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Wednesday 27 May 2009

Mercredi 27 mai 2009

Speaker
Honourable Steve Peters

Président
L'honorable Steve Peters

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LEGISLATIVE ASSEMBLY OF ONTARIO

Wednesday 27 May 2009

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Mercredi 27 mai 2009

The House met at 0900.

The Speaker (Hon. Steve Peters): Good morning. Please remain standing for the Lord's Prayer, followed by a moment of silence for inner thought and personal reflection.

Prayers.

ORDERS OF THE DAY

APPOINTMENT OF INFORMATION AND PRIVACY COMMISSIONER

Hon. Monique M. Smith: I move that an humble address be presented to the Lieutenant Governor in Council as follows:

"We, Her Majesty's most dutiful and loyal subjects, the Legislative Assembly of the province of Ontario, now assembled, request the reappointment of Ann Cavoukian as the Information and Privacy Commissioner for a term of five years, commencing on July 1, 2009, as provided in section 4 of the Freedom of Information and Protection of Privacy Act, RSO 1990, c.F.31.

"And that the address be engrossed and presented to the Lieutenant Governor in Council by the Speaker."

The Speaker (Hon. Steve Peters): Ms. Smith has moved government notice of motion number 136. Debate?

Hon. Monique M. Smith: It's my privilege today to stand in the House and to move the reappointment of Ann Cavoukian as our Information and Privacy Commissioner.

The role of the Information and Privacy Commissioner, as many in this House know, is set out in three statutes: the Freedom of Information and Protection of Privacy Act, the Municipal Freedom of Information and Protection of Privacy Act, and the Personal Health Information Protection Act. The Information and Privacy Commissioner acts independently of government to uphold and promote open government and the protection of personal privacy.

Under the three acts, the Information and Privacy Commissioner resolves access-to-information appeals and complaints when government or health care practitioners and organizations refuse to grant requests for access or correction, investigates complaints with respect to personal information held by government or health care practitioners and organizations, conducts research into access and privacy issues, comments on proposed

government legislation and programs, and educates the public about Ontario's access and privacy legislation.

In 2008, there were 37,933 information requests of our government and its agencies. Nearly two thirds of the 2008 requests were filed under the Municipal Freedom of Information and Protection of Privacy Act to such organizations as police service boards, municipalities, school boards and health boards.

Since the Information and Privacy Commissioner began emphasizing the importance of quickly responding to freedom-of-information requests, our compliance with the provincial 30-day compliance rate has nearly doubled, climbing to 85%, and I'm particularly proud of our government to reach that level of compliance with the 30-day requirement set out in the legislation.

Today, it's our privilege to confirm the reappointment of Dr. Ann Cavoukian, who is recognized as one of the leading privacy experts in the world. Dr. Cavoukian's leadership has seen her office develop a number of tools and procedures to ensure that privacy is protected in Ontario and around the world. She is Ontario's first Information and Privacy Commissioner to be reappointed. In fact, she began in 1987, during its start-up phase, as its first director of compliance.

In 1990, she was appointed assistant commissioner. Prior to joining the IPC—the Office of the Information and Privacy Commission—Dr. Cavoukian headed the research services branch of the provincial Attorney General. She received her MA and her Ph.D. in psychology from the University of Toronto, where she specialized in criminology and law and lectured on psychology and criminal justice. She has been reappointed once before and, like the Auditor General, she serves as an officer of the Legislature, independent of the government of the day.

In 2007, Dr. Cavoukian received the distinguished Dr. Barbara Wand Award from the Ontario Psychological Association to acknowledge her outstanding work in the area of ethics and professional standards pertaining to privacy and freedom of information.

In November 2006, Dr. Cavoukian was honoured by the Ontario Bar Association for her outstanding contributions to protecting privacy rights in Ontario, her inclusive leadership role in involving both the public and private sectors and her success in promoting understanding of and respect for access to information and privacy rights.

In October 2005, Commissioner Cavoukian was presented with the Privacy Innovation Award at the largest-ever gathering of privacy professionals held by the Inter-

national Association of Privacy Professionals. Dr. Cavoukian and her office were recognized for the development of groundbreaking privacy short notices—a concise and easily understood notice informing individuals of how their personal information is being used. Commissioner Cavoukian, who received the honour on behalf of the office, was honoured when she accepted that award and stated, “To have my office recognized for its innovative work in this field is truly gratifying. I’ve always believed that a practical approach advances privacy the most. Creating privacy notices that are short and easily understood maximizes our effectiveness in reaching the public.”

I believe that’s Dr. Cavoukian’s trademark: She does make it easy for people to understand what their rights are, and she certainly has worked tirelessly to ensure that their rights are protected in the province. It is without hesitation that I move her reappointment to the position of Information and Privacy Commissioner, and I look forward to hearing my colleagues on this topic.

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

Mr. Ted Arnott: I’m very pleased and honoured to have a chance to participate briefly in this debate this morning because it’s always a pleasure to rise and pay tribute to one of Ontario’s outstanding public servants.

The Office of the Information and Privacy Commissioner acts independently of government to uphold and promote open government and the protection of personal privacy. To be effective and accountable, our system of government depends on this kind of openness, transparency and protection of personal privacy. It’s essential, therefore, for Ontario to have a privacy commissioner who offers ample knowledge, strong independence and unfailing integrity. That’s why we in the PC caucus are pleased to know that Ann Cavoukian will continue to serve this province with distinction for what I understand is an unprecedented third term.

Dr. Cavoukian received an MA and a Ph.D. in psychology from the University of Toronto, where she specialized in criminology and law and lectured on psychology and the criminal justice system. Dr. Cavoukian is the published author of two groundbreaking books on privacy, entitled *Who Knows? Safeguarding Your Privacy in a Networked World*, which was published in 1997, and *The Privacy Payoff: How Successful Businesses Build Customer Trust*, which was published in 2002.

Her awards are many. She received the distinguished Dr. Barbara Wand Award from the Ontario Psychological Association, which the government House leader already alluded to. She was named the International Association of Business Communicators’ All-Star speaker. The Ontario Bar Association honoured her outstanding contributions to protecting privacy rights in Ontario. She received the Privacy Innovation Award from the International Association of Privacy Professionals. The list goes on and on. She has been named one of Canada’s top 100 most powerful women.

Dr. Cavoukian has always been a trailblazer. Under her leadership, her office has introduced new tools, technologies and procedures to ensure that Ontarians’ privacy is protected. In doing so, she has made her office more acceptable, responsible and understandable to all of us. When called upon by elected officials or the media, she knows how to distil and explain complex issues of privacy and security in a clear and recognizable way. It is obvious that Ontario is very fortunate to have Ann Cavoukian carry on her service in this critical capacity. On behalf of the Ontario PC caucus, we congratulate the commissioner, and we look forward to continuing to work with her in the coming years.

0910

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

Mr. Peter Kormos: Ms. Cavoukian, should she be listening now or should she read the Hansard down the road, I’m sure will fear she has died—these sound like eulogies—or at the very least that she has retired, and it’s obvious that she has no intention of retiring.

Look, New Democrats share, and certainly don’t dispute, any of the comments about Ms. Cavoukian—a career that has been impressive. But New Democrats do not support this motion here today, and let me tell you why.

First of all, the position of an officer of the assembly is an incredibly important one, and it’s unique because it is not a partisan appointment. The officers of this assembly, in the time that I’ve been here, have served this assembly in that non-partisan role very, very effectively, and as often as not to the chagrin of the government of the day. That’s what they’re supposed to do.

There was a time, not that long ago, when these appointments were made as a result of, oh, a backroom meeting between House leaders. There was a time when reappointments were a matter of course. There was a time when there was very little transparency or public process about these appointments. That has changed considerably and, I say, for the better. It’s something that New Democrats, during the time I have been fortunate enough to be House leader for this caucus, have worked very hard to do: to create consistency from appointment to appointment to ensure that the process that’s used is the same, whether it’s the privacy commissioner or the Integrity Commissioner or the conflict of interest commissioner or any number of people who serve as officers of the assembly—the Environmental Commissioner.

We were encouraged—and in fact, it was during the last Conservative government, the Eves government—that the government acquiesced to a uniform hiring and reappointment process. We were very pleased. We recognize that, as in almost all legislation that provides for the appointment of an officer of the assembly, there is the power of reappointment, and we consider that an appropriate thing. But in this case, section 4 of the act provides for a five-year term. Whether or not that five-year term is an appropriate one is yet another question, and that’s something we’re prepared to discuss, because it’s acknowledged that somebody entering a job, for instance,

Ms. Cavoukian or any other officer of the assembly—the Integrity Commissioner, the Ombudsman—in the first month, year, two years may well find herself or himself acclimatizing or reorganizing. So we don't want terms that are so brief that, by the time they've become proficient at what they do and by the time they have put their imprimatur on the style of that particular office, they're shown the exit door.

We also believe that the reason we provide for terms—of course, any appointed person can be removed by the will of this assembly, so it's not as if they acquire some sort of sinecure. The fixed term is a fixed term, but it can be interrupted, should the assembly no longer wish to have that person serving the assembly.

We think the so-called term limits are very important things. We believe they allow the person appointed to act with an even higher level of impartiality that they assume by virtue of their commitment to the job and their professionalism. We also believe that these types of jobs, these types of roles, should not become long-term roles that exist—there was a clerk here, Mr. Lewis, who ruled this House. He wrote a book about it; he didn't call it "Rule this House," but it seemed he ruled this House for not just decades and scores of years—to some people, for centuries. Everything I've heard about Mr. Lewis has been, by and large, positive—a skilled man. But upon reflection, I think a whole lot of people feel there was a failure in one person occupying that role for such a lengthy period of time.

There are legitimate reasons to have, effectively, term limits when it comes to these types of appointments. There are good reasons why one might want to reappoint, without process, a particular person. One might want to reappoint to cover or bridge a particular period of time, a gap. As I recall, that was the case with our last Integrity Commissioner, Mr. Osborne, where his reappointment was for a period of time shorter than the term, knowing full well that he was going to be leaving and that we didn't have the opportunity to acquire a new Integrity Commissioner—again, we're still waiting. But the process has been working.

New Democrats are adamant that even upon the occasion of a reappointment, unless it's an exceptional circumstance and notwithstanding the stellar capacity of a person who has served that role, there should be the same process. As I say, if five years is an inappropriately short period of time, then let's talk about expanding that. I don't know what it should be. Should it be five, seven, 10 years? That may well be the case. One may want to establish some sort of at least interim permanency to these positions, so that people taking them know they're not going to be shown the door in about five years' time.

New Democrats are very disappointed in that Ms. Cavoukian, upon exhausting her term—we weren't disappointed in that, or in the service. We were disappointed in the government, because rather than agreeing to embark on a process—and the process is pretty clear. You advertise the position, you see who's interested in the job, you vet them—we use the human resources per-

sonnel here at the Legislative Assembly; it's not governmental—and then a tripartite committee. This is a process that has developed over the last relatively short period of time, and the one thing we've always required is unanimity—consensus on the part of all three caucuses—in the selection of a person, and we've been very successful at achieving that. There have been times when one caucus might have been less enthusiastic than the other two, but they've always found ways of working that out and addressing that. In terms of the appointments that have flowed as a result of the process, there has always been unanimity, and I think that's a very healthy thing; it's a very positive thing. If the person in that role is going to serve the Legislative Assembly as a whole, then surely unanimity, as compared to majority rule, is a far healthier means of doing it.

What New Democrats proposed in this instance, as we have in every other one, is that once again there be a process that Ms. Cavoukian be invited to participate in, and she may well find herself reappointed. But that was not the wish of the government. We have no control over the fact that the government brings this sort of motion and will undoubtedly pass it because of its majority. Our opposition to the motion is in no way a reflection upon Ms. Cavoukian. Our opposition to the motion is our concern about the fact that, yes, this is unprecedented. This is a third term, and that is unprecedented. We believe that when the appointment expires, unless there are outstanding circumstances, the process that has worked so well over the recent past should be applied. It's for that reason that we cannot support this motion.

You'll recall that we were in a similar position with respect to the reappointment of Mr. Osborne as Integrity Commissioner. Again, we didn't do it with glee, in terms of opposing that particular motion, because we had the highest regard, and continue to, for Mr. Osborne, now the former and retired Integrity Commissioner. But I tell you, this is a step backwards; it's an unfortunate scenario. I fear—and it could just be sloth, laziness on the part of us here not wanting to embark on that rather arduous exercise of setting up and sitting through interviews and having bureaucratic staff vet people. It could be sloth; I'm not sure. It could be eagerness on the part of some to reward what have been good performances. In the case of Ms. Cavoukian, I can understand that motivation. She has performed well; I don't hesitate in saying that. I've had occasion in this House, as a matter of fact, to express gratitude for her on at least one very significant occasion.

0920

But I say it's wrong for us, for such an important role, to simply reappoint, especially after a person has performed their second term, without looking around us and seeing whether there are other people in our community—our provincial, our national, our international community—who may serve that role equally well and maybe with an entirely different perspective.

Look at what's happened in the Ombudsman's office. We've had stellar Ombudsmen from the very get-go. Although not here when the first Ombudsman was appointed, I was watching that with great interest.

Mr. John Yakabuski: Arthur Maloney.

Mr. Peter Kormos: Former Conservative Arthur Maloney, that's right. As a matter of fact, I watched Arthur Maloney the first time, when he was doing the inquiry into police brutality here in the city of Toronto. I was a student over at York University and I remember coming downtown here to watch Maloney as he was doing that inquiry. It was one of the first times—talk about a gutsy, gutsy, integrous person—that sort of inquiry had ever taken place in a public venue with such zeal, without the police automatically being presumed to be truthful as compared to the non-truthfulness of every complainant. So as I say, I watched Maloney and, my goodness, Clare Lewis, who I was a fan of, again, from many years ago as a very young lawyer.

But I also watched the nature of that office change and transform as each new Ombudsman was appointed, and it was a healthy thing. We now have André Marin, who has brought an exciting new face to that office, and who has left government members shaking their heads in dismay that an Ombudsman could be that zealous in the performance of his role.

Interjection.

Mr. Peter Kormos: Mr. Smitherman responds. It was a modest interjection, and I'm not sure Hansard picked it up. It might best be recorded as a mutter, an incoherent mutter.

So here we are; we have an opportunity now to look around us and see whether there's another person who can perform this role. Ms. Cavoukian may well win in a competition, but in the absence of that process and competition, we are not supporting this motion today.

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

Ms. Smith has moved government notice of motion number 136. Is it the pleasure of the House that the motion carry?

All those in favour, say "aye."

All those opposed, say "nay."

In my opinion, the ayes have it. Carried.

Motion agreed to.

MINING AMENDMENT ACT, 2009

LOI DE 2009 MODIFIANT

LA LOI SUR LES MINES

Resuming the debate adjourned on May 26, 2009, on the motion for second reading of Bill 173, An Act to amend the Mining Act.

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

Mr. John O'Toole: Mr. Speaker, with your indulgence, I'll take a couple of minutes to find my notes on Bill 173. They have been deliberately considered and prepared. With that, I did ask for the opportunity to speak to that, and I'm just in the midst of turning off my electronic device. Very good.

Bill 173, the Mining Act, is an amendment to the existing legislation. Apparently it has been a long time

since this legislation has been reviewed, and I think it's a timely opportunity to review the legislation. Just to sort of familiarize yourself, I know our critic, Mr. Miller, from Parry Sound–Muskoka, was very eloquent in his remarks, as was the member from Haldimand–Norfolk, who spoke last on this. On May 13, the member from Algoma–Manitoulin spoke very well and was here to listen, and I appreciated his remarks.

If you look at the purpose clause, that's probably the best place to start in this bill. There's probably going to be, I would suggest, more hearings. Certainly, my concerns are that the mining association and others want to make sure that the regulations that will be attached to this bill are done on a consulted basis.

The whole process here is about finding a balance. We all know that the resources of Ontario are basically the collective wealth of Ontario. And what I mean by the collective wealth is all of the gold, silver and other resources that are in the ground, and on top of the ground, in fact—the forestry industry. All of those resources, those natural, wonderful and beautiful things that are in our province, including the water and the air, are kind of attached to the quality of life that we've become accustomed to and are the custodians of.

The First Nations people of Ontario want to be consulted and, I guess, to some extent have been consulted, to make sure we get this particular legislation, Bill 173, right. When I say "get it right," this is where the devil is in the details, if I could use that expression. The consultations which led to this, it's my understanding, was through the mining association, First Nations organizations and community leaders.

Really, what you want in this kind of investors was the shareholders themselves—or the mining companies, the exploration companies, and the prospectors and others. All of the stakeholders in this have a different perspective of, if you will, to be really crude, how we get to harvest these resources—"harvest" is a bit of a rough word—and leave the area that we are mining or excavating etc. in as great a condition, as healthy a condition as possible.

All of these things are to find stable investment agreements. It sounds a bit commercial to say that, but investors, whether it's a pension fund that is investing in a diamond mine, or whether it's some other pension fund or a pool of capital that's looking for a good home—there's a lot of money invested in these operations and usually, but not always, a lot of money is made.

Mining stocks were always touted to be one of the higher-risk stocks, because you've got to put a lot of capital investment in before you get five cents out. So you need a stable, clear set of rules for all of the stakeholders. That's very, very important.

The stakeholders here become the most important discussion point, the stakeholders being the landowners. I think there's a really important consideration in this legislation on the property rights issue. There are some clarifications on the property rights, and that's very important.

First, I just want to put on the record this memo that I received from the Ontario Real Estate Association, and

I'm going to read what they say: "May 7... Proposed changes to the Ontario Mining Act will strengthen property rights in Ontario," says the Ontario Real Estate Association (OREA). The government of Ontario introduced Bill 173, the Mining Act Amendment Act, 2009, in the Ontario Legislature last week after "lengthy consultations—pretty much everything I've said.

"The government of Ontario took the time to get Bill 173 right," said OREA president Pauline Auinger. "The proposed changes to the Mining Act are important steps towards stronger, better-defined property rights in our province." It's a quote.

Here are some subtle differences, and I think this is very important to see, when you get into the detail of the legislation, how important the strong words and clarity are for all of the stakeholders, whether it's the prospector or the property owner: "Ontario's realtors are especially encouraged that lands in southern Ontario, where there is a surface rights owner and the mining rights belong to the crown"—that's very important; it's a subtle, micro-level detail there; the resource rights really belong to the crown—"are deemed to be withdrawn from prospecting, staking, sale and lease if the bill becomes law." That's very important. In fact, it's worth repeating. If you look at southern Ontario, that would include my riding of Durham; it would include pretty well everything south of North Bay, really. "[L]ands in southern Ontario, where there is a surface rights owner"—that's me, my property; could be a farmer, could be a large landowner, could be the crown itself that owns that greenbelt area, but here's the key—"and the mining rights belong to the crown, are deemed to be withdrawn from prospecting, staking, sale and lease if the bill becomes law."

0930

It goes on to say, "'Bill 173 reflects the realities of Ontario in the 21st century,' explained Ms. Auinger. 'Home and cottage owners in southern Ontario should be pleased to hear that their property is no [longer] subject to prospecting and mining.'"

This is what we have been hearing about, with the important growth in the nuclear industry: the need to have uranium resources available. They are available in Ontario, and yet there was kind of a rash of prospecting going on, which is a whole issue of how property rights can be impacted without the property owner even being consulted.

"For property owners in northern Ontario, Bill 173 puts restrictions on the types of property that prospectors can enter without permission from the landowner. It also approves the use of map staking." It's very important, map staking, with land formations, geological formations, satellite tracking and coordinates etc. It's quite possible, in the modelling of land formations and potential resources beneath the surface, that a lot of it can be done remotely, through what we would call map staking.

"The new Mining Act encourages more consultation and dialogue between landowners and prospectors.... Traditional methods of prospecting are often destructive to private property. Map staking removes the need to cut

down trees, knock down fences or excavate land when a prospector stakes a claim."

OREA represents 47,000 brokers and salespersons and 42 boards, and it's important—that's just one of the stakeholders, and there are many more as well that have been consulted.

I'm just going to read a couple of these into the record. I think it's important that we, first of all, understand that the opposition, the PC Party under Bob Runciman—or whoever, one of the other four people who are running for leader—would be in support of having a strong economy in Ontario, because the fundamentals of the resources, which are the collective wealth of Ontario, are the current and future wealth and well-being, the standard of living, in the province of Ontario. We would be in support of having reasonable and fair rules so that there is one set of rules and laws and so that we can move forward for the common good of the people of Ontario. That's really, ultimately, what this bill is about.

It has a lot of detail, as I said before; an awful lot of detail. I would say even myself, just to be a modest person, when I first started to take the securities courses in Ontario, I did invest in some of the resource stocks. Right now, in the current economy, if you look at the market itself, I would suspect that one of the safest—if that's the proper word, I suppose—investments today would be in the resources sector. You can invest directly in the commodity itself, either gold or silver or diamonds, or you can invest in a company that's an exploration company or a mining company itself. I think, ultimately, these are rare commodities. As I said before, I became quite interested in the resource sector from that point of view, whether it's oil or gold or other kinds of resources. Again, "buyer beware" is the best way to look at it.

I'm going to go on here and say that the "purpose" clause of the Mining Act is amended to include the statement that mining activities are encouraged "in a manner consistent with the recognition and affirmation of existing aboriginal and treaty rights." This is where you start to get into the—pardon me; I was going to get into the treaty rights. Do you have that treaty right? I'd like to make a reference to it. I think that's very, very important, because the long-standing debate has really been about the rights of the aboriginal people. You've got to go back to the rule of law. Their law, of course, I believe, should be and must be respected in our law. That's where the two conflicting objectives bump into each other.

I'm just going to spend most of the time now on that, the reasonableness and importance of consultation. I think the government has that right. They've set apart from this bill, Bill 173, I think, a \$30-million fund to resolve issues with claims. We saw the important agreement when they had the diamond mine—De Beers, I think it was—in northern Ontario, near Timmins. The diamond mine and the consultation in the development of that mine were worked out within the contract that was signed with the mining company and the rightful owners of the property, the First Nations groups—some agreements. Those agreements have employment and training.

I'm not sure if there is any resource sharing, meaning money sharing, but there's probably some royalty sharing. I think that's important. But here's what's important: When you look at a raw piece of land that may or may not have resources on it or below it—here is a good example of the work done by our member from Haldimand–Norfolk, who takes great interest in the fairness argument for First Nations people. Here's what he has provided me with just this moment, which I heard him read the other day. Here is what was agreed to in the Robinson-Huron Treaty of 1850. I'm going to read this verbatim. It's like a legal document.

“They the said chiefs and principal men, on behalf of their respective tribes or bands, do hereby fully, freely and voluntarily surrender, cede, grant and convey unto Her Majesty, her heirs and successors for ever, all their right, title and interest to, and in the whole of, the territory above described, save and except the reservations set forth in the schedule here unto annexed.

“And further, to allow the said chiefs and their tribes the full and free privilege to hunt over the territory now ceded by them, and to fish in their waters thereof, as they have heretofore been in the habit of doing, saving and excepting such portions of the said territory as may from time to time, be sold or leased to individuals or companies of individuals, and occupied by them with the consent of the provincial government.” You'd need to get a bit of a cobweb untangler to actually interpret those particular treaties.

James Bay Treaty number 9 is another case. I think it's worth putting this on the record because I believe that these agreements must be respected and worked out. It reads as follows—this is James Bay Treaty number 9:

“Whereas the said commissioners have proceeded to negotiate a treaty with the Ojibwa, Cree and other Indians inhabiting the district hereinafter defined and described, and the same has being agreed upon, and concluded by the respective bands at the date mentioned hereunder, the said Indians do hereby cede, release, surrender and yield up to the government of the Dominion of Canada, for His Majesty the King and his successors for ever, all their rights, titles and privileges whatsoever to the lands included....

“And His Majesty the King hereby agrees with the said Indians that they shall have the right to pursue their usual vocations of hunting, trapping and fishing throughout the tract surrendered as heretofore described, subject to such regulations as may from time to time be made by the government of the country, acting under the authority of His Majesty, and saving and excepting such tracts as may be required or taken up from time to time for settlement, mining, lumbering, trading or other purposes.”

0940

They go on, and I guess the point is that these are legal documents. My own humble interpretation is that these laws and languages of the law in themselves were foreign to First Nations, the aboriginal people. As such, they were being almost coerced into making agreements in a language unfamiliar to them and customs unfamiliar to

them. That may not be the case today, but they may indeed still be unfamiliar to them, because they don't own property individually; they own it in common. These are the issues that I have great appreciation for.

You can talk about this bill, Bill 173, which I'm doing. This bill is about 48 pages, and of that it's half French, so it's about 25 pages long. It amends a number of acts—in fact, it amends, I believe, five different acts—and it covers two or three different ministries. Here's the issue: The money made from the property that's held in common or under the name of the crown is money to be shared by all the people for all the purposes of the province of Ontario—health care, education, a justice system available to all of us. It's the duty of the government and, in our case, the Premier of Ontario, in the rights and authorities bestowed upon them constitutionally—which is the law we all obey regardless of our country of origin. I suspect that's the real argument at the end of the day here. The real discussion is, who owns the land, who owns the gold and who gets to share in it? I think we own these things in common, and there are rules and laws that we all must abide by. That may be an oversimplification, but I think this bill sets about the right balance for the right purposes.

I'm just going to conclude, in the last few minutes I have: “Aboriginal consultation would be required for exploration plans and permits for exploration activity, proportionate to the potential impact of the proposed activities.” Later-stage “activities such as advanced exploration and mine development already require aboriginal consultation, through closure plan requirements in the regulations. The bill would make more express reference to aboriginal consultation requirements for closure plans in the act. In making decisions under the act that require consideration of consultation that has occurred, the proposed amendments signal that regard will be had to arrangements made between project proponents and potentially affected aboriginal communities.” Really, what they're saying here is, in every instance, consultation with the aboriginals, if that is the case, must be adhered to in point. How the resources are shared I'm sure will be worked out in individual cases.

“Amendments are proposed with respect to oil, gas and salt solution mining in part IV of the act, which is administered by the Ministry of Natural Resources,” and amendments remove the geographical restrictions of part IV applied province-wide. The duties and powers of inspectors are expanded, including the power to, without a warrant, at any reasonable time, gather information and make inspections as required.

Often I'm finding that a lot of the legislation now under the McGuinty government is kind of skipping over this—without a warrant, you can enter a premises. I start to get troubled with that, whether it's the First Nations or just me at my property.

So there are things here that I want to find the balance to, to get it right. This is a resource issue. We need to work together and make sure that we're being fair with all of the stakeholders.

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

Mr. Toby Barrett: I have questions and comments.

The Deputy Speaker (Mr. Bruce Crozier): I'm sorry; I was looking the other way. The member for Haldimand–Norfolk.

Mr. Toby Barrett: And I'm sure there are other comments in abeyance here.

I appreciate the presentation by the member from Durham. He raises the issue of native treaty history and treaty rights and some of the widespread misconceptions with respect to that. It ties in very closely with the issue of consultation and the duty to consult, which is quite a burning issue with municipalities, certainly along the Grand River. I'm afraid a lot of this is not as clear-cut with respect to this mining legislation as some of the media may leave us to believe.

I referred in earlier debate to correspondence from a concerned prospector, some of his concerns. He sent me an e-mail on May 21. I think everybody received this e-mail: "Did I read the act properly (86.1), in that natives are given the right to veto everything and seize property?" I think of the Platinex issue with KI, and apparently that is an ongoing issue. He goes on to say, "This includes staking, exploring and accessing all mining lands, which includes private property related to mining. This is how the act reads. Will there be any compensation or appeal process? Because the way it reads is, if the natives say no, we have to walk away."

There are similar sentiments that have come forward from the Prospectors and Developers Association of Canada. In their EBR submission they ask for clarity on the issues of consultation and accommodation and they point out the failure of the provincial government to provide the necessary leadership, which can lead to distrust between aboriginal communities and mineral explorers.

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

Mr. John Yakubuski: I don't know that I'm going to have an opportunity to speak to this bill, so I'm going to try in two minutes to get it all in, and I know that's difficult.

The government was encouraged to make changes to the Mining Act because there were some significant issues out there. I would say that on balance not everything is perfect, but in general, I think they've done a pretty positive thing here, certainly for the concerns that were registered in ridings like mine, in Renfrew–Nipissing–Pembroke, and by people in southern Ontario.

We were very concerned about the prospecting of land in southern Ontario with respect to looking for possible subsurface minerals and upsetting property owners who had no idea, quite frankly, that they didn't own the mineral rights. So the provision that mineral rights that are not already under claim would then be ceded to the crown and that the crown would have the subsurface mineral rights, I think, is a positive thing. Of course, the property owners can still apply for those subsurface rights, but prospectors on small tracts of private property

in southern Ontario will not be able to simply go in there and cause the kind of havoc that was happening over the last couple of years. So for people in my area of the province, that's a positive thing for sure, that they can rest assured that their properties are not going to be disturbed in a fashion that they had no understanding they could ever be. So I like that part of it in general.

The act addresses that issue and a number of others. There are issues that maybe aren't properly addressed in it, but that's not what I'm going to be talking about today. I simply want to say, I appreciate what they have done to deal with the problems of property rights in southern Ontario.

The Deputy Speaker (Mr. Bruce Crozier): Questions and commons? The member for Durham, you have two minutes to respond.

Mr. John O'Toole: I do appreciate the comments from the member for Renfrew–Nipissing–Pembroke, and I do hope he gets more time to speak on this and add his comments from his constituents. As well, the member for Haldimand–Norfolk has been very committed to this legislation and getting it right.

I just want to make observations: There were no government members who made any comments during that period, which means maybe they figure it's okay; I don't know. But I do take note that the Minister of Northern Development and Mines is here, Mr. Gravelle, and I have listened to his comments. I believe the consultations will continue with public hearings—it's my understanding—and that's important.

I think we're really just trying to say that these are resource issues. This is the wealth of Ontario. They are issues that are held in common by the people of Ontario. All of us, from every region of the province, enjoy the health care and the education and the justice system and the highways. The Minister of Transportation is here as well. So these are things that we share in common, and the resources, basically, somewhere or other, are our wealth held in common. We need to get this right. We want to make sure that the exploration and development is done in harmony with the environment and our economy, and that would include First Nations as well as people living in condos in Toronto. We're all in it together.

My understanding is that the mining association wants to make sure that the consultations on the regulations are open. There's no such thing as perfection; this is on earth, of course.

At the end of the day, investors need certainty to make those kinds of commitments and they need the opportunity, with risk, to have reward. "No pain, no gain," is the market's old expression. I suspect for landowners like myself—if there was value under my property, somebody has to invest the money to get it, and it's up to the investor to make that decision.

I wish the minister well in—

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

Mr. Gravelle has moved second reading of Bill 173. Is it the pleasure of the House that the motion carry?

All those in favour, say "aye."
 All those opposed, say "nay."
 In my opinion, the ayes have it.
 Call in the members—

Interjection.

The Deputy Speaker (Mr. Bruce Crozier): All right. Pursuant to the standing orders, this vote will be deferred until after question period.

Second reading vote deferred.

The Deputy Speaker (Mr. Bruce Crozier): Orders of the day?

Hon. Michael Gravelle: We have no further government business this morning.

The Deputy Speaker (Mr. Bruce Crozier): There being no further business, this House stands in recess until 10:30 of the clock.

The House recessed from 0952 to 1030.

INTRODUCTION OF VISITORS

Mr. David Zimmer: It is my pleasure to introduce Caroline MacIsaac-Power, who is the registrar of the College of Opticians and the president-elect of CLEAR. CLEAR stands for Council on Licensure, Enforcement and Regulation; it's an international body for the professional regulatory organizations. This is the first time that a Canadian has been elected president of CLEAR. It is a very distinguished body. She will take office in Denver, Colorado, in December 2009.

Mr. Ernie Hardeman: It's a great pleasure to introduce three of the greatest ladies in Ontario, who are visiting us here today: Susan, Anika and Freya Hardeman. The reason that they're here is that Freya and Anika are here to have lunch with their grandfather, who represents the great riding of Oxford county in the province of Ontario.

Hon. John Wilkinson: I want to welcome the students from Arthur Public School who are here today. Particularly, I know that one of their alumni, my good friend the member from Wellington-Halton Hills, Mr. Arnott, is proud to have graduated from Arthur Public School. We're both very proud that they're here today.

Mr. John O'Toole: I'd like to recognize one of my famous constituents, Jim McMillen, who is actually president of the CNE board, celebrating here today. He's also a regional councillor from the municipality of Scugog on the region of Durham council. Welcome to the Legislature.

Mr. Paul Miller: I would like to welcome to Queen's Park Hamilton East-Stoney Creek page Kerala Brendon's family: her parents, Brenda and David Brendon; and her grandparents, Joan Brendon and John and Evelyn Hough. Welcome.

Hon. Monique M. Smith: I'd like to welcome David Bednar, who's the general manager of the Canadian National Exhibition, and Jim McMillen, who has already been introduced, the president. The CNE opens this year

on August 21, and I know that everyone is going to join us. Let's go to the Ex.

The Speaker (Hon. Steve Peters): Visiting Queen's Park today, we have guests from the Canadian Hearing Society, who are here for an all-party hearing-access awareness reception to celebrate May as Hearing Awareness Month. The reception is happening this evening in room 228. We welcome them.

Mr. Mario Sergio: Page Alexander Singh is from my riding, which is an honour. I wish him well in his stay here at Queen's Park, and I'm looking forward to a wonderful lunch with page Alexander Singh today. Again, I welcome him in Parliament here.

ORAL QUESTIONS

TVONTARIO

Mr. Robert W. Runciman: My question is for the Premier. Given the rhetoric we hear in this place on a daily basis, we have to assume the Premier appreciates the financial challenges facing the province. His government is running a record deficit and thousands of Ontarians have lost their jobs. Premier, in this economic climate—

Interjections.

Mr. Robert W. Runciman: I guess the idea of a deficit is a joke to most of the folks sitting over there—a record deficit.

Premier, in this economic climate, how can you allow a downsized government agency, TVO, to increase the number of staff earning over \$100,000 a year by 30%?

Hon. Dalton McGuinty: Let me just say at the outset that we are very much seized of the magnitude of the financial challenges before us, just as Ontario families are making adjustments, just as our businesses are making adjustments. We will do everything we can to reflect those concerns and to give expression to Ontario values. Obviously, they want us to act responsibly. They want us to manage our finances in a way that's in keeping with what they would have us do. I think we've demonstrated that on a number of fronts in terms of the constraints that we have put in place and in terms of the budget that we recently presented in this Legislature. I look forward to hearing a few more details from my colleague in the supplementary.

The Speaker (Hon. Steve Peters): Supplementary?

Mr. Robert W. Runciman: The only adjustment at TVO has been upward. There's a good column in the Toronto Sun today about the Premier and his colleagues trying to distance themselves from decisions and responsibilities they have as a government.

The overburdened taxpayers of the province feed TVO approximately \$45 million a year—tax dollars. TVO's answer to the financial challenges of the province was to close its Queen's Park bureau while keeping its Parliament Hill office open and to dramatically increase the

salaries of fat-cat executives. The CEO, who is your political appointee, Premier, makes more than double the salary of her predecessor. Premier, do you take any responsibility for this agency's abuse of hard-earned tax dollars?

Hon. Dalton McGuinty: To the Minister of Education.

Hon. Kathleen O. Wynne: I just want to say off the top that I and this government have every confidence in Lisa de Wilde as the CEO of TVO. She has done a fantastic job. Under her watch, 85% of Ontarians tuned in to TVO last season. That's over 10 million people aged two and up. The point is that TVO is providing a service across this province to some of our youngest citizens. They're providing a non-commercial, educational experience of television, and that is incredibly valuable.

Ontarians pay less than \$3 a person per annum for TVO. In terms of value for money, we are getting very, very great service.

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

Mr. Robert W. Runciman: To be polite, that response was what could be described as abuse of the airwaves. There was nothing there to deal with the issue related to the fat-cat salaries at TVO. These are tax dollars we're talking about, Minister. Why are they getting these fat-cat increases while the rest of Ontarians are suffering and struggling to make ends meet, while you're taxing them to death? In fact, you're even taxing them at death.

I think that you have some responsibility here. Private broadcasters are downsizing. We see what's happening at the gallery here at Queen's Park. But here, your agency, funded by taxpayers' dollars, is increasing by 30% the number of staff earning over \$100,000 a year. Minister, you have a responsibility. You have a fiduciary responsibility to the taxpayers of this province. Stand up and justify that, or take action to remedy it.

Hon. Kathleen O. Wynne: The way that this can be justified is that this public broadcaster, TVO, is providing an educational service across this province, whether we're talking about the news analysis that is delivered through programs like *The Agenda* or whether we're talking about the educational programming that is provided to our young people or the independent learning service that allows people from around the province, adult learners, to upgrade, to get credits that they haven't been able to get otherwise.

The salary that is paid to the CEO is part of the overall cost of TVO, which is, as I said, \$3 per citizen for the cost of TVO to Ontario. I think that for value for service, dollar for dollar, Ontarians are getting a very good service through TVO.

TAXATION

Mr. Robert W. Runciman: That's a familiar scenario: Protect Liberals at all costs—in this case, \$44 million of taxpayers' money.

Back to the Premier: Premier, as more and more Ontarians become aware of the implications of the new McGuinty sales tax, concern is growing. That's reflected in recent public opinion polls showing that almost 70% of Ontarians oppose this new Liberal tax grab, Premier.

You're the man bringing in this massive and wide-reaching tax; you should know what the impacts are on hard-working Ontarians. Premier, can you advise us—my colleague asked you this earlier this week, and we'll try it again—of the impact your new tax will have on common fees and other expenses for people owning and renting condominiums?

1040

Hon. Dalton McGuinty: To the Minister of Finance.

Hon. Dwight Duncan: What we can say is that overall, 93% of Ontarians will experience a tax cut. The member simply cannot ignore the entire tax package. We have personal tax cuts; we have corporate tax cuts; we have tax cuts that will see that 93% of Ontarians will see a decrease in their taxes.

These are difficult and challenging times, and as the member opposite expressed the day after the budget, he and his party do support this in principle. In times like this, it is incumbent on governments to take the kinds of decisions we're taking. In the short and long term, our economy will be more competitive. Ontarians will see: When the world economy begins to pick up, Ontario will be bigger, better and stronger and better prepared to benefit from a growing world economy.

The Speaker (Hon. Steve Peters): Supplementary?

Mr. Robert W. Runciman: The Premier should be embarrassed. He can't or won't answer questions about abuse of taxpayers' dollars. He can't or won't answer questions about specific impacts of this new massive tax he's imposing on Ontarians.

I want to ask the minister—we have to go back to him, clearly; the Premier is not going to answer this: Why do you and your sheep-like backbenchers who won't stand up for their constituents think it's just fine and dandy to tax funerals, including prepaid funerals? Apparently, you're even contemplating applying this tax retroactively.

Minister, in light of your Premier not being aware of the impacts, can you try to tell us what impact this new tax on funerals, prepaid funerals as well, will have on the average cost of a funeral in this province?

Hon. Dwight Duncan: What I can say is that in terms of prepaid funerals it is our intention that they will not be affected by the tax, subject to concurrence by the federal government through the Canada Revenue Agency on the transition rules.

The Premier of Ontario has laid out a plan to get this economy moving. He has laid out a plan that cuts taxes for individuals, cuts taxes for small businesses and cuts taxes for large businesses. Most importantly, the compassion side is part of that budget, too, to help low-income Ontarians through these difficult times, to make our system fairer and better, to invest in health care and invest in Ontario.

The member in the House who doesn't seem to be consistent in his view is the member who asked the question, who said on March 24, "I think ... our party is supportive of harmonization." What has happened? What has happened—

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

Mr. Robert W. Runciman: I don't think we've heard any answers to specific questions related to the impacts of this new tax. When you have a government responsible for the largest tax increase in the province's history that cannot get up and answer specific questions about impacts, that is shameful. That is indeed shameful. There's no question about it.

I'll ask you another specific question. I had a letter from a lady in my riding about small organizations—

Interjections.

Mr. Robert W. Runciman: This is a big joke to them. Billions and billions of tax dollars being imposed on the shoulders of struggling Ontarians, and all that crowd over there can do is laugh about it. They should be ashamed. They don't have any answers; they don't know what the impacts are going to be. They are a shameful bunch, and their backbenchers are a bunch of yellow—

Interjections.

Mr. Robert W. Runciman: —whatever—who will not stand up for their constituents.

Let's talk about the non-profit sector here—

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

Hon. Dwight Duncan: What's unfortunate is that the member would characterize an enormous tax cut as a tax increase. That's unfortunate.

To be specific, yes, the tax will apply to some things that aren't covered, and everybody knows that; it's well understood. But I think most Ontarians are looking to governments to take decisive steps to make sure that our tax system is the most competitive in the world. That's why Mr. Flaherty and the federal government have been so supportive of this. That's why the C.D. Howe Institute, the Toronto-Dominion Bank, a range of social groups, have been so supportive of this.

Is it a difficult decision? Yes, it is. That's what leadership is about; that's what Premier McGuinty is about.

This is the right policy for Ontario, for our future, for jobs, for all Ontarians—a tax cut that everyone will—

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

GASOLINE PRICES

Ms. Andrea Horwath: My question is to the Premier. Gas prices are surging across Ontario. In the last week alone, prices at the pump have shot up by 4.7 cents a litre in Thunder Bay, 3.5 cents a litre in Toronto, 3.2 cents a litre in Ottawa, and 1.5 cents a litre in Windsor. For many Ontario families, there is no choice but to drive to work and drive the kids to soccer and to Little League throughout the summer. The McGuinty Liberals' HST plan will tack 8% more on to the price of gas, amplifying

these gas pump shocks. Why is the Premier raising the price at the pump?

Hon. Dalton McGuinty: I appreciate the question.

Again, I think it's important to take a step back and take a look at the entirety of the proposal that we've put before the people of Ontario. The comprehensiveness of our plan, when it comes to what's going to happen to families—to state again what the Minister of Finance just did: 93% of Ontarians will get a permanent income tax cut. We're also making sure that the single sales tax does not apply to items that are especially important to our families, like diapers, children's clothing, infant car seats and books.

We also know that one of the most important demands of our families is to make sure that there are enough jobs there for mums and dads, and later on for their kids. They want us to make sure that our economy is competitive with those around the world. One hundred and thirty other countries already give their businesses the advantages that they enjoy in a harmonized sales tax system—a single sales tax. We need to get there in Ontario, and that's what we're doing.

The Speaker (Hon. Steve Peters): Supplementary?

Ms. Andrea Horwath: After a five-cent increase last week, it's now \$1.02 to fill up a car on the way to work in Sault Ste. Marie or Sudbury. The 8% tax hike is going to push the price up to about \$1.10 a litre. That adds up quickly, especially for many Ontario families who are seeing joblessness, fewer hours at work or lower pay.

Why is the Premier raising the tax on gas at the pump, and does the Premier really believe that this is the time to be hitting consumers with higher costs?

Hon. Dalton McGuinty: Again, just so my colleague can help spread this message on our behalf, this doesn't take effect until July 1 of next year. It is accompanied by 93% of Ontarians enjoying an income tax cut. It is accompanied by businesses, both small and large, enjoying reductions in their costs.

It does put us on a more competitive footing. Our manufacturing and forestry sectors in particular, which are struggling with the cost of their exports—this will reduce those costs, which will make them more competitive so they can create more jobs, so more mums and dads can get work and support their families. I know that my colleague would support that.

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

Ms. Andrea Horwath: It's not just gas at the pump; it's heating oil and it's even propane. The summer barbecue is going to be more expensive because of the HST. The average Ontario family is going to be hammered with \$330 more just for home heating and utility costs.

Why won't this Premier admit that the HST will make life harder for Ontarians?

Hon. Dalton McGuinty: Again, my colleague is just looking at one particular measure, and she has yet to factor into her thinking the fact that 93% of Ontarians will enjoy a tax cut. I don't think she has looked at the other dimensions of our budget; for example, dramatic-

ally increasing the Ontario child benefit for kids who are growing up in poverty, building more affordable housing, investing in better-quality health care services for all our families, investing in better educational opportunities for all our children.

Here's something that came from Adam Spence who's with the Ontario Association of Food Banks: "I think this government took important steps in this budget. It's going to put money in people's pockets and a roof over their heads."

Again, we have tried to be thoughtful and balanced to build a more competitive and a more caring Ontario.

1050

PENSION PLANS

Ms. Andrea Horwath: My next question is also to the Premier. Under a deal worked out between GM and the CAW, workers made extraordinary sacrifices to maintain the company's viability. Pension benefits are going to be frozen at current rates until 2015 and new GM hires will contribute \$1 an hour towards the pension plan for the first time in CAW history. Finally, each worker is going to have to divert a \$3,500 lump sum vacation clawback payment towards the pension plan.

In light of these extraordinary concessions by GM workers, will this government ensure that the financial assistance package negotiated with GM includes ironclad guarantees that the workers get every last pension penny that's owed to them?

Hon. Dalton McGuinty: First of all, I want to support the sentiment expressed by my colleague. The CAW has done something absolutely remarkable: In the last year alone, they've negotiated three separate collective agreements with GM, and they've made significant concessions every time. I understand that, I recognize that and I respect that.

Now, in fairness to Ontario taxpayers, they're also being called upon to make significant concessions as well—not to put more money into their hospitals or health care but to put more money in a private sector venture, General Motors of Canada. We think we have a responsibility to do that. That's why we've remained at the table. We're working with the federal government and the government in Washington to see what we can do to put GM on a sound footing. Those negotiations are continuing.

The Speaker (Hon. Steve Peters): Supplementary?

Ms. Andrea Horwath: I'm asking a very, very specific question here. There's confusion over what role this government is playing to ensure that GM pensions are protected. One day the Premier says the province won't contribute financially to protect pensions, and the next day he hints that the province may contribute to the solvency of the plan.

My question is, which is it? In return for a \$2-billion investment from Ontario taxpayers, will this government insist on ironclad guarantees that GM will adequately fund its pension plan?

Hon. Dalton McGuinty: I think what I said was that there's no money to put into the pension benefits guarantee fund. I think I also said that we have both a political and a moral responsibility to help out employees, including pensioners with GM. I think I've said that in the past.

There are some legacy costs that remain very real for General Motors, and unless there is a way found to address those, including pension issues, then GM will not survive. It's as simple as that. That would mean that the single most important employer in Oshawa, Ingersoll and St. Catharines would go under. It would mean that parts suppliers from Belleville to Barrie to Windsor would be affected.

So what's at stake is a great deal, and that's why we're continuing these negotiations in earnest. We're doing everything we can to come to some accommodation that respects the interests of the pensioners, taxpayers, General Motors and Ontarians in a stronger auto sector in our province.

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

Ms. Andrea Horwath: Here's what New Democrats believe: Before one more taxpayer penny flows to GM, there needs to be an ironclad guarantee forcing GM to adequately fund its pension plan. Workers didn't cause the problem. I would agree with the Premier there, but they've agreed to play their own part and keep that plant solvent. Taxpayers didn't cause the problem at GM, but they are being asked to fork over billions of dollars to keep that company alive.

It's a very simple question: Will there be ironclad guarantees written into any financial agreement between the province and GM to ensure the company meets all of its pension obligations?

Hon. Dalton McGuinty: We've always maintained that the best way to protect pensioners and pensions is to rescue General Motors and put it on a solid footing, and that remains our principal objective.

When it comes to guarantees, the single most significant guarantee that we are looking for here is a guarantee of production. We want to maintain production levels in the province of Ontario. What that translates into in terms of job numbers is difficult to say, but that's our foothold. We want to preserve that capacity because that's something on which we can build going forward.

I know that my colleague has a sincere interest in these matters. What I can tell her is that we remain at the table. We're working diligently, and I remain confident that we'll come to some accommodation that will respect the interests of taxpayers, workers and pensioners at GM.

SCHOOL TRANSPORTATION FUNDING

Mr. Ted Arnott: My question is for the Minister of Education. Will the minister inform the House what she thinks is a reasonable walking distance for students to walk to school in communities where neither busing or public transit is available?

Hon. Kathleen O. Wynne: I know the member opposite is referring to decisions that are being made in local communities about transportation that is offered to students. What we have to do in every board around the community is look at the particular circumstances, the particular geography. I know that in the member's riding there is a discussion between the community and the board at the moment because some of the rules are being changed around who can be picked up and who cannot be picked up.

What we know is that transportation consortia have been formed in boards around the province to maximize the opportunities for kids to get busing, but at the same time to make those routes the most efficient and effective possible. So I'm going to leave those decisions to the local boards and to the transportation consortia because they are the ones who know the community and they are the ones that can provide the services to the students.

The Speaker (Hon. Steve Peters): Supplementary?

Mr. Ted Arnott: The parents know the community too. I'm going to have to get three pages to deliver the letters over to the minister here. Thank you very much.

There are over 1,000 letters, all from families in Georgetown with students facing long walks of up to two hours per day. They have no public transit option. Despite what the minister would lead us to believe, this problem did not originate with the school board. It originated in the Mowat Block in the minister's office. I warned the minister about this problem over two months ago and have written and spoken to her on many other occasions. I've told her that our school board needed prompt reassurance that their bus funding would not be cut if they continued to bus students from Georgetown South.

Having failed to do so, will she at least meet in person with the mayor of Halton Hills, which she so far has declined to do?

Hon. Kathleen O. Wynne: The member opposite a couple of days ago showed me these letters and I said I was happy to take them to my office and to make response to the board, and I am happy to do that. My ministry officials have been in conversation with the officials at the board.

The fact is that the board is in the process of changing some of the consortia, in the process of changing some of the rules. When sometimes there was what is called courtesy busing, when students who are actually outside the walking area were getting transportation, now the board is saying, "You know what? We have to make sure that all the kids who are being bused to the school fall within the distances." At some point boards have to say, "These are the distances within which we'll bus, and outside of those distances, we are not going to be busing kids to school." That's happening in every board around the province. It's only rational that there would be those kinds of limits.

I'm absolutely open to speaking to anyone who has a concern.

GO TRANSIT

Mr. Peter Tabuns: My question is for the Premier. Today we're reading about yet another study about whether to electrify GO Transit lines. It doesn't take another study to tell you that electrifying GO Transit lines is good for the air, good for the economy and good for the people who live near those lines.

More than eight years ago the Toronto Board of Trade called for electrification of those lines. Two years ago this government committed to electrifying the Lake Shore GO line. Instead of waiting for another report, why don't you simply proceed to electrify the GO network—proceed now?

Hon. Dalton McGuinty: To the Minister of Transportation.

Hon. James J. Bradley: As the member would know, the Metrolinx organization, which deals with these matters, has made a decision to indicate that it would be involved in a study of electrification of the lines that he's making reference to and that it would be a very extensive study to determine what the needs would be, for instance, and what the priorities would be in terms of that particular study and to involve as wide a group as possible in that study to determine the timetable for moving forward with projects, what exactly would be implied by having electrification in terms of what new lines would have to go in, what new stations would have to be put up in terms of electrification of stations. They want to do a very thorough job on that, and I think the member—

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

1100

Mr. Peter Tabuns: I appreciate the skill of the minister in circling around an answer, but what I want to go to is this: Minister, you know that we need to have electrification of these lines. You know that on the Georgetown line, there are hundreds of thousands of residents and thousands of children who want a network that will be clean and that will not contribute to pollution in their area. They are ready for electrification. You're in a position to move that forward. Why are you dragging your feet and why are Metrolinx and GO dragging their feet? Why don't you tell them to proceed with the planning for installation and get it happening now?

Hon. James J. Bradley: If I can identify one portion of that, and I want to make sure that I identify that one portion, the member asked why I don't get started with the planning immediately. That's exactly what's happening by having this study: getting involved with the planning immediately.

The Georgetown South service expansion includes an air-rail link, as you know, from Union Station to Pearson. It's a priority in the Metrolinx regional plan. I understand that Metrolinx is taking extra care on the Georgetown line expansion, for instance, to make sure it will be capable of supporting the electrification of this line in the future.

All structures, bridges, grade separations and so on will be designed and constructed to meet the greater

height requirements for electrification. Track spacing is being designed to allow for the foundations and columns required, and signal systems are being upgraded to allow for an electrified train system.

PUBLIC TRANSIT

Mrs. Laura Albanese: My question is for the Minister of Transportation. On a number of occasions I have brought attention to the concerns raised by my constituents of York South–Weston in regard to the Georgetown South GO expansion. This project includes an air-rail link from Union Station to Pearson airport, which is currently undergoing an environmental assessment which will conclude in the fall. The proposal put forward by Metrolinx includes a stop and a new GO station facility in Weston, plus tunnelling the air-rail link and GO trains through Weston. This is a great improvement from the original project proposal, and I would like to thank the minister for sharing new, exciting news with us today in respect with the electrification of the Georgetown line, which many of my constituents have been calling for.

My understanding is that these studies are necessary to move forward. Both Metrolinx and the minister have heard the residents of York South–Weston in the past, and have responded—

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

Hon. James J. Bradley: One of my colleagues reminds me that we already are in the process of spending \$7 billion on electrification in Toronto at the present time. I know that the member for York South–Weston has been a tireless advocate in this regard.

The Georgetown South service expansion, including an air-rail link, is a priority of the Metrolinx regional transportation plan, a plan that was unanimously adopted by the entire Metrolinx board.

Metrolinx recognizes the desire of those living along the Georgetown corridor to see electric trains running on their line as soon as possible. This is a desire shared with those living along GO Transit's rail corridors throughout the greater Toronto area and Hamilton. That is why the regional transportation plan also recommends express rail service throughout the GTHA, for which electrification is a key element. Metrolinx is conducting that study at the present time, and the member is right—

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

Mrs. Laura Albanese: I look forward to forwarding this information to my constituents. I have spoken with experts in the field, many of those who, in fact, are working on this particular project, and I understand that the process of electrifying a rail corridor is an extensive one. This study sounds like an important first step in the right direction.

I am hoping that the Minister of Transportation would tell us more about the study that Metrolinx has commissioned so that I can share this information with those in my riding—specifically, what the study will entail, the

time lines of the study and how it will affect the Georgetown corridor and air-rail link. The residents of York South–Weston look forward to electric train technology as part of Ontario's plan to increase transit use in the coming years.

Hon. James J. Bradley: I understand that an external advisory committee will be established to advise Metrolinx on the scope of the study. The committee will be made up of community representatives, transit riders and independent technical experts. Issues they could raise to be addressed in the terms of reference might include staging criteria for the electrification of GO rail lines, performance improvement for riders, urban planning benefits and vehicle technology options and availability.

It is important to note that until we are able to move forward with electrifying the line, we must address the current capacity and congestion concerns in the Georgetown corridor. That is why Metrolinx is taking extra care on infrastructure design to make sure it supports future electrification.

I mentioned previously that all structures will be constructed to meet the greater height requirements for electrification, track spacing will allow for the foundations and columns required, and signal systems are all being upgraded.

HEALTH CARE

Mrs. Elizabeth Witmer: My question is for the Minister of Health. I'm going to send the minister a letter. Minister, will you confirm that on June 29, 2006, your predecessor wrote to the 14 chairs of Ontario's LHINs, stating that "our government is in the process of developing a 10-year health systems strategic plan, to be made public next spring," which would be 2007? The plan, we know, is finished, sitting on your desk. Will you explain why you have withheld the 10-year plan from the public for more than two years? What are you hiding?

Hon. David Caplan: Ontarians aren't impressed by the nonsense rhetoric of the member opposite.

I can tell you that this government has very transparently shared with Ontarians our plans for health care. It's not only a good plan; it's good work, because today, 650,000 Ontarians who did not have a family doctor have one because of the plan and the effort of this government. Today, wait times for angiography are down by 57%; angioplasty, down 46%; pediatric surgery, down 47%; cancer surgeries, down 27%.

The head of the Canadian Medical Association says—and I'm quite proud of this—that Ontario has gone from a laggard under that party to a leader in Canada when it comes to wait-time management. The plan that was unveiled by this government to drive down wait times and access to family health care—

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

Mrs. Elizabeth Witmer: I think it's important that the minister recognize that he's in charge of a \$42-billion corporation and it's operating without any plan.

We know the plan is finished, because on June 10, 2008, the former minister indicated he would release the plan in 2008. Secondly, KPMG's 2008 LHIN effectiveness review called on the ministry to release its plan. We now hear from the Ontario Hospital Association and the registered nurses' association, who are also calling for a strategic plan so that it could provide clarity around the government's vision, performance indicators as to what it wants to measure itself on, and targets.

When are you finally going to release the long-overdue plan? What are you hiding?

Hon. David Caplan: Unlike the member opposite, I don't have plans to fire nurses. When she was on this side of the House, she and her colleagues fired 6,000 nurses. She and her colleagues closed 28 hospitals. She and her colleagues saw community after community underserved by family health care. Ontarians rejected that plan in favour of one to drive down wait times, in favour of one to ensure that Ontarians have access to family care. Ontarians rejected a party that vows a \$3-billion cut to health care with the elimination of Ontario's health premium.

We are working on a 10-year strategic plan. We are going to ensure that it is delivered when it is ready and when we have it right. But I can assure this member and her colleagues that we will not take their advice to cut health care, to fire nurses and to close hospitals, because Ontarians have rejected that failed approach—

The Speaker (Hon. Steve Peters): Thank you. The member for Toronto—Danforth?

PUBLIC TRANSIT

Mr. Peter Tabuns: My question is for the Minister of Transportation, who seems to be in transit at the moment.

Mr. Peter Kormos: And he's late.

Mr. Peter Tabuns: And he's late.

The city of Toronto is still waiting for the McGuinty government to partner in the purchase of new streetcars that would create hundreds of jobs in Thunder Bay, streetcars that would improve transit for millions of GTA riders, streetcars that would reduce smog and climate change.

When will the McGuinty government finally step up and support the purchase of Ontario-made streetcars for Toronto?

1110

Hon. James J. Bradley: To the Minister of Energy and Infrastructure.

Hon. George Smitherman: First is to say to my honourable colleague that we're very, very grateful to see the transition in that party's approach with respect to public transit here in Toronto, because we remember all too well that they opposed the expansion of the Spadina subway line to York University and beyond, what they referred to as "the scarcely populated York region."

The honourable member must also have failed to notice that in recent weeks, our government, led by our Premier, made an unprecedented commitment to the con-

struction of transit lines in Toronto, Metrolinx initiatives, at 100% provincial dollars. This is a remarkable transformation.

On the issue of streetcars, we continue to evaluate the city of Toronto's proposal for funds under stimulus and we expect to make decisions in this regard very, very soon.

The Speaker (Hon. Steve Peters): Supplementary?

Mr. Peter Tabuns: It's interesting to hear the minister talk about the investment in streetcar lines. I think we all look forward to looking at the streetcar lines, walking past them and, in some cases, driving past them, but when are you going to commit to put the money in place so there will be streetcars on those streetcar lines? This is a critical piece. If you don't have the streetcars, the lines are just there for show. When will you make the commitment?

Hon. George Smitherman: When will the honourable member stand up as part of his party and make a real commitment to public transit? Because in this Legislature on a daily basis, we see them walking, talking and working actively against the expansion of public transit in the greater Toronto area. They do that on the Georgetown line; they oppose the expansion of public transit to the airport. They stand and are on the record as being opposed to the expansion of the York subway line to York University and beyond to York region, and then the honourable member has the audacity to ask only about one piece of it. Where do they stand on public transit overall?

Our commitments are clear: unprecedented levels of investment, and on the streetcar purchase, in addition to the gas tax revenues, which produce for the city of Toronto \$163 million every single year, we are looking for opportunities to continue to partner on the purchase of additional streetcars, as I said, from a stimulus application that is presently under consideration, with a decision coming shortly.

MENTAL HEALTH SERVICES

Mr. Jeff Leal: My question today is to the Minister of Community and Social Services. Today is the Canadian Hearing Society's awareness day at Queen's Park. The Canadian Hearing Society provides services that enhance the independence of individuals who are deaf, deafened and hard of hearing and that encourage the prevention of hearing loss.

As a mission statement, the Canadian Hearing Society firmly strives to create "a society where all people are respected; have full access to communication; and are able to participate without social, economic, or emotional barriers."

My question is very simple and direct: What is our government doing to ensure that the Canadian Hearing Society and agencies like it are able to successfully carry out this very important mission statement?

Hon. Madeleine Meilleur: Thank you to the member from Peterborough for this question. First of all, let me

welcome to the House the Canadian Hearing Society and thank them for all the good work that they're doing.

In 2007, we announced that more than \$20 million will be invested over three years to strengthen community social services organizations, including agencies providing interpreter and intervener services. With this investment, agencies providing interpreter services receive a 2% increase to base budgets. We have also provided funding for costs that may include wage increases, legal obligations and other cost-of-living increases.

Interpreter and intervener services are vital support services for Ontarians, and agencies such as the CHS are at the forefront of helping vulnerable Ontarians perform activities of daily living and engage in their communities.

The Speaker (Hon. Steve Peters): Supplementary?

Mr. Jeff Leal: Minister, thank you very much for that informative answer. The Canadian Hearing Society is one great example of an organization that is taking an innovative approach to providing mental health treatment from a community level. CHS is making a real difference in my riding of Peterborough through the CONNECT program, which provides mental health counselling services to individuals who are deaf, deafened or hard of hearing.

As a member of the Select Committee on Mental Health, I've heard individuals and their compelling stories right across the province. I know that there is much to be done with regard to mental health and addictions. Would the minister share with the House what progress has been made to date with both the select committee and its advisory group on mental health and addictions in the province of Ontario?

Hon. Madeleine Meilleur: I refer to the question to the Minister of Health.

Hon. David Caplan: I'd like to thank the member from Peterborough for the question and for his advocacy on this issue.

I'd like to recognize the Canadian Hearing Society for being here today and for the great work that they do in our communities. CHS is indeed a valued partner in the overall health care agenda, and I'm happy to share that the CHS was part of the provincial consultations with provincial providers and consumer organizations just this past Friday, as part of our advisory committee on mental health and addictions that I established. The advisory committee will help to provide direction on the development of a 10-year comprehensive strategy for mental health and addictions. We have also established—and I was pleased that my colleague across the way suggested—a select committee on mental health and addictions.

Since 2003, our investments have expanded access to over 200,000 more Ontarians and hired more than 1,100 new mental health workers. Since 2003, this government has increased funding by more than \$200 million—

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

ECONOMIC DEVELOPMENT

Mr. Ted Chudleigh: My question is to the Minister of Economic Development. Yesterday, the Premier was an-

nouncing a handout for another winner in the McGuinty economic lottery. He jokingly offered the job of economic development minister to Sir Elton John. Meant to be humorous, this comment speaks to a very serious issue, and that is that this Premier and his government do not understand the critical role of the Ministry of Economic Development and Trade. Economic development sets a framework for Ontario's competitiveness, productivity and, ultimately, the prosperity of the private sector, but this Premier is using the ministry for photo ops and grand announcements with celebrities.

Premier, why do you treat economic development like a personal plaything? When will you stop working for yourself and start working for the people of Ontario?

Hon. Dalton McGuinty: A couple of things: I know that the member opposite is not recommending that any of us give up our sense of humour, notwithstanding difficult times. The other thing I'm asking him to recognize is that the announcement yesterday was about 265 Ontario jobs. Ontario taxpayers came to the table with \$22 million.

Starz Animation Toronto is a world-leading production studio of digital media. They are at present producing a film for Tim Burton—and yes, Elton John is also going to have one of his movies produced there. If we can continue to draw big names like that from around the world, that's good for Toronto. It's good for jobs, it's good for Ontario, and it's good for our future.

The Speaker (Hon. Steve Peters): Supplementary? The member from Durham.

Mr. John O'Toole: Premier, it's very clear with your response yesterday that you're somewhat disconnected from economic reality. You're sort of like Elton John's "Rocket Man" song, where you're on another planet. And you're right: Starz Animation is a wonderful company and it's great to have Elton John involved; but Premier, this is very important. There are other studios, and you've just really got rid of all of them. You've given Starz a \$23-million lead on the competition, so you're busy picking winners and losers. That's the issue here.

We don't think, in the opposition, Premier, that there are losers. What we're saying is, you've got to provide a level playing field for all the companies. We applaud competition. We applaud innovation. Premier, what is your plan for the other companies that you've just put out of business?

Hon. Dalton McGuinty: Well, a few things. My honourable colleague knows that there are a number of initiatives that we have taken in order to improve the business environment so that we can create more jobs. He knows about our proposal to cut business taxes for our big companies and our small companies; he knows about the special tax initiatives for the entertainment sector.

I'm not sure whether he's telling me that we should not have participated in this venture with Starz Animation here in Toronto or whether he feels that somehow we've cut off others. The fact is we have a great program: It's the Next Generation of Jobs Fund. It's open to applications from companies around the province. This

was a successful application. It resulted in some 265 jobs. We think that's worthy of celebration. We think it's a good foundation on which to continue to build, and we want to use that to encourage more businesses to apply to our fund, so we can find more partnerships.

1120

CORRECTIONAL SERVICES

Mr. Peter Kormos: My question is to the Minister of Community Safety and Correctional Services. With Ontario's jails increasingly overcrowded, with overburdened correctional officers forced to cope with deplorable working conditions and mandatory overtime, and with lives being put at risk, when will this government provide the resources Ontario's correctional workers so desperately, desperately need?

Hon. Rick Bartolucci: Well, the short answer to the question is: We have in the past, we continue to do so in the present and we will continue to invest in the future. Here is how we're doing that: We're doing that by increasing budgets; we're doing that by increasing facility space; we're doing that by increasing the number of beds—unlike what they did when they were in government, when they reduced beds, when they reduced facilities, when they reduced cash. This government will continue to be committed to the correctional services division of our ministry in a very, very proactive way.

The Speaker (Hon. Steve Peters): Supplementary?

Mr. Peter Kormos: The minister speaks so ill of his Liberal colleague Bob Rae.

Another life was lost just last month at the Elgin–Middlesex Detention Centre. Correctional officers had warned that this would happen because of overcrowded and inhumane conditions. Now we're hearing about inmates not getting to court on time because of chronic corrections understaffing.

How much more evidence does this minister need before he acts to resolve Ontario's growing corrections crisis and stops blaming it on his Liberal colleague Bob Rae?

Hon. Rick Bartolucci: Last time I checked, between 1990 and 1995 there was a New Democratic Party government. The last time history will check, it was that government. Here's what they did: They cut corrections operating budgets by \$20 million in 1993-94, they cut \$13 million in 1994-95 and they cut \$25 million in 1995-96; that's the record. They didn't build one new bed; that's the record. They reduced staff; that's the record. They imposed the social contract; that's the record. We've taken exactly the opposite approach. We're building new facilities, new capacity. We're investing in our correctional services sector, and we will continue to do so because, unlike the New Democratic government of 1990-95, we appreciate the efforts they put forth.

IMMIGRANTS' SKILLS

Mr. Yasir Naqvi: My question is to the Minister of Citizenship and Immigration. Minister, Ontario promises

a place of opportunity for newcomers to this great land. It is this opportunity that draws the world's best to our shores and to our province. Ottawa, like every city and town across this province, has a keen need for the skills, talents and energies of these newcomers so that they can participate fully and deservedly in an economy and way of life that only Ontario can offer.

Sometimes I wonder whether we have lived up to that promise, with all the tales of doctors driving cabs and engineers serving shawarma. Newcomers are a part of the backbone of our economy. It is imperative that we ensure that these immigrants are fully integrated into the workforce, especially in tough economic times.

Minister, could you please tell this House what this government is doing to improve opportunities for newcomers to forge stable and rewarding careers in Ontario.

Hon. Michael Chan: I want to thank the honourable member for his question. In the Ottawa area, I can assure you, the honourable member is a formidable fighter for the benefit of newcomers.

It's my pleasure to discuss bridge training programs, which have time and time again proven themselves successful in helping newcomers. These programs assist individuals with international credentials to move quickly into the workforce and enable newcomers to get licensed and get jobs in their field of study. This is why we are investing more than \$30 million in 38 bridge training projects across the province. This initiative will help 10,000 newcomers, particularly in the health care, finance, agricultural, tourism and IT sectors. On your supplementary, I will elaborate more.

Mr. Yasir Naqvi: I'm pleased to note that five of these important programs will be based in my riding of Ottawa Centre—a total investment of almost \$6.25 million to help newcomers there. Algonquin College will receive over \$1.25 million to certify immigrant financial professionals. The Catholic Immigration Centre of Ottawa will get \$1.5 million to help almost 500 internationally trained health professionals. The Ottawa Chinese Community Service Centre will develop 120 IT professionals for Ottawa's formidable IT sector using their almost \$650,000.

Minister, please tell these organizations, our new immigrants and all the people of Ottawa Centre why we are certain that bridge training will be effective. How are we to know that it will build productive members of our economy and society for the future?

Hon. Michael Chan: Since 2003, the McGuinty government has invested more than \$120 million in over 180 bridge training programs, helping 30,000 newcomers succeed. For example, 90% of participants who completed the CARE program for internationally trained nurses obtained employment within six months. Or just look at the University of Toronto pharmacy program, which has improved the pass rate on the pharmacy licensure examination from 20% to a whopping 90%.

Bridge training is truly a win-win-win situation. Employers win with access to a pool of highly trained workers, and newcomers win by being able to get licensed and find jobs in their field.

The McGuinty government, unlike the opposition, understands that when newcomers succeed, Ontario succeeds.

FULL-DAY KINDERGARTEN

Mrs. Joyce Savoline: My question is to the Minister of Education. Minister, in 2007, your government appointed Dr. Charles Pascal as a special adviser on full-day kindergarten. Since then, we haven't heard a word, not from Dr. Pascal, not from the budget and certainly not from you.

As you know, a program of this magnitude will require a great deal of preparation time on the part of school boards to implement. Your own Safe Schools Act, as you know, which is a mere two pages, is going to require eight months to implement.

It is now 18 months since the Premier appointed Dr. Pascal, and Ontarians, especially the parents who counted on this program, haven't heard any details. Are you waiting for this session to end before releasing Dr. Pascal's report?

Hon. Kathleen O. Wynne: No. We are absolutely determined to get this right. Dr. Pascal has met with the Premier, and both Minister Matthews and I have had conversations with him. He is working on the report, and we expect to receive it.

The important thing is that we are committed to moving forward on full-day programming for four- and five-year-olds. We have not indicated in any way that we're not going to continue down that road. In fact, we're very much looking forward to the recommendations that Mr. Pascal brings forward. I know that he has been speaking with stakeholders around the province—and, in fact, across the country—to get the very best models and advice possible. So I look forward to the report, and more than that, I look forward to moving ahead to implement full-day programming for four- and five-year-olds.

The Speaker (Hon. Steve Peters): Supplementary?

Mrs. Joyce Savoline: Minister, all I'm asking for is what you promised, and the report is already past due. Parents and school boards really have a right to know—they need to plan. This was promised to them.

Children born this year would have been eligible for the early learning before the Premier de-prioritized this program and delayed the funding. Children only get one chance at this. The Premier plans to put early learning on the back burner, and that means that young parents who supported this government's campaign promise in 2007 for full-day kindergarten will be hung out to dry. That's the way it goes with this government: promises made, promises delayed, promises broken.

Is that what you are telling us, Minister? Is this another broken promise? Is this part of the plan to recycle this announcement for full-day kindergarten as part of your 2011 election campaign?

Hon. Kathleen O. Wynne: We've been crystal clear from the inception of this initiative that we were going to begin implementing the full-day programming for four-

and five-year-olds beginning in September 2010. That has been our position from the beginning, and if the member opposite cared to look at the speeches and the platform that we ran on and that we have made since October 2007, she would know that we have been consistently supportive of that program beginning September 2010. That's the position.

In fact, we said that the report was going to be released in the spring. It is not overdue. We look forward to getting that report. As I said, more than that, we look forward to having that full-day programming for four- and five-year-olds. We always said it would be a phased-in program, beginning September 2010.

1130

MANUFACTURING JOBS

Mr. Paul Miller: My question is to the new Minister of Economic Development. The city of Hamilton has suffered significant job losses. The US Steel-Stelco closure has affected families throughout our region. Not only do we have job losses at US Steel and Stelco, but we now have a work stoppage at National Steel Car—now instigated by the workers; by the company, which is talking about moving to Alabama and has already purchased land there.

When I started at Stelco, you couldn't get a parking spot on Burlington Street. You had to line up for the punch clocks. You could fire a cannon off down Burlington Street and not hit anyone now.

What has this government done to secure the return of good manufacturing jobs to the Hamilton area?

Hon. Dalton McGuinty: My colleague will know that we've made manufacturing a very high priority, something that we are looking to continue to address. But one of the biggest demands placed on the steel industry comes from the auto sector, and that's why we have invested significant taxpayer dollars in the restructuring of Chrysler. That's why we're at the table with GM. It's why, beginning over five years ago, we put in place our auto investment strategy, which landed billions of new dollars of investment here. It's why we continue our discussions with the federal government and with Washington.

We have also kept a very close watch on developments in the city of Hamilton itself. I had an opportunity not too long ago to speak with the mayor, to talk more about the particular challenges and particular opportunities. I think that if you check the record, you'll see that on a number of occasions we have found a way to collaborate very closely with the people of Hamilton.

The Speaker (Hon. Steve Peters): Supplementary?

Mr. Paul Miller: I'm very concerned about some of the comments that have been made in this House about, "No protectionism is going on in the States." I'm very concerned about, "Everything will get better." That's all I hear in here. Claims of "no protectionism" are suspect at best.

Our steel production has ceased in Hamilton. In Indiana, US Steel has reopened previously idled blast

furnaces. US Steel has said that steel production will return to Hamilton when things get better. Then why are they sending ships from the States to remove all raw materials from the Hamilton plant and shipping them back? Twenty-six ships have taken all the raw material off the ground back to the States. That's not a good indicator.

We need a plan, actual steps to bring these jobs back to Hamilton and get a proper return on the money that we've invested. How is this government going to secure a return on its dollar and get jobs back to Hamilton?

Hon. Dalton McGuinty: I love this member's passion. The causes that he champions are important not just to him but to all of us, but he needs to understand that he has to get onside with our budget.

One of the most important things that we can do for our manufacturers in particular is give them the advantages that they enjoy in 130 other countries, where they have a single sales tax, where they can reduce their input costs, where they can reduce the cost of their exports so that they become more competitive, so that they can create more jobs, so that they can hire more mums and dads and make families feel a greater sense of hopefulness in the city of Hamilton.

It comes back to our budget. That's why I'd ask my honourable colleague to give us all his support as we move forward with the single sales tax in the province of Ontario.

STUDENT SUMMER JOBS

Ms. Helena Jaczek: My question is for the Minister of Small Business and Consumer Services. These trying economic times are affecting us all. Summer and the end of the school year are both fast approaching, and with the current economic crisis, many students in my riding of Oak Ridges–Markham are particularly worried about securing traditional summer employment this year.

As the Minister of Small Business and Consumer Services, I understand that part of your mandate is to foster entrepreneurship and innovation in our province. What initiatives has your ministry taken to encourage young entrepreneurship and help these young people secure jobs?

Hon. Harinder S. Takhar: I want to thank the member from Oak Ridges–Markham for asking this question. I agree with her completely that these are tough economic times and challenging times especially for our students, so it's very important for our government to make sure that our students get the opportunity in the summer to start their own businesses.

Our Summer Company program is one of our very successful programs. Last year, we had about 360 students accepted into this program. This year, we have expanded the program by another \$1 million so that we can provide more opportunities to students. Under this program, what we do is, we actually give money to students to start their own business—\$1,500 in the beginning and \$1,500 at the end. But in addition, we also

provide them with mentors so that they can start their own business and be successful and own their own businesses. That's the only way we can create a culture of entrepreneurship in this province and make sure that in the future the province stays prosperous.

DEFERRED VOTES

BUDGET MEASURES ACT, 2009

LOI DE 2009 SUR LES MESURES BUDGÉTAIRES

Deferred vote on the motion for third reading of Bill 162, An Act respecting the budget measures and other matters / Projet de loi 162, Loi concernant les mesures budgétaires et d'autres questions.

The Speaker (Hon. Steve Peters): Call in the members. This will be a 10-minute bell.

The division bells rang from 1135 to 1145.

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

Ayes

Aggelonitis, Sophia	Duncan, Dwight	Mitchell, Carol
Albanese, Laura	Flynn, Kevin Daniel	Moridi, Reza
Arthurs, Wayne	Fonseca, Peter	Naqvi, Yasir
Balkissoon, Bas	Gerretsen, John	Oraziotti, David
Bartolucci, Rick	Gravelle, Michael	Phillips, Gerry
Bentley, Christopher	Hoy, Pat	Qaadri, Shafiq
Berardinetti, Lorenzo	Jaczek, Helena	Ramal, Khalil
Best, Margaret	Jeffrey, Linda	Ramsay, David
Bradley, James J.	Johnson, Rick	Rinaldi, Lou
Broten, Laurel C.	Kular, Kuldip	Ruprecht, Tony
Brown, Michael A.	Kwinter, Monte	Sandals, Liz
Brownell, Jim	Lalonde, Jean-Marc	Sergio, Mario
Cansfield, Donna H.	Leal, Jeff	Smith, Monique
Caplan, David	Levac, Dave	Smitherman, George
Carroll, Aileen	Mangat, Amrit	Sousa, Charles
Chan, Michael	Matthews, Deborah	Takhar, Harinder S.
Colle, Mike	Mauro, Bill	Van Bommel, Maria
Crozier, Bruce	McGuinty, Dalton	Watson, Jim
Delaney, Bob	McMeekin, Ted	Wilkinson, John
Dickson, Joe	McNeely, Phil	Wynne, Kathleen O.
Dombrowsky, Leona	Meilleur, Madeleine	Zimmer, David
Duguid, Brad	Milloy, John	

The Speaker (Hon. Steve Peters): All those opposed?

Nays

Arnott, Ted	Horwath, Andrea	Ouellette, Jerry J.
Bailey, Robert	Jones, Sylvia	Prue, Michael
Barrett, Toby	Kormos, Peter	Runciman, Robert W.
Bisson, Gilles	Marchese, Rosario	Savoline, Joyce
Chudleigh, Ted	Martiniuk, Gerry	Sterling, Norman W.
DiNovo, Cheri	Miller, Paul	Witmer, Elizabeth
Dunlop, Garfield	Munro, Julia	Yakubuski, John
Gélinas, France	Murdoch, Bill	
Hardeman, Ernie	O'Toole, John	

The Clerk of the Assembly (Ms. Deborah Deller): The ayes are 65; the nays are 25.

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

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

Third reading agreed to.

MINING AMENDMENT ACT, 2009

LOI DE 2009 MODIFIANT LA LOI SUR LES MINES

Deferred vote on the motion for second reading of Bill 173, An Act to amend the Mining Act / Projet de loi 173, Loi modifiant la Loi sur les mines.

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

The division bells rang from 1149 to 1150.

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

Ayes

Aggelonitis, Sophia	Fonseca, Peter	O'Toole, John
Albanese, Laura	Gerretsen, John	Oraziotti, David
Arnott, Ted	Gravelle, Michael	Pendergast, Leeanna
Arthurs, Wayne	Hardeman, Ernie	Phillips, Gerry
Balkissoon, Bas	Hoy, Pat	Qaadri, Shafiq
Bartolucci, Rick	Jaczek, Helena	Ramal, Khalil
Bentley, Christopher	Jeffrey, Linda	Ramsay, David
Berardinetti, Lorenzo	Johnson, Rick	Rinaldi, Lou
Best, Margaret	Jones, Sylvia	Runciman, Robert W.
Bradley, James J.	Kular, Kuldip	Ruprecht, Tony
Broten, Laurel C.	Kwinter, Monte	Sandals, Liz
Brown, Michael A.	Lalonde, Jean-Marc	Savoline, Joyce
Brownell, Jim	Leal, Jeff	Sergio, Mario
Cansfield, Donna H.	Levac, Dave	Smith, Monique
Caplan, David	Mangat, Amrit	Smitherman, George
Carroll, Aileen	Martiniuk, Gerry	Sousa, Charles
Chan, Michael	Matthews, Deborah	Sterling, Norman W.
Chudleigh, Ted	Mauro, Bill	Takhar, Harinder S.
Colle, Mike	McGuinty, Dalton	Van Bommel, Maria
Crozier, Bruce	McMeekin, Ted	Watson, Jim
Delaney, Bob	McNeely, Phil	Wilkinson, John
Dickson, Joe	Meilleur, Madeleine	Witmer, Elizabeth
Dombrowsky, Leona	Milloy, John	Wynne, Kathleen O.
Duguid, Brad	Mitchell, Carol	Yakabuski, John
Duncan, Dwight	Moridi, Reza	Zimmer, David
Dunlop, Garfield	Munro, Julia	
Flynn, Kevin Daniel	Naqvi, Yasir	

The Speaker (Hon. Steve Peters): All those opposed?

Nays

Bisson, Gilles	Horwath, Andrea	Miller, Paul
DiNovo, Cheri	Kormos, Peter	Prue, Michael
Gélinas, France	Marchese, Rosario	

The Clerk of the Assembly (Ms. Deborah Deller): The ayes are 79; the nays are 8.

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

Second reading agreed to.

The Speaker (Hon. Steve Peters): Shall the bill be ordered for third reading? The Minister of Northern Development and Mines.

Hon. Michael Gravelle: I would ask that the bill be referred to the Standing Committee on General Government.

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

VISITORS

The Speaker (Hon. Steve Peters): I just want to take this opportunity—Speaker's prerogative—to welcome some guests in the west gallery: Helen Harakis, Wendy Gamble and Alison Clarke.

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

The House recessed from 1154 to 1500.

INTRODUCTION OF VISITORS

Mr. Peter Tabuns: I'd like to introduce Jacob Robbins-Kanter, from my riding of Toronto—Danforth. Jacob has just finished his first year at McGill. Welcome, Jacob.

Mr. Bruce Crozier: I'd like to introduce to the Legislature a long-time friend of many of us, Arthur Lofsky, who just can't stay away from this place.

Mr. Ernie Hardeman: I don't believe they have arrived yet, but I had my picture taken with two grade 10 classes from Rehoboth Christian High School. There are 50 students, and they were brought by their teacher, Frank Westerink. They will be here momentarily, and I'd like to welcome them to Queen's Park.

MEMBERS' STATEMENTS

WALTER BEATH

Mr. John O'Toole: It's with distinct pleasure today that I rise to pay tribute to a very good friend and an important Ontario citizen, Mr. Walter Beath, who celebrated his 90th birthday on Valentine's Day 2009.

I'm pleased to report that Walter keeps active with long walks in Port Perry, the completion of a 200-page family history and a keen interest in politics at all levels.

Mr. Walter Beath was the first chair of the region of Durham, serving from 1973 until his retirement in 1980. Durham region brought together at least 20 independent municipalities into eight lower-tier municipalities and the single-tier Durham region. The success of Durham region is a tribute to Walter's diplomacy, vision and steady hand at the wheel during those formative years.

Walter Beath was a former Ontario county warden, a member of the East Whitby township council and a member of the Ontario county high school board. He served on the Ontario county crop association, the Oshawa Fair board and the beef association, and in the planning of the International Plowing Match, to name just a few of his connections to agriculture and his community.

Walter and his wife, the late Earline Hayes, farmed 200 acres near the Oshawa-Clarington town line, where they raised their sons, Grant and Wayne.

Walter Beath is a leader in agriculture, in the community, in public service—in everything he does.

I wish you a happy year ahead, Walter, as you approach your 91st birthday. Congratulations.

NIAGARA HEALTH SYSTEM

Mr. Peter Kormos: The board of trustees of the Niagara Health System, that unelected, anonymous, indifferent, disdainful backroom group, has been wreaking havoc on small-town hospitals down in Niagara. Fort Erie hospital is for all intents and purposes gone; Port Colborne hospital is for all intents and purposes going; Welland County General Hospital is being cut off at the knees—obviously, it's a slippery slope—to the point where it's but a shell.

This is the NHS, the Niagara Health System, that's supervised by Dalton McGuinty's equally unelected, undemocratic, hand-picked, politically appointed LHIN. There's a lot of winking and nodding going on down there, because the unelected, unaccountable, undemocratic, hand-picked, politically appointed Dalton McGuinty LHIN, of course, is approving the hospital closures by the NHS that are taking place.

The NHS announces that it needs four new trustees. Is it holding a public election? Of course not. Is it a public process? Of course not. They're receiving applications. The very same board of trustees that has as part of its Dalton McGuinty-approved agenda shutting down small-town hospitals will pick and choose its new board members in a secret, backroom process that puts Tammany Hall to shame. One can just see the smoke curling up into the rafters.

This is unacceptable. It's time that we publicly elected hospital service boards to create transparency and democracy.

RENEWABLE ENERGY

Mr. Mario Sergio: Last Thursday, I was proud to visit St. Basil-The-Great, a high school in my riding, which was a part-recipient of a \$50-million investment for public school boards to reduce energy costs by installing renewable energy technologies for heating, cooling or generating electricity.

St. Basil's principal, Carmine Settino, and his dedicated staff have spearheaded a student eco club green campaign. It was inspiring to hear the students speak so passionately about their green school initiatives, regarding their wind projects, solar panels and strategic landscaping. They are a shining example of how a school and its students can lead by example.

Our government's green conservation investment will bring a range of renewable technologies to schools, including small-scale wind projects to generate electricity for use in schools, solar photovoltaic to generate electricity, solar thermal for heating, and geothermal systems for heating and cooling.

Ontario's elementary and secondary schools have significant energy costs: nearly half a billion dollars each

year. The aim is to help school boards reduce those costs, as well as reduce greenhouse gas emissions, save on energy demand, and support more green jobs.

Ontario's green economy stands to benefit as this investment provides opportunities for suppliers of renewable energy technologies in the province.

ADOPTION DISCLOSURE

Mr. Norman W. Sterling: I rise today to ask the government to postpone the opening of adoption records from June 1 for at least one month.

To date, only 2,500 people have registered a veto to stop the disclosure of their adoption records; this represents less than half of 1% of the people eligible to do so. In other provinces where similar laws have been introduced, the figure was 3% to 5%. This means that in Ontario we should have expected somewhere between 10,000 and 30,000 vetoes to be filed.

Most people don't know this change is occurring to their privacy rights. In today's world, government newspaper ads are not enough to let the public know what's happening.

The sincerity of this government in advertising the right to veto disclosure is suspect. In their first adoption disclosure legislation, this government tried to run roughshod over privacy rights by not offering a disclosure veto. Luckily, that law was thrown out by the Court of Appeal, over their objection. Now I fear they are hoping to provide wide-open access to adoption records by not telling all Ontario adoptees and birth parents of their right to protect their privacy by registering the veto.

I call on this government to postpone the opening of these records until they have undertaken an extensive radio and TV campaign.

TAMIL CANADIAN COMMUNITY

Mr. Lorenzo Berardinetti: I rise today to speak on the situation facing the Tamil people of Sri Lanka, as there are a significant number of Tamil Canadians in my riding, throughout Scarborough and the GTA.

Last week, the grounds of this Legislature were filled to capacity with Sri Lankan Tamils. They were numbered in the thousands.

Last week's events can be characterized more as a memorial to those who lost their lives in the Tamils' quest for justice in their homeland. In hindsight, it was a slow introduction to the community of the news that would follow days later that their leader as well as hundreds of innocent Tamils were killed in the final days of the army attack.

The UN Secretary General visited Sri Lanka on May 23 and called for international groups to be allowed access to the area. His request has been denied, and no international journalists or media are allowed. This has led to criticisms of the Sri Lankan government by international groups.

I've received several calls asking that our federal government call on the Sri Lankan government to handle the remains of dead families so that proper burial rights can be administered, and to be in dialogue with the new leadership.

The Premier has spoken to this matter and has echoed a call for all sides to enter into dialogue to resolve the issues that face Tamil people. I echo the call, on behalf of the Tamil Canadians I've spoken with, that the Premier made on May 14 that all sides come together to resolve all the outstanding issues.

1510

SENIORS' EDUCATION DAY

Mr. Gerry Martiniuk: My annual Gerry Martiniuk Seniors' Education Day will be held this Friday, on May 29, at 9 in the morning at the Newfoundland Club in Cambridge, 1500 Dunbar Road. Tickets for the event can be obtained free to Cambridge and North Dumfries residents by phoning my office, 519-623-5852.

This year we have arranged for a great program. My good friend Councillor Karl Kiefer and his associate Joanne Weiler will be speaking on personal health and long-term care. Abigail Dancey, representing the community care access centre, will speak on connecting you with care in our community. Liz Nieson, representing the Cambridge Working Group on Elder Abuse, will speak on ageing with dignity, honour and respect. To entertain, we have again brought back, at popular request, my friend Adam Timoon, entertainer extraordinaire. Afterwards a free lunch will be served.

Information tables will be available with representatives from the Waterloo Regional Police Service, Cambridge Fire Fighters, the Friendly Visiting program of Cambridge, the Waterloo Region Committee on Elder Abuse, the Elder Abuse Response Team, Community Support Connections, the Alzheimer Society, the VON PATER program, CMH Lifeline, Gary Goodyear MP, the city of Cambridge, Cambridge Senior Centres, Cambridge Hearing Society and the YMCA of Cambridge.

Thanks to the Newfoundland Club and my good friend Councillor Linda Whetham, for all of their help.

WINDSOR SPITFIRES HOCKEY CLUB

Mr. Bruce Crozier: How about those Windsor Spitfires, eh? After nine days of pressure-packed hockey for a team that faced elimination in four straight games, the Windsor Spitfires defied all the odds this past Sunday to capture their first Memorial Cup title in the franchise's 34-year history. In the 91-year history of the Memorial Cup, no team had won a title after losing the first two games of the tournament. Windsor eliminated the entire field on its way back to the top and capped it with a 4-1 win over the Kelowna Rockets in Sunday's final before 4,800 fans in Rimouski, Quebec. It had been 21 years since the Spits even came close to tasting victory. In 1988, they played in their only Memorial Cup game, losing in the finals to the Medicine Hat Tigers.

I ask you to join all the fans of the Windsor Spitfires who watched this nail-biting round robin series in congratulating the fine young men who played their hearts out, not just for themselves, but for their community, for their coaching staff headed by Bob Boughner, and especially for their special captain, Mickey Renaud, who died 15 months ago. The game was in his spirit.

GÉRALD SAVOIE

M. Phil McNeely: Je suis très fier d'annoncer que M. Gérald Savoie, président-directeur général de l'Hôpital Montfort d'Ottawa, a été nommé membre honoraire du Réseau des services de santé en français de l'Est de l'Ontario.

Depuis le 15 novembre 2001, le réseau est reconnu par le gouvernement de l'Ontario à titre d'organisme consultatif indépendant responsable du développement de la planification des services de santé en français dans l'est de l'Ontario.

J'ai eu le plaisir de travailler avec M. Savoie à quelques reprises, et il mérite très bien cette nomination. C'est un chef de file qui a contribué non seulement à l'expansion de l'Hôpital Montfort mais également au développement du réseau et de l'avancement des services de santé en français en Ontario. C'est une personne reconnue comme un dirigeant visionnaire en raison de ses pratiques de gestion et de son leadership. Peu importe les défis d'un projet, M. Savoie y trouve toujours une solution. Il sait s'entourer de personnes dévouées et engagées comme lui. Il croit fermement qu'on peut toujours trouver un moyen de faire mieux et qu'il n'existe pas d'obstacles insurmontables.

Je vous invite donc, tous et toutes, à vous joindre à moi pour féliciter M. Savoie de sa nomination au réseau et de le remercier pour sa contribution au secteur de la santé, et surtout aux services de santé en français en Ontario.

GREENHOUSE INDUSTRY

Mr. Pat Hoy: I would like to welcome members of the Ontario Greenhouse Alliance who are visiting us here in the Legislature today, some of whom may have an opportunity to join us later in the members' gallery.

Formed in 2003, the alliance represents the largest cluster of greenhouse production in North America and is located right here in Ontario. The greenhouse industry contributes \$4 billion per year to our province's economy. In Ontario, there are over 1,200 greenhouse operations, most of which are concentrated in and around the ridings of Essex and Chatham-Kent-Essex and the Niagara region.

Greenhouse operations in Ontario employ more than 17,000 people with over \$2 billion in structures. At the current rate of expansion, the industry is targeting a further investment in Ontario of some \$20 million per annum, bringing substantial benefit to rural economies.

Again, I welcome the Ontario Greenhouse Alliance to Queen's Park, and on behalf of my colleague Bruce Crozier and myself, I encourage all members to stop by

the legislative dining room between the hours of 3 and 5 this afternoon to meet some of their members and, of course, to pick up a sample of their beautiful plants and delicious vegetables grown right here in our backyard, right here in Ontario.

PRIVATE MEMBERS' PUBLIC BUSINESS

The Speaker (Hon. Steve Peters): I beg to inform the House that, pursuant to standing order 98(c), a change has been made to the order of precedence on the ballot list for private members' public business, such that Ms. DiNovo assumes ballot item number 28 and Mr. Hampton assumes ballot item number 45.

REPORTS BY COMMITTEES

STANDING COMMITTEE ON GOVERNMENT AGENCIES

Mrs. Julia Munro: I beg leave to Present a report on Agencies, Boards and Commissions: the Ontario Education Communications Authority (TVO) from the Standing Committee on Government Agencies and move the adoption of its recommendations.

The Speaker (Hon. Steve Peters): Does the member wish to make a brief statement?

Mrs. Julia Munro: As Chair of the Standing Committee on Government Agencies, it is a pleasure to table the report of the committee. This is the second in a series dealing with our mandated review of selected agencies, boards and commissions of the province.

This report of the committee reviews the operations and work of TVOntario and makes recommendations on how they may make improvements. Subjects dealt with in the report include TVO's coverage of Ontario politics and government, including the business of the Legislature; production of new cost-effective regional-based content; transparency in the reporting of TVO's membership and viewership numbers; and ongoing support for activities of the Independent Learning Centre—ILC.

Our committee expresses its appreciation to all witnesses who appeared during the public hearings on this agency. I thank the committee members for their helpful contributions to the review process, as well as legislative staff Douglas Arnott, clerk of the committee; and Larry Johnston, the research officer.

I move adjournment of the debate.

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

Debate adjourned.

INTRODUCTION OF BILLS

DEEP RIVER MANAGEMENT SERVICES INC. ACT, 2009

Mr. Yakabuski moved first reading of the following bill:

Bill Pr16, An Act to revive Deep River Management Services Inc.

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): Pursuant to standing order 86, this bill stands referred to the Standing Committee on Regulations and Private Bills.

SISTERS OF ST. JOSEPH OF THE DIOCESE OF LONDON, IN ONTARIO ACT (TAX RELIEF), 2009

Mr. Ramal moved first reading of the following bill:
Bill Pr26, An Act respecting The Sisters of St. Joseph of the Diocese of London, in Ontario.

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): Pursuant to standing order 86, this bill stands referred to the Standing Committee on Regulations and Private Bills.

1520

ONTARIO TRILLIUM PROTECTION ACT, 2009 LOI DE 2009 SUR LA PROTECTION DU TRILLIUM EN ONTARIO

Mr. Leal moved first reading of the following bill:
Bill 184, An Act to amend the Floral Emblem Act /
Projet de loi 184, Loi modifiant la Loi sur l'emblème floral.

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. Jeff Leal: This bill amends the Floral Emblem Act of Ontario to prohibit, with limited exceptions, injuring or destroying in any way the plant that produces the Trillium grandiflorum, Ontario's floral emblem, popularly known as the white trillium. It creates an offence for doing so punishable by a fine of not less than \$500.

NEW HERMES LIMITED/NEW HERMES LIMITÉE ACT, 2009

Mrs. Mangat moved first reading of the following bill:
Bill Pr24, An Act to revive a corporation named New Hermes Limited in English and New Hermes Limitée in French.

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): Pursuant to standing order 86, this bill stands refers to the Standing Committee on Regulations and Private Bills.

ENVIRONMENTAL PROTECTION
AMENDMENT ACT (GREENHOUSE GAS
EMISSIONS TRADING), 2009

LOI DE 2009 MODIFIANT LA LOI SUR
LA PROTECTION DE L'ENVIRONNEMENT
(ÉCHANGE DE DROITS D'ÉMISSION
DE GAZ À EFFET DE SERRE)

Mr. Gerretsen moved first reading of the following bill:

Bill 185, An Act to amend the Environmental Protection Act with respect to greenhouse gas emissions trading and other economic and financial instruments and market-based approaches / Projet de loi 185, Loi modifiant la Loi sur la protection de l'environnement en ce qui concerne l'échange de droits d'émission de gaz à effet de serre ainsi que d'autres instruments économiques et financiers et approches axées sur le marché.

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

All those in favour will say "aye."

All those opposed will say "nay."

In my opinion, the ayes have it.

First reading agreed to.

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

Hon. Mr. Gerretsen: I'll wait until ministerial statements.

MOTIONS

ORDER OF BUSINESS

Hon. Brad Duguid: I believe that we have unanimous consent to put forward a motion without notice regarding Bill 167.

The Speaker (Hon. Steve Peters): Agreed? I heard a no.

All those in favour will say "aye."

All those opposed will say "nay."

In my opinion, the ayes have it.

Minister of Aboriginal Affairs.

Hon. Brad Duguid: I move that, notwithstanding any standing order, when Bill 167, An Act to promote reductions in the use and creation of toxic substances and to amend other Acts is reported, it may be called as government business on the same calendar day.

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

GREENHOUSE GAS EMISSIONS

Hon. John Gerretsen: It's a great honour to rise today to table an important piece of legislation, the pro-

posed Environmental Protection Amendment Act on Greenhouse Gas Emissions Trading.

Climate change is our generation's greatest environmental challenge. It threatens our health, our economy, our communities and our way of life. We have a clear and abiding responsibility to the people of this province to take decisive action to reduce our greenhouse gas emissions. By doing so, we lay the foundation of a sustainable green economy for our province and for a prosperous, healthy and successful future for our children and grandchildren.

Our government has set ambitious greenhouse gas reduction targets in our climate change action plan. Developing and adopting a fair and effective cap-and-trade system is a necessary step to help us meet these targets and build a stronger, more innovative and competitive green economy.

Some form of cap-and-trade system for North America is inevitable and much needed. We need to be prepared so that we can ensure that Ontario is an active participant in the design of a system that would achieve real reductions in greenhouse gas emissions and provide our industrial sectors with the flexibility that they need to deliver these reductions cost-effectively while continuing to innovate and grow.

Over the past year, we have been establishing the groundwork. We have been developing partnerships with Quebec and with other like-minded provinces and US states through our membership in the Western Climate Initiative to help prepare the way for a cap-and-trade system for North America.

In the United States, President Obama and Congress have moved forward quickly on energy and climate change-related measures to initiate the development of a federal cap-and-trade system through the Waxman-Markey bill. The President has clearly stated that these actions are integral to his strategy for tackling climate change and revitalizing the American economy.

To ensure that Ontario's objectives of combatting the costs of climate change and building a sustainable green economy are met, we need to keep pace with our trading partners both here in Canada and in the United States. Our proposed enabling legislation would help us be ready to implement a cap-and-trade system through future regulations, allow us to link the other trading systems and respond to fast-moving developments at the federal levels both here in Canada and in the US.

The proposed enabling legislation we are introducing today would amend the Environmental Protection Act to provide the government with the authority to set up an emissions trading system that can link with the Western Climate Initiative in a broader North American system as those systems develop. It will also enable Ontario to create regulations that would set the actual trading rules, including caps, allocating allowances, reporting systems and offsets, as well as link to other systems elsewhere in North America and indeed throughout the world.

Our approach would provide us with the flexibility to respond as new developments unfold. Through this

process we aim to establish the foundation for a fair and equitable system that would achieve absolute emission reductions and provide certainty and clarity for industry, for the marketplace and for all the jurisdictions involved.

It is important that we involve the affected sectors in establishing how we construct future regulations for a cap-and-trade system. We want to make sure that we get it right to ensure the best approach for Ontario: for our industries and for the workers that they employ. While the proposed bill, if passed, would provide the authority to make regulations, the details of those regulations would not be determined until we have consulted further with industry and stakeholders, a process that began some time ago.

To support this process, a discussion paper on cap-and-trade will be posted on the environmental registry for 60 days. This paper builds on what we have heard from stakeholders and it provides further details and lays out options for the elements of a cap-and-trade system as the basis for consultation on future regulations.

As I've mentioned before, we have been consulting with other sector representatives and other stakeholders as we develop our approach. As a result, our proposed approach is based on firm fundamentals: first of all, establishing a reliable price signal; second, ensuring a level playing field for Ontario industry; third, avoiding duplication with federal regulations; and most important, pursuing absolute greenhouse gas reductions.

1530

We are continuing to work in partnership with other jurisdictions like Quebec, which has also introduced similar legislation, and the members of the Western Climate Initiative to ensure that we have a harmonized approach and a strong common front to advocate on behalf of Ontario in the future.

Fighting climate change requires that we work across ministries, across jurisdictions and across borders to create a lasting legacy of prosperity for our people, for the health of our province and for the future of our planet. Through this proposed legislation and the approach we will be developing as we move forward, we intend to protect Ontario's interests, create good green jobs and protect our environment for ourselves and future generations. Therefore, I encourage that all members work together on this in supporting this critical step in tackling climate change in Ontario.

The Speaker (Hon. Steve Peters): Responses?

Mr. Toby Barrett: We just heard the other shoe drop on cap-and-trade. It began last summer with Ontario announcing its request to join the Western Climate Initiative. As we heard at that time, this initiative is a collaboration of Arizona, California, New Mexico, Oregon and Washington to address climate change, and laterally, Utah, BC, Manitoba, Montana and Quebec signed on as well. Through the WCI and today's announcement, the goal, to speak broadly, is to address climate change linked to gases like carbon dioxide and other products in the atmosphere. As I understand it, companies that need to increase their emissions or cannot

meet a government-set cap must buy carbon dioxide credits from those who emit less.

There is an historic precedent with respect to cap-and-trade-like systems producing successful results in North America. This concept is similar to the emissions trading process agreed to by Ronald Reagan and Brian Mulroney when they successfully addressed sulphur dioxide and acid rain. That was Canada and the United States at the table, not Ontario and Utah. So cap-and-trade could work with respect to these kinds of emissions.

Having said that, I do have a couple of points of concern. Further, I do note that as government inaction sends Ontario onto the dole and initiates deficit spending and allows our economy to reach ever further into the depths of recession, it's the Ministry of the Environment that seems to be the most active in introducing legislation of late.

With this McGuinty green shift we must ensure that cap-and-trade does not become cap-and-tax. We must ensure that it does not become a green tax or a mechanism to put jurisdictions and companies in Ontario—and certainly in North America, for that matter—at a competitive disadvantage with countries like India and China. I really feel that it's not necessary for Mr. McGuinty to try and out-Obama Obama on the cap-and-trade front.

We have heard of recent rumblings—in this case, south of the border, some controversial legislation initiated by Democrats Henry Waxman and Edward Markey. I assume that that is partly in support of Obama's clean-coal initiative legislation, which is as well oriented towards cap-and-trade. However, we may see further protectionist policies take hold south of the border.

Federal environment minister Jim Prentice recently commented that the allowance of trade sanctions on imports from countries with higher levels of greenhouse gas emissions—again, like China or India; perhaps western Canada—would be, as he said, a prescription for disaster. Trade protectionism under the guise of environmental protectionism: I put that forward. Again, that's a debate better left between Ottawa and Washington, not necessarily Ontario and Arizona.

We know fossil fuels—natural gas, coal, oil—produce carbon dioxide. These fuels also provide 77% of Canada's energy, and that's why Canada has become one of the best places in the world for investment and development. Well, it was before Mr. McGuinty took over.

I will also mention that to date I have found emissions trading very difficult and complex to explain to people. I get a blank stare when I say to people that Ontario has signed cap-and-trade for carbon dioxide with Utah to deal with climate change. First, people around here have never heard "Utah" and "climate change" in the same sentence. Secondly, they indicate to me that that makes about as much sense as Ontario signing cap-and-trade with Arizona. Then I explain to them that that's exactly what McGuinty finished doing.

We've got a lot of work to do on this one. I know there's draft legislation, and this government is going to have its hands full.

Mr. Peter Tabuns: Certainly, the NDP and myself, personally, are always happy to have initiatives related to climate change come to this Legislature. There's no question that having debate about climate change's impact on our society and the action that has to be taken is something that is useful, limited but useful. There's no question that in the statement made by the Minister of the Environment he's correct in saying that climate change is an urgent issue for us. The stability of our society, the stability of the weather systems that we depend on for food, the stability of our future rests on us taking concrete and rapid action—bold action—on climate change.

I note that in 2007 I went to the press conference given by the Premier when he was preparing for his next election. At that time, he announced his climate change targets. It is far too grand to call it a plan. He announced his targets. They were too little for the situation that was before us, that continues to be before us, and they included measures like cap-and-trade. One would think that two years later we would be a bit further along than this act, that in fact within six months of that announcement we would have had legislation before this House for debate and for action, because we're missing the boat. We are simply missing the boat.

Two years ago, the UN said that the earth, our society, had 10 years within which to peak on emissions and start coming down if we were going to stabilize the atmosphere. That is not a goal that's going to be met by the efforts of this government. This government is acting completely irresponsibly when it takes slow action and low-level action on an issue that's fundamental to our future.

That, the climate side, the earth sciences side, is one side, but the other is the economic. We here in Ontario are laggards. Look at Quebec; Quebec is the only province in Canada with a fully integrated wind turbine factory. Quebec is a leader on this issue. In Manitoba, they have gone forward on geothermal, with a low-interest loan program for homeowners that has made them leaders in that field. We aren't. If you go to Toledo, Ohio, 6,000 people work in their solar panel industry; 6,000 people who used to make the windshields for cars now make the glass for the PV panels.

We here in Ontario have a huge, huge industrial establishment—you, Speaker, are entirely familiar with the scale and quality of that industrial establishment—which is being dismantled because this government has been slow off the mark. This government has not taken advantage of the opportunities to make a transition to renewable power that would have put people to work a few years ago, would have made the transition to a new manufacturing reality far easier. No, we have a government that has dragged its feet at every step of the way. So now we face the worst of both worlds: a situation where, in fact, we are not taking action quickly enough on climate change and we're not taking action quickly enough on preserving our economy.

1540

We have before us a cap-and-trade bill. It makes sense to me entirely to cap the level of emissions that come out

of this society. We have to make the transition, there has to be a cap, and then we have to go down from there. But the strategy that you need to do that, to be effective, has got to have a very large component of public investment in renewable energy technologies and transformation of the market and transformation of manufacturing. Frankly, if you don't have that as a driving component, you can put in any cap-and-trade system you want; you aren't going to get where you have to go.

This debate touches on fundamental issues of where this society needs to go and how it's going to get there. My regret is that this bill wasn't before us a year and a half ago. That would have made a lot more sense.

The timelines are short. This government had better speed up because it owes it to the people of Ontario. It owes it to future generations.

PETITIONS

NUCLEAR ENERGY

Mr. Toby Barrett: A petition titled Nuclear Nanticoke: Not So Fast, directed to the Legislature of Ontario as well as Norfolk county council, Haldimand county council, the Honourable Diane Finley and the Honourable Toby Barrett.

“Without any formal public consultation, county councils in both Haldimand and Norfolk have unanimously endorsed the first step in building two nuclear reactors.

“The nuclear power industry has failed to address public concern over the issues of safety and security in the storage and handling of hazardous radioactive spent fuel.

“Nuclear power is not emissions-free with its pollution-intensive activities in uranium mining, transportation and refining.

“No nuclear project has ever come in on-budget or on time, with the taxpayer and the utility customer paying for cost overruns that typically range in the billions of dollars.

“We, the undersigned citizens, demand a complete moratorium on nuclear development until the issues of contamination, cost, security and public consultation are adequately addressed.”

I affix my signature to this petition, although I don't completely agree with the last point.

CHILD SAFETY

Mr. Rosario Marchese: I have a petition signed by 30,000 people, a petition organized by a parent of two kids. It reads as follows:

“To the Legislative Assembly of Ontario:

“Whereas on April 8, 2009, Victoria Stafford was abducted from Oliver Stephens elementary school. She was seen leaving the school with an unknown female;

“Whereas the local police force felt the case did not meet the criteria for issuing an Amber Alert; the local community was not made aware of Victoria’s abduction and therefore no public information was collected on the case;

“Whereas, had an Amber Alert been issued, someone, somewhere could have spotted Victoria and she may still be alive today;

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

“To request that the OPP immediately review the current criteria for issuing Amber Alerts. This should include more emphasis on the relationship between the parent(s)/guardian(s) and their understanding of their own child.”

I agree with this petition and I will be signing it.

SCHOOL FACILITIES

Mr. David Zimmer: I have a petition here from a group of residents in my riding of Willowdale in the Arran Crescent area and the surrounding environments. The petition reads as follows:

“To the Legislative Assembly of Ontario:

“We, the residents, are opposed to the relocation of St. Joseph Morrow Park secondary school on the St. Agnes/Brebeuf site. That will increase the student population in the area.”

I’m happy to present this petition to page Carlyn.

TAXATION

Mr. John O’Toole: I’m pleased to present a petition, which reads as follows:

“Whereas the proposed harmonization of Ontario’s retail sales tax ... with the federal goods and services tax ... has the potential to increase the costs of many small businesses and their customers; and

“Whereas these added costs would have a devastating impact in difficult economic times; and

“Organizations such as the Ontario Home Builders’ Association have estimated that harmonization would add \$15,000 in” new “taxes to the price of a new Ontario home;

“Therefore we, the undersigned, reject the harmonization of GST and RST,” PST, “unless there are exemptions to offset the adverse impacts of harmonization so that the outcome will be a reduction in red tape, not higher taxes.”

I’m pleased to sign and support this petition.

EMPLOYMENT INSURANCE

Mr. Mike Colle: I have a petition on behalf of the workers of this province.

“Whereas the federal government’s employment insurance surplus now stands at \$54 billion; and

“Whereas over 75% of Ontario’s unemployed are not eligible for employment insurance because of Ottawa’s unfair eligibility rules” for the workers in Ontario; and

“Whereas an Ontario worker has to work more weeks to qualify” for EI “and receives fewer weeks of benefits than other Canadian unemployed workers; and

“Whereas the” ordinary, “average Ontario unemployed worker gets \$4,000 less”—that’s “less” with a big L—“in EI benefits than unemployed workers in other provinces and thus not qualifying for many retraining programs;

“We, the undersigned, petition the Legislative Assembly of Ontario to press the federal government to reform the employment insurance program and to end the discrimination and unfairness towards Ontario’s unemployed workers.”

I am in solidarity with the unemployed workers and I affix my name to this petition.

ROAD SAFETY

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

“Whereas there is an urgent need to stiffen the punishments for the Highway Traffic Act and the Ontario Provincial Offences Act regarding drivers who have been convicted of dangerous and/or careless driving who are repeat offenders; and

“Whereas the time has come to take measures to ensure that these offenders are held accountable to the highest level for their actions;

“Therefore we, the undersigned, respectfully petition the Parliament of Ontario as follows:

“That the government of Ontario pursue and raise the bar towards the punishment and convictions for the Highway Traffic Act and the Ontario Provincial Offences Act; and

“Whereas we petition the Legislative Assembly of Ontario to pursue the following:

“Redefine the Highway Traffic Act and Provincial Offences Act to provide a mandatory two years plus a day in a maximum facility for persons convicted of more than 10 Highway Traffic Act violations; and

“To provide a mandatory local driver’s accident prevention and awareness program for persons convicted of two or more driving offences.”

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

CEMETERIES

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

“To the Legislative Assembly of Ontario:

“Whereas Ontario’s cemeteries are an important part of our cultural heritage, and Ontario’s inactive cemeteries are constantly at risk of closure and removal; and

“Ontario’s cemeteries are an irreplaceable part of the province’s cultural heritage;

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

"The government must pass Bill 149, the Inactive Cemeteries Protection Act, 2009, to prohibit the re-location of inactive cemeteries in the province of Ontario."

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

TAXATION

Mrs. Julia Munro: "To the Legislative Assembly of Ontario:

"Whereas the McGuinty government's plan to harmonize the PST and the GST will result in Ontario taxpayers paying 8% more for a multitude of products and services;

"Whereas the 8% tax increase will increase the cost of services such as housing and real estate services, gasoline, hydro bills, home heating fuel, Internet and cable bills, haircuts, gym memberships, legal services, construction and renovations, car repairs, plumbing and electrical services, landscaping services, leisure activities, hotel rooms, veterinary services for the family pet, and even funeral services; and

"Whereas Ontario taxpayers cannot afford this tax grab, particularly in the middle of a recession;

"We, the undersigned, petition the Legislative Assembly of Ontario to direct the government of Ontario to abandon the sales tax increase announced in the 2009 budget."

HOSPITAL FUNDING

Mr. Bob Delaney: I have a petition to the Ontario Legislative Assembly that was passed to me by Laura Petrisor of Sidler and Co. in Meadowvale, and I'd like to read it. It goes as follows:

"Whereas wait times for access to surgical procedures in the western GTA area served by the Mississauga Halton LHIN are growing despite the ongoing capital project activity at the hospitals within the Mississauga Halton LHIN boundaries; and

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"Whereas 'day surgery' procedures could be" better "performed in an off-site facility. An ambulatory surgery centre would greatly increase the ability of surgeons to perform more procedures, reduce wait times for patients and free up operating theatre space in hospitals for more complex procedures that may require post-operative intensive care unit support and a longer length of stay in hospital;

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

"That the Ministry of Health and Long-Term Care allocate funds in its 2009-10 capital budget to begin planning and construction of an ambulatory surgery centre located in western Mississauga to serve the Mississauga-Halton area and enable greater access to

'day surgery' procedures that comprise about four fifths of all surgical procedures performed."

I'm pleased to sign and support this petition, and to ask page David to carry it for me.

HOSPITAL FUNDING

Mr. Gerry Martiniuk: I have a petition signed by good citizens of Cambridge, directed to the Legislative Assembly of Ontario, which reads:

"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 agree with the contents of this petition, I affix my name thereto.

CHILD CUSTODY

Mr. Jim Brownell: I have a petition signed by a number of residents from the city of Cornwall, including my daughter, believe it or not, and it reads as follows:

"To the Legislative Assembly of Ontario:

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

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

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

"Whereas subsection 24(2.1) requires a court that is considering custody of or access to a child to give effect to the principle that a child should have as much contact

with each parent and grandparent as is consistent with the best interests of the child; and

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

“We, the undersigned, hereby petition the Legislative Assembly of Ontario to amend the Children’s Law Reform Act, as above, to emphasize the importance of children’s relationships with their parents and grandparents.”

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

LONG-TERM CARE

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

“Whereas Ontarians who now live in long-term-care homes are increasingly older, frailer and have greater complex care needs;

“Whereas our elder parents, family and friends deserve to live with dignity and respect;

“Whereas the McGuinty Liberal government failed to revolutionize long-term care and broke its promise to seniors to provide \$6,000 in personal care, per resident;

“Whereas five years of Liberal inaction has restricted Ontario’s ability to meet the demands of our aging population;

“Whereas more than 24,000 Ontarians are currently waiting for an LTC bed;

“Whereas Ontario funds significantly less resident care than Alberta, British Columbia, Manitoba and New Brunswick;

“Whereas dedicated LTC homes are short-staffed and have not been given resources to hire enough front-line workers to provide the level of care residents require;

“Whereas devoted LTC staff are burdened by cumbersome government regulations;

“Whereas some 35,000 seniors are living in LTC beds which do not meet more home-like design standards introduced in 1998 by the former PC government;

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

“That the McGuinty government must enhance long-term care by:

“—initiating a sector-wide staffing increase of 4,500 full-time positions within a year;

“—expediting the redevelopment of Ontario’s 35,000 oldest long-term-care beds by providing adequate support and funding;

“—achieving an average of three worked hours of personal care, per day, within a year;

“—simplifying the regulations which govern nursing homes;

“—producing a comprehensive plan with benchmarks to reduce long-term-care wait lists of more than 24,000 people;

“—addressing inflationary pressures by adequately funding the increased operating costs of long-term-care homes.”

I have affixed my signature and I support this.

CEMETERIES

Mr. Jim Brownell: I have more petitions relating to Bill 149, with a number signed by members of the Cornwall Township Historical Society. The petition reads as follows:

“Whereas Ontario’s cemeteries are an important part of our cultural heritage, and Ontario’s inactive cemeteries are constantly at risk of closure and removal; and

“Ontario’s cemeteries are an irreplaceable part of the province’s cultural heritage;

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

“The government must pass Bill 149, the Inactive Cemeteries Protection Act, 2009, to prohibit the re-location of inactive cemeteries in the province of Ontario.”

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

The Deputy Speaker (Mr. Bruce Crozier): The time provided for petitions has expired.

ORDERS OF THE DAY

EMPLOYMENT STANDARDS

AMENDMENT ACT

(ORGAN DONOR LEAVE), 2009

LOI DE 2009 MODIFIANT LA LOI

SUR LES NORMES D’EMPLOI

(CONGÉ POUR DON D’ORGANE)

Mr. Fonseca moved third reading of the following bill:
Bill 154, An Act to amend the Employment Standards Act, 2000 in respect of organ donor leave / Projet de loi 154, Loi modifiant la Loi de 2000 sur les normes d’emploi en ce qui concerne le congé pour don d’organe.

The Deputy Speaker (Mr. Bruce Crozier): Debate?

Hon. Peter Fonseca: I’m going to be sharing my time with my parliamentary assistant, the member for Brampton West.

Just before I begin, let me say I’d like to thank the dedicated, hard-working staff at the Ministry of Labour who have worked on this important file, and in particular two staff members from my office, Melissa Banfield, senior policy adviser, and Dylan Blain, my legislative assistant.

Now I’d like to read a letter that was sent to the chair of the Standing Committee on the Legislative Assembly. The letter is from Jim O’Brien, the executive director of the Kidney Foundation of Canada, and it reads, “I am pleased to write on behalf of the Kidney Foundation of Canada, Ontario branch, in support of the Employment

Standards Amendment Act (Organ Donor Leave), 2009. The bill takes another important step forward in improving and removing barriers to living organ donation in Ontario.”

He continues, “According to the Trillium Gift of Life Network, 1,654 Ontarians are currently waiting for an organ. Of those, 1,218, or 73.5%, are waiting for a kidney. Some will wait as long as 10 years, and some will die waiting.

“The rate of kidney transplantation has not kept pace with the growing transplant waiting list. In 2008, only 505 kidney transplants were performed in Ontario, 219 of those from living donors. The Kidney Foundation of Canada supports living organ donation.”

I want to thank Jim and the rest of the hard-working staff and team of the Kidney Foundation.

But it is not only people awaiting a kidney. The unpaid, job-protected leave that we’re proposing would also apply to employees who are donating all or part of their liver, lung, pancreas or small bowel.

Right now, there are almost 1,700 people on the organ waiting list. These are people who face the insecurity of knowing that their lives may be shortened without the gift of the replacement of an organ. These are people whose quality of life is diminished while they wait. With the passage of Bill 154, we can take action to lessen that doubt and uncertainty.

We need more people who are willing to donate an organ. Living organ donors comprise approximately 30% of total transplants. This bill, if passed, will assist those generous-hearted, compassionate-minded people who are prepared to make the gift of one of their organs to another. We can help lessen the extent of that sacrifice by ensuring that employees who want to donate have job-protected leave.

1600

Our government has already taken some steps towards making the province a national leader in enhancing and saving lives through organ donation for transplantation. These steps are contained in an announcement we made in 2007 setting out up to \$4 million to implement an organ donation strategy. This strategy includes the establishment of the program for reimbursing expenses of living organ donors that the Ministry of Health started. And I would like to take this opportunity to thank the minister and the Ministry of Health for their hard work and assistance on this file. This is a fund that reimburses living organ donors for reasonable, out-of-pocket expenses, as well as a lost-income subsidy associated with their organ donation. The purpose of the fund is to remove potential financial barriers faced by living organ donors. The fund complements our proposed legislation.

We’re now looking forward to taking the next step to support our commitment and our overall strategy to encourage living organ donations in Ontario. The purpose of Bill 154 is to remove employment-related barriers to living organ donations.

Here’s what Dr. Frank Markel, president and CFO of the Trillium Gift of Life Network, has to say: “Let me give you two other reasons why I think this bill is so

important. Today, absent the bill, an individual who has decided to be a living donor essentially has to ask a favour of his or her employer, has to ask for leave. I don’t think anyone should have to go to their employer to ask for leave if they’re being generous enough to donate an organ.” I couldn’t agree more.

If passed, Bill 154 would help increase life-saving transplants and reduce wait times for patients on the organ transplant waiting list. It would also assist in reducing health care costs.

Organ donors are caring and compassionate people. Job-protected leave for organ donors would provide support for those kind-hearted Ontarians who are giving the gift of life to others.

Ontarians want to donate. In November 2006, this government commissioned the Citizens Panel on Increasing Organ Donations. The purpose of this panel was to survey the public on their views about organ donation and to find ways to improve and increase organ donations in Ontario. The panel’s recommendations focused on such things as improving awareness of the importance of organ donations and removing barriers to those donations. This bill is based on the recommendations from that citizens’ panel when they looked at job security and what should be provided. Donors wanted a guarantee that their jobs would be protected while undergoing surgery for the purposes of organ donation. We listened and we responded with Bill 154. So we’re moving forward.

For the individuals needing the donation of an organ, this is an enormous matter. For that good person willing to literally give of themselves, it is a concern of no small consequence.

What I would emphasize is that the effect on businesses and employers would be relatively small. The specifics of this legislation are straightforward. The bill provides 13 weeks of unpaid leave for an employee making an organ donation. This leave can be extended to an additional 13 weeks with medical documentation. An employee requesting this leave must be employed with the same employer for at least 13 weeks, which is consistent with some of the other leaves under the Employment Standards Act. And they must provide at least two weeks’ written notice to their employer before beginning and extending the leave. Employees would also be responsible for providing their employer with a medical certificate confirming the surgery has been requested.

The provisions in this proposed legislation are fair and reasonable to both employees and employers. Living organ donors are an increasingly important source of organs for life-saving transplants, comprising approximately 30% of the total transplants in Ontario. In fiscal year 2007-08, out of approximately 863 transplants that were completed, 260 came from living organ donors.

As I said earlier, there are almost 1,700 people on the organ donation waiting list in our province. Living organ donation has many advantages, such as reduced wait times, reduced patient suffering, increased transplant success and reduced health care costs. The health care needs of individuals requiring an organ are typically

reduced following a successful organ transplant. For example, the Citizens Panel on Increasing Organ Donations report noted that overall it cost the health care system \$30,000 to \$50,000 a year less to maintain a transplant patient than it does to maintain the same person on dialysis. That's good news for all involved.

One thing is abundantly clear: There should not be an employment-related barrier to these life-saving procedures, especially when that barrier can be removed. The McGuinty government is acting to make our province a leader in enhancing and saving lives through organ donation for transplantation. Here's what Dr. Gary Levy, director of the transplant program at the University Health Network had to say: "Any effort to encourage Ontarians to give the gift of life must be supported. On behalf of the transplant community throughout Ontario, we applaud all elements of the government and thank you for taking this bold step."

If we do not take action, if we do not seek to address a potential barrier to living organ donation—namely, job-protected leave—there is a risk that the number of living organ donations would stagnate. If we do not take action, we would not be recognizing the compassion of the donors and the self-sacrifice they make to others. Donors should not have to worry about their jobs because they're involved in such a needed and selfless act to protect the life of someone else.

The writer Thomas Merton once said, "The whole idea of compassion is based on a keen awareness of the interdependence of all ... living beings, which are all part of one another, and all involved in one another." This bill recognizes that interdependence that both compassion and civil society are based on and rely on.

Today, we have the opportunity to move Ontario forward and increase organ donations. This is just one part of an overall initiative to increase organ donations. Bill 154 would provide the job-protected leave that people say they need. It would be one less thing for organ donors to have to concern themselves with. The people of Ontario want to reduce barriers to organ donations and increase the number of organ donors. Let us move forward. Let us carry out the wishes of the people of Ontario and pass this bill.

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

Mr. Robert Bailey: It's my pleasure to rise today and participate in the debate on Bill 154.

As the official opposition, we are supportive of this bill, as it offers job protection to people who offer to donate certain organs and become living organ donors. The Ontario Progressive Conservative caucus is supportive of any initiative that increases the rate of organ donations in Ontario.

The Trillium Gift of Life Network was founded by the Mike Harris government as part an initiative to increase awareness and coordinate organ donations. As was pointed out by previous speakers, at the Trillium Gift of Life Network there are approximately 1,700 people currently on the waiting list for organ donations. The wait-

ing list has been reduced since 2004 but has remained more or less the same.

1610

Interjection.

Mr. Robert Bailey: Okay; sorry.

I'd like to commend the minister for his remarks. I hope to say a little more later in the debate.

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

Minister, you have two minutes to respond, if you choose.

Hon. Peter Fonseca: Sure. Why not?

I'd like to thank the member for Sarnia for his comments on the importance of this bill. We know that there are many individuals in Ontario suffering, waiting for an organ donation, and if we can make it a little easier for those who are living organ donors to be able to do so, to give that gift of life, by giving them that job-protected leave, that is what we are meant to do as legislators. We are here to erase barriers that are before worthy initiatives, of compassion, caring and love. These are family members, our friends, or those who have read about stories sometimes in the newspaper and have said, "I've got to do something. I want to do something. I want to give part of my organ. To be able to do that, I also want to know that the government of Ontario is behind me, protecting me, supporting me," and that's what we want to do. We are doing that through this bill, and I hope it receives support from all members in this House.

I know that all of us have been touched by a friend or family member who has needed an organ donation and how it touches the community. It is the type of community that we want to build, one where we understand our interdependence, where we share. The greatest gift is when we can give part of ourselves to help someone else live.

I want to again thank the member from Sarnia and all those who have spoken in favour of this bill.

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

Mr. Robert Bailey: I'll start in where one of my seat-mates passed me a note and corrected what part of the debate we are in. I apologize for that.

Where I left off, as I said, the PC caucus intends to support this bill. We think it's timely. Currently, approximately 40% of the kidney donations done in Ontario come from living donors and approximately a third of liver transplants come from living donors. Currently, there are approximately 1,100 people on waiting list for kidney transplants and around 300 people waiting for a liver in Ontario.

Although I am supportive of this bill and we will be voting for it, this is not going to do much to reduce the waiting lists for organ donations. I don't believe that anyone has ever been fired for wanting to be an organ donor, so I'm not convinced that there's that great a problem there.

What it does do, though, is remedy the current situation where, if you want to be a living donor, you have to

ask a favour of your employer. Dr. Markel of the Trillium Gift of Life Network pointed out in committee that women don't need to ask a favour of their employers when they go on maternity leave, so why should it be any different for organ transplants?

It offers a level of protection that's not there now. I suppose it will offer peace of mind to potential donors, and that is something that needs to be supported. What the government needs to do, though, is fix the current situation to make it easier for people to donate.

Ontario currently has the lowest rate of deceased organ donations in North America. I was shocked to find out that a few years ago the member for Newmarket–Aurora proposed a private member's bill that would have required people, when they apply for a health card or a driver's licence, to indicate whether they wish to be an organ donor or not. You would have to make a conscious decision at that time whether to donate or not.

I am supportive of anything that gets the issue of organ donations to top of mind. I think that is the only way we will get more donors. The member from Durham said that when he came in on the transit system this morning, he noticed that there's quite a bit of advertising now on the TTC about organ donation. So it's top of mind with a number of people today.

Again, you're not going to find anyone who's opposed to this bill. I was impressed at committee by the tremendous sense of mission of those involved in the transplant community around Ontario. They are certainly passionate advocates for organ donation programs and generally want to see the donation rates increased.

While we're all supportive of the bill, there were many concerns raised that are also important. Dr. Levy from the Toronto General Hospital transplant unit had the following to say about the effects of our low organ donation rates: "The low deceased-donor rates in Ontario have had devastating consequences, and I can speak to that because I just came from a clinic. Wait times for transplantation are up to nine years for a kidney and two to three years for a liver." I was interested when he stated, "Every day at least one Ontarian dies waiting for a life-saving transplant, and 25% of listed liver and lung transplant recipients die before an organ becomes available." Hopefully this legislation will shorten some of those lists and give some of those people a better outlook and opportunity for a full life.

Dr. Levy did go on to talk about a vibrant living-donor program that has helped to make up for the shortage of deceased donors, but it is just part of the picture.

The committee also heard from Dr. Ted Boadway, who chaired the Citizens Panel on Increasing Organ Donations. The panel made a series of recommendations on ways to increase organ donations. Dr. Boadway said, "We actually put quite a complex series of recommendations in the report, which were related to what we can do with the public, what we can do with changing some of our laws to facilitate it, what we can do in hospitals, and what we can do with health professionals. We think there are a whole bunch of areas that each have to

be addressed.... I think you have to approach it as a broad spectrum issue. You have to see what you can do in each one of these areas."

It was clear from all of the presenters—and I've just named a few here—that this one step is not going to increase the rate of organ donations alone. In order to do that, you need to be talking, advocating and educating the public all the time. It seems to me that education on this issue is the key to increased organ donations. On behalf of the official opposition, I would encourage the government to act on the other recommendations of the citizens panel so this isn't done as a one-off basis, but as Dr. Boadway said, a broad spectrum issue.

I would encourage the government to support the motion of the member from Newmarket–Aurora's private member's bill from a few years ago that would force people to make a conscious decision about whether or not they wanted to donate an organ. I can't help but think that we should be looking for ways to make organ donation top of mind for everyone. There may be different ways you can do that, but I think that any step that we may take as government or opposition in Ontario and other groups, anything we can do to raise awareness is something that should be supported. Thank you.

The Deputy Speaker (Mr. Bruce Crozier): Questions and comments? Further debate? Any other member wish to speak?

Mr. Fonseca has moved third reading of Bill 154. Is it the pleasure of the House that the motion carry? Carried.

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

Third reading agreed to.

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

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

Resuming the debate adjourned on May 26, 2009, on the motion for third reading of Bill 157, An Act to amend the Education Act / Projet de loi 157, Loi modifiant la Loi sur l'éducation.

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

Mrs. Joyce Savoline: Thank you, Mr. Speaker. I really appreciate the opportunity to continue my comments from yesterday.

I will begin where I left off, and it is with a quote. It is an impact statement by a family member whose brother was sexually assaulted in a school. I will begin the quote.

"My brother disclosed to my mother over two years ago that he had suffered student-on-student sexual abuse.

"After he shared what had been happening, we would continually inform the people who were supposed to be protecting us about" what was happening and "what was

still happening with regards to the perpetrator's actions and how we were feeling.

"To me, it seemed like the people in charge were more interested in covering up the perpetrator's actions, because they did nothing to make it better. That's why we had more downs than ups that year.

1620

"It also seemed like the principal only cared about covering up the perpetrator's actions and ignoring all policies that were put in place to protect the victim.

"In situations like this the principal and her advisers should be telling the victim and their family what is being done to protect the victim.

"Unfortunately, we got the exact opposite from a lot of people including the principal, TDSB safe schools advisers, social workers, and the trustees.

"These people were not contacting us about any changes they were making.

"The only thing that was happening is lies being made up to try and cover up how they didn't follow policies.

"If these people did their job as policies tell them to, the outcomes most likely would have been different.

"There may have been less suffering and my family would not have to continually be demanding justice and accountability.

"There were a lot of things done without following policies.

"This is what I think should have happened.

"A safety plan should have went into effect the day after my brother disclosed, a suspension and further expulsion should have occurred, the perpetrator and not the victim should have been changing their daily school routines.

"The agencies to assist childhood perpetrators should have been notified immediately to assist this child with his behaviour to protect others.

"There also should have been lots of encouragement from those around the victim and their family.

"As the school year progressed and this child was allowed to continue harassing my brother with no consequences, my mom would tell us that we would be leaving the school.

"The sad part of this is that we did nothing wrong. I think it is wrong that our family were the ones pushed out of their own school.

"It was really hard to see my mother constantly crying.

"My father did not show as much emotion, even though I knew inside he was crumbling.

"A lot of people were constantly upset and terribly worried about my brother.

"Due to the constant stress that my family was forced to endure, this also took away from the things that we used to do together. We were not able to get out as much as we used to, and be a family.

"When my brother and I began attending our new school, the beginning was very hard for all of us, especially my brother.

"He was afraid to go to school in general because he had memories from his old one.

"He had fears of making friends, going to the bathroom, communicating with his teachers and much more.

"He also always seemed like his mind was somewhere else; flashbacks of what had happened at his previous school.

"This affected me as well. I was constantly with my brother at recesses because he was afraid to interact with boys his own age.

"When I was not there, he would stand up against the wall alone.

"This created some difficulty in making new friends and talking to girls my own age.

"It's difficult for me because I am unable to share with any of my friends what our family went through, but I am able to talk to my teachers at my new school about our family's experiences and they help me.

"My brother was having lots of nightmares and flashbacks about everything that had happened after he told.

"My brother is afraid to go into a room of our house without one of us.

"He has also become very withdrawn and guarded at school and is fearful of trusting adults in the school system.

"He is always on guard in the hallway, the schoolyard and classroom. These are some of the impacts of what happened to him.

"Every day after school when my mother asks us how our day was, my brother's response is, 'It was bad because I had to go to school.'

"Unfortunately for my brother, he had a lot of adults betray him.

"I also think he is afraid of going to them because he is scared that they are going to betray him again.

"If certain people did their job, no one would be in this mess and there would have been no cover-ups and lies made.

"I also wouldn't have had to write a victim impact statement, because the person who tormented my brother all year would have been removed earlier, without our family having to go to the media to get something done."

These are life-altering events that we're talking about, not just a school tussle on the playground. The student being referred to here will be dealing with the lifelong trauma of the incident. The incident itself was traumatic enough, but it has been unnecessarily compounded by negligence on the part of the school's administration. Because of that negligence, this young boy does not trust adults, and who can blame him? The very people charged with the duty to keep him safe betrayed him time and time again, and now he has difficulty trusting.

When I asked the minister in this Legislature why she refused to take action to address this situation, she indicated that it was "an isolated incident." Well, I disagree, because I know how much courage it takes to stand up for an issue like this and continue to get up again and fight after somebody knocks you down, particularly when you are dealing with a delicate situation that involves minors. I also know that when one person steps forward, many more didn't, or couldn't, publicly

raise the issue. I have heard unspeakable stories from all corners of the province.

In London, a duo of dynamic women have actually taken it upon themselves to offer support to those parents and families that are dealing with student-on-student violence and abuse. Here is the story of London Anti-Bullying Coalition in their words, and why real accountability and consequences are so important to be included in Bill 157:

“Five years ago, a freelance journalist, having heard the similar tales of our families’ struggles with bullying in our schools, arranged for” us “to meet. Initially, we provided emotional support to each other as we struggled to work within the system to resolve our concerns and found ourselves getting nowhere. It was the news of the tragic suicide of a local teenager, followed by the denial of the principal that his school had a bullying problem, that propelled us towards the formation of the London Anti-Bullying Coalition. Listening to the boy’s father, Mr. Melo, talk about cutting his son out of a tree and witnessing the pain that we only too recently ourselves had avoided led us to the mantra, ‘Never again shall we lose a child to bullying!’

“Within three hours of announcing the formation of the London Anti-Bullying Coalition on a local radio station, we received 12 phone calls. I have listed a few of the concerns that were brought to our attention.

“A teenager was set on fire getting off the school bus. During the period that followed, while both the school principal and the bus line were assigning responsibility to each other for keeping this child safe, the young man was set on fire a second time, which led the bus driver to advise the parents to put their child on another bus, as he could not guarantee that their son would arrive home safely.

“A seven-year-old female was lured into a corner of her school playground, held down and sexually assaulted, resulting in a vaginal infection and suicidal ideation. All of the children were aware of what they called ‘the gross corner’; why weren’t the staff? The response to the mother by the principal when she sought assistance was, ‘To be fair, your daughter started a kissing club.’ The principal’s solution was to send the daughter back to school. Because it was winter, she had snow pants on and she’d be safe on the playground.

“As a result of a five-year-old boy being terrorized on the playground daily until he is so anxious that he throws up before school, the father films the playground and shows the video to the principal, who refuses to view the material. The next time the father is filming the playground, the principal calls in a false report of a suspected pedophile and three police cruisers arrive with lights and sirens going to stop the father from filming.

“A mother who was concerned with sexually inappropriate behaviour of a teacher and was demanding resolution is banned from her children’s school and is not allowed to attend her daughter’s grade 8 graduation.

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“Under the mentorship of David Millen from the Ottawa Anti-Bullying Coalition, we held a media con-

ference to announce the formation. Our media conference was attended by John and Maria Melo, Mike Neuts and Cindy Wesley, all of whom lost a child due to this issue and strongly supported the formation of a parents’ voice advocacy group.

“At our town hall meeting the next week, we were surprised, as the 40 attendees we expected turned into 120 participants. We were a little overwhelmed. It seems like people thought we were already established and came looking for support, but here we were, just two moms who felt like we were in over our heads. It was made apparent that our community was fed up and looking for some answers. TVO was in attendance filming for their documentary *Battling Bullies*, which was nominated for a Gemini award and featured families who became political as a result of the system’s failure to protect their children.

“The LABC does not hear success stories; the LABC hears stories of situations being unaddressed and of policies and procedures either being ignored or used incorrectly. The LABC has been told that the ministry does not micromanage their boards, and the boards state that they do not micromanage their administrators. Is it micromanaging to expect adherence to policy? Is it micromanaging to place accountability pieces into legislation? Is it micromanaging to consequence an administration that, despite adequate training, fails to respond to parents in a positive, collaborative way? We don’t think so.

“When policy and procedure fail, when the victim is blamed for being provocative, when the incident is overlooked because ‘boys will be boys,’ when parents are forced to seek alternative education for their children or are simply told that if their children stopped twitching, being gay, eating, reacting to the situation, it would improve, then who’s responsible for making it right? At this point, no one is. Parents who contact the ministry are given no redress. Parents who contact their boards are offered no hope. Situations that are handled inappropriately by their schools are not remedied, and those who failed them are not held accountable. Where do parents go when the three systems appear to collude with each other to avoid accountability?

“Without exception, our membership reports that they have been made to feel like overly involved, overly sensitive, unreasonable parents. They have been advised to teach their children some street smarts, enrol them in outside-of-school activities to help rebuild their damaged self-esteem, and to safety-plan with their child alternate routes to walk”—to reach a place where bullying is dealt with the right way all the time and angry parents don’t have to form political movements.

“In the end, if no accountability or support for the victim is built into legislation, we will continue to assist parents navigating the bullying maze and we will continue to lobby our officials to ensure safety for all students.”

Clearly, these are not isolated incidents: 120 people showing up from one community in Ontario goes far

beyond isolated. I have trouble reading some of the solutions that were offered to these parents: "Put your child on another bus," said the bus driver, "because I can't keep them safe"; having her wear snow pants so she won't get sexually assaulted; and banning the parents from school activities because they have had to resort to the extreme to keep their children safe. This is not one principal and it isn't one school, so you tell me how your lightweight bill will stop this from happening.

In committee, I asked the London Anti-Bullying Coalition if Bill 157 would prevent these situations from happening in the future, and their response was, "No. Kids will still fall through the cracks."

My caucus colleague the member from Thornhill asked them to define "mandatory reporting" as they would like to see it defined in the act. They responded with: "What we would like is to make sure that when an incident is reported—it must be mandatory. We have trouble explaining to our parents that there is a difference between conflict and bullying. When it is truly bullying, we want the child to be able to report it to a teacher. We understand that teachers report to principals, but our parents want to know, if the principal does not do their part, where do they go next?"

"Truly, if 'shall' means 'shall,' then we'd like to see 'shall' mean 'shall,' because we have seen 'shall' mean 'perhaps' and we've seen 'shall' mean 'possibly.' So if no one is prepared to change the wording to 'must' and then say, 'If you do not do it, here is what happens,' if no one is prepared to do that—if 'shall' means 'shall,' then we need to see 'shall'—really does—"mean shall," and it's interpreted in the right way. I agree with the London Anti-Bullying Coalition, and we have seen this Liberal government take liberties with the interpretation of the meaning of "shall" in the past. Unfortunately for students across Ontario, I don't see this leopard changing its spots any time soon.

Another brave parent has continued to fight for justice for her son and changes to a system that robbed him of his high school experience, and I will now read from her presentation. She told our committee: "My name is Karen Sebben, and my family and I live in York region. I have my son Daniel here with me today as well, my moral support. Daniel wants to be present simply because the outcome of this bill will ultimately reflect on the safety of future students. It's too late for him, but he wholeheartedly supports any student who has lived the experiences he has. To be fearful of your life and contemplate suicide is too much to bear at any age, let alone at a young age and in an environment he expected to be safe in. As a result, he lost his high school years, which is something he can't get back.

"I'm here today because of my dissatisfaction with our government as it relates to the emotional and physical well-being of some of our schoolchildren, and our own personal history as it relates to a school system that I feel is fundamentally in need of change.

"Parents in our region often have to deal with school and administrative reluctance to get involved with ex-

cessive bullying issues. Board administrators often use legislation that is built around individual cases and 'schools know best' policies on how to deal with excessive bullying and student-on-student violence as an excuse for non-compliance in many cases." This is more widespread than we'd like to believe.

"Clear legislative language that is not up for interpretation and clear actions defined in this legislation on how to deal with bullying and student-on-student violence issues are needed to ensure streamlined board and school compliance.

"I have concerns with certain language like 'shall' as opposed to 'will'—that has since been clarified—and 'as soon as reasonably possible' as opposed to a clearly defined time limitation. The language in this bill is open-ended and subject to different interpretations. A clear course of action is desperately needed to fix the problems this legislation was intended to tackle. It is required, should there ever be a difference of opinion between a principal and the legal guardian of a child. A time limitation would offer something definitive and, further, it would provide the principal with a support mechanism as his or her actions would not be called into question.

"Bill 157 is flawed in that it leaves reporting to police to the discretion of principals. What you and I deem 'a serious nature' may differ and it sends two messages. Firstly, if an incident is not reported to the police, the aggressor may not suffer the consequences necessary. Secondly, a message is sent to the victim that his or her worth within the school community is of no importance.

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"The Ontario Principals' Council has stated that 'criminalizing students for their involvement in minor altercations is an overreaction.' I disagree. Our Criminal Code is clear. If there is an act of aggression or even a minor altercation that falls within the list of offences included as grounds for suspension or expulsion, then it is not a minor altercation and police must be called. We can all remember the young boy who had a belt taken to him by two older students. It was assault, pure and simple. How will accountability be addressed if a parent feels that police should have been called, but the principal, using discretion, made the decision not to" call them?

"Ms. Sandals has also stated that mandatory reporting to police is clear and that all school boards have police protocols that comply with provincial guidelines and therefore did not need to be included in" this "legislation. I disagree for the following reason: I took the time to meet with my police" service "to discuss the protocol and to specifically find out how they would deal with a criminal situation if it takes place in a school community as opposed to the mall parking lot. I was told that the same situation in either location would be treated the same and that extrajudicial measures would be followed.

"As a result of that meeting with police, I had discussions with teachers at the high school level who work closely with their beat police. These beat police have made it very clear that there have been instances in

the past where they would have liked to proceed with laying criminal charges but advised that school administration was tying their hands. Since when does school administration dictate how our police" service "does its job, and further, as a parent, how do I digest this conflicting information?

"On March 23, 2009, Minister Wynne stated, 'We remain committed to helping all kids reach their potential.' She further stated that, 'The only way that we will ensure safety for all of our students at school is if all people involved in students' lives take responsibility and work together.' Indeed, and well said. It takes a community to raise a child, but I don't understand how this can be accomplished with open-ended and unclear language within our legislation and police" service "confusion on how to uphold the Criminal Code on school grounds.

"I firmly believe it is every child's right to receive a safe education. Differences between our children shouldn't matter. It shouldn't matter if that child is gifted or with special learning needs, but it does matter if that child is an aggressor or victim. Our safe schools legislation thus far is very clear in that the focus of our government is for the benefit of the aggressors of our school communities.

"Teachers have told me that when they routinely intervene as they come across negative or disrespectful behaviour that requires disciplinary measures, they are not always supported and discipline is not always followed through with at the administration level. This cannot be considered working together. What accountability can a parent expect if consequences for the negative behaviour of a student are not followed through with on an administrative level?

"Currently within Bill 212, there are procedures in place to assist aggressors within our school communities to remain in school and move forward with their education. It's a good step and it's necessary, but Bill 212 does not speak to all kids.... The safe schools action team, in their report of December 11, made good recommendations relating to victims. It is a shame that out of these recommendations, Bill 157, if passed, will not address removing the alleged aggressors. In our personal situation, the fact that the aggressor remained in my son's school exacerbated the degree of unacceptable risk he endured. What does our Ministry of Education intend to do with some or all of the very good recommendations put forth by the safe schools action team? For example, in our area, prior to Bill 112:

""Discretionary Expulsion Criteria....

""(ii) the student has engaged in an activity (on or off school property) that causes the student's continuing presence in the school to create an unacceptable risk to the physical or mental well-being of another person(s) in the school or board.'

"In our situation, an unacceptable risk to our son was most definitely present. The injurious behaviour from his aggressor continued for three years. My child was under the care of an outside psychologist and my school admin-

istration was aware of this. The aggressor's continued presence in that same school as my son for three years created an unacceptable risk to the physical and mental well-being of my child. As a result of policy not being followed, the consequences that the aggressor endured did nothing to change the behaviour and the aggressor remained at school and continued to learn; my child continued to decline academically and emotionally. He became suicidal and to this day still suffers from chronic stress.

"There was a board policy displayed on the website. It was plain and clear for any parent like me to read and understand, yet my child endured for three years. It's either policy to be adhered to or it's not policy. What is the purpose of an operational policy if it is not adhered to by administration on grounds of discretion and interpretation?

"I wrote to Minister Wynne on a number of occasions to request that she direct the safe schools action team to consider the possible lifelong ramifications of a once academically successful and happy student who has become a student at risk as a direct result of student-on-student violence. At the same time, I explained our personal plight. I received no direct answer; I received no empathy or sympathy from the minister; I received no acknowledgment that something, somewhere went wrong; and I certainly received no accountability. I received Bill 157, which is clearly devoid of any type of accountability due to the lack of clear action and directions needed to address the problems that our school system currently faces.

"Ms. Sandals has also stated in the past that 'sadly, we know there are young people who do not feel safe.' If this is truly unacceptable, why did the ministry allow my son to continue looking over his shoulder for three long years while he attempted to learn—three long years of waiting to see that he mattered? He's not the only student who has experienced this, and he won't be the last.

"In conclusion, I would like to state that I have a difficult time believing that local school boards and their officials, once granted the right to interpret this legislation, will ever actually coincide with the spirit of this bill or this committee. I'd like to take the opportunity of thanking the committee for attending here today and for listening to our family experience, which happened as a direct result of discretionary powers."

I hope the government recognizes the theme here. It is one of inaction and avoidance by their school boards, of negligence by some principals and failure to enforce consequences by the ministry. It is also clear that our schools are not consulting with law enforcement in the way they should. Protecting our children should be proactive and preventive as much as responding to current situations. Law enforcement gets it. That was clear in Constable Decker's deputation made on behalf of Toronto Police Service during the hearings.

I would like to quote some of the shocking statistics that Constable Decker brought forward. He said, "Half of the victims of hate crimes in Canada are between the ages of 12 and 24.

“Two thirds of all persons accused of commission of a hate crime in Canada are between the ages of 12 and 24.

“Educational facilities rank second among hate crime offence locations.”

So despite the fact that these statistics exist, when a principal is confronted by a student who has been abused or assaulted, they fail to report to the proper authorities. According to Constable Decker, “Crime prevention traditionally employs a number of key strategies. Some of those are targeting key sites of violence—if hate crime is very much a youth phenomenon, we need to go into schools; early prevention and intervention,” he said. And do you know what? I heartily agree with Constable Decker on prevention through education.

There are sections of this bill that hopefully will have an impact on hate crime through education. However, behaviour that is not addressed becomes accepted behaviour. This is what I worry about. Not only do we have students who have been assaulted and abused and received no support or protection, but we have witnesses to these crimes who saw their school administration do nothing.

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What kind of impact does that have on deterring students from committing future acts of violence? In fact, you will most likely see an escalation of violence in those schools because there have been no consequences imposed and the administration turns a blind eye to the incident.

I am in agreement with the Ontario Principals’ Council when they say, “The bill also needs to require that all staff in schools must be responsible for such interventions at all times during the school day. This would apply whether the staff member is teaching, on a scheduled break or on a prep period in any area of the school.”

The problem that many of the parents encountered after their children were abused was that the school failed to enforce the safety plan. So these students are being victimized, put at risk and their trust in those charge with their protection is then shattered.

The PC caucus put forward an amendment that requires the development and enforcement of a safety plan. Of course, this was shot down by the Liberal members on the committee.

I also concur with the Ontario Principals’ Council that, “The legislation should clearly define the term ‘intervention’ and should include the responsibility to address the situation in the moment and discipline in the moment.”

Many of the parents who have come forward cite a delayed reaction to the incident that has further exacerbated a difficult situation. Their suggestion also speaks to the lack of clarity in Bill 157. You would think that an education bill designed to keep our kids safe would be clear and concise. I don’t believe that this is the case.

In response to a question from my colleague from Thornhill about removing the power from parents, Mr. Naeem Siddiq of the Ontario Principals’ Council said, “I would suggest that we are quite comfortable with the role

of parenting. I would suggest that the Education Act even asks us to do that.” I find this statement quite troubling, as did my colleague.

One of the fundamental points of this bill from our perspective is that parents deserve to be notified, and in the cases we have been made aware of, this did not happen. Principals are not substitutes for parents, nor should they assume that they could be. This concept needs to be challenged and a culture shift should occur.

The Elementary Teachers’ Federation of Ontario said, “It makes sense to have a clear protocol to report serious incidents that occur at school. It’s important for parents and guardians to be notified in a timely fashion of such incidents.... There should be clear expectations that adults in the school intervene when they witness inappropriate behaviour that negatively affects the school climate.”

We don’t just need a protocol; we need consequences in place for when the protocol fails, as it obviously has many times.

The Elementary Teachers’ Federation of Ontario also believes that “all forms of student-to-student violence and student-to-teacher violence should be documented and placed in the student’s OSR through the use of a violent incident form. These forms should describe the incident, state the resolution or remedial measures taken with the student, and indicate whether the police or other agencies were involved and whether further education or action is necessary. This type of documentation will also provide teachers with the necessary knowledge and ability to monitor a student’s progress and prepare an individual program designed to ensure the student’s future success.”

This failure to document does not impact just the current victim and abuser. The failure to document serious incidents of student-on-student violence and abuse has contributed to more than one student falling prey to that same abuser. The first incident may not have been preventable, but the second assault definitely could have been, and the fault lies in this reporting mechanism, or lack thereof.

This position is confirmed by David Clegg, president of the Elementary Teachers’ Federation of Ontario: “All too often, particularly when students transfer schools, the OSR is vital for the receiving teacher to understand the needs of that student. We’ve found, too many times, that issues regarding students coming into the school pertaining to their behaviour, particularly violent behaviour, are not part of the OSR record. This allows opportunities for, unfortunately, incidents to recur where foreknowledge potentially could have prevented that.”

Well, this isn’t rocket science. We heartily agree, and this would have made a world of difference to all these cases.

I would like to reference Ms. Martha Mackinnon’s deputation from Justice for Children and Youth. Ms. Mackinnon said, “If everyone in the school system were honestly doing all of their job all of the time every day, we probably wouldn’t even need this legislation.”

She hit the nail right on the head. But unfortunately, human nature says differently.

The deputation by the Ontario English Catholic Teachers' Association referenced the fact that, "Often, our teachers and our principals ... are not equipped to deal with ... specific problems."

No one is asking them to. In fact, the PC caucus asked for the right support systems to be called in for both the victim and the abuser. Every board has access to psychiatrists and professional personnel that are trained to deal with trauma, violence and abuse. We want to see these professionals immediately deployed as part of the victim's safety plan and the abuser's rehabilitation strategy.

The Liberals, for some reason, disagreed. This bill is really an insult to teachers, because they have been reporting these incidents, they have been doing their due diligence and the buck stops in the principal's office.

Mr. Ryan, from the Ontario English Catholic Teachers' Association, confirmed this in his statement to the committee:

"I'll have to speak out of my experience as a classroom teacher, having been in the classroom less than two years ago. Quite often, our members do experience that: They report an incident, they often document it, and in some cases where, let's say, there's a suspension, they get paperwork back and they'll get communication. In many cases, however, they don't know what has happened, especially at the secondary level. There is no communication back to them. When I was a staff rep in the school, on the issue of child welfare cases with children's aid and Catholic children's aid and Jewish family services, I'd ... have to tell them that it's not good enough to just take the principal's word that they've reported to these agencies. You have to make sure, because they're liable in those cases. But many colleagues have reported to me that they've gotten no feedback on it."

Feedback is critical. Why operate in a vacuum of information when you have teachers who care and want to be engaged in helping these students, but their hands are tied? The Ministry of Education needs to send a strong directive through the system that deploys and engages all resources to protect our most precious assets, our children.

I am not only surprised but mortified by the experiences of parents in our education system that were brought forward by the Canadian Children's Rights Council. The following statement speaks to the way the education system has kept parents in the dark and on the fringe of their children's experience. They stated: "Schools even tell parents that they aren't allowed to see the school records...."

"There needs to be an inclusion in all of this of the primary caregiver of the child, which is both parents. Any reporting that's done should be open and transparent to the parents; it should be available to them. They should be able to look at all of this, which is part of the school records. They should be able to look at any of this. Anything that's been written down by any teacher, as far

as we're concerned, is part of the school record and should be open to these parents to evaluate. It's their job to take care of the children, and it's their children first"—yet another example of how the school system believes they are better parents than the parents themselves.

The important part of this scenario, particularly in the custody arrangements, is that both parents have access to the information. They can't always both go to the office at the same time, but they can read the same report and make a decision based on that information. Too much—in fact, all of the critical details—is left to policy and regulation.

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The committee has abdicated its responsibility to give clear and strong direction on so many of the issues that have been raised through these deputations.

I cannot support the bill as it stands, a bill that does not include direction to document actions, to follow up, to require mandatory notification to parents or guardians, that does not require a report filed with the superintendent and that does not require a mandatory safety plan to be developed with the parents and guardians. This is a huge opportunity lost again, and shamefully—shamefully—at the expense of our children in our Ontario education system who find themselves first victimized by a fellow student and then victimized by the very system that they and their families rely on for protection. Until the Minister of Education, the education Premier and this Liberal government take seriously the information that these victims have so courageously brought forward, I will not support this legislation.

I want to thank the heroes who have told their most painful stories in the hope that this Liberal government would require mandatory reporting for student-on-student violence so that others won't have to be victimized and fall through the cracks as a result of this system.

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

Mrs. Julia Munro: I would just like to congratulate the member for Burlington on the amount of research and contact that she has developed over the time of this bill and its passage. Very clearly, as I mentioned in remarks I made last week, there is a gap. The minister acknowledged a gap, but it would seem, at the end of third reading, that there are still issues that have yet to be resolved. I think that when you have a bill that has engendered so much public outpouring—an outpouring of what is ostensibly of a private nature—where people have felt the importance of coming before a committee in the public domain of Hansard and brought forward their stories, it's a demonstration that, quite frankly, there is a lot more to do.

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

Mr. John O'Toole: I listened intensely to our critic, Ms. Savoline. The arguments that the member from Burlington made were substantive, putting on the record those claims. But here's the simple point that I have: Parents do have the right to know. That's exactly what

I'm saying. This is mandatory reporting of school violence. That can take many forms: mental, physical, social—you name it. But here's the point: I believe that in the partnership of the school, the community and the child, the parent cannot be left out. Of course, there are parents of varying degrees of capacity, intelligence, wealth etc., but so are there in all of the other partners. No one's perfect in this group. If there are concerns that by telling the parent the child could be at risk, I understand that, and there needs to be intervention there and other actions taken, I suppose. But in all cases, to think that the parents shouldn't know of an event at school, either where they were the victim or the perpetrator—the parents have the right to know. That's really all I want to say.

No one is for violence in schools. No one is. That's antiquated, outdated, unacceptable, whatever. But I think your arguments were well made, and often these things aren't handled by any of those stakeholders. The educators themselves may have a Ph.D. in mathematics. That does not mean they're a psychologist or an interventionist or a mediator or anything like that. I'm just saying, in all cases the persons who raise that child from birth to the end of their life are the parents. They should not ever be left out. I'm a parent of five children, all of whom I'm quite proud of, but they're not perfect, any of them. I expect that in any intervention where they could improve their behaviour, I should be informed.

The Deputy Speaker (Mr. Bruce Crozier): Questions and comments? The member for Burlington, you have up to two minutes to respond.

Mrs. Joyce Savoline: I appreciated the opportunity, on behalf of these victims, to read their impact statements into the record. I have to say very clearly that these incidents happen in schools, and there are many times when teachers, principals, administrators and school boards handle the situation properly. But in the event that human nature kicks in and something happens and somebody decides not to handle this properly, we don't have the documented rules that need to be followed. We have no accountability in any of our acts; this bill provides nothing. We have no consequences in any of our acts; this bill provides nothing. It puts the family through a torturous process of having to be bounced from one person to another to be told that, "Well, you may think it's serious, but nobody else does."

I think we had the opportunity in this bill to prevent that from happening in many cases, and we missed that opportunity hugely. Why should parents have to try to weed through the system when we, as legislators, have the ability to direct policymakers, to direct the regulation writers to write the kind of regulations and policies that make it very clear how processes need to be followed with regard to student-on-student violence in our schools? Without those policies being clear, human nature will continue to kick in and parents will continue to be the advocates for their children who have been victimized. We are talking both about the perpetrator and the victim in this case. I think it's a shame that we have dropped the ball here again.

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

Ms. Leeanna Pendergast: It's a pleasure to join in the discussion today. I'm compelled to join in this debate today. I'm a high school vice-principal. I've been an educator for over 21 years. I have extensive front-line experience in this area. In fact, I am a member of the safe schools action team. So I do feel compelled to join in the discussion today. I see that one of my colleagues from the Waterloo Region District School Board whom I worked very closely with on the safe schools team is here today in the gallery. Welcome; thank you for being here. It's great to see you again.

Really, I think there are several things that need to be addressed here in this discussion. I'd really like to begin my comments as a principal who has just recently left the front lines, who has had extensive experience dealing with alleged student-on-student assault, sexual assault, abuse, homophobic behaviour. All of these things make our jobs as administrators in the schools very, very difficult positions to be in. I spent many years lobbying various other governments to step up to the plate and put in place some supports for administrators and for teachers in our schools, to have some clear policies and guidelines that help us when a student comes forward and reveals that he or she has allegedly been a victim of sexual assault, of harassment, of bullying. So it's a pleasure to be a member of this government that has actually put in place not just the Safe Schools Act but also Bill 157, which looks at safe schools in a way that address the needs of administrators on the front lines on a daily basis.

Again, I stress that it is so important that I join in the discussion because I am a front-line administrator. These are the things that I have lived for the past 11 years as an administrator and 10 years prior to that as a teacher. I don't think that we can compare. When we get a little detached from the front line, when we've been out of it for so long, I think it's difficult to be able to make comments and to read quotes from isolated incidents and really allow that to stand as a reflection of what's happening in our schools, because right now we have safe schools. We are working towards safer schools. We understand that we're dealing with—I always say that in a business model, our commodity is children and youth in our schools, so it's constantly in a state of flux and change. I am proud and pleased today to stand here as a front-line administrator, as a member of the safe schools action team, and to comment today on Bill 157, because I guarantee you that this is the right way to go.

1710

The opposition want details of the safety plan in the legislation. I say, with clarity, "Absolutely not." The details need to be in the PPMs. I tell you that as an administrator and as a principal. The details need to be in the procedures, in the policies and in the memos.

When a student comes in to report alleged assault, alleged sexual harassment or abuse, I tell you, I'm not going to sit down in my chair and pick up the Education Act and read it to find out what I should do, what policies

I should follow. I'm going to go to my board PPMs. I'm going to go to my board policies. I need to know what forms need to be filled out. I need to know exactly what phone calls need to be made and to whom. I need to know contact information for parents. I need to know who my contact is at dispatch, for the police. I need to know what documentation I need to keep as a principal. And I need to know exactly the interview procedures that I need to follow, as a principal, as an administrator, because it gets very complicated. Am I supposed to interview the primary witness? Am I supposed to interview the secondary witness? Do I interview the perpetrator? Do I put the perpetrator in a separate room and talk to the victim? This is a situation that can get very muddled very quickly, so it is so absolutely crucial that administrators have those guidelines, those protocols, in the PPMs from the board so that we can follow those and follow them consistently.

I think too that what we need to look at is that it's not always the principal. As fabulous as we are—

Mr. Rosario Marchese: Of course.

Ms. Leeanna Pendergast: Absolutely.

But it's not always the principal that the student comes to, to report. In a high school, as a vice-principal—sometimes students have the impression that we're the bad guys, and we're not, but when you're in crisis, the principal or the vice-principal may not always be the person to whom you go to disclose.

Over my many, many years of dealing with safe schools and safety issues in our schools, I came across the literature and the study of a Dr. Emily Werner. Dr. Werner did her study in the 1950s in California, and she studied students in school who were at risk for safety reasons. Interestingly enough, she followed these students for 30 years to see where they would end up in their lives. Miraculously, every one of the students in her study ended up as contributing members of society.

When she went to each of the members in the study and said, "You know what? You defied all odds, and you have been successful. How did you do it?" every one of the students in that study had the same answer. The answer was that somewhere in their lives they encountered one caring adult. Unfortunately, that one caring adult is not and cannot always be the principal or the vice-principal.

As the safe schools action team, when we travelled the province extensively what we heard was that that one caring adult oftentimes would be a guidance counsellor; it could be a favourite teacher; it could be an educational assistant. So that created a bit of a dilemma, in the sense of, how do we continue to shape this culture of respect in our schools and do it in a consistent manner?

What we're looking at today is the next step to have that happen, so that staff, with Bill 157, clearly will have direction in what to do. So when they become that one caring adult for a student in crisis, a student who is alleging sexual assault, abuse, bullying, sexual harassment, harassment or homophobic behaviour towards them, the staff member must report that information. They will have clear policies and guidelines in how to report that information and to whom.

I tell you, as a principal the one thing you don't want to hear when you're dealing with a student or a situation where you have student-on-student abuse, harassment or alleged assault is that the student went and told a staff member a week ago, two days ago, an hour ago or six months ago, because that's where we have the gaps. With Bill 157 we are closing those gaps and ensuring that any staff member who is in possession of information—and kudos to them; they are that one caring adult whom the student has chosen as a confidante—now has direction, and this allows them to perform their duties and their job more effectively.

I wanted to, on that note, read a quote:

"Barb Sonier, the Thames Valley District School Board's superintendent of safe schools, welcomed the proposed change. 'It does provide a clear direction to staff. They don't have to be discretionary about it,'—meaning the reporting—they can simply do it.' Sonier said most of the board's teachers and principals report incidents of bad behaviour, but the bill would provide some consistency throughout the system and across boards.

"The legislation would also apply to all incidents of gender-based violence, homophobia and inappropriate sexual behaviour among students. 'It's really important that we don't hide from these issues. We need to address them,' Sonier said."

That's exactly what this bill does. That's exactly why the safe schools action team has spent so much time listening to the people of Ontario, to find out what advice, what consultations they can give us, and we have brought this forward today in Bill 157.

I speak to you now, Mr. Speaker, as a parent, as an administrator and, of course, as a member of the safe schools action team. We know the legislation of April 1, 2003, the Youth Criminal Justice Act, was the first time in that federal legislation that the victim was addressed. Now in Ontario we are stepping forward to say that the victim is crucial to the whole picture here and that the parents of the victim must also be contacted. The impact on the alleged victim is just as great as it is on the alleged perpetrator. Now, I am proud to say, this will happen.

A lot of schools follow the restorative justice program, and the restorative justice programs works with this whole philosophy of including the victim. It's hugely important that we look at the victim, as well as the parents and the family of the victim. So with restorative justice, the perpetrator can sit with the victim and their families, in a healing circle and a lot of times the teacher or that one caring adult who received the disclosure, and they can all sit together and have a chance to have the floor in order to share how this has affected them and how it's changed their lives. The victims and the parents have a voice. In Bill 157, the parents of the victims must be contacted.

It's fair to say that we're focused on the perpetrators. We're calling the police, we're looking at the alleged assault and sometimes the victim gets overlooked. Again, this ensures that yet another gap will be closed, and now this will be good for the parents and the victim.

Stu Auty, who is a member of the safe schools action team and president of the Canadian Safe School Network, calls Bill 157 “another step in the right direction to improve school safety. Parents and principals need to know what is happening in our schools so appropriate action can be taken.”

As I said, this is yet another opportunity for this government to close those gaps in our schools and to ensure that they become even safer places to be.

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The LGBTQ community was another community that we heard from in travelling the province. My personal experience has been that it is difficult for a young person who is the victim of homophobic comments or homophobic assault to come forward because—again, we go back to the victim—sometimes in the disclosure there’s more harm done than good. So this is an opportunity for this government to say, “If this is occurring, then there must be a response.” So no longer can a youth disclose to a staff member who can say, “I’m sorry to hear that that happened to you.” In this case whoever the one caring adult is for that student who discloses alleged homophobic assault, abuse or behaviour must report to the principal. And so, yet again, another gap is being closed in making our schools safer places to be.

The police oftentimes are going to be part of this, if there is an alleged assault or a sexual assault. Again, a principal or an administrator needs to know very specifically in the policies, in the protocols, what to do and how to contact the police and how to act and react when the police have been contacted. We currently work in consultation with the police in our schools. We have police/school board protocols. What we are stressing is that the police investigation is a separate yet parallel investigation to the principal’s investigation, and that is being clearly defined so that the school can maintain its investigations at the same time as the police have their investigations.

In addition to Bill 157, we’re putting policy in place that needs to respond to, as I said, homophobic behaviour, but what we need are different levels of response because it is a complicated issue. A safety plan will be laid out to do exactly that. The safe schools action team has recommended that there be a provincial manual for student-on-student sexual assault, a manual that is consistent across the province and that directs principals, vice-principals, staff members—all staff members—on how to deal with this, and this will happen.

We are also recommending curriculum changes. We met with the health curriculum team. It is imperative that we start young. Young students in schools have to understand the importance of healthy relationships, of working together, and the consequences of inappropriate behaviour. This government is looking at healthy relationships and putting that right in the curriculum so that every student in the province of Ontario who goes through our publicly funded education system will understand the importance of healthy relationships, what is a proper reaction, what is an improper reaction, so that it’s not just

hit-and-miss—it might have been taught here but it wasn’t taught there. This will happen. This will be put in the curriculum and will be consistent across the province, which is closing yet another gap.

With the police and school board protocols, yes, we agree that they need to be looked at, and we heard that from the opposition. We agreed that we needed to look at them, and we did. That’s what the safe schools action team did. We looked at the police/school board protocols. The human rights commission did identify that the protocols were not always followed. We heard that, and so, for the 72 boards in the province, we looked at each and every one of their police/school board protocols and we determined that the local versions did reflect the provincial protocol. So how do we close that gap? We asked ourselves that question. The answer is that there needs to be more training to help all of the adults involved, and that will happen.

The other observation that I’ll share as an educator and a passionate safe schools advocate, is that for many, many years we asked previous governments to look at closer partnerships with community organizations and community groups. Unfortunately, that never happened. So with this government and this Ministry of Education, the safe schools action team has recommended closer relationships with community agencies, agencies that have skills and resources that we desperately need in our schools to keep them safer. I am pleased and proud to stand here today to say that thanks to this government—the McGuinty government—and Minister Wynne, that will happen.

I wanted to just leave with you a comment from Laura Hodgins, who is the president of the Ontario Principals’ Council and a constituent of the member from Perth–Wellington—

Interjection.

Ms. Leeanna Pendergast: The fabulous member from Perth–Wellington.

Laura, as president of the Ontario Principals’ Council, says that “it’s important to have preventive measures, but visible adult supervision is often the best deterrent of bullying and school violence.”

So not only do we have more adults in the schools in visible presence, we have today Bill 157, which will ensure that those adults in our schools have clear direction on what to do, how to do it, exactly what they must do and what’s expected of them. So I’m extremely proud to say that I am completely in favour of Bill 157; unprecedented, I’m proud to say.

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

Mrs. Joyce Savoline: Well, I will have some comments to make even though my Liberal opponents had nothing to say about my comments—

Mr. Rosario Marchese: And amendment.

Mrs. Joyce Savoline: Or my amendments. What I do want to say is that the member from Kitchener–Conestoga describes an ideal situation where nothing went wrong—well, great. What we’re describing are

situations where kids and families have fallen through the cracks because the direction is not clear, because things are not concise and because some folks don't read the rules as well as this member did. I congratulate her for doing such a great job as principal, and I know that there are, for the most part, wonderful principals, wonderful teachers in our education system. What we're safeguarding here with Bill 157, or thought we were, was trying to catch those who slipped through the cracks. We are doing none of that in this bill. We have done nothing. We have not moved forward. In fact, we are codifying what is already happening. Why is that so important? We're codifying what is already happening. So we're moving not one inch forward with this bill.

We had a huge opportunity here to reduce the risk of kids falling through the cracks when they've been victimized in school by student-on-student violence. We have dropped the ball. There is nothing in this bill that will address that. I know that and you know that, and you can tell the world that this is the best thing since sliced bread, but believe me, there's a whole community out there that knows that that is not so.

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

Mr. David Oraziotti: I'm happy to provide some comment on the member from Kitchener–Conestoga's remarks. I want to congratulate her and commend her on her remarks this evening on Bill 157, and also for her professional work ethic and her involvement in the education system. I can share some of that as someone who taught high school in Sault Ste. Marie for 10 years and tell you that the steps that we're taking today are very, very important to improving safe schools.

The safe schools action team was reinvigorated by our government, and the report that came back in December 2008 recommended a number of changes. There are substantive changes in Bill 157, and hopefully we will be passing them into effect and into law with the support of members from the opposition. It would enshrine mandatory reporting by all school staff and principals for incidents that would involve suspension or expulsion, and it would include things like bullying, violence, vandalism, sexual assault, drug-related offences and the like. I think it's very, very important to ensure that it is mandatory for staff to respond to situations that could have a negative effect on school climate and on individuals in the schools.

I can certainly say from personal experience that much has changed in education, even over the 10 years that I was in the schools, and it's very important that we have these resources. I certainly recall the approach taken by the Conservatives when I was in education. It was less resources, less investment, fewer teachers, fewer supports, and I remember it quite clearly. It is in stark contrast to the investments that we have made in education and that we continue to make in education: 10,000 more teachers,

8,600 more support staff, despite the fact that we have 100,000 less students in our schools today in Ontario's education system.

This bill is a tremendously important bill, and I urge opposition members to support Bill 157.

The Deputy Speaker (Mr. Bruce Crozier): Questions and comments? The member for Kitchener–Conestoga, you have up to two minutes to respond.

Ms. Leanna Pendergast: It's my pleasure to have yet another two minutes to respond. I wanted to respond to the member for Burlington, and to thank my colleague from Sault Ste. Marie for his comments.

To the member for Burlington, we are closing the gaps, and that's what I just spent the last 20 minutes outlining: how this bill does close the gaps. It moves us forward, and I'll recap, because it never hurts to recap. As a teacher, I know it's important just to go back to those five main points, so I'll recap that for the members. I do feel very strongly that we did not drop the ball. In fact, not only did we catch the ball, we hit it out of the park with this one. This is a home run. Let me just recap for the member why this is closing the gaps—I think I reiterated that quite often over the past 20 minutes, but I'll do it again—and how we are moving forward.

Again, all staff, whether it be a teacher or an EA, the adults in the building, will need to report if they have received this sensitive information. Principals will need to hear that information from staff as they report any sensitive information they have received regarding alleged sexual assault, harassment or abuse. Victims' parents will need to be informed. Again, I just reiterate to the member, we continue to close the gaps. Those are three things. Victims' parents would need to be informed, contacted, as well as the victim of the perpetrator. The LGBTQ community will now have a safer, more comfortable environment in which to report bullying. The police will work in consultation with us. Again, this home run creates and shapes a culture of respect in our schools.

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

Hon. Brad Duguid: I move adjournment of the debate.

The Deputy Speaker (Mr. Bruce Crozier): Is it the pleasure of the House that the motion carry? Carried.

Third reading debate adjourned.

The Deputy Speaker (Mr. Bruce Crozier): Orders of the day.

Hon. Brad Duguid: I move adjournment of the House.

The Deputy Speaker (Mr. Bruce Crozier): Is it the pleasure of the House that the motion carry? Carried.

This House is adjourned until Thursday, May 28, at 9 of the clock.

The House adjourned at 1734.

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Helena Jaczek, Shafiq Qaadri
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
Maria Van Bommel
Committee Clerk / Greffière: Susan Sourial

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