium-sized businesses much-needed access to capital?

Hon. Harinder S. Takhar: I want to thank the member for asking this question.

Let me say the small businesses actually are the backbone of this economy and there is an issue with regards to the availability of credit to small and medium-sized businesses these days. But we have, over the term of our government, actually come up with a program to assist small businesses and have also taken the opportunity to talk to the banks to make sure they can develop a program that can assist small businesses.

Let me just talk about a couple of programs that we have actually developed to help small businesses. We want to make sure that small businesses do business outside the province and outside the country, with countries that they haven't done business with before. That's why we came up with the market access program, under which small businesses and medium-sized business—

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

Mr. Norm Miller: Minister, you have an opportunity to create some wealth and make a difference in this province. Let me give you an example of exactly what I'm talking about. In my riding there's the manufacturer Bent Ply of Muskoka. They make theatre chairs, office equipment and skateboards. I received a letter from Kenneth Smith, the president. In it, he writes, "In the last half a year, we have acquired a major new customer and have invested over \$500,000 in new equipment just to be able to process the orders for this new customer. The payback on this equipment alone is staggering, and assistance from local banks has been next to nil, as their lending hands are tied. Our credit lines are at their maximum levels and we will not be able to continue on this current course."

Minister, this business operator needs access to capital that currently is not available anywhere. Are you prepared to step up and do something that could really help businesses like Bent Ply of Muskoka?

Hon. Harinder S. Takhar: Actually, we have already done that. Let me just give you an example. Through the Canadian Manufacturers and Exporters Association, there is the Smart program under which organizations that want to buy productivity improvement tools or equipment are entitled to get up to \$50,000 worth of grant under that program. So I would encourage the member on the other side to look at these programs, and he should really advise the organizations that are looking for this funding that these programs already exist.

In addition to that, we also have money available through the Yves Landry Foundation in order to provide training for employees who really want to use productivity improvement programs to become more productive, efficient and competitive in the marketplace.

So I really want to encourage the member to look at the programs. He should be proactively promoting these programs for the small and medium-sized businesses in—

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

SEVERANCE PAYMENTS

Mr. Paul Miller: My question is to the Premier. Later today, the Canadian Auto Workers will be holding a rally right out here in front of the Legislature. They'll be demanding action from your government to help the thousands of laid-off workers who are being denied monies legally owed to them by employers who just don't care.

The CAW knows that it's not just a federal jurisdiction. The CAW knows that the primary responsibility for this sorry state of affairs lies with the government of Ontario's refusal to implement a provincial wage earner fund similar to that outlined in Bill 6. Why has the government refused to pass a bill that would ensure that every Ontarian gets the back pay, vacation pay and severance pay owed to them by law?

Hon. Dalton McGuinty: To the Minister of Labour.

Hon. Peter Fonseca: The member is well aware that there is no subnational jurisdiction that has such a program. It is the responsibility of the federal government.

When anybody loses their job, we empathize and we sympathize with them. We are there to work with those families and ensure that we can do what we are here to do as a provincial government. I know that the Ministry of Economic Development and Trade reaches out right away to those employers, to the municipalities, to look for new job opportunities. The Ministry of Training, Colleges and Universities, as soon as they are aware of a plant closure, are there within the hour to work with trade unions, work with the employees and work with our partners to ensure that—

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

Mr. Paul Miller: The minister's comments are not exactly correct. The truth is that despite the real pain and suffering of so many workers and their families, we have a provincial government here that's refusing to act on an issue that is clearly—clearly, Minister—within your jurisdiction. My Bill 6, which passed second reading in the Legislature in 2007, deals directly with the problems that are going on in society right now. Why does this government continue to block a bill that would ensure that workers get the back pay, vacation pay and severance pay that they are entitled to as workers in this province?

1100

Hon. Peter Fonseca: The member is well aware that what he is introducing would be a payroll tax and would cost jobs in this province. Also, the member is well aware of our advocacy and what we are asking for, and he should talk to his federal counterpart, where we would like to see changes to the Bankruptcy and Insolvency Act that would bring employees to the super-creditor status. This would go a long way. My predecessors and I have also written to federal Ministers of Labour to enrich the wage earner protection program. We will continue to do

this. I ask that the member pick up the phone or write a letter to his federal counterpart to ensure that those programs can be enriched. He knows full well that this falls under the jurisdiction of the federal government.

CONSUMER PROTECTION

Mr. Wayne Arthurs: My question is for the Attorney General. We know that these are challenging economic times for Ontarians. It is during these times that families are all the more aware of managing their expenses and of ensuring that they get fair value for their hard-earned dollars. We are increasingly aware of the anger and frustration felt by Ontarians when they look to purchase concert tickets on the Internet. This frustration mirrors that felt by members of the public elsewhere in North America. People cannot understand why companies who sell tickets at face value can also take part in reselling them at greatly inflated values. I know the Attorney General spoke about this issue recently and indicated he would be asking his officials to consider what options were available to address these concerns and further protect consumers from unfair ticket selling practices. Since the Attorney General first spoke about this issue, a number of other jurisdictions—federal, provincial and also south of the border—have joined in voicing concerns about fair practices. Can the Attorney General tell this House what steps the government is taking to ensure that Ontarians are treated fairly?

Hon. Christopher Bentley: The member raises a very important point. We've heard loud and clear from Ontarians that they want fair access to tickets, and they are concerned about the unfairness of an entity benefiting both from the primary ticket market and from the resale or secondary ticket market. I called Ticketmaster in. They assured us they weren't holding back tickets from the start of sale, that they weren't hoarding tickets and there was no automatic link between their primary seller and their secondary seller. I asked them to go a step further. I asked them to do what they've done in Manitoba, I asked them to do what they've done in Alberta, and stop the resale of tickets for events in Ontario when they were in the primary market. They refused to do that, so I will be working with my colleague from small business to bring in legislation to protect Ontario consumers.

Mr. Wayne Arthurs: The constituents in my riding will be pleased to hear that the McGuinty government and the Attorney General are taking these steps to ensure Ontarians are treated fairly when they go to buy tickets for a concert. The McGuinty government clearly understands that the families in Ontario deserve the same protections offered to consumers in other provinces and jurisdictions. I applaud you for committing to introduce legislation to ensure this. What can consumers in Ontario do to make sure that they are protected?

Hon. Christopher Bentley: The Minister of Small Business and Consumer Services.

Hon. Harinder S. Takhar: I would like to thank the member from Pickering-Scarborough East for asking this

question. The goal of my ministry is to make sure that consumers are protected, whether they are buying a house or repairing their house, or even when they are buying tickets. There are a couple of things that I would like to suggest. One is that if there is any issue with regard to consumer complaints, they should really refer to the consumer protection branch of the consumer affairs ministry, and they can get some assistance from them. The other is, there are very useful hints available on the website of the consumer affairs ministry where they can seek help as well. But the Ticket Speculation Act falls under the responsibility of the Attorney General and we are working very closely with him to make sure that our consumers are protected. So I really want to thank the Attorney General for taking the lead on this file and taking the—

Ms. Lisa MacLeod: Thank you.

The Speaker (Hon. Steve Peters): Thank you, and I don't need the help of the member from Nepean-Carleton.

POVERTY

Mrs. Julia Munro: My question is for the Minister of Children and Youth Services. Minister, you have spent most of the last year claiming to develop a poverty reduction strategy, yet your government is now set to put new sales taxes on hundreds of items that people use every day, even those needed by our children. Low-income Ontarians will now have to pay more for food items, children's clothes and even haircuts. Minister, did you speak up for poor children in Ontario when the Premier and finance minister proposed new taxes at the cabinet table?

Hon. Deborah Matthews: Thank you very much for the question. This is kind of an astounding question, I have to say. First of all, you know that we're not going to be speculating on what's in tomorrow's budget. But when it comes to poverty reduction we are making some very important initiatives. I would welcome the support of the party of the opposition to support us in our determination to reduce child poverty and poverty overall in this province. We have announced that included in the budget will be an increase, a speed-up, to the Ontario child benefit. It will make an extraordinary difference for families in this province.

I look forward to the supplementary, but when it comes to poverty reduction, I welcome any support from the members of the opposition.

The Speaker (Hon. Steve Peters): Supplementary?

Mrs. Julia Munro: Minister, you will even charge new taxes on diapers. This is a tax on babies. Even kids' hockey or soccer uniforms will now be taxed.

Minister, why don't you stand up and speak up for Ontario's children? Tell us how adding millions of dollars in new taxes on Ontario's poorest and most vulnerable will help lift them out of poverty. How are you going to write this tax hike on the poor into your poverty strategy?

Hon. Deborah Matthews: When it comes to people standing up and speaking out for those who are living in poverty, I think the question should be directed to you, not to us. We are the party that has developed a comprehensive poverty reduction strategy. You are the party that has voted against every support to low-income people that we have brought forward. I say that it's time for you to take your responsibility to the people of this province seriously. It's time for you to understand that people living in poverty need the help of all of us in this House—

Interjections.

The Speaker (Hon. Steve Peters): The minister has 10 seconds to respond.

Interjection.

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

HEALTH CARE

M^{me} France Gélinas: Ma question est pour le premier ministre. Last week, the Minister of Health and Long-Term Care was musing about delisting more insured health services. We know from the government's previous delisting of optometry, physiotherapy and chiropractic services that this doesn't save money; it just shifts the burden to other parts of the health care system. Often, for people who can't afford them, they have to go without.

Ontarians want an answer from the Premier today. Why won't he stand up for medicare and commit to not delisting any more services?

Hon. Dalton McGuinty: I think we have a pretty solid record of progress when it comes to investing in and achieving progress for Ontarians when it comes to their health care. Whether you're talking about more doctors, more nurses, more hospitals, shorter wait times or more investments in new technologies like MRIs, I think the record speaks for itself. There's always more to be done. Health care demands are ever-growing and ever-pressing. But again, I think the record demonstrates very clearly our commitment and our belief that one of the highest priorities for our families is their health care, and we'll continue to demonstrate that through this and ensuing budgets.

The Speaker (Hon. Steve Peters): Supplementary?

M^{me} France Gélinas: The Premier was elected on a promise to strengthen our public medicare system, but all we've seen lately are actions that destabilize it. His decision to reinstate competitive bidding in home care has set the stage for labour unrest; 3,000 home care workers have started rotating strikes. He reversed his promise to hire 9,000 new nurses, sending chills. Long-term-care facilities are still waiting for the promised 2,500 extra personal support workers, and they cannot make the numbers work. Hospitals are facing soaring deficits and are contemplating cuts and layoffs. Private clinics are growing like mushrooms.

What is this government going to do to bring stability and trust back into medicare?

1110

Hon. Dalton McGuinty: I just can't share the perspective of my colleague. I think, from any objective perspective, we've made tremendous progress in Ontario when it comes to health care. Again, I'm not going to get into specific numbers, but nurses and doctors and family health teams—we're going to be the first province in Canada to go ahead with something called a nurse practitioner-led clinic. In fact, there's one in Sudbury. That's never happened before.

So we're looking for new ways to put in place better supports for more Ontario families when it comes to the quality of their health care. The record, I think, speaks to that very clearly.

SCHOOL SAFETY

Mr. David Zimmer: My question is for the Minister of Education. Parents are very concerned about school safety. Parents in my riding of Willowdale have been following closely and with much interest the debate on Bill 157. The government has improved school safety over the past years, introducing anti-bullying measures and programs to help at-risk students, funding secure entrances and security cameras, enhancing the training of principals and teachers and putting more caring adults in the schools.

But there's always room for improvement. Can you tell my constituents how Bill 157 is going to continue to expand and enhance these safety protections?

Hon. Kathleen O. Wynne: We know that all school staff play a critical role in building and sustaining a positive school climate. The proposed legislation is part of our ongoing efforts that the member opposite has outlined. If passed, what this legislation will do is these three things: It will require all school staff to report serious student incidents, such as bullying, to the principal so the principal can then respond appropriately. Secondly, it will require principals to contact the parents of victims of serious student incidents. Thirdly, it will require staff to intervene to address inappropriate and disrespectful behaviour amongst students, behaviours such as racist or sexist comments that are unacceptable in our schools.

What this does is build on our safe schools strategy. It puts in place a comprehensive response to the safe schools action team and codifies much of what already does happen in our schools.

The Speaker (Hon. Steve Peters): Supplementary.

Mr. David Zimmer: My constituents in Willowdale understand that there's no magic solution, no quick fix to making schools safer. They know it's a gradual process, a complex process, and it involves a lot of parties. Many of them do believe that Bill 157 is an important element in making the schools safer.

However, some constituents are saying that the mandatory reporting provisions in Bill 157 are inadequate, and they're asking for mandatory reporting to the parents of the victim. Minister, why does the proposed legislation

leave that reporting decision to the discretion of the principal? Some parents don't think that's right.

Hon. Kathleen O. Wynne: I appreciate the member for Willowdale raising this question, because it is something that has been a concern. The current safe school provisions of the Education Act require that parents of aggressors be informed of incidents for which students are suspended. That's already in the act. If Bill 157 passes, that would extend that right to the parents of the victim unless—and there are these caveats—the student is not a dependent, i.e., they're 18 years or older; or that student is 16 or 17 and has formally withdrawn from parental control; thirdly, if, in the opinion of the principal, contacting the victim's parents would put the student in a harmful situation, from the parents. It's really unfortunate, but that does happen, and we need to acknowledge that principals need that discretion. We have a lot of respect for the principals in our schools as very important—

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

TAXATION

Ms. Lisa MacLeod: My question is for the Minister of Consumer Services. Tomorrow in Ontario it will be more expensive to build a house, it will be more expensive to heat that house, it will be more expensive to raise a family, it'll even be more expensive to keep the family pet if your government harmonizes sales taxes. Your government will be raising taxes on everything all Ontarians purchase.

As consumer services minister, have you told the Minister of Finance enough is enough, and that in this economic climate consumers just can't take any more tax hikes?

Hon. Harinder S. Takhar: I think this question has been answered so many times by the Premier in the House.

Let me say this: I am not aware of what is in the budget, or not, and I don't know how the people in the opposition are aware of it, but there are two things we are planning to do. I think one is to protect our vulnerable in society, and the other is to make the province friendlier from the business point of view. That will be the objective that we will have in mind as we move forward.

The Speaker (Hon. Steve Peters): Supplementary?

Ms. Lisa MacLeod: What I heard over there is, if it eats, they're going to tax it; if it moves, they're going to tax it; if it breathes, they're going to tax it; and if it stands still, they're going to tax it.

First it was the health tax, then it was increased user fees, then there was the tax and power grab in Bill 150, and now it's the HST. It's a tax-hike bonanza over there.

Tomorrow, consumers will be faced with higher—

Interjections.

The Speaker (Hon. Steve Peters): Perhaps the members wouldn't need their earpieces if the tone in the chamber was a little lower.

Please continue.

Ms. Lisa MacLeod: Thanks, Mr. Speaker. In seriousness, the members opposite should know that tomorrow consumers will be faced with higher taxes on everything from water heaters and furnaces, child care, plumbing and electrical supplies. Unbelievably, Seeing Eye dogs will be taxed. You're even going to raise the taxes on baking soda.

Consumers in this province can't catch a break with this minister at the cabinet table. Will he stand up for Ontario's consumers, or is he going to continue to sit idly by and allow these continued attacks on—

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

Hon. Harinder S. Takhar: It's really unfortunate; sometimes we believe in this House that the louder we talk, the more effective we are. Sometimes it's worthwhile to really listen and say what needs to be done.

The Premier has said again and again in this House that we should wait for the budget and see what is in the budget.

We will not bring a budget that will not protect our vulnerable, and we will make sure that we have the right atmosphere for our business people as well.

DEADSTOCK INDUSTRY

Mr. Howard Hampton: My question is for the Minister of Agriculture. Today, farmers are protesting at Queen's Park because the McGuinty government has cut the \$5-million program to ensure the safe disposal of deadstock from Ontario farms. Deadstock removal costs have increased because of new requirements to prevent BSE. Governments bear some of the responsibility for BSE, and therefore governments should bear some of the responsibility for the safe removal of dead farm livestock.

At a time when there are major concerns about food safety, how does the McGuinty government justify cutting the \$5-million-a-year deadstock removal funding?

Hon. Leona Dombrowsky: I think it's important that we have this opportunity to get the facts before the people of the province.

Our government has invested \$19 million in this particular sector, since coming to government, to enable this industry to transition to a sustainable way to manage the product on farm.

When we came to government, there were no regulations that would provide for a safe and environmentally responsible way to manage this waste on farms or in centralized facilities. We now have that in place. Two years ago we told our stakeholders—producers and those who pick up deadstock—that they had \$4 million we were going to transition to this new regulatory regime, which is in place in other provinces in Canada. It is not—

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

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Mr. Howard Hampton: Other provinces in Canada—for example, Quebec and Alberta—do find ways to help

farmers pay for the cost of safe disposal of dead farm livestock. We've continued to have a problem here in Ontario, and farm organizations are telling you that you continue to have a problem. BSE continues to be a problem, in terms of food safety.

Farmers are willing to pay some of the share of disposing of dead farm livestock. They're prepared to pay some of the costs. Why isn't the McGuinty government prepared to pay some of the costs of ensuring food safety?

Hon. Leona Dombrowsky: I would like to share with the honourable member that in Alberta most of the deadstock is rendered on-farm. Deadstock that is picked up is totally paid for by the farmer. In Quebec, the same would be the case.

What I am also very happy to report to this House is that the province of Ontario is prepared to sign a going-forward document with the federal government. It will provide resources for producers who are prepared to do environmental farm plans. Managing deadstock would be a part of that plan. Any investment that they would make to safely manage that product on their farm would qualify for that funding.

This is a transition that we have effected by working with producers and those in the industry. We believe that, going forward, it is more sustainable and more environmentally friendly than what we inherited. That is what we are committed to implementing.

TRUCKING SAFETY

Mrs. Carol Mitchell: My question is for the Minister of Transportation. I understand that as of January 1, 2009, legislation came into effect to cap the speed of most large trucks in Ontario at 105 kilometres per hour using an electronic device, a speed limiter.

I also understand that Ontario has worked closely with Quebec to harmonize our speed limiter laws in order to ease traffic and trade concerns between the provinces, with our laws even coming into force on the same day.

On almost all roads across the province, drivers of passenger vehicles must share the road with transport trucks. While most truck drivers are very good drivers, I do hear from my constituents on concerns surrounding truck safety. They worry about many things, but one of the top concerns raised is the speed at which some of the large trucks travel.

I am asking the Minister of Transportation to share with this House what this new legislation means for large trucks on our roads and what the benefits are of speed-limiting—

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

Hon. James J. Bradley: That's an excellent question. As of January 1 of this year, as members may be aware, most large trucks in Ontario must have a speed limiter in place and set at 105 kilometres an hour. Quebec put this into effect exactly the same way we did, on the same date, so that it is synchronized in the two provinces.

The benefits are clear: Once fully implemented, we will see a 280,000-tonne reduction in greenhouse gas emissions each year. That's the same effect as taking 2,700 tractor-trailers off the road. We'll see an increase in road safety—research shows that excessive speed is a factor in 23% of crashes—and, finally, a significant decrease in fuel consumption that will benefit truckers financially: approximately 100 million fewer litres of diesel fuel used by the trucking industry each year.

We're pleased that Transport Canada has confirmed what we—

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

Mrs. Carol Mitchell: I'd like to thank the minister for sharing the benefits of this legislation, especially when it comes to road safety. However, I would like to let the minister know that I also have heard some criticism of this new law.

I've been asked about the educational aspect of this new law. How are we letting truckers know the new rules, especially those who are out-of-province or from the US? I have heard that concerns have been raised around who was consulted on this legislation. I have also heard that it can be quite expensive to install a speed limiter on a truck that is not already equipped with one, and for those who already have a speed limiter in place, it can be expensive to have it turned to 105 kilometres. I have heard that because of this and other reasons, speed limiters may hinder trade with the US and with provinces which do not have speed limiter laws in place.

I'm hoping the minister can respond to the above concerns and share with this House the answer to those criticisms.

Hon. James J. Bradley: We introduced this law after extensive consultation with the trucking industry and the general public. There were public hearings held. Once the law passed, regulations were posted on the regulatory registry for public comment. We listened to the feedback we received from everyone.

I'd like to clarify that older trucks, those from 1995 and before, that do not have electronic engines with speed limiters manufactured right in them will not need to retrofit those vehicles. In fact, more than 50% of Ontario trucks and 87% of the carriers in the US already have speed limiters in place and in use, and they're still able to deliver their goods on time. We do not believe that this will be a hindrance to cross-border trade and travel.

As for education on the new law, we're currently in a six-month educational awareness period. If pulled over, a trucker is informed that the new rules must be complied with by—

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

SKILLS TRAINING

Mr. Jim Wilson: My question is for the Minister of Training, Colleges and Universities and it concerns the

Second Career program. Peter Zuccola from Nepean was laid off from his position as parts manager at a car dealership in October 2007. He applied to the government's Second Career program because he wanted to take a course in heating, refrigeration and air conditioning at Algonquin College so he could get back to work. In fact, he once had this qualification and he just needs to update his skills. It took Mr. Zuccola five months of paperwork before the ministry finally told him that they wouldn't help him get retrained because ministry officials apparently thought he would be better off finding a retail job, even after he showed them a letter from a heating and air conditioning employer who said they'd hire him so long as he completed the college course.

Why does this government consistently put up roadblocks that prevent people like Mr. Zuccola from getting the training assistance they need to get a good job in the trade of their choice?

Hon. John Milloy: I appreciate the member raising the concern about his constituent. As I've always said in this House, I'm very happy to look into individual cases that are brought forward.

I reject the second part of the honourable member's question when he talks about roadblocks and obstacles. The Second Career program is part of a menu of programs and services that are offered by Employment Ontario. I think we've seen a tremendous amount of success over the last eight months since the program was put in place. As the member knows, the Second Career program envisions 20,000 people going back for long-term training over the course of three years, and after approximately eight months we already have about 8,000 people who have come forward. But Second Career is only one of a variety of programs that exist through Employment Ontario. Through the skills development, a more short-term training program, over the last eight months we've seen 10,000 people come forward—

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

Mr. Jim Wilson: The ministry has known about the problem for over a year. The minister should know. I know that when I was a minister, if something like this was going on, there would be something in that briefing book that would indicate that this is a problem that not only Mr. Zuccola is having, but hundreds of people are having in terms of the Second Career program.

The story goes on. Mr. Zuccola, after being rejected by the ministry, decided to take the college course anyway. He's paying \$9,000 for the course, even though he has no income. His wife, God bless her, is juggling several jobs to pay the bills and raise their child so that her husband can get the retraining he needs to get a job.

There's another twist. Mr. Zuccola sits next to a guy in his class who is being retrained through the Second Career program for the exact same qualifications. What an insult. There are thousands of Ontarians like Mr. Zuccola who are getting jerked around by this ministry and this government. They're not getting the retraining that has been promised through the \$4 million of advertising of this program—

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

Hon. John Milloy: As I said, I'm very happy to look into the constituent that the honourable member brings forward. But I also have to impress upon this House that we've been very sensitive to removing obstacles through the Second Career program. In November of last year I announced a series of major changes to open up the Second Career program. Quite recently we changed the application form, and we continue to work with Employment Ontario providers to make sure that individuals have access to the training they need.

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Let me tell you about some good-news stories that I want to share. Rick was laid off from the manufacturing sector after 10 years. He applied for Second Career and is now enrolled in Niagara College's electrical engineering program. This is what he had to say: "For the first time in my life I was asked what I wanted to do for a career, instead of just finding work to provide for my family."

Amandeep Sandhra was laid off as an assembly operator at Chrysler. Second Career is providing funding for him to retrain for a job in the IT sector.

Robert, a 45-year-old, was laid off from his job as a general labourer at a small powder and painting company in London—

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

TAXATION

Mr. Gilles Bisson: My question is to the Premier. Premier, your budget tomorrow may very well merge our provincial sales tax system into the much-hated Brian Mulroney-Michael Wilson federal GST system. When this happens, First Nations citizens who currently have an exemption to the PST will no longer have that exemption for items purchased off-reserve because the current GST rules will force them to pay that GST. Why would you increase the tax bill to some of the poorest citizens in this province?

Hon. Dalton McGuinty: To the Minister of Finance.

Hon. Dwight Duncan: I would urge my colleague to wait till tomorrow to hear what's in the budget. There will be a response.

Let me say what the Premier said earlier: It's about helping people through the challenges today and building the next generation of growth so that Ontario can again thrive and prosper.

My honourable colleague wants to represent his constituents. I recognize and respect that. I would ask him to wait till tomorrow afternoon and the question periods subsequent to that, and we can review any issues that come out of the budget, because we will lay out a plan that will see this economy through these difficult times and help grow Ontario in the future to produce new jobs.

The Speaker (Hon. Steve Peters): Supplementary?

Mr. Gilles Bisson: I do have to say, you have a funny way of defining what growth is, because what we've seen is exactly the opposite for the last four to five years.

So I ask you again—First Nations people are among the poorest people in this province. As I talk to chiefs and others across this province, they are concerned that this move will mean that their citizens living on-reserve who purchase goods off-reserve will now have to pay an additional 8%. Why would you whack them with another 8% tax, the very people who can least afford it? Give us a guarantee today.

Hon. Dwight Duncan: Again, I would ask the member's patience till tomorrow at approximately 4 o'clock. In the interim, I would say that no government in the history of Ontario has done more to work with our First Nations peoples than the government of Dalton McGuinty. Whether it is creating a Ministry of Aboriginal Affairs, whether it is investing in the health and education of our First Nations, whether it's investing in strategies to help lift our First Nations people out of poverty, no government, no party, in the history of this Legislature has done more than the government of Dalton McGuinty for our First Nations.

TENANT PROTECTION

Mr. Yasir Naqvi: My question is for the Minister of Municipal Affairs and Housing. In my riding of Ottawa Centre, renters are concerned about the cost of living. With high gas prices and a challenging economic outlook, they want to know that they will be protected. In communities like Ottawa—my constituents are working hard and playing by the rules. They want their government to be working hard for them.

Minister, under the previous government, the Ontario Rental Housing Tribunal was known as an eviction machine that had no concern for tenants. I know this government passed the Residential Tenancies Act in 2006, but rents are still going up. How has the RTA helped tenants?

Hon. Jim Watson: Let me begin by thanking the honourable member, one of the strongest advocates for tenants in his community of Ottawa. He's not afraid to speak up for the tenants of Ottawa Centre and throughout the province of Ontario.

We're very proud, the McGuinty government, of the Residential Tenancies Act that came into effect in 2006, because it brings a balance back to the relationship between landlords and tenants. I'm also very pleased to report that after inheriting massive backlogs in the process, there are no backlogs. Every tenant now facing an eviction is afforded the benefit of a hearing. Landlords can evict problem tenants with more ease, and tenants in buildings with serious maintenance problems may apply for a freeze on rent increases. Municipalities now have the power to license landlords.

We're very proud of the Residential Tenancies Act, and I look forward to monitoring its progress in the years ahead.

Mr. Yasir Naqvi: These changes will no doubt be of benefit for renters in my riding, but the reality is that most tenants and landlords never have to go to the

Landlord and Tenant Board. Most tenants pay the rent and most landlords take care of their properties. My concern is that rent continues to go up. I talk to young families and students who live on tight budgets. They rely on predictable expenses from year to year so they can maintain their standard of living. With the price of gas and home heating fuels on the rise, my constituents are paying more attention than ever to their bottom line.

The NDP wants to cap rent for two years to ensure that rent remains affordable. Minister, I want to know what the RTA does to ensure rent remains affordable. Is a rent cap the best way to ensure rents are affordable?

Hon. Jim Watson: A rent cap, in fact, would have a negative impact on the supply of rental properties throughout the province of Ontario, and the NDP plan would move landlord and tenant relations back to a more ideological, divisive era that really, quite frankly, did not work. We have brought a more balanced approach, which is the way to keep rent increases low and vacancy rates healthy. The annual rent increase guideline under the Residential Tenancies Act is now based on the consumer price index in the province of Ontario. The 2009 guideline was established at 1.8%, and it protects tenants from rent increases above the rate of inflation while allowing landlords to recover costs.

Let's take a quick look at the record. Rent increases under the Liberals have averaged 2.05%; under the Conservatives, 2.9%; under the NDP, 4.8%—

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

UNEMPLOYMENT

Mr. Ted Chudleigh: My question is to the Premier. The EI numbers are out from Stats Canada, and they're not very pretty. Ontario numbers for EI benefits are up 43% since last year; that's nearly 55,000 more Ontarians who need assistance. In southwestern Ontario, the numbers are even uglier. In Windsor, the year-over-year increase on EI dependence is a staggering 82%; in London, Hamilton and Kitchener, 70%. Toronto EI claims are up 48%.

Of course, all this relates to our struggling manufacturing sector and the immense job losses we have seen, especially in southwestern Ontario. The Premier has consistently said, "Don't look at me. It's not my responsibility." That's okay in a political tactic, but as leadership, it stinks. There are workers languishing across the province, Premier. If you don't see how that is your problem, then you will never find a solution. So I ask you, will you finally accept some responsibility for this rampant unemployment, along with our humongous increases in welfare?

Hon. Dalton McGuinty: A few things: First of all, we are going to continue to accept responsibility to provide more support to our families to help them better weather this economic storm. We're going to accept more responsibility through our budget and give effect to our desire to strengthen this economy on a go-forward basis. Where

I would love to get the support of my colleague, both for the budget itself but beyond that, is together with his federal colleagues.

Workers in Ontario continue to suffer from discrimination. They're getting more than \$4,000 less by way of employment insurance supports than they would were they living as Canadians in other parts of the country. I would love to have his support on this particular score. I ask that he speak with his federal counterpart and see what he can do to ensure that together, we both stand up for Ontario workers.

ONTARIO BUDGET

Mr. Ted Arnott: Speaker, I rise on a point of privilege and would seek your ruling on what I would consider to be an important matter. In recent days, the government has been consciously and deliberately leaking budget contents, one a day, either by speaking directly to the media or to a select audience somewhere outside this place. They have been open about it, even brazen, and completely unapologetic. It appears to be part of a political strategy to seek favourable front-page news coverage every day in the leadup to the actual budget, which, as we know, is scheduled for tomorrow.

As you're well aware, budget secrecy is a long-standing parliamentary convention. In defence of this convention, I would want to quote two esteemed former members of this House who were subsequently elected Premier of Ontario, David Peterson and Bob Rae. Today they are the twin luminaries of the federal Liberal Party. They both spoke to this issue in May 1983, when it was raised as a point of privilege. Mr. Peterson, then the Leader of the Opposition, said this:

"We have to ask ourselves why we have secrecy surrounding a budget. It started with a king who wanted to preserve fairness, the lack of advantage to any of his commoners as a result of proposed changes in taxation. The purpose of secrecy was to tell all citizens at the same time what policies were to be changed so no one individual could take advantage.

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"Budget secrecy symbolizes that fairness, justice and the principle of respect for the Legislature and the privileges of the members therein."

Mr. Rae, who at that time was the leader of the NDP, said this: "The tradition with respect to the secrecy of the budget is crystal clear.... The importance of that should not be lost to you...."

"I want to make just one other point, Mr. Speaker. When you are considering this as a question of privilege, when you consider the basic test, which I suggest is, 'Has the work of any member of this Legislature been impeded, been prevented?' I say that it has. In the normal course of events, there would be a budget lockup, critics would be informed of the contents of the budget and we would be able to deal with those contents in an informed and reasoned way and to respond accordingly.

"Each and every member would be able, on the basis of equal information, to communicate with his con-

stituents on the contents of the budget. Members would be able to make whatever arguments, from different sides of the fence and from different points of view, they would wish with respect to the information that had been made available.”

I would submit to you, Mr. Speaker, that both of these former Premiers of the province of Ontario were indeed correct in the arguments they were making on the issue of budget secrecy. For me, it is a matter of privilege.

On a somewhat related matter, I must inform the House that last night, at about 8 p.m., I was denied access to this chamber by security guards, one of whom was a member of our own legislative security service. I had to work late into the evening last night to get caught up at my desk and I remembered that I'd left a book in the chamber, so I wanted to come into the chamber and retrieve it. I was disappointed to be told that there was no way I would be allowed access to the chamber. I was told that the Minister of Finance and a small group of people were in the chamber. Looking through that window, it appeared that the minister was rehearsing his budget speech in the chamber while being critiqued and coached on his presentation by people who are sitting right here. I would never criticize the minister for wanting to put on a good show tomorrow and attempting to put his best foot forward when he announces an \$18-billion deficit, but I would suggest that members should have access to this chamber at all times. I rather doubt that if any member of the opposition asked to book the chamber, lock the doors and practise an upcoming speech, they would be granted permission to do so.

Surely all of us, elected by the people and representing our constituents, are here on an equal basis. I know that you, Mr. Speaker, in a previous ruling on budget secrecy made clear the rights accorded to each member when you stated, “These rights are extremely narrow and specific; for instance, the right to speak freely in this place or to attend here without obstruction.” I would appreciate your ruling on this matter, if possible, before the budget is tabled in this House tomorrow.

I thank you, sir, for your attention to my point of privilege.

Hon. Monique M. Smith: I'd like to speak to this point of privilege. As the member for Wellington–Halton Hills is fully aware, the matter of budget secrecy is not an issue of privilege. A budget outlines the fiscal details of the government, with specific ministry allocations. The government is able to announce policy decisions at any time. In fact, the opposition asks us daily for the contents of the budget. We understand that the budgetary issues will be announced tomorrow. It is the government's policy to speed up the Ontario child benefit. It is the government's policy that was announced to invest in affordable housing retrofits and new units. It is new government policy that was announced to invest in our infrastructure, transit, hospitals and schools.

Every day in question period, the opposition parties ask for the government to outline its plan to deal with the economy, particularly in terms of the most vulnerable

and in terms of job creation. We have announced policy decisions to help low-income families by doubling the Ontario child benefit, by making affordable housing more energy-efficient and creating jobs in the process and building new units. And we're creating 300,000 jobs in construction, engineering and design with new infrastructure investments.

When it comes to budget secrecy, it is largely predicated on the principle that you cannot leak information that someone can use to benefit from personally before the budget is announced. Those are largely tax measures. There is no opportunity for personal gain or benefit from the policy decisions that we've recently announced. The budget will be presented in the Legislature on Thursday.

As my colleague did refer to, this issue has come before this Parliament and various Parliaments many times, and every ruling has been clear. In Monpetit and Marleau, on page 753, it states, “Speakers of the Canadian House have maintained that secrecy is a matter of parliamentary convention, rather than one of privilege.” And referring to the Speaker's ruling of May 9, 1983—the member for Wellington–Halton Hills referred to submissions; he did not actually refer to the Speaker's ruling. So, to the member from Wellington–Halton Hills, I would just turn you to the Speaker's ruling on May 9, 1983, when he ruled on a question of privilege concerning a budget leak.

Speaker Turner stated: “Budget secrecy is a political convention, as is the practice that the Treasurer presents his budget in the House before discussing it in any other public forum. It has nothing to do with parliamentary privilege.” And further on, “although it is a courtesy to the assembly for a minister to release information in the assembly before releasing it to the press or the public, it is not a breach of the privileges ... of the assembly if this does not happen.” Speaker Turner concluded that the presentation of the budget was not a matter that fell under any collective or individual privilege.

There have been a number of rulings, and I would refer the Speaker to Speaker Fraser's ruling on June 18, 1987, and again Speaker Parent in 1997. But I would also just like to draw the attention of the House to a ruling by Speaker Carr on May 8, 2003. You may recall this ruling, as I believe you were in the House at the time. Speaker Carr at that time, May 8, 2003, spoke as follows:

“Having outlined the meaning of ‘privilege,’ I want to refer to the May 9, 1983, precedent in which Speaker Turner ruled on a question of privilege concerning a budget leak. The Speaker made the following ruling, which can be found at pages 38 and 39 of the Journals for that day:

‘Budget secrecy is a political convention as is the practice that the Treasurer presents his budget in the House before discussing it in any other public forum. It has nothing to do with parliamentary privilege.’”

I would also draw to the attention of members of this House a vote on a motion by the official opposition House Leader, Sean Conway, dated Wednesday May 21, 2003, and I'm quoting from Hansard. “The Speaker: Mr. Conway has moved that this House declares that it is the

undoubted right of the Legislative Assembly, in Parliament assembled, to be the first recipient of the budget of Ontario.” In that vote, which was a recorded vote, 53 members of the official opposition, not all of whom are sitting here today, including 15 who are here in the Legislature today, voted against that motion, and I would note that the member for Wellington–Halton Hills was one of those members.

Those are our submissions on this point of privilege.

The Speaker (Hon. Steve Peters): The member from Timmins–James Bay on the point of privilege.

Mr. Gilles Bisson: I am distressed by what we find out in regard to the chamber being blocked yesterday as far as access to all members. I would ask you, as you deliberate on this particular item, to really turn your attention to this in a very serious way, because no member of the assembly should, at any time, be barred from having access to this chamber. If we get into the practice where the government can come in and practise their speeches, as was said earlier, is it incumbent, then, upon the opposition to do the same? This chamber is a place for debate, and it’s a place to bring issues before the Speaker, not for us to practise our speeches.

The Speaker (Hon. Steve Peters): The member for Newmarket–Aurora on the same point of privilege.

Mr. Frank Klees: Particularly with regard to my colleague’s reference to the rehearsal that was going on in here last night, there are some further implications to what transpired. If, in fact, the minister was rehearsing his budget speech, I would suggest to you that this is a very serious issue. The budget speech and the information contained therein should, in fact, be presented for the first time in this place in the presence of all members. As my colleague indicated, there were other people in this place. We don’t know who they were. We don’t know if they were outside consultants; we don’t know what information was then delivered to those individuals. Is it possible that the individuals who were present in the chamber while they heard that speech delivered could use that information for personal gain, as the House leader indicated? These are all issues that I suggest you, Speaker, have a responsibility to fully investigate and then to report back to the House and take whatever action may be necessary flowing from that information.

The Speaker (Hon. Steve Peters): I thank the member from Wellington–Halton Hills for the notice that he provided and thank the government House leader, the member from Timmins–James Bay and the member from Newmarket–Aurora for their comments. I will deal with both issues. I will reserve decision at this time.

But I think it’s important to say to the second point that was raised in the point of privilege and responded to by the member from Timmins–James Bay and the member from Newmarket–Aurora that it has been a long-standing practice within this chamber—that goes back over governments of all stripes—to allow the Minister of Finance access to this chamber in advance, either on an evening or, in some cases, it has been noted that that access has been granted on a Sunday afternoon. But I will

address the issue. I will speak with the Sergeant at Arms to review the report of the security officer who would have met the honourable member in the chamber in the evening.

This House stands recessed until 3 p.m.

The House recessed from 1151 to 1500.

INTRODUCTION OF VISITORS

Mr. Mike Colle: It gives me great pleasure to welcome the consul general of the amazing country of the Philippines. The consul general, Alejandro B. Mosquera, is here with us today. Welcome.

Also in the Speaker’s gallery along with the consul general are members from the Filipino community: Pura Velasco, Flor Dandal, Mel Castre, Virgilio Cabillan and Milagros Echevaria. I would like to welcome them.

Mr. John O’Toole: I have three individuals I’d like to introduce and recognize. They may not be here just yet; I’m waiting.

Andrew Galloro is a young student at the University of Toronto who has joined me to help me become more effective in the Legislature; it’ll be a daunting task.

The other two are constituents of mine who are here today. In fact, they’re here on behalf of the deadstock issue and the minister’s failure to respond. One is Bert Werry, who is a leader in the agricultural community in the riding of Durham. I’m sure Steve Peters, the Speaker, knows Mr. Werry.

Harvey Graham is the past president of the Ontario Cattlemen’s Association and the Canadian Cattlemen’s Association. I hope he joins us here this afternoon.

The Speaker (Hon. Steve Peters): I want to take this opportunity to welcome guests that are coming into the chamber as we speak, students from the Regina Mundi school in the great riding of Elgin–Middlesex–London. The grade 10 students are here visiting Toronto and visiting Queen’s Park. Welcome to Queen’s Park today.

I just want to remind members who may be here in the chamber or in their offices working with their televisions on in the background that there’s a retirement celebration taking place today for Karyn Leonard from the IPRB. Karyn has been a good friend to all of us over the years. There’s a reception honouring Karyn and to say thank you to Karyn this evening from 4:30 to 6:30 in the Speaker’s apartment. I welcome all members and staff to join us and say thank you to Karyn for her great efforts.

MEMBERS’ STATEMENTS

ONTARIO BUDGET

Mr. Gerry Martiniuk: Another McGuinty budget leak reported by the old, reliable Toronto Star on March 24, 2009, announced \$27.5 billion in Ontario capital spending over the next two years.

Over three years ago, Premier McGuinty told the Record newspaper that Cambridge Memorial Hospital would get its funding for the expansion: "I've always said it's not a question of 'if,' but 'when'...." Over three years ago, Minister Smitherman echoed an identical promise. Minister Milloy's website refers to Cambridge Memorial: "I am heartened that both the Premier and the Minister of Health have both said it's not a question of 'if' but 'when' the project can proceed."

On behalf of the residents of Cambridge and North Dumfries, I again ask this very simple question as I asked it of Premier McGuinty on March 22, 2009: When will your government allow the long-promised expansion at Cambridge Memorial Hospital to proceed? He wouldn't answer. So if you're expecting provincial funding of \$27.5 billion to help your pressing infrastructure needs and create jobs during the next two years, make sure you don't get the old McGuinty gambit: "The cheque is in the mail."

DEVELOPMENT IN TORONTO-DANFORTH

Mr. Peter Tabuns: Today is a day of celebration in my riding. Tonight the East Toronto Community Coalition is celebrating the March 4 victory at the Ontario Municipal Board against SmartCentres. SmartCentres had wanted to put a shopping mall in the south end of my riding in an area that is protected for employment, an area that is host to a substantial part of Toronto's film community. If, in fact, SmartCentres had gone ahead, it would have undermined industry in my area, particularly the film industry. It would have been another example of, another bastion of, car-dependent sprawl.

This development has been opposed over the years by the city councillor in the area, Paula Fletcher, and by the East Toronto Community Coalition. Along with Jack Layton, the member of Parliament, and myself, we were very happy to support them. They did an excellent job.

This community should not have had to go through this fight. This provincial government should have been on their side from the beginning. They've stated repeatedly that they're against car-dependent sprawl, but in fact, when someone proposed a sprawl-generating kind of development, they didn't oppose it; they stood silent; they stood by. That was wrong; it still is wrong. Nonetheless, even without the provincial government's help, the community and the city won through and had a very important victory this month. They deserve an excellent evening of celebration today.

EASTER SEALS MONTH

Mr. Yasir Naqvi: March is Easter Seals Month all over Canada. There are over 200,000 children, youth and young adults living with a physical disability in Ontario. For more than 85 years, Easter Seals Ontario has helped these people achieve their full potential and eventually their independence.

Easter Seals Ontario works with children who suffer from a variety of disabilities, including cerebral palsy, spina bifida or those suffering from the devastating effects of brain injuries or meningitis.

First introduced in 1947 to Ontario, the Easter Seals campaign throughout the month of March initially raised a staggering \$138,396. In 2007, the same campaign raised more than \$2 million.

I want to congratulate Easter Seals Ontario on all of the good work they have done and will continue to do for children living with disabilities.

DEADSTOCK INDUSTRY

Mr. Ernie Hardeman: "Improper disposal of deadstock poses risks to environmental quality, animal health (in terms of contagious diseases and biosecurity) and public health, which includes the farm family." That quote was from an engineer in the Ontario Ministry of Agriculture, Food and Rural Affairs. It's on the ministry's own website. He recognizes the significant danger created when farmers can't properly dispose of dead animals, and yet that is exactly the situation that the Minister of Agriculture has created.

Since 2003, deadstock collectors have relied on government support to make it economically viable to pick up and safely dispose of carcasses, but the Minister of Agriculture cut that funding without a plan in place to deal with the deadstock. Farmers and deadstock collectors are here today on the front lawn to tell the minister that this cannot wait and that the answer is not more red tape regulations. It cannot be options that farmers simply can't afford.

If the minister would just listen to the deadstock collectors, she would know that they have been forced to raise their price dramatically because she cut funding. If she listened to the farmers, she would know they can't afford to suddenly pay two or three times the price to dispose of their dead animals.

The deadstock collectors have told me that the number of animals they are picking up has decreased dramatically, and it is not because the number of animals dying has changed. They are here today to say they need funding restored immediately. They need this government to take action to ensure that they don't have a health and environmental disaster in this province.

EDUCATION

Mr. Khalil Ramal: Last week, I was fortunate to meet with Michelle Gable, a 20-year-old Londoner who is working hard to make a better life for herself. She is getting a real hand up from Jane Lucas and Ralph Hackbarth, teachers with the Reconnect program of London-Middlesex. Reconnect targets disengaged youth who left school without graduating. It has helped get them back on track. Reconnect was launched in 2005 and receives funding from the Ontario Ministry of Education. Four teachers and two counsellors deliver the program

with support from community partners, including nurses from the local health unit.

I would like to share what student Michelle Gable had to say about Reconnect. She wrote: "This program and these teachers have saved my life. I don't know where I would be without them and the program, but I know it would not be good or even a successful road to go down."

I know every member of this House will join with me in wishing Michelle great success as she works hard toward her goal of attending university and also of being a constructive person in the community. I would also like to thank Jane Lucas, Ralph Hackbarth and their colleagues for their hard work and dedication in supporting students who are, for some reason, unable to continue their education. It's very important for all of us to support students who want to continue their education.

1510

DISASTER RELIEF

Mr. Toby Barrett: I was disheartened last night to read malicious remarks about myself in this House, spoken by the Minister of Municipal Affairs and Housing. Where I come from, you don't settle differences with attempts to embarrass. If the minister has a problem with me personally, I invite him to see me afterwards.

I would also be very happy to do another tour of the flooded areas, so that this time the minister could see for himself the damage the Grand River flooding has done throughout my riding.

I do thank both the member from Brant and the member from Niagara West—Glanbrook for setting the record straight yesterday in the House; I was not here. We do all work together on the Grand. We work with Mayor Trainer and Haldimand Councillor Lorne Boyko.

It's no secret that government announcements are not made by an opposition MPP. Therefore, the neighbouring government MPP made the disaster relief announcement. I now look forward to the minister providing adequate funding for both Cayuga and the Dunnville area.

Next time, I feel that the minister should think twice before he drags my name through the mud. It's clear that he embarrassed himself and embarrassed his colleagues more so than me, when a more professional, positive approach, I feel, would have been much more appropriate.

YORK UNIVERSITY

Mrs. Laura Albanese: I rise to recognize and mark the 50th anniversary of York University tomorrow, March 26—an extraordinary institution whose diversity, innovation and excellence have emerged with remarkable speed over these last five decades. One of Canada's best educational success stories, from an initial class of 76 students in 1960, York has evolved into the second-largest university in Ontario and the third-largest in Canada, attracting over 50,000 students.

It was here in the Legislature in 1959 that Premier Leslie Frost, Minister John Robarts and subsequently

Minister Bill Davis passed the York University Act, creating a different approach to education based on a foundation of interdisciplinary thinking, teaching and research. In 50 years, York has grown into a world-renowned teaching and research institution. Alumni numbering over 210,000 strong across the GTA and in 145 countries include many of the honourable members here today, as well as fellow past members of the Legislature.

We look forward to watching York evolve and continue to meet the needs of future generations. We look forward to York playing a critical part in the cultural, social, educational and economic development of our local and global communities. I trust you will join me and my colleague, Mario Sergio, MPP for York West, in celebrating this important milestone in York's history.

GREEK INDEPENDENCE DAY

Ms. Sophia Aggelonitis: On March 25, Greeks around the world celebrate Greek Independence Day. It marks two very significant events that are central to Greek history, culture and faith. First, it marks the Annunciation of the Theotokos, the day that the Archangel Gabriel revealed to Mary that she would bear a child. Second, it marks the beginning of the Greek War of Independence in 1821, which eventually led to the birth of the modern state of Greece.

March 25 is celebrated across the world as a reminder of the rich history that binds Greek communities everywhere. It honours the divine mystery of the Incarnation, revered in the Orthodox faith, while celebrating the values of self-governance, justice and freedom. It is also an opportunity to share Greek heritage with others.

Ontario is fortunate to have strong Greek communities, which have become an important part of our cultural fabric. As the proud daughter of Greek immigrants and a proud Hamiltonian, I look forward to celebrating this important Greek tradition at home. In fact, today, the Greek flag has been raised at Queen's Park. We had several people join us here to celebrate Greek Independence Day, and I want to thank the many guests from Toronto and Hamilton: the Consul General of Greece, Mr. Dimitris Azemopoulos; the president of the Greek Community of Toronto, Mr. Costas Menegakis; and the president of the Pan-Macedonian Association of Hamilton, Mr. Aristotle Damianopoulos. I have to say, "Zito É Ellas, Zito O Canada."

JACK BURKHOLDER

Mr. Kevin Daniel Flynn: It's with some sadness that I rise in the House today to inform the House about the passing this week of an icon in Oakville politics and the charitable world. Earlier this week saw the passing of Jack Burkholder at the age of 81. Those of you who knew Jack or anybody who came in contact with Jack would know that he was just an absolute marketing wizard. He put those skills that he had to good use not only in the business world but certainly with everybody

that he touched in the Oakville community, whether it be in a political sense or whether it be in a charitable sense.

The work that he did as an individual for the hospital is something I think our community owes a great deal of gratitude for. Those of you who are old enough to remember the slogan “a tiger in your tank” should also know that it was Jack Burkholder who came up with that slogan. It’s something that I think has certainly survived the test of time.

Jack leaves behind a wonderful family. He was the proud husband of Joan for a number of years, father of Bari, father of Ian and a grandfather of many. He was just a wonderful man who touched the lives of so many people. A little later in his life he suffered a stroke, but it didn’t stop him a bit; he just kept marching right on.

He was a friend of the former mayor of Oakville, Harry Barrett; they were two chums who were just inseparable. He was a friend to everybody in Oakville. He’s mourned by many, and he’s going to be missed by so many people.

INTRODUCTION OF BILLS

CAREGIVER AND FOREIGN WORKER RECRUITMENT AND PROTECTION ACT, 2009

LOI DE 2009 SUR LE RECRUTEMENT ET LA PROTECTION DES FOURNISSEURS DE SOINS ET DES TRAVAILLEURS ÉTRANGERS

Mr. Colle moved first reading of the following bill:

Bill 160, An Act respecting the recruitment and protection of caregivers and foreign workers / Projet de loi 160, Loi ayant trait au recrutement et à la protection des fournisseurs de soins et des travailleurs étrangers.

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

First reading agreed to.

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

Mr. Mike Colle: I would like to mention that there are some guests here—they weren’t here when I made the announcement—who were very instrumental in getting this bill to this House: the Consul General of the Philippines, Alejandro B. Mosquera, Pura Velasco, Flor Dandal, Mel Castre, Virgilio Cabillan and Milagros Echevaria. Thank you for being here.

This bill, if passed, will regulate and license persons who operate caregiver agency recruitment businesses and ensure that our caregivers are protected under Ontario law to ensure that they can continue to give their work and their care to so many of our citizens and live in dignity as they work here in Ontario.

MOTIONS

COMMITTEE SITTINGS

Hon. Brad Duguid: I believe we have unanimous consent to put forward a motion without notice regarding committee meeting times.

The Speaker (Hon. Steve Peters): Agreed? Agreed.

Hon. Brad Duguid: I move that, notwithstanding the order of the House of May 1, 2008, respecting meeting times for committees, the Standing Committee on the Legislative Assembly be authorized to meet in the afternoon of Wednesday, April 1, and Wednesday, April 8, 2009, from 4 p.m. to 6 p.m., in addition to its regularly scheduled meeting time.

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

Motion agreed to.

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COMMITTEE MEMBERSHIP

Hon. Brad Duguid: I believe we have unanimous consent to put forward a motion without notice regarding committee membership.

The Speaker (Hon. Steve Peters): Agreed? Agreed.

Hon. Brad Duguid: I move that the following changes be made to the membership of the Standing Committee on Government Agencies: that Mr. Hillier be replaced by Mr. Martiniuk.

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

Motion agreed to.

STATEMENTS BY THE MINISTRY AND RESPONSES

MINING INDUSTRY

Hon. Michael Gravelle: I am very pleased to alert and remind the members of the House that it is Meet the Miners Day here in Queen’s Park. Today, the Ontario Mining Association is holding several activities in our legislative buildings, including a full meeting of its board of directors this morning, meetings with ministers and members of all parties this afternoon, and expert presentations on economic issues which took place over the lunch hour. I know that the Ontario Mining Association chair George Flumerfelt, president of the Redpath Group, and Mining Association president Chris Hodgson, a former member of this Legislature and, of course, formerly Minister of Northern Development and Mines, will be also visiting us here in the Legislature today. We’re glad to have them here.

Later this evening, we are inviting members to join the OMA and other industry leaders at their Meet the Miners

reception and social in the legislative dining room between 5:30 and 7:30 p.m. There, I hope we can chat informally about mutual concerns and learn more about this vital industry's contributions to the province—and those contributions are most impressive.

Many of us know that the mineral industry has made this city, Toronto, one of the most important financial capitals in the world, but the industry's impact reaches far beyond the stock exchange. In fact, this industry contributed more than \$9.6 billion in production values last year. It directly employed more than 23,000 people, and an estimated 25,000 people worked in the mining supply and service sector, while another 50,000 were employed in metal fabrication activities. At the same time, the industry's spending on exploration and deposit appraisal soared to a record \$667 million.

Ontario's mineral industry seemed headed for another record this year when its fortunes were suddenly reversed by global financial upheaval. So instead of enjoying a period of sustained expansion, the mineral industry is now facing some very challenging times.

Certainly, while the current turmoil in the global economy is worrisome for us all, I firmly believe that the future of the mineral industry in Ontario looks very bright. The fact is, mining people have seen these sudden reversals many times before, and they have always faced them with resiliency. The remarkable thing about the leaders in the mining sector is that they always respond with optimism and unquenchable hope. I'm very confident that our miners will bounce back stronger than ever when the world financial situation stabilizes and emerging economies begin to rekindle their growth.

May I say to all members of the Legislature that our modernization of the Mining Act, which we launched last August, is one way Ontario is preparing for that resurgence. Through this modernization process, we're bringing the Mining Act into harmony with the values of today's society while very strongly maintaining a framework that supports the mineral industry's contribution to Ontario's economy. Certainly, it is a difficult task that requires us to reconcile many diverse viewpoints, but it is also a task that is vital to the future of our industry, our communities and our environment.

That is particularly true in northern Ontario, which I represent. The north is home to all 27 of our metal mines. It hosts Ontario's first diamond mine—the same mine, of course, that is the source of the two beautiful stones that grace our newly refurbished mace. Once again, Mr. Speaker, thank you for helping make that extraordinary historic experience yesterday so wonderful. It's in the north where the bulk of mineral exploration does take place. In addition, First Nations communities, particularly those in remote communities of Ontario's far north, are watching very closely to ensure that their futures will be protected and enhanced by mineral sector activity.

So as we draft legislation which we plan to introduce during this session, we are aware that, indeed, the stakes are high. We also agree that we have to get it right, and that's exactly our intention. We are very much relying on

extensive input from aboriginal communities and their organizations. We are also looking for input, of course, from industry, mining municipalities and other key stakeholders to steer us in the right direction. We've had an extraordinary, virtually unprecedented consultation process.

Drawing on those five months of consultations—which were preceded, by the way, by other discussions that took place, but drawing on the five months of formal consultations—our proposals will very much reflect the views of approximately 1,000 individuals and organizations, certainly including the minerals industry, environmental groups, municipalities and private citizens. They will very much, as well, reflect the input of aboriginal organizations and approximately 100 First Nation communities who were consulted through a very comprehensive process that included workshops and community meetings across the province—again, a very positive process.

The fact is that throughout the modernization process, we have held to one watchword, and I've talked about it a great deal. That word is "balance." In my view, that is the only way that we can achieve our social and economic goals while continuing to promote a healthy and vital mineral industry. I very much strongly believe that our proposals will strengthen Ontario's mineral industry and provide new opportunities for growth, particularly in our northern, rural and aboriginal communities.

So I invite all members to join me this evening at the Meet the Miners reception. I can assure you that you will be meeting some amazing Ontarians. You will also have a chance to learn how much this remarkable industry contributes to Ontario's well-being and prosperity.

The Speaker (Hon. Steve Peters): Responses?

MINING INDUSTRY

Mr. Norm Miller: I'm pleased to have the opportunity to respond to the statement made by the Minister of Northern Development and Mines today on the annual Meet the Miners Day.

I'm certainly delighted to recognize representatives from the mining industry and the Ontario Mining Association who are visiting here today at Queen's Park. I look forward, with the leader of the PC Party, Bob Runciman, to the meeting with the miners that will happen shortly, after I leave the Legislature in a few minutes.

I'd certainly like to welcome Chris Hodgson, the president of the OMA, and George Flumerfelt, the chair of the OMA, who are here today. We could have used Chris Hodgson in the recent MP-MPP hockey game we had at the Air Canada Centre a couple of weeks ago, or better still his son Cody, who would have been a real improvement to the quality on the MPPs' hockey team.

I do remember last year at the Meet the Miners reception where the representatives were doing their best to be polite, but still had to make the government very aware of the fact that just as the Attawapiskat mine, the Victor mine, was about to open, the government decided

to change the rules of the game and triple the taxation rate on diamond mining in the province. As I say, the reception was generally quite cordial and they were doing their best to be polite, but they had to make the government aware of the fact that it's just not fair to change the rules in the game after companies invested a billion dollars in our province.

Ontario mines are very important to the economy of this province. Ontario mines are home to a long list of valuable minerals: copper, gold, zinc, nickel, and more recently diamonds. I would like to thank De Beers for the diamonds they donated to our mace. They certainly enhance the mace and give it added meaning here at the Ontario Legislature. I thank De Beers for donating those quality Ontario diamonds to Ontario's mace.

Ontario is a leader when it comes to mineral production. In 2008, Ontario yielded 47% of Canada's nickel production, 53% of Canada's gold production, 31% of Canada's copper production, and 84% of Canada's platinum group metals production. In addition, Ontario has been the leading jurisdiction in Canada for mineral exploration and deposit appraisal expenditures since 2000, accounting for some 23.5% in 2008. It is especially vital in these tough economic times that the government continue to support the mining industry to ensure that it remains competitive and that it continues to thrive in Ontario.

When the PC Party was in power, we clearly understood the importance of the mining industry, and this was reflected in a number of initiatives that were introduced and that supported mining in Ontario. In fact, at that time we were rated the number one spot in the world, the number one country in the world to invest in mining. We had programs like, in 1999, Operation Treasure Hunt that invested \$19 million to help increase mineral exploration in the province. We had another program with flow-through shares that stimulated investment in mining. We had \$8 million in the 2000 budget for the new Ontario mineral exploration technology program, which encouraged the development of new mining technologies in Ontario, and there was money toward enhancing mine safety and rehabilitation of former mine sites. Lastly, the party established regulations for the geoscience professions. This ensured that individuals operating in those professions were qualified, which has instilled public confidence in the industry. So it's clear that the PC Party in the past has been very supportive of mining and has recognized its importance.

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We have the review of the Mining Act happening right now, and I hope the government gets this right. They talk about balance, and I would agree that's very important. It's just so important to get this act right, so that especially in these tough economic times we don't do things to make our province less competitive for this vital industry that is so important, particularly in the north and particularly for our First Nations communities.

I would again like to welcome the representatives of the Ontario Mining Association and the mining industry here to Queen's Park. I look forward to going to the

reception a little bit later and hope that no more new surprises are thrown on the industry this year. I will be listening carefully to the speeches that are made at the Meet the Miners reception this afternoon.

MINING INDUSTRY

Mr. Gilles Bisson: I stand in a bit of a unique position, along with my friend Mr. Kormos, as being probably the only people who actually worked in an operating mine. I worked underground for some 10 years as an electrician for the Noranda group, eventually the Royal Oak group. I know that my good friend Mr. Kormos worked in the copper mines of British Columbia as a grease monkey, as I used to call it back then, working in the open pit of the Granisle. So mining for us, as New Democrats, is not just a really important economic activity; it is also something that a number of us have had to work at as a profession.

I've got to say that my time in mining was a really good time. Mining is not what people think it is. People have the impression of mining that it's dark, dingy and dangerous, and has all these nasty things associated with it. But I can tell you that although the workplace is a place where you always need to be aware of what's going on around you, be it working in a mill, an open pit or underground, much has been done to improve the health and safety of workers in the province of Ontario.

I'm quite proud to have been a member of a government, when the NDP was in power from 1990 to 1995, and more importantly, a proud Steelworker who moved a long way to deal with making the workplace safer for workers in the mining industry of Ontario. It was our union, the United Steelworkers of America, that made the changes and pushed and eventually got the first Occupational Health and Safety Act in the province of Ontario in the early 1980s. It was also my union, the United Steelworkers of America, and myself along with Omer Séguin and Mo Sheppard, and others, who finally got lung cancer, recognized as an industrial disease as a result of working underground. All those things have led to a safer work environment.

Today, I think the mining industry has learned, from what has happened in the past, that you need to provide a safe working environment for the people in your employ. Employers today try a lot harder than they used to in the past to make sure that workers are able to go to work in the morning, know that they can give a full day of work and, at the end of the day, be able to go home and be fairly sure they're not going to be involved in an accident or be diseased as a result of working underground.

So I come from a different perspective.

The mining industry is important to the communities I come from. The city of Timmins is, I would argue, the premier mining area of Ontario. We are currently one of the few communities in Ontario experiencing a little bit of a boom. We've got two other gold mines that are opening up, one just outside of Timmins, Lake Shore Gold, and we've also got Detour Lake, of all places, that is about to go back into production.

Here's a really good story. I was a member of the government when Shelley Martel was Minister of Northern Development and Mines, and did the mine reclamation act. As a result of the mine reclamation act, operating mines have to put money aside so that when the mine shuts down, they're able to reclaim the ground so it looks as close to what it used to prior to the mine being put into production.

I was there when Detour Lake was first opened. In fact, I was one of the people—I'm an electronics technician by trade—who went up to set up the telecommunications system that was at the exploration camp at Detour Lake before there ever was a mine. I was a Steelworker and worked on the organizing drive to organize the workers at Detour Lake, but I was also the MPP who got a chance to work with Detour when they were still in operation, and was the MPP when it was taken out of commission.

Here is the really good story: That mine operated for about 12 to 14 years, and eventually, when it did shut down, the entire site was reclaimed. I've brought Michael Prue and Andrea Horwath and other members on trips up to Moosonee on my plane, and I always make a point of flying over the Detour Lake gold mine and saying, "Can you see the mine?" And they go, "Where? What do you mean? Where's the mine?" I say, "Right underneath us; there's a mine here." And they say, "I can't see it. There's nothing but trees and grass." I say, "Exactly."

The mine reclamation act says that you put money aside and, when you shut down, you take down the buildings, you reclaim the land and you bring it back to what it looked like. If you fly over those sites today, you wouldn't even know there was a mine that operated there, contrary to what we saw at the Kamiskotia mine, the old copper mine up at Kamiskotia Lake, which is just in behind my cottage. We're still having to pay for the environmental disasters—some \$50 million now.

The interesting story is that Detour Lake is going to go back online. In fact, a good friend of mine is going there—I'm not going to mention names—somebody who, we both know, is going to be one of the key principals when it comes to bringing that mine online. But here we are, going through the cycle yet again.

I know that there's a great future for Ontario when it comes to mining. We've had some bumps along the road. I can point a finger at this government when it comes to diamond royalties; I tell you, there were some really upset people in the diamond industry. But Ontario has the best geology and the best people. One of the best places to do business when it comes to operating a mine is here in Ontario, and we should be proud of that.

PETITIONS

SALES TAX

Mr. John Yakabuski: I have a petition signed by hundreds of people. It's appropriate that we bring this in

today, before tomorrow's budget day. It's a petition to "Implement a Sales Tax Holiday for Vehicle Sales.

"To the Legislative Assembly of Ontario:

"Whereas federal and provincial governments have extended billions of dollars of loans to car manufacturers to stave off a financial crisis; and

"Whereas the survival of those companies depends not just on bailouts but on continuing to sell vehicles; and

"Whereas consumers are currently not purchasing vehicles in sufficient numbers to not only ensure jobs in the industry but stimulus for the economy;

"We, the undersigned, petition provincial and federal governments to implement a sales tax holiday on the purchase of new and used cars and trucks."

I support this petition, signed by many, many people in my riding and beyond, and I send it down with Noel.

HOSPITAL FUNDING

Mr. John O'Toole: I'm pleased to present a petition that's actually growing in numbers. This first signature is that of Cecile Bowers, who is very involved with the Legion in my riding. The petition reads as follows:

"Support for Lakeridge Health Bowmanville.

"To the Legislative Assembly of Ontario:

"Whereas the municipality of Clarington passed resolution C-049-09 in support of Lakeridge Health Bowmanville; and

"Whereas area doctors, hospital staff and citizens have raised concerns that Bowmanville's hospital could turn into little more than a site to stabilize and transfer patients for treatment outside the municipality; and

"Whereas Clarington is a growing community of over 80,000 people; and

"Whereas we support the continuation of the Lakeridge Bowmanville site through access to on-site services, including emergency room, internal medicine and general surgery;

"Therefore we, the undersigned, request that the Legislative Assembly of Ontario and the McGuinty government take the necessary actions to fund our hospitals equally and fairly. And furthermore, we request that the clinical services plan of the Central East LHIN—that's the local health integration network—"address the need for the Bowmanville hospital to continue to offer a complete range of services appropriate for the growing community of Clarington."

I'm pleased to sign this and support it and present it to one of the pages, Mark.

PROPERTY TAXATION

M^{me} France Gélinas: I'm glad to present this petition whereby I add 650 names to a petition I have presented already. It goes as follows:

"Whereas 2009 is a reassessment year in the province of Ontario; and

"Whereas the assessments will be phased in over a four-year period from 2009 to 2012; and

“Whereas the assessed values for current value assessments collected as at January 1, 2008, were obtained during years of high real estate activity in the province of Ontario; and

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“Whereas the downturn in the current global economic climate has greatly affected the real estate market, and subsequently, the assessed values in the province of Ontario;

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

“That the Minister of Finance for the province of Ontario roll back assessed values to the base year of January 1, 2005.”

I fully support this petition, will affix my name to it and send it to the clerks' table with page Victoria.

DENTAL CARE

Mr. Lou Rinaldi: I have a petition that provided to me by Pam MacDougall, health promoter from the great municipality of Port Hope. It reads as follows:

“To the Legislative Assembly of Ontario:

“Whereas unresolved oral health problems have a negative impact on a child's growth, development and ability to learn at school, an adult's ability to gain and maintain viable employment, and a senior's ability to eat nutritious foods and socialize with peers; and

“Whereas the consequence of unresolved oral health problems can negatively influence our economy through related medical costs and the compromised employability of people with dental problems; and

“Whereas the Ontario government made a commitment to invest \$135 million over three years in a dental program for low-income Ontarians as part of the provincial poverty reduction strategy; and

“Whereas the Ontario Oral Health Alliance is encouraged by the government's pledge to improve the oral health of Ontarians and reduce poverty in the province;

“We, the undersigned, petition to the Legislative Assembly of Ontario to immediately take the steps necessary to rapidly implement the above-mentioned dental health program for low-income Ontarians.”

I will have page Emily deliver it to the desk.

SALES TAX

Mr. Norm Miller: I have a petition to do with the auto industry sent to me from Bayview Chevrolet Pontiac Buick in Parry Sound. It reads:

“To the Legislative Assembly of Ontario:

“Whereas the auto industry in Ontario and throughout North America is experiencing a major restructuring; and

“Whereas the current economic crisis is affecting the auto manufacturers and the front-line dealerships throughout Ontario; and

“Whereas many potential automobile purchasers are having difficulty accessing credit even at current prices; and

“Whereas a three-month tax holiday of the PST on the purchase of new cars and trucks would stimulate auto sales;

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

“That the government of Ontario implement a three-month PST holiday on new vehicle purchases and that the Ontario Minister of Finance include this PST holiday in the next provincial budget.”

I support this petition.

HOSPITAL FUNDING

Mr. Gerry Martiniuk: “Whereas Cambridge Memorial Hospital and other hospitals in the Waterloo region are experiencing substantial increased demands due to population growth; and

“Whereas the McGuinty government's freeze on new long-term-care facilities has resulted in additional long-term-care patients in our hospitals; and

“Whereas the McGuinty government's cuts to hospital funding have resulted in a dangerous environment for patients and staff in Cambridge and across Ontario; and

“Whereas the approved new expansion of the hospital has been delayed by the McGuinty government and this has contributed to the funding shortfall;

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

“(1) That the McGuinty government meet its obligations to introduce a population-needs-based funding formula for hospitals as has been done in other Canadian provinces;

“(2) That the McGuinty government proceed immediately with the approved new expansion of Cambridge Memorial Hospital.”

As I support this petition, I affix my name thereto.

SOCIAL ASSISTANCE

Mrs. Maria Van Bommel: I have a petition on behalf of residents of Sarnia-Lambton.

“To the Legislative Assembly of Ontario:

“Whereas nutritious food is essential for good health;

“Whereas the county of Lambton's community health services department's 2008 nutritious food basket report shows that food prices have increased 25.6% since 2000;

“Whereas low social assistance rates in Ontario are inadequate to meet the nutritional needs of adults and children;

“Whereas a single person in receipt of Ontario Works only receives \$216 a month for all of their clothing, personal hygiene products, transportation, food and all other basic needs, and a single disabled person in receipt of Ontario disability support program benefits only receives \$566 a month for all of their clothing, personal hygiene products, transportation, food and all other basic needs, including disability related needs; and

“Whereas single and two-parent low-income families cannot afford to nutritiously feed their children or

themselves due to the high cost of healthy food and the high cost of shelter and other basic necessities; and

“Whereas the ill effects of poor nutrition on physical and mental health, learning, growth and development are well documented;

“We, the undersigned, respectfully petition the Legislative Assembly of Ontario to immediately introduce a \$100-per-month healthy food supplement in the spring 2009 budget to be added to the basic needs allowance for all adults receiving social assistance. This supplement will assist as a start in closing the monthly gap of food deficiency, while reducing the negative health effects of poverty.”

Thank you. I'll give it to Daphnée.

WORKPLACE INSURANCE

Mrs. Joyce Savoline: “To the Legislative Assembly of Ontario:

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

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

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

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

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

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

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

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

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

I agree with this petition and I will affix my name thereto and give it to page Sean.

PROTECTION FOR WORKERS

Mr. Mike Colle: I have a petition here in support of Bill 160, the bill to stop the exploitation of vulnerable foreign workers.

“To the Legislative Assembly of Ontario:

“Whereas a number of foreign worker and caregiver recruitment agencies have exploited vulnerable foreign workers; and

“Whereas foreign workers are subject to illegal fees and abuse at the hands of some of these unscrupulous recruiters; and

“Whereas the federal government in Ottawa has failed to protect foreign workers from these abuses; and

“Whereas, in Ontario, the former Conservative government deregulated and eliminated protection for foreign workers; and

“Whereas a great number of foreign workers and caregivers perform outstanding and difficult tasks on a daily basis in their work, with limited protection;

“We, the undersigned, support MPP Mike Colle's Bill, the Caregiver and Foreign Worker Recruitment and Protection Act, 2009, and urge its speedy passage into law.”

I support the foreign workers and affix my name to it.

HOSPITAL FUNDING

Mr. John O'Toole: I'm pleased to present a petition from my riding of Durham. I'm getting so many of these petitions that I certainly am impressed with the support by the community. It reads as follows:

“Whereas the municipality of Clarington passed resolution C-049-09 in support of Lakeridge Health Bowmanville; and

“Whereas area doctors, hospital staff and citizens have raised concerns that Bowmanville's hospital could turn into little more than a site to stabilize and transfer patients for treatment outside the municipality; and

“Whereas Clarington is a growing community of over 80,000; and

“Whereas we support the continuation of the Lakeridge Bowmanville site through access to on-site services, including emergency room, internal medicine and general surgery;

“Therefore we, the undersigned, request that the Legislative Assembly of Ontario and the McGuinty government take the necessary actions to fund our hospitals equally and fairly. And furthermore, we request that the clinical services plan of the Central East LHIN address the need for the Bowmanville hospital to continue to offer a complete range of services appropriate for the growing community of Clarington.”

Laurie Madder is the constituent who is the first signature on this petition.

1550

PUBLIC TRANSIT

Mr. Mike Colle: I have a petition from the good men and women that work with Bob Kinnear and the Amalgamated Transit Union.

“To the Legislative Assembly of Ontario:

“Whereas too many innocent people are being victimized by acts of violence while using public transit; and

“Whereas too many public transit employees are being victimized by acts of violence while working to serve the public; and

“Whereas we need to send a strong message of zero tolerance for violence on public transit; and

“Whereas anyone harming or carrying a weapon on public transit should be dealt with by the full force of the law; and

“Whereas public transit riders and workers have the right to ride and work on public transit free of violence, intimidation and harm;

“We, the undersigned, petition the Legislative Assembly of Ontario to put an end to violence on public transit and protect our workers and support private member’s Bill 151 to crack down on violence and abuse on public transit.”

I support Bob Kinnear and the men and women of the Amalgamated Transit Union of Toronto and I affix my name to it.

PROTECTION OF MINORS

Mr. Martiniuk: “To the Legislative Assembly of Ontario:

“Whereas there is no law in Ontario prohibiting pornography or sexually explicit material from being viewed on computers in public schools and libraries; and

“Whereas there are public schools and public libraries that do not use Internet filtering software on computers that blocks such inappropriate material; and

“Whereas parents in the province of Ontario have the right to ensure their children are protected from pornography and other inappropriate material available on the Internet in their public schools and libraries;

“We, the undersigned, hereby petition the Legislative Assembly of Ontario as follows: That all public schools and libraries in Ontario be required to install Internet filtering software on computers to avoid viewing of sites with inappropriate, explicit sexual content.”

As I support this petition I affix my name thereto.

ORDERS OF THE DAY

POVERTY REDUCTION ACT, 2009

LOI DE 2009 SUR LA RÉDUCTION DE LA PAUVRETÉ

Resuming the debate adjourned on March 24, 2009, on the motion for second reading of Bill 152, An Act respecting a long-term strategy to reduce poverty in Ontario / Projet de loi 152, Loi concernant une stratégie à long terme de réduction de la pauvreté en Ontario.

The Deputy Speaker (Mr. Bruce Crozier): Further debate? The member for Renfrew–Nipissing–Pembroke.

Mr. John Yakabuski: Thank you very much, Mr. Speaker. I frankly didn’t expect to be called upon this quickly for this debate, but as is the case in the Legislative Assembly of Ontario, the motto of the Boy Scouts is, “Be prepared.” Regardless of when that call may come, you have to be prepared to rise and engage as is necessary. So I am doing that as is necessary.

So thank you very much for the opportunity to speak to this bill, and I appreciate the legislative staff for getting me a copy of this on short notice. It’s much appreciated to have this in hand as we debate this legislation. But I must say, I’m not sure what we are really debating. I don’t say that to try to minimize my knowledge of the bill, though it is not as broad and in-depth as that of my colleague Ms. Munro from York Simcoe. I say that because there is not much in this bill. It’s a vacuous bill, an empty bill. To use the term of my colleague with which she so aptly describes it, this bill as being a perfect example of what has become the Liberal way in this government, a perfect example of what she terms as “gesture politics,” which can be described as “the substitution of symbols and empty promises for policy.” That is what we’re getting from this government over and over again.

When you look at the bill, in the very first part, the preamble, this is what it says—and I’ll just slip on my glasses, because the printing is a little small.

Hon. James J. Bradley: Just lengthen your arms.

Mr. John Yakabuski: Some people say they’re long enough.

“The government of Ontario is committed,

“(a) to regular consultations with respect to the strategy;

“(b) to measuring the success of the strategy by setting a target at least every five years and assessing indicators of poverty reduction; and

“(c) to reporting annually on the success of the strategy.”

Well, if that doesn’t speak to the principle of gesture politics, I’m not sure what does. I appreciate my colleague’s acknowledgment on that part.

What are they actually doing about poverty by bringing in this bill? The short answer would be: writing a report. They’re writing a report. Now, people who have been living in poverty are going to find a report—and no pun intended, Mr. Speaker—a little hard to digest. What they’re really looking for is some kind of answer from the government with respect to the situation that they find themselves in. They’re not looking for another report. I’m not suggesting that you can solve problems without dialogue and without consultations, but we’ve been over that ad nauseam for years.

One of the things I’d like to talk about as well, and it’s very unfortunate that this government likes to paint themselves as the friend of the underprivileged—

Mr. John O’Toole: Of everybody.

Mr. John Yakabuski: Oh, yes, that’s true. They would like to paint themselves as the friend of everybody. I thank the member from Durham for pointing out

that very important fact. They want to be everybody's friend, because if you're out there, they'll find a way to buy your silence or your support.

They often go on about what they see as the poor record of the previous government. A couple of things I'd like to point out, and I think this is important: The former government, between 1995 and 2000, took a quarter of a million people out of poverty. Between 1995 and 2000, in the province of Ontario, a quarter of a million people were lifted out of poverty because the government gave them what they needed: hope and opportunity.

Interjections.

Mr. John Yakabuski: Hope and opportunity. They established a Learning, Earning and Parenting program, otherwise known as LEAP. They established breakfast programs, Healthy Babies and early years centres.

We have a record. They have an empty, meaningless, report-writing bill. I think that is an important distinction.

This government talks about helping those people who are the most vulnerable, but what in fact they're doing with the management of the economy that they've embarked on—they've done everything they can do to stifle growth and stifle opportunity because they want you to see them as your guardian and your nursemaid, when in fact what people really want is an opportunity. This government has done everything they can to stifle growth and opportunity in this province by huge tax increases; since they've come into office, we're talking \$2,000 to \$2,500 per family in additional taxes and fees brought in by this government. That's absolutely unacceptable if you are talking about giving people opportunity.

The bill says nothing about what they're going to do to lift people out of poverty, although the previous government had a record of lifting a quarter of a million people out of poverty in a five-year period. This bill is going to do nothing, other than ensure that there'll be more reports written and more discussions. The bill doesn't even direct us as to what will be done with the reports once they're written. Will they simply be collecting dust somewhere or shuffled from one bureaucrat to another, or is there actually a requirement that action be taken as a result of reports that are written? Nothing in this bill would dictate that or would require that at all.

1600

When we're talking about the poorest people in the province, and even people who slip up, who are a little higher up the ladder, they are the ones who are affected most when the government increases fees and costs of essential services. They are the ones who have been hit the hardest, for example, by the health care tax. They are the ones who have been hit hardest by rising energy costs in this province. They are the ones who have been hit hardest by the delisting of services through our medical insurance program. They're the ones who get hit the hardest, and these people on the other side always want to talk to you about how they're trying to help those people who are lower than the high-income earners.

Let's talk about a hydro bill. If you look at a hydro bill and you're making \$250,000, you know what? It's not

really relevant to you. But if you are making \$30,000 and you've got four kids at home, that hydro bill is really important. And this government, because they want to paint themselves as the green government, is going to ensure that those hydro bills are going to go up exponentially over the next 10 years. Who is going to get hit the most? It's going to be those people who have the least discretionary income, because electricity is not a luxury. I like the way my friend Mr. O'Toole from Durham puts it. He says, "You know what? You can call up the cable company and say, 'Shut 'er down. We're not taking the cable anymore,' but you can't shut down the electricity in your home." It's essential. It's absolutely essential to be able to provide light and security to your family. So this government wants to embark upon a program that will ensure that that essential service gets much more expensive for people here in the province of Ontario, and particularly those who can least afford it.

You have to ask yourself why we're even debating this bill. We're basically debating about setting up the rules for the discussions. Would I be correct in putting it that way, I say to my friend, our critic from York-Simcoe? Basically, we're setting up the ground rules for a discussion.

Mrs. Julia Munro: Without any accountability.

Mr. John Yakabuski: No accountability and no action.

I would like to think that this Legislature has more important things to do than talk about the rules surrounding a discussion. I think we need to do some things that actually impact those people who are suffering in Dalton McGuinty's Ontario, some of those 300,000 people who have lost their jobs and are joining the rolls of poverty in the province of Ontario. Contrasting our record of taking people and lifting people off poverty because we gave them opportunity and hope, this government is pushing them into poverty because they have no hope and certainly no opportunities under this government, only a Premier who wrings his hands and says, "This is a blip," or "This is a minor contraction," and "This too shall pass." Well, it's not going to pass unless the government acts to make it pass, and not with bills that speak to talking; we need bills that speak to doing.

I want to talk about the government's proposal or plan, the semi-leaked plan, among other leaks in this budget—

Mrs. Julia Munro: It's a sieve.

Mr. John Yakabuski: It's a sieve; of course it's a sieve. We know these leaks are by design. We certainly understand that. It's all part of this strategy, this gesture politics. They are trying to ensure that people in their stable remain in their stable, and those who are not in their stable enter and stay in the stable. You know, "Come into my parlour," said the spider to the fly. That's what they do to every special-interest group in this province; they're finding a way to try to attract them to the Liberal fold by having some kind of piece of legislation that they can sell to that particular group. It really is politics at its most cynical.

Anyway, on the plan or the suggestion—excuse me; I swallowed a piece of ice there. Almost choked. Don't

everybody clap, because I just said “almost.” The plan to possibly harmonize the sales tax at a time when Ontario’s unemployment rate is leading the country and economists expect that it could go over 10% in the next year: That’s scary. So at a time that these are the prospects for Ontario, this government wants to make sure that if you’re selling your home, you’re going to have to have an energy audit on it. Even if you’re changing tenancies in an apartment building they’re going to have to have energy audits on them. It’s absolutely crazy.

Here’s the list of things that low-income people have to buy. Some of these may seem unimportant, but if you are in a low-income situation, most of your food is prepared at home. Some of these things that are going to be taxed under this plan—and if you do your own baking and make your own bread, baking powder and baking soda are going to be taxed. Diapers: going to be taxed. All kinds of uniforms: going to be taxed. So if you are raising a family—personal care items, hygiene products. If you are raising a family of young children, and some of us in this Legislature are—and some of us are grandparents and some of us are past both points of having infants or children in diapers, whether they’re children or grandchildren. But if you’re in that category, you know how expensive it is to have to pay for those kinds of things. In Dalton McGuinty’s Ontario, in what they purport to be a real commitment to reduce poverty, they’re going to ensure that more of that limited money is going to be spent on essentials such as those kinds of items.

When I go through this list—and my colleague from Nepean–Carleton, Ms. Macleod, had a question on that today in the Legislature. I could go through this whole list, but the reality is, if I go through the list, there’s not enough time on the clock for me to do it, even if I just did them one at a time, but eggs; fish, fresh, frozen, canned, dried, etc.; flour; fruit, fresh, frozen, dried, etc.; fruit juice and fruit drinks; honey; jams and jellies. Those are just the food products. Clothing: coats, jackets, ski jackets, gloves, jeans, slacks, sneakers and sports shoes. If you’ve got kids, you’ve got to put something on their feet. Sweaters, uniforms: Girl Guides, Boy Scouts, hockey, lacrosse.

You really have to ask yourself, and the Premier said in the fall, among some of his other statements—first he was trying to deny that Ontario was in an economic mess, and then he said, “No one would raise taxes during difficult times.” If you’re a consumer, a low-income person, and the Premier does what he’s intimating he may do and the cost of all these goods that were previously not taxed at the provincial level is now taxed, I don’t know how you could view that as anything but raising taxes. That would certainly classify as a broken promise.

1610

I’m not suggesting that the Premier is going to get too worked up about my suggesting he’s breaking a promise, because the fact is, the Premier has never gotten too worked up about breaking a promise. He does that quite

easily. You know, the first time you break a promise, it’s tough. The second time you break a promise, it’s a little easier. It’s just like every other indiscretion.

Hon. James J. Bradley: What should I do with the letter that says you support it?

Mr. John Yakabuski: The Minister of Transportation says he wants to read a letter. I can certainly say he has never seen a letter with my name on it.

Hon. James J. Bradley: But Conservatives—

Mr. John Yakabuski: I’m speaking today, and our party has made it clear that this is not something we support. But I just want to make it very clear to the minister that he is making that up, as so many times he does.

Like any other indiscretion, the more often you do it, the easier it gets. It doesn’t make it right; it doesn’t make it justifiable. It’s just that in your own mind it can become a bit of a habit. So when it comes to breaking promises, unfortunately, the Premier has gotten so good at it that I’m not sure he even recognizes anymore when he breaks a promise. That is regrettable, because the longer he’s in office, it’s just going to get easier. So we’re certainly hopeful that, at the very next opportunity the people of Ontario have, they do not give Dalton McGuinty too much more opportunity to continue to break promises.

I do hope we get some more substantive action, and not more paperwork, on the subject of poverty. It is cynical at best to be putting forward something like this, suggesting that it is going to improve the lot of underprivileged people in this province. Thank you very much.

The Deputy Speaker (Mr. Bruce Crozier): Questions and comments? The member for York–Simcoe.

Mrs. Julia Munro: I just want to add a few comments to those of my colleague. Certainly, I think one of the disappointments in this piece of legislation is the fact that all it requires of the government of the day is to produce an annual report and have a strategy session once every five years. When you know that what people need is the security of a job and the supports in place to provide hope and opportunity, this obviously is something that does nothing like that. Even in terms of the report writing, there is no indication in the bill about with whom the minister must consult, by what time and to what extent. Then, the report required by this bill to come out of this process doesn’t have to be public. There is no indication or responsibility about to whom it might be addressed. It doesn’t mean that a committee of the Legislature could actually review the report; it just says that it must write a report. It’s very hard not to become cynical about the fact that there’s no obligation beyond writing a report after you’ve consulted with an unnamed group of people.

Even the question of the strategy session is interesting. It’s required every five years. Well, as we know, the Legislature is now guided by pre-set election dates, which are, of course, four years apart, so immediately it raises the suspicion of cynicism when you’re looking at the fact that another government comes in and looks at developing a strategy, but it has no specific responsibilities—

The Deputy Speaker (Mr. Bruce Crozier): Thank you. Questions and comments?

The member for Renfrew–Nipissing–Pembroke, you have two minutes to respond.

Mr. John Yakabuski: I thank the member for York–Simcoe for her response or comments on my speech. Clearly she agrees with what we have said, and the absence of any comments from members of the government would imply that they must agree with everything I said as well, so I appreciate that and I appreciate the support on this bill. They all recognize, because they're not rising, that just as I said, this bill is just about printing reports. First of all, the bill itself is just a bit of a report. So it is interesting that members of the government are not standing up to defend this bill, because there's nothing there to defend.

What our critic, the member for York–Simcoe, has said in her address and what we're speaking to today, as well as other things, is that this bill really does nothing. It only requires the government to sit down on a regular basis and chat. Well, we can do that in committee. We can have stakeholder groups come in to address us. We can do that by having special events throughout the province, but this only requires—we're having a piece of legislation that just says, "You must sit down and talk."

Now we're requiring the Legislative Assembly of the province of Ontario to pass a bill, which I know will be passed because the government has a vast majority; it will be passed. We're passing a piece of legislation that just requires of us to sit down on a regular basis and talk about poverty. That's not something that needs to be done by law. That's something we should be doing because we're committed to doing something about it.

The Deputy Speaker (Mr. Bruce Crozier): Further debate?

Mr. John O'Toole: I want to thank my good friend from Renfrew–Nipissing–Pembroke for sort of setting the stage here for what I consider to be some content part of the debate. Anyway, he's always very good at that.

I would say that the important way to start at this bill—it's a very small, innocuous bill and this bill really, I think, is tragic. It's one page because it's done in two official languages. For the viewer today and to put on the record, on my own behalf as well as our party's, in the explanatory notes it tells us basically what it's required to do: to maintain a long-term poverty reduction strategy set out in a report that they issued in December 2008 called *Breaking the Cycle*. Every new or modified long-term poverty reduction strategy is to be based on the principles set out in the bill, and they include the following.

It's really setting up a framework. It's like an empty house; there's nothing in it. It says, "(a) a specific poverty reduction target"; that should be zero. I'm going to give you that right now: It should be zero. So once they're going to extend a consultation, they'll spend more money on coffee and doughnuts in the meetings setting these targets while the people who are starving get nothing.

It says: "(b) initiatives designed to improve the economic and social conditions of persons and families

living in poverty." Tomorrow's the budget. They're going to set out their targets and conditions. What are they going to do? They're going to raise taxes and cut services, period. I don't know. It's hard to believe anything they say.

And "(c) indicators that are linked to the determinants of poverty to measure the success of the strategy": They're going to have some accountability framework. Well, the accountability is, look at the unemployment numbers. Look at the growth in welfare and Ontario Works. The evidence is already there. So I think this is nothing but a sham, really, in terms of the poverty that's in front of us every single day. Each of us in our constituency, we know that this is a real problem.

Finally it says, "The government of Ontario is required to establish a specific poverty reduction target at least every five years."

1620

In all honesty, this bill does very, very little. The evidence will be tomorrow, when you see to what they attribute the loss of over 300,000 manufacturing jobs, and how those families are going to cope. On top of that, the Second Career money—they've announced millions of dollars, and what we heard in one of the questions this morning is that you can't get into the program. It's just not working.

But in my riding of Durham—I want to be clear here. These are real people; I want their names on the record, and I commend them publicly for the work they do. It's my job to listen to and work with them.

These are people who may not actually cast a ballot for me. I'm in hopes that they do, but that's another question. One of them is Peter Utians, who has worked and called and told me and e-mailed me and talked to me relentlessly on this topic. In fact, I believe he tried in get in on the closed-door debates they had on the poverty reduction task force. You couldn't get into them, and if you did, they muscled a few people out of the meetings, because there were NDP members who had an agenda of their own and they kind of walked them out.

Another one is Joan Randall. Ms. Joan Randall is a volunteer who works in the St. Vincent de Paul reuse store, next door to my constituency office—all volunteers, working tirelessly. What do they do there? I've written to the Minister of Finance 15 times—I may be exaggerating; maybe five times. Do you know something? On used clothes and shoes for children, and winter boots, they charge provincial sales tax. Did you know that? In the used stores—members should pay attention to this—Salvation Army, St. Vincent de Paul and others—all volunteers—they pay provincial sales tax. These people who are homeless pay sales tax on used shoes, used snowsuits. I'm not making this up. It's shameful. I've written to the minister, and I could show you five letters where he's refused to review it. That doesn't make any sense.

Here's another one. These are real people I'm bringing to you. Don't get mad at me; I'm just the messenger.

The other one is Heather Beveridge, a wonderful person and, I would say, a person with a huge social

conscience; a social justice person. I think she brings it from a religious persuasion. She's a very kind-hearted person. I've met with her several times. She had the courage to write—a very intelligent woman as well, Heather. She is the chair of North House, which is a group in Uxbridge that looks out for people who are in need—social, economic, emotional; you name it. A wonderful person. They feel like they're being ignored in this, that they're being—I'll get to the bill in a second. I'm giving credit to people who make me do my job more effectively.

Another person—this one is really good—is Mr. Ron Dancey. Some of you may have heard from him. Mr. Dancey is the chair of the Durham committee called Make Poverty History. When I was on the Durham region health and social services committee as a regional councillor some years ago—it seems like yesterday; I've had so much fun here—the fact is, he was the director of social services. He was probably making \$100,000 a year. Now he's the chair of the poverty thing, Make Poverty History. His pension is probably more than I make, but that's a separate debate. I'm not criticizing him. At least he's out there working for people who he knows first-hand are in poverty. These are the people—

Interjection.

Mr. John O'Toole: I'll be sending them to Hansard too. When I use their names, I do send them to Hansard. I do—on the record.

My good friend from the other side—he should be on this side; he is a nice fellow—Wayne Arthurs, from Pickering–Scarborough East: a good gentleman. He's here. It's good to see him here, listening. I think he had the same briefing. This briefing—I give the people credit. They were leaders in the community, and I'm going to talk about it for a moment, because it is so important that we give credit to the people who help us do our jobs effectively.

I did make a suggestion to the two organizers: Wanda Secord, who is the executive director of Durham Children's Aid Society—she is a constituent of mine. I'm not sure if she's a supporter of mine, but, hey, it's not that important. She is a supporter in this respect: She's telling me what's going on. She, along with Dr. Hugh Drouin, who is the current commissioner of social services for the region of Durham, organized a group, and the report that they have put together is entitled *The Unraveling of Ontario's Social Safety Net*. I know the member from Pickering–Scarborough East, Mr. Arthurs, as well as Joe Dickson, the member from Ajax–Pickering, I would expect, briefed them separately from us. I questioned them when they briefed us. Why did they treat us differently? We're here for all the people of Ontario. We may have differences, but I firmly believe that the members in this Legislature are all here for the right reasons.

So I think the stakeholder groups that I just referred to—the meeting we had was on February 27, 2009, and I'm going to give you a bit of background on it, but these groups collectively represent, I think, very important

stakeholders who have a very strong commitment to the objective of eliminating poverty, or to at least dealing with it.

The Canadian Mental Health Association—we know that many street people may have mental health issues; it's been reported by the academics and the specialists in that area. Another one of the groups represented that day was Catholic Family Services of Durham. Mary Wells actually was the person, and she was a very committed person in a general sense for the welfare of mankind, regardless of religion and things like that. The Community Development Council, Durham children's aid, Durham College—in fact, Judy Robinson was there from the college, and she's certainly in the administrative group. Then we had the Durham Regional Police Service. In fact, that day at the meeting we had Police Chief Mike Ewles, a terrific guy dealing with domestic violence and all those things. He gave us some of the context of what people living in stress deal with. We had the Kinark Child and Family Services of Durham, the Oshawa Community Health Centre, which is a new health centre, and I think that's a good thing—the health centres provide a range of collaborative health care, a very important group—and the social service department of the region of Durham, which is headed up by Dr. Hugh Drouin.

These experts in the area talked about this unravelling of Ontario's social safety net—this is their report, and I could supply it to members at their request—the unravelling, the undoing, the vulnerability of the social safety net. Now, who's the government? They like to blame Mike Harris for everything. They've been in power for over five years and they have increased spending by about 30%, maybe 40%, and revenue has been up, and they may even take credit for that. Now they're blaming everybody else, but when it goes up, they take credit; when it goes down, they don't. That doesn't make any sense.

Here's the deal: They've increased spending—one person should start at the beginning here. Are we any better off? Did they save up for a rainy day? No, they didn't. They have spent 'er all and now they have nothing to fix the problem.

Here's what the bill—it's a disguise, and this is the kind of language that I may upset people with because it's the truth. I'm going to list the things that the bill does not do, because it eliminates things they do more than it commits them to doing things.

The bill does not itself reduce poverty in Ontario. Clearly, in our analysis, it creates a bureaucracy for the purpose of establishing strategies. “Coffee and doughnuts, anyone?” at the meetings, and we're talking about poverty. Poverty, homelessness and starvation won't occur at the meetings.

The bill does not penalize the government that fails to meet their targets. There are no penalties here for failing to disclose or failing to meet.

The bill does not provide for external oversight. Why not have some of these groups like the Canadian Mental Health Association, the Community Development Coun-

cil, Durham College; why not have independent stakeholders, some of the constituents like Heather Beveridge or Ron Dancy, who are eminently qualified to monitor and report? Why not? We should all agree with that. I'm in agreement. Let's give the people some hope, especially in these times of economic turmoil. I don't blame all this on Premier McGuinty. What I blame him for is that he has no plan to get out of it. I think they're just sort of standing around waiting to blame Stephen Harper or somebody.

Mr. Mike Colle: It's Mike Harris's fault.

Mr. John O'Toole: Blame Mike Harris or John A. Macdonald. Blame somebody—"It's not me." The buck stops at the top, really. Remember? He may not know what's going on, but he should.

Here's the deal: The bill does not require new targets every five years, despite requiring new strategies. Here's the conundrum: It says in the bill that it requires new strategies every five years as we adjust the economy—it becomes a knowledge-based economy, manufacturing into a transformative economy, financial services etc.—but it doesn't set new targets. Some people are getting left behind. Let's track that.

1630

The bill does not do anything new. The minister already has a mandate to undertake initiatives to support the well-being of Ontarians. All governments, quite frankly, have that. In fact, our major commitment should be looking after those who don't have hope and opportunity.

I think that if you look at the preamble of the bill, it's always a good place to start. Quite frankly, it outlines very, very little. As I said at the beginning of my remarks, it does set three specifics: "(a) a specific poverty reduction target; (b) initiatives designed to improve the economic and social conditions"—we'll see about that tomorrow—and "(c) indicators that are linked to the determinants of poverty...." The determinant of poverty is that you're homeless, you actually have mental health—there are other social connections here that determine it. Often these conditions are a feeling of hopelessness.

In my view—it's not necessarily a religious comment; it's a comment in general—if you lose hope in life, you're morally dead. That's a cruel statement, but if you lose hope, if there's no hope, violence precipitates from this particular angle. When you have no hope, who cares? I cannot help but believe that the most important things in life are hope and dignity.

If you have a sense of being valued in life as an individual, as a human being, regardless of age or gender or cultural background, if you feel valued in society and that there's really no barrier to your entry, whether it's to schools or training or jobs—those are important roles of government, to eliminate those barriers. Creating more bureaucracy and structures may sound good, but you pretty well had to have a graduate degree to complete the first iteration of the application to get into Second Career. It was very comprehensive. I was told by the new

president of Durham College, Don Lovisa, that that was one of the problems with the slow uptake on the first introduction of Second Career.

We could talk longer on this bill, and with your indulgence, I will, but if I get the sign I could leave. I think we're all in agreement about the goal of the bill, the theme of the bill, An Act respecting a long-term strategy to reduce poverty in Ontario. They had the report that I said was issued in December 2008. I had a look at that; I sent it out to stakeholders in my community. I wanted to hear. I sent it to the ministerial association. I sent it out to all the ministerial groups, including some of the service providers I have mentioned, asking for their comments. Now, if they gave me an e-mail or a letter, I can tell you that I would never interfere with or interpret it. I would send it to the minister and let him see what my constituents think, unfiltered and unedited: "Minister, see attached from the north Durham group" or "from Ron Dancy's Make Poverty History campaign."

I still think the minister has talked a lot about it and tries to sound as if they're really the only ones who care. I like to see action. Actions speak louder than words. But in our experience on this side, these strategies often have to come with difficult decisions and responsibility for decisions that may go wrong. It's clear that some of the campaigns they've had out there have worked, some better than others. But some of them have not, and I think they should admit those things and not try to sort of sweep them under the cupboard or under the closet or somewhere out of sight and out of mind.

When I met with these groups, they were talking about what they see right down at the front line of poverty. The number of domestic assaults per day in Durham, according to police Chief Mike Ewles, is 12. They called on the important role of leadership municipally and provincially, and indeed federally, to see that the leadership is aware of this.

The campaign at the United Nations to eliminate child poverty some years ago is at the overarching roof of all of these laudable goals. How have we done as a society? Not very good. In fact, more and more people are being left behind, I believe, and that's a function of government not paying attention to the vulnerable in society.

The importance of having safety in a community when there is a bit of social unrest, as you can go through with an economic downturn: People can become a little desperate in those times, services can be tapped and people can become frustrated, and there can be other manifestations in society.

I'm the municipal affairs critic, and even to the extent that they promised to look at the municipal re-servicing or restructured plan—in that municipal infrastructure review and the financing of it, they tabled a report here, and in it they promise to upload Ontario Works to the provincial level. But the only problem is, it's going to take them about 10 years to do it.

Hon. James J. Bradley: Who downloaded it?

Mr. Mike Colle: Mike Harris.

Mr. John O'Toole: Mr. Speaker, the Minister of Transportation, Mr. Bradley, has directed a question—

Interjection: He does a lot of heckling, doesn't he?

Mr. John O'Toole: He has directed a question, and I think it's important. I put to him that he is asking the wrong question, and I'll tell you why. Social assistance, welfare, now called Ontario Works: If they're so against it, why didn't they cancel it? They talk a great line. The real issue here is this—I wouldn't question; he's a profound member, and I respect the member. I want that to be clear. But quite honestly, social assistance, welfare, Ontario Works was never, ever a provincial program—ever. It started with the churches. If you know history, then you know the future. But it was never, ever a provincial program. It became more and more, up to 50% a provincial program. At one time, it was the churches, then it was the municipalities, and then the provinces were lobbied into taking some responsibility. In fact, I believe firmly that if they'd have done something of any consequence, they would have uploaded Ontario Works. Now, what's the history of that? We can be assured that Ontario Works will be on the agenda every year, including this year, because the numbers are going up in welfare. Now, I don't attribute all the blame to Mr. McGuinty—

The Deputy Speaker (Mr. Bruce Crozier): Thank you.

Mr. John O'Toole: Unanimous consent, Mr. Speaker, to speak for another 15 minutes.

The Deputy Speaker (Mr. Bruce Crozier): The member has asked for unanimous consent to speak for another 15 minutes. I believe I heard a no.

Questions and comments?

Mrs. Julia Munro: I just want to comment briefly on the speech given to us by the member from Durham. I think that being able to look at all of the groups within his own community is a demonstration of his commitment to his community but also an understanding of the fact that these are real people we're talking about and their concerns. It behooves us as a Legislature to be doing something more concrete than this bill allows. This bill allows us to have an annual report, and it doesn't give any indication of support—real support—for people.

The minister has laid out for herself an ambitious target of 91,000 children out of poverty in five years, but I think the member has indicated through his remarks the kinds of challenges that people face and the fact that report writing isn't one of those challenges. It's not one of the answers. So while we have no quarrel with report writing, it does fall short of giving people any kind of concrete idea of the kinds of initiatives that should be undertaken by the government. By the explanations of the problems within the community that my colleague has spoken of, it's clear that we need more than gesture politics.

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The Deputy Speaker (Mr. Bruce Crozier): Questions and comments?

The member for Durham, you have two minutes to respond.

Mr. John O'Toole: I want to thank the member from York-Simcoe and all of the members who were so supportive of my attempt to fill the time here.

I first want to conclude by saying thanks to the people I mentioned by name and by title in the report, especially the groups that I met with—Wanda Secord from children's aid and the authors of *The Unraveling of Ontario's Social Safety Net*.

I think all of us have those stakeholders in our community, not always from churches but often from the social fabric of our communities, who we should listen to, and I hope that they will be listened to when this bill, I hope, goes to committee to be fleshed out in terms of some of the content, or lack of content, in the bill.

I would say that our critic, the member for York-Simcoe, who has just spoken in response, has provided us with a very comprehensive review of the bill, more to the point of what it does not do. What it should do is mandate certain deliverables. These are deliverables so that the people of Ontario who are frustrated by the economy, generally, and their circumstances, specifically, have hope. A leadership would give them hope by setting real, achievable targets and reporting on them on a regular basis—say, during this economic time, every few months. I think that's what's required here.

Specific actions tomorrow might be shown in the budget. I'll give that much leeway to the Premier, that he could, tomorrow, lay all of what I've said aside by showing a genuine commitment in real terms to deliverables in the budget dealing with poverty and housing and other shortfalls in our society. I look for more comments on this bill in the next few minutes.

The Deputy Speaker (Mr. Bruce Crozier): Further debate? Does any other member wish to speak?

Ms. Matthews has moved second reading of Bill 152.

Is it the pleasure of the House that the motion carry? Carried.

Second reading agreed to.

The Deputy Speaker (Mr. Bruce Crozier): Shall the bill be ordered for third reading?

Mr. Mike Colle: No.

The Deputy Speaker (Mr. Bruce Crozier): Where would you like it to go? To which committee would you like it referred?

Hon. Brad Duguid: We'd like it referred to the Standing Committee on Social Policy.

The Deputy Speaker (Mr. Bruce Crozier): So ordered.

TOBACCO DAMAGES
AND HEALTH CARE COSTS
RECOVERY ACT, 2009

LOI DE 2009 SUR LE RECouvreMENT
DU MONTANT DES DOMMAGES
ET DU COÛT DES SOINS DE SANTÉ
IMPUTABLES AU TABAC

Resuming the debate adjourned on March 11, 2009, on the motion for second reading of Bill 155, An Act to

permit the Province to recover damages and health care costs incurred because of tobacco related diseases and to make a complementary amendment to the Limitations Act, 2002 / Projet de loi 155, Loi autorisant la province à recouvrer le montant des dommages et du coût des soins de santé engagés en raison des maladies liées au tabac et à apporter une modification complémentaire à la Loi de 2002 sur la prescription des actions.

The Deputy Speaker (Mr. Bruce Crozier): Further debate? The member for—it used to be Welland.

Mr. Peter Kormos: Welland.

The Deputy Speaker (Mr. Bruce Crozier): Welland, yes; it still is.

Mr. Peter Kormos: Thank you kindly, Speaker.

Mr. John Yakabuski: Wasn't Ellis Morningstar the member for Welland?

Mr. Peter Kormos: Ellis Morningstar was the member for Welland many, many years ago. He sat in this chamber for decades. I remember him well. He was always very generous to me and to my family.

Mr. John Yakabuski: A fairly ample man.

Mr. Peter Kormos: Look, Ellis Morningstar was a large man, and I have great affection for him. He, of course, was succeeded by Mel Swart, who was my mentor and who preceded me here.

New Democrats support this legislation. We expect that it'll pass reasonably promptly. We will let the government decide whether or not it goes to committee, and the government will have to indicate whether or not there are flaws in this bill that have to be addressed by way of amendments at committee. We look forward, if need be, to working with other members of the committee at that stage.

I remember the advocacy of my colleague Shelley Martel from Nickel Belt, who was our long-time health critic, now retired from this assembly, her fight for a tobacco-free Ontario and her work with the government around government legislation that has made some changes around the regulation and control of tobacco. But I tell you, I'm going to operate with this premise right from the get-go: that all of the stuff that's been done so far, all of the money that's been spent and all of the pain that's been suffered by corner stores—because they of course are under strict rules about not being able to market tobacco products, and nobody quarrels with that—have not had a significant impact on tobacco use in this province.

Look, we support this legislation. We supported other anti-tobacco initiatives. Of course we did. I don't say with any joy—I say it with great disappointment—that tobacco use seems to be at a somewhat consistent level.

Let me tell you how I reached that conclusion. I took a look at the government's finance papers, and I saw that in 2004-05, tobacco tax revenue for the province was \$1.453 billion. Since then, of course, we've had strict legislation around marketing tobacco. We've had those power walls taken down in corner stores. We've had huge amounts of education. We've also had a flourishing and growing illegal tobacco trade, and I've read estimates

that up to 46% of tobacco being consumed in Ontario today is illegal tobacco, so that's tobacco upon which no provincial or federal taxes are being paid. Look what we've got for 2008-09: \$1.092 billion in revenue. Almost half of the tobacco, 46%, we're told, is being purchased as illegal tobacco upon which no taxes are being paid. If that were the case, we may even have an increase in tobacco consumption, because at almost 50%, you would expect that if it were stable, you'd have half of \$1.453 billion, right? You'd be down to \$700 million.

Mr. John Yakabuski: Seven or seven and a half or whatever.

Mr. Peter Kormos: So \$700 million or \$750 million. So this news isn't very promising. It's frightening. It's downright scary.

I had occasion to listen to a whole lot of debate over the course of a whole lot of years around the tobacco issue. I'm a recovered smoker, and I was bad. I was as bad and as addicted a smoker as ever could be.

Hon. James J. Bradley: Do you still sneak one here and there?

Mr. Peter Kormos: I have no use for tobacco whatsoever, Mr. Bradley.

Mr. John Yakabuski: I sneak one here and there, but I'm not a smoker.

Interjection.

Mr. Peter Kormos: Mr. Yakabuski comments, and of course the minister responds to him. That'll make a nice Hansard for your children to read.

Look, I understand the addiction. I understand it real good. It took me years and try after try after try to quit smoking, and 30 pounds later, I say with some confidence that I'm less likely than I ever have been before in my life to smoke a cigarette again. I feel good about that.

I'm not even of a generation that can claim to have started smoking before people knew about the dangers. It was in 1964—I was 12 years old—when the Surgeon General of the United States, Dr. Luther L. Terry, released his commission's report dramatically educating North Americans and the whole world about the dangers of tobacco. I was only 12 years old, but there was still a persistent enough presence of tobacco in the pop and commercial world.

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I grew up with two smoking parents. As a matter of fact, my maternal grandparents were tobacco farmers. I was as much a tobacco baby as anybody could be. When I was a very young preschooler, my mother would go back from Welland out to Delhi, Tillsonburg, where her family lived, to the tobacco farm, and I'd be the tobacco baby brought along into the tobacco fields. She did things like suckering. She did things like tying the leaves once they were picked. I remember horse-drawn boats that carried the tobacco to the, usually, women who tied them onto the sticks where the men put them up into the kilns. I was an old man before I learned that they weren't called "kills," because that's what they were called down in the Haldimand-Norfolk area.

Mr. John Yakabuski: Put them in the kills.

Mr. Peter Kormos: Put them in the kilns. But really they're kilns.

You drive along Highway 3, there; you drive down into Toby Barrett's part of the country. There's some very beautiful country past Highway 6. If you take it south on Highway 6, you're going down to Port Dover and the Erie Beach restaurant, with the finest perch short of that, I suppose—paralleled by that—up in Garfield Dunlop's riding. That Erie Beach Hotel perch is the best you can get. You order platters of it till you simply can't eat anymore. But if you go back north—of course by now, when you're down on Highway 6, you're driving past the Nanticoke steel factory as well, the one that's—

Mr. John Yakabuski: Shut down.

Mr. Peter Kormos: Shut down—not employing any more workers.

You keep driving west and you still see some of the kilns, usually with green asphalt paper on the exterior, and you see the remnants of the tobacco farm. Yet, notwithstanding that the tobacco farmer has virtually no market for his product and is being forced to find alternative product to grow and market with very little aid from the federal government and no aid from the provincial government—and the tobacco farmer understands full well that the leaf he was growing, she was growing, wasn't good for the people consuming it—there is just a remarkable market for illegal tobacco.

I had a chance to read a paper called *Contraband Cigarettes in Ontario*, published by the Ontario Tobacco Research Unit in November 2007. So it's a couple of years dated by now. It made reference to the numerous tobacco products that are being sold on First Nation reserves. They're designed to be purchased by members of those reserves and consumed by members of those reserves. We find out that only 2% of the Ontario population, according to this paper, is First Nations, yet almost 50% of tobacco product is coming from the reserves. That means there's a whole lot of non-reserve people smoking that stuff.

A troubling thing about it, from a consumer perspective, is that it's not just tobacco being made by Imperial Tobacco Canada Ltd., Rothmans, Benson and Hedges and so on, to the extent that any of those are still operating. It's numerous brands produced on the reserve with tobacco grown in any number of places—untraceable—including, I suspect, China, with all of the additional toxins that one is likely to find in a Chinese-grown product, and brands, I'm told, like DK and Sago and Putter's and Golden Leaf. I'm told you don't buy these in a carton of cigarettes; you buy them in a big plastic bag, half the size of a garbage bag, 250 or 300 cigarettes at a time. But they're dirt cheap. And who ends up smoking them more often than not?

Look, we know that when you raise the price of cigarettes, it has a direct impact on the amount of cigarettes people smoke. I was hardcore and affluent enough that it didn't stop me, but most smokers, far more rational than I was around the issue, respond to price increases, usually tax increases, by making commitments to quit smoking.

So we know that the more expensive the tobacco product is, the fewer people are going to consume it. The cheaper it is, the more are going to consume it.

For whom is that most important? It's for kids who don't have weekly incomes of any substantial amount. We've seen the data coming from research that's the result of literally doing forays onto school grounds, checking where high school students smoke, picking up the butts, analyzing them and finding out that the vast majority of them are these illegal brands that are dirt, dirt cheap.

Look, down where I live, on Bald Street in Welland, I've got a little corner store. I suppose I'm lucky because I live just one block in from West Main. The corner store we have is Denistoun Variety, logically, because it's on Denistoun Street. The folks who bought that, oh, 30 years ago now, Monica and Tsang Ahn, I've come to know very, very well: Korean folks, hard-working people. I watched them as they came to Welland from another part of Ontario after they had come here from South Korea, and their boy Jay was just a little kid. I watched them work in that corner store 18 and 20 hours a day, as you well know, because they were there first thing in the morning. I went there—it was before computers, so I didn't have a computer in my den for reading the Internet papers—in the morning to get the *Globe* and so on at 6 in the morning, and they'd be there at 11 at night, as hard-working people as you're going to find, and honest—honest as the day is long. You know it. You know exactly the kind of folks I'm talking about.

As a matter of fact, their boy is grown up now. He's studying for a master's degree in film down at the University of Miami. So you know how hard Monica and Tsang Ahn have had to work to send their son Jay down to the University of Miami as a foreign student paying US tuition fees. You know how hard they had to work.

They comply with the law. They've been rigorous about not selling cigarettes to underage kids—really rigorous. They took down their power wall and spent a small fortune on the vault-type wall that we see all over the place now in the back of their store because that's the kind of compliance they have to have. But these people are hurting bad. The corner store, with the advent of Sunday shopping, has been seriously undermined. They have two products that draw people into the store. You know what they are. It's lottery tickets and it's cigarettes.

They, along with the Korean Businessmen's Association, have been pleading with this government and with the federal government to get with it when it comes to enforcing legislation around the illegal cigarettes coming off of reserves. Two reasons: one, it gives the corner store a little bit of breathing room; two, it appears that there's a danger that the vast majority of people smoking those cheap cigarettes off the reserve are youngsters, children.

Just anecdotally, I'm convinced that my generation—which is most of the middle-aged people here—who did smoke have quit smoking. It's not our kids, it's our grandkids now, who are doing the smoking. I say that

just anecdotally. Drive past a high school. Drive past a hangout, a lunch joint where high school kids hang out. It's frightening to still see. It's a rare thing now to see people our age smoking. We look at it as an oddity. We don't even think—in days gone by, somebody would say, "Would you mind if I smoked?" They don't even think of saying that now. We don't have ashtrays in our houses anymore. Yet teenagers are smoking, and I can't come to you with hard data other than the data that's flowed from the people who have done the on-the-ground research picking up cigarette butts around school grounds, and the anecdotal evidence that all of us have endured driving past a high school.

Of course, you can't smoke on high school property; they're across the road. You want to shake these kids. I suppose the most dramatic thing is that it's made me feel like my father. Of course, we all used to assure ourselves that we'd never become like our fathers, right? You want to grab these kids and just shake the daylight out of them, and that's what causes me concern.

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This legislation is very symbolic. The lawyers are going to make a fortune. The class action guys, my friend from down Windsor way, the Bay Street fellows and gals, they're going to be wallowing in taxpayers' money that's going to be financing this lawsuit. Heck, little B series Mercedes-Benzes bought by the OLG—they're not even real Mercedes. Well, they're not. They're pathetic little things. They've got a Mercedes sticker on them. I'd rather drive a Daewoo or a Hyundai, for Pete's sake, before I would ever drive one of those B series Mercedes. They're little junkers.

But this lawsuit will buy more S series—now, that's a Mercedes-Benz. We're talking about the \$160,000 job. This lawsuit will buy more S series Mercedes-Benzes for Bay Street lawyers than you can shake a stick at because, you see, it'll be an endless pit. The funding of it will be an endless pit, and whether or not you ever get judgment remains questionable.

Mr. John Yakabuski: It's optics. They want everybody to think they're suing tobacco.

Mr. Peter Kormos: The purpose of this is to try to emulate the dramatic John Grisham-like lawsuits against American tobacco companies, which were based on class actions by the victims themselves. The government has run out of steam when it comes to its anti-tobacco agenda. It refuses to do anything about the growth and this epidemic of illegal cheap cigarettes, notwithstanding that that right now is probably the single biggest health hazard to young people in this province, their access to these cheap cigarettes. Think about it. It could be the single largest health risk to young people in this province today, yet the government won't move. Rather, we get this kind of stuff that is, as Mr. Yakabuski says, cosmetics, merely symbolic. It's going to cost a fortune to put into action.

Young lawyers will mature, retire and die during the course of these lawsuits. They will have Montblanc pens coming out of their ears. They'll have high-end Prada

handbags thrown all over the place because, when they get tired of the colour, they'll just throw it away. They won't even drive North American-made vehicles, even though—if you want to spend a lot of money on a car and get a good product, go out and buy a Cadillac, a Buick, any number of things. Ask Jim Bradley; he drives a Buick. He's driven one for a good number of years now, a high-end North American car.

The lawyers are going to make a fortune. The government's going to look good and feel good, it thinks. Meanwhile, this legislation will do nothing, not a thing, not a single thing to reduce the consumption, the use of one cigarette by one young person. And that's what I find regrettable.

We've got to take this issue far more seriously. One, we've got to make sure our tobacco farmers, a multi-generational industry, people who've worked hard, the salt of the earth in this province, are properly assisted in their transformation over into other products.

Two, we've got to help the corner stores overcome the plight that they've been put into—the law-abiding corner stores. I say that one of the additional ways of doing this is by increasing the commission they earn on lottery tickets. I don't know why this government and the OLG haven't been more proactive in that regard, understanding that the corner stores need that revenue to survive.

Three, rather than the sort of symbolic stuff that's going to make lawyers rich, and I suppose, at the end of the day, I don't know—there are lawyers here; maybe they deserve to be rich. I suppose if they work the hours and bill them, they should be. But we've got to become really active about ending smoking and the deaths and the injuries caused by it here in the province.

The Deputy Speaker (Mr. Bruce Crozier): Questions and comments?

Further debate?

Mr. Phil McNeely: I'm pleased to speak on Bill 155, An Act to permit the Province to recover damages and health care costs incurred because of tobacco related diseases and to make a complementary amendment to the Limitations Act, 2002.

I'm very pleased to rise in the House to speak to this bill. My experience in politics has been made memorable just with the legislation around tobacco use. I worked with Bob Chiarelli, mayor of Ottawa; Robert Cushman, the medical officer of health, now the CEO of the Champlain LHIN; and Alex Munter, who was the chair of the social services committee and is now the chair of the Youth Services Bureau. We struggled through in 2001 and 2002 to bring in the smoke-free Ottawa bylaw, which, at that time, was certainly a move forward for any city in this province. Now we can see, five or six years later, that—we can talk about not having made much progress; we've made a great deal of progress. You can go into a restaurant or a bar now, a public place, and you don't have to put up with all the second-hand smoke. What a difference. I was in another country just two years ago and waiting in the air terminal, which still allowed smoking at all levels, was just a terrible

experience. So we've come a long way. Just think that maybe 20 years ago you could smoke in an airplane. What a terrible thing to think that you could smoke in an airplane today. So we've made a lot of progress in the anti-smoking area.

I was on the finance and economic affairs committee when we brought in the smoke-free Ontario legislation. I'll always be proud of the amendment brought in before third reading which removed tobacco advertising from retail stores in Ontario. I know that it has been difficult for the small mom-and-pop shops that had to make the changes, but those changes were made for the children. About \$40 million was spent on a yearly basis at that time just in Ontario with the power walls. That's what the merchants got for the power walls which they had in there: \$40 million from the tobacco companies. What was that for? That was to make cigarettes something that our kids would want, trying to recruit new smokers as other smokers died, and to bring people back who had quit smoking. So that whole last bit of advertising was taken out of the stores. That has been a great step forward. We'll see as the years go by that that is reducing the smoking by our children, our youth.

I remember working with Minister Wilkinson and Minister Fonseca at that time, and we went across the province in the hearings. It was a very difficult piece of legislation, but I was very proud on May 31, 2008, when those power walls finally came down—that \$46 million of advertising targeted at youth across this province came out of those stores.

In Ottawa, we had Exposé, and the students ran this organization by themselves. Some 23,000 students signed cards to the Premier of Ontario asking him to get rid of those power walls. About 10 of them came down from schools in my riding, came to Toronto and met with Minister Smitherman. At the end of that day, these students and all the others across Ontario, through their hard work three years ago, were able to convince the politicians at this level. I remember that the NDP was concerned that we were doing it in 2008; they wanted it done right away in 2005 or 2006. But we got to it. That advertising is now out of the stores.

I'm pleased with Bill 155. It's another step in the long process of reducing cigarette smoking. It has been done in other countries. Smoking costs the health care system \$1.6 billion each year in Ontario. That's equivalent to 500,000 hospital days each year. Similar legislation in the US resulted in payments of \$206 billion by 40 tobacco companies to the States. This legislation will allow our government to sue for health care costs that Ontario taxpayers have borne due to the alleged wrongdoing committed by tobacco companies—damages that occurred largely in the past. What were those damages? Well, saying that light cigarettes were safe, things like that; targeting children in their advertising and marketing; conspiring to suppress research on the risks of smoking; conspiring to invalidate the public warnings on the risks of smoking. I think it may be not unlike today when you see ads on television saying “clean coal.” We

know there's no clean coal, but the advertising there comes out and says that. Maybe the actions of the chemical companies with pesticides may be subject to the same type of legislation down the road. It took so many years, 30 or 40 or 50 years, to establish the fact that smoking did cause a lot of health issues. So this is the next step; it's good legislation. It may give work to the lawyers; that's not so bad. But it will certainly go forward in the direction that we want to, as a government. As the Liberal Party, we want to make sure that we take every step possible to reduce smoking in Ontario.

1710

The Acting Speaker (Mr. Lou Rinaldi): Questions and comments? Further debate?

Mr. John O'Toole: Bill 155 is another bill for which I may need a little more time than I am allowed. I'll tell you what it is. The title covers a lot of it; I'll be honest to say that. The title of Bill 155 is An Act to permit the Province to recover damages and health care costs incurred because of tobacco-related diseases and to make a complementary amendment to the Limitations Act—“limitations” meaning, in law, that you can go back in history to extract money from the industry, I suppose, and others associated with it. It could be the small corner store that may have made a few dollars on it. It could be going back and getting all of those people. They've got their hand in your pocket—be forewarned—on this particular bill.

But I think there's really a more substantive discussion that should occur here, and one point that I want to make as I move along through this bill is—pardon me, my throat is hurting. I am waiting for a glass of water. But on Bill 155, which I have previously commented on, one of the things that stuck out in my mind as I looked through—the budget is tomorrow, as you know, and I expect there will be increases, as they have in everything else. They're probably going to increase the tax on tobacco and stuff like that. If they were really serious about dealing with this—and I know they've had a war on tobacco; I get that, they've had a war on tobacco and—

Interjection: Well, whose side are you on in this war?

Mr. John O'Toole: The issue is, as a reformed smoker—I guess we all are, I suppose—I am more adamant than ever. If they want to fix this bill, why don't they just make it a banned substance? Then the people would sit up and listen.

Interjection.

Mr. John O'Toole: No, no. They want it both ways. They're going to talk about all the stuff they're going to do, banning all these things. They've got this fixation with the term “ban,” and it's probably a good idea. But here's the key. In 2004, the revenue in the province of Ontario from tobacco tax was something in the order of \$1.7 billion. That's a considerable amount of money. Now, if you look at the revenue statement—the budget's tomorrow; I've just looked at the recent numbers—it's about \$1.1 billion. Now, the government would interpret this as saying that the revenue is down, and they would attribute that to fewer people smoking. No, no, no, wrong

data. The issue here is the illegal or contraband cigarettes; 50% of all the revenue—and remember, there's about \$600 million less in revenue. This does not equate to fewer smokers. What it equates to is an increase in the underground economy. That \$500 million or \$600 million is available to the McGuinty government today, this afternoon, if they just enforce the laws that exist today. That would go a long way toward smoking cessation programs. On this side of the House, we agree with the stopping of smoking and providing cessation programs and other kinds of education and supports for people who are trying to stop these things.

But the real issue there is that they are going to interpret this revenue decrease as attributed to their program of smoking cessation, or stopping smoking in restaurants, bars and on the street. Then you have the smoking police—they've got them out of the cars now, which is a good idea. Next they're going to be in your house. Next there will be warrantless entry into your home, your apartment. To the people viewing today, they will be coming in because somebody reported you were smoking. Maybe it's a neighbour that you're quarrelling with. Maybe you don't even smoke, but once they come in, you're going to court. Once they come in, you're paying. One way or another, you're in trouble. So if they go too far on this bill, they're going to set the wrong tone.

On the fairness side of it, this week I was in touch with constituents of mine, and my riding of Durham is a great, great agricultural area. It's composed of communities that many people here would know. Certainly in the area of Newcastle, Orono, Hampton, and I would say Enniskillen, and if you go a little bit further northeast you'd certainly be going close to Millbrook—in that area there was quite a pocket of tobacco growing. There's only about three farmers left that still have quota. I was talking to them this week in preparation for speaking on this bill on their behalf.

Now, I should say that one of the families, unfortunately, and God rest his soul—Henry Aiken was the first person who drew this to my attention: quite a successful farm operation, a successful family in the area. He always said that the exit strategy back then was in itself short-changing agriculture, because at one time it was—and still is—a legal product, that they were in fact encouraged to buy quota, equipment, buildings and special kinds of agricultural equipment. How do they exit them? They just changed the rules and put them out of business is what they did. They should have had an exit strategy, about which there were discussions. Our member from Haldimand–Norfolk, Toby Barrett, has done more on this to advocate on their behalf, and Mr. Barrett is not a smoker and never has been. In fact, he worked for the addiction research council, I believe—

Interjection: Foundation.

Mr. John O'Toole: —after he got his master's degree. He's a statistician, I believe, Mr. Barrett. He worked for the addictions federation, I think, in Toronto here as a counsellor against that stuff. But he said the fairness argument is what this is about.

So we are putting on the table one of the first challenges to the Premier and to the minister, Mr. Bentley, the Attorney General: Get the money out of the illegal cigarettes. Let's start with that. It's a low-fruit issue; I get that. Put in the enforcement mechanisms; use the law that exists today and get down to doing your job. There's \$500 million or \$600 million sitting on the table for you to take. That's all you have to do. I can tell you it would go a long way to solving some of the issues we have in the province of Ontario.

What they are doing here is misusing another rule. Now, who's going to make any money out of this if, again—it's important for the viewers; if you would like to call my office, I will send you a copy of the preamble here. This bill here is worth reading. "The act gives the province a direct and distinct action against manufacturers." It says it right in the front. They're going to engage probably a law firm—I won't mention the names of the law firms; it's not a bad word—I would say probably 20 to 25 lawyers. What do they make a year? Probably \$100,000 or \$300,000 a year—maybe more. My son was a lawyer; he was making well over \$100,000.

Interjection.

Mr. John O'Toole: I'm hearing numbers that are bigger now. Listen up, viewers: \$100 million to \$200 million. Where does that money come from? It's actually coming from you, the taxpayer. It'll probably be hidden on page 91 of the budget bill tomorrow, saying, "Oh, by the way, we're setting up this special committee called Lawyers to Fight the Tobacco Manufacturers in Court." They will spend hundreds of millions of dollars hunting down the money, when I told you there's \$600 million on the table now. Enforce the current rules. Help people, especially the young people.

Look at the pages here today. It's such a privilege to work around the young people, but the pages, none of them are smoking, because there are good educational programs today. Very few young people—my five children certainly are not young; they're over 30. But none of them smoke, which is good, and I think the education is something that we should be spending some money on. Where are they going to be spending the money? On the lawyers. It's tragic. It's absolutely tragic that they're going to be using this money to set up this whole new department to collect the money that sometimes will take these companies down.

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"Statistical information and information derived from epidemiological, sociological and other relevant studies is admissible as evidence for the purposes of establishing causation and quantifying damages in an action brought by a person in the person's own name or as a member of a class or by the crown"—that's the key—"in an action" being brought under this act. So we're going to spend a lot of time in court.

I'm very surprised. In this bill, here it says: "The act also changes the rule"—they're always changing the rules—"with respect to limitation periods," which I mentioned before. "It permits an action for damages or

the cost of health care benefits, alleged to have been caused or contributed to by a tobacco-related wrong that was committed at any time....” This goes right back to—

Mr. Gerry Martiniuk: It was 1857.

Mr. John O’Toole: Oh, before that. Actually, George Washington, when he was President—this is a fact from history—made a choice about whether he should have crops of tobacco or crops of hemp. At one time, they were both kind of products in the same category. They chose tobacco—

Mr. Peter Kormos: Hemp doesn’t cause cancer.

Mr. John O’Toole: They chose tobacco—that was George Washington—over hemp. They used the hemp then for the sailboats, to make ropes and that. But it has other uses today. It’s a more popular crop today. They should be concentrating on that crop, which is the marijuana crop. I’ll get to that when I’m finished reading this—“subsection 6(1) of the act comes into force, to be commenced within two years after that subsection comes into force.

“In an action that does not involve the recovery of the cost of health care benefits on an aggregate basis, the court may apportion liability of two or more defendants if certain criteria are met. The act sets out factors for the court to consider in apportioning liability.”

These are setting out the amounts and who’s going to pay. Can you imagine the actuaries and the accountants, the statisticians, the lawyers? Honest to God, it’s what I call red tape by 10.

There is evidence here that we should be collectively doing a lot more to educate the public and to ban the substance as an illegal product.

This is where it comes down to my constituents whom I mentioned earlier, not just the deceased Henry Aiken but another family. They still own about 230—I don’t know; there’s a measurement for the quota. It’s not acres. It’s pounds? No, it would be more than that. Anyway, they have quite a bit of quota which they have not sold. Now, they should be compensated.

The federal government has come across, and this is important for the viewer. We all realize this is bad, so they had to have an exit strategy, and Mr. Barrett was working on that with the government, I believe. And what’s happened? Minister Dombrowsky has walked away from the table and left them hanging by the thumbs.

Here’s what has happened. The federal government ponied up \$300 million as part of an exit strategy for persons, whether they’re in Leamington or my riding—Clarington, Bowmanville, Newcastle and that particular area—to get out of the product. They would pay them off according to their quota holdings, I gather, because these quota holdings were shares, really, units of being able to produce this legal product. You had to have a quota to plant the seeds and to market it. They still have this.

They aren’t growing—I don’t think they grow very much anymore, in my area, certainly, because they’re all bringing it in now from Costa Rica and countries that probably still use DDT. So on the product and the product quality, you’d have to wonder if the government is looking at the right side of this. They’re looking at the

money; I get that part. But is there any clarity that the product is safe?

I mention this because the exit strategy comes down to this: If they don’t want them to get out of it—that’s maybe why they’re not paying them out, but the province is not ponying up five cents. Normally, agricultural support programs are shared programs, by the federal and provincial government. Usually 60% of the money of the exit strategy would come from the federal and 40% would come from the provincial economy, which I think is the fair thing to do. I call on the government to help not just my constituents but the industry to move to producing health products, good-quality food, whether it’s potatoes—because this is usually very sandy soil that they grow tobacco in—or other crops—even to the extent now that I understand some of this land could be used to grow products that could be used to create energy. It’s my understanding that they could grow switch grass and other fibrous materials on this kind of land and those products could be used to create ethanol. In fact, it’s my understanding that the federal government has money in a company in Ottawa called Iogen, which uses fibrous inputs to make ethanol through a process.

So there is a strategy if they’d just give them some money to get back into creating their own opportunities and get out of one and into another product that could be helpful to our environment.

But when you look at this—and it’s in all cases—the real detail is in the preamble of the bill. I explained that they’re just really outlining a method of going after the tobacco producers and others, hopefully not the corner store.

Now, the other exit strategy that I’ve not mentioned is the Ontario Korean Businessmen’s Association. Now, I know all members on the government side are probably just throwing them into the garbage—it’s tragic—ignoring them, because Premier McGuinty has told them, “Don’t get engaged in that stuff. Don’t advocate for them.” But I know on this side we’re getting hundreds and hundreds of e-mails from these small businessmen, often new Canadians. It’s because they’re called the Ontario Korean Businessmen’s—hard-working people. There’s one at the corner, and I spoke to Paul, who runs the little convenience store just next to mine. Basically, they’ve spent a fortune now on these cages or boxes on the walls to hide the cigarettes. That was a previous action by the government. So they’ve taken these little corner stores, who are making pennies—they work seven days a week, 24 hours a day. It’s usually the mom and the pop and maybe their children who are running the things. They’re working their tails off to make a living. This constituted a significant part of their revenue. So I’m going to read on behalf of one of my constituents, Paul, as well as Oh Kim Jeong, who’s from the Port Stop’n Go, which is on Water Street in Port Perry; the other is on King Street in Bowmanville. Generally, the letters all have the same theme.

“Small convenience store businesses are being driven towards bankruptcy.” Oh, no, not more job losses. It’s terrible. What is the government doing here? They’re

spending a fortune on lawyers and the stuff that we talked about, setting up this committee and going to court, court dates, trial dates and scheduling court and court administrators, all making 100 grand or more a year. He says:

"I am an owner of a family business in Ontario. Like all other sectors of the economy, our business is not as good as it once was. There are two main factors that have contributed to the decline of our business. First, since Sunday openings of large supermarkets, our sales have decreased quite a lot. Second, a problem with illegal tobacco; it's out of control and growing in Ontario. It now accounts for 48.6% of the tobacco purchased in the province. This problem is not only a tobacco issue, it's a societal issue that we should be deeply concerned about. Convenience stores like mine are losing \$50,000 to \$100,000 in sales because of illegal tobacco. We are going to lose sales on items that smokers usually buy when they come into the store besides the cigarettes. The Ontario government alone is losing \$1 billion from the untaxed and unregulated products and all the government's anti-smoking measures are being undermined.

"Further, according to the Royal Canadian Mounted Police, over 100 criminal organizations are involved in the trade of illegal tobacco, using the proceeds to fund other activities, such as drugs and illegal guns. Kids can buy these cigarettes for the average price of \$10 a carton compared to the real market price of \$60 to \$80 for legal cigarettes, and they don't ask for identification in those places at all, as we do.

"The purpose of increasing the tax on illegal cigarettes in Ontario is to fund potential buyouts of tobacco farms. This proposal will be counterproductive because it will drive more people to buy the cheaper illegal cigarettes, reward criminals and take more business away from the convenience store and revenue from the government coffers.

"My family has worked very hard to build our business and our store, opening long hours, seven days a week, to serve customers to buy convenience and food.

"The lack of action on the illegal tobacco file by the Ontario McGuinty government is rewarding criminal illegal activity and punishing me as a law-abiding business taxpaying person. I am a responsible retailer. Through the We expect ID program, we ask for identification from any customer who looks under the age of 25. I sell other aggregated products, such as lottery tickets and magazines, and my staff is trained to handle these products in a responsible manner.

"In your upcoming budget, please enact policies to stop illegal trade in tobacco. Instead of giving billions to large corporations, please help convenience store owners, punish criminals, protect our health and recoup the \$1 billion you've lost in tobacco taxes."

This is just the tip of the iceberg. They've got it all wrong here. Everybody on this side agrees: tobacco, cigarettes—not good. The strategy—all bad. I think there's more to be done on this bill. I hope it goes to committee.

The Acting Speaker (Mr. Lou Rinaldi): Questions and comments?

Mr. Mike Colle: This is an attempt, really, to ensure that the billions of dollars that have been heaped upon the people of Canada and really the world—the tobacco companies knowingly did this for decades and decades. They knew. You've all seen the documentaries. You've seen the 60 Minutes documentaries on American television and the Canadian documentaries that basically outline the systematic deception in trying to tell people that cigarette smoking did not cause cancer and that they, in fact, had a plan to addict people to tobacco and hide the facts. As you know, there have been lawsuits all across North America and especially in the States, where money has been recouped, because ultimately what this is about is the incredible devastation to so many human beings as a result of being addicted to this destructive drug that has killed so many people. I know 16,000 people a year die from tobacco-related diseases. These companies were hiding that fact; day after day hiding these facts from people and making billions of dollars selling a killer drug to people. That's what they were doing. And you know what happens: Every time there's an attempt to take on these tobacco companies, to recoup some of these costs, to take care of the incredible health care needs of people, it has been a brick wall. This is an attempt to recoup some of those dollars from these companies that knowingly and willingly deceived the world.

The Acting Speaker (Mr. Lou Rinaldi): Questions and comments.

Mr. Gerry Martiniuk: I'm pleased to comment as usual on my good friend and colleague the member from Durham. He makes some excellent points, and I particularly like him drawing attention to the plight of many of our new immigrants who are operating stores as sole proprietors with their families. I've seen them when they work. They work not 40 hours a week, not 60 but even longer. It takes that kind of time in order to make a living at these stores.

One thing that really strikes me is that many of the people who come to our country and are sole proprietors in these small little variety stores—and I used to smoke, so I spent a lot of time in them up to three or four years ago—come from countries that are ravaged by violence, are lawless, and they've come here because they believed that Canada was a country where the rule of law prevailed. I've always thought so, too. But in the case of illegal cigarettes, that is not true.

This government has allowed and turned a blind eye to the mobs running illegal cigarettes in this country. I don't know why they've done it, but I am really concerned.

So our new immigrants who came to this country, believing in the rule of law and hoping for a better life, see the same type of corruption that they left in their other country. Why? I don't know, but I am concerned. It's a bad example.

The Acting Speaker (Mr. Lou Rinaldi): Questions and comments.

Mr. Shafiq Qaadri: A number of issues have been raised today with regard to tobacco and health. I might, with your indulgence, Mr. Speaker, just bring perhaps a personal and medical perspective to the whole idea of tobacco and tobacco enforcement.

As was mentioned by my honourable colleague from Eglinton–Lawrence, yes, there was a concerted effort by industry to actually talk and entice and lure and perhaps blur the effects of tobacco. Unfortunately, it seems it took an entire generation of individuals to suffer with not only things that we perhaps hear about on a regular basis, things like lung cancer, but also perhaps what's a much more dreaded disease, from my perspective, in that it leads to ongoing chronic suffering, and that of course, as you'll know, is COPD or chronic obstructive pulmonary disease—basically things like emphysema and chronic bronchitis.

I can say that I think it's important for us, as a government, as stewards of the public good, as stewards of public health, to do all that we can to enforce and bring the best practices of health care to this particular domain. Of course, it doesn't only stop at tobacco, although that is the issue of the moment that we're speaking about today. I can tell you, for example, that for individuals who take up smoking, it is, as you know and appreciate, a chemical addiction. The statistics scientifically are that a good, well-inhaled puff of a cigarette actually affects the human brain faster than an intravenous injection of heroin, in something underneath seven seconds. Hopefully, the pages who are looking at me quite alarmed—I'm not sure why. Don't you young people actually try this kind of stuff, because it's extraordinarily addictive. It is a wonderful drug delivery device that was designed at billions of dollars of expense, and any effort that we can make collectively to remedy this and rid society of it is welcome.

The Acting Speaker (Mr. Lou Rinaldi): The member for Durham has two minutes to respond.

Mr. John O'Toole: I certainly could use more time. I thank the member from Eglinton–Lawrence, who's always contributing to the debate. The member from Cambridge, as a reformed smoker, as a lawyer and a person committed to social justice, I'm proud to have him as a friend and a seatmate. The member from Etobicoke North, a doctor—I did listen to what he had to say. He should be the Minister of Health; I am so surprised that he's not. I think he thinks he should be the Minister of Health, too, but that's a whole other debate.

I would say this, though: We're missing the point. The point here is that they're setting up a bureaucratic structure. This isn't about dealing with illegal cigarettes.

For the pages here, who are probably the only ones who are actually listening, you should know this: The federal government under Paul Martin talked about decriminalizing marijuana. "Decriminalizing marijuana" was code language for saying that it's not that bad. Actually, there's a whole argument saying, "Let's go soft on it. You know what I mean? It's okay." It isn't okay. The contradiction is that we're sending all these signals that smoking is bad and we should spend millions of dollars to fight it, and yet at the same time we're saying we should sort of go soft on marijuana. That's an inconsistent argument. These substances are bad for you, period. Take up chewing gum or bubble gum or something. But I'm saying that they're approaching this in a very unproductive manner.

It troubles me to see that we're here for the right reasons, all members of all stripes, and when you look at the bill—I wish I owned the law firm that's going to be doing the work on this, because they'll be in court with Imperial Tobacco, and they'll be charging probably \$1,000 an hour. They'll be talking about this and that and imports and rules. It just doesn't make any sense. Thank you, Mr. Speaker, for the time.

The Acting Speaker (Mr. Lou Rinaldi): The Minister of Natural Resources.

Hon. Donna H. Cansfield: I move adjournment of the debate.

The Acting Speaker (Mr. Lou Rinaldi): The Minister of Natural Resources has moved adjournment of the debate. Is it the pleasure of the House that the motion carry? I hear a no.

All those in favour? All those against?

I think the ayes have it. The motion is carried.

Second reading debate adjourned.

The Acting Speaker (Mr. Lou Rinaldi): Orders of the day.

Hon. Donna H. Cansfield: I move adjournment of the House.

The Acting Speaker (Mr. Lou Rinaldi): Is it the pleasure of the members of the House that the House adjourn? All those in favour? Opposed?

Interjections.

The Acting Speaker (Mr. Lou Rinaldi): All in favour, please say "aye."

All against?

The ayes have it. I declare the motion carried.

I now declare the House adjourned until 9 o'clock tomorrow morning.

The House adjourned at 1741.

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Smith, Hon. / L'hon. Monique M. (LIB)	Nipissing	Minister of Tourism / Ministre du Tourisme Government House Leader / Leader parlementaire du gouvernement
Smitherman, Hon. / L'hon. George (LIB)	Toronto Centre / Toronto-Centre	Deputy Premier / Vice-premier ministre Minister of Energy and Infrastructure / Ministre de l'Énergie et de l'Infrastructure
Sorbara, Greg (LIB)	Vaughan	
Sousa, Charles (LIB)	Mississauga South / Mississauga-Sud	
Sterling, Norman W. (PC)	Carleton–Mississippi Mills	
Tabuns, Peter (NDP)	Toronto–Danforth	
Takhar, Hon. / L'hon. Harinder S. (LIB)	Mississauga–Erindale	Minister of Small Business and Consumer Services / Ministre des Petites Entreprises et des Services aux consommateurs
Van Bommel, Maria (LIB)	Lambton–Kent–Middlesex	
Watson, Hon. / L'hon. Jim (LIB)	Ottawa West–Nepean / Ottawa-Ouest–Nepean	Minister of Municipal Affairs and Housing / Ministre des Affaires municipales et du Logement
Wilkinson, Hon. / L'hon. John (LIB)	Perth–Wellington	Minister of Research and Innovation / Ministre de la Recherche et de l'Innovation
Wilson, Jim (PC)	Simcoe–Grey	Second Deputy Chair of the Committee of the Whole House / Deuxième vice-président du Comité plénier de l'Assemblée législative
Witmer, Elizabeth (PC)	Kitchener–Waterloo	Opposition House Leader / Leader parlementaire de l'opposition officielle Deputy Leader, Official Opposition / Chef adjointe de l'opposition officielle
Wynne, Hon. / L'hon. Kathleen O. (LIB)	Don Valley West / Don Valley-Ouest	Minister of Education / Ministre de l'Éducation
Yakabuski, John (PC)	Renfrew–Nipissing–Pembroke	
Zimmer, David (LIB)	Willowdale	

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Chair / Président: Tim Hudak
Vice-Chair / Vice-président: Garfield Dunlop
Gilles Bisson, Bob Delaney
Garfield Dunlop, Kevin Daniel Flynn
Tim Hudak, Amrit Mangat
Phil McNeely, Yasir Naqvi
John O'Toole
Committee Clerk / Greffière: Sylwia Przewdziecki

**Standing Committee on Finance and Economic Affairs /
Comité permanent des finances et des affaires économiques**

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Vice-Chair / Vice-président: Jean-Marc Lalonde
Sophia Aggelonitis, Ted Arnott
Wayne Arthurs, Toby Barrett
Pat Hoy, Jean-Marc Lalonde
Leeanna Pendergast, Michael Prue
Charles Sousa
Committee Clerk / Greffier: William Short

**Standing Committee on General Government / Comité
permanent des affaires gouvernementales**

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Vice-Chair / Vice-président: Jim Brownell
Robert Bailey, Jim Brownell
Linda Jeffrey, Kuldip Kular
Rosario Marchese, Bill Mauro
Carol Mitchell, David Oraziotti
Joyce Savoline
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**Standing Committee on Government Agencies / Comité
permanent des organismes gouvernementaux**

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Vice-Chair / Vice-présidente: Lisa MacLeod
Michael A. Brown, France Gélinas
Lisa MacLeod, Gerry Martiniuk
Julia Munro, David Ramsay
Lou Rinaldi, Liz Sandals
Maria Van Bommel
Committee Clerk / Greffier: Douglas Arnott

**Standing Committee on Justice Policy / Comité permanent de
la justice**

Chair / Président: Lorenzo Berardinetti
Vice-Chair / Vice-président: Jeff Leal
Lorenzo Berardinetti, Christine Elliott
Peter Kormos, Jeff Leal
Dave Levac, Reza Moridi
Lou Rinaldi, John Yakabuski
David Zimmer
Committee Clerk / Greffière: Susan Sourial

**Standing Committee on the Legislative Assembly / Comité
permanent de l'Assemblée législative**

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Vice-Chair / Vice-président: Kevin Daniel Flynn
Laura Albanese, Bas Balkissoon
Bob Delaney, Joe Dickson
Kevin Daniel Flynn, Sylvia Jones
Norm Miller, Mario Sergio
Peter Tabuns
Committee Clerk / Greffière: Tonia Grannum

**Standing Committee on Public Accounts / Comité permanent
des comptes publics**

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Vice-Chair / Vice-président: Jerry J. Ouellette
Laura Albanese, Ernie Hardeman
Andrea Horwath, Phil McNeely
Jerry J. Ouellette, Liz Sandals
Norman W. Sterling, Maria Van Bommel
David Zimmer
Committee Clerk / Greffier: Katch Koch

**Standing Committee on Regulations and Private Bills / Comité
permanent des règlements et des projets de loi d'intérêt privé**

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Vice-Chair / Vice-président: Paul Miller
Bas Balkissoon, Mike Colle
Rick Johnson, Gerry Martiniuk
Paul Miller, Bill Murdoch
Yasir Naqvi, Michael Prue
Tony Ruprecht, Mario Sergio
Committee Clerk / Greffière: Sylwia Przewdziecki

**Standing Committee on Social Policy / Comité permanent de
la politique sociale**

Chair / Président: Shafiq Qadri
Vice-Chair / Vice-président: Vic Dhillon
Laurel C. Broten, Kim Craitor
Vic Dhillon, Cheri DiNovo
Helena Jaczek, Shafiq Qadri
Khalil Ramal, Peter Shurman
Elizabeth Witmer
Committee Clerk / Greffier: Katch Koch

Select Committee on Elections / Comité spécial des élections

Chair / Président: Greg Sorbara
Howard Hampton, Greg Sorbara
Norman W. Sterling, David Zimmer
Committee Clerk / Greffier: Trevor Day

**Select Committee on Mental Health and Addictions / Comité
spécial de la santé mentale et des dépendances**

Chair / Président: Kevin Daniel Flynn
Vice-Chair / Vice-présidente: Christine Elliott
Bas Balkissoon, Christine Elliott
Kevin Daniel Flynn, France Gélinas
Helena Jaczek, Sylvia Jones
Jeff Leal, Liz Sandals
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