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**Official Report
of Debates
(Hansard)**

**Journal
des débats
(Hansard)**

Tuesday 27 May 2003

Mardi 27 mai 2003

Speaker
Honourable Gary Carr

Président
L'honorable Gary Carr

Clerk
Claude L. DesRosiers

Greffier
Claude L. DesRosiers

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LEGISLATIVE ASSEMBLY OF ONTARIO

Tuesday 27 May 2003

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Mardi 27 mai 2003

*The House met at 1330.
Prayers.*

MEMBERS' STATEMENTS

ENERGY CONTRACTS

Mr Mario Sergio (York West): I want to bring to the attention of the House that the sleek scam artists are back at work, back in our communities and prowling, preying on the most defenceless people, the seniors, those who have difficulties understanding our laws, contracts and languages.

I wonder why Consumers' Gas and Direct Energy keep on sending their representatives into our communities to prey on these people. Let me read from a letter I received in my office. On April 27, a representative of Direct Energy Marketing Ltd came to this particular address, spoke to this particular lady, identified himself as a representative of the gas company who had come to update their files—updating their files is a new way of getting to these people—asked to see a copy of the gas bill, took down the information and then let them sign a receipt. Indeed, this was a brand new contract, and now the people are bound to a new contract at a higher rate.

We've been bringing this to the attention of the government, and again today I am raising this issue in the House. Our people need peace of mind. They need protection when it comes to scam artists. I'm impressing upon the Premier and the government today to go after Consumers' Gas and Direct Energy and protect the people of Ontario.

BEVERLY PHIPPEN

Mr AL McDonald (Nipissing): Today I rise before the House to speak to you about a very special constituent of mine, an inspiration to all Canadians, Mrs Beverly Phippen.

Beverly is a member of the Ontario Special Olympics team that participated in the 14th annual Special Olympics northern region power lifting invitational in North Bay. Through Beverly's continuous hard work, determination and dedication to her sport, and as an athlete in the Special Olympics, her performances at the northern regionals earned her the award of best female lifter, not to mention setting two new Canadian records for dead lift and total weights categories.

Beverly's win at the northern regionals has also given her the opportunity to represent Canada at the upcoming

Special Olympics World Summer Games, to be held in Dublin, Ireland, from June 16 to June 29. There is also history being made, as this will be the first time in Special Olympics history that their World Summer Games are held outside North America.

Beverly has represented both Ontario and Canada at numerous games locally, regionally and internationally. She has shown exceptional leadership, dedication and courage as a Special Olympian.

It's very exciting for me, as MPP of Nipissing, to see one of my own constituents having the opportunity to represent North Bay and Canada in the summer games. I would like to extend best wishes and congratulations to Beverly and all the Team Canada Special Olympians. Best of luck in your quest for gold in Dublin.

HOSPITAL RESTRUCTURING

Mr John C. Cleary (Stormont-Dundas-Charlottenburgh): I rise today to address an important issue pertaining to health care and the well-being of my constituents.

Since 1996, hospital restructuring in the Cornwall area has been an ongoing process, and while a made-in-Cornwall solution is currently ready to be implemented, a funding commitment from the provincial government remains unavailable.

Following the advice of the provincial health care restructuring commission, the Cornwall community came together on January 22, 2003, to explore the possible solutions to hospital restructuring in the area. The resulting town hall hospital services committee developed a plan which ensured that the community would be provided with the highest quality and most affordable health care possible.

In April 2002, the committee of the Religious Hospitalers of St Joseph Health Centre Corp submitted a proposal to the Ministry of Health and Long-Term Care for their consideration. On February 12, 2003, after much deliberation, Minister Clement announced his intention of support for the plan, which included the establishment of a community-based corporation which was proposed to establish joint governance of the two hospitals, centralizing acute care services at the site of Hotel Dieu, and provided a price tag that Cornwall and area residents could support.

The new corporation and board followed, with 12 directors.

Evidently, without provincial funding, this proposal cannot continue. As I stated, the funding was agreed to in

principle, and the 30-day period for public consultation has now come to an end. We know this plan will take approximately five years to complete. I call on the minister to take the appropriate steps to make the funding available. I want to ensure that the health care of my constituents is not compromised and that the wishes of the community are fully granted. The community has lived up to its agreement, and now it's time for the minister to do the same.

GLENN CUTHBERTSON

Mr Michael Prue (Beaches-East York): I rise today to talk about some of the best teachers in the entire world, who are right here in the province of Ontario. Many of them struggle long and hard to deliver education in what are often very difficult circumstances and to bring out the very best talents in our children.

Each year the Ontario Federation of Home and School Associations names an Educator of the Year. It is my very proud honour to announce to this House that this year's recipient is Glenn Cuthbertson, a grade 4 and 5 teacher at Presteign Heights public school in Toronto.

He was nominated for this award by two parents of his present students, one of whom is Nancy Laurain-Martin. She had a great deal to say, in our local newspaper, about Mr Cuthbertson. She said that he was absolutely shocked to be nominated for this award. She said to him, "You're the best teacher in the school and also the best educator in Ontario." He blushed. He was very moved."

"She said her son Joseph, who is in grade 5, can tell her about cloning and new scientific discoveries—things he learned in Cuthbertson's class. 'He reads the newspaper and he's only 10,' she said."

She also went on to say that Glenn Cuthbertson treats each child with the utmost respect. "He helps them become citizens of the world. I'm in awe of his ability to teach the curriculum and apply it to life learning."

Mr Cuthbertson, when given the award, said, "It's an incredible honour for me to be recognized in this way. Half of the people in my family are teachers. My brothers were teachers and principals and my wife is a professor at the University of Toronto."

Our entire community takes our hat off and says congratulations, Mr Cuthbertson. A job well done.

MUSEUMS IN MISSISSAUGA

Mrs Margaret Marland (Mississauga South): May is Museum Month, a time to celebrate the vital role our museums play in preserving our heritage. This is an ideal occasion to recognize the exceptional museums of Mississauga and the dedicated volunteers and staff who are responsible for their success.

The Bradley Museum, an 1830s farmhouse, was the home of United Empire Loyalist Lewis Bradley and his family. It has been restored to reveal the life of early settlers. The Anchorage, a Regency-style cottage ad-

acent to the Bradley Museum, was the retirement home of Royal Navy officer John Skynner. It houses changing exhibits and a tea room.

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The Benares Historic House, also located in Mississauga South, was home to four generations of the Harris and Sayers families. Benares is believed to be the inspiration for the Canadian author Mazo de la Roche's famed "Whiteoaks of Jalna" novels. This Georgian-style house, with its beautiful park-like grounds, has been restored to reflect daily life in 1918.

Much more than windows on the past, these museums offer entertaining events year-round, such as a Christmas craft show and sale, Maple Magic, an old-fashioned strawberry social, a teddy bear picnic and a fall fair.

Our community owes its appreciation to the museum board chairs, Wendy Davies of Bradley Museum and Margaret Adolphe of Benares, and the other dedicated board members, as well as the volunteers who help with research, special events and fundraising. Along with our excellent museum staff, they have done a superb job of bringing local history to life for the people of today.

Congratulations on your commitment and hard work. I'm proud that all these museums are in Mississauga South.

VEHICLE INSURANCE

Mr Michael Gravelle (Thunder Bay-Superior North): It's almost impossible to convey the level of frustration faced by almost all drivers in northwestern Ontario about the rapidly increasing cost for vehicle insurance in this province. While this is affecting drivers, I need to express particular concern to the Premier about the impact this is having on businesses and commercial vehicles in particular, and specifically about how these totally unreasonable increases are threatening the northern economy.

The forest products industry is already facing enormous challenges, but the fact that massive increases in insurance are forcing logging truck operators out of business is another serious blow to the industry.

If you happen to run a vehicle towing business, the example of Kevin Holland, whose insurance costs for one vehicle have almost quadrupled in price to over \$10,000 a year, despite no claims being made, represents the norm being faced by business people in the Thunder Bay district.

The insurance industry says that they are facing enormous losses unless they jack up the rates. Whatever happened to a company's loyalty to its customers? The industry is simply cancelling insurance for long-time and claim-free customers, forcing many to access the dreaded and expensive Facility Association.

The government demands that we have insurance before we can drive any vehicle. Yet what are they doing to help? Recent legislation that would have potentially reduced rates at least a fraction is sitting in limbo.

The Premier has made no effort to protect good drivers from these unconscionable increases, nor has he acknowledged that action is needed. While he is missing in action, drivers are fuming, businesses and jobs are being lost and the economy is being threatened by a crisis that can no longer be ignored.

I say to the Premier: speak up and at least tell us you recognize the problem and are prepared to act.

SCENIC CITY ORDER OF GOOD CHEER

Mr Bill Murdoch (Bruce-Grey-Owen Sound): I rise in the House today to support a local organization, of which I am member, named the Scenic City Order of Good Cheer. The original Order of Good Cheer was founded in the year of Our Lord 1606 by Samuel de Champlain.

The Scenic City Order of Good Cheer is a successful organization with the focus of improving the waterfront, rivers and natural and cultural features of Owen Sound and area. A total of 12 members and their spouses dedicate their time and effort to community projects.

Most recently, the Order of Good Cheer held its ninth annual gourmet festival dinner auction and entertainment cruise. It was held in association with the Sun Times and the Owen Sound Transportation Co aboard the MS Chi-Cheemaun.

I would like to thank the Toronto Maple Leafs 2002-03 team roster members who autographed this year's unique raffle prize item of a Leafs jersey. I would also like to thank the Toronto Maple Leafs alumni, who autographed two special live auction Leafs jerseys.

The Order of Good Cheer has been involved in numerous other projects and community activities. Recently, they founded and built a gazebo on the waterfront for the residents of Owen Sound. The organization has also provided funding for harbourside benches, and contributed to the electrical improvements at Kelso Beach amphitheatre, renovations to the Harry Lumley Bayshore Community Centre, and stream improvement.

I congratulate all the volunteers who worked so diligently to make every event successful and thank them for their hard work.

WATER EXTRACTION

Mrs Leona Dombrowsky (Hastings-Frontenac-Lennox and Addington): It is indeed a cruel irony that the Minister of the Environment, Chris Stockwell, chose Valentine's Day to break the hearts of the people of Perth, when he overturned an Environmental Review Tribunal ruling and granted a staged water-taking permit to the Swiss-owned company OMYA.

For more than three years, the people of Perth have been fighting to protect their water source. In 2001, at great expense to taxpayers, the Environmental Review Tribunal held a 35-day hearing and issued a decision that balanced the needs of the company with environmental

concerns. OMYA appealed this decision to both a judicial review and the minister.

Did the minister wait and let the judicial process take its course? No. With a total disregard for the judicial process, he stepped in and overturned the decision. Once again the Tories put their donors and friends above the concerns of average citizens whose only desire is to protect the environment.

But the people of Perth did not give up easily. Ann German, an 85-year-old resident of Bob's Lake, is taking the minister to court. Minister Stockwell approved a two-phase permit. Miss German, with the aid of the Canadian Environmental Law Association, is arguing that the minister can only grant one permit at a time. This government may turn their back on the environment and disregard due process, but the people of Ontario will not.

I commend Ann German, CELA and the other hard-working volunteers who know that the minister is wrong and continue to fight to protect their water.

CANADIAN CANOE MUSEUM

Mr R. Gary Stewart (Peterborough): Today I would like to draw to the members' attention a display that is located on the first floor of the Legislative Building. This display features the upcoming Legacy Outdoor Learning Centre at the Canadian Canoe Museum, located in my riding of Peterborough.

The Canadian Canoe Museum evolved from Professor Kirk Wipper's canoe collection that was housed in what was then known as the Kanawa International Museum in Dorset. In 1989, Mr. Wipper transferred control of his historic collection to the newly formed Canadian Canoe Museum in Peterborough.

Visit the Canadian Canoe Museum and you will do more than tour a museum; you will experience Canadian history. On any given day, you might participate in activities from hearing creation stories inside a traditional wigwam, to building a 36-foot birchbark canoe, or you might choose to watch history spring to life as you re-enact a fur-trade-era voyageur encampment.

In the year 2000, the museum developed a unique project entitled *The Canoe: A Canadian Cultural Icon*, which explored the enduring significance of the canoe to the people of Canada through nine new exhibits for the museum, three travelling outreach exhibits and curriculum-linked education programs. Now the Canadian Canoe Museum is preparing to take interactive programming to the next level, with the development of an outdoor paddling centre and a visiting artisans program.

I invite all members to visit the display in the Legislative Building and then take a trip to Peterborough to see first-hand the evolution of the Canadian Canoe Museum, from its beginnings in 1957, when Kirk Wipper began his collection, to a world-class museum that reflects on our Canadian history and attracts people from around the globe.

INTRODUCTION OF BILLS

COUNTY OF HALIBURTON ACT, 2003

Mr Hodgson moved first reading of the following bill:
Bill Pr18, An Act respecting the County of Haliburton.

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

Pursuant to standing order 84, the bill stands referred to the standing committee on regulations and private bills.

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GASOLINE CONSUMER PROTECTION ACT, 2003

LOI DE 2003 SUR LA PROTECTION DES CONSOMMATEURS D'ESSENCE

Mr Crozier moved first reading of the following bill:

Bill 58, An Act to provide information to consumers respecting the price of gasoline and the ownership of gasoline retailers and to require certain additional information from major oil companies / Projet de loi 58, Loi visant à fournir des renseignements aux consommateurs en ce qui concerne le prix de l'essence et l'appartenance des détaillants d'essence et exigeant certains renseignements supplémentaires de la part des grosses sociétés pétrolières.

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

The member for a short statement?

Mr Bruce Crozier (Essex): In an effort to protect consumers in Ontario, this bill requires every gasoline retailer to advertise a change in the price of gasoline at the retailer's gas station at least 72 hours before changing the price. The bill also requires gasoline retailers to indicate on their price signs what portion of the price is dedicated to tax. The bill requires gasoline retailers that are affiliated with major gasoline retailers to indicate their affiliation on signs at their gas stations and on the receipts issued at their gas stations. Finally, the bill requires large oil companies that produce, refine and market gasoline to file segmented earning reports with the Minister of Consumer and Business Services annually.

ONTARIO DISABILITY SUPPORT PROGRAM AMENDMENT ACT (FAIRNESS IN DISABILITY INCOME SUPPORT PAYMENTS), 2003 LOI DE 2003 MODIFIANT LA LOI SUR LE PROGRAMME ONTARIEN DE SOUTIEN AUX PERSONNES HANDICAPÉES (ÉQUITÉ DANS LES VERSEMENTS DU SOUTIEN DU REVENU)

Mr Martin moved first reading of the following bill:

Bill 59, An Act to amend the Ontario Disability Support Program Act, 1997 to require annual cost-of-

living adjustments to income support payments / Projet de loi 59, Loi modifiant la Loi de 1997 sur le Programme ontarien de soutien aux personnes handicapées en vue d'exiger des rajustements annuels relatifs au coût de la vie en ce qui concerne les versements du soutien du revenu.

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

The member for a short statement?

Mr Tony Martin (Sault Ste Marie): Some 269,000 people across this province have been waiting a long time for an increase in their income. This bill will do that. It will ask the government to act immediately to not only increase the income of some of our most vulnerable, at-risk citizens but to act retroactively and to tie what they do to the cost of living.

DISCLOSURE AND PROTECTION OF ADOPTION INFORMATION ACT, 2003

LOI DE 2003 SUR LA DIVULGATION ET LA PROTECTION DE RENSEIGNEMENTS SUR LES ADOPTIONS

Mr Wettlaufer moved first reading of the following bill:

Bill 60, An Act to amend the Vital Statistics Act and the Child and Family Services Act in respect of disclosure and protection of adoption information / Projet de loi 60, Loi modifiant la Loi sur les statistiques de l'état civil et la Loi sur les services à l'enfance et à la famille en ce qui concerne la divulgation et la protection de renseignements sur les adoptions.

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

The member for a short statement?

Mr Wayne Wettlaufer (Kitchener Centre): The bill amends the Vital Statistics Act and the Child and Family Services Act in respect of information on adoption. It meets the concerns of the Information and Privacy Commissioner.

I'd like to move unanimous consent for second and third reading.

The Speaker: The member has asked for unanimous consent. Is there unanimous consent? I'm afraid I heard some noes.

TORONTO CATHOLIC ELEMENTARY SCHOOLS STABILITY AND GOOD WILL PROMOTION ACT, 2003

LOI DE 2003 VISANT À PROMOUVOIR LA STABILITÉ ET LA BONNE VOLONTÉ AU SEIN DES ÉCOLES ÉLÉMENTAIRES DU CONSEIL CATHOLIQUE DE TORONTO

Mr Kennedy moved first reading of the following bill:

Bill 61, An Act to promote stability and good will in Toronto Catholic Elementary Schools / Projet de loi 61, Loi visant à promouvoir la stabilité et la bonne volonté au sein des écoles élémentaires du conseil catholique de Toronto.

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

The member for a short statement?

Mr Gerard Kennedy (Parkdale-High Park): This bill ends a lockout of elementary teachers employed by the Toronto Catholic District School Board. It provides for dispute resolution by mediation and arbitration. It's a clean bill that we think, in the unusual circumstance of the 69,000 children, deserves the support of the entire House.

POLICE SERVICES AMENDMENT ACT
(INDEPENDENT POLICE COMPLAINTS
COMMISSIONER), 2003

LOI DE 2003 MODIFIANT LA LOI
SUR LES SERVICES POLICIERS
EN CE QUI CONCERNE
UN COMMISSAIRE INDÉPENDANT
AUX PLAINTES CONTRE LA POLICE

Mr Hampton moved first reading of the following bill:

Bill 62, An Act to amend the Police Services Act with respect to the disciplining of police officers and to reinstate a fair and impartial process with respect to public complaints about police officers / Projet de loi 62, Loi modifiant la Loi sur les services policiers relativement au processus disciplinaire d'agents de police et visant à restaurer un processus équitable et objectif pour traiter des plaintes du public concernant la conduite d'agents de police.

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

The member for a short statement?

Mr Howard Hampton (Kenora-Rainy River): The bill amends the Police Services Act to require an independent police complaints commissioner appointed by the Lieutenant Governor in Council to deal with complaints by members of the public about the conduct of police officers. The commissioner is independent of police forces and reports annually to the Attorney General. Any member of the public may make a complaint, whereas at present a member of the public may make a complaint only if directly affected by the subject matter of the complaint.

The bill also amends the act to reinstate the process for disciplining police officers that existed before the repeal of part V of the act as of November 27, 1997.

COMPENSATION FOR VICTIMS OF
CRIME AMENDMENT ACT, 2003
LOI DE 2003 MODIFIANT LA LOI
SUR L'INDEMNISATION DES VICTIMES
D'ACTES CRIMINELS

Mr Bartolucci moved first reading of the following bill:

Bill 63, An Act to amend the Compensation for Victims of Crime Act / Projet de loi 63, Loi modifiant la Loi sur l'indemnisation des victimes d'actes criminels.

The Speaker (Hon Gary Carr): Is the pleasure of the House that the motion carry? Carried.

The member for a short statement?

Mr Rick Bartolucci (Sudbury): The bill amends the Compensation for Victims of Crime Act to allow victims of motor vehicle offences under the Criminal Code, such as impaired driving, to apply for compensation under the act. At present, victims of those offences are not allowed to apply for compensation under the act.

Payments of interim compensation under the act are subject to the limitations specified by the regulations made under the act if the applicant is injured or killed in Ontario, resulting from the commission of an offence described in section 220 or 221, section 249 (3) and/or (4), section 253 or section 255 (2) or (3) of the Criminal Code.

HEALTH INSURANCE
AMENDMENT ACT, 2003
LOI DE 2003 MODIFIANT
LA LOI SUR L'ASSURANCE-SANTÉ

Mr Duncan moved first reading of the following bill:

Bill 64, An Act to amend the Health Insurance Act to satisfy the criteria for contribution by the Government of Canada set out in the Canada Health Act / Projet de loi 64, Loi modifiant la Loi sur l'assurance-santé pour satisfaire aux critères régissant les contributions du gouvernement du Canada et énoncés dans la Loi canadienne sur la santé.

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

The member for a short statement.

Mr Dwight Duncan (Windsor-St Clair): This bill incorporates the principles of the Canada Health Act into Ontario statute with respect to health. In effect, it prevents any government from creating a two-tier health care system in Ontario. This government had a chance to vote against it once before. It's now part of our platform, and people will choose change.

1400

ONTARIO HERITAGE DAY ACT, 2003
LOI DE 2003 SUR LE JOUR
DU PATRIMOINE DE L'ONTARIO

Mr Agostino moved first reading of the following bill:

Bill 65, An Act to proclaim Ontario Heritage Day and to amend other Acts to include Ontario Heritage Day as a holiday / *Projet de loi 65, Loi proclamant le Jour du patrimoine de l'Ontario et modifiant d'autres lois en vue de l'ajouter comme jour férié.*

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

The member for a short statement?

Mr Dominic Agostino (Hamilton East): This bill, if passed, would give us an opportunity once a year to celebrate our rich history, our heritage and our traditions in this wonderful province of ours. It would designate the second Monday in June of each year to be Ontario Heritage Day. It would also be a statutory holiday, so Ontarians could have the opportunity to spend time with their families and talk about the great province we have and the great and rich history of this wonderful province of ours.

STALKERS REGISTRY ACT, 2003

LOI DE 2003 SUR LE REGISTRE DES HARCELEURS

Mr Bartolucci moved first reading of the following bill:

Bill 66, An Act to provide greater protection to victims of stalking by providing for a stalkers registry / *Projet de loi 66, Loi visant à mieux protéger les victimes de harcèlement en prévoyant un registre des harceleurs.*

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

The member for a short statement?

Mr Rick Bartolucci (Sudbury): This is a very, very serious issue across this province and this country. The bill would be modelled on Christopher's Law (Sex Offender Registry), 2000. It establishes a registry containing the names of persons who have been convicted of a stalking offence.

MOTIONS

PRIVATE MEMBERS' PUBLIC BUSINESS

Hon Chris Stockwell (Minister of the Environment, Government House Leader): I seek unanimous consent to put forward a motion without notice regarding private members' public business.

The Speaker (Hon Gary Carr): Is there unanimous consent? Agreed.

Hon Mr Stockwell: I move that notwithstanding standing order 96(d), the following changes be made to the ballot list for private members' public business: Mr Spina and Mr Wettlaufer exchange places in order of precedence such that Mr Spina assumes ballot item 46 and Mr Wettlaufer assumes ballot item 14. I move that notwithstanding standing order 96(g), notice for ballot item 11 be waived.

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

RUSSELL RAMSAY

Hon Norman W. Sterling (Attorney General, minister responsible for native affairs): I'd like to ask for unanimous consent to note the passing of one of our former members, Russell Ramsay, and for all parties to make some comments.

The Speaker (Hon Gary Carr): Is there unanimous consent? Agreed.

Hon Mr Sterling: Russell Ramsay was a member for Sault Ste Marie in the period between 1978 and 1985. Russ came here after a by-election was called in 1978 on the untimely death of John Rhodes, who was then the Minister of Trade and who had passed away on a trip in Iran at that point in time.

Those of us who had the pleasure of knowing Russ Ramsay would appreciate one of the most earnest and hard-working MPPs and cabinet ministers one could have experienced in this Legislature. Russ served both as secretary for resources development for a short period of time, from 1981 to 1982, and as Minister of Labour from 1982 to 1985. He lost the election in 1985, but was then appointed, I believe by the then Liberal government, president of the Industrial Accident Prevention Association. Russ served in that post for about 12 years, really gaining the respect—or had the respect I know—of not only the Progressive Conservative Party but also the Liberal Party and the New Democratic Party.

I did have the honour of being present at his funeral in the Soo shortly after his death on February 9 this year. I was heartened to see my colleagues Mike Brown and Tony Martin and my former colleague Bud Wildman at the funeral, sharing the celebration of the life of Russ Ramsay. Russ was a quiet gentleman. Despite that characteristic of almost being shy, he was a very confident man and really was a leader, not only in his community back in the Soo but here.

Russ loved sports. Before he came to Queen's Park, he was the operator-manager of the local radio station in the Soo and used to broadcast the Soo Greyhounds radio broadcasts over that particular area. He carried on that love for sports in his community all through his political career, and at the time he was also serving as president of the IAPA. Each weekend, he would go back to his community, where he lived with, and is survived by, his wife, Margaret, and participate in the Soo. I don't think anyone in the Soo ever doubted his loyalty to his community.

I remember sitting in cabinet with Russ in the 1981-85 period and really getting to know him quite well, usually through private conversation. Russ had the reputation of arriving at his office at the Ministry of Labour before anyone else was in the building. I think he used to arrive at some ungodly hour of about 6:30 in the morning. Russ actually dictated a personal response to every letter he received from anybody, whether it be a constituent of his or a constituent of any of the other members in this

Legislature. He was one of the most hard-working MPPs and ministers I have ever known.

When I attended his funeral in February, along with my colleagues, you could not but be taken by the warmth and love that the people of the Soo had for this man. Not long ago, I think three or four years ago, they held an honorary night in tribute to Russ. I believe they named a street or an avenue and a conference room in their civic facility after this man.

1410

Russ always had time for the common man, anybody who wanted to talk to him. He took each of his constituent's problems very seriously and was very effective in solving them. He was also unusual in some ways. When an MPP holds a fundraiser within his party, he often invites ministers of his party to that fundraiser, hoping they will come because—I know some of the opposition wouldn't agree with this—that does add some prestige to the event. Of course, there is sort of an unwritten law, when an MPP is invited to one of his colleagues, that there really isn't a requirement for them to make payment, but Russ Ramsay always insisted on sending a cheque. I used to go back and say to Russ, "Look, Russ, we wanted to have you here and we really don't want your money," and Russ would insist on paying his way with regard to that.

In the latter years, he ran for mayor after he retired as president of the IAPA, still taking an active role in his community in the Soo. He continued to help people out in the Soo. He received the Canada Medal as an honour to this outstanding citizen and person.

He suffered, as well, from Alzheimer's in the last couple of years. I was invited to an event at one of the local restaurants here in Toronto while he was in the initial stages of this disease, and all his colleagues from the radio industry had gathered with him. There must have been about 20 or 25 people celebrating with Russ. I was asked to say a few words, having been a colleague of his. But I can only say again that the warmth and friendship and feeling that these people in the Soo exhibited toward Russ are really testament to this man's life.

I think that all members here can celebrate and look to this man as an example of how to be a truly great public servant. I know each and every one of us will express our sadness, sympathy and condolences to his wife, Margaret, and his five children, Russell David, Ronald Arthur, Karen Elizabeth, Kathryn Lee and Roderick Paul. I was happy to be a colleague of Russ's. I really loved him very much and I know his family in the Soo will miss him forever.

Mr James J. Bradley (St Catharines): I want to join with my colleagues in paying tribute to Russ Ramsay, an individual I respected very much and whom I considered to be a very good personal friend of all of us in the House. I certainly would like to place myself in that category.

I was chatting the other day with Margaret Marland, the member for Mississauga South, about a few years ago when there was more collegiality in this Legislature and when there were perhaps more personal friendships

between people in the government and the opposition. Russ Ramsay was certainly a person who had many people on his side, even on this side. I was going through some of the clippings about Russ in preparing for this today. One of them is from the London Free Press, March 17, 1983. The headline tells everything about Russ in this House. It says, "Ramsay Just Too Nice a Guy for the Opposition." What it was referring to was that the opposition critics in the field of labour, though they were critics and had a lot of issues to raise, found it was difficult to do so with Russ Ramsay as Minister of Labour. He was a hard person to take a personal shot or a political shot at because of his personality and warmth for all who were near him in any particular way.

I remember something about Russ: often outside of the Legislature people in their own community are known more for other things than their political representation. But Russ was known, as Norm Sterling said, as a person who found every problem that an individual constituent had, or anybody in the province had, to be important enough for Russ himself to reply to the concern that had been expressed. I remember he knew that I had an interest in hockey, and he also had an interest in hockey. Many years ago, as a youngster, I lived in the city of Sudbury—I was born there—and I remembered the old NOHA, the Northern Ontario Hockey Association, which was senior hockey actually at its best in those days. Russ had been very much involved in Sault Ste Marie with the Sault Ste Marie Greyhounds, as a broadcaster, a friend of the team, a supporter of the team. He took the opportunity one day to bring his scrapbooks from the old days of senior hockey down to the Legislature, to allow me to take them home for the weekend to have a look at them and recount many of the memories.

That was Russ Ramsay. He exemplified the kind of person you really want to see in politics, who was genuinely concerned about constituents, who didn't care what partisan stripe a person happened to have, who was prepared to deal with them on a person-to-person basis and to do the very best he could.

There are many quotes you find when you go back in the material, the headlines, the stories about a person. Invariably they refer to him as a nice individual. One of the quotes I remember by an individual in the Sault said, "Everybody loved Russ Ramsay and Russ Ramsay loved everybody else in the Sault." He would be very difficult to run against in an election campaign because of that kind of personality.

Norm Sterling said it appropriately when he said that should not detract from the fact that he was a very competent person. He wasn't simply a nice guy, which of course he was, but he was a very competent individual and very hard-working. The hours he spent on the job often took a toll on him. He looked tired some nights, as all of us do, but that was because Russ, both during the day sessions and the night sessions—we used to sit on Tuesday and Thursday nights at one time in this Legislature on a routine basis from 8 to 10:30, and then on a Friday morning—were here all of the time. He commuted back and forth to Sault Ste Marie. As the present member

for Sault Ste Marie knows, that isn't always easy to do, because it's some distance and the flights are not always what you would like them to be.

Russ Ramsay will be remembered by those of us who were in the House at that time, by those who were touched by him in some way or other, by the people of Sault Ste Marie, for what he did for the people of Sault Ste Marie but also for the people of Ontario.

I remember he did receive an appointment. You look at people and what they have contributed, and when Russ Ramsay left elected office, David Peterson appointed him to a position. He was named to the Ontario Health Disciplines Board. He was chair of the Ontario Health Disciplines Board and named by David Peterson. That was because everyone in the House, I think, felt he would do a good job. He would put his mind to it, he would spend the time. He had a genuine compassionate streak in him for the average individual in our society.

Sault Ste Marie, the province of Ontario and our country of Canada all are better places because Russ Ramsay was with us.

Mr Tony Martin (Sault Ste Marie): I am honoured and indeed feel privileged to speak today about my predecessor as member of provincial Parliament for Sault Ste Marie, Russ Ramsay. There are times when I stand in my place in this House and I'm overwhelmed by the awesome responsibility that comes with the position, the history embodied in every chair, and those who have served before: the likes of Arthur Wishart, John Rhodes and Karl Morin-Strom, but most particularly, and today especially, Russ Ramsay.

Russ Ramsay was a special personality in Sault Ste Marie, one who in many ways exemplified the best that society has to offer or aspires to. He was in many ways synonymous with Sault Ste Marie. He was a gentleman—and, more than a gentleman, a gentle man; father of five children—Russ Jr, Ron, Karen McAndrew, Kathy Campbell and Rod—and husband to Margaret.

It was fondly known by many that Russ paid exquisite attention to detail, to correspondence and, as Mr Sterling said, to responding to correspondence. He would often write a letter and, when you wrote back to thank him, he would quickly write back to thank you for thanking him. That was his style.

There were no boundaries or barriers, in my experience, with Russ Ramsay. He listened to and was interested in good ideas, wherever they came from, and gave of his time and wisdom generously. In his retirement years, I would see him holding court at his favourite table at the Grand Festa Restaurant with a cross-section of community members, keenly engaged, listening and giving advice. I was on occasion fortunate to be in that circle and to share stories, which always contributed to my greater appreciation and respect for this job, as Russ held it in high esteem and honoured with his wisdom and presence those who served in that capacity, without concern for political affiliation. Our good friend and long-time colleague of Russ, Bud Wildman, would often join us at that table.

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Russ was a tremendous community supporter. He loved sports and had an intense interest that he shared widely in every detail, every game, every personality and every important moment, particularly in Sault Ste Marie athletic history.

He served his community—our community—in many ways. Russ was honoured by the city in many ways. After serving as alderman for ward 2, elected in 1975, and running for mayor in 1996, he served as member of provincial Parliament from 1978 until 1985, where he was appointed labour minister and secretary for resource development by Premier Bill Davis.

The city renamed the civic centre's Algoma Boardroom, its largest and most significant meeting room, the Russ Ramsay Boardroom, and renamed Ferry Street as Russ Ramsay Way. A sports gallery in the Sault Ste Marie Museum was named the Russell H. Ramsay Sports History Hall of Fame in 1991. He received Sault Ste Marie's highest honour or award when he was honoured with the Medal of Merit in 1977. Recognition was given at this time for his having served as a member, director, president and chair of a host of organizations, including the Plummer Memorial Public Hospital, Sault Ste Marie Rotary Club, Sault Ste Marie Chamber of Commerce and the Sault Family YMCA.

Russ spent 30 years in the broadcasting industry—actually was the boss of Mr Spina over there, the member for Brampton today, and probably had an influence on his political career, given his connections—

Interjection: His proclivities.

Mr Martin: His proclivities, yes.

He served as general manager of Highland Radio and TV Ltd and Lake Superior Cable Vision. He was the play-by-play broadcaster for the Soo Greyhounds. He went on to work as executive vice-president and general manager of the Industrial Accident Prevention Association.

Elie Martel was reported to have said, on hearing of Russ's appointment to the IAPA, "If I could give him a present for Christmas, I'd like to give him a baseball bat. He is going to have to beat somebody into submission." Now, this would not have been Russ's style or choice of weapon, but I'm sure he would not have hesitated to tell someone, "If you don't like what I'm offering, be careful or Elie will get a hold of you." Elie, as his critic, served as an excellent foil for Russ as minister, and I'm sure they were a formidable team.

To give a measure of the character of the man, he is on record as opposing the elimination of the Workplace Health and Safety Board in 1995:

"I'm a strong supporter of what Premier Harris is doing concerning fiscal restraint, but I don't agree with what the government is doing on this. I think there would be significant benefits in retaining the agency. It has helped to reduce costly job accidents, increased productivity and made Ontario companies more competitive," said Ramsay, who has extensive experience in workplace safety issues."

Today we remember Russ Ramsay's contribution to public life in this province and to the people of Sault Ste Marie, and we celebrate it. We also express our sorrow at losing such a wonderful citizen, and express all that to his wife, Margaret, his five children, his 11 grandchildren and his two great-grandchildren.

The Speaker: I thank all the members for their kind comments and will ensure that copies of Hansard go to the family very shortly.

PHILIP SHRIVE

Hon Norman W. Sterling (Attorney General, minister responsible for native affairs): Mr Speaker, on a point of order: I would like to call for unanimous consent to observe a moment of silence for OPP Senior Constable Philip Shrive, whose funeral was held today in Renfrew. Constable Shrive succumbed to injuries on Friday, May 23, as a result of a two-vehicle collision on May 16 while serving his community and our province.

A dedicated officer who was well liked and respected by his peers and his community, he served as local branch president of the OPP association.

He will be greatly missed by his wife and children and by all those whose lives he has touched.

Could we have a moment of silence?

The Speaker (Hon Gary Carr): Agreed? Agreed.

Would all the members and our friends in the gallery please rise for a moment of silence.

The House observed a moment's silence.

Mr Gerard Kennedy (Parkdale-High Park): On a point of order, Mr Speaker: I would like to ask for unanimous consent for immediate second and third readings of the bill introduced today under the title Toronto Catholic Elementary Schools Stability and Good Will Promotion Act, 2003.

The Speaker: Is there unanimous consent? I'm afraid I heard some noes.

VISITOR

The Speaker (Hon Gary Carr): Just before we begin question period—I probably shouldn't do this—Richard Brennan from the Toronto Star has said he would like members to know that Maya Gupta is shadowing him today. She's a grade 10 student from Iroquois Ridge High School. I was going to do it, as we sometimes have introductions—and I know we shouldn't do that. But Maya Gupta is following Richard Brennan of the Toronto Star today.

ORAL QUESTIONS

SARS

Ms Sandra Pupatello (Windsor West): My question is for the Minister of Health, and involves a very serious issue.

Dr Donald Low said yesterday that your government closed the book on SARS prematurely. He said you didn't do all you could have to ensure we had actually beaten SARS. You didn't require hospital staff to continue wearing protective masks or hospitals to screen new patients and visitors for SARS symptoms. In short, the "new normal" became the old status quo. You became complacent, and now SARS is back.

It's clear that there are still many lessons to be learned here. Will you now agree to a full public inquiry so we can find out what went wrong and prevent another outbreak in the future?

Hon Tony Clement (Minister of Health and Long-Term Care): Much as I hate to disagree with the honourable member, she's got her quotations completely incorrect when it comes to what Don Low said. If anything, he was referring to the medical community, and not to this government or any particular individual.

Mr John Gerretsen (Kingston and the Islands): It's not their fault.

Hon Mr Clement: Excuse me. This is not about finding fault; it's about correcting the record. Let's be accurate before we start hurling accusations back and forth about a public health issue.

I can tell you this: on May 2, the emergency committee sent a protocol to all hospitals respecting mask fitting, in which we indicated we had new forms of masks that were available and should be used; on May 6, we sent another letter to hospitals to ensure compliance; on May 12, we dealt with patient transfer procedures, making sure that procedures relating to transfers were adhered to. So I can tell you that right around the time of the flare-up—unbeknownst to us, of course—we were dealing with the protection of health care workers and the protection of patients. I, for one, was saying, "We cannot be letting our guard down," and unfortunately for all of us, that proved to be all too prescient.

Ms Pupatello: Ontarians need to trust the government and our health care system right now. With all the government policies in the last eight years, it's difficult to do that.

Here's why: funding to hospitals has been cut; you fired thousands of nurses and only offered part-time or casual jobs; you downloaded public health, and public health funding has decreased; you fired our public health scientists. Our health system has no surge capacity. That has been acknowledged publicly by people in the public health system. There's no surge capacity to deal with SARS because you've cut it to the bone. When it comes to SARS, both Dr Low and Dr Schabas say that after the World Health Organization lifted the travel advisory, you let the guard down.

1430

Minister, it's time for you to agree to a public inquiry so we can get to the bottom of this to find out what really went wrong. Our problem with your review of this is that you will not look at Conservative government policies that affected the health system to make it more difficult

to cope with a SARS outbreak. Will you have a public inquiry now?

Hon Mr Clement: As the honourable member knows, we have an independent panel, an expert panel, that is looking into all of the issues. But the honourable member is sewing a web into her allegations, which is not becoming to the honourable member. Indeed, the person she refers to in her statement was quoted as saying on May 27 that he didn't think there should be blame placed and didn't believe anyone let their guard down, the same Dr Richard Schabas who said that we were overcompensating at the beginning of this medical emergency.

We are quite willing to take some recommendations from Dr Schabas, just as we're quite willing to take recommendations from anyone who wishes to suggest them, but I would prefer to rely upon independent health officials like the World Health Organization, who said that Toronto has excellent experience in dealing with this outbreak, that they're well along in containing it, that it seems to be a setback. But they are quite appreciative of our efforts to get the information out and to deal with the issue. That's what the World Health Organization has said.

Ms Pupatello: Concerns have been raised about your ministry's failure to provide health care workers with the early signs they needed to fight SARS. Your failure to properly fund hospitals forced one of the first SARS patients to lie on a stretcher in the ER for up to 12 hours, coming into contact with potentially hundreds of people instead of a few had he been moved into a room. Your refusal to hire full-time nurses meant that some of our health care workers unknowingly risked transmitting this disease as they travelled from job to job because we have not provided them with full-time work. There are serious questions about how the government's policies actually contributed to the spread of this outbreak.

I believe that your review will not do a review of how Conservative government policies contributed to this, and that's why we are asking so clearly for a public inquiry, so that you too and your policies will be called to the table for a review. I am asking you again: given that your new normal is looking a lot like the old status quo—people are still waiting in the ER for hours, nurses are still working part-time and casual instead of full-time in this province, our public health units are still not funded properly—will you—

The Speaker (Hon Gary Carr): I'm afraid the member's time is up. Minister of Health?

Hon Mr Clement: I must say I'm quite shocked by the honourable member's take on this issue. I wish to say directly to any health care workers or public health officials who are watching that we have confidence in them. We know they are trying to do the right thing for the people of Ontario. We know that Dr Young and Dr D'Cunha are trying to do the right thing.

I ask the honourable member—there's lots of time for campaigning; there's lots of time for electioneering; there are lots of issues that the people of Ontario will have their say on—please, let's work together. Let's work

together and defeat SARS and make sure some very sick people get healthy again. That's what I'm concentrating on.

EDUCATION LABOUR DISPUTE

Mr Gerard Kennedy (Parkdale-High Park): I have a question for the Minister of Education. Minister, eight days ago, 69,000 kids were locked out of their classrooms the same day that your political party started doing ads on TV about its willingness not to have lockouts or strikes. In the interim, the minister has not supported peaceful solutions, and we are here today to give you an opportunity to do so, Minister.

We have proposed a normal bill that would bring stability and goodwill and put the kids back tomorrow morning. All I'd ask you to do is recommend to your colleagues that you drop the parts of your election platform that you poisoned this bill of yours with.

I think all the parents and the public out there whom you've inconvenienced with your lack of action and your attitude toward this want to know: are you in favour of a peaceful solution? Will you support our bill to put the kids back in school, while there can be a mediated or a negotiated solution?

Hon Elizabeth Witmer (Deputy Premier, Minister of Education): I find the member's remarks rather unbelievable. This member knows, more than anybody else, that when it comes to students in Ontario, when it comes to solving problems using peaceful means, I have worked very hard to ensure that our students have the opportunity to achieve success in the classroom. If you cared for the students in the classroom, as you profess, you would have passed this bill on day one.

Mr Kennedy: I and the other members, and the public watching, can detect a tone of defensiveness on the part of this minister, and she should be defensive. It's her government, where she has been a ranking member, that has lost the kids in the province 24 million days of study, four times the last two governments combined. Here we are on day 8 of this dispute and there's not one thing that you've done.

Presumably you counselled the Premier—the bill is in the Premier's name—and the bill brings in back-to-work terms that have never been seen in back-to-work legislation. Today there's another bill, and this bill looks a lot like other back-to-work legislation. It asks very plainly: are you in favour of the kids going back to school, or are you prepared to sacrifice your responsibility for education to the partisan political interests of the rest of your party? Which will it be, Minister?

Hon Mrs Witmer: I would repeat that this member's comments are just unbelievable. He professes to care about children. We have introduced legislation that would allow the teachers to go back to the classroom, legislation that has encouraged the teachers and the board to get back to the table. We believe it's important that they settle their differences. Our legislation also does what we believe parents and teachers want: our legis-

lation calls for teachers completing report cards, teachers participating in graduation ceremonies, teachers participating in co-op placement, teachers participating in testing and teachers participating in parent meetings. What do you have about teachers helping our students in the classroom?

Mr Kennedy: She's created the mess and now she blames us.

You created the mess, Minister. You're supposed to be an advocate in this House for the kids who are out there and not in school right now. Where are you today, Minister? You're hiding behind partisan lines, not willing to put these kids first. There is a bill here that has been passed by all three parties in the past. Your bill has 69,000 kids hostage to your political agenda, and apparently you're OK with that. Apparently that's what you want.

By the end of today, every parent, every student and everybody around is going to know whether you are prepared to put the kids first or whether the partisan agenda comes first. Again, will you agree to recommend to your colleagues to pass a clean bill that brings the kids back and maximizes stability and goodwill in their classrooms in the weeks to come? Will you do that, Minister?

1440

Hon Mrs Witmer: The member opposite knows full well that he and his colleagues—

Interjections.

The Speaker (Hon Gary Carr): Order, please. The minister has the floor now. I apologize. Sorry, Minister.

Hon Mrs Witmer: The member opposite and his colleagues know full that they've had the opportunity now to get these students back into the classroom, as we have wanted to do ever since we introduced this bill.

Also, this member opposite is talking about his bill versus our bill. Well, there is a difference, and the public in the province of Ontario does have a clear choice between our legislation and their legislation. The Liberals would allow the union leaders to dictate that, even when in an illegal strike position, teachers can refuse—

Interjections.

The Speaker: This is the last warning for the member for Kingston and the Islands. If he continues, he will have to leave.

Sorry again for the interruption, Minister.

Hon Mrs Witmer: We believe it is important that teachers be allowed to do what they want to do, and that is, they want to make comments on report cards, they want to participate in testing, they want to participate in the graduation ceremonies, they want to participate in co-op placements and they, like the parents in this province, believe that is one of their duties.

HYDRO DEREGULATION

Mr Howard Hampton (Kenora-Rainy River): My question is for the Minister of Energy. Today, some of your friends at the Association of Major Power Consumers are complaining because their hydro rates are up

by 22% since deregulation. Deregulation, you said, was supposed to create jobs; instead, it's killing jobs. Another friend of yours, a columnist in the *Globe and Mail*, Eric Reguly, says that high hydro rates are one of the reasons DaimlerChrysler decided not to invest \$1.6 billion in Windsor.

Minister, will you move now and end hydro deregulation before more jobs are lost?

Hon John R. Baird (Minister of Energy, Minister responsible for francophone affairs): It's quite interesting that on one day the member opposite and his union friends blame the lack of corporate welfare on the new loss of jobs at Chrysler, but others, including one of the individuals he mentioned, cited the skyrocketing Canadian dollar and its effect on investment in the province.

We certainly believe that we have to reform the electricity sector. That's why we took the route to change things to encourage more generation in Ontario, to open up the grid to green power and to have competition, which we believe will ultimately be in the best interests of the consumers of the province.

The record of this member opposite is no new power plants being constructed, his record is no plan to close our coal-fired plants, and his record was more debt at the former Ontario Hydro.

Mr Hampton: Minister, you've been singing that song for eight years. People don't see any new generation. They simply see the price of electricity going through the roof. I'll give you an example: River Gold Mines, despite the fact that the price of gold has gone up, lost \$1.1 million in the first quarter of this year. Why? River Gold Mines is very explicit. They say the problem is that their hydro bill has doubled since you implemented deregulation. Across northern Ontario, companies are asking why their hydro bill is double what it is for a similar company in Quebec—the pulp and paper industry, the sawmill industry, the mining industry, the refining industry.

How many people have to lose their jobs before you terminate hydro deregulation?

Hon Mr Baird: We brought forward legislation that had overwhelming support from both sides of the House to put prices back to where they were on May 1, while we brought on new generation. This leader and his party were the only ones to stand in the way of that important legislation, legislation that's been welcomed by small business, consumers and farmers right across Ontario.

The member opposite talks about the price of electricity. Let's look at this month. Just yesterday the weighted average was 3.32 cents, the day before it was 2.47 cents, and the day before that it was 3.75 cents. As new generation comes on line, like new green power, the new plant in Sarnia, a \$75-million investment on new, clean, non-emission Hydro plants, we're seeing a positive effect on price.

We could have chosen to do nothing and leave the old coal-fired plants open like his party. We could have chosen to do nothing and not embrace what is important to ensure that we have more generation built in the

province. I wish the member opposite would have taken the same concern for expenses of business and job creation when his government raised taxes more than 33 times when they were in office.

Mr Hampton: You and the Liberals thought that deregulation was going to be a wonderful thing. Now you and the Liberals believe that phony rate caps are going to cover up the problem. You know yourself that it has cost \$1.5 billion to finance those phony rate caps.

Go to Kenora: the Abitibi Consolidated paper mill has taken downtime because of hydro prices. Go to Dubreuil Forest Products: they've laid off because of hydro bills that have doubled. Go to Timmins and talk to Falconbridge about their refinery, which is going to take three months of downtime because they can't afford a hydro bill that's doubled. How much evidence do you need, from Wawa to Kenora to Dubreuilville to Timmins, or from DaimlerChrysler, that your strategy of hydro privatization and deregulation is killing jobs and is going to cause us to lose more jobs? How much evidence do you need before you see the light?

Hon Mr Baird: I think a fair examination of the challenges being faced in our natural resources sector—the member opposite could look to duties being imposed south of the border and the federal government's lack of action in that regard. They could look at the huge competition in the commodity of those industries of which he spoke. The members opposite don't even want to listen, because they know everything. They could look at the surge in the Canadian dollar.

Interjections.

Hon Mr Baird: They think the loss of jobs is funny. The member opposite is right.

Where were they when they were whacking corporate Canada? Where were they when they were stifling free enterprise for five long years when there was a loss of jobs, a loss of hope and a loss of opportunity? This side of the House is about unleashing the free enterprise, the spirit of the province of Ontario. Where was he?

Interjection.

Hon Mr Baird: The member from London talks about the social contract.

We brought forward some constructive initiatives, and we're starting to see some benefits of that process. I find it quite astonishing for the member opposite to talk about this.

GOVERNMENT ADVERTISING

Mr Howard Hampton (Kenora-Rainy River): My question is for the Minister of Education. Some very interesting things have happened at the Toronto Board of Education. First you appoint a Conservative political hack, and Chris Stockwell's campaign manager, to run the board, and then you bring in Ernie Eves's fundraiser Hugh Mackenzie to do the public relations and spin-doctoring over there, and then you start spending public money, taxpayers' money, on these blatant political ads which do nothing but manipulate our children and attack

our teachers. How do you justify your political hack at the Toronto Board of Education and Ernie Eves's political bagman spending education money on this disgusting political advertising?

Hon Elizabeth Witmer (Deputy Premier, Minister of Education): I think the leader of the third party should probably check some of the facts that he has just stated. I don't think they're quite accurate. I would just remind the member opposite that the reason we sent a supervisor to the Toronto Board of Education is because we felt it was really important when some of the trustees on the board of education chose to break the law and not pass a balanced budget. We've had a supervisor working at the Toronto board of education in order to ensure that we can provide stability to the students in the classroom and provide them with the best education possible.

1450

Mr Hampton: It's about this disgusting, crass political ad. It's about manipulating our children, and the teachers who are in the classroom teaching them, to promote your crass political agenda. That was the question, Minister.

The parents aren't fooled. They've already denounced your shameful manipulations at the Toronto board as, "A crass attempt to get re-elected." That's how they see it. Minister, there are 200,000 students; they are in the classroom. There are 11,000 teachers; they are in the classroom. Will you stop defending public school money being used to promote your crass political manipulation and state today that this won't happen again and that the money will be spent in the classroom where it belongs rather than on your crass political campaign?

Hon Mrs Witmer: The reason we sent a supervisor to the Toronto school board was to ensure that the money being flowed to the Toronto school board would indeed be spent on the students in the classroom and also to ensure that no matter what part of the city of Toronto you lived in, all the students would have access to equal funding and equal programs, which has not always been the case. I'm also pleased to indicate that I understand the board has announced today that they have a tentative deal with their secondary teachers. So obviously the negotiations that are taking place between the board and its teachers are going extremely well.

MEAT INSPECTION

Mr Steve Peters (Elgin-Middlesex-London): Minister of Agriculture, consumer confidence is a key component of the agricultural industries in this province. Farmers and food processing industries work hard to ensure the product they send to market is safe. An important part of that safety process is your ministry's abattoir audit program. Under this program, the province's 204 licensed abattoirs are to be audited by veterinarians on contract with the ministry. Their job is to ensure that abattoirs are in compliance with the Meat Inspection Act, including safety regulations governing waste handling and disposal, water sanitation, equipment

and maintenance, pest control, temperature control and hygiene.

We have learned that no audits have been conducted since the end of March and none will be started again until close to the end of June, because after the private sector contract for these inspections ran out, you took your time to get the RFP process started. Minister, your failure to get the job done means that meat processing plants aren't being audited by veterinarians. That puts farmers and the public at risk. How can you explain your failure to ensure that these audits are being completed?

Hon Helen Johns (Minister of Agriculture and Food): I'm always surprised when the opposition comes forward in a time when we're having a crisis in agriculture to ask some question about agriculture. Let me remind you very clearly that we have done 1,000 tests to ensure we have food safety in the province. Of those 1,000 tests, we have tested every one to see if there is any indication of BSE in the animal, and there is no research that shows there is any BSE in the province. We have a huge food safety compliance issue. We've put more dollars into food safety; we're over budget for the last five years in the province. We have a strong surveillance program, we have a strong lab testing program and we have a strong training problem. Anyone who suggests differently is just wrong.

Mr Peters: Minister, you've obviously been sleeping at the switch. We want to instill confidence, and you're not instilling any confidence in the food industry in this province with an answer like that. I didn't ask you about BSE. I have a copy of the request for proposals that the ministry put out for the audit program for the food industry division. This RFP wasn't even issued until 15 May, a full six weeks after the veterinarians' contracts ran out at the end of June. The deadline for the submission isn't for another two weeks and the new agreements won't be executed until 23 June. Minister, that's three months before an audit or inspection will take place in an abattoir in this province—three of the busiest months of the year for our abattoirs, and they've gone without veterinary supervision which, as your own document states, may be required to deal with very significant food safety issues. I think it's important to add that these vets used to be OMAF positions before you privatized them in 1995. My sources are telling me that this RFP has sat on your desk for more than four months.

Why did you sit on your hands and jeopardize the safety of our food by allowing 204 abattoirs in this province to go without a veterinary audit for over a three-month period?

Hon Mrs Johns: You should be ashamed of yourself; you should be completely ashamed of yourself.

Let me say very clearly that we have a surveillance program in the province. When the animal goes down the killing line, the meat inspector looks at that animal and has the ability to call in a veterinarian any time they want to ensure that we know whether or not the animal should go through the line. We've also done more testing in this province in the last year than has ever been done in the

labs in the province. We've done 1,000 tests, and what we know from them is that there has been no indication of any BSE in our animals. Our research shows us we're safe and that we're doing more and more with food safety every year. We're doing more and more surveillance, lab testing and training in Ontario. If anyone suggests that our food safety program isn't the best in Canada, they're just wrong.

BSE

Mr Garfield Dunlop (Simcoe North): My question is for the Minister of Agriculture and Food as well. Minister, could you provide the members of the Legislature and the residents of Ontario with an update on the Canadian Food Inspection Agency's investigation into the case of BSE, or the mad cow disease, that occurred in the west last week?

Hon Helen Johns (Minister of Agriculture and Food): I'd like to say that the member has been very active in ensuring that his agricultural community is being represented and that he's bringing his views about this important issue to Queen's Park.

The agricultural community will want to know that 17 farms have been quarantined in the country; 12 in Alberta, three in BC and the balance in Saskatchewan. One of those herds has been depopulated already, and now we are working on 115 new cattle. They're being depopulated quickly so that we can test the tissue to ensure that they, like the first set, are BSE-free.

You might ask why this is so important. It is very important so that we can open the export market for this very important beef industry that we have. This is one of the largest segments of our agri-food business in the province and in the country, and it's imperative to all of us who represent rural ridings and care about agriculture that we move forward and get this done as quickly as we possibly can.

Mr Dunlop: Minister, could you provide an update on BSE prevention and surveillance programs and the activities you have undertaken in the past week to address the concerns of the agriculture industry here in Ontario?

Hon Mrs Johns: We spent a lot of the last week at OMAF ensuring that we have the right processes in place. We spent a lot of last week working with the Ontario Cattlemen's Association and the processors in Ontario to ensure that we're doing the right things for them. I have worked with the rendering industry over the last number of days to ensure that I support them in their quest of the federal government's funds for their industry so they can continue to do the important work that they do.

I have also ensured that the process is correct and I told you, in my last answer, that we have a surveillance program, a training program and a lab program to ensure that our food is safe. Surveillance hours in Ontario are up to 160,000 hours. We have also increased management and administration around that. We have done more lab

testing—1,000 tests. We have done more training to ensure that all the people who work in meat inspection are doing the right job and understand what they're to be doing.

1500

ADAMS MINE

Mr David Ramsay (Timiskaming-Cochrane): I have a question for the Minister of Natural Resources today. I want to ask you about your dirty little land deal at the Adams mine. The Deputy Premier assured me 20 days ago in this House that you would be shortly releasing the status of the 60-day review that the ministry is conducting. As of yet, you have not done so.

You were proposing to sell 2,000 acres at \$22 an acre to your largest campaign contributor, whose North Bay partner is a convicted tax evader, who ran up \$279,000 in tax arrears to the crown and whose ownership of the Adams mine is in legal contention before the courts. Now you have a counter-offer before you at \$30 an acre.

What is the status of this review? Who are you consulting with? With the ownership in dispute, just who would you sell it to?

Hon Jerry J. Ouellette (Minister of Natural Resources): We get requests in the Ministry of Natural Resources on a regular basis for these sorts of land acquisitions. This has gone through a normal process at the local office, and the member knows that very well. This was reviewed through an EA process in 1998 and all consultations were approved at that time. It's still under review by the local district office within the ministry, and once we receive the recommendations, we can look at what's going to be determined at that time.

Mr Ramsay: I'd like you to go back and check, because this never was posted on the EBR, as your local district office says.

There's a broader context to this whole sordid mess. The environment minister has continually acted as a promoter for this project, mentioning it at every possible opportunity. When the US border was temporarily closed last week, he put pressure on Toronto to come up with an emergency plan within 24 hours—again, promoting the Adams mine as an Ontario solution.

The minister does all of this while rejecting new technical data that show hydraulic containment at the site is questionable at best, meaning groundwater will be poisoned.

The minister's brother, Bill Stockwell Jr, asked for and received a large package of documents from Cortellucci concerning the Adams mine, and Mike Harris has been brought in to fix this situation.

This deal doesn't pass the smell test, and it never has. Will you confirm today that you're going to put a stop to this sale?

Hon Mr Ouellette: I refer the answer to the Minister of the Environment.

Hon Chris Stockwell (Minister of the Environment, Government House Leader): By the way, Bill Stockwell is my father.

Firstly, I can only say to you with respect to the C of A on that land, when the environmental assessment was done it was part of the C of A approval that they acquire the land around the site.

With respect to the study that you speak about, I can only say to you that the study has been submitted to the Ministry of the Environment. We received it yesterday and will review it.

As far as promoting the site, I've not promoted that site one way or the other. All I can tell you is this: last week, with the mad cow disease issue that came forward, we were faced with a situation that we didn't have any place to put our garbage in the city of Toronto. I'm asking the local authorities at the regions of Peel, Durham, York and the city of Toronto that, should the border close due to an emergency, we need a better plan than having no place to take the garbage. All I've requested is that they put a plan together to deal with the garbage should the border be closed. If we didn't put that plan together and ask them to deal with that issue, you'd be jumping down our throats if the border were closed and there were no places to take the garbage.

I think any responsible government, any responsible Minister of the Environment should at least know that if the border is closed and we can't ship our garbage to Michigan, he's got a better answer for the people of the city of Toronto than, "Eat your garbage."

LITERACY

Mr AL McDonald (Nipissing): My question is for the Minister of Community, Family and Children's Services. Last month, you attended the launching of a newborn literacy kit for Ontario families at a Toronto library. Can you tell my constituents and this Legislature how this kit will help parents and their children?

Hon Brenda Elliott (Minister of Community, Family and Children's Services): I thank my colleague from Nipissing for this question. It's a very important question. The newborn literacy kit is part of our government's Early Years strategy. Our government believes that it's never too early to start reading to our children. We know that literacy and the very early skills of language are key factors for success, not only for childhood but for overall lifelong learning, so we want to do everything that we can to ensure that parents are their children's first and very best teachers.

So we've established a newborn literacy kit. These are going to be available through the Healthy Babies, Healthy Children's program. They will be distributed by public health nurses as they visit each new family and each new baby born in the province. It's one more way that we can say to the people of Ontario, the children and the families, that we know we want to make every effort to give their children the best start in life.

Mr McDonald: Thank you, Minister, and I want to thank you for your visit last July to the Early Years program for children in North Bay. You were well received, and they were thrilled to see you.

On April 1, I had the opportunity to visit the centre to help celebrate its first anniversary. Crystal Spiess, Cathy Chippa and their staff have done a remarkable job for parents and children in the north. My constituents appreciate the Ernie Eves government building on the early years strategy by initiating this new literacy kit. Minister, could you share with my constituents what is included in this kit?

Hon Mrs Elliott: I had a wonderful time visiting the Early Years centre. I remind my colleagues here in the House that 42 centres opened in the province of Ontario; 61 are about to open this year.

When I was in Nipissing, I saw a young dad reading to his child in one section of the Early Years centre. Of course, our goal is that not just the fathers but every single parent spend a great deal of time reading to their children. And so, in the newborn literacy kit, we have a wonderful book by a very famous Ontario author, called *Read Me a Book*. We have a passport of information for new parents, called *My Early Years*. We have a CD with nursery rhymes and little stories to be read and shared, and songs to be sung with the children. We have a video also, called *Precious Minds*. It was designed by the Kiwanis Club of Ottawa to help parents understand why it is so important to read to their children.

We believe it's very important to give children the very best start. The newborn literacy kit is one method of doing that.

HOSPITALITY INDUSTRY

Ms Marilyn Churley (Toronto-Danforth): My question is to the Minister of Enterprise, Opportunity and Innovation. I have a very serious question for you, actually. I want to know why you have abandoned the very people who make Toronto a great place to visit: our hospitality workers. Workers are facing a second wave of layoffs. Four thousand hotel workers and 12,000 restaurant employees have been fired or had their hours drastically reduced. They can't make ends meet. Some are facing eviction. Some have had their gas and hydro cut off.

Workers and industry have developed a plan that would involve all three levels of government to provide training during downtime. They need help now, and yet your government and the federal Liberals have done absolutely nothing for them. When will you provide the support that these workers desperately need, Minister?

Hon Jim Flaherty (Minister of Enterprise, Opportunity and Innovation): As the member quite rightly states, the impact of SARS has been quite dramatic in the hospitality and accommodation industries in Ontario. My colleague the Minister of Tourism and I have been very actively involved, beginning with our initial meeting here at Queen's Park, followed by the meeting with the Chinese business associations at city hall in Toronto, at which time the federal government and the municipal government and the Chinese business associations asked

the province to take the initiative and coordinate the efforts that are being made.

Mr Gregory S. Sorbara (Vaughan-King-Aurora): What have you done?

Hon Mr Flaherty: Specifically to answer the member from Vaughan, of course we've gotten rid of the hotel accommodation tax, right through to September 30, to try to help the hotel industry in Ontario. I say "in Ontario," because the Niagara region has been significantly affected as well. Many people who visit Toronto also travel to Niagara.

So the member is absolutely right. This is a major challenge for us. We are helping out financially those folks who have been quarantined. So far, I must say it's been a co-operative effort, which is much appreciated.

Ms Churley: Minister, where have you been? All you've been doing is meeting with these folks. These workers already have a plan that we have been telling you about for weeks. They need action, not more meetings, and they get nothing from your government, absolutely nothing. And they got nothing from the federal Liberals in Ottawa either. They asked for the EI waiting period to be waived. They got nothing. They asked for protection from eviction and from having gas and hydro cut off. They got nothing. They want EI regulations relaxed so that they can apply. They got nothing. They want your government to support their plan for training during downtime. They got nothing.

These workers, Minister, are the heart and soul of our tourism industry, and they are in crisis. Are you going to throw them a lifeline or are you going to let them drown?

Hon Mr Flaherty: The key here of course is to revive the industry. The major initiative we have made is in our advertising and marketing, particularly around Ontario, around Canada and the United States. We're trying to encourage investors to be here. We had a group of investors here on Friday morning who are part of the CoreNet site locator group. This is vitally important to revive the economy, not only in Toronto but in all of southern Ontario, so that people can get back to work in the hospitality and tourism industries.

1510

SCHOOL CLOSURES

Mr Ted McMeekin (Ancaster-Dundas-Flamborough-Aldershot): My question is for the Minister of Education. Last October, your Hamilton school board supervisor claimed to have balanced the board budget, even to have identified surplus monies for classroom use. He then proceeded to proudly announce that no community schools would close.

Today, parents living in Dundas and area are stunned and outraged with your supervisor's plan to close five Dundas elementary schools and one Dundas high school. The decision of your supervisor is now tearing our Dundas community apart. Minister, I met with these parents. They tell me there must be sufficient time for study, consultation and deliberation before any Dundas

schools close. Instead of following the normal requirement of a six-month review, our area accommodation committee has been given only six weeks to make decisions as to which schools will close. Sadly, your supervisor has stated that given a possible provincial election, he's even prepared to "hyperspeed this decision" to ensure his school-closing plan is implemented. Clearly this is not in the best interests of Dundas students.

Minister, will you stand in your place today and do the right thing? Will you intervene by declaring a moratorium on the closing of any Dundas school or, failing that, immediately act to ensure my constituents the time and information required to—

The Speaker (Hon Gary Carr): I'm afraid the member's time is up.

Hon Elizabeth Witmer (Deputy Premier, Minister of Education): As the member has pointed out, there is an ongoing school revitalization plan in the Hamilton-Wentworth community. The supervisor in the community has worked extremely hard. He has done extensive consultation with parents and educational stakeholders. Part of that process is to take a look at where new schools are going to be required for growing parts of the board. Also, at the same time, of course, part of that revitalization plan is to take a look at areas where obviously there may need to be some school closings, maybe some amalgamation of schools.

I can tell the member opposite that this is being done in a way that does encourage full consultation with parents in order to give them the opportunity to make the representation and make their case known.

Mr Dominic Agostino (Hamilton East): There are three schools in my riding that are scheduled to be closed. One of those, Woodward Elementary, is actually a school that is over capacity. Last night there was a meeting, and parents expressed their raw feelings, their emotions, their passion toward keeping that school open. Minister, you don't get that. You don't understand that closing these schools is ripping the heart out of our communities. It is not simply a building; it is a community centre, a centre where people go, where kids play after school. You are taking that away from some of the poorest neighbourhoods in the city of Hamilton because of your flawed funding policy.

The reality is this: the fix is in. It's a done deal. Your supervisor, under your marching orders, is going to close those schools in my riding, is going to close those schools in Dundas, is going to close those schools in West Hamilton. That is wrong. You've only implemented one third of the Rozanski formula to date. Will you today freeze all school closures until you've fully implemented the Rozanski funding formula for the city of Hamilton?

Hon Mrs Witmer: What the members opposite fail to realize is that the entire issue of school accommodation reviews has been taking place since the 1980s. In fact, under the Liberal government of David Peterson, 1985 to 1990, 184 schools were closed. Between 1991 and 1995, 134 schools were closed. During that same time period, 1985 to 1990—

Interjections.

Hon Mrs Witmer: Folks, this is no different. School closings and new school openings have always been the responsibility of local school boards. They do this in consultation with the people in the community, and they make the decision based on what's in the best interests of the students. School closings and openings have always occurred. Due process takes place and decisions are made.

EDUCATION FUNDING

Mr Garfield Dunlop (Simcoe North): My question as well is to the Deputy Premier and Minister of Education. In 1984, the Liberals pledged to restore funding to a minimum of 60%, on average, across the province within five years. Yet by 1990, when the Liberals were voted out of office, the level of provincial funding stood at a mere 40%, more than six percentage points lower than it was in 1985 when the Liberals took power. Similarly, the NDP made the same promise but never funded education to the level they said they would. Like the Liberals, the NDP were unsuccessful at keeping their education promise, only ever reaching about 52%.

I know that since our government took office we have made many changes to the system to ensure quality and fairness by introducing our student-focused funding formula. Recently, Dr Mordechai Rozanski undertook a review of the formula, as the Premier promised. Can you please tell the House what the Eves government has done to follow through on its commitment to implement Dr Rozanski's recommendations?

Hon Elizabeth Witmer (Deputy Premier, Minister of Education): The member opposite is correct, we have moved forward in a way to recognize that all students in this province deserve equal funding, no matter whether they live in the north, the south, the rural or the urban part of our province.

We did ask Dr Rozanski to do a review of the funding formula. He confirmed that the funding formula was working. He also made recommendations for additional allocations of money, and I'm very pleased to say that of the \$1.8 billion he recommended—within the first three days we allocated an additional \$610 million to the students of Ontario for teachers' salaries and transportation, and we said we would make available \$250 million for special education.

Mr Dunlop: It's obvious our government has continued to maintain a strong commitment to quality education in Ontario. People like Dave McDonald, chair of the Upper Canada District School Board, have affirmed our government's strong commitment to Dr Rozanski and to education as a whole. Mr McDonald said, "The government was quick off the mark to put Dr Rozanski's recommendations in place."

In his report, Dr Rozanski highlights the funding formula as being fair and equitable, which is something I know is important to the people in my riding of Simcoe North and of course to all the people across our province.

I also know that this government has raised education spending by record amounts every year. I would like my constituents and people across Ontario to know what the Ernie Eves government is committing to education overall this year and to my local school boards in the riding of Simcoe North and the county of Simcoe.

Hon Mrs Witmer: Dr Rozanski recommended \$1.8 billion, as I said. We are going to be investing \$2 billion. We have made that commitment over the next three years. This compares to the commitment by the Liberals of \$1.6 billion. I'm very pleased to say that this year, 2003-04, we are going to be investing a record \$15.3 billion to help students in Ontario achieve success. This is an increase over last May of \$1.1 billion. That is nearly 8%, while enrolment at the present time is decreasing by 2%. We appreciate the hard work of our teachers. We appreciate that this money is helping them to help our students achieve success.

CHILDREN'S HEALTH SERVICES

Mr Richard Patten (Ottawa Centre): My question is to the Minister of Health. An article in the Ottawa Citizen today reports on a study published by the Canadian Medical Association Journal, which looked at survival rates of patients who were undergoing complex surgical procedures in both large regional hospitals and local hospitals. The study concludes that it is erroneous to assume that placing some complex procedures in larger hospitals reduces deaths. This article made the link between these findings and your government's decision to consolidate all pediatric cardiac surgery in Toronto.

1520

As you will know, maintaining pediatric cardiac surgery at CHEO in Ottawa remains a major issue and concern for the people of eastern Ontario. They want to know that program will be staying in the city.

Minister, your government placed full-page partisan ads in three Ottawa daily newspapers on May 17 regarding your government's commitment to the Children's Hospital of Eastern Ontario. The information contained in the ads was nothing new. All the information was released on April 28. Why shouldn't your party be paying for these kinds of partisan ads that are totally redundant to the news release and the media coverage?

Hon Tony Clement (Minister of Health and Long-Term Care): I'm not well versed in all the ins and outs of Management Board guidelines on advertising, so I'll actually answer—

Mr James J. Bradley (St Catharines): Well, I've got the guidelines, and they violate them.

Hon Mr Clement: I guess the issue is closed then. The honourable member for St Catharines has already revealed his judgment on the issue. Thank you.

I do want to talk about actual issue that underlies this, if I might, to the honourable member. I think the critical phrase he used—and I agree with the phrase—is it would be “erroneous to assume.” I agree with the honourable member that one should not assume anything when it

comes to what procedures should be done where in the hospital system; one should base it on evidence. I would be pleased to run through the type of research that has been done in the answer to a supplementary.

Mr Patten: Minister, you didn't really answer the question about your party paying for those ads.

The basis of the evidence was a completely Toronto-centred model of moving everything to one centre. It was a managerial problem. It was not based on medical evidence of quality at all, and you know damned well that that's the case.

Before the last election in 1999, the previous Minister of Health promised the people from London that their children's hospital would not lose its specialty services. What happened? Two years later they lost them to Toronto. Why should the people in Ottawa or eastern Ontario believe now, just prior to an election, that you're not just going to snow them and say, “We're going to review this.”

I know you know it's a big issue in Ottawa. Let me tell you it will be an election issue in Ottawa, because the people there know that service should stay there. Will you make a commitment today to keep that service in Ottawa and not try to find a face-saving device and say, “We'll do a review,” and then after the election bring the service to Toronto?

Hon Mr Clement: I guess I'll continue with the thread of my answer and indicate to this House the research that has been done on these very important issues on how best to ensure that pediatric cardiac surgeries done in Ontario are done the right way: In March 1997, the HSRC provincial pediatric task force reported; in November 2001, the Specialized Pediatric Service Review Committee; in May 2002, Dr Wilbert Keon's independent review of the work of SPSRC; then there was the Manitoba Sinclair report; CIHI's report, “Health Care in Canada 2001”; Dr Hannan's “Pediatric Cardiac Surgery: The Affect of Hospital and Surgeon Volume on In-Hospital Mortality”; and Dr Williams also published a report. Dr Jenkins published a report on in-hospital mortality as well.

As you can see, we've done a lot of research. That research should be put into the mix as well as the research we're doing right now.

PATIENT TRANSFERS

Mr Cameron Jackson (Burlington): My question is for the minister responsible for long-term care. On April 4 this year, 87 frail, elderly seniors were abruptly taken from their residence at the Oakville Lifecare Centre in one of the winter's most severe storms. Residents and family members were justifiably angry, frustrated and confused at the government's decision.

In a letter dated April 2, your ministry indicated, “This was done in order to provide a centralized location where potential SARS contacts can be isolated and observed if required.” Less than 48 hours later, another letter was sent, on April 4, contradicting that, saying that it was not

due to SARS. In fact, it was done in order to make room for ALC—alternate level care—patients who were resident in this facility, to make room for other nursing-home-bound residents. Two residents died during this transfer.

I have asked the minister in a letter if he can explain, once his officials determined the facility was no longer needed for the SARS outbreak, why he put the residents at risk by directing an unnecessary transfer of these frail, elderly seniors.

Hon Dan Newman (Associate Minister of Health and Long-Term Care): I want to thank the member for Burlington for his question. The transfer of patients from Oakville Lifecare back in April was part of our government's initial response to SARS. Facilities like Oakville Lifecare helped patients who no longer required the care of a hospital and who had not been exposed to SARS to move to a more appropriate health care setting. This was done so that hospitals in the greater Toronto area could deal with the increased stress on the system due to SARS. Alternative level of care or ALC patients from GTA hospitals were transferred to Oakville Lifecare as part of this strategy. To date, 67 ALC patients have been transferred to Oakville Lifecare.

I would like to take this opportunity to thank the residents and their families for their understanding and for their assistance in helping Toronto deal with the original SARS crisis. I would also like to commend the staff at Oakville Lifecare who have shown tremendous professionalism and tremendous compassion during this time.

Mr Jackson: All of this doesn't explain why officials mass-moved 87 people in one of the worst storms of the year. Of the families I've talked to, in many cases they were given less than half a day's notice that their parents were being removed from this location. What concerns me is that 33 residents of Oakville, in the Speaker's riding, were transferred to the Brantwood centre in Burlington where there were 33, obviously, empty beds. The Oakville Lifecare Centre was so quickly vacated it sat vacant for an entire week. Yet, a week later, the government then made a decision to take 33 people out of the Burlington hospital and send them to Oakville. This was a completely unnecessary step, I submit to the minister.

My question then is, what steps has this minister taken to ensure that this kind of unnecessary transfer, that put frail, elderly senior citizens at risk, will never happen again in this province, as we wait for the coroner's inquest?

Hon Mr Newman: I want to say today that residents were transferred out of Oakville Lifecare as part of our government's response to SARS. As I mentioned, 67 ALC patients have been transferred to Oakville Lifecare to help relieve pressures on GTA hospitals dealing with the initial SARS outbreak.

Of course, our first priority is always the residents, and we appreciate their understanding and their cooperation throughout this time. All of the residents in Oakville Lifecare were immediately given priority place-

ment in a facility of their choosing, and many of the residents have been placed in a nursing home of their choice. The ministry will continue to work with the residents and continue to work with their families until each and every resident is in their preferred long-term-care facility.

The Ministry of Health and Long-Term Care has also met regularly with the residents and their families to discuss their questions and to address their concerns face to face. As well, ministry staff have personally addressed questions and concerns regarding this transfer.

NOTICE OF DISSATISFACTION

Mr Steve Peters (Elgin-Middlesex-London): On a point of order, Mr Speaker: Pursuant to standing order 37(a), I wish to advise you of my dissatisfaction with the response of the Minister of Agriculture to my question today. I have filed the appropriate papers with the table.

The Speaker (Hon Gary Carr): I think the member said he has filed them, but just to remind him, he must do that.

PETITIONS

ONTARIO DISABILITY SUPPORT PROGRAM

Mrs Marie Bountrogianni (Hamilton Mountain): I have a petition I am pleased to present.

"Whereas the Harris-Eves government has neglected the needs of people with disabilities in Ontario;

"Whereas people with disabilities in Ontario are forced to live below the poverty line;

"Whereas Ontario disability support program rates have been frozen since 1993 and have never been increased under the current government;

"Whereas clawbacks and punitive regulations prevent the disabled and their families from any opportunity of escaping poverty;

"We, the undersigned, petition the Legislative Assembly of Ontario to ensure that benefit levels of ODSP recipients are not eroded by inflation by providing annual cost-of-living adjustments and to remove barriers that prevent persons with disabilities from improving their circumstances."

I proudly sign this petition.

1530

NATIONAL CHILD BENEFIT SUPPLEMENT

Mr Tony Martin (Sault Ste Marie): I have a petition here this afternoon, "Stop the Clawback," with about 160 names from North Bay, Kingston, Brampton—

Interjection: Everywhere.

Mr Martin: Everywhere.

"Whereas one in five children in Ontario live in poverty;

"Whereas, as part of the national child tax benefit program the federal government gives a supplement to low-income families across the country to begin to address child poverty;

"Whereas that money, up to approximately \$100 a month per child, is meant to give our poorest and most vulnerable children a better chance in life;

"Whereas in Ontario the Conservative government deducts the child benefit supplement dollar for dollar from those living on social assistance;

"Whereas this is leaving our province's neediest children without extra money they desperately need to begin to climb out of poverty;

"Whereas all children are entitled to a fair chance at life;

"Therefore, be it resolved that we, the undersigned, petition the Legislative Assembly of Ontario to demand that the provincial government of Ontario stop the clawback of the national child tax benefit supplement and ensure this federal money reaches all low-income families in Ontario."

I sign my signature.

HOG INDUSTRY

Mr Jean-Marc Lalonde (Glengarry-Prescott-Russell): I have a petition that came from Kelly Leblanc and concerned citizens of the Fournier area.

"To the Legislative Assembly of Ontario:

"We, as citizens of Glengarry, Prescott-Russell, are opposing the industrial hog factories planned for the area within the nation municipality, of Pendleton, Ste-Rose-de-Prescott and St Albert;

"Whereas similar hog factories are not permitted in Quebec;

"Whereas farms are an essential component of our rural communities and must be protected;

"Whereas establishment of mega hog factories is incompatible with the preservation of our rural communities and our quality of life in Glengarry and the United Counties of Prescott and Russell and surrounding areas;

"Whereas establishment of mega hog factories is also incompatible with the protection of farms;

"Whereas Ontario is still addressing environmental laws and health issues associated with industrial hog factories and the spraying of pig manure;

"Whereas the South Nation River water pollution concerns are not yet resolved;

"Whereas an environmental assessment of aquifer and groundwater have not been done;

"Whereas local residents rely on wells or the water from the South Nation River situated along the proposed hog factory in Pendleton;

"Whereas waste/sewage from pigs potentially endanger the water supply and soil;

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

"To ensure the safety of the citizens of Glengarry and the United Counties of Prescott and Russell will be protected against the known dangers associated with industrial hog factories. We petition you to immediately, before construction of farms in Pendleton, Ste-Rose-de-Prescott and St Albert, conduct an environmental study of the area to ensure there will be no detrimental effects to our health, our safety and our properties as a result of the construction of the proposed industrial hog factories."

I also add my signature to the petition.

COMMUNITY CARE

Ms Shelley Martel (Nickel Belt): I have a petition that's been signed by thousands of people who live in Kingston and area that was sent to me by Cheri Dobbs, who is the national representative for CUPE, out of the Kingston area office. It reads as follows:

"Whereas the eastern Ontario branch of the Victorian Order of Nurses has been providing care to this community since 1897;

"Whereas community care will suffer by the closure of the eastern Ontario branch of the VON;

"Whereas community care in Napanee, Northbrook, Sharbot Lake and Cloyne will be drastically affected by the closure of the eastern Ontario branch of the VON;

"We, the undersigned, implore the Minister of Health and Long-Term Care to recommend to the Ontario government that the necessary funds be provided to the community care access centre to ensure that the VON are able to maintain their community nursing programs."

I agree with the petitioners and I sign my signature to this as well.

WEST NIPISSING GENERAL HOSPITAL

Mr David Ramsay (Timiskaming-Cochrane): "To the Legislative Assembly of Ontario:

"Whereas a decision has been made to remove the interim beds at the West Nipissing General Hospital in Sturgeon Falls:

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

"Let's keep our seniors here!

"We, residents and taxpayers of the municipality of West Nipissing, endorse our municipal council in a combined effort to lobby the Ministry of Health to retain the interim beds at the West Nipissing General Hospital in Sturgeon Falls pending a permanent solution to better serve our population."

I will append my signature to this.

MINIMUM WAGE

Mr Michael Prue (Beaches-East York): I have a petition to the Parliament of Ontario. It reads as follows:

“Whereas the minimum wage in Ontario has not been adjusted since 1995; and

“Whereas at the current rate of \$6.85 per hour, an employee working full-time based on a 40-hour week would earn only \$14,248 per year, a sum that falls well below Statistics Canada’s low-income cut-off (LICO) line of \$16,640, which is the amount required for basic human necessities;

“We, the undersigned, petition the Parliament of Ontario to raise the minimum wage to meet the LICO line, which is \$8 per hour, and that the minimum wage be indexed to reflect the annual rate of inflation.”

It is signed by approximately 1,000 people. I am in agreement and affix my signature thereto.

NIAGARA HOSPITALS

Mr James J. Bradley (St Catharines): My petition is to the Legislative Assembly of Ontario.

“Whereas the board of trustees for the Niagara Health System and the Hotel Dieu Hospital have unanimously endorsed a plan to construct a new general hospital and regional cancer centre and new Hotel Dieu Hospital on existing Hotel Dieu property in St Catharines; and

“Whereas the proposed new hospitals would replace currently insufficient facilities and improve the quality of health care in St Catharines and throughout the region of Niagara; and

“Whereas the proposal will streamline operations and save an estimated \$10 million annually; and

“Whereas health care professionals in Niagara support the proposal of the Niagara Health System; and

“Whereas the construction of two new hospitals would attract new health care professionals to Niagara to help alleviate the shortage of medical professionals the Niagara region is currently experiencing;

“We, the undersigned, call upon the Ontario Minister of Health and Long-Term Care to immediately support the proposal of the Niagara Health System for the construction of two new hospitals in St Catharines on the existing Hotel Dieu property and provide the appropriate funding to make this project a reality.”

I affix my signature to this petition.

HOME CARE

Mr David Christopherson (Hamilton West): I have a petition to the Legislative Assembly of Ontario. It reads as follows:

“Whereas the Conservative government has greatly restricted the eligibility criteria for Hamilton home care clients, causing drastic reductions in the amount, duration and quality of services available to frail, sick and elderly people in their homes; and

“Whereas home care clients deserve the provision of adequate government funding for home care services as

their needs grow increasingly complex in the face of continued government cutbacks to home care; and

“Whereas the Conservative government shifted the costs of home care services on to the backs of the most vulnerable people in our communities; and

“Whereas home care services are more cost-efficient for the health care system because they are dedicated to serving families in their homes so that more costly institutional care can be prevented or delayed;

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

“That the Conservative government review and change the criteria eligibility so that appropriate home care services can be provided to the most vulnerable in our community when the need arises.”

I support these petitioners from my riding and I add my name to the petition.

Mrs Leona Dombrowsky (Hastings-Frontenac-Lennox and Addington): To the Legislative Assembly:

“Whereas well-managed and adequately funded home health care is a growing need in our community; and

“Whereas the provincial government has frozen community care access centre budgets, which has meant dramatic cuts to service agency funding and services to vulnerable citizens, as well as shortened visits by front-line workers; and

“Whereas these dramatic cuts, combined with the increased complexity of care for those who do qualify for home care, has led to an impossible cost burden to home care agencies; and

“Whereas the wages and benefits received by home care workers employed by home care agencies are well below the wages and benefits of workers doing comparable jobs in institutional settings; and

“Whereas front-line staff are also required to subsidize the home care program in our community by being responsible for paying for their own gas and vehicle maintenance; and

“Whereas other CCACs and CCAC-funded agencies across the province compensate their staff between 29 cents and 42.7 cents per kilometre; and

“Whereas CCAC-funded agency staff in our own community are paid 26 cents per kilometre, with driving time considered ‘hours worked’;

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

“To act now to increase funding to the CCAC of Kingston, Frontenac, Lennox and Addington in order for it to adequately fund service agencies so they can fairly compensate front-line workers.”

I’m very happy to assign my signature to this petition. I will hand it to Sarah, the page, who is from my riding of Hastings-Frontenac-Lennox and Addington.

1540

EDUCATION FUNDING

Mr David Christopherson (Hamilton West): I have a further petition to the Legislative Assembly of Ontario.

“Whereas the provincial Conservatives created the Education Equality Task Force and appointed Dr Mordechai Rozanski to review and make recommendations regarding education funding in Ontario; and

“Whereas Dr Rozanski’s report, Investing in Public Education, confirmed what parents, students, custodial staff and teachers already knew, that the education system has been suffering greatly since the Conservative government started cutting education funding in 1995; and

“Whereas Dr Rozanski’s report confirmed that elementary and secondary school education has been underfunded by \$2 billion under the Conservatives; and

“Whereas the Conservatives made a series of announcements and re-announcements following Rozanski’s report, they have yet to table a plan to fully implement its recommendations;

“Therefore be it resolved that the Conservative government should immediately commit to implementing all of Dr Rozanski’s recommendations and start flowing funding to school boards accordingly so that every Ontario student is given the opportunity to succeed and every Ontario school can be an excellent school” and that all inner-city schools may remain open.

I’m proud to add my name to those of these petitioners from Hamilton.

HIGHWAY 69

Mr Rick Bartolucci (Sudbury): Another tragic weekend on Highway 69, so I reluctantly have to read this petition into the record.

“Whereas modern highways are economic lifelines for the north; and

“Whereas the stretch of Highway 69 from Sudbury south to Parry Sound is a treacherous road with a trail of death and destruction; and

“Whereas the carnage on Highway 69 has been staggering; and

“Whereas the Harris-Eves government has shown gross irresponsibility in not four-laning the stretch of Highway 69 between Sudbury and Parry Sound; and

“Whereas immediate action is needed to prevent more needless loss of life; and

“Whereas it is the responsibility of any government to provide safe roads for its citizens, and the Harris-Eves government has failed to do so;

“Therefore be it resolved that we, the undersigned, petition the Legislative Assembly of Ontario to urge the Harris-Eves government to begin construction immediately and four-lane Highway 69 between Sudbury and Parry Sound so that the carnage on Death Road North will cease.”

I affix my signature to this petition, and give it to Mario, our page from Thunder Bay, to bring to the table.

HEALTH CARE FUNDING

Mr James J. Bradley (St Catharines): I have a petition that reads as follows:

“To the Legislative Assembly of Ontario:

“Whereas long-term-care facilities in this province are understaffed, underfunded and ignored by the current government;

“Whereas many residents of St Catharines and of other communities in Ontario are unable to find a family doctor as a result of the growing doctor shortage we have experienced during the tenure of the Harris-Eves government;

“Whereas cancer patients in Ontario requiring radiation treatment face unacceptable delays and are often forced to travel to other jurisdictions to receive medical attention;

“Whereas many prescription drugs which would help patients with a variety of medical conditions such as macular degeneration, multiple sclerosis, arthritis, diabetes and heart failure are inadequately covered by OHIP;

“Whereas long waiting lists for diagnostic tests such as MRIs, CT scans and ultrasounds are jeopardizing the health of many individuals already facing serious illness;

“Whereas the Harris-Eves government has now spent \$401 million on blatantly partisan government advertising in the form of glossy brochures, television and radio ads and full-page newspaper ads;

“We, the undersigned, call upon the Conservative government of Ernie Eves to immediately end their abuse of public office and terminate any further expenditure on political advertising and to invest this money into health and long-term care in the province of Ontario.”

I affix my signature because I’m in complete agreement with the contents of this petition. I hand it to Kristian, who is a page just beginning this week at Queen’s Park.

NOTICES OF DISSATISFACTION

The Acting Speaker (Mr Michael A. Brown): Pursuant to standing order 37(a), the member for Hastings-Frontenac-Lennox and Addington has given notice of her dissatisfaction with the answer to her question concerning rights information for children in care given by the Minister of Community, Family and Children’s Services.

Similarly, pursuant to standing order 37(a), the member for Elgin-Middlesex-London has given notice of his dissatisfaction with the answer to his question concerning veterinary audits of provincial abattoirs given by the Minister of Agriculture and Food.

These matters will be debated at 6 o’clock this evening.

ORDERS OF THE DAY

BACK TO SCHOOL (TORONTO CATHOLIC ELEMENTARY) AND EDUCATION AND PROVINCIAL SCHOOLS NEGOTIATIONS AMENDMENT ACT, 2003

LOI DE 2003 PRÉVOYANT LE RETOUR À L'ÉCOLE (SECTEUR ÉLÉMENTAIRE DU CONSEIL CATHOLIQUE DE TORONTO) ET MODIFIANT LA LOI SUR L'ÉDUCATION ET LA LOI SUR LA NÉGOCIATION COLLECTIVE DANS LES ÉCOLES PROVINCIALES

Mr Clark moved second reading of the following bill:

Bill 28, An Act to resolve a labour dispute between the Ontario English Catholic Teachers' Association and the Toronto Catholic District School Board and to amend the Education Act and the Provincial Schools Negotiations Act / Projet de loi 28, Loi visant à régler le conflit de travail opposant l'Association des enseignantes et des enseignants catholiques anglo-ontariens et le conseil scolaire de district appelé Toronto Catholic District School Board et modifiant la Loi sur l'éducation et la Loi sur la négociation collective dans les écoles provinciales.

Hon Brad Clark (Minister of Labour): I stand in support of the Back to School (Toronto Catholic Elementary) Education and Provincial Schools Negotiations Amendment Act, 2003. When I previously addressed the members on this matter, I spoke of fairness. Today I'd like to expand on that subject, if I may.

The act before us not only seeks to establish fairness between teachers and school boards but, more importantly, seeks to treat students fairly. As Minister of Labour, my role can be seen as limited to supporting balanced, stable, productive labour relations. I'm also a parent and a legislator, and in these roles I know we have a responsibility to the children of our province to ensure that we provide an education system that will prepare them for the world they face, and an education system that will give them the opportunity to make the most of their talents and efforts.

When our children begin their first day of school, we make an implicit promise to them. We tell them that if they try hard and do their best, we will provide them with an education that will secure a future for them in which they can achieve their potential.

So who are the "we" who make this promise? We are all of us in this House. We are all the adults in the province. We are the parents who send their children to school with anticipation of accomplishment. We are parents who sit at the table to help our children with their homework. We are taxpayers who fund the education system and expect it to provide what we are paying for. We are the citizens of this province who democratically elect the members of this House and who recognize that a

well-educated citizenry is fundamental to the working of this democracy. We are all of us in this House, and we cannot let our children down. This act is keeping that promise to our children.

Every day of our children's education is precious. It is a day that can never be recovered or redeemed. To allow a labour dispute between adults to stand in the way of an unrecoverable day is unconscionable. Since 1985, almost 1,000 teaching days have been lost to labour disputes—1,000 days, almost three years. There is no way to calculate the thousands of children who have been affected by adults who can't settle their disputes like adults. Isn't it time for a new maturity to be attained in our education relations system?

It is not only lockouts and strikes that have been standing in the way of our promise to our children. This act also seeks to protect our students from the effects of harmful work-to-rule actions by clarifying the duties of the teachers. Regulations under the Education Act have been amended to clarify that teachers' duties include ensuring that report cards are fully completed with comments and grades; co-operating and assisting in the administration of tests under the Education Quality and Accountability Office Act, 1996; participating in regular meetings with students and parents; performing duties as assigned by the principal in relation to co-operative placements of their students; and performing duties normally associated with the graduation of students.

These are all matters that we expect of our education system. These are all matters that our children deserve. The act is a first step in achieving a new framework for labour peace in the education system in the province of Ontario.

1550

This act is a first step in keeping our promise to our children. It is a first step. It achieves our first priority of safeguarding our children's education.

This act ensures that students in the Toronto Catholic schools are able to complete their studies without the threat of school year disruptions because of strikes, lockouts or so-called work-to-rule campaigns. But this act can only achieve that first priority if it is also fair to teachers and to school boards.

The immediacy of passing this act is now. It's being precipitated by the dispute between the Toronto Catholic District School Board and their teachers that is resulting in more than 69,000 students being out of school. They belong in the classroom.

The dispute in Toronto is not the first, and it is not the only one. There have been others in the past, and if we don't act, there will be others in the future. We need new ways of dealing with these disputes.

Work-to-rule campaigns are destructive to an education in which parents and students are kept informed of the student's progress. Work-to-rule keeps parents and students in the dark. Work-to-rule hurts a well-rounded education.

Over the past few years, we've seen labour fight after labour fight in one board or another, and at each and

every one of these, they have damaged the children in Ontario. They have impaired relations between the teachers in the classroom, who are eager to do their very best, and the elected board members, who are eager to do their very best.

If passed, this bill will provide a fair, balanced approach to the situation at the Toronto Catholic District School Board. It will be the first step in actions to lead to better labour relations at boards throughout the province of Ontario.

This bill will take nothing from boards and unions in terms of their ability to achieve an agreement on their own, except it will take away the ability to disrupt the classroom.

This bill would say to boards and unions, "Please come to an agreement that serves the interests of the children in your area."

This government believes that the best solution is a local one, where the board and the union achieve a mutually acceptable and responsible settlement. We would not be here today if the Toronto Catholic board and its union had been able to achieve such a settlement.

In striving to bring about a settlement, the Ministry of Labour provided mediation services and met numerous times with negotiating parties. This government has done what it can. Now it will do what it must.

This bill would allow the school board and the union to continue to negotiate toward a fair settlement by giving the parties seven days in which to reach a mutually acceptable agreement. That's fair. That's reasonable.

If the school board and the union are unable to resolve their differences, then they have the opportunity to agree to a mediator-arbitrator. That's fair and that's reasonable. Only if they are unable to agree would the Minister of Labour appoint one. That's fair and that's reasonable.

Until a new agreement is reached, the terms and conditions of employment would remain those that have already been passed in the previous collective agreement. That's fair and that's reasonable.

We want the parties at all school boards to reach an agreement to achieve a quick ending to any labour negotiations that are underway. We want school boards and their employees to be able to negotiate fair and reasonable contracts.

We have already invested almost \$700 million to provide 6% increases to teacher salary benchmarks over two years. We've passed legislation requiring three-year contracts between teachers' unions and school boards. We need to be enthusiastic. We need to have teachers who are willing to work in the classrooms to deliver that promise to our children.

This act is about balancing the interests of teachers and boards. This bill tells our children that we believe in them and we will act in their interests.

I have continually encouraged members of this House to support this legislation. We've made that promise to our children, and I urge them to keep that promise. But unfortunately, this bill has got caught up in politics, and it's shameful that it has occurred.

I'm going to point out some of the politics that have actually occurred just in the last few days. The first thing that occurred, which startled me and probably many members of this House, was when members of the opposition, the Liberal Party, accused the Catholic board of collusion. They accused the Catholic board of somehow being puppets for the government of Ontario, of some type of conspiracy. I was shocked, because I was under the impression that Mr Carnevale was a member of the Liberal Party.

Mr Garry J. Guzzo (Ottawa West-Nepean): Always was.

Hon Mr Clark: He is and was a member. He's a vice-president of a riding association. Yet here we had members of the Liberal Party attacking him publicly for some type of conspiracy. I wondered what Mr Carnevale would be saying about this.

Here's what he said on CFRB just a few days ago, on May 22: "You know, it's really unfortunate that people spin those types of rumours and conspiracy theories. The truth is we have 12 trustees, including myself, that work very hard, who were elected by our local constituents to do the" very, very "best we can for our students, and to suggest anything other than that is really a slap in the face of not only these trustees but everyone who voted for us. Really unfortunate, completely unfounded."

Ted Woloshyn asked, "Are you disappointed...?" He cut him off and said, "I am, and I've expressed that to Dalton McGuinty over the phone. I told him that ... you know, the fact that he's got some caucus members saying these things is really unfortunate. I would hope that he deals with that at a different level."

Ted Woloshyn: "In the meantime you're dealing with" these issues that are important to your community and to the people.

Carnevale: "Exactly."

Ted Woloshyn said, "The only reason I even bring that up is because it has been bandied about in the news"—that there's a conspiracy. Mr Carnevale said, "And you know what? The honest truth is I want to get a settlement here. I'll deal with those types of issues after we get a settlement, because this is my first priority."

There's a man with his priorities. He didn't bite to the conspiracy theory of the members opposite. He spoke to it—he ignored it and said, "I'm going to get a settlement." A reasonable man, and someone whom I would have respect for because of what he's doing.

Gerard Kennedy is quoted in the paper as saying that he's a well-known Conservative and that he's a lobbyist for the board. He raises Guy Giorno, a Tory strategist. He said, "It's all coincidence. This is a conspiracy. Clearly the Tories told him what to do."

Then Mr Carnevale says in the Toronto Sun, in Christina Blizzard's column, "Gerard Kennedy is completely out to lunch. He is grasping at straws. I think he needs to somehow argue against the legislation that is going to be introduced," and so he's doing this conspiracy theory. "It's completely unfounded."

Then it goes on to state that Mr Carnevale is not a Tory. No, he's a card-carrying Liberal, vice-president of

the riding association for one of Kennedy's caucus colleagues, Mr Joe Cordiano. So Carnevale isn't likely to be in bed with the Tories.

Yet today, when the Liberals introduced a bill trying to save their bungling—they're embarrassed about what they've done. That's what they've done. They introduce a bill today. And what does the member opposite, Mr Kennedy himself, say today? I want to get his riding right, Mr Speaker—Parkdale-High Park. Again in question period, he attacks and says there's a conspiracy. He doesn't drop it. He doesn't take the hint from his leader who has said out in the media, "Oh no, no. We don't want to talk about that." He goes down the road of this conspiracy again, this grand scandal. He probably believes the X-Files is truth.

So I'm a little bit concerned that this issue is getting caught up in politics because of political wrangling and posturing, because they don't want to support the bill.

Interjections.

Hon Mr Clark: The member for Hamilton Mountain is now spouting off. I'd like to know where she was when there was a bill on Hamilton. You voted against back-to-work legislation for our kids to go back to school in Hamilton. You voted against it. Yet here, now, because there's an election coming, they're scrambling trying to find some way to get on the right side of the issue.

I give credit to the NDP on the opposite side. You have historically been consistent when you're in opposition. But when you're in government, lo and behold—what an interesting flip-flop when they're in government. Now they have to be reasonable and pragmatic governors instead of obstructionists. What did you do? You passed back-to-work legislation not once, not twice, but three times when you were in government, one of them without the permission of the Education Relations Commission. It's fascinating that when you're in government, all of a sudden you understand how important it is to keep the kids in school, but when you're in opposition, you obstruct. Shameful.

1600

Mrs Marie Bountrogianni (Hamilton Mountain): What did your Premier say a year ago?

Hon Mr Clark: The member for Hamilton Mountain will find this fascinating: Excellence for All, the Liberal education document. I quote—

Interjection.

Hon Mr Clark: Oh, don't take offence. I'm just reading from your book. I'm sorry if this is offending you. I'm going to quote: "We believe that learning goes beyond the basics. Education must challenge and inspire our kids. It must offer"—

Mrs Bountrogianni: Don't patronize me, Brad.

Hon Mr Clark: Now, please let me finish. There will be ample time for your heckling—"all students the opportunity to experience a full range of learning that includes music, art and drama, as well as sports"—are you ready for this, Rosio?

Mr Rosario Marchese (Trinity-Spadina): Rosario.

Hon Mr Clark: Rosario—"and other extracurricular activities. These are not frills. These are essential parts of a well-rounded education."

In the Liberal platform—I'm not the brightest light in this place, I tell you, but I'm never hypocritical.

Read this. They're stating here that extracurricular activities are not frills; they're an essential part of a well-rounded education.

What has the government of Ontario put forth but a bill that makes sure they cannot withdraw in a concerted or organized way from those very same things that you say are an essential part of education, and you oppose it. Shocking.

It gets better. I find it fascinating—

Interjection: That's as good as they come.

Hon Mr Clark: I've got lots of time, because you guys opposed the bill and you're stopping it from going forward. I'm going to take my time.

I've been in this place four years and I've heard opposition members, specifically the Liberals, rise many times in this place and say, "Well, you bring in a bill, but where's the regulation?" Have you heard that? Have you ever heard them say, "You bring in the bill, but where's the regulation? We can't vote for this bill because we don't know what the regulation will say"? So then we turn around and we bring in a bill, and a regulation with it because we want to make these Liberals happy. I know it's a big challenge for us. The actual regulation says—

Interjections.

The Acting Speaker (Mr Michael A. Brown): The minister has the floor. He is the only one permitted to speak at this time. All other members will have their turns later in the debate. Minister.

Hon Mr Clark: Thank you, Mr Speaker.

Before I read what's in the regulation, I'm going to read a couple of other things here. Mr McGuinty was quoted May 21 in a media interview as stating that he believed the administration of the EQAO test was part of the teacher's job. Remember that, my friends. That's what he said. It's important. He said that the administration of the EQAO test is part of the job of a teacher.

Mrs Bountrogianni: And they do it willingly.

Hon Mr Clark: Except when they withdraw it and work to rule.

The other statement we have here is from their Excellence for All. We're back to the Liberal platform, Excellence for All.

Interjection.

Hon Mr Clark: I know your platform is painful.

It says here, "We will also give all parents and members of the public the right to information on public education." He has agreed that the EQAO test is a part of the teacher's job and they've agreed that the right to information is important. It's in your platform.

The regulation says—shocking—that we want them to fully complete report cards, administer the EQAO test, meet with students and parents—that would be passing on information about public education, one would think—

Interjection: Dalton would agree with that.

Hon Mr Clark: —I think Dalton would agree—maintain co-op education placements for students and participate in graduation activities for the students. So we identified very clearly, in a regulation, clarifying the teachers' responsibilities and duties. That's what we did.

Mr McGuinty states that he believes the EQAO test is part of it, but he opposes the bill. The reason they're opposing this bill, the reason they're opposing Bill 28 unequivocally, is the fact that we're saying that when the teachers go back to work, they cannot withdraw their services in a work-to-rule campaign, in an organized and concerted way.

Forgive me for being somewhat suspicious that when we put in back-to-work legislation, the teachers' union might turn around and say to their members, "We're not happy, so withdraw the following services: completing report cards, administering tests, meeting with parents, maintaining co-op education." The people at home might ask themselves, "Why did you mention those in a regulation?" That's because the actual documentation from the teachers' union told the teachers themselves to withdraw those very services. "We're doing work-to-rule," the teachers' union, OECTA, says, "and therefore the teachers will withdraw from doing those services. They will not complete report cards, they will not mark and participate in the EQAO test, they will not meet with students and parents, they will not maintain co-op education placement programs, they will not participate in graduation programs." The government, in its wisdom, says, "We can't have that." So we put a bill in place that not only orders them back to work but says, "You can't withdraw those services in an organized and concerted way after you're back to work."

I'm shocked that the opposition parties, specifically the Liberals, would oppose it when Mr McGuinty has spoken in favour of these very same issues that we put in the regulation. He said the EQAO testing is part of the job of the teacher. He puts it right in his Excellence For All.

Interjection.

Hon Mr Clark: Madame, please. I know you're having a hard time running under the platform you have, but it's right here. You stated that extracurricular activities are not frills. "These are not frills. These are essential parts of a well-rounded education." That's what you said in your platform, and you vote against—

Mrs Bountrogianni: Oh, just relax. You're going to have an aneurysm.

The Acting Speaker: The member for Hamilton-Mountain will come to order.

Minister, would you like to address your remarks through the Speaker?

Hon Mr Clark: I apologize, Mr Speaker. If I'm going to have an aneurysm, I'll have it protecting kids in my community; you're damned right, I will.

The inconsistencies on the opposite side are just absolutely shocking. I have teachers who call me, I have parents who call me, and they say, "You know what?

After reading the bill, it makes sense to me." Shocking. You ask parents—

Mr Rick Bartolucci (Sudbury): Name names.

Hon Mr Clark: You'd like that, so you could run around and say, "Freedom of information." You're so interested in taking expert advice from people from Ireland and all over the world on how to run the province that you forget to go and talk to the people out there who can actually tell you what they want. Parents in Ontario want report cards filled out completely, parents in Ontario want the EQAO tests marked, parents in Ontario want to have meetings with students and parents. They want to hear that. You don't want to hear that, but we do. They don't want to maintain co-op education placement programs over there. We do. Graduation is coming. This Thursday, I'm going to my daughter's graduation in Hamilton. I'm looking forward to it.

Mrs Bountrogianni: That's nice.

Hon Mr Clark: It is nice. I'm looking forward to it.

Mrs Bountrogianni: I mean it.

Hon Mr Clark: She does mean it. She's an honourable member and I believe that. But it is sad that here in Toronto, that's at risk, and for any opposition member to oppose this bill because of these items—I don't know how you can explain it to the voters at the door. I don't know how you can explain it to the parents. How can you explain that teachers should have the right to withdraw from these services when it's a part of their job? How can you explain that? I don't know how you can possibly explain that.

1610

I was shocked the other day when the leader of the loyal opposition stood—I think it was the first question period in this place where this issue came up—and he was trying to jump on his white horse, the big hero—

Interjection: He fell off the other side.

Hon Mr Clark: He fell off the other side. He said he talked to the teachers' union, he spoke to the Ministry of Labour, he spoke to the Ministry of Education. I've talked to my ministry; there was no phone call from his office. We've talked to the Ministry of Education; there was no phone call. He's turning around and saying to the public that he's trying to get the two sides together. I love this. You'll love this. Think about this for a second. It's not that hard to think about. The leader of the loyal opposition comes into this place and says, "What we really should be doing is trying to get both sides to sit down and communicate, to negotiate, to talk." My ministry has a mediator who does that all the time. Some 96% of all labour disputes are settled through mediation, so we continue to encourage it, but we want the kids back in school.

Do you know what's really interesting? You're going to scratch your head on this too, I'm sure you are. The leader of the loyal opposition says, "We want both sides to sit down together," and the very day he says that the papers are filled with the attacks on the school board. He attacks the chair of the board, the very person he needs to sit down and talk to. He attacks and accuses of a con-

spiracy the very person who is involved with the negotiations. The chair of the board attacked the member for Parkdale-High Park, stating that there's no conspiracy; he's pushing rumours.

Mrs Lyn McLeod (Thunder Bay-Atikokan): Just a lot of coincidences.

Hon Mr Clark: Lots of coincidences.

I ask you, go and talk to any private mediator and ask them if a private mediator or arbitrator would in their process attack one of the parties they're going to try to mediate with. Thank goodness he's not the Premier today, because that type of intervention would be tremendously embarrassing for the province of Ontario, to have the Leader of the Opposition turn around and say he wants them to mediate but then he attacks one of the parties in mediation.

If the Minister of Labour had stood up and done that, there would be an apocalyptic cloud rising above Toronto the size of the moon, screaming, "How dare he intervene." But no, it's OK for the leader of the loyal opposition to play politics on this type of issue. It's shameful, absolutely shameful.

Interjection.

Hon Mr Clark: The member opposite continues. They don't even issue a mea culpa. They continue to encourage this conspiracy theory.

I'm going to read a couple of editorials. You'll find this fascinating, too. These are good; I love these.

This is the Toronto Star. You're going to find this shocking. "Yet now, more than ever, teachers and boards have an obligation to work together to provide quality education at less cost. Should they fail or prove unwilling, Queen's Park must prepare itself to take strong measures, including swiftly passing back-to-work legislation before a student's right to a proper education is jeopardized."

Interjection: Pass Gerard's bill.

Hon Mr Clark: Pass Gerard's bill so that the teachers can go back to not completing report cards, not administering EQAO tests, not meeting with students and parents, not co-operating in co-op programs and not participating in graduation. Pass Gerard's bill so that they can go ahead and withdraw their services.

Do you know what? The teachers themselves have made it abundantly clear that they want to do these things but they can't do them because the teachers' union tells them that they can't, and should a teacher ignore the teachers' union, guess what happens? They're fined. If a teacher says, "I want to sit down with parents and with my student because he's having difficulties with math, and I want to work this through," and the teachers' union finds out, they fine him because he broke solidarity. If they complete report cards when they're told not to complete report cards, they'll be fined because the union says, "You will withdraw these services." Forgive me for being the Minister of Labour who says that I'm concerned here. We want these kids back in school; the teachers want these kids back in school; the parents want these kids back in school; the opposition claims to want

these kids back in school. But I don't want them back in school and to have the teachers' union turn around one week later and tell them, "You're going to do a work-to-rule campaign because we're not happy."

We want the teachers to have the right to do to their job. They want to do their job. I've talked to a lot of teachers. I didn't have to wait for a challenge from the member opposite. I've been in many schools over the last four years and I've spoken to many teachers, many parent councils, and do you know what they all tell me: "Why do we have to have the right to strike?"

I've got to ask you something. In an enlightened society where the Labourers' International Union, which is an incredible union, has not had a strike in 30 to 40 years—you've got to hear this. Here's a union that represents labourers. They have not had a strike in 30 to 40 years. You might ask yourselves, "How could they do this? How could they be such an enlightened union that there's no strike." They made a decision that they don't like strikes, so they said they're not going to have any strikes. What they did was go to their employer groups and say, "We don't believe that we need to have strikes. We're going to work out a voluntary mediation-arbitration process which is reasonable, fair and equitable to all parties. We will do our collective bargaining and whatever we don't resolve will go to arbitration." It's strikingly similar to Bill 28. You know what? They haven't had a strike in 30 years.

I would ask the member opposite, why is it that we have to have this debate, period? Why couldn't the teachers' union be as enlightened? Why couldn't the teachers' union, right now, because the Labour Relations Act allows for it, go to a voluntary mediation-arbitration process. One would have to ask, why is it that we haven't done it? Why can't they do that?

Mrs McLeod: Why wouldn't they?

Hon Mr Clark: Why wouldn't they do that? It's a good question. Why wouldn't they do that?

Interjection.

Hon Mr Clark: The lockout has nothing to do with going ahead of time—

Interjection.

Hon Mr Clark: You know what? You really don't understand labour relations. You seem to believe that just magically, all of a sudden, there was a lockout, that there wasn't an escalation of problems.

Interjection.

Hon Mr Clark: It's shameful that the member doesn't understand that if the union leaders had wanted to sit down with the board a year ago, they could have begun dealing with a voluntary mediation-arbitration process and none of this would be here. One hundred and nine school boards have collective agreements in good standing. Only 11 school boards across this province have the right to strike currently because they've gone through that process where they're in that legal right to strike position, and 11 of them are on work-to-rule.

I'm curious. How can there be other unions in the province of Ontario that do not have strikes because they

have contemplated the impact on their members to the point that this is not an appropriate solution and they consciously approach their employer and they say, "We should have voluntary mediation-arbitration. We'll go through collective bargaining, and whatever we can't resolve, we'll go to arbitration." And then there's no strikes. The last LIUNA contract was a 10-year contract, by the way.

But it didn't happen. You would think the teachers' union would be that enlightened, that they would understand how important this is. Of all the unions in the province of Ontario, you would think the teachers' union would understand that it hurts kids. They keep saying it's all about the kids. You would think they would recognize that a strike, a lockout or work to rule hurts the kids. So why can't we resolve this without having strikes, lockouts and work to rule? But they can't do that. For whatever reasons, the teachers' union has chosen to go down that path.

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I went through and I found these editorials from the Toronto Star. This is going back to 1993 when these editorials were written.

"Teachers currently have the right to strike in the province, but lengthy strikes that smack of political protest abuse the process. As for the suggestion that thousands more teachers may join the social contract process, it's time to consider whether a service as essential as education should be so vulnerable to the whims of politics." That's 1993. The Toronto Star was prophetic.

We're sitting in a situation where quite clearly we have presented a bill which is reasonable, which is pragmatic, and which allows the two sides to continue to bargain. It allows the two sides to pick an arbitrator, and should they fail to pick one, the minister picks one. There are clear guidelines for the minister to follow. It also states that once they go back, they're not going to be able to withdraw it in an organized or concerted way, work to rule. They're not going to be able to withdraw it. And that's what the opposition have a problem with.

It comes back to, as I stated, in their own document, the very issues that we put into the regulation.

Administering EQAO tests: on May 21, Mr McGuinty said he believes administering the test is a part of the teacher's job, so why is he opposing this? We're so used to this. I'll have to check the best-before date on that comment, but he stated that.

Their own platform states, "Education must challenge and inspire our kids." We agree with that. "It must offer all students the opportunity to experience a full range of learning that includes music, art, drama, as well as sports and extracurricular activities. These are not frills," the Liberals say. "These are essential parts of a well-rounded education," the Liberals say.

But here we are: they're obstructing a bill, they're obstructing back-to-work legislation, on the principle that they're opposed to having the teachers mark the EQAO tests. They're opposed to us putting it in regulation.

They also state in Excellence For All, their Liberal education document, "We will also give all parents and members of the public the right to information on public education." But they don't want a regulation that states that part of a teacher's job should be to meet with students and parents. They don't support that, but they support the sharing of information. Not quite consistent.

They don't support maintaining co-op education placements for students. Not quite consistent.

They don't support that the kids should have graduation ceremonies.

Rosario, I'm confused here. I know I'm repeating myself for you, but that's because I am confused here. I don't understand what he's doing over here.

The member for Parkdale-High Park, I don't understand what you're doing bringing in a bill to this place that doesn't deal with the very issue at hand, which is withdrawal of services for completing report cards, administering EQAO tests, students, parents, maintaining co-op education and graduation.

Interjections.

Hon Mr Clark: You'll have to read the law.

We want the kids back in school, and we want the kids back in school with full services. You don't seem to understand that filling out a report card is part of the teacher's job. You don't understand that an EQAO test—you don't see that as part of the job. Shameful. You should be ashamed. You don't agree with meeting with parents and students? How can you not agree with that? How can you not agree with maintaining co-op education for the kids so they get experience out there in the work world? How can you not agree with the kids having a graduation ceremony?

But no, you've got to do all this, "We're opposed to this bill." Then you turn around and say, "We're opposed because of just one section in the bill. Pull that section out of the bill."

Mr Marchese: A clean bill.

Hon Mr Clark: A clean bill, that's what they're saying. What I don't understand is, while they're saying they want a clean bill in their right hand, that they want the kids in school, at the same time they've said publicly that they believe report cards should be marked fully by teachers. The Leader of the Opposition, on the other hand, said that administering EQAO tests is part of the teacher's job. They've said very clearly that meeting with students and parents is part of the teacher's job, that co-op education is part of the job and so is graduation. We've heard them for the last four years spout off about how important these functions are. It's in their own platform, and when we, the government, put it in a bill to ensure that it will not be withdrawn in an organized or concerted way, they oppose it.

Interjection: Typical Liberals.

Mr Marchese: What does the NDP say?

Hon Mr Clark: You're consistent when you're in opposition, but when you're in government you're no longer consistent, because that's when you supported back-to-work legislation three times.

Interjection.

Hon Mr Clark: I'm sorry. The facts speak for themselves.

So I still believe very clearly that Bill 28 should be passed with due haste, and that the opposition party should withdraw the stalling tactics they're using on the bill. The people at home should be calling the opposition members in their constituency offices and letting them know what's going on.

I'm going to finish my time here and defer my time to the member for York North, who will knock it out of the park for the rest of the day, and finish what I've missed.

But I say shame on the opposition, that they would turn around and introduce a bill they claim is clean, and at the same time say that they support all of the objectives the government put forth. I say shame on them, because the people who are hurting from this are the students themselves. The kids are not in school because of the game-playing and political posturing on the opposite side of this House, and that is shameful.

Mrs Julia Munro (York North): It is my pleasure to rise today in support of the bill that we are debating.

Our children's education is a top priority for this government and all Ontarians. As members are aware, the Toronto Catholic District School Board has locked out its elementary school teachers because of the inability of both parties to reach a mutually acceptable agreement. As we speak, approximately 69,000 students are out of the classroom. Instead of being in class and learning, they and their parents are pawns in a struggle between the teachers' union and the school board. This act that we are debating today represents the decisive action our government is taking to ensure students are able to complete their studies without the threat of school-year disruptions because of strikes, lockouts or so-called work-to-rule campaigns.

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This is not the only disruption we have had in schools in the province. Work-to-rule campaigns in other boards are hampering instruction time. Teachers are arriving 15 minutes before class and leaving 15 minutes after classes end. They're not providing comments on report cards. As a result, parents have no idea of how their children are doing in school and what help they may need. Some teachers are refusing to cover classes for absent teachers. As a result, students are being shortchanged when they should have the opportunity to learn. We all know that a lost day of instruction is a lost opportunity for success.

Other teachers are refusing to administer the standardized education quality and accountability tests. These tests are part of our government's commitment to better prepare our children to compete in today's global economy.

We have heard from parents, students and teachers. They are all disgusted with the actions that the unions and the school board are taking. Parents want to know their children are getting the best education available. They want to see report cards and test results. They want to be assured that if their children need extra help in a

subject, they will get it. They want to see their hard-earned taxes pay for education, not for a power struggle. Most important, they see their children's futures at risk.

This bill would put an end to using students and their parents as bargaining chips in contract negotiations. It would protect students and their opportunity to learn and succeed.

Our government has taken action to bring labour stability to Ontario's schools. We have already invested almost \$700 million to provide 6% increases to teachers' salary benchmarks. Clearly, then, this problem cannot be solved by throwing money at it. This problem needs strong, decisive action. That's what we are doing.

Our government believes that strikes, lockouts and work-to-rule campaigns in schools, even for one day, have a detrimental effect on students, their parents and the general community.

Let's get the students of the Toronto Catholic board back in school while the board and union resolve their differences without affecting classrooms. Let's put the students of Ontario above disputes between adults. Let's put students first.

We have provided enough money, almost \$700 million, to school boards to allow for 6% increases to teachers' salary benchmarks over two years. We have also passed legislation that provides for greater labour relations stability by requiring three-year contracts. We have done our part. Now we expect the boards and the teachers to do theirs.

Our government takes the education of our children seriously. We know that teachers are dedicated professionals who want to be in their classrooms teaching. They do not want to be on strike or take actions they know are detrimental to the education and the safety of their students.

The time for classroom disruption is over. Our goal is to ensure students receive the education they deserve without the threat of school-year disruptions because of strikes, lockouts, or work-to-rule campaigns.

Our children's education is a top priority for Ontarians and for this government. That is why we have continued to invest in education. This next school year, we'll invest \$15.5 billion, which will increase to \$16.2 billion for the 2005-06 school year.

We have also introduced Ontario students to a new, more rigorous curriculum and province-wide standardized tests to better prepare them to compete in today's global economy. It simply doesn't make sense to allow these strides forward to be jeopardized by labour disputes.

I know all members share in the conviction that our children come first. Let all of us act on that belief and pass this act.

I know that the member from Northumberland has comments to make on this as well.

Hon Doug Galt (Minister without Portfolio): I appreciate the opportunity to say a few words on this particular topic. I think the minister, the Honourable Brad Clark, really summed it up extremely well when he was

speaking on this, and with a significant amount of emotion, and rightly so, when our children are not having the opportunity to be in school, when so much work-to-rule is going on in the province of Ontario. I believe that there are some 12 different school boards where there's work-to-rule, and that's really unfair to our young people. The end result in this particular board is that we've ended up with a lockout on the part of the board, and that's unfair as well for our young people.

Our government believes that the best method of achieving a collective agreement is through negotiation. An agreement mutually acceptable to both parties is a solution that ensures labour relations stability. Indeed, the Back to School (Toronto Catholic Elementary) and Education and Provincial Schools Negotiations Amendment Act, 2003, will give the teachers' union and the Toronto Catholic District School Board seven days to negotiate and come to an agreement. This is in addition to the time they have already had to hammer out an agreement.

What's really, really important is that we have these young people back in school, that they have an opportunity to receive training on every possible day they have. However, if the union and the board are unable to come to an agreement, the act provides for the resolution of their dispute through mediation-arbitration.

Mediation-arbitration is a process commonly used to settle disputes between employers and unions when they reach a stalemate in negotiating a new collective agreement. A third party, the mediator-arbitrator, is named to resolve the dispute, either by acting as a mediator and helping the parties reach an agreement, or if that isn't possible, by making a binding arbitration decision on the issues in dispute.

The act also would give the board and the union seven days in which to find and agree on a mediator-arbitrator. If they cannot agree on a mediator during this time, the Minister of Labour will then appoint one. Under the provisions of the act, the minister would be required to appoint a person who has experience as an arbitrator or mediator-arbitrator, or experience in labour relations and education matters. The mediator-arbitrator would be required to begin the mediation-arbitration process within 30 days after his or her appointment. Finally, an award within 90 days of being appointed would be required; however, the Minister of Labour could indeed extend the timeline of the proceedings before or after the specified period. This won't cost the government anything. The fees and expenses of the mediator-arbitrator would be shared equally between the parties to the collective agreement.

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How does the mediation-arbitration work? The employer and the union meet with the mediator-arbitrator, either separately or together, and the mediator-arbitrator tries to help the parties find common ground to mutually resolve the outstanding issues.

In an ideal situation, there is give and take. However, in a labour dispute being decided by a mediator-arbitrator, if the parties are unable to reach agreement

with the help of the mediator-arbitrator, both parties attend at a formal hearing before the mediator-arbitrator. In this hearing, each party makes submissions to the mediator-arbitrator justifying their positions on all matters remaining in dispute. The mediator-arbitrator considers those submissions and any legislated criteria that he or she is required to consider and then renders a decision.

I would like to point out that at any time during this process, if the parties can resolve matters in dispute themselves and reach a new collective agreement, the mediation-arbitration process would end. So it really is, right through the whole process, left in the hands of both parties that are negotiating. They can take over and make it happen.

Under the Back to School (Toronto Catholic Elementary) and Education and Provincial Schools Negotiations Amendment Act, 2003, the mediator-arbitrator would have the exclusive jurisdiction to determine all matters that he or she considers necessary to conclude a new collective agreement. As well, the mediator-arbitrator would be required to take into consideration the Education Act and its regulations. This would include the funding regulation. Any decision made by the arbitrator must allow the board to comply with the Education Act. As well, the board must be able to implement any decision made by the arbitrator without incurring a deficit. The mediator-arbitrator's decision would determine the content of provisions of the new collective agreement.

Within some seven days of the mediator-arbitrator's decision, the new collective agreement would come into effect. Under the provisions of the act we are debating, the collective agreement determined by the arbitrator would be effective for the period beginning on September 1, 2002, and will conclude on August 31, 2004.

Mediation-arbitration works. There has been some argument that arbitrated settlements are generally higher than negotiated ones. Well, let me tell you that in recent years contracts settled through compulsory arbitration in the public sector have been in line or lower than those using negotiations in the public sector. That's certainly different than the impression most people have had in the past. They have also been lower than settlements negotiated in the private sector.

Between 1995 and 2002, settlements were reached through compulsory arbitration in the public sector in all but one year. Between 1999 and 2002 settlements reached through compulsory arbitration in the public sector were the same or lower than those reached in the public sector where there was a right to strike. So you see, arbitration indeed works, and it doesn't whack the taxpayer in the pocket.

In the Back to School (Toronto Catholic Elementary) and Education and Provincial Schools Negotiations Amendment Act, 2003, the government has bent over backwards to give both the Toronto Catholic District School Board and the Ontario English Catholic Teachers' Association the tools they need to reach a mutually

acceptable agreement. We have also provided for an opportunity for them to negotiate a mutually acceptable agreement. If they cannot arrive at an agreement on their own, we are providing a fair and reasonable mediation-arbitration process. I believe we have indeed been fair. It is now up to us here in this House to do the right thing and pass the legislation that gets some 69,000 young people off the streets and back in the classroom, where they belong.

It's this kind of activity in our boards and in our teachers' unions that has required our government, our party, to have a look at what's been going on in that public sector.

I served on school boards in the 1970s and I honestly believed that strikes, lockouts and work-to-rule were wrong at that time. I've always believed it was wrong. I'm just thrilled to see that in our platform not only are strikes going to be outlawed, not only will lockouts be outlawed but so will work-to-rule. Work-to-rule has been devastating to children. In some boards they have gone all the way through their secondary school experience with teachers who work to rule and those young people have not had an opportunity to participate in extra-curricular activities.

I know that most, if not all, of our teachers want to teach. They don't want to be locked out. They don't want to be on strike. I'd suggest to members in the opposition that most of those teachers are going to support our platform, based on no right to strike, no lockout, and no way are they going to be able to work to rule.

I look forward to support from the opposition on this bill.

The Acting Speaker: Questions and comments.

Mr John Gerretsen (Kingston and the Islands): I think the last member has summed it up: this is not about the 69,000 kids here in Toronto, as far as the government is concerned. This is about your platform. But I would strongly suggest to the government members that the situation we're dealing with in this bill is not about your platform or our platform in an election campaign. It's to stop the lockout that right now is preventing 69,000 children in this city from going to school. So what we are simply saying is, take Bill 28 and take out the last page that deals with amendments to the Education Act which have absolutely nothing to do with this particular lockout. That's what we're asking for.

The member made some nice, pious statements about arbitration, about getting the children back into the classrooms, and we totally agree. What we do not agree with is the fact that you have included in this bill items relating to changes in the Education Act that have absolutely nothing to do with this particular lockout. Before him, the minister with pious comments could talk about all sorts of issues, but that's not what this is about.

Mr Kennedy's bill and even your own bill, part I, deal with the issue that we want to deal with as quickly as possible, and that's to get the kids back into school, to stop the lockout and have arbitration take place. We cannot consent, however, to adding in the changes to the

Education Act that have absolutely nothing to do with this lockout in this bill.

I say to the government whip and to the minister, do the right thing, truly the right thing, if you want to send the children back to school: sever the bill, let's vote on part I, which deals with the lockout, and let's deal with part II in the election campaign that you talked about.

Mr Marchese: I just want to say to the good citizens watching that I hope to be able to do my hour leadoff, or at least begin today. I absolutely don't want to waste one second in responding to the Minister of Labour. Hopefully you'll stay tuned until 6 o'clock, when I could begin my leadoff, and if I don't, I will begin tomorrow afternoon.

Mrs Margaret Marland (Mississauga South): That's the first time I've seen a member use the two-minute Q and A to do a promo for the fact that he has a whole hour coming up to speak in rotation.

I feel very saddened about the process we're going through in terms of the subject of this bill if we think about the fact that this bill is even necessary. There's such an irony, because there is a requirement that children attend school. When that isn't possible because there is a labour dispute between the employer and the employees, and we're in the situation we're in, I would have thought all members in this House, regardless of whether they're opposition members or government members—

Mr Gerretsen: So sever the bill. Do the right thing.

Mrs Marland: I can do this quite well without the help of the member from Kingston and the Islands, thank you very much, because your opinion is somewhat different from mine, I say with respect.

1650

The point is that when children are out of school, everybody is in a difficult situation. Often the parents who are working have to stay home with those children, because suddenly there's a huge demand for child care that otherwise is not available on instant request. To deprive those children for the number of days since we introduced this bill, when we have asked for unanimous consent for second and third readings to get the children back in school, and been denied by both opposition parties, I think is frankly irresponsible, particularly on the part of the Liberal members in this House.

Mr Dwight Duncan (Windsor-St Clair): I listened attentively to the Minister of Labour on television in my office and to the chief government whip here in the House, and I want to respond.

First of all, this is an unusual circumstance. We're ordering the end to a lockout. The government is ordering an end to something caused by an agent of the government, funded by the government and controlled by the government legislatively. The government can pick up the phone and say, "Stop it." For the first time in history, we're ending a lockout with legislation. How bizarre. They say we're keeping them out; we say they're keeping them out. The fact is the kids are out.

We've proposed an alternative. We disagree with part II of the bill. Take it out and let's campaign on it. Like

the chief government whip said, we absolutely differ on that part of the bill, no question about it. The bill Mr Kennedy introduced today is almost identical to parts I and III of your bill, and it's identical to bills that have been used in strikes in the past. So I say to the government, take part II out and pass this bill.

Yes, I appreciate the comment of the chief government whip when he said this is a political issue and it ought to be resolved in an election. Whether that's this spring or this fall is a decision for the Premier. But for the moment, let's agree to do what's been done in the past with strikes: introduce and pass legislation such as Mr Kennedy's legislation that will effect the same result; that is, have the kids back in school.

I regret that the talks broke down. We had a similar situation in Windsor three weeks ago. The Catholic board, in one of the most bizarre moves I've ever seen, locked the teachers out after two days of work-to-rule. Well, do you know what? The good news is they had the common sense to go back to the table with a new mediator and got an agreement very quickly. The kids wound up losing fewer days than the kids here in Toronto.

It's unfortunate that the government can't help out more in this situation.

The Acting Speaker: Response?

Hon Mr Galt: I appreciate the comments made by the various members following the presentation during the first hour by three members, being the Minister of Labour, Ms Munro and myself, and also the responses from the members for Kingston and the Islands, Trinity-Spadina, Mississauga South and Windsor-St Clair.

Listening to the opposition, all I can conclude is that they agree with work-to-rule and children not getting extracurricular activities. It doesn't seem to matter to them that teachers just go for the minimum possible time required. We're trying to ensure that when they go back, they don't go back to the classroom and just do the minimal amount possible but that they would also get rid of this work-to-rule.

I can't believe you would stand up and make those kinds of comments in this Legislature and have them recorded. It's beyond my comprehension. I've been opposed to this whole thing for over 30 years. It's just wrong, wrong, wrong. I'm thrilled to see this bill, so that when the teachers go back, there is no work-to-rule, they are not locked out and there are no strikes. That makes so much sense.

I happened to mention the platform, and the member for Kingston and the Islands jumped on the bandwagon and said, "Oh, yeah, what it's all about is a platform," and he's not concerned about this. It's a whole package, and this is an example. We're having to put all this legislation through when it should go through with unanimous approval. The kids could have been back in school last week but it's obvious that the members in opposition are not interested in getting the kids back in school. They're not interested in their education. They're not putting the kids first. The unions are not putting the kids first. Our

government is putting the kids first. The teachers want to put the kids first. But the opposition do not want to give the opportunity to put the kids first.

Mr Gerard Kennedy (Parkdale-High Park): I certainly am not happy to have to rise in debate on what must be one of the most embarrassing bills this government has ever put its name to. It is the hallmark of a tired, worn out, cynical government. They'll stand in this House to justify why they would take the 69,000 kids in the Toronto Catholic board hostage to their political program and not one of them—and I note we've not heard from too many Toronto members, who have to stand up at some point and answer to the people for this bill and the other shenanigans of this government. We have not heard one member yet say what they're prepared to do to bring those kids back to school except to stand behind their political program, which has the express effect of delaying the return of those kids back to school, just so they have the scenario they're looking for. It is sad to see that this government has so little in its waning days to offer this province.

It is not acceptable that they should be derelict in their responsibilities toward these 69,000 children and their families, which have had to amend and adjust their lives for these eight days only to learn that the only people at the root of this dispute is this particular government and its strange way of handing off their responsibility to the Guy Giornos of this world and their brilliant Machiavellian tacticians who decide—and this is what we're asked to believe. The very same day a multimillion-dollar ad buy comes out on the part of the Conservative party, where are their problems in the province? The ads talk about teacher strikes and turmoil. Where can we find any turmoil in the province? It's a lockout engineered by a school board in a completely unusual fashion, at the very same time this government is trying to bring up the idea of turmoil.

Well, it might want to get out ahead of that issue, because these members opposite are personally responsible for 24 million lost days; 24 million days of which the students of this province have been deprived; four times as much as the two previous governments combined. This is the government that has coined the entire idea of how to put our public schools in turmoil. It will be readily apparent to any reasonable observer what the government really thinks it's trying to do because there is no real place for the government to hide, particularly after their performance today.

They brought in the ads the same day. Did the Premier jump on the phone in a fashion that—20 years ago in his own riding he bragged that he spent 35 hours, not to end a strike or a lockout, but rather just to get the two sides talking again. He spent 35 hours, by his own admission. The Premier, who is sponsoring this particular political bill—not the Minister of Education—did not lift a finger the entire time. In fact, there was fair warning of this. We wrote to the school board and said, "It would be unacceptable for you to use the lockout provisions in the legislation in this fashion." Nothing could be heard from

the Conservative side, nothing whatsoever, because it was coordinated.

Equally, what did they do next? Did they try to get the sides together? Did they propose mediation? Did they do anything? Instead, they brought in the most unusual back-to-work bill we've ever seen in the history of the province of Ontario. They didn't bring in a bill that would neutralize the lockout and help keep goodwill in the schools. No, they brought in a bill with a poisoned clause in it. Bringing in a bill that does not bring kids back to their classrooms or get the two sides talking again only serves one particular purpose. As peace was breaking out all across the province in terms of school boards, with unions and federations of teachers and other education workers getting agreements, the government needed a pretext. We stand here today because of this sad, sorry excuse of a pretext that the government is trying to put upon us.

1700

The only turmoil in the province today is Tory-inspired turmoil. The government stands in front of us, in fact, and defends. What have they done since they brought in the legislation? Have they said, "We'll roll up our sleeves"? Has the Minister of Education even exercised herself to see if there's a way to solve this particular problem? No. What each member of the government has done—and I'll say to the public watching that they'll find this throughout this debate—is defend this phoney lockout. They won't say it's wrong. They won't say it's depriving kids. They will defend this lockout because it serves their political gamesmanship to do that. It's very, very sad, but a telling indicator of a government that has run completely out of gas when it comes to any way of approaching the problems of this province.

What makes it utterly unacceptable is that they make these calculations, they enter into these lazy arrangements, without any consideration for the 69,000 kids who could and should have gone back to school. The government has not done a single constructive thing to put kids back in school. Maybe 20 years ago Ernie Eves would have rolled up his sleeves, but today it takes Dalton McGuinty, our leader, and Dwight Duncan, our House leader. They have been spending their time. They have found mediators. They have talked constructively to each side involved in this dispute. They got them back to the table. They got them to change their approaches. Meanwhile, the government sits on its haunches just waiting and hoping that more turmoil will break out in this province.

If there was any doubt in any part of the public out there about who wished for this lockout by the board, this very unusual lockout by the board, this convenient lockout that only serves the government's purposes—almost never seen and rarely ever used, and never at this point of a dispute—it was erased today. Today we brought in a bill to bring about stability and goodwill in the Toronto Catholic elementary panel, and the government members did not agree to that bill. That bill does what some of the

members—obviously they're afraid to talk about their bill, maybe not familiar with it. The government members did not speak to the part of their bill, the poisoned clauses, that makes it a non-back-to-work bill and a political program. Instead, this gamesmanship becomes readily apparent.

Our bill basically is set on normal bills that are legislated solutions. This is a phony lockout, and it needs to be ended in a way that conveys dignity to the teachers who are affected and conveys peace and goodwill to these students. Each of these government members had the option today of supporting that bill. They have the option still in this House because the bill's been introduced, but their House leader spoke up against it and refused, on their official behalf, any unanimous consent to get them negotiating, to get mediation-arbitration happening in a fair manner if they didn't.

Their bill has other poisoned clauses in it. But for some particular reason they've been persuaded by their brains trust that it's better to have these kids locked out; it's better to have them on the streets; it's better not to have them enjoying their education. It's stunning that it has come to this, that the government members can actually contemplate that this is something they can inflict on 69,000 people. I say to you, what hubris on the part of this government that would play those kinds of games with that many people's lives here in Toronto. If they want to say differently, then today in the debate, or in the unfortunate days that are going to follow, explain exactly what you couldn't support in our particular bill—a fair bill that we have no appetite to bring in except because of what you're planning to do, which is to poison the relationships that exist.

We heard today a very sad performance on the part of the Minister of Labour. The Minister of Labour did not explain to this House what was in his particular bill. The Minister of Labour talked about work-to-rule. He neglected to name, and not one member across will name, a single situation—not one—across the province that part II of their bill currently applies to in terms of work-to-rule. Why? It doesn't eliminate legal work-to-rule actions, which I think parents who are out there, while they don't like work-to-rule, prefer over a complete strike, which is why they're stunned by the government's choice to continue a lockout, to continue a situation where students are not going to school whatsoever. But each of those work-to-rules that exist in the province today exist only in situations of people who have the right to strike, and they're choosing not to strike. They're showing restraint. Not one of those situations is affected by the bill the government has.

Then what is in this poisoned part of the bill? What is the government trying to pull off here, rather than having a clean bill, a bill that simply puts kids back in school while the two sides are able to negotiate, and if they're not able to negotiate to a good conclusion, that puts that to mediation-arbitration? Why can't the government do that?

What they've done instead is put in provisions changing the definition of a strike, changing the defini-

tions of teachers in an open-ended fashion. They've done that in a way that, according to legislative research, will have a chilling effect on extracurricular activities. A couple of members opposite had the audacity to stand up here and say they had some scintilla of interest in the arrangements in their schools that provide extracurricular activities. This Soviet-style, tired Conservative government would actually like to mandate the Saturday mornings, the evenings and the overnight trips that are being done across this province. It's incredible that they would refuse to see the teachers of this province as professionals.

But I want to remind you that this is not the first time we've been fed this warmed-over Republican Pablum from these people opposite. Two years ago they brought in Bill 74 and said to the people of this province, "We'll mandate extracurricular activities." What they managed to arrange, again with their startlingly able brains trust, is the loss of extracurricular activities for 430,000 students. Every one of these members sat supine while the students of this province were deprived of their homework clubs, deprived of their math quizzes after school, deprived of their basketball games only because the government, sitting here at Queen's Park, said it would twitch its finger and somehow do something that would have an outcome they knew ahead of time couldn't be derived.

We've seen this movie before, but here we are again on the good ship Titanic, Progressive Conservative Ontario. They're watching this movie. They're abiding by it. They're defending it. They want again to put the students of this province to work in terms of their hostages, to have them work for them because they badly want to change the channel.

They did, a year ago, say a variety of things about some of the policies they've tried to make hostage to this bill. We hear Mr Eves talking about how you can't legislate goodwill. When it comes to banning strikes or lockouts or involving yourself from Queen's Park and getting in the way of a safety valve in the schools, they said, "We can't legislate goodwill," but now they're going to try. In fact, I would say today that this is a classic case of a government legislating bad will. They would inflict bad will not just into the Catholic schools but into all the schools around the province.

What are we doing with a bill that purports to address the needs of 69,000 students in Toronto and yet has clauses in it that affect the whole province? Just like this government would hold a budget in an auto parts plant, just like they would spend millions of your dollars on ads that have been found factually incorrect, misleading—those are the words used by an outside body, the advertising council—this is the kind of government that would go to the lengths we're at here today, with our children in Toronto hostage to their political ambitions. They are poor political ambitions. They don't have ambitions for our kids to do well. They don't have ambitions for our kids to do better in school. They have a singular ambition, and their singular ambition is simply to be re-elected. They believe that somehow by engineering

turmoil, by encouraging it, by doing nothing, by abdicating their responsibility as a government—by leaving it up to Dalton McGuinty, Dwight Duncan and a range of people to actually be constructive, to try and find ways to get people together, they have abdicated their responsibilities. Notwithstanding our disagreement with their adoration and interest in bad policy from the Americans in the south, this doesn't make any sense.

But people need to know why. Why would the government go to these kinds of lengths? Why would they put 69,000 kids on the street? Why would they inconvenience 69,000 families when they could have had them back in school tomorrow morning on the basis of our bill, back earlier by being involved in getting the sides talking?

The answer can be found fairly readily. The government has backed away from fixing education. They don't want people to reckon with the lack of teachers in their schools. They don't want people to reckon with the lack of textbooks. They spout numbers here, but let me guarantee you that if there is an election, or if there is not an election and there is a legislative session, by the end of that it will be very, very clear to all the interested people in this province that this government has decided not to do what its own independent commission has told it.

1710

For example, in the case of the Toronto Catholic board, in the case of the students in question here today, whom the government has taken hostage, Dr Rozanski, their independent commissioner looking at the funding of schools, indicated that the Catholic board in Toronto was due approximately \$73 million. Over \$60 million of that is still outstanding. This government has only even promised 30% of the funding that is due to the school boards and, more importantly, the children attending school in this province. They have paid for tax cuts, and paid for other priorities on the backs of school kids. They neglected to do what Dr Rozanski said, which was to pay something, yes, toward settlements this year, but also to pay for the gas, for the lighting, for the other costs. They refuse to do that.

We have the consequences of a government trying to change the channel from one of their most important responsibilities. How are they supporting the learning of our kids in school? It becomes very clear. The literacy tests this year were actually worse outcomes than last year. This government is unable and unwilling to set targets for how well students could do. The reason for that is they can't make it move. Right now, the other bill that we're debating in this Legislature concerning education is a private school tax credit. I think again that their refusal to pass a clean peace and stability bill today, a clean bill that would get people back talking and get them to mediation without any other political gamesmanship, shows us all what Bill 28 is about. It serves their political interests.

So does the companion bill promoting private school tax credits. This government's ambition is very, very clear. They have decided to throw over any emphasis in

publicly funded education. There is no way you can reconcile the job that this government wants to do in terms of giving funds to private, secular schools. Seventy-five per cent of the approximately \$500 million they want to spend on private schools is going to secular schools. It's not going to conscientious objectors, it's not going to religious families, it's going to private, secular schools. This turmoil the government has fomented—it has a track record, 24 million lost days. It has never in fact—

Mrs Marland: On a point of order, Mr Speaker: I believe there is a standing order pertaining to information being factually correct and I'm suggesting the speaker who has the floor is saying something that is not factually correct about the intention of this bill.

The Acting Speaker: It is not up to the Speaker to decide.

Mr Kennedy: It is a sensitivity on the government's part, I can understand.

They sit here with this intent of misdirection. They have a bill that purports to do something positive and what it really does is block the return of students to class. What could be so important to block the return of students to class, to support a lockout that makes no sense whatsoever? How can the government put itself in that role? Because it has political ambitions. Its political gamesmanship is to promote a private school system. That's what they're prepared to do. They're prepared in fact to spend \$3,500 on any student taught by anyone—could be refused by anyone in any situation in the province. They don't have to meet standards, they don't have to meet curriculum, they don't have to have any standards met whatsoever. In fact, I think if you look around the provinces, not just here, if you look in the States and so on, you will not see a grant from government with so little requirements of this.

The ideologues have taken hold in this party. They're the same kind of ideologues that could say, "Let's do an advertising campaign and let's make sure there is some turmoil happening in a school board somewhere. When it happens, let's not deal with it, let's not solve that problem. Let's do whatever we can to keep it going." That is why we're here today. There are members of this party who have stood up and said they believe in private schools as superior to the public school system. They don't believe in sharing—

Mrs Marland: On a point of order, Mr Speaker: With respect, Mr Speaker, the bill that is on the floor is not pertaining to private schools whatsoever. I think he should be called to speak to the bill on—

The Acting Speaker: Thank you very much. The member for Parkdale-High Park.

Mr Kennedy: I can understand why the member opposite wishes to interrupt. It can't be pleasant to hear. Some of these members at one time might have had an attachment to public education, but they have hitched their wagons to this party at this time.

The Premier himself a year ago said he would put conditions on this. Other members of this government,

their former Premier, said it's a bad idea. The same Minister of Finance who stood in the House earlier this week and said, "Here is the private school tax credit," said, "This is not a good idea; in fact, it will cause disruption, it will cause problems in the public school system." And so did everyone who's looked at this question decide.

Thirty-two US states had referendums, were bolder than this government. This government told us last time they wouldn't do this. Instead, bolder people than this government put it to the people, and 32 times they voted against private schools.

Hon Helen Johns (Minister of Agriculture and Food): Talk about the 69,000 kids, or don't you care about them?

The Acting Speaker: I will not warn the Minister of Agriculture and Food again.

The member for High Park.

Mr Kennedy: Thank you, Mr Speaker.

It is passing strange. You would think that a government, even at this stage, as lazy and as unwilling to get up and deal with the problems as they are, that once they've subscribed to this, you'd think they'd be proud of it. Instead, they want not to hear. They need to hear, and people out there need to hear.

Why is it that the government of Ernie Eves, the successor to Mike Harris, is not interested in a peaceful solution? Why did they turn down a peaceful solution today? Why did they decline to meet with us last weekend? Why did they decline to do anything to bring the kids back? Why do they insist on sticking to a bill that contains a piece of their election platform smack in the middle of it? Why do they do that at the expense of 69,000 children? Well, it is clearly—and I say this with as much generosity as I can muster—a government that has lost its way, a government that used to be in touch with some of the needs of the people but now will be told what those needs are by some clever pollster, somebody who's going to say to them, "You know what? If we push this button, we're going to get some more votes."

Rather than do a good job on behalf of your constituents in Scarborough or in Don Mills or someplace, you abandoned that. You abandoned those 69,000 kids because, "We're going to bring you home. We're going to bring you home by attacking teachers." That's part of what their agenda is, and we heard it today. They could not find the grace to say that the teachers have been made pawns by this particular government, to admit at least that this is part of their agenda.

You saw on this lawn probably a thousand very puzzled people. They want to be teaching their kids. They are prepared to do that. Again, some of the members opposite have tried to say, "We want to make sure they aren't working to rule." Well, the bill that was put in front of them ends any chance of work-to-rule. So these members opposite have only one reason—one reason—to continue to vote against our bill and to continue to delay bringing kids back to school, and that is the turmoil that they want to have happen in the education system.

Because when they switch subjects, when they deal with the things that really need to be dealt with in education—I'll say for example, the way they're leaving kids behind.

All over this province, there are approximately 700,000 kids crammed in classes of 30 or more. Young children can be found in every single riding who are not learning because they're lost. These are kids this government would leave behind. They would not attend to their needs. How did they do that? They got rid of 15,000 teachers.

That's what this bill is about today. It's about covering up the Tory record by creating some blame and distraction agenda over here, by having poisoned legislation like we have today, not a clean bill, not something that actually says, "OK, there's been a mess made out there. Let's see what we can do to put it back together in a way that will actually benefit those kids." Instead, we have in front of us the leftovers. We have a bill that is really trying to promote the government at the expense of those kids who are being left behind.

We propose that the dollars this government wants to spend on the private school tax credit, the dollars they would rather spend on tax cuts for large corporations, are needed. They're needed by those kids. The children left behind in every community in Ontario need to be found by their teachers by reducing class size. They need to get our assistance as early on in their education as possible. That's the only way we can do this in a reasonable fashion. Waiting for people to become grade 10 or grade 12 is not the way to go.

1720

To have a government take out ads that talk about every day mattering to students and at the same time ignoring the needs of those kids; allocating the funds elsewhere; not putting their energies into solving the problems in the Toronto Catholic board, the way people on this side of the House have directed their energies; not trying to arrange discussions that weren't taking place; not finding, as Mr Duncan, our House leader, did, three acceptable mediators who could be involved in this, who are ready to go right now; not drafting a bill that would cause the least amount of harm for the most amount of good—that's not what the members opposite have engaged themselves with.

Instead, they've been busy abdicating their role as a referee and trying to find people to blame, because when it comes down to it, that's how they've gotten along and that's how they hope to get along in terms of the next election. They think somehow if they blame teachers again, that will bring back some of the glory days when people actually believed this government. I may not be the person to tell them, but they've lost the benefit of the doubt. People no longer believe that when this government moves forward it has their interests held to heart.

There's been no better explanation or example of that than the bill we have in front of us today. This bill only promotes the government's interests. It says to 69,000 kids, "You should be out of school for five more days," not because of the complexities of this place—that's

probably not necessary. The member of the third party can tell us whether it would be, but it's probably not due to any problems that exist inherently in terms of the dispute. Although I won't minimize those, in our estimation, they don't require locking out 69,000 kids, and if the government would exercise itself, it would find out the same thing. To have the authority responsible for the welfare of those kids, with the endowed authority under the Education Act for the well-being and development of those kids, to lock those kids out in such a premature fashion is unheard of, but this government is content to defend that. They are content to further hold out false hope to the people of this province, to say to the people of this province they're going to do something about it.

They haven't got a clue what the price of entry is in terms of generating the goodwill in this province to actually have peace, and that, sadly, will only come with a change in government—sadly for them I think but good news for the students of this province, surely, and good news for long-suffering parents who have been made to suffer through the 24 million lost days of the Conservative government. I say that only because we recognize what's at the root of this. At the root of this is an attitude that isn't about fixing problems. It isn't about bringing solutions. That's not the behaviour we've seen over the eight days of lost classes that this government has endowed on the students of Toronto Catholic elementary schools—far from it. Instead, they have tried to revel in the political benefits. They have had their Premier introduce this bill. They have had the Minister of Labour rail about teachers. They have tried every way they can to extract and take out political benefit. What they should have been doing is trying to resolve this situation. It is, I believe, the right of no political party to take that kind of licence, and they have taken that licence.

What we need instead, clearly, is a peace plan that will last for some time. This government would propose to throw over its principles and quote only Mr Eves when he says, "We don't live in a dictatorship. I'm adamant about not trampling on people's rights. There's no democracy if people can't strike." Well, we're not talking about a strike today; we're talking about a lockout that was engineered in concert with this particular government, done in a fashion that really brings disrepute on the government of the day, but slightly on the institutions of government, and that's where they seem to be. This is not the Mr Eves of years gone by or even of a year gone by, where he pooh-poohed Mr Flaherty's suggestions. We have a platform that is called the road to somewhere. Well, it's the road to Jim Flaherty, because it's bringing out that right-wing element, that overused, over-right Republican sentiment that this government thinks, hopes, desperately believes might get it elected. But that's not good enough for the bill we have in front of us today.

The bill we have in front of us today does not permit the students of this province, the students of Toronto elementary schools, to take the primacy they deserve. This is not a government that has lifted a finger, returned a single phone call, done anything to make sure those kids have done that.

I am proud to say that on this side of the House a variety of our members—people like Dwight Duncan, our House leader, who has had a lot of good, positive experience in terms of bringing about resolutions that keep the maximum amount of goodwill in; our leader, Dalton McGuinty; and also each of our Toronto members—have tried in their own way to help this situation. Sadly, none of the members opposite have lent themselves to that endeavour. That's what I mean when I say the disrepute is somewhat shared; it isn't just isolated to those ridings.

I want to say to the people watching out there that there are alternatives to this. There is an alternative to this government's bill and it's the bill we put forward today. It's a bill that sends the kids back to school tomorrow morning. If enough phone calls come in to the Premier's office, to the education minister, to any of their members here in Toronto and, frankly, any members they have, it might have that salutary effect. It might tell them that they can't get away with it, because we do sit every day facing a government that perhaps no longer believes but hopes desperately it can get away with it.

Well, Mr Speaker, I put to you and I put to the House that that's not really possible any more. The government has stood in front of us with inadequate justification to take schooling away from 69,000 children, with no justification for why they would not support a bill that we propose that puts the maximum amount of goodwill and stability back in schools by preserving dignity for the teachers who are involved, giving them a say, as other bills in the past have, on a mediator, to make sure they aren't disadvantaged from what was really a stunt pulled by their school board.

That is a solution this government could have proposed itself; it didn't do that. It has instead taken out ads extolling the turmoil that goes on in schools at the very same time that it's creating it. It has brought in a bill with a poisoned clause, a clause that changes the way teaching and learning happen in this province in the negative, that would take services that currently happen today and make them illegal if they were continued by people who have given them freely.

This is the same government that doesn't want to hear that the average salary of the 3,500 teachers who have been locked out unfairly, who are losing pay every day, is only around \$50,000. The beginning salary, for a lot of hard-pressed people who have made teaching their career, is only around \$35,000. There are members opposite who have inferred and said other things. They have not carried out their responsibility to relay the facts, to calm the situation, to do things that would get 69,000 children back to their classrooms. This is an option that remains open to them.

The larger picture that this bill begets is the need for an overall plan that brings peace and stability to the education system as a whole. Again, as I said earlier, there isn't really much prospect that this government, even in its desperation, especially as we see it lurching to the right, to these unproven—and to the extent that

they've been proven, they've been proven wrong—ideas will be the one to execute them. But we're happy to tell them the ingredients. A peace plan means long-term arrangements with the staff at our schools.

The staff at our schools are as tired as anyone of all the provocation, the lack of resources, the inadequate funding that this government has provided. I remind you that these are things that have been identified by independent experts from Ontario and elsewhere. This government stands defrocked when it comes to its education policy. The Ontario Institute for Studies in Education has said clearly that even the policies that were agreed to by all parties that this government tried to move forward were so badly implemented that they didn't benefit the children.

We heard from their own report, Dr Rozanski's commission on funding, that this government has short-changed, has picked the pockets of students in this province, to the tune of \$1.7 billion. That's \$854 for every student, and most of that money remains outstanding to the students in the Toronto board and the Toronto Catholic board as well.

This government has not done its elemental responsibility in education. We find ourselves faced with a bill, compelled to debate, to give it more respect than it deserves, a desperate measure by the government to detract and distract away from those elemental conditions in education in this province today. We have children who have been left behind in classes that have become way too large, thanks to this government.

We have special-needs kids who are still waiting for the money this government promised them and, worse than that, took out ads—not political ads in this case—paid for by this government's appropriation of taxpayer dollars. They actually took out those ads and said they were giving those dollars, finally, to children with special needs. Did that happen? It did not. Across this province there are families bitterly disappointed, because first the Premier, then the minister, and then expensive ads and probably several million dollars worth of education ads on TV, paid for by taxpayers—said the government was finally going to listen to the needs of these particular children whom they've been shortchanging for years. This was being caught at deducting about 40% of what these kids, some in wheelchairs, some with learning disabilities that have been ferreted out by professionals—the solution stood tantalizingly in reach of these kids and their families but was denied by a government with other priorities. Then they had the audacity to dangle in front of these families the prospect that they might finally pay their bills after having made them jump through hoops, fill in forms, stand waiting in line for this funding for months, and in some cases years. It then turned around and took back some of this money.

1730

That's the kind of cynicism that informs the bill today, the kind of cynicism that the advertising standards council of Canada said was inaccurate claims being made by this government. They don't say that lightly. This is a

completely independent body. It looked at the ads and at the information we provided, and a whole bunch of families across the province told the ad council about the government experiences they had through their schools. This independent body clearly found that this government was at fault and that they were not telling the truth to the people of this province through their advertising. In fact they said, as they do in all these cases, that the ad should be withdrawn.

Did we get an apology from the minister involved? Did we get an acknowledgement that they had made mistakes? No. We had an insistence, as we have today speaking about these 69,000 kids, that they were not wrong.

Well, I can tell you that there are hundreds of families—sadly, they number in the thousands around this province—who were waiting for those funds, who relished the chance to be able to prove the other way, to be able to prove to this government that they can't take that kind of licence.

I don't know what kind of Republican workshops the government members go to or perhaps delegate their staff to go to, or their party workers who spend some \$6 million or \$7 million a year—whatever they do at provincial HQ; I guess they dream up these kinds of schemes. But when those people go to those seminars, they're told, "You can get away with this. You can actually take students in the school system captive to your ambitions on a game-playing level to advance yourself," I think they're getting exceedingly bad advice.

I want to put to this House that there is a far better resolution to this. There is still a chance for the members of this House to acquit themselves on behalf of the children of this province, the students of this province, in a way those children have a right to demand. They have a right to demand that they get first attention from this House.

This government was unprepared to support a regular bargaining process that would let off the pressure and find the interests. In a previous incarnation, they brought in the right to strike and the right to lock out. But they changed the rules recently. They changed the rules. At one time we had 10 lockouts in 20 years, and now we've had 10 in the last five years, and all of them have this tinge, this odour of manipulation around them.

It doesn't make sense that the students are not unsafe. They're still learning in their classrooms. They gain nothing from this bill particularly. The students do not find themselves in a better environment that follows. They don't find themselves with the kind of spirit and enthusiasm that, if the members opposite were relaying anything about what they know about their schools in their ridings, they would agree is exactly and only what we can depend on in terms of the learning of our children. They aren't going to sit in front of a computer; they're going to be interactive with their teachers. And those teachers have to be treated fairly.

We on this side of the House have no compunction about saying that teachers deserve respect. They deserve

not to be political punching bags. They deserve not to be treated in the backhanded fashion the government has treated 3,500 teachers here in Toronto. Those teachers deserve an apology from each of the members of this government.

But there is something they can do. They can still extend a level of respect. They have put themselves on a course to pass a bad bill that will not only delay students getting back into the classroom—apparently, the members opposite are comfortable with that—but will also act as a time-delayed grenade going off in all the schools of this province. It will bring about bad will, because it will change the duties of teachers in an arbitrary fashion. It will put to the cabinet of this government—which, we find out, does things like expropriate \$36 billion in secret. These are the kinds of things cabinet does, and they say, "Trust us." Not one of the provisions that the members opposite read about things like testing and so on is in the bill. Instead, what the cabinet did in the last week in anticipation of this new power is what we're getting from this government: a certain kind of double sense, that they're putting across in this thing, of layers that they hope people will never dig down into to appreciate. This is not a back-to-school bill that the government is having us debate today. This is a desperate back-to-government bill, they hope, for themselves.

I think one of the reasons we're having this certain kind of mood that's been in the House the last couple of days, one of the reasons people are speculating that we may not have an election call in time to have it in the spring season, as most people were anticipating, is that these kinds of tactics don't work very well for the government any more, even when every member of the government is prepared to throw over their particular responsibilities—and they are particular. I believe we all have them in this House. When this government took over funding in 1997, we inherited responsibilities for children in this province, not just to sit back in blind adherence to any perspective that's fed to us but to actually know the difference in what's happening in our schools. That's why we ask every member of the Legislature to go back to school, to do one constructive thing throughout the year toward education and get an A from another member in the Legislature, a public acknowledgement that they had made the effort. Sadly, while I think 22 members have done it, there are members present in this House today who, incredibly, can't find a day. They can't spend a day inside a school, and yet they'll stand up here in defence of this bill. They will stand up here as if they've even seen the conditions they've brought upon the students.

The conditions they brought upon the students in the Toronto Catholic board are conditions of underfunding and insufficient teachers. They would see that. At a Catholic school I was in in Toronto not long ago, they actually have to wrestle—it's a friendly thing—to get enough photocopy paper as they line up at 7:30 in the morning in their particular Ontario for education. It is not an Ontario that offers what most people who came to this

country thought they were getting: a fair opportunity through the education system. Instead, the future they paint for us is turmoil that they inspire in the public education system and incentives to go to the private system elsewhere, if you can afford it and if you want to hive yourself off. I think most people appreciate and understand, and that's where this government is going to find itself conspicuously out of sync.

The whole point of public education is to find ways for us to work together. Why would you bother becoming more learned? Why would you take on new skills? Why would you learn how to think critically about the place around you? Not just because it advances you and gets you a great job, but because it benefits society. Why do we make it legal for kids to be in school, a law that's being bent by this government right now, as they pull kids out through their own action and inaction? Those kids should be in school. We'll take that step in government to make kids go to school because we believe it has a value.

Let me speak to what they are trying to undermine with this bill, which is the particular, specific value of publicly funded education, education that is accountable to our goal of building better citizens—not what they would have, which is whatever you can get in some elite way off in the corner in terms of education, but actually happening in our publicly funded schools. That is the kind of ideal to which I think almost everyone in this province holds strongly.

In publicly funded education we pool our challenges and opportunities. I have a four-and-a-half-year-old, and it's certainly important to me that she attend a good school. But she may end up being somebody who has needs, and those needs may be significant. Someone else, some of the members opposite, may have a ready-to-learn child who's going to learn, whatever happens. But that's the point of public education. We pool those needs together. We have an ability to do that, and until recent years we were succeeding in a tremendous fashion. The 24 million lost days inspired by this government have not assisted that. The \$1.7 billion that Dr Rozanski says they took out of education, not including the inflation and so on that is meant to be put in every year, that structural \$1.7 billion that they took out for their tax cuts and other things, goes against that grain. It's very serious. It is saying that this government puts a lower priority on public education. They would, in their other bill, put \$500 million toward private schools. They would ignore the underlying conditions they have put in place in terms of turmoil in this province.

1740

Mr Speaker, I put to you very simply that this government has had choices all along in terms of what it wants to do. It has found that many of its remedies simply haven't worked. They haven't been able to increase test scores in almost all grades. In the early years I talked about lost children. The kids being left behind are the grade 3s trying to learn how to read. Those test scores have barely moved. Children who have English as

a second language: this government has cut, in places like Scarborough and Don Mills, a third to half of the assistance they used to get to learn English. Have the members opposite even brought that up in the House? They haven't. What's the result? On their average test scores, those two groups—those in English as a second language are doing worse, and so are children with special needs. It's proof in their own riding that their education system is not attending to the opportunity that I believe everyone in this province, virtually everybody, adheres to and believes should be represented. It's absent from this bill today. We do not have in this bill the kind of goodwill effort that we need to create the education system that people in this province deserve. We have instead a manipulation of the system to promote a political program, which the government is quite within its rights to do—but do it with your own money; do it on your own time. Don't do it in the Toronto Catholic elementary board with these children's interests.

We look forward to this government explaining itself in the five days that it has engineered for this particular debate, that it has made sure—because it's not willing to sit down with the opposition or the third party and find a peaceful solution that would put those kids back in school as early as tomorrow morning. That's a choice they made, and they made the choice by constructing this bill this way. They made the choice by running their election ads in tandem with this particular lockout. They made their choice by not one of them lifting a finger to try and get these kids back to school. Well, I say that just as they make those choices, people around the province, when they get their chance, will make theirs.

I won't conclude on that note, because we have a higher obligation in this House. Every day in this House we will be looking for this government to change its mind, every day we will be looking for them to really put the interests of kids first, and every day we will give them an opportunity to do the right thing.

But as we listen to the members opposite as they put their bill forward in terms that are obviously not what we find on paper, we have not yet had from this government a justification for why they wouldn't vote for the peaceful bill we put forward today. I think we've learned that it is possible for an entire group, in terms of these elected officials, part of the government party, to abdicate their responsibility for no better reason than some faint hope that it might do them some good somewhere down the line.

Mr Mario Sergio (York West): It's a delight to follow the debate on Bill 28 from our colleague for Parkdale-High Park, who has been a champion on behalf of teachers and students since he was elected to this Parliament. Today we see that he has introduced another piece of legislation that would benefit tremendously not only all the teachers and students and parents, but the immediate benefit would be in getting the 69,000 Catholic elementary students back into school.

I only have a few minutes. I don't profess to go into Bill 28 very deeply, but let me go for a minute to the

beginning of the bill, why we are debating it here today and why it was introduced in the first place.

This bill was introduced by the Premier himself because, rightfully so, he had seen fit to get students back into the classroom, and get them into the classroom very quickly. This is a very important piece of legislation, but it unfortunately has been sliding toward the wrong way. Certainly, when the introduction of this particular piece of legislation was debated among the three House leaders, if I am correct, it was agreed that the legislation would be solely to get the students back to the classroom. It was agreed by the three House leaders that we would support it and that the third party would support it as well. We came into this House, and do you know what? The bill was introduced and it was not even close to that particular agreement. That is why we are here today.

If the Premier had stuck to his word, that he wanted to get the school kids back into the classroom as soon as possible, he would have done exactly that, bring in a clean bill, and we probably wouldn't even be here today. We would be electioneering somewhere. Do you know why? Because a few days ago, when the Premier was asked, "Are you going to call an election today or tomorrow?" very clearly—and that was fine, that was fair—the Premier said, "You know, there are other important things to deal with. It's not the time to talk about an election." Was he talking about SARS, another important issue? But he said, "I have to deal with 69,000 kids that are out of the classroom."

Wonderful. I thought that was a very noble gesture that he had espoused to the people of Ontario, those 69,000 kids and their parents. He said, "Forget the election. I want to deal with the issue at hand," and that was to bring those kids back into the classroom. Imagine our surprise when we saw this piece of legislation here: a big wedge. We were surprised that the Premier allowed others apart from himself to bring a bill that was not intended to do exactly what he had said a few days before: to get the 69,000 kids back into the classroom. That is why we can't support it.

It is their own fault. They have tried to manipulate a good idea and a good bill and turn it into a bad one. If they had a very sincere wish to end the debate and appease the teachers and the parents—because they are under a lot of stress—and get the kids back into the classroom, the Premier would have said, "My intent is to end the work-to-rule campaign, get the kids into the classroom, and then we'll deal with some other issues, ideas or views that I may have, or that our platform may include. We'll deal with that at another time." I find that very devious, that when there was an agreement by the three House leaders, the bill we received here does totally the opposite.

I have to compliment Mr Kennedy, the member for Parkdale-High Park, for bringing into this House a very short, clean bill to bring some stability and goodwill to the education system, mainly to get the 69,000 Catholic elementary school kids back into the classroom.

Interjections.

Mr Sergio: But from the comments that I hear from the other side, they don't want any of that. They want to have—and they have the power to do it—the pleasure in a couple of days to go to the public and say, "See what we have done? We have acted. We have cut the right to strike and we have sent the kids back to school." "We forced them," in other words. If they were really sincere in doing what they are saying, they would support the member for Parkdale-High Park's bill.

Interjection.

1750

Mr Sergio: Exactly. We would be doing that.

But I couldn't help listening to Minister of Labour Clark when he said, "Let's get on the right side of the issue." My goodness, what is the right side of the issue? What is it? I would say that the right side of the issue is part I of the wrong bill, but because they have acted in a very devious way, they have inserted part II. And part II has absolutely nothing to do with getting those 69,000 kids back into the classroom—nothing at all. We have said, "Eliminate part II and we are going to support your bill." They refuse to do that.

Today, Mr Kennedy has introduced his own bill doing exactly what the first part of their bill does, and they have been speaking against. Today, Mr Kennedy asked for second and third reading on his bill and you turned him down. That is the problem. Their bill is a very devious bill. It creates more crisis, more confrontation, as they have done for the last seven or eight years. We are saying to you, take away, split, sever your own bill and we are going to support it to get those kids back into the classroom tomorrow, but you're refusing to do that. We say they have ulterior motives. They have another agenda. What will that be? May that be in the best interests of the students? Absolutely not. Is that in the best interests of the teachers and parents? Absolutely not.

We are saying to the government that we are at a very particular time and they want to use this particular time to their best advantage. Let me tell you something. Let me say to the Premier and the members on the government who are in the House today that this is not going to work to their benefit. This is not going to work to their benefit because the frustration of the teachers, parents and students is so thick you can cut it with a butcher's knife, and it's your own doing. The crisis, the confrontation and the cuts you have created since 1995 are coming home to roost now. The teachers, the unions, the parents and the students wouldn't be in this situation if it wasn't because of their own doing.

Now at the 11th hour they are still confronting the House, the teachers, the students and the parents with a very convoluted bill which purposely was drawn in this particular way. If they had had the intent of getting the 69,000 kids back into school, they would have brought a bill which would have dealt solely and exclusively with ending the work-to-rule and getting the teachers and the kids back into the classroom.

The second part of this bill demonstrates that their intent was the total and complete opposite. They say,

“The first part does this, and the second part, we’re going to give them seven days. If they don’t reach an agreement within seven days, we are going to give them an arbitrator, and if that doesn’t happen, then we are going to select one, because we want to make sure that the after-school programs are back.” You know what? The after-school programs were alive and well prior to their own cuts and especially after bringing in the new funding formula. That’s when they created the problem. That is when the after-school programs were eliminated. They were doing very well before.

I think it’s time for the government to realize it’s now time to make some amendments and support the bill which has been introduced by our colleague and which has been debated and supported by our caucus and our leader, Mr Dalton McGuinty. He says, “Look, our intent here is to get the 69,000 kids back into school.” Mr McGuinty was in here the other day saying to the Premier, “This is what you said. This is what you want to do. This is what we will support. Put it into the House in this particular form and you will have our support.” They have refused.

We are saying again today, to the Premier and the members on the government side, if your real intent is—and you still have time—to get the 69,000 kids back into the classroom, support Mr Kennedy’s bill. It is the bill that will help end the lockout and get the students back into the classroom.

The Acting Speaker: Comments and questions.

Mr Marchese: Unfortunately the New Democrat here, Rosario Marchese, the education critic, will not be able to do his hour leadoff today. But tomorrow at 3:45, God willing, if Eves doesn’t call the election before that, I’ll be back to debate Bill 28, including commenting on the back-to-work legislation, the so-called clean bill of the Liberal Party. So tune in tomorrow at 3:45.

Mr Raminder Gill (Bramalea-Gore-Malton-Springdale): It is a pleasure to join the debate and comment this afternoon. The member from Parkdale-High Park and the member from York West spoke on this bill, and the member from Parkdale-High Park challenged members on the government side as to his record of visiting the schools or our record. I can certainly challenge the member from Parkdale-High Park to compare his record with my record. I’ve visited most every school in my riding. I’ve been to most of their graduations and I’ve talked to them about all kinds of issues, about politics.

Not only schools; he can compare his record with my record in visiting universities and colleges. In fact, last year when I was the parliamentary assistant to the Minister of Training, Colleges and Universities, I did consultations about training and apprenticeship, which is so much needed. I was quite pleased to do that and I know the report is underway.

It is the opposition’s fearmongering—they talked about the double cohort, how the kids won’t get any room in the classes. I’m so happy to report back to you and to this House that every willing, able and qualified child who wants to go to university or college to get their

higher education—we have the resources, we have the funding and we have the agreement from the colleges and universities. I think the kids deserve a chance and we, through this bill, want to make sure that the lockout ends and the labour difficulties end.

In fact, my own niece is a teacher in the Peel Board of Education, a very well-respected, very hard-working teacher.

Mr Marchese: How much is she getting?

Mr Gill: She’s getting good money, she tells me; she’s very happy with it. In fact, we were there giving \$950 million to the Peel Board of Education.

Mr Richard Patten (Ottawa Centre): I am pleased to comment on the remarks of the members for Parkdale-High Park and York West in response to the government bill to, so-called, end the strike—not strike, but end the—

Mr Marchese: A lockout is a strike, though. It’s OK.

Mr Patten: —the lockout of the teachers by the board. Of course, it is always within the context of what is happening during the day. It’s quite blatant and quite obvious that the government of the day sees an opportunity here to push forward what they really want. What they really want is no strikes at all or no opportunities for teachers to engage in any kind of meaningful bargaining. This government has a history of wanting, for some reason, to put it to the teachers, and encouraging a board, as they have in terms of the lockout, with legislation, but legislation that doesn’t just deal with this particular situation here. All sides of the House said they would be supportive of dealing with a back-to-work piece of legislation for these 69,000. But here’s an opportunity to squeeze in, pitch it to all the teachers across the total province and cause further rancour in the ranks of teachers who already feel as if they’ve been the recipients of disrespect time and again by this particular government.

1800

We could move forward even with this bill if they wanted to. We could meet tonight, we could meet tomorrow, we could meet tomorrow night. I don’t see that happening, because there has been a change in the political winds and they do not really want to see a settlement at this time.

The Acting Speaker: Questions or comments? The member for Northumberland.

Mr James J. Bradley (St Catharines): This will be impartial.

Mr Galt: Thanks very much. I appreciate that comment from the member for St Catharines. He has a very keen mind and really recognizes where things are going to come from in speeches.

I can’t help but think, as I listen to the comments from the members of the opposition and the speeches I’ve heard, that all they can be in favour of is work-to-rule. They’re not in favour of students. They’re not for the students and our young people; they’re for unions. They’re hard on the students, soft on unions.

I’ve been sitting here trying to figure out whom the Liberal MPPs really support: the Dalton McGuinty who,

as an MPP, brought in a private member's bill to eliminate teachers' strikes or the Dalton McGuinty who's been manipulated by the unions—

Interjection.

Hon Mr Galt: —the leader of the official opposition, how's that?—the Dalton McGuinty who has been manipulated by the unions and has come out with this Mickey Mouse thing in their platform. Which Dalton McGuinty will you be standing behind in this upcoming election, the one who had some intestinal fortitude to bring forward a private member's bill that would make it illegal for teachers to strike, or the Dalton McGuinty who's been manipulated and re-formed into what the unions want him to be? I'm waiting to see just what will happen. I have a feeling I know what will happen, and I think it's most unfortunate that that kind of manipulation has gone on with an individual.

I come back to this particular bill and what's been said over here. I think it's most unfortunate that members in the opposition do not put students first and unions don't put students first. Teachers put students first, parents put students first and our government puts students first. It's time that the opposition put students first.

The Acting Speaker: Response?

Mr Kennedy: It may be that two minutes was unfair for the members opposite—whether for Northumberland or Bramalea-Gore-Malton-Springdale, and of course we will hear later on from the member for Trinity-Spadina—to explain how it is that a government that has taken away 24 million days from the students of this province in their two terms in office, now in their dying days in office—and maybe the death is going to take longer—is going to find a way to solve that. They have been the contributors to that. They have made that happen all around the province. They have failed to do their duty to keep kids in school, to keep teachers satisfied and focused on their jobs, as they deserve to be. They have failed to protect teachers. This bill they put forward punishes teachers. That's not the job of this government. The job of this government is to motivate the teachers of this province, and it has failed to do that miserably.

We have a senseless lockout that started eight days ago, which has begotten a senseless bill that would take us another five days. We sit here in the Legislature being abused for the public interest, not being used for the public interest. We have members here who cannot grasp that our job is to make things better for people out there. It is not to feather nests, it is not to advance narrow agendas, it is not to support expensive TV ads, whether paid for by the taxpayers or the Progressive Conservative Party. These are real lives of people out there that you're fiddling with in this particular bill, this senseless lockout followed by this senseless bill—not required and not needed.

What would have been needed is some guts on the part of the members opposite to stand up in this House and say, “Yes, we would vote for a bill that would have the best chance of bringing some peace back and restore and retain dignity for the teachers who are involved,” because

the rhetoric they put in front of us today can only do the opposite.

The Acting Speaker: It being past six of the clock, the motion to adjourn is deemed to have been made.

ADJOURNMENT DEBATE

CHILDREN'S SERVICES

The Acting Speaker (Mr Michael A. Brown): Pursuant to standing order 37(a), the member for Hastings-Frontenac-Lennox and Addington has given her notice of dissatisfaction with the answer to her question given by the Minister of Community, Family and Children's services concerning rights information for children.

Mrs Leona Dombrowsky (Hastings-Frontenac-Lennox and Addington): The reason I have requested this late show is that I was very disappointed with the response the minister gave me yesterday when I asked questions about the fact that rights information for children in care facilities in the province of Ontario was not available. In fact, I was surprised when I reviewed—and Hansard is a testimony to my statement—that the minister really had no idea of the point of my question. Initially she referenced the fact that a number of steps had been taken to ensure that children in the care of children's aid societies were well cared for and protected. Then, in her latter response, she talked about a fast-track information system and about hiring child protection workers. Clearly the issue is around providing rights information.

There have been seven deaths of children in care, children in the charge of this province. Given that seven children have died in care and that five separate inquests have indicated the need for better access to the office of the child advocate, I think this would be a priority for the Ministry of Community, Family and Children's Services. I am profoundly disappointed that the minister would not be aware of this crucial issue. The recent inquest into the death of Stephanie Jobin, a child who at one time lived in my riding, specifically addressed the issue of rights information.

The minister suggested in her initial response that if I had material, she would be very happy to look at it. I say to the minister this evening that one of things that sparked my attention in this particular issue was the fact that I received a copy of a letter that was sent to her by Susan Fraser on this particular issue. So I know that you were made aware of this issue on May 6, 2003. I have a copy of the letter here, if the minister should need a copy of her own correspondence.

I first heard concerns about the office of the child advocate when I met with parents involved with the section 30 needs lawsuit. They told me that the child advocate had been prevented from testifying in that particular trial, which strikes me as very strange.

I then received two letters, one from Susan Fraser and one from a former children's advocate. I'm alarmed that a former child advocate would write to me and say, "I know that the present government has very little concern for the rights of children. I am afraid that it has begun an assault on the whole concept and an attempt to remove or emasculate the protection legislation. And further, I request that you keep a close watch on developments around the Office of Child and Family Service Advocacy."

That is what I intend to do. On behalf of our most vulnerable children, I called the child advocate to inquire about the questions raised in the letter. Awkwardly, she had to report that in fact she doesn't know why rights materials have not been made available.

Minister, you have a responsibility to these vulnerable children. When your government can spend millions of dollars on partisan advertising, why is it that essential rights information is not available to these children? They deserve posters. You should publish an annual report and invest in a Web site that is youth-friendly and accessible. This information isn't a frill. This isn't a luxury for children in care. This is mandated.

Clearly, your response to me yesterday indicated that you had no idea what I was talking about. The Jobin inquest confirmed that rights materials aren't being provided to kids in care, and they likely aren't being informed of their rights. This is not a children's aid issue; this is an issue of children in group homes. These children don't have parents; the state is their parent. The number of children in care has doubled under your watch. These children need someone to look out for them, to let them know they count, that they matter and that they have rights. Yet for three years you have blocked this essential information from section 108 of the act that is mandated.

1810

How regularly do you contact the child advocate? Have you ever met with her? How is it that these important issues have escaped your attention? My only purpose in coming here tonight and pressing this issue is to ensure that this rights information gets to children in care in provincial facilities. I would also hope that you ensure that it is youth-appropriate and prepared by professionals. Our most vulnerable children are entitled and deserve this—

The Acting Speaker (Mr Michael A. Brown): Thank you. Minister, you have five minutes to reply.

Hon Brenda Elliott (Minister of Community, Family and Children's Services): When the question was asked of me yesterday in the House, I admit I was puzzled. It appeared to be a question about posters and brochures. Normally when a backbencher such as my colleague across the way gets a chance to ask a question—it's not very often—it's usually about something of a little more import.

I thought she might have wanted to ask me about child protection; how we've increased that by 185% to \$1 billion. I thought she might have wanted to ask me about

one of our workfare programs, like Learning, Earning and Parenting. I thought she might have wanted to ask us about autism, since we're the first government in the history of Ontario ever to put money into autism, with a program that is going from zero to now nearly \$100 million. But no, it turns out that the question was about posters.

So I went back to get a bit of information. Here's what I found out. First of all, all residential services do have posters and brochures. True, we are working on new posters. The information on the current posters now is correct, but the office hours of the child advocate have been extended by 15 minutes. So I guess we need to include that on the new poster. There has been a correction of the ministry name to reflect changes made last year. So we are working on that.

Now—I also think this is really very relevant, and it's unfortunate that the opposition member across the way didn't do the homework to find this out—the Ernie Eves government not only relies on posters and brochures to make children know their rights, but for children's residential services to receive their licence there are rules for them to follow regarding the notification of children's rights. When a child enters a residential facility, one of the first things they must do is notify the child of his or her rights. They must then document in the child's files that that they have been notified. If they don't do this, they can have their licence revoked.

So I am in the process of making sure that whatever appropriate posters are being reviewed.

I think it is important, though, that in the question that was asked yesterday there was a reference to an annual report. I am accused of preventing an annual report being done. Here are the words: "prevented her from doing the last three years." Well, there's never been a report from the annual report. That is perfectly appropriate if it was to be done, but it's not a requirement, and certainly the last thing that would ever come from our office would be something preventing a body like the child advocate or any other agency or member of community, family and children's services—to not do that if that was required. That's unthinkable.

So if there's anybody in the Liberal caucus who may be listening, they might want to vet the questions that come from a backbencher like this across the way, to make sure that there's substance there and that that person has done their homework, so they know what's really going on. However, we've become accustomed to this sort of thing on this side of the House. My colleague from Elgin-Middlesex-London made some remarks here in the House on May 14th. I have sent a letter to that particular member saying the information that you shared with the House was indeed incorrect. I have publicly asked him to withdraw those remarks. That has been noted in his local newspaper. Have I heard a word? Has he done the honourable thing and withdrawn those incorrect remarks? No, he has not. So when an opportunity is given in this House during question period for substantive questions on very important issues, what we get instead is political twisting, a resort to innuendo and

information shared that is not quite the whole story. I'm sorry that our constituents unfortunately need to tune in after six of the clock to get the other side of the story, but I'm pleased with the opportunity to share that with the House tonight.

MEAT INSPECTION

The Acting Speaker (Mr Michael A. Brown): Pursuant to standing order 37(a), the member for Elgin-Middlesex-London has given notice of his dissatisfaction with the answer to his question given by the Minister of Agriculture and Food concerning veterinarian audits of provincial abattoirs. The member has up to five minutes for his presentation.

Mr Steve Peters (Elgin-Middlesex-London): I'm pleased to see that the minister is in the House, but it would be nice to see if she has the ability to put down her newspaper, stop reading and deal with important issues. I find it disappointing and frightening that for the second time in a week, the Minister of Agriculture did not have a clue about or listen to what she had been asked in this Legislature.

Last week, the member for Chatham-Kent Essex asked the minister about the challenges facing the rendering industry. The minister answered by talking about testing and showed no understanding of his question. She went on to say that she had been consulting for eight weeks. What did eight weeks of consultation have to do with the rendering industry? It was more like she was talking about nutrient management.

Today, I asked the minister a question about the abattoirs, the veterinary auditors in this province. But I did not ask the minister a question about BSE. My question had nothing to do with BSE. My question was specifically about the fact that there had been no veterinary auditors in this province monitoring the 204 abattoirs since the end of March. That's what I asked about. I didn't ask about BSE.

I quote from their request for proposal: "There are 14 food safety areas of the standards of compliance that are audited to determine the final plant rating. These include plant construction and design, waste handling and disposal, water sanitation, equipment and maintenance, pest control, temperature control, transport, personal hygiene, product flow, manufacturing controls, packaging, labelling and records. In addition, the auditors assess the humane handling of animals and occupational health and safety."

With my question today, though, the minister came back talking about 1,000 tests, the fact there was no BSE in the province. She talked about lab testing and she talked about surveillance. Minister, listen to the questions when they're asked of you, because I didn't ask that of you. We have had no veterinary auditors working in this province since March 31. You do not have to have BSE in this province to audit. The auditors review specific issues. It is on their word that abattoirs in this province are licensed on an annual basis. These auditors are on top of the inspection pile.

Sources in your ministry contacted us out of concern. You may think that you can put a gag order on them, but it doesn't work because they're appalled at what's going on within your ministry. These people tell us that this RFP had been sitting on your desk since January, yet you have the gall to tell me that I should be ashamed of myself. Twice in this Legislature today—when senior members of your ministry call my offices, talking about serious risks and oversights, I have an obligation to speak out and ask questions. They are concerned about the fact that we have had no veterinary auditors since March and we won't have any until June. You are the one who should be ashamed of yourself, Minister.

And speaking of gag orders, another fascinating clause in this request for proposal is section 14: "The auditors shall not disclose or use any information that the ministry cannot or may not wish to disclose." May not wish to disclose? This whole "may not wish to disclose," I ask you, what the heck is that all about? The fact that this RFP is late is obviously something you would not wish to disclose to the public. You don't want public the fact that you sat on your hands for four months. You've compromised our entire meat industry by not having these audits undertaken.

Our agricultural markets are based on the cornerstone of consumer confidence. We've said it over and over again, the provincial auditor has said it to you over and over again: consumer confidence is based on inspection and auditing beyond reproach. We have had, and we have the potential to have, one of the world's most healthy, vigorous, vibrant and cutting-edge agricultural sectors right here in Ontario. But that sector relies on its ministry and its minister to promote and protect it. Protecting that industry is exactly what this is all about. Food inspection, food safety and auditing: this instills the confidence in our consumers. The consumer has to know that when they walk into the grocery store, they have the safest, healthiest, most stringently regulated products they can get their hands on.

Minister, you can't waste money on food safety inspection. It's not bad enough that your government is ideologically bent on privatization and contracting out when these employees should be public servants, full-time employees of the crown with the full weight and protection of the crown behind them, but you can't even get your act together to get the contracts renewed on time or get the requests for proposal out on time. The Minister of Agriculture is the one who should be ashamed of herself.

I'm asking you once again: what have you done to ensure that this industry is not being jeopardized by allowing a three-month absence of veterinary auditors in the abattoirs of this province?

The Acting Speaker: The minister has up to five minutes to reply.

1820

Hon Helen Johns (Minister of Agriculture and Food): I am very pleased to be able to talk to my agricultural community this evening about the issues that are important to them, and of course the issue of beef and beef

safety, animal safety and food safety. All of those issues are incredibly important to them this week.

But first to my beef producers in the province, who I know are challenged by the events of the last couple of weeks, let me say that I am working hard on your behalf to ensure that you have a voice at the cabinet table, that you have a voice that is supporting you with the federal government to ensure that you have a voice that will protect you and move this ban off as quickly as possible so that we can get back to a life where you can sell your product and where there is a market for your product. I know this is a very big financial constraint for you, and I'm going to do what it takes to ensure that we change this as quickly as possible. I was talking to the federal government today, and I will continue to talk with the federal government, the Alberta government and the Ministries of Agriculture all across the country, because you need to have that representation.

For the consumers of the province, I have been very careful in the House to let you know over the last two weeks that we are doing the right things in Ontario when it comes to food safety. I'm concerned about your children and the food they get at their table. I'm concerned about doing the best to ensure that you have safe food. That's why over the last couple of weeks I've been able to say to you that we have done many tests—1,000 tests, as you have heard; we have done incredible work on it. We've invested money in the labs, in the new equipment we have at the University of Guelph. Our research is showing you, and it's showing me, that our food in Ontario is safe. When they ask me questions that tie around that or move further out from that, that's my message to you, because it's important that you know that the research we do in this province is research so that you know your family is eating the safest food in Ontario.

We had a question today in the House about why an RFP isn't out on time. I will tell you today that we have done testing—in fact, you need to know that this Conservative government brought in food safety in 1995. When the other two governments were elected, there wasn't a food safety program. We brought in legislation. We put more dollars into food safety. We consolidated this into the Ministry of Agriculture so we could do the right thing for the people of Ontario.

Let me say that we have tested every abattoir in the province over the last number of years. Last year, we tested every abattoir. The year has just started. It started in April of this year. I guarantee the people of Ontario that every abattoir will be licensed this year. It will be looked at by a trained vet. It will have all of the work done to it so that I can guarantee you that the food that comes out of those abattoirs is safe, it's safe for your family and it's safe for my young boys, so that we can do the right thing in the province of Ontario.

Interjection.

Hon Mrs Johns: The question becomes: when should the RFP go out? I don't think you care about that necessarily, but let me tell you, we had a three-year proposal. It has ended. For the last three years, the work has been done. Every abattoir has been tested. Anyone who doesn't get an A rating has the ministry come in and work with them to move them up to an A rating. If you live in rural Ontario, you've seen those changes. You've seen abattoirs close down because they couldn't meet the proposals. You've seen abattoirs have to make changes. If you're in rural Ontario, you know very clearly that that has happened. That is the work of this government: improving the food safety of the province.

Are we going to do this next year? Absolutely. Every year I move to increase these standards so that we do more and more to be able to ensure our food safety.

So what you've heard today is, we have vets in the province who are looking at every abattoir. The federal government is looking at the federally inspected plants in the province, which kill the most beef in the province. We have surveillance teams. We have lab teams. We have training programs. This government has put more into the food safety system than any other government, because they didn't even bother to have a food safety system in the province.

So let me say, trust me, I'm going to do the right thing for the farmers and for the consumers of the province of Ontario, because Ernie Eves cares and I care.

The Acting Speaker: It being after 6 of the clock, the motion to adjourn is deemed to have carried. This House stands adjourned until 1:30 of the clock tomorrow afternoon.

The House adjourned at 1825.

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