



No. 77B

N° 77B

ISSN 1180-2987

Legislative Assembly
of Ontario

First Session, 38th Parliament

Assemblée législative
de l'Ontario

Première session, 38^e législature

**Official Report
of Debates
(Hansard)**

**Journal
des débats
(Hansard)**

Monday 25 October 2004

Lundi 25 octobre 2004

Speaker
Honourable Alvin Curling

Clerk
Claude L. DesRosiers

Président
L'honorable Alvin Curling

Greffier
Claude L. DesRosiers

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Room 500, West Wing, Legislative Building
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Toronto ON M7A 1A2
Telephone 416-325-7400; fax 416-325-7430
Published by the Legislative Assembly of Ontario



Service du Journal des débats et d'interprétation
Salle 500, aile ouest, Édifice du Parlement
111, rue Wellesley ouest, Queen's Park
Toronto ON M7A 1A2
Téléphone, 416-325-7400; télécopieur, 416-325-7430
Publié par l'Assemblée législative de l'Ontario

LEGISLATIVE ASSEMBLY
OF ONTARIO

Monday 25 October 2004

ASSEMBLÉE LÉGISLATIVE
DE L'ONTARIO

Lundi 25 octobre 2004

The House met at 1845.

ORDERS OF THE DAY

AUDIT STATUTE LAW
AMENDMENT ACT, 2004

LOI DE 2004 MODIFIANT DES LOIS
EN CE QUI CONCERNE
LA VÉRIFICATION DES COMPTES
PUBLICS

Resuming the debate adjourned on May 17, 2004, on the motion for second reading of Bill 18, An Act respecting the Provincial Auditor / Projet de loi 18, Loi concernant le vérificateur provincial.

The Acting Speaker (Mr Joseph N. Tascona): Questions and comments?

Mr Garfield Dunlop (Simcoe North): I'm pleased to continue debate on Bill 18, An Act respecting the Provincial Auditor. I know it's been some time since we've dealt with this legislation. Although I'm looking forward to further debate tonight—the NDP, for example, have not had their one-hour leadoff, and I know they have a lot of information they would like to add to this debate as well—it's interesting that we're here this evening debating this bill. There are a lot of other, more important pieces of legislation that we could possibly be debating, but the government feels they'd like to move in this direction and deal with what to them is an important piece of legislation. Certainly I don't see the great importance of it. So I look forward to the debate through the rest of the evening, and I believe it's been scheduled for a couple other evenings this week as well.

We're sitting here in October of this year and we need to look at a lot of potential issues, not only in question period but during debate, dealing with a lot of the broken promises that we've seen this government come forward with. It's what we're hearing every weekend in our ridings. It's what we hear at all of the functions we attend. Quite frankly, it has become a priority of Ontarians, wondering how many more promises this government will break as we head toward the next provincial election.

Again, I look forward to the debate. I know my colleague Mr Klees will be speaking tonight; so will Mr Martiniuk. We expect some good debate and good comments and questions as we proceed through the evening.

Mr Gilles Bisson (Timmins-James Bay): Just a couple of comments. I guess the general gist of what we're trying to do in this bill is the right thing. I think most of us agree that the auditor has to have the kinds of tools he or she is going to need, once we finally appoint a new auditor, to do the job that is charged to that office.

One of the issues, and I know because it dates back to when I was on the public accounts committee—actually, when I first got here in the early 1990s—

Ms Shelley Martel (Nickel Belt): It's so long ago.

Mr Bisson: So long ago; I forget. But anyway, I remember having this debate about the need to give the auditor the ability to take a look at some of the transfer partners of the province because, quite frankly, a big part of the chunk of money that we vote on in this assembly for ministries by way of estimates and overall budgetary measures goes off to transfer agencies, and we need to have some kind of mechanism for us as a province to give the auditor the ability to audit those particular organizations when it comes to value-for-money audit.

It has to be said, in fairness, that hospitals and others are very responsible organizations. I know, as everybody else around this chamber does, that hospitals—for example, I've looked at the Timmins and District Hospital. They get a budget of some \$60 million or \$65 million a year. They have their own audit process at the end of the year that has to be approved. I think that in itself works, but what I guess we're trying to get at by this particular measure is to allow the auditor to look at not just how money is spent, but what kind of value we're getting for the money spent. That's all the audit does at the local level. It says, "Here's the money you've got. Here's the money you've spent. Does A equal B?" That's all it basically looks at.

Giving this kind of authority to the auditor would allow, if the public accounts committee chooses, the auditor to look at particular agencies in order to make sure we're getting good value for money on the audits. But I do believe this bill is going to have to go to committee because there are a couple of issues we need to deal with.

1850

Mr Phil McNeely (Ottawa-Orléans): I'm pleased to rise in this House to speak in support of Bill 18, the Audit Statute Law Amendment Act, 2004. The legislation is all about accountability. In my own area, I know of one CCAC that spends about \$80 million a year and decided to develop their own case management system, when there are at least 40 other CCACs across this province. The same CCAC also opened a series of community

walk-in centres. From my knowledge of business, this just adds to overhead and confusion and takes away from the efficiency of operations.

We're proceeding now to audit that 80% of the government expenditures that weren't audited before. This is a good move, a needed move and a move that I just wonder why it happens in 2004. Performance measures can be established and indicators and comparisons with other providers can be made. This will assist us in dealing with accountability agreements, which are going to be a big part of health as we move forward in this province in trying to make us more efficient.

We have wonderful health providers in this province and we have others that need significant improvement. I hope best practices are identified by the new audits and that these best practices are promoted throughout this province.

The Auditor General would conduct discretionary, full-scope value-for-money audits of the broader public sector, excluding municipalities, and all crown-controlled corporations. If this legislation is to work and provide the oversight for the \$78 billion we spend in this province, then we must provide comparisons for performance between all of—if it's the health industry or the caregivers. Ensuring accountability and measurement of performance is the only way to bring discipline to the system.

The Acting Speaker: The Chair recognizes the member for Oak Ridges.

Mr Frank Klees (Oak Ridges): We're into our 20-minute debate at this point?

The Acting Speaker: No, two minutes.

Mr Klees: I'm happy to provide two minutes, just prior to entering into debate.

I didn't have the benefit of hearing the honourable member's comments in debate, but I will certainly add my comment to this bill. I don't believe there's anyone in this House who would have a concern or a problem with us bringing more transparency and accountability to how government is done, particularly the transfer partners, since I believe the number is something like 85% of all the expenditures of the province go to our transfer partners. There certainly should be a way for us to ensure that we are getting value for money for the taxpayers' dollars that are being transferred, whether it's hospitals, school boards or universities. It's with that purpose that the government has introduced this legislation. In principle, I support it.

I would like to see some amendments to this. I think the government, in its typical fashion, has seen itself as omnipotent and omniscient, that any recommendations that may have come forward from the opposition, whether it's the third party or our party, were simply shrugged off because they had made up their minds. I hope, at least in the ensuing 20 minutes that I have to share some of my thoughts, the government will realize the error of their ways, that they could have improved this legislation considerably by incorporating some of our proposals.

The Acting Speaker: In reply, the Chair recognizes the member for Perth-Middlesex.

Mr John Wilkinson (Perth-Middlesex): It's indeed an odd situation where one resumes a debate that was actually completed on May 17, in the spring, and here we are in October, but this is a place where that happens every day.

I do want to thank the members for Simcoe North, Timmins-James Bay, Ottawa-Orléans and Oak Ridges for entering into the comments.

To the member for Simcoe North, this is important. He questioned whether or not it's important enough to be here tonight. I think it is, because the question will be in the future, if we pass Bill 18 and we take the Provincial Auditor and make him the Auditor General, would any government dare to lower the standard? Because what we're doing is raising the standard. That's why I was glad to hear that the parties, perhaps with some reservation, are interested in supporting this bill, because it's all about setting higher standards; it's all about transparency and accountability. That's what makes this piece of legislation good.

The member from Oak Ridges was saying that this government somehow thinks that it's omniscient. I don't think so. I think of the report that we just had from the standing committee on finance and economic affairs in regard to the five-year review of the Ontario Securities Commission. Well, that was a unanimous report. That had the support of both opposition parties. I don't think it's fair to characterize the government as being one that's not willing to look at the input. But I know that this government has been working hard on emergency measures, something that is, in my opinion, non-partisan, and we didn't gain that support from the opposition, who in many cases boycotted all of those meetings. I found that quite disturbing. So this place is "catch as catch can." Sometimes the opposition wants to come along and participate, and sometimes they would rather oppose. I understand that that is their right.

In conclusion, I do want, with the Minister of Agriculture and Food and the Minister of Energy here, to thank them so much for making the announcement today in my riding, and I look forward to more debate on Bill 18, a very important piece of legislation.

The Acting Speaker: Further debate?

Mr Klees: I understand now that I only have 10 minutes to share my thoughts on this bill.

Hon Dwight Duncan (Minister of Energy, Government House Leader): Thank God.

Mr Klees: The Minister of Energy expresses his expletive at that. I know he would have preferred to hear much more from me, but I'm prepared to send him a memo, including all the amendments that I'm proposing. Hopefully he, in his wisdom, will incorporate this.

Hon Mr Duncan: Send the bill to committee.

Mr Klees: He refers to committee. I don't know if the government's prepared to have this bill go to committee. I would think that you can't, on the one hand argue, for transparency and accountability for your transfer agen-

cies and then behave like a monarchy as a government, saying, "We're going to ram this legislation through. We're going to do it our way. We'll let you have your few minutes of debate but, you know, we won't listen."

Speaker, you'll recall when the government was sitting here, and in particular the Minister of Energy, who is also the House leader, would rail against our government on occasion—unfounded, I might say—for not providing enough opportunity for debate, for not providing enough opportunity for good, reasoned amendments to legislation. It would be very interesting—in fact, I'm going to ask the table if they would do some research for us and, over the last year, up until this day, from the time this government has been in office, find out for us how many amendments this government has adopted into its legislation that were proposed by the opposition parties. I see the table is smiling, because I know that they look forward to that exercise. They also know it is going to be a matter of seconds that it will take them to do that research, because there haven't been any, interestingly enough. There haven't been any, and it doesn't matter what bill it is.

So what I want to point out to people who are observing the proceedings here tonight is the sham of what we are going through in this Legislature. I say it's a sham because on the one hand this should be time for debate, and what people would expect takes place in this House is that the minister who is responsible for this bill would himself at least be here. Now, I can't say that he's not, you see, and I haven't said that, but one would certainly expect that the minister would be here to listen to the proposals and recommendations and concerns that are being expressed about legislation that he has tabled here. One would expect that the amendments that are being proposed would at least be given some consideration.

If there was some open-mindedness here, wouldn't you expect, Speaker—and I don't know how many hundreds of hours of debate we've had since this government has been in office, but certainly a few; not many pieces of legislation, but certainly a few. Wouldn't you expect that, out of all of that, there would at least be one amendment that would have been adopted and accepted, incorporated into legislation? But no. What it shows, Speaker, is that this institution of Parliament is in large part absolutely ineffective when it comes to making good laws, because the making of good laws surely incorporates at least the collective wisdom of the opposition. That's not to say that everything the government does is bad, although they're getting close, but certainly there should be some acceptance that the recommendations that are being made by the opposition parties would have some credibility.

Speaker, it's because of the conduct of this government and the absolute disregard that this government has for the opinion of the official opposition—and I include the third party in this—because of their attitude, that I will move adjournment of debate.

The Acting Speaker: Is it the pleasure of the House that the motion carry? I heard a no.

All those in favour, say "aye."

All those opposed, say "nay."

In my opinion, the nays have it.

Call in the members. This will be a 30-minute bell.

The division bells rang from 1903 to 1933.

The Acting Speaker: All members in favour, please rise and remain standing.

All those opposed, rise and remain standing.

The Deputy Clerk (Ms Deborah Deller): The ayes are 41; the nays are 0.

The Acting Speaker: The motion is carried.

EMPLOYMENT STANDARDS
AMENDMENT ACT (HOURS OF WORK
AND OTHER MATTERS), 2004

LOI DE 2004 MODIFIANT LA LOI
SUR LES NORMES D'EMPLOI
(HEURES DE TRAVAIL
ET AUTRES QUESTIONS)

Resuming the debate adjourned on June 22, 2004, on the motion for second reading of Bill 63, An Act to amend the Employment Standards Act, 2000 with respect to hours of work and certain other matters / Projet de loi 63, Loi modifiant la Loi de 2000 sur les normes d'emploi en ce qui concerne les heures de travail et d'autres questions.

The Acting Speaker (Mr Joseph N. Tascona): Further debate?

Mr Gilles Bisson (Timmins-James Bay): On a point of order, Mr Speaker: Can you just indicate who's next in the rotation?

The Acting Speaker: The opposition is. Further debate?

Interjections.

The Acting Speaker: You've spoken to it.

Mr Garfield Dunlop (Simcoe North): Pardon me?

The Acting Speaker: You've spoken to it.

Further debate? The Chair recognizes the member from Oak Ridges.

Hon Dwight Duncan (Minister of Energy, Government House Leader): On a point of order, Mr Speaker: You put the question three times and nobody rose.

The Acting Speaker: Mr Klees did get up. They thought he had spoken, but that was incorrect. The Chair recognizes the member from Oak Ridges.

Mr Frank Klees (Oak Ridges): I regret the confusion, but the—

Hon Mr Duncan: You moved adjournment of the debate.

Mr Klees: No, it was the House leader.

Hon Mr Duncan: On a point of order, Mr Speaker: The member's not debating the bill. Does he know what bill we're debating?

The Acting Speaker: The Chair recognizes the member from Oak Ridges.

Mr Klees: I would suggest to the House leader that he's the one who called Bill 63. I'm more than happy to

speak to Bill 63. It was the House leader who suggested that I've already spoken to it, which is why there was confusion at the table. The House leader should get his facts straight about who has or has not spoken to this bill.

I am absolutely pleased to have the opportunity to speak to this bill, which makes amendments to the Employment Standards Act, 2000. This bill deals with hours in a workweek, averaging agreements and various other matters that obviously are of particular interest not only to members in the Legislature here but to people who work in this province—and the amendments that come into force on January 1, 2005.

Laughter.

Mr Klees: Speaker, it was the House leader of the government who called this bill, and I would ask you to call to order members of the rump of the government here who somehow are finding this very funny. I would suggest that if government members don't find this legislation serious, they should remove themselves.

The Acting Speaker: Can we have some order in the House? The member from Oak Ridges is speaking.

Mr Klees: Speaker, I was just going to offer that if you can't see the members who are being disorderly, I'll name them for you. I'm happy to help you with this.

In light of the fact that the House leader has called for debate on Bill 63, I know that we want to have an in-depth discussion and debate on this piece of legislation. In light of the fact that I certainly was not given notice, I will look to the opportunity to call adjournment of this debate, so that we can have adjournment of the House.

Hon Mr Duncan: On a point of order, Mr Speaker: I thought I heard him call adjournment of the debate.

The Acting Speaker: What are you calling for, Mr Klees?

Mr Klees: I'm calling for adjournment of the House.

The Acting Speaker: Mr Klees has moved adjournment of the House. Is it the pleasure of the House that the motion carry?

All those in favour, say "aye."

All those opposed, say "nay."

In my opinion, the nays have it.

Call in the members. It's a 30-minute bell.

The division bells rang from 1940 to 2010.

The Acting Speaker: All those in favour, please rise and remain standing. OK. All those opposed, rise and remain standing. Please be seated.

The Deputy Clerk (Ms Deborah Deller): The ayes are 9; the nays are 30.

The Acting Speaker: The motion is lost. Mr Klees.

Mr Klees: In the remaining time, I want to impress on the people of Ontario that this bill that is before us is an empty shell. It represents, on the one hand, a commitment, supposedly, that this government is going to somehow protect workers against this evil thing that the previous government brought in, which was effectively flexibility that allowed an employer to work with employees in this province to ensure that, depending on the nature of the work that is being done in the workplace, they have an agreement about what an appropriate

length of day is and how many hours, in fact, they want to put in place.

This government represented that they were going to change all that and protect the workers in this province against this 60-hour week. Interestingly enough, all this government has done, in true Liberal fashion, is simply add layer upon layer of red tape and additional responsibility for work to the Ministry of Labour, which is underfunded and understaffed. It simply means it's going to be more difficult for employers to carry out their responsibilities.

Now this government and this minister are going to require employers and employees to sign a written contract agreement that they want to work more than the 48 hours. That's typical Liberal. What it's going to do is interfere with what we had attempted to achieve and did achieve, and that is a co-operative workplace, co-operation between workers and employers.

While we were waiting for the bells, I was dealing with a constituent. I want to read into the record something that I think is extremely important for members of the Legislature. It comes from my constituent Massimo Sturino from Richmond Hill. I am going to quote in part from his e-mail to me. He says, "The more articles I read about health spending, the more ignorant I believe the people in charge of allocating this money are."

The reason for this, the context, was that we were talking about the importance of ensuring that hospitals, transfer agencies, can in fact be appropriately audited by the Provincial Auditor. That was in the previous debate. But the reason I read it into the record here was that, while we were waiting for the bells to finish ringing, I was dealing with my constituent on this and assured him that we would do everything in our power to ensure that hospitals, colleges and universities are in fact held to account and that there be audits for value.

Hon Mr Duncan: On a point of order, Mr Speaker: The member is debating the bill that he asked to adjourn the debate on earlier. He should refer to Bill 63 at least once, I would say. It's been about three minutes since he referred to the bill.

The Acting Speaker: Please refer to the bill. Do you understand?

Mr Klees: Thank you, Speaker. If the House leader doesn't appreciate the fact that I am acting and speaking on behalf of an issue that my constituent feels very strongly about, then I move to adjourn debate.

The Acting Speaker: Mr Klees has moved to adjourn the debate. Is it the pleasure of the House that the motion carry? I heard a no.

All those in favour, say "aye."

All those opposed, say "nay."

In my opinion, the nays have it.

There will be a 30-minute bell.

The division bells rang from 2016 to 2046.

The Acting Speaker: All those in favour, please rise and remain standing.

All those opposed, please rise and remain standing.

The Deputy Clerk: The ayes are 33; the nays are 9.

The Acting Speaker: The motion is carried.

PROFESSIONAL LEARNING PROGRAM
 CANCELLATION ACT, 2004
 LOI DE 2004 ANNULANT LE PROGRAMME
 DE PERFECTIONNEMENT
 PROFESSIONNEL

Resuming the debate adjourned on October 19, 2004, on the motion for second reading of Bill 82, An Act to amend the Ontario College of Teachers Act, 1996 to cancel the Professional Learning Program / Projet de loi 82, Loi modifiant la Loi de 1996 sur l'Ordre des enseignantes et des enseignants de l'Ontario en vue d'annuler le programme de perfectionnement professionnel.

The Acting Speaker (Mr Joseph N. Tascona): Further debate?

Mr Norm Miller (Parry Sound-Muskoka): I'm very pleased to have the opportunity this evening to speak on Bill 82, the Professional Learning Program Cancellation Act, 2004. That title itself pretty much says it all, really: the cancellation act. I think it's pretty disappointing when the government is bringing in bills to cancel a program that obviously has a lot of benefit. I think what's happening is that the government is just kowtowing to the teacher unions and not looking out for the best interests of the children, not doing what's right for the education of our children.

I just recently had the pleasure of going to Alaska to attend the council of state governments. There were a couple of Liberal MPPs along on that trip as well. One of the very interesting sessions that occurred there, a very worthwhile session, was a session on education. It was a whole morning session on the federal American program No Child Left Behind. There were all sorts of experts there. One of the experts, the commissioner of education for the United States, was at this seminar. Lots of experts gave speeches, and then afterwards there was a question and answer period.

One of the questions the commissioner of education for the United States was asked was, "What about class sizes?" One of the main features of this government is class sizes, reducing class sizes to a fixed cap of 20 from junior kindergarten to grade 3. So the commissioner of the United States was asked about class sizes. What do you think his response was? That this is a great thing, that you get fantastic results from it? No, his response was that the research on class sizes is ambivalent, that it's very expensive for the dollars. If you have precious dollars to invest in education, basically what he said was, "The results are not worth the money you spend to achieve those smaller class sizes." The bang for the buck is just not there.

Do you know what the research is not ambivalent on at all? The research shows that teachers who have taken professional learning, who are at the top of their game in terms of being up to date on their programs, achieve a very beneficial result for our students. That is very clear: that if you have teachers performing at their best, they have more effect on our students, on our children, than

any other single factor. That is something that is not ambivalent at all, that is very clear, and yet this government, with Bill 82, the Professional Learning Program Cancellation Act, is cancelling that professional learning.

What can possibly be the motivation for bringing this bill in? I know they have plans to have the teachers' unions take over the college of teachers. They're basically just responding to the teachers' unions. They're not thinking about what's best for our kids. They're not thinking about how our kids can do better, because if they were, they wouldn't be bringing this bill in, Bill 82, An Act to amend the Ontario College of Teachers Act, 1996 to cancel the Professional Learning Program. Really, it's quite disappointing to see this bill coming forward.

Other education-related actions by the government, and I think actions—

Interjection.

Mr Miller: Absolutely. A good point, member from Oak Ridges. What has the government done? They cancelled the Leslie M. Frost Centre. If there was ever a place that was more about education than the Leslie M. Frost Centre, I don't know what it is. That's their action: They've shut down the Leslie M. Frost Centre. How did they do it? Did they come and talk to the people of Haliburton, Muskoka, all the various interest groups that have a strong interest?

Interjection.

Mr Miller: There was support from all the parties for the Frost centre. Did they talk to anybody before they shut it down? No, they didn't. I heard rumours that it was about to close one day; the next day the locks were being changed at the Frost Centre and the employees were being told not to come to work. This is the way this government consulted, and this is how they're acting.

Do you know what was supposed to happen at the Frost Centre on September 30?

Mr Tim Hudak (Erie-Lincoln): What?

Mr Miller: There were supposed to be 1,600 school-aged children, many from the Trillium Lakelands board, who were supposed to be attending a conference at the Frost Centre on water quality, to learn all about water, to learn how important the environment is. Obviously the environment, as well as learning, is not important to this government; if it was, they wouldn't have shut down the Frost Centre. That conference with 1,600 school-aged children that was supposed to happen at the Frost Centre didn't happen because there was no place for them to hold that conference. Those kids didn't learn about the environment, about the importance of our water, one of our most precious resources. That's what this government has done.

Interjection.

Mr Miller: Sorry, member from Oak Ridges?

Interjection.

Mr Miller: I want to say that excellent teachers are very important, and we can't forget that. We have to do what we can to support them, to give them all the skills

so they can do their job, because we've all had excellent teachers who have made a real difference in our lives.

When I think back to a long time ago when I was a troublesome student back at Bracebridge Public School, I can say that there were some really excellent teachers who made school interesting and made school fun.

I think of the principal of Bracebridge Public School, Mr Neil Haight, who went out of his way to make me enjoy going to school, enjoy Bracebridge Public School. I think of Mrs Knight or Miss Mae McCracken. Mae McCracken used to tell great stories in class and make it really interesting for us. She would go on for hours and hours with these wonderful stories. She was training politicians with the good stories she used to teach us. I think that was about grade five.

I think of Lanny McQuain, who was our phys-ed teacher in high school. He couldn't ski, but he was the coach of our all-Ontario high school ski team. We actually won the all-Ontario, amazingly enough, not because he could teach us how to ski, but because he knew how to teach.

Mr Hudak: Motivated.

Mr Miller: He motivated us and he was a great teacher. He really inspired us to realize how important physical education is as well.

I think about a university professor I had, Harry Pope, W.H. Pope, who taught economics. He made that class so interesting. Every day he would come in with a different newspaper clipping. He would relate economics to us in a very personal, day-to-day way that made it very real and made it so that it meant something to us. It inspired me. I think that was one of the classes I actually did reasonably well in.

Excellent teachers really are important, and we need to give them the skills to do the job to their best ability. As I said, the research on teachers with skills shows that that is the single most important factor in a child achieving the best possible results they can.

What possible motivation, other than the union pulling the strings at the college of teachers, what possible rationalization can you have to bring in this Bill 82 to cancel professional learning?

I think this government should also be learning from the Environmental Commissioner, Gord Miller, who just came out with a report last week.

Mr Hudak: What did Gord say?

Mr Miller: Gord was talking about the deposit-return system. I happen to have brought in a private member's bill on an LCBO deposit-return system, and I am working on a deposit-return bill to cover just about everything else because I happen to believe it's really important and it's the way we can achieve much higher targets of recycling. We can achieve the government's goal of 60% diversion easily if we bring in a deposit-return system.

The Ottawa Citizen agrees with me. I'll just quote from their article about how the government can learn from the Environmental Commissioner of Ontario:

"Small Deposit, But Big Payoff

"Ontario's environment commissioner has stopped just short of recommending that the province start levying a deposit on recyclable cans and bottles, but that's just what the government should do"—and that's what I think they should do.

"Gordon Miller, in his annual report, lays out in detail the problem Ontario has with those recyclable containers, especially aluminum soft-drink cans. We're recycling about 42% of the cans we use. That doesn't sound too bad, except that it means about a billion cans a year are going somewhere else, probably into landfills. Mr Miller estimates that's \$25.5 million worth of aluminum."

I think we really need to learn from the Environmental Commissioner that deposit-return is something that we should be bringing in. We need to learn from the other provinces as well. In Quebec they have a deposit-return system. We can learn from the beer bottle system as well, where 98% of beer bottles get returned. We should look at Quebec. Quebec has a crown corporation that runs machines in supermarkets that accept soft drink cans in exchange for a three-cent refund, minus a two-cent handling—so it's five cents minus two cents. Quebec reports collecting just under 80% of the 893 million aluminum cans sold in the province in 2003, as compared to 42%.

Hon Dwight Duncan (Minister of Energy, Government House Leader): On a point of order, Mr Speaker: I'm really interested in hearing the member's views on the bill that has been called. He hasn't been speaking to the bill that has been called.

The Acting Speaker: The Chair recognizes the member for Parry Sound.

Mr Miller: I think that we should be doing recycling in our schools as well. Frankly, I'm surprised that it's not in Bill 82, that there's not a recycling component in Bill 82. All they're talking about is cancelling professional learning programs, when really they should be talking about some recycling in the schools.

I'm quite disappointed that none of the government members are willing to speak to Bill 82. Because of that, I move adjournment of the House.

The Acting Speaker: The member from Parry Sound-Muskoka has moved adjournment of the House. Is it the pleasure of the House that the motion carry?

All those in favour, say "aye."

All those opposed, say "nay."

In my opinion, the nays have it. Call in the members; a 30-minute bell.

The division bells rang from 2101 to 2131.

The Acting Speaker: All those in favour, please rise and remain standing.

All those opposed, please rise and remain standing.

The Deputy Clerk (Ms Deborah Deller): The ayes are 6; the nays are 33.

The Acting Speaker: The motion is lost.

The member from Parry Sound-Muskoka.

Mr Miller: It's my pleasure to continue the debate on Bill 82, An Act to amend the Ontario College of Teachers Act, 1996 to cancel the Professional Learning Program.

I guess you have to ask yourself: Why do they want to cancel the professional learning program? Look at other professions. If you're a pilot, I think you'd be doing some professional learning. For example, if you're an instrument pilot, I believe every other year you have to do training, of course, but then you also have to pass a very strict test to show that you in fact can fly the plane through the clouds and land safely.

Mr John O'Toole (Durham): If you can't, you fail.

Mr Miller: If not, if you don't pass that test and if you don't do the professional learning, then you're no longer a commercial pilot.

Are our kids not as valuable? The object of professional learning is to achieve better results with our children, to have them succeed better. Doctors, lawyers, architects: They all have professional learning, so why is it such a great idea to cancel the professional learning program for teachers? I fail to see how this makes any sense at all. We should be giving the teachers the tools they need to be able to do a great job. I know they want to do absolutely the best job to achieve the success that they can.

I had a chance in the break to look at some of the election promises made by this government in this very recent election, the October 2 election. Many of these promises are related to education. I noted promise number seven in the education section.

Mr Hudak: What was that?

Mr Miller: "We will give teachers the tools and the training for excellence." Well, I would have thought that professional learning is part of the tools you need for excellence, and yet here we have a bill that's cancelling a professional learning program. How does that make any sense at all?

Promise number one: "We will build a strong public education system that supports student successes and raises student achievement." All the studies show that you give professional training for teachers and you get the better results. So this does not make sense. It doesn't jibe with the promises they made so recently in the October 2 election.

Promise number 20: "We will turn the Ontario College of Teachers into a professional body that sets the highest standards for the profession and earns the respect of teachers and parents." What in fact the government is doing is they are turning control of the Ontario College of Teachers over to teachers' unions, they're creating more spots for the teachers' unions, when it should be an independent body. The college of teachers deals with discipline, with qualifications, with training, and it should be an independent body, just like the college of physicians is. This government, in turning control of the Ontario College of Teachers over to the teachers' unions, will not benefit children.

The teachers I've been talking to—some of the issues they've been raising—of course, my riding is Parry Sound-Muskoka. They've been talking to me about Muskoka being taken out of the north by this government. They've been talking to me about the concerns they have

with how that's going to affect the health care in our area. They've been talking about the programs directly affected by Muskoka's being taken from the north. For example, there was a violence program called Girlz Unplugged, run by, I believe it was, the YWCA and Muskoka/Parry Sound Sexual Assault Services. This government has chosen not to fund that program. I believe the funding came through the northern Ontario programs. So they've chosen not to fund this valuable program.

Last week I attended a conference on violence against women and children that was run by the YWCA and Muskoka/Parry Sound Sexual Assault Services. That's a valuable program. Luckily, the community has recognized how important this Girlz Unplugged program is. In fact, they have gone to the district of Muskoka and have successfully received funding from the district of Muskoka for this important program. But they had to do that because the provincial government cancelled the funding for this important program. That's what some of the teachers I've been talking to have been talking about.

I'm very lucky in that I have four children and they all went to school, Oakley, in the town of Bracebridge. They attended Monk Public School and had some absolutely excellent first-rate teachers who I'm sure would like to be able to take advantage of professional learning programs to upgrade their skills to do the absolute best job that they can.

I know that Abigale, my oldest daughter—it's hard to believe, but she's in her fourth year at university, just finishing up at McGill, taking biochemistry and doing very well at it and looking forward to doing her master's next year. In fact, she's applying for a Commonwealth scholarship, where you can go and study in a Commonwealth country. She's looking at New Zealand. My only worry is, she's going to go to New Zealand, meet some guy and never come back. But she has had some great teachers who have gotten her to where she is now, to successfully complete four years of biochemistry at McGill.

My next daughter, Renee, is in her second year at Guelph, taking marketing and doing very well. She was able to achieve that success because of the excellent teachers that she had at Monk Public School.

My son Stuart is now in grade 12. Stuart's doing well as well, and is trying to make the big decision about what he's going to do for the rest of his life. He's thinking about something along the veterinary line. He's very much into animals. His grandfather on my wife's side is a farmer, so he quite likes animals.

Winston is in grade 10 and doing very well.

I might point out, they all took French immersion in public school and had some excellent teachers who gave them success. But I really cannot see how cancelling the professional learning program, as proposed in Bill 82, is going to benefit the children, and education should be all about children.

It has been my pleasure to speak to Bill 82, the Professional Learning Program Cancellation Act, this evening.

2140

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

Ms Shelley Martel (Nickel Belt): The bill we're dealing with was really teacher testing. The former government called it by some other names to try to camouflage it, but that's what it was. It was, regrettably, one more in a long line of attack against teachers by the former government. That was the reality. I already spoke on the bill, so you don't have the benefit of 20 minutes of me tonight speaking on this bill. But let me say a couple of things.

First of all, what other group had mandatory testing? Did we ask physicians to take 14 courses in order to upgrade their skills to deal with the public? No, we did not. Did we ask nurses to take 14 courses to upgrade their skills to deal with the public? No, we did not. Did we ask paramedics to take 14 courses so they could upgrade their skills to deal with the public? Did we ask police officers to take 14 courses, and pay for it themselves, in order to provide public safety? No, we did not. The only group the former government went after was teachers, telling them that they had to take 14 courses and they had to pay for the same courses, because that was the only way they could be truly qualified to teach our kids.

Look, all kinds of boards had professional development for their teachers, and hopefully they will again. My dad was a teacher. My mom was a teacher. My brother is a teacher. My sister-in-law is a teacher. All of the above took professional development and were interested in that and didn't have to be forced to do it and didn't have to pay a lot of money to take 14 courses. Teachers will do that because they care about what is happening in the classroom, they want to know that they are dealing with the most up-to-date learning and information that they can transmit to students. They don't have to go through testing in order to prove to someone that they are qualified to be teaching our children. It was all about an ongoing attack on teachers, and I hope now we can get back to professional development in the manner in which it was delivered before the former government went after this group.

Mr Dave Levac (Brant): Just a couple of quick comments. The member from Nickel Belt encapsulated exactly what this was all about, so I appreciate her comments. I'm sure all the teachers in the province know exactly what this charade is all about. But I want to make sure that we point out very clearly what the Tories have done. We have tried to bring three bills to the table. They have used bells not to discuss and debate them whatsoever. I think the people know very clearly, in terms of what's happening, that the very bills they are talking about are not being discussed, and we are wasting our time. I think maybe there's a better way to do this.

Mr O'Toole: I want to compliment the member from Parry Sound-Muskoka because he gave voice to those who haven't been hijacked.

I want to put on the record the eminently qualified boards that I represent and meet with and have served on:

the Durham District School Board, which is chaired by Elizabeth Roy, and the vice-chair is Kathleen Hopper. I should mention Steve Martin, who is the trustee representing Scugog. On the Durham Catholic District School Board, Mary Ann Martin is the chair and Joe Corey is a long-serving member, the vice-chair. In fact, I think he was a trustee back when I was a trustee. Also, on the Kawartha Pine Ridge District School Board, I would say Angela Lloyd—

Mr Jeff Leal (Peterborough): A great board.

Mr O'Toole: The member from Peterborough is quite right: a very active board and, I might say, quite upset with this government on certain issues. I'll get to those in a moment. I think I have about an hour here, but I will try to boil it down to two minutes. There's also the Peterborough Victoria Northumberland and Clarington Catholic District School Board, chaired by Joe Whibbs. I served with Joe Whibbs, along with Lorne Corkery and other members of the board. I should mention that George Ashe, a former treasurer of Ontario, was also serving on that board.

I want to bring to the table something that's important: this correspondence to the Minister of Education, dated September 17. They're very concerned about two issues in education: one is fairness in transportation, and the other one is special education. This memo to the minister, still not responded to, quite deliberately talks about the clawback in special education. What a punitive, demeaning first instance by the Minister of Education. You know, one could speak for some time on this file, because the government here has given it all over to teacher unions. I can just see Earl Manners rubbing his hands together, as he has finally won the victory. The Liberals have capitulated to the OSSTF and other union bosses. They don't want to improve the college of teachers—

The Deputy Speaker: Questions and comments?

Mr Peter Kormos (Niagara Centre): First I want to speak to the barely concealed but vicious attack on the member from Parry Sound-Muskoka by the member from Brant. I want to say that I listened carefully to the comments by the member from Parry Sound-Muskoka, and I believe he showed incredible restraint. He sought adjournment of the House. Then, when he had the floor yet once again, did he seek adjournment of the debate? No. He showed a restraint that is outstanding in the course of this evening's debate.

So I say to the member from Brant: Exercise far more discretion when you launch your arrows against honourable members of the opposition. The member for Parry Sound-Muskoka, in the most honourable tradition, utilized the modest 20 minutes available to him in the most efficient and effective way possible. While I was pleased to see him move adjournment of the House and perhaps dismayed at his failure to move adjournment of the debate, I understood that it was in his enthusiasm to ensure that he utilized every moment available to him to address this important issue.

What I want to tell people is that the member from Timmins-James Bay is going to be speaking next, and

I'm looking forward to that. Earlier today he was in Kirkland Lake, addressing important issues around softwood lumber and thousands of jobs in northern Ontario and indeed the economic welfare of Ontario, of this whole province. He has important things to say about this legislation. I'm awaiting, with bated breath, the comments from the member from Timmins-James Bay, in both of our official languages.

The Deputy Speaker: The member for Parry Sound-Muskoka has two minutes to reply.

Mr Miller: Thank you to the members from Nickel Belt, Brant, Durham, and Niagara Centre for their comments.

The professional learning program that has been in place, I believed to be quite a reasonable program. It involved 14 courses over five years that had to be completed: seven that were compulsory and seven that were optional—whatever happened to catch the interest of the particular teacher. We have to remember what the purpose of that program was, and that was for the teachers to be able to have skills to achieve the absolute best results for the students they were teaching.

The member from Nickel Belt mentioned police officers. Yes, police officers go, on a regular basis, for recurrent training. They do something that's called block training, where they go away for a week at a time—whether it be how to use a firearm, for example. They have to shoot something like 50 rounds at a set distance and have them all within a certain pattern. If they don't achieve that result, then they don't qualify. Of course, they have many other different segments of their specialty that they have to prove their ability and their skill at so that they're able to fulfill the very dangerous and worthwhile job of being a police officer.

I'm slightly aware of this because my wife, Christine, is an auxiliary OPP officer. She goes through that recurrent training even though she does that as a volunteer job.

I think we can't lose sight of what the purpose of professional learning is all about with regard to teachers, and that is achieving the best results we can for our students. That's why it does not make any sense whatsoever to cancel this professional learning program.

The Deputy Speaker: Further debate?

M. Gilles Bisson (Timmins-Baie James): Mr Speaker, je suis donc content; c'est chaleureux d'être ici avec vous ce soir. Vous savez que c'est toujours un honneur et un plaisir de parler dans cette Assemblée. Comme vous le savez, ce n'est pas tout le monde qui en a l'occasion. Seulement les membres qui ont le plaisir, et je dirais la chance, d'avoir été élus ici en Ontario, à cette Assemblée, peuvent venir ce soir ou n'importe quel soir ou journée parler à cette Assemblée et puis vous dire, « Que je suis donc content que j'ai l'occasion. » Vous, monsieur, madame, avez tous l'occasion.

C'est la Loi 82. Imaginez-vous qu'ils vont finalement faire quelque chose de bien. C'est donc le fun pour changer, hein? Ce gouvernement, depuis le temps qu'ils sont arrivés, ont fait des promesses après des promesses

dans les élections, et à chaque occasion qu'ils ont eue, ils ont brisé ces promesses. Ce soir, ils essaient d'en garder une. Il faut les féliciter pour une fois.

2150

M^{me} Martel: C'est un miracle.

M. Bisson: C'est un miracle, comme dit ma collègue. Cela paraît comme si le gouvernement une journée avait décidé, « On a brisé autant de promesses. » « Pourquoi pas », a dit le premier ministre au ministre de l'Éducation, « garder au moins une promesse? On en a fait 231 dans les élections et j'aimerais être capable de me promener dans la province et dire que j'en ai gardé une. » Ce soir on est ici, et ce gouvernement essaye de garder une promesse.

M^{me} Martel: Mais cela ne coûte rien.

M. Bisson: Mais ça ne coûte rien. C'est mon point, madame Martel. Cette promesse nous coûte quoi? Je veux revoir certaines des promesses que ce gouvernement a faites dans le domaine d'éducation.

Vous le savez tous et toutes, petits Libéraux et petites Libérales, les mesdames et messieurs qui ont été élus. Vous avez—

Une voix.

M. Bisson: Pas pire, celle-là. Madame Smith, c'est pour dire 25 promesses dans le domaine d'éducation, des promesses qu'ils auraient pu garder. On va les revoir.

Il y avait la promesse pour créer l'excellence en éducation en faisant des investissements dans nos écoles. C'était fait?

M^{me} Martel: Non.

M. Bisson: Non. Imaginez-vous que ça n'a pas été fait. On aurait pu être ici ce soir pour faire ce débat. Non, il n'est pas là. On aurait pu faire par exemple beaucoup de promesses. Il faut les faire en anglais parce que ce document est en anglais. C'est donc un « drag ». Pourquoi le Toronto Sun n'écrit-il pas en français de temps en temps? On pourrait se servir des documents du Toronto Sun en français. Madame Meilleur, vous êtes la ministre. Vous avez l'occasion. Passez une loi. Faites quelque chose. Comme Charles Aznavour a dit—avez-vous compris la chanson de Charles Aznavour quand il parle de la peinture, « ton âme et ton corps »? On va la chanter ce soir.

There are a number of promises—I have to do this in English because unfortunately the document is in English, and trying to translate it all at the last minute would be very difficult. But let's go through it. Here we are; the government's trying to hold to one promise. They're saying, “Oh, look at us. We've done something for a change. Ontario will be excited.” So they finally passed a bill, or are trying to pass a bill tonight, that we'll probably support in the end. But I think there needs to be a little bit of debate, and I know some of the teachers—in fact, I had l'AEFO who came into my office earlier this week and said they had some issues they wanted to talk about when it goes to committee because there were a few things they wanted to raise.

So let's take a look at the promises they made, the 25 promises they made in education that they could have

actually kept. They say, “We will bring peace and stability to our schools.” What does that mean? Tell me how you bring peace and stability to schools. It’s like saying, “I’m bringing law and good order in government.” Basically it’s a do-nothing promise.

Ms Martel: Especially when you claw back special ed. Then that’s hard to do.

Mr Bisson: Well, that’s my point. When you claw back special-ed funding, tell me how you can keep all those kinds of promises inside our schools.

“Our Excellence For All plan guarantees that within our first mandate, 75% of our students meet or exceed the provincial standard on province-wide tests.” We’re not anywhere near that. As a matter of fact, there are all kinds of issues if you take a look at our schools across this province, which are having a tough enough time as it is.

What do we need to do to make that happen? Certainly we have to do some of the stuff that’s contained within this bill and make sure our teachers are properly prepared and able to keep up with the latest of training methods for our students. But I don’t see the government running very fast to keep that particular promise.

We have the other promise that I thought was really, really interesting, where it says, “We will make high-quality childcare and education available for our younger learners.” What have they done in the order of child care? In fact, there’s a report that just came out a couple of days ago—

Ms Martel: Today.

Mr Bisson: Was it today? I thought it was yesterday—where they’re saying that basically Ontario is taking a step backwards when it comes to child care as it compares to other jurisdictions. The only place that’s making gains is the province of Quebec. This was the study of the Paris—I forget the name of the organization.

Interjection.

Mr Bisson: The OECD. Merci beaucoup.

They are saying that if you take a look at child care as a service provided to people, you’ll see that Canada quite frankly is falling back. The only place that’s really doing anything to look at child care in a really positive way, so that we look at child care not just as babysitting but actually giving kids an educational experience so that they can get some net benefit education-wise through their child care programs—

Hon Marie Bountrogianni (Minister of Children and Youth Services, Minister of Citizenship and Immigration): Are you saying child care is just baby-sitting?

Mr Bisson: It’s not just babysitting—is that we need to make sure we provide the type of training that prepares our kids so that when they go into school, they’re able to better cope with school and able to advance faster. It’s what they call Best Start.

The province of Quebec, interestingly, has made great strides in that, but Ontario is nowhere to be found. My point is—

Mr John Yakabuski (Renfrew-Nipissing-Pembroke): Are you going to rise on a point of order, Minister?

Mr Bisson: The minister wants to rise on a point of order?

Mr Yakabuski: No, no. I was asking.

Mr Bisson: Is that what you want, Madame Meilleur, un point d’ordre?

Ms Martel: No, it’s not Madame Meilleur.

Mr Bisson: Oh, my other friend, Leona. Any time.

Ms Martel: No, Marie.

Mr Bisson: Marie. Sorry. Did I call you Leona? Oh, my Lord, let me put my long-distance glasses on. That is you. Sorry. There we go.

Anyway, the interesting part is that if you look at this entire list of 25 promises, I note that out of 25, there are but two or three promises that are being kept so far. The only other one that’s being kept—and most people would have forgotten it—is the whole issue of private schools. Remember that whole issue? The Conservatives had a philosophy that they wanted to advance the idea of private schools. That’s the only promise they have kept. So far, you’ve kept the private schools promise and you’ve kept the promise around the teacher certification, but you’re not dealing with all of the other stuff in your platform that I think is important.

Here are some of the things I think you should be doing. For example, we know that about two weeks ago my good friend Mr Marchese held a press conference here—my friend from Hamilton Centre, I believe it is, Andrea Horwath, as well—on the issue of busing.

Hon Mrs Bountrogianni: East. You aren’t getting anything right tonight.

Mr Bisson: East, sorry. Well, I know. Ce n’est pas ma faute. Voyons donc, mon amie. On est demandés à la dernière minute de présenter sur ces projets de loi.

Hon Mrs Bountrogianni: *Remarks in Greek.*

Mr Bisson: Très bien, madame. Say that again to me slowly, please.

Anyway, my good friend Andrea Horwath raised the issue that this government could have chosen to support busing. As we have right now, the government has decided to come out with a formula around busing that quite frankly is going to put a lot of school boards at a disadvantage. For example, in the riding of Timmins-James Bay, the city of Timmins, the Catholic board and the public board were the first two boards in the province of Ontario to do in-common busing. They decided—

Mr Richard Patten (Ottawa Centre): Coterminous busing.

Mr Bisson: No, no. Those are coterminous boundaries; that’s a different thing. But they decided to do in-common busing—

Ms Martel: Shared busing.

Mr Bisson: —or shared busing. At one time in this province, each school board ran its own busing policies and hired their own buses. You had a situation where the English board would stop at one house, and at the next house you’d have the French Catholic board. There wasn’t a good sharing of buses. Anyway, the city of

Timmins, through the two boards, came together, decided to co-operate, and they have been doing that for some years. Along came the Conservatives and they created the four boards—one of the good things they did, by the way, when they were in power.

What am I doing here? I can't believe it. I said something nice about the Conservatives. Man, it was the first time. Oh, man, I never thought I would be able to take that first step. But anyway, the Conservatives decided, rightfully so, that there should be four school boards available to parents in order to allow parents the opportunity to choose. It was the whole issue in regard to French governance, where you have basically French Catholic and French public boards and English Catholic and English public. The point around busing is that up until now they have been able to share on busing.

What happened? The government has an amending formula that basically says, "We are going to change the formula. We're going to give some people an increase, but a whole bunch of school boards get a decrease." For example, the English Catholic board in our community is going to lose 40% of their busing funding. That's serious. It means that particular school board is losing 40% of their funding. Ask yourself the question, are the other boards that have a big surplus going to use their money in order to offset the money those particular boards have lost? I think not. So what you could end up with in the same community is, in our case, the English Catholic board having a busing policy that's different from and inferior to one of the other English boards. And if that's the case, it's going to be a disadvantage to the English Catholic board.

I would hope this particular government would be more responsive to that issue and would revisit their decision on the funding of the busing so that we don't put at risk the busing for children across this province. I can tell you, I got a huge number of phone calls in the fall, as I'm sure a whole bunch of other members got, both Liberals and New Democrats and Conservatives, from a whole bunch of different people in their ridings really upset at the school boards for having enacted that policy in preparation for the change of funding for next year.

This particular bill, however, which deals with the whole issue of teacher certification, takes the right step. It basically says that if there's a policy in the province that says you have to have recertification and training as a mandatory part of hanging on to your licence, it would only be fair that we do that for all professions and trades. And seeing that we only singled out the teachers, I think it's right that we either repeal this act or, if there's a debate, do it for everybody. I wouldn't favour doing it for everybody, because that would be a pretty onerous situation.

I believe this should be a voluntary thing, and the interesting thing to note is that school boards and teachers have been doing this for years. Long before the Conservative government came along, teachers and school boards had been sending their teachers out and teachers had been choosing to go out in order to get

upgraded so they could keep current with the new methods of teaching and whatever was available. I think that needs to be said.

Mr Speaker, I think it would probably be the right time and I think it would be the right thing at this point to move adjournment of the House.

The Deputy Speaker: Mr Bisson has moved adjournment of the House. Is it the pleasure of the House that the motion carry?

All those in favour will say "aye."

All those opposed will say "nay."

In my opinion, the nays have it.

Call in the members. This will be a 30-minute bell.

The division bells rang from 2201 to 2231.

The Deputy Speaker: All those in favour will please stand.

All those opposed will please stand.

The Deputy Clerk: The ayes are 8; the nays are 27.

The Deputy Speaker: I declare the motion lost.

Mr Bisson: Mr Speaker, it's getting closer and closer every time, I must point out. We're getting up there. If this were like a horse race, we'd be just turning around the last corner and coming around; who knows what could happen when we cross the finish line?

This bill raises an interesting debate in the province with regard to the whole issue of mandatory testing. One of the issues—and I think this is a serious one, in the sense that with all trades, professions, etc, one of the things that we strive for in industry and I think we need to strive for within our training institutions is: How are we able to keep our tradespeople and our professionals up to date with the latest in technologies? For example, I'm an electrician by trade. That's what I did at one point before coming to the Legislature. I apprenticed as an electrician and worked in that field for a number of years.

Mr Kormos: Ohm's law is your middle name.

Mr Bisson: Ohm's law is my middle name? I don't think so.

My point is this: Let's say a person is licensed in 1980 and works in the trade and 10 years later is working for the same employer. In some cases, an employer may take a person and put them in a particular task or part of the plant where you're really not picking up any new skills, and it raises the issue: How are you able to keep that skilled tradesperson up to date and current so that they have transferable skills that they're able to take elsewhere or, should the employer decide to transfer the employee or make changes to his or her plant, you're better able to deal with that? That's a huge problem.

I attended a meeting this afternoon with the Honourable Rick Bartolucci and some people from the Timmins Economic Development Corp, and we—

Mr Kormos: Honourable?

Mr Bisson: I've got to call him "honourable." He's an honourable member of the cabinet. We'll give credit where credit is due.

We talked about that whole issue with regard to: How are we able to make sure that we are able to keep our people are up to date? That's a real issue. If we were to

get into a debate around that on this particular bill, it would be an interesting one to get into, because I don't think it's one that any government has really taken seriously with regard to how we're able to keep all the various professionals in our province up to date and how we keep all of our skilled tradespeople up to date, because we do know that technologies are changing very quickly in this modern world.

We know that a lot of employers often don't have the money, or even the foresight in some cases, to be able to update the skill set of those people in their employ, be it professions or trades. An employer that is not able to do that, at one point, I think, would become somewhat unproductive. One of the things we need to look at in this Legislature is how we're able to assist tradespeople, professionals and employers to be able to work at some kind of program to upgrade those skills.

I would argue, as a social democrat, that it is incumbent upon the employer. The employer would have the large responsibility of making sure that people in their employ kept up to date. After all, it is they that will benefit from these skills or professions.

On the other hand, it doesn't leave the government off the hook. Why is it, when we bring bills like this into the Legislature, that we don't get an opportunity to deal with that issue? What is the role of the colleges and universities in this province in making sure that we keep those particular skills up to date? I just think it's a long time overdue that we have a debate—if not in this Legislature, at least we should try to refer the matter to one of our committees—in order to take a look at that whole issue.

The other issue is, how do we bring new people into skills and trades and even professions? In fact, in northern Ontario, it's a huge problem. Somebody goes off to university—it might be locally in some cases if they go to l'université de Hearst, but more times than not, they will have to go afar to get their education. If they do come back after a three years' BA, four years' honours or another couple of years for a master's, how are they able to update their skills when it comes to the work they do? How do you go out and get, let's say, a master's after you've had an honours, and you're living in northern Ontario, and working somewhere—in rural Ontario, for that fact? How do you deal with that issue? Nobody has their head around it. If you're lucky enough to live in Sudbury, where there's a university, or in Thunder Bay or other places, it might be a little bit easier, or North Bay—Nipissing: a very good university. But what happens if you live in Kirkland Lake or White River or Hearst or Peawanuck? How do you deal with these issues?

Again, nobody has looked at the issue of how we are able to give people who are living in more remote areas of this province—and I would argue that there are places like that in southern Ontario, both southeast and southwest, that have the same problem; I'm sure in my good friend Mr Kormos's area—people who would like to be able to upgrade, and we've not thought about a strategy, how we can deal with distance education to

allow people to upgrade their skills. It's a very serious problem. We're not having that particular debate here, and I think that's rather unfortunate.

As I said, we had a meeting about this earlier with the Timmins Economic Development Corp and the Minister of Northern Development and Mines, and we were scrambling, trying to figure out how we're going to deal with that within our own city. But what was clear in that meeting, even though there was a minister willing to listen, is that there was no mechanism, there was no funding, there was no policy in place within this government or previous governments to deal with that issue. I think those are serious issues that we need to deal with.

If we're talking about how we are able to upgrade the skills of teachers—the Conservatives had a particular approach that I didn't agree with. They said they were going to make it mandatory, but only for teachers. I look at it on the other hand and say, well, was that really just picking at teachers, or are we really trying to get at an issue here? If the answer is the latter, which is that they were trying to get at an issue, why weren't we dealing with other trades and professions? So I think it raises an interesting issue that we've not had an opportunity to debate in this House for some time, and that is, how do we deal with that old issue of being able to upgrade skills?

I would be remiss if I didn't talk for a few minutes with regard to one of the promises this government made in order to support rural schools. Listen, there are schools across this province—my good friend Mr Kormos knows them, I know them, Madame Martel knows them, and others—which are in threat of closure because the funding formula does not deal adequately with rural schools. How are we going to deal with that? It's important for small communities to be able to have their schools. We heard the government, while they were in opposition, talk about making promises to be able to support schools. We heard the Minister of Education talk about the need to do it after they were elected. But at the end of the day, what are we really going to do if we're not prepared to change the funding formula? I think it's an important issue. It's an important debate.

Should smaller communities have access to a school, at least at the primary level? I would say yes. If I look at communities in my riding like Fauquier and Opasatika and others that have small schools, and we're talking 30 to 40 students per school, we understand that there's a cost to the school board to do that, but in many cases, that school is the only institution in the community and the only thing that, quite frankly, keeps the parents in that community, because if they have no school and they've got to put their young children on buses to send them 20, 30, 40, 50 miles up or down the highway, they're going to move to the larger centres, killing our small communities. I think we need to look at that with regard to the issue of funding.

With that, Mr Speaker, I think that was very interesting, we raised a lot of issues, and I would suggest that this is a good time to move adjournment of the debate.

The Deputy Speaker: Mr Bisson has moved adjournment of the debate. Is it the pleasure of the House that the motion carry?

All those in favour will say “aye.”

All those opposed, say “nay.”

In my opinion, the nays have it.

Call in the members. This will be a 30-minute bell.

The division bells rang from 2241 to 2311.

The Deputy Speaker: All those in favour will please stand.

All those opposed will please stand.

The Deputy Clerk: The ayes are 36; the nays are 1.

The Deputy Speaker: I declare the motion carried.

MINISTRY OF CONSUMER AND
BUSINESS SERVICES STATUTE LAW
AMENDMENT ACT, 2004

LOI DE 2004 MODIFIANT DES LOIS
EN CE QUI CONCERNE LE MINISTÈRE
DES SERVICES AUX CONSOMMATEURS
ET AUX ENTREPRISES

Resuming the debate adjourned on June 22, 2004, on the motion for second reading of Bill 70, An Act to amend various Acts administered by or affecting the Ministry of Consumer and Business Services / Projet de loi 70, Loi modifiant diverses lois appliquées par ou touchant le ministère des Services aux consommateurs et aux entreprises.

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

Mr Tim Hudak (Erie-Lincoln): I'm pleased to speak on Bill 70 from the Ministry of Consumer and Business Services, actually an extensive bill affecting a wide variety of statutes across the Ministry of Consumer and Business Services. I want to say to the minister who has brought this bill forward—

Mr Peter Kormos (Niagara Centre): Where is the minister?

Mr Hudak: The minister is not—they have called Bill 70 to the floor of the assembly as we speak at 11:15 on Monday evening. Perhaps the minister is on his way into the assembly to listen to debate on Bill 70—

The Deputy Speaker: I remind the member that you don't refer to someone's absence, please.

Mr Hudak: Fair enough. I apologize, Mr Speaker.

Interjection.

Mr Hudak: Mr McMeekin, you're the parliamentary assistant. There you go. Maybe you can report back some of the comments about Bill 70 that we bring forward this evening.

The Minister of Consumer and Business Services, I think to his credit, has dusted off a number of initiatives that had been at the Ministry of Consumer and Business Services, including a lot that exist in Bill 70; I think I spoke about that this afternoon. It is the CBS day today. In fact, this is the second bill that they have called for debate from consumer and business services. I do recall a

number of these matters that had been before me when I was Minister of Consumer and Business Services. Hopefully I'll have time today, or other members may get into some of the specifics of the various acts that are amended, but my recollection in a general sense is, a number of these initiatives we had examined after consultation with stakeholders. I think members will forgive that over time, memory may not be 100% sure if all of the initiatives in this bill exactly mirror what we had been working on, but the gist of the legislation—

Interjection.

Mr Hudak: Well, it's true. The reality is—it's one thing we learn quickly—you don't have the same degree of resources on the opposition side. We do our best to try and bring attention and scrutiny to the government's legislation, as best as possible, and I know our critic, the member from Cambridge, is in attendance this evening to discuss the contents of Bill 70.

One thing that I wish we had more time to debate, and maybe the Minister of Consumer and Business Services will reverse this decision, is a very strange decision that certainly runs counter to what the Liberals had campaigned upon, and that's the closure of the land registry office in Welland. My colleague from Niagara Centre, who is here this evening, as he is most nights, has raised his great concern about the closure of the land registry office by the Minister of Consumer and Business Services. I have as well, and will continue to do so. Certainly the legal community, who will be poring over Bill 70, will ask how that closure of the land registry office in Welland is consistent with the principles in this bill before the assembly this evening.

I recall a promise by the then campaigning Dalton McGuinty to try to improve government services, to put services into more locations across the province of Ontario. No doubt, if the minister were to speak to this, his parliamentary assistant would say that a good part of Bill 70 is trying to improve services to taxpayers or to particular businesses—motor vehicle sales, for example; those that deal with collection agencies, etc. One wonders why what's happening in the land registry office runs counter to what that member opposite would argue is one of the principles behind consumer and business services. Significant numbers of lawyers, for example, have already raised the spectre of the closure of the land registry office and the impact that is going to have on their ability to complete land transactions in a timely manner.

This came very strangely into the public eye when the communications plan from the Ministry of Consumer and Business Services, if I recall, and the member for Niagara Centre can correct me if I'm wrong, seemed to indicate that the minister was bound to close the Welland office because you're only allowed to have one office in an upper-tier area—in a region.

Mr Kormos: That's bullfeathers.

Mr Hudak: As the member says—he uses “bullfeathers” or “horse feathers.” I'm not sure which one is worse, but they both describe that type of communication. There's no such rule as that. I think, in fact, it

says there is a minimum of one office in a particular area. It's the opposite of what the communications plan by the Ministry of Consumer and Business Services had said. It strikes me as very curious. Perhaps this is one that they tried to slip by the minister—they told him this communications plan and they released it. But I hope the parliamentary assistant will endeavour to go back to the staff of consumer and business services, and the minister will as well, to say that we should keep that land registry office in Welland open. It certainly is counter to what Bill 70 is all about, and it certainly runs counter to the way that the government had campaigned.

Granted, I do recognize that more and more registries are taking place electronically. In fact, we're the ones who brought that program in and expanded it across the province, including the Niagara Peninsula—a good program that has been well recognized. That having been said, that doesn't mean you can close those offices and cut off those services locally. If you're doing detailed searches or longer searches, for example, that office needs to be close by to those of us who represent or who come from the southern part of the Niagara Peninsula. Those who come from Fort Erie, Port Colborne, Welland, Fonthill, Wainfleet and even from my area in West Lincoln often found it more convenient to access the Welland centre, let alone any of the French-language services, which strikes me as curious. In opposition, the Liberals purported to be defenders of French-language services, but this is completely inconsistent with that kind of motivation or principle where Welland and Port Colborne, designated for French language services, receive them through the Welland land registry office and now find those services being abandoned in entirety by the Ministry of Consumer and Business Services in its attempt to move the registry office to St Catharines and to close down the Welland office.

Hopefully, with the outcry from the legal community, the francophone community—I know the minister of francophone affairs is in the House, and I know that she will be a strong advocate to protect the land registry office.

2320

Hon Madeleine Meilleur (Minister of Culture, minister responsible for francophone affairs): And make sure that the other one offers French service too.

Mr Hudak: The minister, I appreciate, will endeavour to make sure the St Catharines office offers French-language services too. Our preference would certainly be, and I would wager that the francophone community in Niagara would like to see, the registry office in Welland offering French-language services. If you add St Catharines in addition to that, I'm sure they'll be very pleased with that, and the minister will receive due commendation for such a move. The preference, because the francophone community is closer to the Welland-Port Colborne area, would be to maintain those services at the Welland office, where they have been for some time. I appreciate the minister's attention to this; I know she works hard in her portfolio. Hopefully with her advocacy

and the member from Peterborough's advocacy to the minister, as well as the parliamentary assistant's, we can get this move reversed.

I'm not clear where it came from. I know that the staff at the Ministry of Consumer and Business Services, when you look at the extensive work that has been done behind Bill 70, deserve breaks. I think that ministry has superior skills in negotiating with the industries they represent, consumer advocacy groups. There's a constant consultation as part of—I forget, is it a five-year or 10-year review of the legislation? This stuff didn't just come out of thin air. It came after a lot of hard work by ministry staff, supported by various ministers. I'm pleased to see that is ongoing. So I find it puzzling, given the minister's reputation for consultation and knowing the commitment of the civil servants at the ministry, where this decision to close down the Welland registry office without any consultation, without any discussion of the repercussions, was arrived at.

Now, off the top of my head, I do know there are other areas in Ontario—other counties or regions—that enjoy having more than one land registry office, and I'm not aware of a similar move to close one of those offices. Maybe this is the first in a series; I certainly hope not. I do hope that with this team behind me of the member for Ancaster-Dundas-Flamborough-Aldershot, the minister responsible for francophone affairs—of course, if you have the minister, or the member, from Peterborough on your side—

Interjection.

Mr Hudak: Well, maybe he should be considered the minister for Peterborough. Maybe that's the appropriate term for him. Everybody knows that if you have Mr Leal on your side, the chances of saving the Welland land registry office have increased substantially—

Interjection.

Mr Hudak: —dramatically, as my colleague from Simcoe says.

Interjection.

Mr Hudak: The member for Niagara Centre let me know something I didn't know. I'm glad to hear that even though the member from Niagara Falls doesn't represent southern Niagara, he has shown interest in the topic—

Mr Kormos: It involves the judicial district of Niagara South.

Mr Hudak: Exactly.

Mr Kormos: Kim Craitor is going to save the VON too.

Mr Hudak: Well, Mr Craitor is a relatively new member; we won't burden him with too many tasks simultaneously.

Mr Kormos: He promised he'd save the VON.

Mr Hudak: For Hansard, the member for Niagara Centre has indicated that the member for Niagara Falls has announced his intention to help save the Niagara South registry office in Welland. Kudos to the member from Niagara Falls. I'm glad to hear he's onside for that, because the municipality of Niagara Falls is part of the south Niagara legal envelope, the legal basket of

services, so I'm pleased to hear that. In addition, he's apparently campaigning to help the VON in Niagara—certainly an admirable cause. I wish him success in that and, for the sake of tonight's debate on Bill 70, in helping to save the land registry office.

I see that the Bailiffs Act is part of Bill 70, an act that does need to be updated. I think the role that bailiffs play today is substantially different from the role they have played historically. I do know that there is an issue for the minister, the ministry and the government therefore to contend with, and that's how you define the particular powers of bailiffs. What is the definition of an assistant bailiff, for example? What legal powers would an assistant bailiff have to administer the Bailiffs Act? My recollection too is that there are a couple of groups of bailiffs that have somewhat different viewpoints on this, and hopefully the minister will be able to bring both sides to the table to find a solution acceptable to the bailiffs and others who are interested in this particular part of the act. I know that some bailiffs who have contacted me are concerned about the powers of the ministry for the overseer, if you will, of how the bailiffs conduct themselves and follow through with the legislation.

Interjection: How are the bailiffs going to work in Niagara?

Mr Hudak: I have had bailiffs visit me who have expressed concern about Bill 70. They expressed an inability and a bit of frustration to meet with the key decision-makers at the Ministry of Consumer and Business Services to resolve that difficulty. Hopefully, with Peterborough's undertaking, that too will be solved in addition to the Welland registry office. But I do know it's a concern in the bailiff community, and I hope it will be resolved with satisfaction as Bill 70 is debated in the House. If it goes to committee, if there are appropriate amendments that can be made to the Bailiffs Act to satisfy the bailiff community, at the same time ensuring that the proper consumer protections are in place and that our legislation is modernized, I would be all for that, and I would look forward to that debate in committee or, if it's part of the debate as Bill 70 progresses through second reading, in the Legislature.

The Cemeteries Act also is revised under Bill 70. The Cemeteries Act is one thing that we may not often interact with as MPPs.

Mr Richard Patten (Ottawa Centre): It's a dead issue.

Mr Hudak: I'm looking at the members opposite who are very attentively listening to my remarks, and they are saying something about the Cemeteries Act. They have dealt with it.

Mr John Yakabuski (Renfrew-Nipissing-Pembroke): I think they buried it.

Mr Hudak: The member from Renfrew-Nipissing-Pembroke says that maybe the issue has been buried. We're used to the clever remarks from the member opposite, but unfortunately there are issues that have not been buried that do need to be dealt with. The Cemeteries Act is a piece of legislation that I think is about 80 or 90 years old and as such does need to be modernized in the context of the funeral services act. These regulations are currently out for consultation, but it does also appear in Bill 70.

Mr Speaker, due to the lack of interest in my discussion of the Cemeteries Act from more than one member, I do move adjournment of the House.

The Deputy Speaker: Mr Hudak has moved adjournment of the House. Is it the pleasure of the House that the motion carry?

All those in favour will say "aye."

All those opposed will say "nay."

In my opinion, the nays have it.

Call in the members. This will be a 30-minute bell.

The division bells rang from 2328 to 2358.

The Deputy Speaker: All those in favour will please stand.

All those opposed will please stand.

The Deputy Clerk (Ms Deborah Deller): The ayes are 3; the nays are 27.

The Deputy Speaker: I declare the motion lost.

It being past 12 of the clock, this House is adjourned until 1:30 of the clock today.

The House adjourned at 2401.

LEGISLATIVE ASSEMBLY OF ONTARIO
ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

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Speaker / Président: Hon / L'hon Alvin Curling

Clerk / Greffier: Claude L. DesRosiers

Deputy Clerk / Sous-greffière: Deborah Deller

Clerks-at-the-Table / Greffiers parlementaires: Todd Decker, Lisa Freedman

Sergeant-at-Arms / Sergent d'armes: Dennis Clark

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Don Valley West /		London-Centre-Nord	
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		Mississauga South /	Peterson, Tim (L)
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Etobicoke-Centre		Mississauga West /	Delaney, Bob (L)
Etobicoke North /	Qaadri, Shafiq (L)	Mississauga-Ouest	
Etobicoke-Nord		Nepean-Carleton	Baird, John R. (PC)
Etobicoke-Lakeshore	Broten, Laurel C. (L)	Niagara Centre /	Kormos, Peter (ND)
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Guelph-Wellington	Sandals, Liz (L)	Niagara Falls	Craiton, Kim (L)
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Ottawa South / Ottawa-Sud	McGuinty, Hon / L'hon Dalton (L) Premier and President of the Executive Council, Minister of Intergovernmental Affairs / premier ministre et président du Conseil exécutif, ministre des Affaires intergouvernementales	Thornhill	Racco, Mario G. (L)
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Ottawa-Orléans	McNeely, Phil (L)	Thunder Bay-Superior	Gravelle, Michael (L)
Ottawa-Vanier	Meilleur, Hon / L'hon Madeleine (L) Minister of Culture, minister responsible for francophone affairs / ministre de la Culture, ministre déléguée aux Affaires francophones	North / Thunder Bay-Superior- Nord	Ramsay, Hon / L'hon David (L) Minister of Natural Resources / ministre des Richesses naturelles
Oxford	Hardeman, Ernie (PC)	Timiskaming-Cochrane	Bisson, Gilles (ND)
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Simcoe North / Simcoe-Nord	Dunlop, Garfield (PC)		
Simcoe-Grey	Wilson, Jim (PC)		
St Catharines	Bradley, Hon / L'hon James J. (L) Minister of Tourism and Recreation / ministre du Tourisme et des Loisirs		
St Paul's	Bryant, Hon / L'hon Michael (L) Attorney General, minister responsible for native affairs, minister responsible for democratic renewal / procureur général, ministre délégué aux Affaires autochtones, ministre responsable du Renouveau démocratique		

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

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

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