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**Official Report  
of Debates  
(Hansard)**

**Journal  
des débats  
(Hansard)**

**Monday 5 June 2006**

**Lundi 5 juin 2006**

Speaker  
Honourable Michael A. Brown

Président  
L'honorable Michael A. Brown

Clerk  
Claude L. DesRosiers

Greffier  
Claude L. DesRosiers

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**LEGISLATIVE ASSEMBLY  
OF ONTARIO**

Monday 5 June 2006

**ASSEMBLÉE LÉGISLATIVE  
DE L'ONTARIO**

Lundi 5 juin 2006

*The House met at 1330.  
Prayers.*

**MEMBERS' STATEMENTS**

**NATIVE LAND DISPUTE**

**Mr. Jim Wilson (Simcoe–Grey):** I rise in the House today to condemn the McGuinty Liberals for waiting until day 42 of the Caledonia standoff to even acknowledge the situation as a provincial issue. To illustrate this, I will now read excerpts from a letter e-mailed to the Premier by a local resident:

“Dear Mr. McGuinty:

“Today is the first day that my children have been allowed to return to school. I am attempting to clean this past week out of my house and assess the physical and personal cost to this family. My husband took another day off work on Tuesday to attend to us, his wife and children, in an effort to assuage our fears and offer at least an ounce of comfort.

“Why, sir, as an elected official of the Liberal Party and the Premier of Ontario that we voted for, can you not offer the same?

“We don't expect that you would be able to move mountains to solve a 200-year-old dispute, but we do expect that you would, at the very least, try. You should speak to us, not the TV camera, not the reporter, not the microphone, not to history (you'll write your own). Speak to us, the people who entrusted you with power....

“I'm not sure how much more the people of Haldimand county can take. We have done what you've asked: We were patient, patiently awaiting information and direction from you. Not David Peterson, not Monte Kwinter, not David Ramsay, sir, you. In the absence of leadership, there is anarchy. And if saying nothing to the residents that live here is the best can you do, then your best is not good enough....

“Please respond. The silence is deafening.”

I couldn't have said it better myself.

**PATRICK 4 LIFE CAMPAIGN**

**Ms. Monique M. Smith (Nipissing):** Next Sunday, June 11, North Bay will be the host of the first annual Patrick 4 Life Run Walk 4 Patrick Family Fest. This event is designed to spread awareness about HIV/AIDS and to raise funds to further AIDS education in the

community. The family fest is co-chaired by 13-year-old Jerri Clout, a grade 8 student at Our Lady of Fatima, and the mayor of North Bay.

Olympic medalist Jeffrey Buttle is the celebrity runner, and the event promises to be a fabulous day. More than 300 people have already registered for the family fest, with about 500 marathoners, walkers and wheelchair users expected. Pledges will go to the North Bay and district AIDS committee.

The goal of the Patrick 4 Life campaign is to establish AIDS education in the school system and to focus attention on the impact of HIV/AIDS.

Patrick Fortin was a brave young man who put a face to HIV/AIDS in North Bay. After contracting HIV through tainted blood products at a very young age, Patrick and his parents, Christine and Christian, decided to live a public life, educating others about the disease that changed their lives forever. Last year, in five short months, the Fortins, with the help of almost 200 supporters, raised \$70,000 for the Philip Aziz Centre, Canada's first hospice for children fighting AIDS.

Last Friday, our Minister of Health and Long-Term Care, George Smitherman, came to North Bay to lend his support. He allowed his head to be shaved and, in the process, raised close to \$10,000 in support of Patrick 4 Life, our soup kitchen and the Cancer Society. At the same time, he dropped off some very good news for the community of Mattawa. It was a banner day in my riding.

The Run Walk 4 Patrick is this coming Sunday, and I would encourage all North Bayites to come out and share in the fun and the walk and the healthiness, and to go to [patrick4life.org](http://patrick4life.org) to get more information.

**NATIVE LAND DISPUTE**

**Mrs. Christine Elliott (Whitby–Ajax):** I rise today in the Legislature, on behalf of the official opposition, to make exceedingly clear to the government just how badly the crisis in Caledonia has affected the everyday lives of community residents. To illustrate this point, I wish to read an excerpt from a letter addressed to the Premier from a concerned resident.

This resident writes: “Jobs have been lost in the community. This hurts families and the entire town. Children living near the blockade are sleeping poorly every night and are not able to play in their own backyards by day. Families as a whole are under tremendous stress and pressure, both emotionally and physically, as people of all ages are finding it very difficult to cope with the

ongoing uncertainty of what will happen in this traditionally 'safe and welcoming' community.

"Road and rail track closures are causing local businesses and industry in the surrounding communities to struggle to connect with suppliers and customers. The lack of access to Port Dover, Hagersville and Simcoe on Highway 6 is keeping people away from Caledonia in droves. Businesses in town are losing money at a rate that challenges their ability to stay open; townspeople have less income to spend, and visitors to the community are few and far between. The Victoria Day weekend is the traditional start of the summer business boom, and the roads and the towns are virtually empty of tourists and vacationers.

"It is not just the blockade itself that worries us. It is the safety of all that travel as well. Forcing detoured cars onto McKenzie Road, a two-lane winding rural route, has slowed the flow of traffic, both commercial and local, to a frustrating crawl....

"It is time for you to take action. Please make the time to struggle with the issue of the day."

#### MARY POCIUS

**Ms. Andrea Horwath (Hamilton East):** Today I was proud to attend a ceremony honouring citizens of distinction, including Hamilton's own Mary Pocius. Mary Pocius received the 2006 local hero award from the prestigious Canadian Urban Institute. The award is given to individuals who have had a profound and lasting impact on the quality of life in their neighbourhoods.

Nominated by the Hamilton-Burlington Society of Architects, Mary Pocius is an amazing woman. Born and raised in Hamilton, her name has become synonymous with the revitalization that's happening in Hamilton's downtown area. As executive director of the International Village business improvement area since 1989, Mary has had a role in almost every policy change that has benefited the downtown in the past decade. She chaired the committee that produced the blueprint for Hamilton's transformation.

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Hamilton's downtown turnaround has largely occurred through Mary's vision, energy, passion and long-time dedication to our city. Downtown festivals, cultural resurgence, reclamation of public spaces through people-friendly urban renewal projects: Downtown Hamilton has experienced a remarkable image makeover, largely thanks to Mary.

The annual Mustard Festival, which attracts thousands of people to the Hamilton downtown every Labour Day weekend, is more evidence of Mary's personal imprint. More than a community mover and shaker, more than an optimistic go-getter with energy to burn, Mary is a visionary whose love of community and relentless focus on achieving positive results bring enormous benefit to Hamiltonians and the local economy of our city.

I'm sure the Legislature would want to join me this afternoon in wishing Hamilton's Mary Pocius our hearti-

est congratulations. When city council honoured Mary for her achievements recently, she quoted her inspirational hero, the late Jane Jacobs, with these words: "Never, never underestimate the power of high hearts when they are combined with principled, unyielding will."

#### LALI VIJ

**Mr. Shafiq Qaadri (Etobicoke North):** Last week marked a very sad anniversary which has left a void in the hearts of many Ontarians, especially those from the South Asian community. For 23 years, Mr. Lali Vij was celebrated as one of Toronto's most popular and prominent South Asian radio and television broadcasters, producing, for example, the Sounds of Asia TV program, first on Global from 1979 to 1984, and then on Citytv. He was also instrumental in the Voice of India radio programs.

These were progressive elements of the ethnic offerings of CHIN Radio and TV International. However, on the night of Tuesday, May 28, 1991, Mr. Vij, who had dedicated a great deal of his life to the betterment and entertainment of the province's ever-growing ethnocultural communities, became one of Ontario's most prominent victims of gun violence when he was ruthlessly assassinated in the parking lot his downtown Toronto studio.

On the 15th anniversary of this unfortunate passing, it is my hope that the House and the province will join me in extending deep sympathies and best wishes to the family, who join us today in the Speaker's gallery—Mr. Vick and Ruchi Vij, as well as Mr. Sameer Thaver—and to all those who hold a special place in their hearts for this truly great Ontarian.

Mr. Vij, both the man and his contributions, have made a lasting, resonant impression on the South Asian ethnocultural communities, and his death reminds us that the problem of gun violence and violence in general is yet to be solved.

#### NATIVE LAND DISPUTE

**Ms. Lisa MacLeod (Nepean-Carleton):** Occupied land, roadblocks, hostile standoff: Does this sound like a normal day's activity in a small rural Ontario town to you? Unfortunately, these have become the mainstay activities in Caledonia and Six Nations. That's small-town Ontario, might I remind you, where soccer games, community fairs and kids playing hockey should be the rule rather than the exception. Children are living in fear, tensions are rising by the day and the only politicians who have taken a leadership role on the protest from the beginning have been Toby Barrett and John Tory. In fact, every day, citizens feel they need to speak to the opposition because they are getting nowhere with the McGuinly government.

One resident writes to Mr. Barrett, "This should never have happened and could have been avoided had the

government done something three months ago when this started.”

Another adds, “Too bad we haven’t anyone else in government that cares.... Why are regular Caledonians omitted from negotiations and information—I guess the government can’t answer that either.”

Never has the McGuinty government taken a direct management role to resolve the dispute at Caledonia, never has the McGuinty government taken the necessary steps to communicate to the residents of Caledonia and Six Nations, and never has the McGuinty government offered to seriously study land claims before chaotic and aggressive confrontations turned into occupied lands, roadblocks and a hostile standoff like we have today in Caledonia. Isn’t it about time that soccer games, community fairs and road hockey were once again part of the normal routine in Caledonia?

#### DAIMLERCHRYSLER

**Mrs. Linda Jeffrey (Brampton Centre):** Last week several of my colleagues—namely, Bob Delaney, Kevin Flynn, Kuldip Kular, Dave Levac, Deb Matthews, Phil McNeely, Khalil Ramal and John Wilkinson—and I had a chance to tour DaimlerChrysler’s assembly plant.

DaimlerChrysler has been a pillar of the automotive industry in Canada for over 78 years. They are the third-largest manufacturer and wholesaler of passenger cars, trucks and automotive components in the Canadian auto industry. The 2.95-million-square-foot state-of-the-art facility in Brampton employs over 4,200 Ontarians. The plant is equipped with 581 advanced robots and is currently the only production location for the Chrysler 300, the Dodge Magnum and the Dodge Charger.

During our visit, the auto caucus had an opportunity to see the assembly line produce cars from start to finish. We listened to the concerns of the members of the Canadian Auto Workers and had the honour of speaking with president Steven Landry, who applauded our government’s dedication and commitment to the auto sector.

Our government has made key investments in the automotive sector to strengthen Ontario’s globally competitive skilled workforce and develop innovative auto assembly technologies. Last year, our government invested \$76.8 million through the Ontario automotive investment strategy. This investment supported establishing third-shift operations and skills training at the Brampton facility.

We’re grateful for the opportunity to partner with the automotive industry, and thank DaimlerChrysler for their investment and faith in Ontarians.

#### GODERICH ROYAL CANADIAN LEGION

**Mrs. Carol Mitchell (Huron–Bruce):** Last week, I had the opportunity to make an announcement with the Royal Canadian Legion Branch 109 in Goderich. The Goderich Legion received a grant for \$32,000 over one

year from the Ontario Trillium Foundation to upgrade their facilities to make the Legion more accessible for the many different people who participate in a variety of community activities.

The Legions are very important to many people across this province. I know that the volunteers and the members of the community were extremely pleased to receive this funding, because it will allow them to continue to provide the services that make our communities strong. There are many barriers to accessibility that people have to face, and I’m very pleased to be a part of a government that is tackling those barriers. I would like to thank the Goderich Legion for being proactive and upgrading their facility and addressing the needs of our whole community.

I would be remiss if I did not thank the volunteers who work so hard on our Trillium Foundation boards identifying needs in our communities, and for the volunteer time they put into board activities and also taking time to make those announcements. They provide a vital component in building strong communities.

#### POLICE SERVICES BOARDS

**Mr. Brad Duguid (Scarborough Centre):** On behalf of all members of the House, I’d like to extend to Olga Duguid, my mother, who I know is watching, a happy birthday today.

Now that I’ve taken about 15 or 20 seconds of my statement, I’d better read quickly.

This government is on the side of Ontario families concerned about crime and safety. We’re on the side of police, who keep our communities safe. We’re also on the side of the men and women who serve on police services boards in municipalities across this province.

Last week, members of this House were pleased to welcome the Ontario Association of Police Services Boards to Queen’s Park for its annual lobby day. This organization represents 126 police services boards throughout the province, providing advocacy and timely communication of these boards’ concerns and issues.

Police services boards certainly do play a vital role in maintaining public safety in the province of Ontario. The boards’ jobs are challenging. As trustees of the public interest in policing, they must provide strong governance and oversight in order to ensure that police, the public and other stakeholders effectively communicate and cooperate with each other, making sound decisions in policy and practice and keeping our streets and communities safe.

The discussions last week covered a wide range of topics. I know that the concerns the OAPSB brought to the table provided a great deal of insight to other participants, and their contributions were very much appreciated. On behalf of the government, I want to express gratitude to all members of police services boards across the province for the good work that they do.

## REPORTS BY COMMITTEES

### STANDING COMMITTEE ON THE LEGISLATIVE ASSEMBLY

**Mr. Bob Delaney (Mississauga West):** I beg leave to present a report from the standing committee on the Legislative Assembly, pursuant to standing order 109(b).

**The Speaker (Hon. Michael A. Brown):** Mr. Delaney has moved the committee's report. Does the member wish to make a brief statement?

**Mr. Delaney:** This report merely assigns the new Ministry of Small Business and Entrepreneurship to the standing committee on general government.

**The Speaker:** Pursuant to standing order 109(b), the report is deemed to be adopted by the House.

## MOTIONS

### CONSIDERATION OF BILL Pr27

**Hon. James J. Bradley (Minister of Tourism, minister responsible for seniors, Government House Leader):** Mr. Speaker, I seek unanimous consent to move a motion without notice respecting the advertising requirement for a certain private bill.

**The Speaker (Hon. Michael A. Brown):** Agreed? Agreed.

**Hon. Mr. Bradley:** I move that, at the request of the applicant, standing order 80(e), concerning publication of notice of an application for a private bill, and standing order 87, respecting notice of committee hearings, be waived with respect to Bill Pr27, An Act respecting Thunder Bay International Airports Authority Inc.

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

## HOUSE SITTINGS

**Hon. James J. Bradley (Minister of Tourism, minister responsible for seniors, Government House Leader):** I move that, pursuant to standing order 9(c)(i), the House shall meet from 6:45 p.m. to 9:30 p.m. on Monday, June 5, 2006, for the purpose of considering government business.

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

All in favour will say "aye."

All opposed will say "nay."

In my opinion, the ayes have it.

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

*The division bells rang from 1352 to 1357.*

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

### Ayes

Arthurs, Wayne  
Barrett, Toby  
Bentley, Christopher

Hardeman, Ernie  
Hoy, Pat  
Jackson, Cameron

Pupatello, Sandra  
Qaadri, Shafiq  
Racco, Mario G.

Berardinetti, Lorenzo  
Bradley, James J.  
Brotten, Laurel C.  
Brownell, Jim  
Cansfield, Donna H.  
Chambers, Mary Anne V.  
Colle, Mike  
Crozier, Bruce  
Delaney, Bob  
Di Cocco, Caroline  
Dombrowsky, Leona  
Duguid, Brad  
Duncan, Dwight  
Dunlop, Garfield  
Elliott, Christine  
Flynn, Kevin Daniel

Jeffrey, Linda  
Kular, Kuldip  
Kwinter, Monte  
Levac, Dave  
MacLeod, Lisa  
Marsales, Judy  
Matthews, Deborah  
Mauro, Bill  
Mitchell, Carol  
Mossop, Jennifer F.  
Munro, Julia  
O'Toole, John  
Oraziotti, David  
Parsons, Ernie  
Peters, Steve  
Phillips, Gerry

Rinaldi, Lou  
Sandals, Liz  
Smith, Monique  
Smitherman, George  
Takhar, Harinder S.  
Tascona, Joseph N.  
Tory, John  
Van Bommel, Maria  
Watson, Jim  
Wilkinson, John  
Wilson, Jim  
Witmer, Elizabeth  
Wong, Tony C.  
Wynne, Kathleen O.  
Zimmer, David

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

### Nays

Bisson, Gilles  
Horwath, Andrea  
Marchese, Rosario

Martel, Shelley  
Murdoch, Bill  
Prue, Michael

Tabuns, Peter

**The Clerk of the Assembly (Mr. Claude L. DesRosiers):** The ayes are 56; the nays are 7.

**The Speaker:** I declare the motion carried.

## VISITORS

**Hon. James J. Bradley (Minister of Tourism, minister responsible for seniors, Government House Leader):** I would like members of the Ontario Legislature to join me in welcoming a grade 6 class along with their parents, chaperones and teachers from Port Weller Public School in St. Catharines.

They are here today because they won the contest to name the boring machine which will create the new tunnel at the Niagara Falls Beck hydroelectric generating station. They called it Big Becky, and the slogan they have on their T-shirts—we usually don't allow people to wear T-shirts in the House, but because they won and, by the way, got a \$1,000 cheque as well from OPG—says, "Big Becky Digs It." They are in the gallery today. Please welcome them.

## ROYAL ASSENT

### SANCTION ROYALE

**The Speaker (Hon. Michael A. Brown):** I beg to inform the House that, in the name of Her Majesty the Queen, His Honour the Lieutenant Governor has been pleased to assent to certain bills in his office.

**The Clerk-at-the-Table (Ms. Lisa Freedman):** The following are the titles of the bills to which His Honour did assent:

Bill 78, An Act to amend the Education Act, the Ontario College of Teachers Act, 1996 and certain other statutes relating to education / Projet de loi 78, Loi modifiant la Loi sur l'éducation, la Loi de 1996 sur l'Ordre des enseignantes et des enseignants de l'Ontario et certaines autres lois se rapportant à l'éducation

Bill Pr 24, An Act respecting the City of London.

## STATEMENTS BY THE MINISTRY AND RESPONSES

### HATE CRIMES

**Hon. Monte Kwinter (Minister of Community Safety and Correctional Services):** I rise today to speak about two events that transpired over the weekend. On Friday and Saturday, the Ontario Provincial Police, the RCMP, several intelligence services and four Toronto-area police services conducted raids that resulted in the arrests of an alleged terrorist cell in the greater Toronto area. I want to commend all those services that participated in this operation.

While a police investigation is continuing, we know that at some time between 11 p.m. Saturday and 3 a.m. Sunday, the International Muslim Organization of Toronto mosque in Rexdale was vandalized and 28 windows were broken. Fortunately, no one was hurt and the inside of the mosque was not damaged.

I speak on behalf of all members of the McGuinty government, and I'm sure all citizens of Ontario, in condemning this cowardly act.

As the Premier said in the statement he issued on the weekend, Ontarians should not and must not judge each other by race, ethnicity or religion. Ontario is home to families from every corner of the world, and that helps our economy thrive and gives us a high quality of life. We are better because of our diversity. I urge all Ontarians to unite against those who attempt to divide us.

Ontario's strength comes from the diversity of its people. We will continue to fight hatred and intolerance in all its forms, and we will renew our commitment to protect everyone from intolerance and hate.

I urge all Ontarians to rise above the behaviour exhibited on the weekend and, in the Premier's words, "to speak with one voice" in deploring racism, hatred and violence.

### CONSTRUCTION LABOUR MOBILITY

**Hon. Steve Peters (Minister of Labour):** Last Friday I had the honour and pleasure of signing an agreement with my counterpart from Quebec, Labour Minister Laurent Lessard. The agreement resolves years of disputes between our two provinces regarding construction mobility—disputes that previous governments simply could not fix.

This agreement marks a new era of co-operation and fairness between Ontario and Quebec. It paves the way for increased long-term prosperity for our two great provinces and our country. This resolution is largely due to the hard work of our negotiators and ministry staff on both sides of the border.

I'd like to take this opportunity to congratulate Chris Bredt, who represented Ontario, and Réal Mireault, who represented Quebec. Their hard work and diligence in successfully brokering the at times contrary interests of

their provinces have led to this historic agreement. They deserve our thanks and our accolades.

I would be remiss if I did not mention the hard work and perseverance of the member from Glengarry–Prescott–Russell, Jean-Marc Lalonde. Mr. Lalonde has been a strong advocate for the resolution of this long-standing issue. He has consulted with local contractors and workers to ensure that the views of eastern Ontarians have been heard at the table throughout the negotiating process.

This agreement would also have not been possible without the direct input from our construction stakeholders in eastern Ontario: contractors and workers. Our government worked closely with them, listening to their concerns and addressing the issues they face.

We achieved a fair deal for Ontario. This agreement breaks down barriers for Ontario contractors and their employees who want to work in Quebec. Our construction contractors and workers will have greater access to contracts and jobs in Quebec, including access to Quebec crown corporations and Hydro-Québec contracts. Previously, Ontario contractors generally had no access to Hydro-Québec. This has been a major achievement for us.

In addition, Ontario construction workers who are qualified but not certified will now have the opportunity to qualify for trade activity cards from Ontario. These cards will be recognized by Quebec, and these workers will be able to accompany their employers to work anywhere in Quebec. Previously, these workers could only accompany their employer in the Hull-Gatineau region of Quebec. This, too, is a major achievement.

With this agreement, Ontario contractors will have province-wide access, at a \$100,000 threshold, for construction contracts with Quebec's liquor board and lottery agency. To forestall future disagreements, we have put in place an expedited process to resolve disputes concerning the qualifications of workers and contractors.

These are significant improvements for Ontario's construction contractors and workers. For our part, we have undertaken to repeal the Fairness is a Two-Way Street Act. With the repeal, Quebec contractors will no longer be required to register with the jobs protection office in Ottawa and will again be permitted to work on Ontario government and broader public sector contracts.

Both of our provinces have signed this agreement in good faith, and I have every expectation that both provinces will live up to the agreement's requirements.

The jobs protection office will provide advice and assistance to Ontario contractors and workers who wish to work in Quebec. It will be our liaison with Quebec on the issue of construction labour mobility and will monitor the success of the agreement. Among other functions, the office will spearhead our government's efforts to combat the underground economy in construction in eastern Ontario. The underground economy threatens health and safety, undermines labour standards and erodes construction quality.

Our government has taken a number of steps to combat the underground economy in construction through

enhanced health and safety enforcement. This includes allowing Ministry of Labour inspectors to issue on-the-spot tickets if written proof of trades qualifications under the Trades Qualification and Apprenticeship Act is not provided.

Further, I recently announced a consultation on a proposal to extend mandatory workplace safety and insurance coverage to most people who work in construction. Extending mandatory coverage to construction workers would make it more difficult for individuals and employers to hide underground economic activities. It would also bring a significant portion of the workers in the construction sector under the protection of the workplace safety and insurance system.

Last Friday was a historic day for both Ontario and Quebec. The agreement I signed with the Quebec Minister of Labour signifies greater co-operation, greater opportunity and greater access. It's helping build a prosperous, long-term future for the construction industry in Ontario and Quebec. It is an integral element in the overall co-operation agreement signed by Premier McGuinty and Premier Charest.

#### MORE TO DISCOVER FUN PASS

**Hon. James J. Bradley (Minister of Tourism, minister responsible for seniors, Government House Leader):** This morning I had the pleasure of announcing some great news for Ontario's 1.4 million school kids and their families.

My colleague Culture Minister Caroline Di Cocco and I went to the Ontario Science Centre to announce that our ministries would be distributing 1.4 million More to Discover fun passes to virtually every elementary school student in Ontario. The pass contains one free child's admission to each of 15 provincial attractions across Ontario and a discount on daily vehicle permits to all of our Ontario parks.

#### 1410

All school boards in Ontario were invited to participate in the program. I'm happy to report that most of them did so, and the passes are being distributed over the next few weeks. The passes are valid from July 1 to September 4, so just as school gets out, our passes kick in for a summer of fun.

This is a pass to laughter, learning and wholesome activity for kids. It is a pass to an affordable summer for parents who want to plan activities for their kids that will not break the bank. It is an invitation for kids and their families and friends to discover Ontario.

We started the fun pass last year as a pilot project for students in five school boards. It is a success story from the Ontario public service ideas campaign. A thoughtful provincial employee wanted to help parents keep kids busy and active all summer long at a price that would make them happy, and that suggestion prompted the fun pass. In its pilot year, the fun pass exceeded anticipated participation by some 100%.

The pass was such a hit last year that we felt families across Ontario should be able to enjoy it. The Ontario

government is on the side of hard-working families, and we want to help them provide their children with a summer to remember. By giving families this incentive to visit our provincial attractions, we're also boosting local tourism in communities throughout Ontario. Families get to discover more of our beautiful province, and tourism operators can welcome more visitors who want to experience something new. We are delighted to be able to do this for Ontario's kids.

#### TEACHERS' PROFESSIONAL DEVELOPMENT PERFECTIONNEMENT PROFESSIONNEL DES ENSEIGNANTS

**Hon. Sandra Pupatello (Minister of Education, minister responsible for women's issues):** I think it's clear that our children are indeed our future. If our publicly funded education system is going to prepare them with the skills and knowledge needed to succeed in school and in life, we need to support the very people who make this happen: our teachers.

We're entering a newer era of education, and we need to recognize the important role that teachers play. We need to recognize our teachers as the role models that they are. We need to treat them with the respect that they so rightly deserve. We need to ensure that their passion for education, the spark that brought them to the job in the first place, is nurtured into a bright flame, because ultimately it's our children's future that they're firing up for us. Next to parents, it's our teachers who help our kids develop the skills to get good jobs and the capacity to enjoy life to its fullest.

The underlying principle for the government's approach to teacher development is that teachers must at all times be respected as professionals, deserving the same respect as other professionals. The biggest winners out of all of this are also the most important part of the education system, the estimated 2.1 million children who attend our schools, but teachers also benefit.

The McGuinty government is making education different, and part of how we are doing that is our continued support for teacher development. We stand for respect, and we're eager to be forming these partnerships to increase support to teachers and students. We recognize that as we ask more and more of our teachers, we must also support their training to help them develop specialized teaching skills. Better skilled and trained teachers means better education for students and continued success. The McGuinty government has always supported teacher development, and we believe we stand for respect.

Le gouvernement McGuinty a toujours appuyé la formation du personnel enseignant. Nous prôtons le respect.

At the end of the day, our approach of respect for teachers and their professional development means many more students will benefit from the latest teaching techniques and resources, including this coming September.



We've provided more than \$23 million to the Ontario Teachers' Federation, the Ontario English Catholic Teachers' Association, l'Association des enseignantes et des enseignants franco-ontariens, the Ontario Secondary School Teachers' Federation, the Elementary Teachers' Federation of Ontario and school boards to help them offer Ontario teachers more professional development. We have also provided \$3 million to the Ontario Educational Services Corp. so that they can offer training for non-teaching staff.

We're asking a great deal from Ontario's teachers. We're asking them to help boost reading, writing and math skills and to motivate and inspire their students, and all the while they're facing more challenges than ever before in the classroom. By our government supporting their professional development, we ensure our teachers are better prepared to recognize students' unique strengths and help our children reach their potential.

This government is committed to recruiting the best and the brightest to the teaching profession, because that's what our kids deserve. By treating our teachers with respect and supporting their professional development, we are encouraging teachers to be the best that they can be.

Notre gouvernement est déterminé à attirer les meilleurs éléments dans la profession, car c'est ce que méritent nos enfants.

I'm proud of the many hard-working, dedicated, exceptional teachers in this province, and I know that we all appreciate the selfless and important work they do every day on behalf of Ontario's students. Special congratulations to them.

#### HATE CRIMES

**Mr. John Tory (Leader of the Opposition):** On behalf of the Progressive Conservative caucus, I rise to comment on the statement made by the Minister of Community Safety. I would join him in commending all of the police services involved for their hard work in connection with this operation, and I would join him as well, as it is our responsibility as leaders to do, to condemn the acts of vandalism that took place over the course of the weekend in respect of at least one mosque.

I had occasion to address this issue on CFRB last night, and I thought I might refer to some of the words I spoke at that time, because they certainly sum up the feelings of all of us here with respect to how we have to be vigilant regarding these matters. I said:

"I have also been to many of the mosques and met many members of the Muslim communities—not just in the mosques but in their daily lives; you run across, of course, people of the Muslim and Islamic faith all over the city. These are good, hard-working people. These are people who believe in peace. These are people who have a faith that is very strong, that supports family and peace and getting along with one another and respect for the law, and I think the other thing we have to make absolutely sure that we do at this time, when some will be

inclined to do things like we saw with the mosque up in Rexdale—we have to reach a hand of friendship out to the Muslim community and understand these are our fellow citizens. They are people who are working alongside us to build a strong Ontario."

As the minister said—and I join him in saying this—we have to rise above the temptation to label or divide people. We have to reach out the hand of friendship to all of our fellow citizens in Ontario and reaffirm our steadfast commitment to diversity, to understanding one another and to making sure that we continue to work hard—all of us—to build a society that is an example to all the world.

#### CONSTRUCTION LABOUR MOBILITY

**Mr. Jim Wilson (Simcoe–Grey):** In response to the Minister of Labour, I would just say that the issue of labour mobility between Ontario and Quebec is certainly not a new issue; it's been around for quite some time. Each of the most recent governments had reached agreements in an effort to secure fair treatment for Ontario workers. I recall that when the NDP was in power, they reached an agreement which ultimately proved to be ineffective. The Harris government passed the Fairness is a Two-Way Street Act, which was tough legislation in an attempt to level the playing field between Ontario workers and their Quebec counterparts.

Today the minister has indicated that he's either going to repeal that act or let it sunset, but he's not saying what legislation he's going to bring in to protect Ontario workers. You simply can't have a protocol, as we had many, many years ago, and wish that there will be fairness for Ontario workers in the province of Quebec. It certainly doesn't work that way, and history doesn't show that it works that way.

You have an agreement. You say that you will eliminate unfair treatment for Ontario workers. I want to say on this side of the House that we remain unconvinced that this agreement will have any real, significant impact for Ontario workers. Already, we're hearing that the agreement does not go far enough to help Ontario workers, that the Quebec system remains far too regulated to consider this deal a real long-term solution.

I know that I and my eastern Ontario colleagues, in particular Bob Runciman and Norm Sterling, who have worked on this issue diligently for years, will be listening very closely to the individuals affected by this agreement and will continue to fight for real fairness for the people of Ontario.

#### TEACHERS' PROFESSIONAL DEVELOPMENT

**Mrs. Elizabeth Witmer (Kitchener–Waterloo):** I'll just briefly respond to the announcement made by the Minister of Education regarding the teachers in the province of Ontario and the need for them, obviously, to have access to the professional development that is necessary.

However, I noticed one thing that was missing from her remarks today. She doesn't say anywhere in here that she is on the side of teachers. I don't know what's happened with the Minister of Education, but that's an omission from most statements.

We, on our side, would certainly agree that teachers play a very important role in the education of our young people. Certainly we know that a well-educated teacher, a better prepared teacher, has an enormous impact on the success of the children that he and she teach. We believe very strongly in the need for teachers to have access to professional development activities. It's our children who are the beneficiaries.

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### HATE CRIMES

**Ms. Andrea Horwath (Hamilton East):** In response to the Minister of Community Safety and Correctional Services, New Democrats agree that hate crimes need to be condemned and also dealt with swiftly and decisively. Liberals promised in 2003, "We will expand the number of hate crime units in the province." Thus far, about all we've seen from this government is a one-time \$200,000 investment in a database that was announced last August. What we really need to see is a lot more. The government should immediately expand its policing network to include all hate crime units across the province and to provide dedicated and sustained year over year funding to combat hatred and extremism.

What we hear from community groups and from police services is that the resources for dedicated hate crimes units simply aren't there. Many communities simply do not have a hate crimes unit. Many more have a unit that consists simply of one officer who is assigned to the task on a part-time basis. The bad news is that in Toronto alone, a total of 132 hate crimes were reported in 2005, of which 33 involved members of the Jewish community and 33 involved members of the black community. The good news? This is 19% less than the year before. The Toronto Police Service has been compiling hate crime statistics since 1993, and last year's tally of 132 was, in fact, the lowest number reported yet. What this shows, though, is that with real, dedicated resources, hate can be combatted. What we want is for the government to do more in that vein.

### CONSTRUCTION LABOUR MOBILITY

**Mr. Gilles Bisson (Timmins-James Bay):** The Premier announced, last Friday, movement in regard to the long-standing issue between the provinces of Ontario and Quebec when it comes to labour mobility rights. But it raises a couple of interesting questions in the way that this was resolved. Do we need to get there? Of course, every Ontarian would agree that we need to be able to move on this front. New Democrats have long advocated—and quite frankly were very successful while in government—dealing with this issue. Unfortunately, that

legislation was overturned by the Conservatives when they came to office.

But I say this: It raises an interesting question. What we're now saying is that we're going to allow anybody who has a recognized trade in Quebec that doesn't exist here in Ontario to come into the province, even though that trade doesn't exist here. Conversely, anybody who wants to work in one of those Quebec-recognized trades where training is not available in the province of Ontario—supposedly we're going to do quick passage and give that person an instant certificate.

I think what we need to do is look at doing what Quebec did when it comes to increasing the amount of apprenticeship training within the province in order to properly recognize those trades, and do what Quebec has done in supporting workers and making sure that they're properly qualified, properly trained and regulated when it comes to the various trades.

On the other issue, in regard to the other parts of this particular dossier, a huge issue in the northeastern part of the province and, I would argue, probably in southeastern Ontario, is the issue of mobility rights when it comes to the trucking industry. It is a huge issue where trucks that are licensed in the province of Ontario are not allowed to deliver into the province of Quebec unless they are transiting through the province. Conversely, we allow licensed trucks from the province of Quebec to come into Ontario with no reciprocal agreement. This is one area the government has done nothing on and somewhere where they need to take some action. We either have to mirror the rules that the Quebec National Assembly has towards Ontario truckers, or we have to come to some form of agreement in order to deal with that.

The last issue is sawlogs. There is far too much round timber going into the province of Quebec that is unprocessed from the province of Ontario. The Minister of Natural Resources has to get a handle on that issue as well.

### TEACHERS' PROFESSIONAL DEVELOPMENT

**Mr. Rosario Marchese (Trinity-Spadina):** Providing a couple of professional development days for teachers is a good thing, but it does not deal with the failings of our educational system. Boards are waiting for their legislative grants, and we're in June. I suspect we're going to get these legislative grants to boards by the end of this legislative session. We won't even have a chance to debate it. They used to get them in early April. We're now into June. It will be the end of June when boards will know what they're going to get.

Boards are underfunded in a serious way. They don't get enough money to pay for their teachers, so boards have to borrow and steal from other programs to be able to pay the teachers' salaries. Over 40,000 kids are still waiting for special education services. We have fewer ESL programs under the Liberals than we did with the Tories. Imagine that—under the Liberals. The Toronto board is talking about firing hundreds of educational

assistants and closing 60 or 70 schools under the Liberals. Transportation funding: We're still waiting for that model to be redone under the Liberals. You could do teachers a big, big favour, and that is, fund our educational system properly, and then professional development makes sense.

#### VISITORS

**Hon. Harinder S. Takhar (Minister of Small Business and Entrepreneurship):** On a point of order, Mr. Speaker: We have here in the Legislature some prominent elected and senior officials from the various states of India. I would like to introduce and recognize them here in the Legislature.

We have the Honourable Tarun Gogoi. He's the Chief Minister of Assam. Assam is the state known for producing tea. We also have the Honourable Sushil Kumar Modi, Deputy Chief Minister of Bihar. We have the Honourable Rangila Ram Roa, the excise and taxation minister of Himachal Pradesh. We also have the Honourable Dr. A.K. Walia, Minister of Finance, government of national capital territory of Delhi. In addition, we have very senior officials. We want to welcome them to the Legislature. They are here to study the tax system.

#### ORAL QUESTIONS

##### NATIVE LAND DISPUTE

**Mr. John Tory (Leader of the Opposition):** My question is for the Attorney General. On the website of your ministry, there's a good description of the unique aspects of your job as Attorney General, including reference to the non-partisan way in which many of your duties are carried out, uniquely. Among other things, it says on the website, "As chief law officer, the Attorney General has a special responsibility to be the guardian of that most elusive concept—the rule of law." It goes on to say a bit later on, "It is the rule of law that protects individuals, and society as a whole, from arbitrary measures and safeguards personal liberties."

Recognizing the complexities of the Caledonia file, can the Attorney General comment on his responsibility to uphold the rule of law within the context of the various activities we've seen by people of all backgrounds in and around that community, including as recently as last night?

**Hon. Michael Bryant (Attorney General):** I'm going to refer the supplementary to the minister responsible for aboriginal affairs, but I'm happy to tell the member that obviously the Ministry of the Attorney General had counsel before His Honour Justice Marshall, when parties were summoned, and will continue to participate in that fashion as required as matters do come before the court. We obviously continue to work with other ministries and provide legal support where appropriate.

I understand the genesis of the member's question. I hope you will appreciate that the minister responsible for aboriginal affairs is addressing this matter, and in a comprehensive fashion, so it's really appropriate for the specifics that I know will come out in your supplementary to be addressed by that minister.

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

**Mr. Tory:** Actually, I'm not going to address the specifics, because I know those are difficult, in some cases, to comment on. But I want to say to the minister, by way of supplementary, that there are no easy answers as to how to resolve issues like the standoff at Caledonia and, in particular, the question of how it has been allowed to escalate into the public security threat that it has. There are people with different opinions, but I think in the end we know that Ontarians are no more knowledgeable today about the situation, its root causes and some of the resolutions than they were before. That is why we feel that a commitment on the part of this government, at the appropriate time, to call a full public inquiry would be useful so as to make sure we can find out in an impartial way how we got to where we are and, more importantly, how we can prevent these things from happening again, including making sure that we find a better way, if we can, to handle land claims disputes.

This is an incident that is not to be repeated. I ask the minister, will you commit here today in the Legislature to call a full public inquiry at the appropriate time into the Caledonia standoff so that we and all Ontarians are better able to deal with these kinds of situations in the future?

1430

**Hon. Mr. Bryant:** I refer the question to the minister responsible for aboriginal affairs.

**Hon. David Ramsay (Minister of Natural Resources, minister responsible for aboriginal affairs):** I would say to the Leader of the Opposition, I can tell you now how we got here today. We got here today because of the slow, legalistic approach that the federal government has taken to the disposition of land claims in this country. We have a thousand of them outstanding right across this country, at least 65 or more in Ontario, and that's why we are where we are today.

As I've spoken to you in many other responses over the last few weeks, there was an exploration into this particular land claim and accounting claim over the last two years. Great progress was made, but many in the community didn't understand the progress that was being made and were frustrated and acted out on that frustration.

**Mr. Tory:** I would note that the minister didn't answer the question. I would note as well that while I suggested in particular that part of the terms of reference of any such inquiry could include a better way to deal with land claims disputes of this kind, every commentator, every person who is knowledgeable in the law, has also commented on the fact that portions of this matter are your direct responsibility: the enforcement of the law and a number of other aspects of this to do with

transportation and other aspects of protecting the public interest.

What we've seen is a pattern of how these situations have developed over the years, have been allowed to develop over the years, from Oka to Ipperwash to Caledonia. I think we need to take a closer look at the land claims process, yes, but also at the other aspects of this that escalate over time. We've got to look at the heart of these conflicts and better understand them and how they unfold.

I ask you again, Minister, will you commit to beginning this process of better understanding by committing yourself and the government, at the appropriate time, to appointing a public inquiry to look into the Caledonia conflict, the issues involved, how we deal with land claims issues and the decision-making process—

**The Speaker:** Minister?

**Hon. Mr. Ramsay:** I would say to the member that what we're hoping for from the long-term working group with Barbara McDougall, the federal representative, and Jane Stewart, the provincial appointee, is to work on those various issues that have caused this crisis. We're asking them, once we get the community to normalcy, to start to work out methodologies of how we can work on land claims in a more timely manner, to work out the development processes in that Haldimand tract so that we have certainty they're going forward so our communities can grow. That's what we're expecting from that, and we expect that process to give us basically a prototype of how land claims across this country can be solved in a more pressing manner.

#### HYDRO PROJECT

**Mr. John Tory (Leader of the Opposition):** My question is for the Minister of Energy. It has been brought to our attention that the Caledonia situation has begun to affect Hydro One's capability to replace large-capacity transmission wires within the hydro corridor that runs through the area in question near Caledonia. Could you please provide us with an update as to how this problem sits today, and could you also offer us any information you have pertaining to what could happen if this hydro project is not completed on a timely basis?

**Hon. Dwight Duncan (Minister of Energy):** I think the Leader of the Opposition is referring to the Niagara line reinforcement, which received OEB approval last year. It's something that had been contemplated for, I think, 10 years prior to its receiving OEB approval. No doubt the situation in Caledonia did slow down the timeline for completion. It was hoped it would be online on or about July 1 of this year. The last report I had was that it looks like it will be online approximately around the middle of July—July 15, July 16, July 17, thereabouts—assuming there are no more disruptions in the construction. It will provide an additional 800 megawatts of import capability to Ontario.

**Mr. Tory:** We could go down a number of roads about the 800 megawatts of import capability and so

forth and so on, and we could also ask on July 15th of which year you'd have that ready, given that we've had some problems in that regard.

We are told, I say to the minister, that Hydro has about six weeks to complete this project, which is about the same timeline that the minister referred to. We've seen an article in the Windsor Star saying, "If the transmission line is not completed soon, there is a very real possibility residents of southwestern Ontario will experience power shortages and brownouts over the summer."

May I ask the minister: What is your plan, if there are delays because of some of what we've seen going on in Caledonia that cause that timetable not to be met, seeing that the standoff in Caledonia is nowhere near being rectified? Do you have a backup plan to make sure that the kind of situation described in the Windsor Star—blackouts, brownouts and so on—is not affecting people in the province of Ontario? What is the plan, and will it be in place in time for the summer peak demand if the project is not completed on time?

**Hon. Mr. Duncan:** I'll remind the Leader of the Opposition that this plan had been on the books for close to 10 years, for eight of which your colleagues around you sat and did absolutely nothing. I would refer the Leader of the Opposition to the ISO's press release of last week, which identified 600 megawatts of additional baseload generation capability and another 200 megawatts of wind generation capability, which we don't count as part of baseload because of the nature of peak-time use versus baseload versus intermediate and peaking capacity. A number of those windmills are in your riding. So the ISO reports that our 18-month outlook for power, even at peak this summer, is in very good shape compared to last year.

**Mr. Tory:** I'm assuming, from the fact it wasn't dealt with, that there is no backup plan in the event that the Caledonia project runs late. There is no backup plan and it's all part of the overall scheme, which says there is no plan generally in the case of energy.

Just on the same general subject area, reports reaching us today indicate that the transformer station near Caledonia, which was burned up a few days ago in an act of vandalism, causing power to be lost by thousands of people and causing a huge economic loss to that area, is being protected by one private security guard, whose car apparently was burned up last night. Minister, has a request been made to the OPP or other police agencies to make sure that this transformer station, which is also a vital part of power delivery to the people in this region, is properly protected so that we won't see any further incidents of vandalism involved with this power station? Have you done what you should be doing, through hydro and through OPG, to make sure that this transformer station is properly protected?

**Hon. Mr. Duncan:** Yes, we have. There are a number of protective measures that have been undertaken, some of which obviously we don't want to talk about in this environment. Yes, this is a dangerous situation.

*Interjections.*

**Hon. Mr. Duncan:** They laugh. This is a party that cut 2,000 megawatts of power when demand was going up. This is a party that froze prices, stifled new development, did nothing on renewables, did nothing on conservation, left a disaster. We're cleaning up their mess. They should stop laughing and take it seriously, because this is a serious matter. We're working to keep the power on and to undo the damage that that party left this province over the last eight years, and we're doing it effectively, according to the ISO.

They still smirk and laugh.

### COMMUNITY SAFETY

**The Speaker (Hon. Michael A. Brown):** New question.

*Interjections.*

**The Speaker:** Order. Stop the clock. I need to be able to hear those posing questions. The member for Hamilton East.

**Ms. Andrea Horwath (Hamilton East):** My question is to the Acting Premier. Working families were deeply troubled by this weekend's arrests of alleged homegrown terror suspects. One thing that people want to hear from their government is that Ontario is prepared for emergencies, whether it's an ice storm, a pandemic or other serious event. They want some assurances that our schools, hospitals, larger buildings, institutions, colleges and universities are primed and ready to deal with any emergency. All the best plans are for naught without people on the ground to implement them. Will you, as a government, guarantee that every part of the province is equipped with resources they need to handle emergencies?

**Hon. George Smitherman (Minister of Health and Long-Term Care):** To the Minister of Community Safety and Correctional Services.

**Hon. Monte Kwinter (Minister of Community Safety and Correctional Services):** I thank the member for her question. I'm sure, if she has been listening to what's been happening in this House over the last several months, and particularly we just went through Emergency Preparedness Week, that we now have every municipality in Ontario up to the essential level which is required under our Emergency Measures Act to get to the point where they can respond to an emergency.

I can tell you that, as long ago as almost a year and a half, we had a flood in Peterborough, and that was a textbook response. There were no deaths and no injuries, and they acted perfectly because they had been prepared. I have spent the last month and a half travelling throughout Ontario with the commissioner, Julian Fantino, making sure that communities have emergency preparedness plans in place. We've been having this throughout Ontario, and I'm satisfied that they're all at the essential level.

**Ms. Horwath:** You'll know that there are many communities that are still wanting for nurses and firefighters

and other professionals who help in emergencies, but I want to ask you about something a little bit different.

Working families are worried about a backlash now against Ontario's Muslim community. They have a reason to worry. This weekend, as you know, vandals smashed windows and doors at a mosque in Etobicoke, damaging a place of worship and unsettling a community.

**1440**

I would ask the government and the official opposition to join us in sending a strong message today that we support Ontario's law-abiding, peace-loving, vibrant Muslim community and that we condemn all acts of violence and hatred against it, just like we condemn all acts of violence and terror in Canada and abroad. Will you do that?

**Hon. Mr. Kwinter:** I thought that's what I did today when I read my ministerial statement. I can tell you that we are very concerned. We have now increased our funding by \$200,000 to police services in Ontario. We've gone from five to 10 to allow them to have hate crime units. We've set up a hate crime working group that is made up of citizens representing the diversity of Ontario. That group will be reporting back to us this summer.

We are very concerned about these issues. I commend the Leader of the Opposition for making a similar statement today. It would have been helpful if you had joined in with that statement when you had your chance to respond to the remarks.

**Ms. Horwath:** In fact, we did, but like all Ontarians, Ontario's Muslim community is concerned about homegrown extremism. They want to work with all levels of government, not just to identify violent extremism but to prevent Canadians from turning to extremism in the first place.

You may know that one of the proposals that has emerged is for Ontario to host an international conference on home-grown extremism, where we could learn and share the experiences from people all over the world. It's a sensible proposal, Minister, and we're hopeful that you will take it under advisement. Will you promise today that you'll act on that proposal and see that that conference comes to Ontario?

**Hon. Mr. Kwinter:** It would seem to me that homegrown terrorism and home-grown hate units is a national program. It's one that we would co-operate with. We do this now. This operation that just finished and is before the courts was a combined effort of the RCMP through INSET, which is the integrated national securities team. It is something that we've worked on with the OPP hate crimes section. We've worked with police services. There were four GTA police services involved. We've worked with the Canadian Border Services Agency. All of these things are taking place, and if there is an initiative that we can all participate in, of course we will do it. I am not in a position to have the authority to call that in Ontario. That will be something that will be coordinated through all of the people involved in anti-terrorism, and they will decide when and where that will take place.

## ONTARIO DISABILITY SUPPORT PROGRAM

**Mr. Michael Prue (Beaches–East York):** My question is to the Acting Premier. Last week, the Ombudsman of Ontario sounded the alarm about your government and how they are letting down disabled Ontarians. He revealed that Dalton McGuinty, the Premier who once said, “Judge a government by how it treats the disabled,” is in fact denying 4,600 disabled Ontarians \$6 million in benefits to which they are legally entitled, money they desperately need for food, clothing and shelter. Is it still the McGuinty government’s position that disabled Ontarians should receive no compensation for disability benefits they are being denied because of your own government’s bureaucratic bungling?

**Hon. George Smitherman (Minister of Health and Long-Term Care):** I’m pleased to respond today on behalf of the minister and to say much of what she mentioned last week. Of course, we thank the Ombudsman for his work. The Ombudsman pointed out that the system was broken, and we’re going to work to fix it. In accordance, we didn’t wait for the report. We put additional people on the front lines to enhance our timeliness in terms of responding to those applications from prospective Ontario disability support program beneficiaries.

I want to say to the honourable member that in accordance with the advice that was offered by the Ombudsman—it was a six-month report. Of course, my honourable friend the minister has already said that Ontario would do the fair and right thing for the individuals referenced in this report. Details to follow, but I can assure the honourable member that we’re taking seriously the circumstances outlined by the Ombudsman and are working already to improve our timeliness. We’ll respond more fully on the point that the honourable member has asked about.

**Mr. Prue:** That is \$6 million that 4,600 desperately poor people need to have in their pockets, not six months from now but today. Disabled Ontarians shouldn’t have to go without those benefits because you can’t get your act together.

This is what’s happening to just one of them: Janice Ann Wareham. She was here in the Legislature today. In October 2004, she picked up her ODSP application form. Eleven months later she was finally approved for benefits, but instead of getting paid for the 11 months she waited, she got paid for four months, or 36 cents on the dollar. How do you justify denying Ms. Wareham and disabled Ontarians like her the benefits that they are owed? Why won’t you pay her back in full?

**Hon. Mr. Smitherman:** The honourable member needs to know—I believe he does, but he perhaps should state that he recognizes that we’ve already altered the rule that he spoke about in the question. We acknowledge that this program has been too slow in responding to applications. That’s why we’ve already acted, in a proactive way, to address the circumstances that we all know to be problematic. Significant improvement has already

been made in terms of reducing any backlogs. We have more work to do, and we’re very dedicated to it.

The minister is taking that as a priority. She did say last week, and I repeat from my earlier answer, that we will do the fair and right thing for the people. But the honourable member asked us to adhere to the report of the Ombudsman, and then when we take the time that the Ombudsman has indicated in the report would be appropriate, the honourable member seeks to differ with it. So I just ask him to have some consistency in the approach he brings to this issue, but I assure him that what the minister said is that we’ll do the fair and right thing for these individuals. We sought to improve the timeliness of the program, we have more work to do, as has been acknowledged, and a more complete response with respect to the very precise issue the honourable member is asking of will be forthcoming in a very timely—

**Mr. Prue:** Disabled Ontarians have had to take the untold step of having to drag themselves before the courts to get benefits they’re being denied because of your Premier’s “morally repugnant” policies. That’s what the Ombudsman called them. They shouldn’t have to turn to food banks and charities to survive when you’ve taken millions of dollars out of their pockets. It’s much easier for you to find this money than it is for them. As a matter of basic decency and fairness, this Premier who said, and I quote again, “Judge a government by how it treats the disabled,” should pay back disabled Ontarians the \$6 million that they’ve lost because of your Liberal bureaucratic bungling. Why can’t you do that now? Why do you have to wait six months?

**Hon. Mr. Smitherman:** We didn’t wait for any report to begin to act. I’ll remind the honourable member, who likes to use high-and-mighty language in here, that his party, including that member, on two separate occasions increasing the resources available to the very same individuals that we talk about today, voted against it. This is the record of his party: Say one thing in here and do a different thing in here, and still feel like you’re acting in a consistent fashion.

We recognize that there were a variety of policy handovers left by the previous government. It has been our obligation as a government to work through those. We’ve been doing that vigorously. We’re proud of the record that we’ve brought forward: an additional \$200-million investment in our last budget for those who are vulnerable. Of course we have more work to do. To respond to the Ombudsman’s report in a timely way is a priority, but we’ve already begun to act to improve the timelines related to those who are making applications for the Ontario disability support program. It would just be nice if, for once, the NDP would stand in their place, when we bring forward additional resources for these people, and vote in favour of it.

## CUPE RESOLUTION

**Mr. Tim Hudak (Erie–Lincoln):** A question to the Minister of Citizenship and Immigration. CUPE Ontario recently passed a resolution to boycott and use sanctions

against Israel. The resolution and boycott are harmful, absurd, insulting and just plain wrong. Will the Minister of Citizenship stand up in the House today and condemn the CUPE resolution?

**Hon. Mike Colle (Minister of Citizenship and Immigration):** I thank the member for the comment and the question. Let me just say right off that I think that CUPE Ontario should withdraw that resolution. It is, at best, simplistic. It's unfair. I think it's appalling that they would dare try to resolve that very complex issue in the Middle East with a resolution that does nothing to contribute to solving the problem. So I would encourage a withdrawal.

**Mr. Hudak:** To the minister: I appreciate your response; you're doing the right thing. No supplementary, Mr. Speaker.

1450

#### LANDFILL

**Mr. Peter Tabuns (Toronto–Danforth):** My question is for the Minister of the Environment. Minister, for over seven years now, the Mohawks of the Bay of Quinte and local municipalities have been sounding the alarm over Waste Management's proposed expansion of the Richmond landfill site. The site for expansion is unsafe. It would be within a watershed. It's in the vicinity of groundwater and local creeks that are the source of local drinking water.

The decision will soon be yours, Minister. The decision will be up to you to accept or reject this proposal. Chief Donald Maracle and a number of other community leaders were here today asking you to protect their local water supply and public health. Will you reject this expansion?

**Hon. Laurel C. Broten (Minister of the Environment):** As the member opposite should know, the process is under way with respect to this environmental assessment, and it has been a long procedure for this community to manage over some period of time. We are getting to a point where some decisions will be made. The Ministry of the Environment will publish the government review report by June 9. Then the community will be able to have another five weeks for a comment period to bring forward whatever issues they may wish to raise at that time. Following that comment period, a decision will be required from me by October of this year. So we are moving forward with this environmental assessment process. All voices are being heard.

I think the process has been a procedure whereby the community has been able to raise many issues that they have sought to raise, and that's important. That's what the environmental assessment process is all about.

**Mr. Tabuns:** The memories of Walkerton and Kashechewan cannot be lost on you right now. It was two years ago this week that your government introduced a discussion paper on a strategy to divert 60% of waste from landfill. The final plan is nowhere to be seen. Action to be taken to protect communities against these

mega landfills seems to be totally on hold. Instead, you're talking about making it easier to site landfills.

Minister, will you present the 60% waste diversion strategy so local communities will have the protection of the province in dealing with these waste management issues?

**Hon. Ms. Broten:** I will let all members opposite know that I am certainly well aware of my responsibilities to ensure that we have clean, safe drinking water in this province. We have an incredible team of people in the Ministry of the Environment, including the chief drinking water inspector, who are working closely. That's the dialogue that I had with Chief Maracle when I myself met with him last week. I've met with all of the folks who are raising concerns and perspectives with respect to this landfill: the mayor of Napanee, the reeve of Tyendinaga township and Chief Maracle himself. My decision to approve or reject this landfill will be due October 20, 2006. I look forward to this process concluding. I look forward to the information that I will be receiving from all fronts during the government review period. We will be bringing forward all of the variety of evidence that needs to be brought forward.

We understand the need for management of waste in this province, and we're working closely with all participants in this hearing to make sure that all of the—

**The Speaker (Hon. Michael A. Brown):** Thank you, Minister. New question.

#### RURAL SUMMER JOBS PROGRAM

**Mr. Pat Hoy (Chatham–Kent Essex):** My question is for the Minister of Agriculture, Food and Rural Affairs. Minister, it has been another busy and successful school year for students in my riding of Chatham–Kent–Essex. Students grew and benefited greatly thanks to our strong commitment to education and rural schools. I understand that this is all part of Ontario's rural plan, where we see people as the foundation of our rural economy and communities.

With summer fast approaching, many of those students are now looking for summer jobs to explore their horizons, earn some money and gain valuable experience. However, I understand that job opportunities for youth during the summer can be limited in some rural areas. With that in mind, what is the government doing to encourage youth employment in rural communities?

**Hon. Leona Dombrowsky (Minister of Agriculture, Food and Rural Affairs):** I want to thank the honourable member, who has long been an advocate for rural communities in this Legislature and continues to advocate for those issues, particularly issues that relate to youth in rural Ontario. I'm happy to tell the members of the Legislative Assembly about the Ministry of Agriculture, Food and Rural Affairs' rural summer jobs program. This program is going to contribute approximately \$3 million to help rural students gain employment in their communities. The way the program works is that employers are able to apply for a \$2-per-hour rebate on

salaries that are paid to summer students who are hired in rural Ontario. Since the beginning of the program, some 8,000 students have benefited from it, and we believe that this summer some 3,700 students in rural Ontario will benefit from the rural summer jobs program.

**Mr. Hoy:** Minister, this program has proven to be extremely beneficial to my constituents. In my riding alone, it has helped 122 students find summer employment on farms, in food processing plants, greenhouses, meat markets and grain elevators, just to name a few. I understand that this program also encourages job creation by providing economic incentives to local employers. Could you please clarify for me how the economic benefits offered to businesses participating in this program fit with Ontario's rural plan?

**Hon. Mrs. Dombrowsky:** I'm happy to talk about a couple of very positive spinoffs. First of all, I did have the privilege last year at the plowing match in Hastings county to talk to people about the rural summer jobs program. We actually had a student who had participated and because of that work experience wanted to pursue a career in the agriculture industry. That is good for rural Ontario.

We also believe that by making these investments, by encouraging our youth and by providing them with experiences from which they will gain experience and understand how they can participate in the rural economy, it will go a long way to boost economic development. It will also provide improved access to educational opportunities and it will support the communities where these young people live.

We've had tremendous response, very positive response—

*Interjections.*

**Hon. Mrs. Dombrowsky:** I know that members across the way are commenting very positively because these programs work in your ridings as well. This is a non-partisan initiative, and I know that folks in your ridings are very appreciative of this program that our government is leading for rural Ontario.

#### COUNTERTERRORISM MEASURES

**Mr. Garfield Dunlop (Simcoe North):** My question today is for the Minister of Community Safety and Correctional Services. In your platform document on page 24, the Liberals promised, "Additional support for police intelligence services to ensure that our various police forces can work together to protect all Ontarians." Other than firing key security advisers such as Major-General Lewis MacKenzie and retired RCMP commissioner Norman Inkster, can you tell us exactly what additional resources you have provided for counterterrorism?

**Hon. Monte Kwinter (Minister of Community Safety and Correctional Services):** First of all I want to correct the member so that there's no doubt as to what happened. We did not fire the so-called security advisers; we just didn't renew their contracts. The reason we didn't renew their contracts is that they hadn't met for over a

year. We felt that they were there because the former Solicitor General felt it got him a great deal of credit for having these people available, but they didn't do anything in the last year they were there. That is why their contracts were not renewed.

**Mr. Dunlop:** I actually asked you what other resources you provided, Minister.

Over the weekend, you learned what many of us have suspected since 9/11: that the threat of terrorism is indeed a reality. Last year, you tried to cut \$1.76 million for counterterrorism from the Criminal Intelligence Service of Ontario budget, and have indicated to CISO that the \$1.76-million cut will take effect by May 2007. Minister, considering the safety of all Ontarians, will you commit to the House today that you will not slash the counterterrorism budget by \$1.76 million next May?

**Hon. Mr. Kwinter:** With all due respect, the member keeps raising things that might have happened, could have happened but didn't happen. There was no cut to CISO's budget—none. All you have to do is ask those people who run it, and they will tell you that there has not been a cut. You're saying that at one time you saw something that said there may be a cut. Well, I have to deal in the real world, not in the make-believe world that you deal in. I can tell you there have been no cuts to CISO.

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#### PROVINCIAL PARKS

**Mr. Gilles Bisson (Timmins-James Bay):** My question is to the Minister of Natural Resources. Minister, you will know that last week there was a press conference here, sponsored by myself, in regard to the drastic cut in MNR seasonal staff and full-time staff who maintain our provincial parks in the province of Ontario. As you know, provincial parks are some of the places where Ontarians and others love to holiday, and especially for those with little income it's probably the only holiday they'll get.

I want to point out something that was in this press conference that I thought was interesting. It said, "MNR is wiping out the equivalent of 226 full-time summer jobs out of a total of 1,189 seasonal and regular student workers," said OPSEU president Leah Casselman. 'It's atrocious. We thought cuts of this magnitude were gone with Mike Harris.'" People voted for change. Why are you acting like Mike Harris?

**Hon. David Ramsay (Minister of Natural Resources, minister responsible for aboriginal affairs):** Thanks for the compliment, there, at the end your question. I have to say to the member, in the context of your question, you really set up my answer, because I do appreciate that the provincial parks system is how many Ontarians of low income access the wonderful natural resources of Ontario. We have kept the costs down this year to what they were the year before, yet we have higher operating costs in energy and other expenses all the way through the park system. But I want to make sure that the Ontario parks system, being one of the best in the world, is accessible to everyone in this province.



**Mr. Bisson:** Listen, Minister, you can say all you want about reducing the amount of money spent year over year in provincial parks. The reality is that you're going to have far less staff maintaining our parks from the perspective of making sure those parks are well maintained so that we don't have garbage lying around and others, but there's also the issue of health and safety when it comes to those people visiting the parks. The fact is that you're reducing park staff by almost 20% over last year. I asked you a specific question: Why are you doing this? People did vote for change. You're acting just like Mike Harris did. When are you going to start acting as you were supposed to after the last election, and not like Mike Harris?

**Hon. Mr. Ramsay:** As the member knows, the parks system is one of two special-purpose accounts in the Ontario government, the other being revenues from angling and hunting. In that special-purpose account we're basically at a point where we're very close to being break-even now on the parks revenues coming in to operate those parks. We're trying to manage within that budget. Again I stay to the member that with increasing costs coming to the parks system, I think you'd be the first on your feet to criticize me if all of a sudden I had a large increase in camping fees that might make it prohibitive for many Ontario families to enter our parks system. So we're going to keep the fees down, and reasonable and affordable so that all Ontarians can access the Ontario provincial parks system.

#### APPRENTICESHIP TRAINING

**Mr. John Wilkinson (Perth–Middlesex):** My question is for the Minister of Training, Colleges and Universities. Yesterday afternoon I attended the Stratford Chefs School's 2006 graduation ceremony, where we celebrated some of Canada's best emerging culinary talents. I want to thank you for visiting the school last fall. Since 1983, the Stratford Chefs School has been renowned for being the only culinary institute in Canada operated by working restaurant professionals. This allows students to apprentice in the culinary arts under working chefs who are at the top of their profession. Alumni are working in some of the finest restaurants, not only in Ontario but around the world.

Our government values apprenticeships and sees them as an integral part of lifelong learning. However, some students aren't aware of the many opportunities for apprenticeships in the arts. Minister, what initiatives are being implemented to increase apprenticeship opportunities in the arts?

**Hon. Christopher Bentley (Minister of Training, Colleges and Universities):** I'd like to thank the member from Perth–Middlesex. I was visiting not only the Stratford Chefs School but the Stratford Festival with him some months ago and he was explaining the needs of his community in terms of the arts. In terms of the cooking and culinary arts, they're supported by general programs. We've increased the investment in college co-op diplomas, in the apprenticeship program, in the pay-

ment of places in school for the apprenticeship training. And we're encouraging employers to take on apprentices through the apprenticeship training tax credit.

In terms of the arts generally—the Stratford Festival—there's a lot more work to do. It is true that last December we introduced a new apprenticeship to support the lighting and stage set-up in theatres such as the Festival, Avon and Third Stage theatres at Stratford with our entertainment industry power technician apprenticeship.

Through the sector initiatives fund, we're working with my colleague and others involved in the cultural sector to determine what the industry needs are and how we can better meet them in the future.

**Mr. Wilkinson:** Minister, I'm pleased to hear that our government is working to promote apprenticeships in numerous fields across the employment spectrum, especially in the arts. I know that my constituents in Perth–Middlesex appreciate the support of your ministry.

As you know, many students need financial support when pursuing post-secondary education, including apprenticeships. I know that students at the Stratford Chefs School are again eligible for OSAP. What is our government doing to ensure that students at the Stratford Chefs School and other similar places of learning can qualify for OSAP?

**Hon. Mr. Bentley:** It's true that the students at the Stratford Chefs School are once again eligible for Ontario student assistance program loans and grants. I think that's great news for them. I happen not only to have visited the school as a minister, but to have enjoyed the results of the great apprentices' fare—

**Hon. Steve Peters (Minister of Labour):** We can see it.

**Hon. Mr. Bentley:** Thank you very much—in numerous visits over the decades.

Our government has made a very substantial advance in terms of providing student assistance. This fall alone, 60,000 students will receive grants covering between a quarter and all of their tuition. To put that into perspective, two years ago there were no grants, now, 60,000 grants. Under the McGuinty government's Reaching Higher plan, more students are getting more assistance and more of it is in grants than ever before in the history of the student assistance program. We are determined to ensure that no post-secondary eligible student is denied admittance for financial reasons.

#### CONSERVATION OFFICERS

**Mr. Bill Murdoch (Bruce–Grey–Owen Sound):** My question is to Minister of Natural Resources. We are in the real world today, and I'd just like to mention that Gilles Bisson must have the same writer as I do, because he asked the very same question I was going to ask you. But we will still talk about cutbacks which are happening in your ministry.

**Hon. Greg Sorbara (Minister of Finance, Chair of the Management Board of Cabinet):** Why bother asking?

**Mr. Murdoch:** Well, we're going to go to some more cutbacks for you, Mr. Treasurer, and you can help us out by putting some money in the MNR, all right?

MNR has been cut and cut and cut. Now we have no COs being—

*Interjection.*

**Mr. Murdoch:** Well, we've got some people going. Now we have no COs being hired by your ministry; we're way behind in that.

*Interjection.*

**The Speaker (Hon. Michael A. Brown):** Stop the clock. The Minister of Education will come to order. I won't warn her again.

**Mr. Murdoch:** I have a question and they get all excited over there because it's in the real world. You guys don't understand the real world; that's the problem.

Here's what's happening, though: You're not hiring COs. I understand you need the money to do that. The Treasurer is listening; I'm sure he's going to give you some.

The other thing: We have COs in the north who have to park their trucks. They can't even have enough gas to run them. They get one tank a week by the ministry.

My question is, is the Minister of Natural Resources slowly phasing out the ministry by just cutting and cutting and cutting?

**Hon. David Ramsay (Minister of Natural Resources, minister responsible for aboriginal affairs):** I'd like to assure the member that the last thing I'm going to do is phase myself out of a job over here. We're going to have a very strong Ministry of Natural Resources. The minister is going to lead it and is going to manage it in a very efficient way.

What I say to the member is, as you know, we talk to the stakeholders who have great interest in what we manage from the ministry's point of view. We work very closely with them. We're looking at more partnerships with people to help us with many of the functions that we have historically done. We're going to make sure that the natural resources in Ontario have good stewardship from the ministry, because the people of Ontario deserve nothing less.

**The Speaker:** Supplementary?

**Mr. Robert W. Runciman (Leeds–Grenville):** On ministry staffing: Minister, in January I wrote to your office with respect to concerns raised by an MNR game warden in my riding provided with so little by way of resources that he was only able to put enough gas in the truck to patrol his district three days a week. We know the Westport area is one example where reports abound of outside groups coming in to area lakes at night and taking out large numbers of fish without any apparent concern about being caught in the act because the wardens don't have gas for the trucks, let alone the manpower to do their jobs.

Minister, part of your ministry's mandate is to protect and preserve physical resources such as fish and animals. Why aren't you doing that?

1510

**Hon. Mr. Ramsay:** In the ministry, we are managing all the functions that we have the responsibility for. Obviously, the conservation officer program is a very important program in Ontario; and again, we have various techniques. As you know, we've announced this year a phone-in line that has had a great response from the public. The public wants to help the ministry with enforcement issues because the law-abiding hunters and anglers don't want to see poachers exploiting the resource, and so they're playing a greater role in helping our conservation officers in patrolling this. We have beefed up our intelligence unit, and what we've done is targeted areas where we have specific problems.

I very much appreciate the information that the member is bringing forward to us, because when we get that information we can concentrate on those areas and provide good enforcement for our resources.

#### KASHECHEWAN FIRST NATION

**Mr. Gilles Bisson (Timmins–James Bay):** My question is to the Minister of Natural Resources. Minister, last month you met with the chief of the Kashechewan and others with regard to the transfer of the reserve from now low-lying areas to land that's in a higher area. For the record in this House, will you confirm that in fact the province will transfer that land to allow the Kash community to move; and number two, are you prepared to do this in an expeditious manner?

**Hon. David Ramsay (Minister of Natural Resources, minister responsible for aboriginal affairs):** As I committed to Chief Leo Friday, the province will work with the community to facilitate the transfer of land that they need and require for any relocation of their community.

That community is not sustainable where it is. We've seen from the reports that even the four other candidate sites have flooded over. Whatever is the most appropriate piece of land, we're prepared to transfer that to the community.

**Mr. Bisson:** Minister, I need an answer to the second part of the question, because you know that the federal government is now trying to play the game that they always do, which is trying to find excuses not to do the right thing. We need to say clearly as a province that not only are we prepared to transfer that land over in order to allow Kashechewan to move, but we will do that transfer in an expeditious manner.

So I ask you again, in order to allow Mr. Prentice off the hook, are you prepared to say in this House that the process will be expedited so the community can move on?

**Hon. Mr. Ramsay:** I would assure the member that we will expedite that process. However, we just have to wait for the federal government to authorize the reserve to be relocated or expanded. As soon as that authorization is there, then we have something to transfer to. So as soon as the federal government agrees that any par-

ticular site is the site, then we will make sure that that land gets transferred to the reserve expeditiously.

#### SMALL BUSINESS

**Mr. Jim Brownell (Stormont–Dundas–Charlottenburgh):** My question is to the new Minister of Small Business and Entrepreneurship. Minister, Ottawa Citizen reporter Kelly Egan wrote an article some months ago about the city of Cornwall in my riding of Stormont–Dundas–Charlottenburgh. In this article he referred to Cornwall as “the unkillable city.” This was a reference to the closure of Domtar, the loss of jobs that resulted and the interest of citizens to tackle economic problems head-on.

Indeed, the resourceful citizens are finding that there is life beyond Domtar. With the manufacturing sector in transition, many constituents are looking in new directions, finding alternative ways to earn their living. Many former Domtar employees are going back to school, while others are taking a crack at starting their own businesses. Dean River and Don Blue of Cornwall have established Double D’s, a restaurant in the heart of the city that is quickly becoming the city’s staple eatery.

Minister, through the Domtar Action Centre and other strategic economic assistance, this government is helping the city as a whole get back on its feet. Can you tell us how your ministry is assisting entrepreneurial individuals like Dean River and Don Blue establish their own businesses?

**Hon. Harinder S. Takhar (Minister of Small Business and Entrepreneurship):** First of all, I want to thank the member for asking this question, and I also want to say that the community really set an example when the Domtar plant closed there. Our government, the local municipality and the community worked together to address some of the problems that were faced after the closure of Domtar. I want to congratulate them. The community has done extremely well on that front.

Our government moved quickly to establish the on-site action centre to help employees and new opportunities for employment. We also funded the project manager to coordinate the social services, and we provided assistance for Cornwall’s development of a new economic development and marketing strategy.

In this ministry, there are 44 enterprise centres which new entrepreneurs can actually use when they’re starting. When they want to open a business, it will provide them with all sorts of opportunities with developing the business plans, how to access the bank and dealing with the lawyers. So there is a lot of assistance available for the new enterprises.

**Mr. Brownell:** I am enormously proud of the resilience and dedication of my constituents, and I take it as a key responsibility to continue to advocate on their behalf and to encourage new industries and businesses to establish in the region. My constituents give their all every day, and they truly inspire me to do the same for them as I work with you and your ministry.

Minister, it was also wonderful to see you, and I appreciate your comments today as I work on the Small Business Agency of Ontario meeting—you were there this morning, a great show of support, and your words were appreciated. I know our government recognizes that small businesses like Dean River and Don Blue’s restaurant are part of the lifeblood of our economy. How important do you feel small business is to the Ontario economy?

**Hon. Mr. Takhar:** Small business is very important to the Ontario economy. There are about 340,000 businesses in total in Ontario. Out of that, 99% of the businesses have less than 500 employees. If you really break that down further, about 97% of all businesses employ less than 100 people. So small businesses are where the growth is. Small businesses are where most of the new employment is generated, so they are very crucial to our economy.

I want to congratulate the member for actually serving on the Small Business Agency of Ontario. This is an agency which looks at what are some of the issues that small businesses face and how the government can address some of those issues. I was there this morning, meeting with the representatives of the Small Business Agency of Ontario, and they’re doing some incredible work. I want to congratulate them and encourage them to continue to do that.

#### ONTARIO DISABILITY SUPPORT PROGRAM

**Mrs. Christine Elliott (Whitby–Ajax):** My question is for the Acting Premier and also deals with the egregious delays in the Ontario disability support payments that this government owes to the most vulnerable citizens in Ontario; it’s that important. The Ombudsman described the way your government runs the ODSP as “unreasonable, unjust, oppressive and wrong,” adding that the situation has escalated on your watch and is “nothing short of shameful.” Can you please tell this House what specific steps you’re going to take to restore credibility to the ODSP?

**Hon. George Smitherman (Minister of Health and Long-Term Care):** The first step that we’ve taken to restore the credibility of the ODSP was to throw out the lousy government that instituted this circumstance. It’s a rather galling circumstance to see the honourable member pretending to or suffering through the same amnesia that her leader does, which is all a bit of a pretender game or a shell game that seeks to dissociate them, their government, their eight-and-a-half-year record, from all that happened in the province of Ontario.

The reality is that we’ve taken the proactive steps of examining and dissociating ourselves from the way that your government acted in this fashion. The system was broken. We brought new people in, we’ve reduced by 10% the backlog that exists and we’ve already said—the minister said last week in response—that we will do the fair and right thing for the people. We’ve indicated, of

course, that we will respond fully to the report of the Ombudsman. But it's rather galling to hear this pretend game from the honourable member. This is your policy that we have sought to improve on behalf of the people in the province of Ontario.

**Mrs. Elliott:** This government has had almost three years to do something about this, so that argument is getting a little bit old, quite frankly. Sure, you repealed the four-month rule, but this was a rule that was misused by your government since you were elected. The Toronto Star reported on June 1 that the Ombudsman himself has said that the four-month rule was initially an internal performance standard and that it has been "twisted into a 'hammer' against the disabled." Furthermore, you didn't even make the announcement that you'd repeal this rule until the very day the Ombudsman released his report.

It's really unacceptable that it takes such an embarrassing and scathing report to get your government to do anything. This situation requires immediate action to protect Ontario's most vulnerable citizens. Would you please tell us how you plan to help these people?

1520

**Hon. Mr. Smitherman:** We have acted in so many areas where that government was acting out with the hammer, brutally applied to people who were disadvantaged in the province of Ontario. We've taken the hammer down. We're melting it into a ploughshare and making sure that we support the needs of people with disabilities in this province. We brought—

*Interjection.*

**Hon. Mr. Smitherman:** Why don't you give the honourable member from Ottawa a question, and I'll talk to her too about the circumstances with the government she worked in as a staffer, a government that over years left people on Ontario disability support to languish. And when we brought forward additional resources for the people on Ontario disability support, what did they do—and what did they do? They voted against it.

To hear the honourable member, herself related to someone who was a senior minister in the government that brought this hammer forward, stand and ask that question is galling, to say the least. We have acted, like our minister said, to do the fair and right thing for the people who depend upon Ontario disability support.

#### KYOTO PROTOCOL

**Mr. Peter Tabuns (Toronto–Danforth):** My question is for the Minister of the Environment. Scientists estimate that climate change will warm Ontario by an average of two to five degrees Celsius over the next 75 years. That will increase the number of floods, of droughts, of very hot days and of smoggy days.

In opposition, the McGuinty Liberals chastised the Tory government of Ernie Eves for wavering in support of the Kyoto accord. You even introduced a resolution in the House calling on the federal government to ratify the Kyoto Protocol. Yet three years later, the McGuinty government still has no climate change plan. When can

Ontario's working families expect you to table an Ontario climate change plan?

**Hon. Laurel C. Broten (Minister of the Environment):** Let me be loud and clear: This government supports the Kyoto Protocol. This government participated in the meetings in December and has continued to sign on to indicate that Ontario will take action to ensure that we reduce the harmful effects of climate change, the biggest challenge this society in general faces at the present time.

Let me tell the member opposite about just a few of the steps we are taking and have taken to ensure that we leave a lesser footprint on the earth for our children and for the next generation: an \$838-million investment in public transit in the GTA. That will include \$670 million to help Toronto extend its subway to Vaughan, which could eliminate some 30 million car trips in the GTA annually. Those are the actions and steps this government is taking to leave a lesser footprint and reduce GHGs, and that's the type of thing we'll continue to do moving forward.

**Mr. Tabuns:** A fascinating reply. Again, no plan on the table, but interestingly, unlike in other answers, no reference to the plan to phase out coal. I gather, because of the recent statements by the Minister of Energy, you're no longer factoring that into your statements when you talk about responding to Kyoto.

You still don't have a plan. Let's say that you could meet your deadlines; let's say you weren't breaking your promise to shut down the coal plants in this province. Even that would only meet about half your commitment, half your target to reach Kyoto.

Ontarians want to know in detail how this province is going to meet its Kyoto commitments. You have stood up and you've spoken; you have not put forward a plan. You haven't even promised a plan.

Given that climate change will seriously impact Ontario, will seriously hurt working families, will the McGuinty Liberals find the conviction they had in opposition and announce today that Ontario will join Manitoba and Quebec—

**The Speaker (Hon. Michael A. Brown):** Thank you. The question has been asked. The Minister of the Environment.

**Hon. Ms. Broten:** I guess the member opposite has to ask the same questions all the time because he never listens to the answers. Each and every single time I speak about the challenge of climate change, I talk about the fact that we are investing in public transit. That's not news to anyone, but maybe it's news to you.

Our government is also committed today to a future without coal. That statement has been made loud and clear in this province. We are going to replace dirty coal with cleaner sources of electricity. Absolutely, it is a significant challenge, but that is a critical component to making sure we have a clean, green future in this province.

Some of the other steps that perhaps have not been paid attention to: 5% ethanol content by 2007 takes

another 200,000 cars off the road. We're putting our money where our mouth is: \$520 million is going to the ethanol growth fund. Those are significant steps forward in this province to ensure that we have a clean, green future. Those of us on this side of the House take this responsibility very seriously. We will deliver clean air and no greenhouse gases.

#### HIGH SCHOOL STUDENTS

**Mr. Bill Mauro (Thunder Bay–Atikokan):** My question is for the Minister of Education. It's been shown that offering our high school students a wide array of programming will help boost Ontario's graduation rate. At Atikokan High School, a unique program, the Quetico adventure program, was offered to the grade 11 and grade 12 students. This program offers all the benefits of a regular high school program, coupled with fall, winter and spring outdoor expeditions. The program is an excellent start for those pursuing post-secondary education and a career in outdoor rec, natural resources and environment fields. What other kinds of programs is your ministry offering high school students in Ontario, and what other initiatives have you undertaken with the student success strategy?

**Hon. Sandra Pupatello (Minister of Education, minister responsible for women's issues):** I think it's fair to say that the difference today is that more and more students are able to face a more individualized and customized program that will actually see them move through high school to graduate. We anticipate that our rates are going to move from where they were before, in 30% of our students who weren't able to succeed in receiving a high school graduation diploma, right up to 85% of our kids graduating. I look forward to providing more information in the supplementary.

**Mr. Mauro:** There was a supplementary. Thank you, Minister; I appreciate that.

Perhaps, if you have an opportunity, the Atikokan High School program is singular in the province, and the outdoor adventure program they offer is very special and unique in the province. This Quetico adventure program has been in existence for four years and is a wonderful example of what we can do with complementary programs in the education system. I'd like to hear what we can do in education in Ontario with complementary programs like that.

**Hon. Ms. Pupatello:** As you know, we've had a very special focus on rural Ontario, in particular as it relates to student success. We've made certain that all of our major initiatives have some component that will address rural Ontario and the serious concerns that much of rural Ontario faces.

In this regard, we have very specifically addressed a \$10-million lighthouse program for student success, a new rural experience in the curriculum and a \$3.5-million e-learning curriculum, which will benefit many students in rural Ontario.

#### VISITOR

**Hon. Rick Bartolucci (Minister of Northern Development and Mines):** On a point of order, Mr. Speaker: Just before petitions, I want to recognize a very important Sudburian who is in the gallery today. Professor Rand Dyck has inspired many people to get involved in politics as a political science professor at Laurentian University. Professor Dyck, welcome to the assembly.

#### PETITIONS

##### RECYCLING

**Mr. Ted Arnott (Waterloo–Wellington):** I have a petition to the Legislative Assembly of Ontario, and it reads as follows:

"Whereas waste from Ontario public schools that could otherwise be recyclable is contributing to increased landfill sites; and

"Whereas diverting waste is critical to sustaining a healthy environment now and in the future; and

"Whereas there is a need to encourage recycling initiatives in all schools; and

"Whereas the private member's bill proposed by the geography club from Georgetown District High School under Making the Grade will require all Ontario school boards to have two recycling bins in each classroom, one for paper and one for drinking containers. As well, cafeterias must have adequate recycling containers outlining items acceptable to be recycled;

"We, the undersigned, petition the Legislative Assembly of Ontario to pass the private member's bill that will amend the Ontario school boards education act to divert waste from Ontario high school classrooms and cafeterias."

I support this petition and have affixed my signature.

1530

#### DRUG LEGISLATION

**Ms. Shelley Martel (Nickel Belt):** I am pleased to present petitions that have been given to me by the Coalition of Ontario Pharmacy, which is a non-partisan group of pharmacists, pharmacies, patient advocates and health care groups who are concerned with Bill 102. These represent part of the 52,534 signatures that have been gathered by this group with respect to concerns about the bill. It reads as follows:

"Whereas Bill 102 proposes to remove approximately \$500 million from our community pharmacies; and

"Whereas the government's plan will force some community pharmacies to close and will force others to lay off staff, reduce hours or cut service to patients;

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

"Please amend Bill 102 to cancel the plan to pull funding from community pharmacy and ensure that our community pharmacies receive the support they need to provide vital services to patients. Don't force our community pharmacies to close or reduce their service."

I agree with these petitioners. I've affixed my signature to this.

#### LONG-TERM CARE

**Mr. Dave Levac (Brant):** I have a petition on behalf of Gerard Kennedy, the former member.

"To the Legislative Assembly of Ontario:

"Whereas long-term-care funding levels are too low to enable homes to provide the care and services our aging seniors and parents who are residents of long-term-care homes need, with the respect and dignity that they deserve; and

"Whereas, even with recent funding increases and a dedicated staff who do more than their best, there is still not enough time available to provide the care residents need. For example, 10 minutes, and sometimes less, is simply not enough time to assist a resident to get up, dressed, to the bathroom and then to the dining room for breakfast; and

"Whereas those unacceptable care and service levels are now at risk of declining;

"We, the undersigned, who are members of family councils, residents' councils and/or supporters of long-term care in Ontario, petition the Legislative Assembly of Ontario to increase operating funding to long-term-care homes by \$306.6 million, which will allow the hiring of more staff to provide an additional 20 minutes of care per resident per day over the next two years (2006 and 2007)."

I sign this petition on behalf of Mr. Kennedy.

#### DRUG LEGISLATION

**Mrs. Elizabeth Witmer (Kitchener-Waterloo):** I have here about 53,000 names.

"To the Legislative Assembly of Ontario:

"Whereas Bill 102 proposes to remove approximately \$500 million from our community pharmacies; and

"Whereas the government's plan will force some community pharmacies to close and will force others to lay off staff, reduce hours or cut service to patients;

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

"Please amend Bill 102 to cancel the plan to pull funding from community pharmacy and ensure that our community pharmacies receive the support they need to provide vital services to patients.

"Don't force our community pharmacies to close or reduce their service."

I am very pleased to affix my signature to this petition.

**Mr. Peter Kormos (Niagara Centre):** I've got a petition addressed to the Legislative Assembly of Ontario.

"Whereas Bill 102 proposes to remove approximately \$500 million from our community pharmacies; and

"Whereas the government's plan will force some community pharmacies to close and will force others to lay off staff, reduce hours or cut service to patients;

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

"Please amend Bill 102 to cancel the plan to pull funding from community pharmacy and ensure that our community pharmacies receive the support they need to provide vital services to patients.

"Don't force our community pharmacies to close or reduce their service."

I have affixed my signature as well.

#### TRADE DEVELOPMENT

**Mr. Bob Delaney (Mississauga West):** I have a petition to the Ontario Legislative Assembly given to me by a number of our brothers and sisters in the Canadian Auto Workers in Brampton, Georgetown, St. Catharines and Toronto. It reads as follows:

"Whereas more than 260,000 Ontarians make their living and support their families through their careers in the auto industry in Ontario, which has become the pre-eminent manufacturer of motor vehicles in North America; and

"Whereas Canada imports more than 130,000 vehicles annually from the Republic of Korea, which imports virtually no vehicles or parts from Canada and does none of its manufacturing or assembly in Ontario or in any other Canadian jurisdiction, even though Canadian auto workers make the best-quality, most cost-effective vehicles in the world; and

"Whereas the government of Canada aims for a free trade agreement that would include the Republic of Korea in 2006, does not address the structural trade imbalance in the auto sector, and includes no measures to require Korea to reduce tariff and non-tariff barriers to Canadian-made vehicles, auto parts and other value-added services or components;

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

"That the government of Ontario insist that the government of Canada either cease free trade discussions with the Republic of Korea or make any proposed agreement contingent on fair and equal access by each country to the other's domestic markets in manufactured products such as motor vehicles and in value-added services, and ensure that Korea commits to manufacturing vehicles in Canada if Korea proposes to continue to sell vehicles in Canada."

It's a great petition. I thank the members of the CAW for their signatures. I add my own, and I'm going to ask page Hartford to carry it for me.

#### MACULAR DEGENERATION

**Mr. Jerry J. Ouellette (Oshawa):** I have a petition to the Legislative Assembly of Ontario which reads:

“Whereas the government of Ontario’s health insurance plan covers treatments for one form of macular degeneration (wet), there are other forms of macular degeneration (dry) that are not covered,

“Therefore be it resolved that we, the undersigned, respectfully petition the government of Ontario as follows:

“There are thousands of Ontarians who suffer from macular degeneration, resulting in loss of sight if treatment is not pursued. Treatment costs for this disease are astronomical for most individuals and add a financial burden to their lives. Their only alternative is loss of sight. We believe the government of Ontario should cover treatment for all forms of macular degeneration through the Ontario health insurance program.”

I am in support of this and affix my name.

#### TRADE DEVELOPMENT

**Mrs. Maria Van Bommel (Lambton–Kent–Middlesex):** “Petition to the Ontario Legislative Assembly:

“Whereas more than 260,000 Ontarians make their living and support their families through their careers in the auto industry in Ontario, which has become the pre-eminent manufacturer of motor vehicles in North America; and

“Whereas Canada imports more than 130,000 vehicles annually from the Republic of Korea, which imports virtually no vehicles or parts from Canada and does none of its manufacturing or assembly in Ontario or in any other Canadian jurisdiction, even though Canadian auto workers make the best-quality, most cost-effective vehicles in the world; and

“Whereas the government of Canada aims for a free trade agreement that would include the Republic of Korea in 2006, does not address the structural trade imbalance in the auto sector, and includes no measures to require Korea to reduce tariff and non-tariff barriers to Canadian-made vehicles, auto parts and other value-added services or components;

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

“That the government of Ontario insist that the government of Canada either cease free trade discussions with the Republic of Korea or make any proposed agreement contingent on fair and equal access by each country to the other’s domestic markets in manufactured products such as motor vehicles and in value-added services, and ensure that Korea commits to manufacturing vehicles in Canada if Korea proposes to continue to sell vehicles in Canada.”

#### LONG-TERM CARE

**Mrs. Julia Munro (York North):** “To the Legislative Assembly of Ontario:

“Whereas long-term-care funding levels are too low to enable homes to provide the care and services our aging seniors and parents who are residents of long-term-care

homes need, with the respect and dignity that they deserve; and

“Whereas, even with recent funding increases and a dedicated staff who do more than their best, there is still not enough time available to provide the care residents need. For example, 10 minutes, and sometimes less, is simply not enough time to assist a resident to get up, dressed, to the bathroom and then to the dining room for breakfast; and

“Whereas those unacceptable care and service levels are now at risk of declining;

“We, the undersigned, who are members of family councils, residents’ councils and/or supporters of long-term care in Ontario, petition the Legislative Assembly of Ontario to increase operating funding to long-term-care homes by \$306.6 million, which will allow the hiring of more staff to provide an additional 20 minutes of care per resident per day over the next two years (2006 and 2007).”

As I am in complete agreement, I have affixed my signature, and I’m happy to give it to page Tyler.

#### TRADE DEVELOPMENT

**Mr. Jeff Leal (Peterborough):** I have a petition today from hard-working men and women who are members of the Canadian Auto Workers.

“Whereas more than 260,000 Ontarians make their living and support their families through their careers in the auto industry in Ontario, which has become the pre-eminent manufacturer of motor vehicles in North America; and

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“Whereas Canada imports more than 130,000 vehicles annually from the Republic of Korea, which imports virtually no vehicles or parts from Canada and does none of its manufacturing or assembly in Ontario or in any other Canadian jurisdiction, even though Canadian auto workers make the best-quality, most cost-effective vehicles in the world; and

“Whereas the government of Canada aims for a free trade agreement that would include the Republic of Korea in 2006, does not address the structural trade imbalance in the auto sector, and includes no measures to require Korea to reduce tariff and non-tariff barriers to Canadian-made vehicles, auto parts and other value-added services or components;

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

“That the government of Ontario insist that the government of Canada either cease free trade discussions with the Republic of Korea or make any proposed agreement contingent on fair and equal access by each country to the other’s domestic markets in manufactured products such as motor vehicles and in value-added services, and ensure that Korea commits to manufacturing vehicles in Canada if Korea proposes to continue to sell vehicles in Canada.”

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

### HEALTH PREMIUMS

**Mr. Ernie Hardeman (Oxford):** I have a petition signed by a great many of my constituents and people from across the province. It's to the Legislative Assembly of Ontario.

"Whereas, according to the Department of National Defence, there are over 30,000 serving military personnel who call Ontario home; and

"Whereas, according to the most recent census data, there are more than 1.6 million senior citizens over the age of 65 living in Ontario; and

"Whereas the PC Party of Ontario plans on eliminating this illegitimate tax for all Ontarians after it forms the government in 2007; and

"Whereas, as an interim measure, this illegitimate health tax should be removed from those who protect Canada and those who have built Ontario;

"We, the undersigned, call on the government of Ontario to immediately eliminate the province's illegitimate health tax, beginning with serving military personnel and senior citizens."

I affix my signature, as I agree with the petition.

### WORKPLACE SAFETY

**Mr. David Zimmer (Willowdale):** On behalf of my constituents in Willowdale:

"To the Legislative Assembly of Ontario:

"Whereas we are concerned with the lack of workplace safety and protection for workers in Ontario,

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

"To review and amend the specifications of the Workplace Safety and Insurance Act to make it mandatory for all employers in Ontario to participate in and contribute to the Workplace Safety and Insurance Board."

I support this. I attach my signature and I turn it over to page Harjot.

### EDUCATION FUNDING

**Mr. John O'Toole (Durham):** I'm pleased to present at petition on behalf of my constituents in the riding of Durham, which reads as follows:

"Whereas the Ontario government already fully funds 93% of faith-based schools in Ontario, but the remaining 7% receive no funding, solely because they are not Catholic;

"Whereas the United Nations Human Rights Committee ruled in 1999 and again in 2005 that this arrangement is discriminatory and violates basic international human rights law that Ontario formally agreed to uphold;

"Whereas all three parties represented in the Legislature support Catholic separate school funding, as guaranteed by the Constitution of Canada, so that the only fair and viable solution to the discrimination is to extend funding to the small religious minorities that are currently excluded;

"Whereas the Supreme Court of Canada has ruled that Ontario has the constitutional power to provide funding to non-Catholic faith-based schools;

"Whereas Ontario is the only western democracy that fully funds faith-based schools of one religion to the total exclusion of all other religions, while all other provinces except the Atlantic provinces fund faith-based schools and have thriving public school systems;

"Whereas the cultural survival of the affected minority groups is at stake;

"Whereas faith-based schools produce responsible and productive citizens; and

"Whereas the Multi-Faith Coalition for Equal Funding of Religious Schools in December 2004 submitted to the Minister of Education a detailed proposal for the funding of non-Catholic faith-based schools in a manner that is fair and accountable and protects and enhances the public interest;

"We call on the Ontario Legislature to pass legislation that provides equitable funding in respect of all faith-based schools in Ontario, without religious discrimination and without any reduction in funding for public education, with accountability requirements and standards in place to ensure that the public interest is safeguarded."

This seems like a reasonable petition, and I'm going to sign it in support of those groups.

### OPPOSITION DAY

#### NATIVE LAND DISPUTE

**Mr. John Tory (Leader of the Opposition):** I move that the Legislative Assembly call upon the government,

To recognize that the McGuinty government was made aware of the Six Nations' land claim issues at Caledonia in August 2005, yet allowed the situation to escalate to a full-blown standoff starting on February 28, 2006;

To recognize that the McGuinty government refused even to acknowledge the Caledonia land occupation as a provincial issue until day 42 of the standoff;

To recognize that the McGuinty government's Places to Grow Act was a catalyst in igniting the standoff, since it provides a legal framework for the McGuinty Liberals to designate any area of land as a growth plan area;

To recognize that the McGuinty government further provoked the situation with a regulation identifying the greater Golden Horseshoe area as the first area for which a growth plan will be prepared;

To recognize that the Premier's procrastination and failure to show leadership when it was most needed allowed this situation to escalate into a public safety crisis;

To recognize that the McGuinty Liberals have refused to compensate the OPP for the unforeseen costs incurred



while policing Caledonia and to reimburse municipalities policed by the OPP that sent officers to Caledonia;

To recommend to the Lieutenant Governor in Council that a commission be appointed to inquire into and report on how absence of communication and lack of leadership by Premier McGuinty and his Liberal government allowed the Caledonia situation to escalate to a full-blown standoff and subsequently a public security crisis;

To accept recommendations from the commission directed to preventing similar chaotic confrontations when dealing with future land claim issues in the province, including recommendations with respect to ways in which we can improve dispute resolution in this area and enhance respect for the rule of law; and

To grant the commission powers under the Public Inquiries Act.

**The Deputy Speaker (Mr. Bruce Crozier):** Mr. Tory has moved opposition day number 4. Mr. Tory.

**Mr. Tory:** I'm pleased to have the opportunity to move this motion, to initiate this debate today and to speak to the motion. I want to make four points. The first three are important, but I think the fourth is especially important. The four points are: the need to find ways to improve the land claims process; secondly, the need for a timely response on the part of governments when incidents of this kind arise and the shocking failure of the McGuinty government to respond in a timely fashion in this particular instance; thirdly, the need for leadership and communication on the part of the government of Ontario when incidents like this arise so that we don't have a crisis boil up before anything is done—again, a shocking failure on the part of Premier McGuinty and his government in this instance; and finally, some comments on what I think is the most important issue of all that needs to be looked at by a commission and should be discussed here in the Legislature today, namely the importance of the maintenance of the rule of law.

Dealing with the first issue, the land claims process, I think it is apparent to all of us that we have to do better. We heard the minister this afternoon getting into the same old game of saying that really this is all the federal government's responsibility and the rest of us should wash our hands of it and have nothing to do with it and so on. I think this is the kind of thing that has made our First Nations fellow citizens and, frankly, the citizens of Canada tired of this game that goes on back and forth, as opposed to saying, "Let's put a bit of energy, effort and creativity into finding better ways in which we can deal with these land claim issues." How we could do better; how they could do better, meaning the people in Ottawa and meaning the First Nations people? We're all in this together at the end of the day, sitting down, discussing these things. I think there is not the need to point the finger of blame at any one person or another, but there's a need for us to accept our collective responsibility to make sure this process is done better.

Where is the harm in inviting, before an independent body or an independent investigator, experts and representatives on all sides—First Nations, local govern-

ments, provincial governments, federal governments, business people, citizens who might have a view or two to offer on this kind of thing—and to talk with them and listen to them on the matter of how we can take these land claims that have been around in many cases for hundreds of years, including the one that has led to the standoff at Caledonia, and find a way to do better? I would answer my own question by saying that there's absolutely no harm at all. There's never harm in calling people together under the watchful eye of an independent investigator and putting some of these questions on the table and listening to what all these people have to say as to ways in which we could do better.

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I think we have to be proactive. The government of Ontario should be proactive in saying to the First Nations people, and frankly saying to each other, that 200 years, and in some cases longer, is too long to let these issues fester and it's time to see how we can find ways to do it better and make our suggestions, regardless at the end of the day who has the direct responsibility, to put our suggestions on the record as to how we, in Ontario, think we could do better and prevent these kinds of situations from arising which we saw at Oka, which we saw at Ipperwash and which we see today in Caledonia.

The second point: a timely response. One of the merits of putting an inquiry in place like this is that it will allow all of us to see and understand why so much time was allowed to pass before the McGuinty government did anything at all—anything at all. They knew about this months and months before any kind of occupation or any kind of protest of any kind took place. There were information pickets on this very site, on the side of this very same road where the land is located, months before any occupation of the land began, and yet we see no action taken at that time or, if there's been any action undertaken at that time, we have no idea what it is because it's never been shared with the public.

Then the occupation of the land began months later. Still no action of any substance taken by Mr. McGuinty or his government until 60 days into the occupation—60 days of inconvenience, 60 days of mounting tension, 60 days of defiance of a court order. Maybe not 60 days of defiance of a court order, because I think it was obtained a little bit later, but the bottom line is, 60 days after the occupation began, finally we had Mr. Peterson sent in as a representative of the Ontario government: the first overt and obvious sign of any action being taken by this Premier, Mr. McGuinty, and his government of any kind whatsoever—not at the time when the issue first came to light, which I think may have been as far back as some time in 2004, and of course it's been around frankly for 200 years; not when the information pickets were there; not when the occupation began. Sixty days later: That's when this government finally decided, when the heat was on, when it was approaching a full-blown crisis, that they would do something about it.

I'm not critical of what Mr. Peterson has tried to do. He was kind enough to brief Mr. Barrett and myself on

what he was up to. There's no question as to the complexity of the assignment he took on, but questions still linger. What if he had been appointed last fall, in the fall of 2005, to sit down and begin the discussions he didn't begin until this spring? What if he'd been given that opportunity, David Peterson himself, to begin those complex discussions a lot earlier? Might we have never seen the blockade that did so much to raise tensions and did so much to disrupt the lives of people in that community and the relationship they've developed with each other over decades? What if he was appointed on day one or day two of the occupation instead of weeks and weeks into the occupation? Might we have headed off some of the ugliness that we saw in Caledonia where people were pitted against one another, where we saw power transformers burned down, businesses disrupted, schools shut down and so forth and so on?

What if this government had decided that this was a serious enough matter that related to the rule of law, to a dispute that was festering between different parts of the community, and had taken some action at an earlier time? How much less damage would have been done—yes, to business; yes, to schools; yes, to the transportation system; and yes, to hydro, just to cite some examples—but much more importantly than that, how much less damage would have been done to the social fabric of Caledonia and surrounding area and indeed the social fabric of Ontario if Mr. McGuinty and his ministers had decided to take some action earlier on, instead of just hoping, as they have done in so many instances, whether it be electricity or all kinds of things? We could talk about the crime wave last summer. What if they had decided, for once, to actually proactively take some steps to deal with a situation that was clearly spiralling out of control and had acted earlier? What would that have done to maintain that precious social fabric that exists and has existed for decades between the First Nations people who live in the area of Caledonia and the Six Nations and the others who have lived there together, side by side, for decades and decades?

On my visits there, I was struck by the fact that that was the issue that was of paramount concern to the people you talk to in both of those groups: How can we make sure we can go back when this is over, as it surely will be one day, to the kind of reasonably peaceful—not perfect; what set of neighbours anywhere live in a state of perfection?—but the reasonably peaceful coexistence we've had for decades? This government will never give us the opportunity to properly answer that question, because they dithered and they delayed and they failed to take action.

Three visits. You could see each time I went—I went the first two times without any contact with the media at all—that that fabric was being stretched further and further and that the damage was done, I would argue, simply by the passage of time.

That leads me to point three, communication and leadership. The one thing that you heard from people over and over again when you were there was that they

felt completely abandoned on all fronts. There was no one there, and there hasn't been to this day. Aside from Mr. Peterson, who was sent down, there was no one in a responsible position, a minister of this government, who had the courage—to my knowledge, unless they went down and have never told us—to go down there and actually take the opportunity to see for themselves what was going on and listen to the people and maybe show that slightest bit of concern about the impact this was having among all of the residents of all backgrounds down in that particular area.

Mr. Peterson wasn't appointed for 60 days, but I will give him this: He at least had the decency to show up. He went down there and did listen to people and sat with them and talked with them, which is more than can be said for any member of this government, including in particular the Premier of this province, who should have been there, if for no other purpose than to say he cared about what was going on enough to see it for himself, he cared enough to go and listen to the concerns that were being raised by people who live there and who have lived there beside each other. I say to you, Mr. Speaker, that the Premier should have been there; the minister should have been there.

They're very fond, over on the government side of the House, of saying how much they fight for this group or that group, but the people on all sides down there—I can tell you because I was there three times—felt there was no one fighting for them. Least of all did they find that people in their provincial government were fighting for them when it came to addressing this issue.

I want to just say a few words about the fourth matter, which is the one I said was the most important. I don't think there is anything more fundamental to the society we have here, to the system we have here, to the values that we hold dear in this province and in this country, than the rule of law. In fact, I noted with interest in doing a little research on this yesterday that when Mr. McGuinty, the Premier of this province, was in China last year, he took the opportunity to give what would properly be characterized perhaps in two respects, as a bit of a lecture to people he was visiting with in China about just how important we find the rule of law in the province of Ontario. He said, "Canadian leaders have consistently accentuated the dual themes of engagement and respect for the rule of law." He was talking there about business and saying that business can only be done in a climate in which the law is understood and consistently implemented. Those are the words of the Premier of this province giving a bit of a friendly lecture to the Chinese about the rule of law and talking about how important it is to those of us here in the province of Ontario.

I would go so far as to suggest that a good deal of the conflict we see in the world today, some of the stuff that we all have been talking about in this House this afternoon, is, yes, related to democracy, and yes, it's related in part to a belief that we have in the free enterprise system and to human rights and so forth. But it is perhaps more so than anything else about whether people are

prepared to embrace and buy into, as we have done in this society, the rule of law.

If you have a democracy where governments are elected and have legislatures to pass laws, and it's all very democratic, but then following out of that you don't have respect for the rule of law, what do you really have?

I read earlier from the Ministry of the Attorney General's website, where it was indicated that the rule of law and maintenance of the rule of law and the upholding of the rule of law is one of the most fundamental things that the Attorney General of Ontario is charged with. I would say the entire government, starting with the Premier and going all the way through, and indeed every member of this Legislature is here to pass laws and to reconsider laws and to hold people accountable, but at the end of the day, as well, to show leadership in upholding the rule of law.

I say with respect—and it's not intended to pass judgment on anybody involved in any of this—that we have allowed that principle to slide when it comes to how this matter has been dealt with, and others before it. We cannot have a situation where we somehow just leave everybody to fend for themselves when we have land that is being occupied after a court order is issued and we have public highways that are being blocked. If any of the rest of us did that, if we just decided to go out and protest high taxes or bad weather and sit down on Yonge Street, somebody would come along and say, "You can't do that," because it says in the law somewhere you can't do that.

This is a sensitive matter, but at the end of the day, you can't just say, "We're just going to go along and hope one day it all goes away." In the end, if people get that message, whether it's people here, in Caledonia, in Ontario or anywhere across the country, that no matter what's on the books or no matter what a court says, it's okay to do whatever you want, then where are we? What are people going to start to do in terms of conducting their own lives? If they don't like a law, are they allowed to just ignore it?

**1600**

I understand and I've tried to be fair and balanced in my remarks in saying we've got to start at the root of this, which is finding better ways to deal with land claims. But we cannot allow a situation to prevail in this province, whether it has to do with a land claim or anything else, where the law is ignored, where the orders of courts are ignored, where people are left saying, "Let's hope for the best and let us know how things work out." We must maintain the rule of law. It is fundamental to what our society is built on. It is fundamental to why we are here. It is fundamental to why we have courts.

I'd just say, in that regard, that I think there's a lot to be desired in terms of how this government has managed that aspect of this and in terms of how this entire matter has been managed. That's one of the other reasons why I think it is crucial that we have an independent investigator who can look at this most important of principles and say, "How can we do better at upholding and maintaining the rule of law?" There is nothing more funda-

mental and nothing more important to the role we play here to pass laws than that people and our society then have to agree on a consensual basis to follow and uphold them.

**The Deputy Speaker:** Further debate?

**Mr. Toby Barrett (Haldimand–Norfolk–Brant):**

This motion really is tailor-made to the McGuinty government's growing list of failures with respect to Caledonia and Six Nations. I hear concerns on two fronts: lack of leadership, leaving people on the ground to take the reins; and secondly, a bad job at communicating—communicating with all sides, essentially. The result is that people feel they are being treated like mushrooms.

I went behind the barricades on the third day. I have previously raised this issue at Queen's Park with the minister responsible for aboriginal affairs. I contacted the federal Ministry of Indian Affairs. I went to Ottawa. I took material to the Governor General. From all branches and all levels of government, I continue to be stonewalled. The federal minister said this is a provincial issue. The provincial minister said this is a federal issue.

On April 12, the provincial minister reversed course and took ownership of Caledonia as a provincial issue. He said in this House, "We'll be playing a lead role." But by June 3, that same minister, the minister for aboriginal affairs, reversed himself and said, "The province has done all it can do to solve the problem in Caledonia and Six Nations. Now it's time for Ottawa to step up." That was last weekend. But on May 24, Ottawa had previously said the occupation is provincial.

So here we are in the middle. People in Brant county, Haldimand county, Caledonia and throughout Six Nations are caught. They have walked through and suffered 97 days now of confusion and time lost, and both levels of government continue to point the finger at each other. Rather than tackling the important issues, this government waits for them to explode. You blame the federal government, you hide behind a political friend, then you admit failure and leave a total vacuum of leadership and communication.

However, the problem remains. At 1:30 this morning I watched a very large barn burn down on highway 6. That's one mile south of the barricade. Questions are out there: Who torched it? Who do we call to find out? Again, we remain in the dark. Lack of communication and lack of leadership has exacerbated these problems.

We all are striving to determine what is driving this. The Places to Grow legislation was mentioned by Mr. Tory. I feel that is one catalyst. The greenbelt is leap-frogging growth out of the Golden Horseshoe. People at the occupied site, people behind the barricades tell me of their concern with four million people coming down to the Niagara-Hamilton-Toronto area within the next generation. I know elected Chief Dave General has reports of five million people. That's a lot of new subdivisions; that's a lot of garbage; that's a huge impact on water quality. A mass of subdivisions is envisioned being built on the full eastern boundary of Six Nations and on the northern boundary.

People see reports of Brantford booming. They know of reports of another 200,000 people coming to the Waterloo region. Again, all of this population growth is along the Grand River within that six-mile tract on either side. This is obviously a threat to hunting and fishing—for example, carp, urban squirrels or perhaps the Norway rat. It's seen as a threat to people's culture, to their way of life, and a threat to generations hence.

There are other drivers: land claims, of course; a perceived lack of respect; lack of recognition; lack of having a voice; racism—I've witnessed racism—and I could go on. There will be future incidents. As occupied site spokesperson Janie Jamieson has said, "Caledonia will be precedent-setting up and down the Grand River."

What this motion suggests are tremendous voids in leadership and communication. There is evidence. I've already mentioned how the McGuinty government initially responded with finger pointing before taking ownership only after day 42 and then dropping ownership on day 95. On May 9, I put out a warning about the prospect of the lights going out. On May 22, the lights went out. On May 9, the minister said, "I am not aware of an expansion of the area of occupation," but it is the minister's job to be aware. The perimeter had moved at that time to north of the river.

Once the Argyle Street barricades came down, the Premier attempted to communicate from a media studio in a city somewhere. Again, we heard the suggestions that the Premier, at that time, was a day late and a dollar short. It was seen as an attempt to take credit for someone else's success. It was seen to fan the flames: "Why won't the Premier thank the people of Caledonia and within Six Nations for doing what he couldn't do at that time: getting together on the ground, on the street, and getting those barricades down?"

Communication: I continue to get so many e-mails. I've sent out close to 2,000 e-mails just from my office—phone calls and letters and faxes and conversations constantly in garages and shops up and down Highway 6 and at Ohsweken. People are asking, "Are the negotiations still on?" Maybe they are; nobody really knows. There's a deafening silence which leads to speculation.

What is the McGuinty government offering in these negotiations? We get the odd snowball answer along with some heckling from the Liberals, but no real response. Is Burtch still on the table? Was it offered? Was it taken away? Why was it taken away? If land is being offered, are area MPPs being informed of what's going on? Again, we're kept in the dark. How do these land claims impact Brantford? How does it impact the Waterloo region, let alone Caledonia?

Rampant confusion: In addition to disrupting of communities, traffic issues remain an ever-present disruption to business. When ministers are sometimes allowed to answer, we don't get much of an answer and we hear nothing from those who are muzzled. Because they would be forced to answer—and this is one theory—as Minister Ramsay has. They would have to acknowledge that they as well are in the dark and really don't seem to know what to do.

We know this is a law and order issue. This past week, Ontario Superior Court Justice T. David Marshall ordered all parties to come before his bench to provide answers for why court orders have not been enforced. There might be a good reason; we don't know. There's no communication. There's no leadership. We have no idea. Again, people in the communities affected can only speculate.

I've seen the total breakdown of law and order on both sides of the barricade—on all sides, I will add. I've seen symptoms of frustration about being left in the dark, seeing no leadership from government, broken deals, and 97 days of disruption.

I will be supporting this motion. I've seen the failures; I've heard the silence. We haven't seen any elected members of this government in Caledonia or the Six Nations area as yet. John Tory, as we know, has visited on three occasions. It's time to figure out just where the wheels fell off this whole response from the McGuinty government to the Caledonia-Six Nations issue. To vote against this resolution would continue to ignore the reality of the situation, and it's a reality that very clearly cannot be ignored for long.

1610

**Mr. John Milloy (Kitchener Centre):** It's a pleasure to participate in today's debate. I'm the first member of the government who will be speaking to it, but I know there are a number of members, including Minister Ramsay, who are anxious to speak about this motion.

I had a chance to review the motion over the weekend and was quite frankly shocked by its contents. I guess I was shocked because when it comes to issues surrounding Canada's aboriginal communities, Canada's First Nations communities, I'd always thought there was a consensus that existed here in this Legislature, here in the province of Ontario: first of all, a genuine concern for the plight of Canada's aboriginal peoples. I think all of us who have had a chance to be involved in public policy have been disturbed and at times shocked by many of the challenges that our aboriginal communities face in terms of poverty, in terms of access to education, in terms of access to opportunities. Canada is, unfortunately, a country which is not vacant of the problems of racism and other maladies which affect the way in which aboriginal peoples are treated. There is a whole range of issues with which I think we as public policy-makers have to be extremely concerned.

Tied up into all of that is the whole issue of land claims, the fact that many aboriginal groups across this country have very legitimate claims upon pieces of land. They have the right to question treaties that have been signed in the past and to ask for them to be clarified, to ask for negotiations to be undertaken to make sure that those claims are resolved. These claims, as we all know in this Legislature, go back many, many hundreds of years, and addressing them is not an easy task. Courts are involved, commissions are involved, negotiators are involved, and it takes a great amount of time, a great amount of patience, a great amount of fairness in order to

reach justice. But I think that we all agree in this Legislature that when it comes to these claims, they need to be settled, and they need to be settled in a way that is fair to all sides.

The second background assumption I had was that everyone thought that what was going on in Caledonia was a very unfortunate situation. I think all of us have been disturbed by what we've seen in the media, by the tempers that have flared, by the roadblocks, by the rising tensions in that community. I don't think anyone across this province is not anxious to see the standoff come to an end. I always thought that everyone wanted to work for a peaceful resolution of the Caledonia situation. I think all of us in this government have been working with all parties to facilitate this peaceful resolution. I want to congratulate Minister Ramsay, the Premier and other members of cabinet for what they've been doing to try to facilitate this resolution in Caledonia.

I come to the point of why I'm shocked, then, with the motion that has been put forward. I'm shocked because I thought it would have been the view of every member of this Legislature that we need to put aside some of the partisanship here, that we need to put aside some of the back and forth which underlies a lot of the day-to-day things going on in this Legislature, that we recognize how serious a situation it is in Caledonia, that we need to rise above this partisanship, and that we need to work together to find a peaceful resolution. Once in a while, I think it's time for issues to come to the surface where all parties appeal for some calm and appeal for everyone to sit down and find a way to work forward.

This motion is attempting to divide this Legislature. It's attempting to divide Ontarians. Perhaps more shocking about this motion is that not only is it placed in some sort of a vacuum and not only does it deny the very long history that surrounds the Caledonia situation, but it also ignores the role of the other major partner in these discussions, the federal government.

The current dispute in Caledonia, like so many disputes across this country, goes back over 200 years. In fact, the current round or current phase of negotiations about a series of land disputes goes back to the early 1970s, with the current set of talks going back over two years, when the province, the federal government and representatives of the Six Nations sat down to begin to discuss some of these particular issues; in my understanding, two of the 29 outstanding land claims of the Six Nations reserves. These are claims that are primarily between the federal government and the Six Nations reserve, but Ontario has consistently taken a leadership role in these discussions and has certainly called on the federal government to join us in being front and centre. We've appointed David Peterson, a highly respected former Premier, to help us out in terms of some of the discussions and negotiations that are going on right now in Caledonia. At the same time, we've asked Jane Stewart to be the provincial representative in sitting down in some of the talks that are underlying some of the issues that are going on within Caledonia. We've offered \$500,000 in interim assistance to businesses in the

Haldimand area in order to help them deal with some of the challenges that have come about due to this dispute. But most importantly, we've continued to talk, we've continued to negotiate and we've continued to work for a peaceful resolution, because that's the only way forward. I think all of us have seen far too many instances in the past when tempers have reached the boiling point and where a misstep on one side has led to tragedy. What we need to do is continue the negotiations and continue these discussions. I think we're starting to see progress there.

Other things which I find more than a little passing strange about the Leader of the Opposition's motion that he presented today involve the whole issue of the Ontario Provincial Police. Let me say at the outset that I have been very proud of our government's relationship with the OPP. We have continued to recognize the need for an arm's-length relationship with the police force and have allowed them to make the types of operational decisions that they feel are necessary, depending on the situation. In the Leader of the Opposition's motion, he makes some rather bizarre claims about the need for compensation for the OPP. Now, the OPP has assured the government that they have sufficient resources to provide policing in Caledonia while also maintaining their other provincial responsibilities. Neither the OPP nor municipal police services who have provided backup to the provincial police have requested additional funding of the government, and the government of course would support such a request if and when it's actually made. As I said at the outset, the government continues to leave the deployment of OPP officers in the hands of the OPP commissioner and our senior staff.

The other aspect of the Leader of the Opposition's motion that I find passing strange, again, is his ridiculous suggestion that somehow this is tied to the Places to Grow Act. As I said, this is a dispute going back over 200 years—the current phase of discussions going back over 30 years. The history of the Places to Grow Act doesn't go back as far. In fact, it's rooted firmly in the work of the Central Ontario Smart Growth Panel, which was established in February 2002 by the previous government under then-Minister Chris Hodgson and chaired by Mississauga Mayor Hazel McCallion. The recommendations of the panel included developing and passing legislation to support smart growth planning. Indeed, when the Places to Grow Act was first tabled in the House on October 28, 2004, my colleague the member from Erie—Lincoln noted, and I quote, "In many senses, many parts of this are simply a red ribbon tied around good Conservative ideas."

The Places to Grow Act is a separate piece of legislation which was brought forward to deal with many of the planning issues in southwestern Ontario. To throw it in as some sort of red herring, as the Leader of the Opposition does, I think downplays the importance of the ongoing negotiations between the province, the federal government and Six Nations, which span many years. Furthermore, the Ontario growth secretariat has engaged Six Nations and consulted with them on the proposed

growth plan since April 2005. While the proposed growth plan will not apply specifically to First Nations reserve lands which are not subject to Ontario's land use planning system, the underlying objectives of the plan align with and support the objectives of Six Nations to ensure better land use planning.

I think everyone recognizes that the events at Caledonia have been serious. I think all of us are disturbed at what we've seen on our nightly newscasts or read in the newspapers. All of us are looking for a peaceful resolution. Unfortunately, in so many instances, peaceful resolutions are never easy. We're talking about issues that go back for many years, many decades. We're talking about very complex issues involving different orders of government. I think we have to thank everyone who's involved for their patience. We have to continue to encourage them for goodwill.

**1620**

In terms of the resolution that's before us today, I think we have to call on all members of the Legislature to put aside the partisanship and the back and forth which sometimes muddies the water here. I think all of us need to stand and support the efforts of Mr. Peterson and the other negotiators at Caledonia, first of all to disarm the situation there and then to deal with some of the underlying problems that go forth.

I think the motion that has been put forward by the Leader of the Opposition does nothing more than sow mischief. It contains a number of red herrings. It doesn't recognize the historical realities of the situation and it certainly doesn't recognize the role that has been played by this government in taking leadership.

I will not be supporting the motion, and I call on my colleagues to vote against it as well.

**Mr. Robert W. Runciman (Leeds–Grenville):** You can tell by the member from Kitchener Centre's comments that he wasn't here when the Liberal Party was in opposition when he talks about partisanship on these kinds of issues. He should review the history and the opposition day motion put forward on Ipperwash by the Liberal Party of Ontario.

I appreciate the opportunity to participate in the debate on the motion of the Leader of the Opposition, John Tory, dealing with Caledonia, the longest-running native occupation in memory. As someone who was on the receiving end of questions and accusations surrounding the occupation of Ipperwash Provincial Park from the then Liberal opposition, it truly saddens me that once again we find ourselves in a situation that in many respects is significantly more serious than Ipperwash. The positive distinction with Ipperwash is that we have not had a fatality at Caledonia, and thank God for that.

However, what we have witnessed at Caledonia should be disturbing to all caring Ontarians. We've seen violent clashes between Caledonians and native occupiers, a bridge being burned, roads torn up and a transformer station knocked out, plunging thousands into a power blackout and costing \$1.25 million in repairs. We have also seen public roads and a railway spur block-

aded. Yesterday, as unbelievable as it might seem, a security guard's car was torched and police officers who drove, mistakenly, into the occupied area were escorted out of what a Six Nations spokesperson described as a no-go zone: a no-go zone for Ontario police in the province of Ontario.

The McGuinty government's reaction to the occupation, the violence, the blockades, economic losses and the deteriorating relationship between native and non-native populations has been to offer the occupiers property worth millions of dollars, to blindside the developers of the occupied property with a development moratorium that they had to read about in the newspaper and, of course, to blame others.

The regrettable reality is that the good citizens of Caledonia are reaping what Dalton McGuinty and his Liberal colleagues sowed in opposition with their attacks on the Harris government, and by implication the OPP, in the aftermath of the Ipperwash shooting. For years, McGuinty and his acolytes in the media implied that Harris and his cabinet colleagues, with the complicity of the OPP, somehow encouraged officers to attack the occupiers, resulting in the tragic death of Dudley George.

As someone who was there, I knew the accusation was completely false, but McGuinty, sensing political blood and not recognizing implications down the road, carried on the attack right into the current government's now multi-million dollar inquiry into Ipperwash. As a result, Mr. McGuinty has hobbled himself and his government in terms of approaches to the Caledonia situation, and he has also handicapped the OPP.

Their failed April attempt to enforce the injunction was a politically correct exercise sending in ill-equipped and for the most part untrained officers to deal with a powder keg situation. The result was a huge humiliation for a wonderful police force, the OPP, when they were forced to retreat with their tails between their legs. Who can fault the OPP? They knew, based on past words, that they couldn't count on the McGuinty government to support them. That was reinforced in question period the day after the botched raid, when the Premier put on his three-blind-mice routine: didn't know anything about it, didn't want to know anything about it and wouldn't commit to anything to address it. In Premier McGuinty's office it appears that ignorance is bliss, or at least safe political territory.

At the end of the day, the Caledonia occupation is all about failed leadership. Mike Harris, despite his faults—and we all have faults—was a leader who felt strongly that laws had to apply equally to all Canadians, and that to do otherwise would seriously undermine the rule-of-law principles that this country and this province were built on.

Mr. McGuinty in opposition, however, took a different approach, and with the prospect of short-term political gain went down a path that opened the door to future confrontations, with Caledonia, I fear, being just the start.

Constitutionally, aboriginals in Canada have special rights, but those rights don't extend to breaking the laws of our country and our province. Mr. McGuinty has

clearly demonstrated his inability to deal with the Caledonia situation, unless it involves negotiating concessions that could provoke further Caledonias. First Nations leadership, we should mention, has also been missing in action in Caledonia—an absence that undermines respect for their efforts in other areas.

This is an extremely difficult and volatile situation, and we hope and pray that today's motion will encourage all parties to work towards a speedy resolution that is fair to all and doesn't preclude the laying of appropriate criminal charges at the end of the day.

**Hon. David Ramsay (Minister of Natural Resources, minister responsible for aboriginal affairs):** It's a pleasure to rise in my place in the Ontario Legislature today to talk about an issue that has certainly taken up a lot of my time and a lot of the time of the Aboriginal Affairs Secretariat of the province of Ontario.

The Premier of the province, Dalton McGuinty, many other of my cabinet colleagues and hundreds of government of Ontario officials have been working—many of them literally night and day—putting their heads together to come up with solutions to this particular challenge.

This is a very complicated issue, and from all the events that have transpired over the last two and a half months now, it is quite evident, I think to everyone, how complicated this is, just going back as little as last night when a police car made a wrong turn, and how that got quite a few of the residents of the Six Nations quite excited as they saw a police car come in where normally that car wouldn't venture. It caused a bit of excitement then. I think the public appreciates the tension that's there on both sides in this area and how difficult this is. As I've mentioned, literally hundreds of people in the Ontario public service have been working as a team on this.

I think I'd start with a bit of the history here. There's ancient history to this and there's recent history. I think everybody understands the context—the ancient history, if you will, that in 1784, it was the British crown that granted the Haldimand Tract, which was described at that time as six miles either side of the Grand River, from the mouth of the river that opens into Lake Erie all the way up to the headwaters, which start around Orangeville. The idea of that reward for the contribution of the Six Nations in fighting the American rebels during the Revolutionary War was that they would occupy some of that land and that they would receive value for the disposition of that land as the settlers came into that part of Ontario. A trust account was to be established, and they would be credited with the disposition of that land.

The dispute really is an accounting claim, by and large. While there are some particular parcels that are involved in a land claim, the overall dispute is an accounting claim. The claim made by the Six Nations is: Were they properly credited with all the value of the land that was transferred from that tract? It was a gift from the crown at the time.

1630

There are some particular land claim issues there, and about 28 of them have been a focus over the last few

years. We acted upon a letter we received in the summer of 2005, where we accelerated the process of exploration of these claims. A couple of the parcels, the Six Nations asked to go to litigation, and that gave us the opportunity to give those some special attention. So we've been working on this issue, trying to resolve this issue, over the last few years.

Chief David General of the Six Nations had been telling us and many in his community of the progress that was being made, but there were many in the community who didn't appreciate that progress and were getting impatient. I think what exactly happened was that this spring, when the showpiece model home in the subdivision of Douglas Creek Estates sprang up—and it's basically right at the end of one of the roads leading to and from the Six Nations reserve—it was just something that was in your face and it got many of the people on the reserve quite excited with a sense that their land was being lost to this.

I think people have to understand that this development was only given approval when all the procedures were followed and everything was passed, one of those being that the chief and council of Six Nations had signed off on the development of Douglas Creek Estates going forward. To have gotten to that point, an archaeological study had also been executed and completed and passed satisfactorily. So there were procedures in place that have been established down there in the Haldimand Tract in regard to development, and those procedures were followed. But what we had here was a segment of the community that didn't accept the process that was ongoing and didn't want to see development going on in the Douglas Creek property.

Some of the background to this—and this is why this particular dispute has some very particular matters attached to it that are unique to this First Nation. Traditionally, Mohawks have a hereditary style of government, a style of government based on hereditary chiefs. But in 1924 the federal government imposed upon First Nations in Canada a first-past-the-post electoral system, very similar to what we have here in municipal, provincial and federal elections. By and large, most First Nations accepted that electoral system to elect a chief and a council who would then hire a band administrator who would administer, just like our municipalities do, funds that the bands have. In this case, this was imposed upon First Nations because primarily the resources that are managed by First Nations are monies that are transferred from the federal government to First Nation communities. This electoral system was imposed upon this First Nation at gunpoint by the RCMP, so there is a bitterness there about that imposition of this so-called democratic system of government.

While we consider it one of the most and best democratic ways of selecting a government, this strikes against the tradition of Six Nations and of Mohawks in general. So there never has been a full acceptance of this electoral system, that we commonly participate in as non-native residents of Ontario. With that, you have maybe 12% of the population partaking in these elections, and you have

various people competing for the jobs of council and chief. So there is not a broad engagement by the population in the electoral process, and this makes it very difficult to govern there.

In fact, what has happened since the Douglas Creek Estates dispute is that the elected chief, David General, and the council have delegated authority to the Haudenosaunee chief the responsibility of at least dealing with the disposition of the Douglas Creek property, and how that's going to be dealt with. Right now there's some shared responsibility between the elected chief, David General, and the Haudenosaunee chief, Allen MacNaughton. So there is right now some shared jurisdiction. Part of what we and the federal government wanted to do over the last few years too was to assist the community in working out a governance model that would be acceptable to both levels of government and the people of Six Nations.

That's one of the underlying complications in this issue. There are various players involved representing Six Nations itself, so it's not a simple negotiation, as one might find within the business world, for instance, when a multinational corporation sits across a table from its union, where the procedures and structures of that organization are very clear to both sides and there are direct lines of responsibility. This is a very different negotiation.

In fact, I know part of the frustration that people find is the timeliness of these talks. That is because of the extreme democratic nature of Mohawk politics and of First Nations politics right across this country. When we, in our first-past-the-post electoral system, get elected and an executive is sworn in, we basically have responsibility in each of our ministerial roles to govern the province. In First Nation communities, leadership will consult, some would say to a fault, back to the people who sent them there so that there is always consensus being built. It's a very different system in that while governing, even as a majority government, we'd like to find consensus and work with stakeholders, at times we will make a decision based on our authority that might not have the acceptance of everyone involved. That is very contrary to aboriginal governance; they work very differently. That takes time, so we will see great pauses in the negotiations, for days, while consultations are led by the leadership of the other side with their community.

That's another complication. I think that lack of understanding of that political system builds frustrations in the non-native community. But it's something that I think we have to appreciate and, as I have instructed our team, something we have to accommodate for. We're doing that because the goal here that we have as the Ontario government led by Dalton McGuinty is to find a peaceful resolution to this.

The other side of this—so far I've just addressed the aboriginal side of this. I want to talk about the residents of Caledonia, who have been severely impacted by this dispute. I know everyone in this chamber has been aware of the efforts that we have made as a province in working

towards returning the community to normalcy. We've had some success, but not total success, in doing that.

As everyone knows, about three and half weeks ago now, we appointed former Premier David Peterson to be the lead in the short-term negotiations. He has done a tremendous job in doing that. Since he has taken over that responsibility, we have seen the removal of the Argyle Street barricade, which was the most disruptive of the three barricades that had been in place. That's the one that basically blocked the main traffic of the main street, so that the stores along Argyle Street were not easily accessed. Of course, we saw how many of the businesses had lost their traffic by up to 50% and had suffered losses accordingly.

Because of that, we have stepped in. It was over a week ago that my colleague the Minister of Economic Development and Trade, Joe Cordiano, went down to Caledonia. He established a fund with the county for \$500,000 to help the businesses that have been hurt in that area. They've had severe losses. I know many of them were on the brink of bankruptcy because of these sustained losses. So there's been that. We have established two \$50,000 funds to the county to do some work at their end, one of them to market Haldimand county and to work on economic development plans for that region. We have been working with both sides, because both sides have been impacted by this.

**1640**

I would also say that I know the members of the assembly here are aware of the long-term working group that the federal and provincial governments have put together. We're very pleased with the co-operation of Minister Jim Prentice, my counterpart in Ottawa, for his appointment of former cabinet minister Barbara MacDougall to represent the federal government at this long-term table. We have also appointed a former federal cabinet minister, Jane Stewart, who is the former Minister of Indian and Northern Affairs in Ottawa. Both of these negotiators bring tremendous experience to the job.

We're at a point now where we think that Ontario has probably exhausted all the tools that we have available to us to solve the short-term dispute. We see, as the long-term working group commences its discussions, that the short-term dispute is naturally evolving to that table, and probably rightfully so. That table is preparing to take on and address that. Obviously, the crux of all of this is the final disposition of Douglas Creek.

That brings me, obviously, to the other injured party here, the Henning brothers, owners of the Henco development company. They are the developers of this particular property, who are hoping to build 600 homes on this property as Caledonia is expanding to the south, a rapidly growing community southwest of Hamilton.

The Henning brothers realize now that the value in the property is not what it was once and have entered into negotiations with the province, and we continue to talk to them about the property. In the interim, we have given them some capital as bridge financing to make sure that they do not go bankrupt. We've also worked with the



builders that had been associated with the developer, who were planning on being partners with the developing company to build those homes there, to help them out because they obviously have been in severe financial jeopardy too.

We've been trying to address all the concerns of the community and the various players there. We've also set up a working group called the alliance. This is a working group of business people in Caledonia, municipal representatives and other community representatives. There are daily meetings going on between government officials and this alliance group in order to communicate to the community exactly what's going on on a day-to-day basis. One of the concerns that was brought to our attention very early in this dispute was that because of the negotiations going on, a lot of people didn't understand what progress we were making, what was going on and what was being asked of us. So we've established this alliance working group where we communicate on a daily basis with this group, and have also set up an 800 number with this group so that the public has access to information as news breaks here.

We're doing everything we can and I think that's the message I would want to get out today to the people of Ontario, that we are marshalling all the resources we have in the provincial government. We are partnering with the federal government and certainly asking them to continue to be a partner with us at the table. As we get further down the road on the long-term working group, it will in the end be the tools the federal government has that will see the resolution to this dispute. It is only the federal government that has the tools to resolve an outstanding land claim that needs to be brought to the table. They are there, and we are certainly encouraging them to continue the work with us, as they have been. I think in the end we are going to get through this.

I would ask the members, and I suppose especially the official opposition, who today have brought forward this resolution, to have patience. I find it passing strange, as their ex-leader had once phrased in this House, while we are in a dispute and not at resolution yet, to be talking about a post-mortem about the situation. But they've decided to do that today. I suppose our time might have been better spent here in working together, all three parties, in trying to find a resolution to this.

This not a partisan issue. This is not a political issue. This is a challenge faced by both the provincial government and the federal government as to how best can we settle the outstanding claims by aboriginal people that this country faces? As I said earlier in question period, there are over 1,000 outstanding land claims in this country and many of those have been outstanding for hundreds of years. It is time that all levels of government get together. I think what is going to come out of the long-term working group here in Caledonia, for Ontario, is that in the end we are going to design and develop mechanisms to better expedite these outstanding land claims. If one could, in the future, look back at where we will finally resolve this issue, I think what we're going to

be able to say, if there is some good that has come out of this dispute, is that in the end—and I'm hopeful this will be the case—we will have developed an expeditious approach to solving outstanding land claims, at least in Ontario, and hopefully, through that, maybe develop a prototype that could be used right across this country.

This is something that really has to be resolved. It's a nagging problem that nags this country. It holds our aboriginal people back. It prevents them from truly sharing in the economic wealth of this country and it has got to be resolved. This particular dispute in Ontario has brought this to a head. We have to deal with it now. I think, in the end, we will get this resolved and we'll all be the better for it.

**Mr. Garfield Dunlop (Simcoe North):** I'm pleased to be able to make a few comments today supporting our leader's opposition day motion.

First of all, I want to say to you that I understand what a difficult situation Caledonia has been. I want to thank our leader, John Tory, who has visited Caledonia at least twice and has made this a very high priority as he has tried to work, I think in a non-partisan manner, to try to bring resolution to this.

I'd like to make a few comments today in support of the Ontario Provincial Police, who appear to be, as one police officer mentioned to me two weeks ago, the meat in the sandwich. I say that because we've had a number of officers present at Caledonia since February 28 of this year. At times, in the vicinity of 200 officers have been present at Caledonia. It's been a tremendous, tremendous burden on the Ontario Provincial Police's budget. I wanted to make sure people are aware that this is a budget where the field and traffic division had already been cut by \$31 million this year. So trying to find that \$31 million, as well as finding the costs that are associated with Caledonia, would be important for the government not only to address but, if the government wants to work in a non-partisan manner on this issue, I'd like to see some answers come back to this House on what these costs are.

There is no question these costs are affecting the OPP budget. They're affecting municipal police forces and of course they're affecting the general officers in the Ontario Provincial Police because, as one officer told me last Friday, they're tired. This has gone on a long time, over 100 days now. It's having an impact.

One thing the minister could come forward with would be to provide that information to this House. For example, what has it cost? I have seen nothing to date. He says it's all part of the overall budget and it's not having any impact on anything else. I don't buy that, not when I talk to officers from across the province. They seem to have a different opinion than the minister does on it. I can tell you that—my guess right now—it's costing close to \$3.5 million out of the Ontario Provincial Police budget every month that this goes on. I'd ask that the minister, if anyone has any more accurate information than that, come forward with that and provide us with the detailed information, because it is having an impact. I

just want to know that in a busy holiday season like we're about to embark upon—we've just finished the May 24 weekend and we've got the long weekend coming up in July, which is one of the busiest days of the year—we have the officers on our highways and we have the officers near our provincial parks. There are often literally thousands and thousands of people at some of these provincial parks. We need to have that police presence, and I want to make sure that those officers are available in the summer months. Right now, I think they're going to be more tired than ever and that we won't see the numbers we would normally see.

**1650**

I was very concerned when I asked a question, even today, on the terrorism attacks, because I think it shows a sense of leadership. The minister refused to answer the question or the supplementary. He went on about something with Norman Inkster, that he didn't fire them. The question was, what additional resources were they providing? Then, when I asked him the CISO question about the \$1.76 million, he said he hadn't made any cuts. I acknowledged that but I asked him, was he going to make the cuts next May, May 2007, and he refused to answer the question. This is no longer question period, because we certainly don't get any answers anymore, answers to anything. That's what's kind of sad about the place. You look for honest answers and you look for accurate answers and you get nothing out of it. That's very disappointing.

This issue at Caledonia, the blockades etc., what I'm hearing from people from across my riding, which is almost 200 km from Caledonia, is, where's the leadership? Where is the leadership on this issue? We have not seen the Premier at Caledonia. We have not seen any cabinet minister at Caledonia. We've never seen the Minister of Community Safety and Correctional Services. We've never seen the Attorney General. That's a sense of leadership. We've got a crisis here, we've got a situation that I think needs true leadership, and Dalton McGuinty is nowhere to be seen. At the same time, they're asking us to pass Bill 56, the emergency management act, which gives more power to the Premier than ever. We're supposed to listen to that, when the guy is lost in action? He has hidden under his desk or something, somewhere. He will not visit Caledonia. That is disgraceful. There should be a cabinet minister's presence weekly at Caledonia until this thing gets resolved. At least it would show some faith that the government actually cares about this particular issue and cares about the Ontario Provincial Police, who have become the meat in the sandwich, as I said earlier, on this very difficult issue.

I will be supporting this resolution and I support my leader for his leadership on this file. There's not a lot he can do at times, but at least he can bring to the attention of the public that we're seeing absolutely no leadership whatsoever at Caledonia from Dalton McGuinty and his cabinet.

**Mr. Gilles Bisson (Timmins–James Bay):** It's unfortunate that we have to be in this Legislature, debating this

particular motion. Let me explain why. We never should have been put in this situation in the first place. This is a long-standing problem with First Nations, not only here in Ontario but across this country. Whenever it comes to resolving the grievances or issues that First Nations have had for many, many years, before federal and provincial governments, it has always been pretty well much the same: a federal government missing in action, that's indifferent, that quite frankly has followed a policy of assimilation and a policy of neglect to where First Nations, no matter where they might reside—in southern Ontario, northern Ontario, BC or wherever it might be—find themselves always in a position of being basically without. I represent, as do other members in this House, many First Nations. I represent mostly Mushkegowuk Cree and the Ojibways of the central Ontario area around Timmins. I can tell you, for those of you who have been into those communities, that you will see a lot of poverty. You will see poverty in those communities like you see probably in many other places of the world where poverty exists. I always remember being at a conference one time with parliamentarians—I forget where it was, somewhere in Europe—and a Canadian senator stood in the middle of this assembly of legislators from across the world and was admonishing the European countries for their treatment of people in Third World countries and was talking about Canada being the upstanding example. I just reminded the person afterwards that if that was truly the case, then we should be able to point to First Nations communities as being the example of how Canada is a leader when it comes to dealing with people fairly. The senator recognized the error of his ways and found that Canada has nothing to say in regard to admonishing anybody else; all we have to do is look at our First Nations.

Why are we here with Caledonia? It's much the same story as is the case of most other First Nations. The federal government, first of all—and there's blame to be sent to both sides, but I'll start with the federal government because at the end of the day you would think the federal government would have some interest in resolving this—has not listened to the grievances that have come from the Six Nations community for many years now. Then, as is normally the case, First Nations for a long time would never look to the province for a solution to some of their problems. I believe they should be looking to the province for many of their solutions. I'm going to get into that a little bit later. Why? Number one, because they are Canadian citizens, and Ontario citizens in this case; two, we do have jurisdiction. We're the ones who do planning, who do development—all those things are municipal in nature. Three: In many cases, we've signed the treaties.

It always amazes me when I listen to governments of all stripes in this place, specifically in the Legislature here, turn around and say, "Oh, well. That's a federal responsibility," and I know full well that we, as a province, signed on to the treaty. You say to yourself, "Well, if the provincial government was there on signing and the

crown was representative of the federal government on signing and the First Nations signed in good faith, why would the province not accept its role?" There's where we go further into the Caledonia situation.

Caledonia is nothing new. What has happened in this particular grievance is one that has been long-standing. Anybody who lives anywhere near Six Nations or anybody who knows anything about what goes on will recognize that this issue has been around for a long time. They have been looking at trying to resolve this for many of the reasons that the Minister of Natural Resources laid out in his debate. Hence the problem: Nobody has listened. It's the same old game, right? The feds bounce the ball to the province. I heard Prentice and I heard Harper say, "It's a provincial responsibility." Then I hear, coming from the Legislature, from the Minister of Natural Resources and the Premier, "It's a federal responsibility." And we pass the ball back and forth. In the meantime, it's like playing hot potato: Nobody wants to catch it.

Meantime, the communities in and around the area of Caledonia are in the situation they're in with the blockade, and it's not fun for them. I can attest to that. More importantly—or as important, I should say, to correct myself—the First Nations have not had their particular grievances resolved.

All I say is, listen, let's all recognize something here in Ontario. The federal government's missing in action. I'd given up on them a long time ago. If I had to wait for the federal government to resolve any of the issues in our First Nations on Timmins–James Bay and if every time I was approached by communities in my riding, I was to say, "Oh, that's a federal responsibility," there wouldn't be a brand new school in Fort Albany. We wouldn't be doing many of the things we're doing when it comes to health care, as far as building an integrated health care system on James Bay. We're actually going to transfer it over the province, where we know how to run health care, and the federal government doesn't. You can't wait for the federal government because, quite frankly, they're indifferent. They don't care.

I listened to Jean Chrétien and I listened Paul Martin make all kinds of promises to First Nations and say, "Oh, Lord, we love you. Let us give you a hug. Be part of our advisory committees. We love you; we're going to do all kinds of things for you." They've done what every Liberal/Conservative government has done in the history of Canada, which is basically ignore the issues of First Nations. In the case of Caledonia, to a large extent, that's exactly what the federal government did here and that's exactly what Dalton McGuinty has done as well.

What should have been done—well, it's like being a Monday morning quarterback. I can sit here and analyze every play that's going to happen in the first game of the NHL playoffs with Edmonton. When Edmonton wins, I'm sure I can sit back and analyze every play and pretend that I know how they could have got more scores and how they could have saved themselves in a couple of situations, but that's easy to say. I think what we can say

safely is, what it takes is action. It takes an engagement on the part of the province. I can't speak for the federal government because I'm not a federal legislator, I'm not an MP. Quite frankly, they've been missing in action for too long. It takes action on the part of this province to say, "There's a problem on Six Nations when it comes to this issue. We know that this thing is going to come to a boil. Let's sit down and let's try to find a resolution to this before it comes to a boil."

**1700**

What those solutions are would have been a matter for—we can sit here and debate this for the next hour that we have and second-guess what could have been put as far as recommendations for resolving this thing way back when. I'm not going to get into the detail of it. All I'm going to say is, you go there and you say, "There is a problem. Let's try to fix it."

We deal with that on a monthly basis, at least, in the James Bay. Both my federal colleague, Charlie Angus, and I deal quite a bit with First Nations in regard to a number of issues. For example, this last week you would have seen in the media where Jim Prentice, for some reason, decided there was no agreement that was signed between the government of Canada last fall and the community of Kashechewan to relocate that community. Don't ask me why Jim Prentice did that. I thought it was the stupidest thing. There is an agreement by the federal government that's signed with the First Nations that they were finally going to relocate that community to higher ground, and Jim Prentice all of a sudden started doing the dance of the seven veils and started making all kinds of comments and suggestions that would slow down the process.

I can tell you, the community of Kashechewan—which has now spread out from Thunder Bay to Hearst to Sudbury to Timmins to Kapuskasing to Cochrane and Greenstone and a number of other communities—was quite upset, and a number of them wanted to get on the buses and they wanted to hold a blockade. The potential was, we could have had blockades in each one of those communities as of this weekend, but Charlie and I got on the phone and we met with the band council and we started having some discussion. We said, "Hang on a second; there are some other things that we can do here. We think that Prentice has messed up. He didn't realize where he was going, like most other ministers of Indian Affairs, who never really understand what they're doing."

Charlie went back and had a chat with Prentice on Friday and started to put the pieces back into the box. On Sunday morning, we met with the band council. We were on the phone with a number of different people who were calling both Charlie and me, Chief Leo and Deputy Chief Rebecca and others, and we dealt with it. We said, "Hang on; let's cool our jets here. Let's realize what's happened. The minister has made a very fairly large tactical error, and we need to find a way to put this thing back together again."

I'm confident that we seem to be going in that direction as of this morning. From conversations I've had with

my federal colleague, Charlie Angus, we're certainly going in the right direction to getting the federal government to recognize that there was an agreement that was signed with the First Nation, and we're going to move forward.

How does that relate to Caledonia? My point is this: We sat down and we talked. We didn't wait until this thing became a powder keg. I would never do that, because I think at the end of the day it would put me in an untenable position as a provincial member of Parliament. But if I'd sat on this thing last Thursday and had said, "Oh well, what happens, happens," and didn't take the time, along with many others, to sit down and to build the good will that we have over the years, the city of Timmins, the community of Cochrane and Kapuskasing and Hearst and others who've been with First Nations on the James Bay, building those relationships so there is trust, this thing could have blown up into a powder keg.

My point is, and I know my good friend Mr. Levac feels the same way I do: You sit down and you talk to people. And you know what? Sometimes that can be very tough. I'll tell you, I've been at some community meetings, I don't care if it's aboriginal or non-aboriginal, in Kapuskasing, for example, back in the early 1990s when they were going to lose their only employer, Kimberly-Clark, I remember going into that community with Len Wood and Shelley Martel and talking to people. I remember that at one point they blockaded us in the community. They blocked the highways going in and out of Kapuskasing until such time that a solution was found.

I wasn't threatened by that. I took the view—and so did Shelley and Len—that we had to understand that these people were mad, they were losing their only employer, and the provincial government representatives were there and they wanted to have some answers to their questions. Yes, it was tough; it was hard. They yelled at us, they screamed at us, they were pretty tough on us, but at the end of a fairly long meeting, people started saying, "Well, at least they're listening." That's the first step.

We couldn't tell them then and there in that meeting that we could do X, Y and Z, because we didn't have the authority to do that. Shelley was the Minister of Northern Development and Mines, Len was the local member and I was her parliamentary assistant, and we didn't have the authority. We said to them, "We've heard your concerns and we're asking you not to blockade the road. We will go back to Queen's Park and we will work with the provincial government in order to try to find a solution." A few months later we found a solution and Kapuskasing was saved.

Let's remember, it's not only First Nations that put up blockades. I've been on a number of blockades over the years. In fact, I was on a blockade last fall in regard to the closure of the mill in Opatatika, where the OPP was called in to deal with what was a blockade by the unemployed workers who were losing their jobs: community members, grandmothers, children, teachers, chamber of commerce types, mayors and others who were on the—are you pointing at me? Okay, you're trying to get the

attention of the page. I'm sorry. I was wondering why you wanted me to go down and see you, Sergeant at Arms, as I was talking about being on a blockade, being a former RCMP guy.

But anyway, my point is, I was on that blockade where the citizens of the Kapuskasing-Opatatika area closed Highway 11. That's the major transportation route for all goods and services going across Canada at that time of the year because normally toward the fall and the winter, we stop using Highway 17 for truck transportation and we move north. My point is that the road was blockaded. And do you know what the OPP did? They didn't come in with their clubs and start bashing everybody on the head. They did what they always do. They tried to calm the situation down. After a period of time, people decided they'd made their point and moved on.

So I'd just say to people, I know this is frustrating, what's happening in Caledonia. God, I know. I've been on both sides on these things. I've been blockaded in on a couple of occasions and I've been on the blockades, both with First Nations and non-aboriginal people, on various issues. The point is, the OPP has to do a job of maintaining the peace, but not inflaming the situation. If we're going to get mad at somebody, let's not get mad at the OPP. They try to do their job as best they can.

I think we need to take a look at where the problem lies, and the problem lies with both federal and provincial governments, and in this case, the provincial government, which failed to recognize there was this problem brewing in the Six Nations for as long as it was. Then finally, after the First Nations felt nobody was listening and it wasn't going anywhere, they put a blockade up. The blockade was up for how long? Sixty-some-odd days, 50-some-odd days before the altercation came with the OPP. Where was the provincial government in all that period? It's not as if we didn't know. I know the good Minister of Natural Resources probably got daily briefings from his staff on day 1, day 2, day 3 of the blockade. Why did it take 50 days for the government to respond or try to find a response or 60 days to appoint David Peterson?

It seems to me we had to enter into dialogue, and if we waited for the federal government, we'd wait another 120 days. Imagine, if you will, being a First Nations person living in Peawanuk or Kashechewan or wherever it might be. You sign a treaty with a government 100 years ago—they've been waiting for 100 years for the government to honour their treaties. Talk about patience, and they've been pretty good about it. They have not done anything that is out of the ordinary or outside of the law. They've been pretty decent about it, but every now and then people do get frustrated, and out of that frustration at times comes what we see in the form of blockades.

I wanted, while I had the opportunity in this debate, to talk a little bit about what I think the policy should be that should lead us away from the Caledonia situation that we have now. I think one of the first things we have to do, all of us—and I commend the local member, Toby Barrett. From what I can see, he's been fairly active in trying to talk to both sides and bring people together and

is actually listening to what's going on. The first thing I suggest to any member—and I'm sure we all do, but just the obvious, maybe for the reason of the debate—is that, really, we need to play our roles locally and get to know not only who the leadership is in our communities but also who the movers and shakers are, because far too often it's not the leadership that move these things along; sometimes it's others who have far more influence.

I remember going into a community—I forget which one it was. It might have been Constance Lake or Moose Factory; I forget where it was. I was at a community meeting and it was one of the first times that I'd been elected, representing this particular riding. I was expecting the chief to get up and do like we do on municipal councils: "I'm the mayor and I'm speaking out and this is where we're going." It took about two seconds to figure out that it's not the chief who runs this half of the time, it's a whole bunch of other people in the community, based on their tradition. Sometimes it's the women who have a large role in making these decisions, by not even saying a lot, just by sort of every now and then prodding the crowd in a certain direction. Sometimes it's the elders, sometimes it is the band council or a few leaders within the band council. Sometimes it's radicals. I've been at some meetings where I've been considered a radical when I was in the labour movement. Sometimes it's the radicals who push things along.

But that's okay, there's nothing wrong with that. My point is, the first thing we've got to do, as local members and as municipal politicians and federal members, is to know our communities well, because at the end of the day, we're the people on the ground and we can then provide advice to either provincial or federal governments, whatever House we belong to, as far as finding the response.

**1710**

What's the next thing that we have to do to prevent such things as Caledonia? First of all, we need to respect our treaties. In the case of Caledonia, it depends on what side of the story you find yourself on. I thought the minister made a fairly good demonstration of what happened as far as the evolution of what happened in the Six Nations. Depending what side you're on, people interpret it different ways. But the first thing we need to recognize is that we've not done a very good job federally or provincially recognizing the responsibilities we have in dealing with First Nations. I know most members in the House who have had a chance to travel into many of the First Nations communities see just how deplorably poor they are as a people and just how run down their infrastructure is. You have to ask yourself a question: How can we in Ontario today have communities as poor as that, considering how rich we are as a province? It just doesn't make any sense.

The best example is Attawapiskat. Attawapiskat is going to have the only diamond mine in operation in Ontario, the first diamond mine south of the northwestern territories. It's a huge deposit; it's extremely rich. Just to put this in perspective, De Beers is spending over \$1 billion—

I say it again, over \$1 billion—to develop this project, and good for them. But take a look at the community of Attawapiskat. Twenty people per house. How do you survive in there? In some cases, there are people who live in tents 12 months a year. One particular individual—I don't want to use the last name, because I think I got it wrong. Moses and Margaret and their family for two years lived in a tent in their backyard with their two young daughters. Why? Because there was no housing available for his family. He has a very large family. I think there are about nine or 10 kids, and the oldest kids are married now and have kids and they're all piled into one house. So there was something like 20-some people in this house. Moses and Margaret decided to take the two young girls out, who were at the time about 8 and 9 years old, and live in a tent in his backyard as a way of providing some calm to his children so the two youngest girls could study and learn and do well in school and grow up having an opportunity to compete with other kids.

How do we in Ontario, in Canada, allow somebody to have to put their children in a tent to provide for housing in this day and age? How do we do that? Take a look at Attawapiskat again as a good example. The road infrastructure in that community—go into that community. Go into 100% of communities—I won't even say 99%—in the NAN territory, in Treaty 3 and probably Robinson-Superior. There is no pavement on any of the roads. As people drive up and down the roads with their ATVs or four-by-fours or whatever it might be, there's dust being blown up in those communities all the time. Dust is just permeating across the communities on any sunny day. That is not a healthy thing for people to live in.

Sewer systems—did you know that there were no sewer systems on the James Bay coast until we came to government in the 1990s? Imagine that: People didn't have a sewer to flush their toilet or empty their sink until 1992 or 1993 in the communities of James Bay, Fort Albany and north. Can you imagine that, in our time? Water—they didn't have potable water. Most of them don't have potable water. But Attawapiskat just recently, as of about two or three years ago, got potable water in their community. How do we allow those kinds of things to happen in First Nations communities, given that this province and this country are so rich? There's something immoral about it.

I just say to all of us here in the Legislature that we've got to stop passing the buck over to the federal government and playing the blame game. At the end of the day, you know what? Those communities will remain poor and have poor infrastructure as long as we play that game. I say we as a province have to recognize that these are Ontario citizens. If the federal government is not prepared to do what needs to be done, then we need to step up to the plate, either to pressure the federal government to do what is their responsibility or to negotiate agreements from the federal government with the consent of First Nations. And I say that only with their consent should we transfer some of those services back to the province, where they're better served.

I'll give you a couple of examples. Health services on the James Bay: We're in the process now of basically transferring the federal hospital, the nursing stations, over to the province. It's been a 10-year effort to get this done, and finally we're in the final throes of the final agreements to allow that to happen. Now, why I'm such a large advocate of this particular initiative is that I've seen first-hand, as you and others have, the conditions of health care in many of our communities in the James Bay and other First Nations communities. But I recognize one thing: When I go to James Bay General Hospital in Fort Albany and I go to the James Bay General Hospital in Attawapiskat that are run by the provincially run James Bay General Hospital, there are wings of a hospital with an emergency ward, acute care beds, some long-term-care beds, nursing staff, doctors who rotate in, and we provide a semblance, at least, to First Nations of health services.

That's not to say anything bad towards Weeneebayko. They try as hard as they can. They run the hospital in Moose Factory. But all the other communities are run by nursing stations. Now, those nursing stations are staffed by hard-working nurses who really try hard to do their job, so this is no reflection on them, but they're not resourced to the degree they need to be. They don't have beds, for example. If a person has to be held in a community before transport, they've basically got to be put in a holding room that's akin to what you would see in a medical clinic; that's basically what they are. They don't have what we consider a hospital in those communities. So this initiative of finally the province sitting down with the federal government and saying, "We're prepared to allow the transfer of that hospital to the province," is going to be a good thing for James Bay over the long run. Why? Because we do it better. We are the deliverers of health services in Ontario, not the federal government. The federal government doesn't have the ability to do so; it's not their bailiwick.

What we need to make sure of in that agreement is that in the end, the federal government holds on to its fiduciary responsibility and transfers on an annual basis the dollars they would have to pay otherwise to provide health services in those communities. They have a signed treaty. They do have a fiduciary responsibility. What we should be doing is saying to the federal government, "Listen, if you're indifferent and you don't want to do this, tell us. We as a province are prepared to sit down with you and First Nations to figure out how we can do it in the context of a provincially run service." We, quite frankly, should give most of that transference to First Nations governance. That's a whole other issue.

I'll give you another example: education. In many of our communities there are some good examples. In Moose Factory, Fort Albany, the grade schools are very well run. As a matter of fact, this morning we had young people from the Peetabeck Academy here as part of their grade 8 class. They're doing a great job. It's a brand new facility. Kids like going to school there, more so than in other communities, because they have some pride in the school. It's a brand new school that's been there for

about three or four years. There's an infrastructure for them to learn in. In Fort Albany, I would argue, there's also a little bit more housing. It's a little bit easier for children to study at home.

But when you go into other communities, that's not the case. In Attawapiskat, children are still in a portable school and have been for three or four years now. Why? Because the main school, the J.R. Nakogee primary school, has been contaminated with diesel fuel. The federal government says, "It's okay. Keep on sending your kids there. One of these days we'll get around to building another school." Kids started getting sick. They were coming home nauseous; they were coming home with all kinds of stomach cramps, diarrhea—you name it, they were getting it all. The staff were getting sick.

You know, First Nations people are very forgiving. People should remember this. For a long time, they put up with it and put up with it. Minister after minister would go to the community or meet with the local education authority or the band council and say, "We'll build you a new school." "We'll build you a new school." They heard the story over and over again. Finally, the community said, "Enough is enough. Our kids are getting sick." So they shut the school down, and only then did the federal government say, "We're going to do something." You know what they did? They built portables. That was their solution. They spent as much money to build portables as it would have taken to build a brand new school. Talk about stupid. I say "stupid" with a capital S. That's the federal government and the Department of Indian Affairs, INAC, when it comes to dealing with this. So they're in a situation now where they are sitting in portables and finally we're in the final throes of getting a new school on the primary side. But this community has had to go through hoops and hoops and hoops, and thanks to the leadership of the local education authority, Steve Hookimaw and his board, and Michael Carpenter, the band chief, they have done a really good job of pulling the community together and doing what's right. But they've been doing it for years.

My point is, you wonder why we've got blockades in Caledonia? I'm surprised there are not more blockades around all over the province when you take a look at how First Nations are having to deal with issues in regard to how they're left behind. You prevent a Caledonia by paying attention to the problem and saying, "Let's deal with this problem before it becomes a powder keg," the same way we have to deal with the problem in non-aboriginal communities. I've told you about the school in Attawapiskat. Can you imagine if you had a school in downtown Whitby or downtown Sarnia or wherever it might be and the kids were coming home sick because they were getting contaminated by diesel fuel underneath the school? Can you imagine what would happen if the provincial government and their school board didn't respond to that? We would be out behind the blockades. It wouldn't take more than five minutes and we'd be out there, demanding from our provincial politicians and school board representatives, "We want action." If we didn't get action, do you know what we'd do? We'd get

on the buses, come to Queen's Park and protest around this building. We'd ask for meetings with the Minister of Education. We're much better at getting attention to our problems than First Nations are. Are we surprised that they put up a blockade? I'm not surprised. This issue has been around for a while.

1720

I want to give one more example, because it's one that's currently going on in Peawanuck, actually Weenusk First Nation up on the Hudson Bay. This is really nuts. This is the Department of Indian Affairs at its best. There's no hydroelectric grid up in Peawanuck, all right? The minister knows that. He's been up there a couple of times and knows Chief Mike Wabano and others well.

Here's a good one. There's no electrical grid. In other words, there are no hydro wires coming into or out of the community. You have to generate your electricity directly in the community by way of diesel generators. I might have my years wrong, but up to about seven, eight years ago, INAC, the Department of Indian Affairs, said, "We're going to give the community what it costs to generate electricity." That was part of the agreement when they build a community. So each and every year, up until about seven years ago, the band council got funds to run the generator and have fuel flown in, because that was the only way you could bring in fuel up until recently. We had a bit of a winter road last year, but up to now—as a matter of fact, we probably only brought in about 20% of the fuel because the winter was so mild, but that's a whole other story. You have to fly in the fuel all the way to Peawanuck. Just to give you an idea how far that is, flying from Timmins to Peawanuck is about the same as Timmins to almost Philadelphia. That's about the distance. It cost about \$600,000 a year to maintain that diesel generator for the community.

So INAC said seven years ago, "We want to change things. We want to make it so that local residents pay for electricity directly. We're going to cut your allocation from \$620,000 a year down to almost \$300,000—\$270,000. The band council said, "Well, we'll try as best we can, but recognize, Minister, that 90% of the people who live in our community are on welfare, and to buy food—there's no store in Peawanuck—they have to have it flown in from Zudel's in Timmins. It costs about 1,500 bucks a month to get your groceries, just for basics. People's welfare cheques are about 1,400 bucks. We don't know how people are going to pay, but we're going to try."

So they get new transfers of \$275,000. In year one, they run a deficit. Why? They can't collect the full amount of money from the residents because the residents don't have the money. Year two, the same thing. The band has then got to take funds from other parts of its budget to offset the deficit on the hydro side. Eventually, that puts them into arrears and into a deficit situation as a band council. INAC then comes back and says, "You're bad managers. We're going to put you under third party administration." Now all of a sudden it's the band's fault. Tell me how that happened. But anyways, here it gets better.

The community finally says, "Listen, we can't afford to pay for the generation in that community. So, INAC, you take the generator back. We're not doing it anymore." INAC said, "Not a problem. We'll have somebody else, a third party manager, come in and manage the electricity." So they called for tender and hired a company called Pritchard Industrial, out of Manitoba, to come in and run the electricity.

Here's the deal. Pritchard gets \$650,000 a year from INAC to run the electricity system. Does that number sound familiar? It's the same \$650,000, with inflation, that the community used to get for running the electricity plant that was cut down to \$275,000. INAC said, "We're going to give Pritchard \$650,000 to run the electricity system and, by the way, Pritchard, go and collect money from individuals for their hydro." Now Pritchard is getting the \$650,000 that the community should have gotten in the first place, and if they had, we wouldn't have a problem. They wouldn't have been in a deficit situation and people wouldn't have fallen back in arrears, but now we have the same old problem.

Last year at this time, or in July, a whole bunch of "Disconnect" notices went out in the community. Charlie Angus, myself and our staff worked with community and social services and others in order to make arrangements through welfare to do some payback scheme of 25 bucks a month to try to satisfy the bills somewhat and we got everybody reconnected. Guess what's happening. They're coming in next week to disconnect the electricity on probably 60% of the homes in Peawanuck. Go figure.

We wonder why blockades go up in First Nations? It's a recipe for disaster. It can't work. You've got a federal government, for God's sake, who I think is purposely underfunding communities to make them fail, and then we wonder why First Nations get mad and put up blockades every now and then. I repeat, if it were us, we would have been out on the barricades a long time ago. Can you imagine what a community that's non-aboriginal would do? They wouldn't put up with it. They would say, "Enough of that." At least we have an opportunity—we can throw our governments out. With the First Nations, they're so few in number that they don't affect the election in any great way, so they find themselves not having the satisfaction of being able to change the government every now and then.

I say to the government, don't pass the buck anymore. If you want to avoid the Caledonias of this world, you've got to sit down and talk to both parties. You've got to sit down and find out what the grievance is. In a case like this, where there is sufficient doubt that there is a legitimate grievance—nobody is going to tell me there's not sufficient doubt in this case. You might argue some of the technicalities; you might argue the greys and the whites. But the point is there is enough sufficient doubt, as you look at the documentation on what happened on the whole land grant issue dating back from the 1700s to where we're at now. There is enough doubt that they have a good claim. If that's the case, why are we playing with this?

We should be trying to find a way to resolve this issue so that we're able to deal with it in a way that is fair to the First Nations and fair to the local communities. Instead, what do we do? We wait. We throw the ball in the federal government court. We point the finger at the federal government and say it's their fault. Then, at the end of the day, we allow this ticking time bomb to continue and eventually something happens. In this case, the OPP, for whatever reason—we can get into that or others may want to get into that—rushed the barricade one day and what happened, happened. We found out that that wasn't too productive. Finally, the provincial government decided it was going to appoint a facilitator or negotiator, Mr. David Peterson, in order to try to find a resolution to this. My view is that that should have been done a long time ago and, unfortunately, it was not done.

I say to the residents of Caledonia, both to the non-aboriginal and aboriginal people of Caledonia, I understand what you're going through is difficult, because I've had to live that on both sides of the blockade. I've been in and I've been out; I've been on both sides. But the key is that at the end of the day we all have to live together. It doesn't help anything when either First Nations or non-aboriginal people are hurling insults at each other or doing whatever that might aggravate the situation, because this issue will eventually resolve, and when it resolves, we are all going to have to live together. The best way to do that is to sometimes hold our tongue, keep calm and urge the provincial government—that's where we should be putting our energy, from both sides—to do its job towards trying to find a resolution to this particular issue that is going to satisfy both parties.

At the end, both parties will not be completely satisfied, but that is the process of trying to find a settlement. You never have both sides totally satisfied. It's like bargaining. I bargained for years on behalf of the Steelworkers and later with the Ontario Federation of Labour. A good agreement was when I left the table and they were both pissed at me. That was a good agreement. Because it meant that I got a whole bunch from the employer, the employer felt that he didn't have to give as much and, at the end of day, there was a give and take on both sides. When both sides are feeling that at that point, you know you've done a fairly good job of finding the balance. If one side is totally happy and the other side is unhappy, it would tell me that there's not been very much of a compromise.

I say to the members in the House and to the government that we should learn from what has happened in Caledonia. From that, we should then figure out that we cannot allow these things to simmer as long as they have. Let's do our job in being able to find solutions before they become the powder keg that Caledonia has become.

**Mr. Dave Levac (Brant):** At the outset, I have to apologize to the House for my rather odd-sounding voice. My allergies have been acting up all weekend. I'm going to try to make it through. I hope it sounds that I'm not allergic to this place. It's more like trying to recover from it, so I apologize for my voice.

This is a rather difficult time for me to stand and talk about this issue. I've lived it all my life, in terms of being associated with First Nations people, particularly Six Nations. I grew up in a place called Eagle Place in Brantford. We had the residential schools about a block away from mine. In sports, I played with and against First Nations people and learned an awful lot about their cultures, became friends with an awful lot of them, went to school with an awful lot of them, and found a slow but steady understanding of what the Six Nations and First Nations people believe, and their belief structure.

**1730**

I do want to talk a little bit about the past so that I can set the context of my comments. We've been challenged with an opposition motion that—if we peel away some of the comments that are made inside of it plus some of the debate that's being offered, there's a challenge inside of it that I believe is genuine. But I have to make sure that I make it clear that we'll be peeling away some of those comments.

The leader of the loyal opposition said at the very outset that he wanted to stay away from finger pointing and he wanted to stay away from the accusations. We immediately read the resolution and find out that what he's talking about is pointing the finger back at a situation that has been ongoing for 208 years, and wants to lay it squarely on the lap of the Premier and the minister responsible in this particular government. I find that to be unfortunate, because if we take a look at it and analyze it and take it apart, we'll find that there's been some pretty strong leadership and there have been some comments that have been attributed on that side to us, and there have been some comments directed in this, that because they say it, it must be true. In terms of "because they say it, it must be true," it's about what you want versus what we believe has been happening here. I want to bring that to light.

Here's what I would propose: that we take a look at the opposition motion, and we ask the simple question. We refuse to acknowledge that the Caledonia land occupation was a standoff. First of all, that's just not accurate.

Second of all, that the government's participation in the development of Places to Grow was a catalyst to igniting this problem, when we do know for a fact that the minister who was responsible for Places to Grow, along with the minister responsible for aboriginal affairs, consulted with the First Nations people and continues to consult with the people of the First Nations to deal with how Places to Grow can be beneficially addressed by the First Nations people. So another part of the motion needs to be peeled away.

Another one is that the McGuinty government provoked the situation with regulations identified in the greater Golden Horseshoe area. So in other words, we came up with three pieces of legislation to provoke—and again, I want to peel that one away. There was no intent to provoke. There were consultations going on with our First Nations brothers and sisters, and I was sitting in some of those meetings. So I can attest to that as a fact,



that elected Band Chief David General—I arranged a few meetings with the minister myself in order for us to make sure that the First Nations issues were brought in front of Caledonia. There was an awful lot of action that was already taking place in front of Caledonia that quite frankly peels this onion back down to where it should be. I want to come to that in a moment, and I will do that. We will be peeling that onion back to talk about the specifics. I could probably speak for an hour, but my voice is probably not going to take it.

That the government allowed the situation to escalate, and that we need to have somebody to direct us, and that we refuse to compensate the OPP: We put out on the table several times exactly what the situation is with the OPP. We're not going to engage in directing the OPP. That's not how government works, and it's not supposed to work that way. You don't stand up in the middle of a place, you don't call Gwen Boniface up and say, "Hey, Gwen, get those First Nations people out of here." You just don't do that. Quite frankly, they have operational procedures that are already in existence to take care of that problem. They've already made it clear that they're continuing to deal with the budget inside of their own budget in a way that is going to take care of that. This government has already stated clearly that they would consider and receive the request if the OPP, or even the municipal police services, if there has been a strain on their services—the backup is coming from Toronto and Hamilton—that they would speak to the government and they would engage in that discussion about how to take care of those disbursements.

If we peel back the onion, there is an intent in here that I do accept. That intent is a very simple one: that we negotiate. I'd like to clearly announce that I've been sitting at the table at Caledonia unannounced, and I haven't been beating my chest about it. That's the other thing that the members of the opposition seem to be saying: If they don't see something and if they don't realize that something is going on, it must not be happening and it must be wrong.

I want to thank the member from Timmins—James Bay in terms of his sensitivity to what it is that we should be doing, except for one thing I would disagree with him on: I don't think that we should be describing this strictly as a provincial issue. We still need to get the federal government to the table. I think you said that, but I think what's important for us to recognize is that there have been statements by the First Nations people themselves that make it quite clear that they believe they want to be speaking to the federal government. Here's a quote from Confederacy Chief Allen MacNaughton, who was asked by the elected band council to be part of that negotiation, so the elected band council and the Confederacy are working together on this: "It's tough," he said. "I'm still getting the impression that they," the federal government, "want to do as little as possible. They don't even want to be here and wish we would just go away. You have to realize that the federal government—and I don't know a lot about the provincial government, but the federal government has a lot to answer for."

I want to suggest to you that there are ways we can do this. There is the two-row wampum. There's actually a wampum built that's made that tells us what this is. There's a symbolic river, and the two white rows down the middle of the wampum are the paths that represent the canoe and the ship of the First Nations and the white. They would work together, side by side: When your ship is in trouble, I'll help you; when my canoe is in trouble, you'll help me. It's that we live beside each other in a fair way. The wampum was handed over and accepted, which means that they accepted this as the philosophy that we should live by. We can live harmoniously. Joseph Brant and his quotes in the past made it quite clear that the deals he was making were on the premise of making sure that his people could keep taking care of themselves.

I think what we have to do is recognize very clearly that the teams that the opposition member talks about are already in existence. We do have Jane Stewart and we do have Barbara McDougall. We do have a table that's been set together to bring all the stakeholders together. The Confederacy is there, the clan mothers are there in advice, and the province and the federal government is there. And Prentice, to his credit, is trying to make sure that we can navigate this once and for all. You've got two sets of negotiations going on: that is, the immediacy of Caledonia, the blockades, and the long-term commitments. So we have a historical opportunity to make things move forward.

The other thing I'm suggesting to you is that I have met with some of the officials that the ministries have set forward, and they are nothing but superlative in terms of the negotiation process: John Burke and Dick Saunders, and, to his credit, Ralph Luimes, Ken Hewitt from the Caledonia business side, John Periversoff from the OPP and the elected officials. They've all told me that they were extremely impressed with how the provincial government has responded to the needs of the people of Caledonia. They are telling us that they were really proud of the fact that the provincial government has stepped forward to engage in this conversation and to make sure. It's unfortunate that on this particular motion, they wrapped it up in that stinky onion piece. If we had to peel this away and moved into the exact thing that the member said—that he wasn't going to be pointing fingers and using it as nothing more than a political tactic to try to bring embarrassment to this government. We can solve this problem once and for all. My challenge to all of us is to get there, because everybody wants it and we've got to take the action.

**Mr. Tim Hudak (Erie—Lincoln):** I'm pleased to rise in the debate on the resolution standing in the name of the opposition leader. As I begin, I do want to recognize Nancy McBride, who has joined us and is patiently sitting in the members' gallery. Ms. McBride is Toby Barrett's guest in the gallery. She's one of the many fair-minded community people who also hopes for leadership in resolving the dispute in Caledonia. She was kind enough to deliver a folder of letters today to the assembly, some of which were used in the assembly. I

thank Ms. McBride for taking the time to be with us and to listen to the debate.

No doubt, as I had heard from my colleagues, native and land issues are complex. They're emotional. The process to resolve land claims should be clear, have set targets and move forward on a timely basis. That does not change the fact that we have, as a fundamental basis of our civil society, the rule of law. We have been a successful country because of the fair and consistent application of the rule of law. Perfect? Certainly not. Are there legitimate grievances by First Nations over past poor treatment and ongoing issues, as some of my colleagues have brought forward? Absolutely. But at the same time, we must adhere to the rule of law as a fundamental. The Legislative Assembly of Ontario cannot condone lawlessness. The government of Ontario cannot condone lawlessness. But the government's total absence from the stage effectively undermines the rule of law and sends a very troubling and disquieting signal.

**1740**

I understand the frustration felt by First Nation citizens and by other Canadian residents as well about land claims, the awful historical mistreatment of aboriginals, the slowness of land claim resolutions. And I believe that I can understand the visceral reaction by some to the depth of these past injustices. I had the opportunity, as Minister of Northern Development and Mines, to see first-hand some of the sad, desperate and disgraceful circumstances on reserves in the province of Ontario today. But still, I cannot condone lawlessness: prolonged barricades set up by various groups, police cars set on fire, hydro stations going down, digging up highways, a riot involving members of the Caledonia community First Nations. How upsetting, these images we see on TV while we watch: It's not the Ontario that we're accustomed to. I was absolutely shocked not to hear Premier McGuinty or even a senior cabinet minister express that. It took them a long time to respond to these shocking and saddening images.

There are ways in our country to express this frustration without breaking the law. No doubt our government has a duty to support an environment for free political protest without coercion. However, the government also has a duty to speak out against actions when they cross the line, and the government has a duty to ensure that the rule of law is upheld. If respect for the law dissolves and is undermined by government inaction, one wonders how the law can possibly be enforced against a future dispute. This kind of selective enforcement sends disquieting signals, and certainly sends a troublesome signal to other individuals or groups, that the way to get the government's attention and to get your way in the province is to break the law. As my colleague from Leeds-Grenville, sitting next to me, said, the law should apply equally to all Ontarians.

So here's the question I hope this inquiry could explore: At what point did Dalton McGuinty decide to override the rule of law? When did Dalton McGuinty decide that he would determine when the law should be enforced and when the law should not be enforced?

I want to commend the Ontario PC leader, the member for Dufferin-Peel-Wellington-Grey, for taking the time to visit Caledonia, to hear directly from all citizens in the area on a number of occasions. In contrast, Dalton McGuinty seems to be hiding under his desk. Toby Barrett, the MPP for Haldimand-Norfolk-Brant, should be commended for his extraordinary leadership and fortitude, constantly in the community and strengthening the already significant trust that local residents have in their MPP. I've seen the sadness in the MPP when the community in which he has lived for his entire life is ripped apart at the seams.

The Attorney General occupies a special position above partisan politics. He has a special obligation to defend the administration of justice and to uphold the law. Then the member for St. Paul's, now Attorney General, on September 25, 2001, said in Hansard, "I can tell you on behalf of the official opposition, we have to do everything we can to enforce the rule of law and let everybody know—yes—that everybody has to obey the law."

**Mr. Runciman:** Hmm, what a change.

**Mr. Hudak:** As my colleague said, a complete change. Now we hear the opposite from the Attorney General.

The judiciary cannot enforce its own orders. The judiciary cannot compel respect for the courts. The Attorney General must do this. But bizarrely, we have seen the spokesperson for the Attorney General in court arguing why the court's orders should not be obeyed—the Attorney General himself effectively undermining respect for the province's laws. I wonder if there has ever been an instance in the history of Ontario, the legal history of Canada, where the Attorney General took the position that it was okay for a superior court order to be ignored.

Lastly, as far as it goes for Premier McGuinty, he is absolutely absent from the field. It's incredible that the Premier has not stood in this House to communicate to the citizens of Ontario, First Nations and others alike about the status of the dispute and his plan. Sadly, it's a pattern we've seen. When it comes to closure of the coal plants and the pending energy crisis in the province, gun violence last summer or the closure of the Michigan border to garbage with no backup plan, this Premier has no plan.

One last question for the Premier: I wonder what the view is like from beneath his desk.

**The Deputy Speaker:** Further debate?

There being none, Mr. Tory has moved opposition day number 4. Is it the pleasure of the House that the motion carry?

All those in favour, say "aye."

All those opposed, say "nay."

In my opinion, the ayes have it. Carried.

It being close to 6 of the clock, this House is adjourned until 6:45 of the clock.

*The House adjourned at 1746.*

*Evening meeting reported in volume B.*







**LEGISLATIVE ASSEMBLY OF ONTARIO**  
**ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO**

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Clerks-at-the-Table / Greffiers parlementaires: Todd Decker, Lisa Freedman  
Sergeant-at-Arms / Sergent d'armes: Dennis Clark

Member and Party / Député(e) et parti	Constituency / Circonscription	Other responsibilities / Autres responsabilités
<b>Arnott, Ted</b> (PC)	Waterloo–Wellington	First Deputy Chair of the committee of the whole House / Premier Vice-Président du comité plénier de l'Assemblée législative
Arthurs, Wayne (L)	Pickering–Ajax–Uxbridge	Parliamentary assistant to the Minister of Finance / adjoint parlementaire au ministre des Finances
Balkissoon, Bas (L)	Scarborough–Rouge River	Parliamentary assistant to the Minister of Community Safety and Correctional Services (Community Safety) / adjoint parlementaire au ministre de la Sécurité communautaire et des Services correctionnels (Sécurité communautaire)
Barrett, Toby (PC)	Haldimand–Norfolk–Brant	
<b>Bartolucci, Hon. / L'hon. Rick</b> (L)	Sudbury	Minister of Northern Development and Mines / ministre du Développement du Nord et des Mines
<b>Bentley, Hon. / L'hon. Christopher</b> (L)	London West / London-Ouest	Minister of Training, Colleges and Universities / ministre de la Formation et des Collèges et Universités
Berardinetti, Lorenzo (L)	Scarborough Southwest / Scarborough-Sud-Ouest	Deputy government whip / whip adjoint du gouvernement
Bisson, Gilles (ND)	Timmins–James Bay / Timmins-Baie James	Chief New Democratic Party whip / whip en chef du Nouveau Parti démocratique
<b>Boutrogianni, Hon. / L'hon. Marie</b> (L)	Hamilton Mountain	Minister of Intergovernmental Affairs, minister responsible for democratic renewal / ministre des Affaires intergouvernementales, ministre responsable du Renouveau démocratique
<b>Bradley, Hon. / L'hon. James J.</b> (L)	St. Catharines	Minister of Tourism, minister responsible for seniors, government House leader / ministre du Tourisme, ministre délégué aux Affaires des personnes âgées, leader parlementaire du gouvernement
<b>Brotten, Hon. / L'hon. Laurel C.</b> (L)	Etobicoke–Lakeshore	Minister of the Environment / ministre de l'Environnement
<b>Brown, Hon. / L'hon. Michael A.</b> (L)	Algoma–Manitoulin	Speaker / Président
Brownell, Jim (L)	Stormont–Dundas–Charlottenburgh	Parliamentary assistant to the Minister of Tourism / adjoint parlementaire au ministre du Tourisme
<b>Bryant, Hon. / L'hon. Michael</b> (L)	St. Paul's	Attorney General / procureur général
<b>Cansfield, Hon. / L'hon. Donna H.</b> (L)	Etobicoke Centre / Etobicoke-Centre	Minister of Transportation / ministre des Transports
<b>Caplan, Hon. / L'hon. David</b> (L)	Don Valley East / Don Valley-Est	Minister of Public Infrastructure Renewal, deputy government House leader / ministre du Renouvellement de l'infrastructure publique, leader parlementaire adjoint du gouvernement
<b>Chambers, Hon. / L'hon. Mary Anne V.</b> (L)	Scarborough East / Scarborough-Est	Minister of Children and Youth Services / ministre des Services à l'enfance et à la jeunesse
Chudleigh, Ted (PC)	Halton	Deputy opposition whip / whip adjoint de l'opposition
<b>Colle, Hon. / L'hon. Mike</b> (L)	Eglinton–Lawrence	Minister of Citizenship and Immigration / ministre des Affaires civiques et de l'Immigration
<b>Cordiano, Hon. / L'hon. Joseph</b> (L)	York South–Weston / York-Sud–Weston	Minister of Economic Development and Trade / ministre du Développement économique et du Commerce
Craiton, Kim (L)	Niagara Falls	Parliamentary assistant to the Minister of Community Safety and Correctional Services (Correctional Services) / adjoint parlementaire au ministre de la Sécurité communautaire et des Services correctionnels (Services correctionnels)
<b>Crozier, Bruce</b> (L)	Essex	Deputy Speaker, Chair of the committee of the whole House / Vice-Président, Président du comité plénier de l'Assemblée législative
Delaney, Bob (L)	Mississauga West / Mississauga-Ouest	Parliamentary assistant to the minister responsible for seniors / adjoint parlementaire au ministre délégué aux Affaires des personnes âgées

<b>Member and Party / Député(e) et parti</b>	<b>Constituency / Circonscription</b>	<b>Other responsibilities / Autres responsabilités</b>
Dhillon, Vic (L)	Brampton West–Mississauga / Brampton-Ouest–Mississauga	
<b>Di Cocco, Hon. / L'hon. Caroline</b> (L)	Sarnia–Lambton	Minister of Culture / ministre de la Culture
<b>Dombrowsky, Hon. / L'hon. Leona</b> (L)	Hastings–Frontenac–Lennox and Addington	Minister of Agriculture, Food and Rural Affairs / ministre de l'Agriculture, de l'Alimentation et des Affaires rurales
Duguid, Brad (L)	Scarborough Centre / Scarborough-Centre	Parliamentary assistant to the Minister of Municipal Affairs and Housing (Municipal Affairs) / adjoint parlementaire au ministre des Affaires municipales et du Logement (Affaires municipales)
<b>Duncan, Hon. / L'hon. Dwight</b> (L)	Windsor–St. Clair	Minister of Energy / ministre de l'Énergie
Dunlop, Garfield (PC)	Simcoe North / Simcoe-Nord	
Elliott, Christine (PC)	Whitby–Ajax	
Flynn, Kevin Daniel (L)	Oakville	Parliamentary assistant to the minister responsible for democratic renewal / adjoint parlementaire à la ministre responsable du Renouveau démocratique
Fonseca, Peter (L)	Mississauga East / Mississauga-Est	Parliamentary assistant to the Minister of Health Promotion / adjoint parlementaire au ministre de la Promotion de la santé
<b>Gerretsen, Hon. / L'hon. John</b> (L)	Kingston and the Islands / Kingston et les îles	Minister of Municipal Affairs and Housing / ministre des Affaires municipales et du Logement
Gravelle, Michael (L)	Thunder Bay–Superior North / Thunder Bay–Superior-Nord	
Hampton, Howard (ND)	Kenora–Rainy River	Leader of the New Democratic Party / chef du Nouveau Parti démocratique
Hardeman, Ernie (PC)	Oxford	
Horwath, Andrea (ND)	Hamilton East / Hamilton-Est	
Hoy, Pat (L)	Chatham–Kent Essex	
Hudak, Tim (PC)	Erie–Lincoln	
Jackson, Cameron (PC)	Burlington	
Jeffrey, Linda (L)	Brampton Centre / Brampton-Centre	Parliamentary assistant to the Minister of Children and Youth Services / adjointe parlementaire à la ministre des Services à l'enfance et à la jeunesse
Klees, Frank (PC)	Oak Ridges	
Kormos, Peter (ND)	Niagara Centre / Niagara-Centre	New Democratic Party House leader / leader parlementaire du Nouveau Parti démocratique
Kular, Kuldip (L)	Bramalea–Gore–Malton–Springdale	Parliamentary assistant to the Minister of Health and Long-Term Care / adjoint parlementaire au ministre de la Santé et des Soins de longue durée
<b>Kwinter, Hon. / L'hon. Monte</b> (L)	York Centre / York-Centre	Minister of Community Safety and Correctional Services / ministre de la Sécurité communautaire et des Services correctionnels
Lalonde, Jean-Marc (L)	Glengarry–Prescott–Russell	Parliamentary assistant to the Minister of Economic Development and Trade / adjoint parlementaire au ministre du Développement économique et du Commerce
Leal, Jeff (L)	Peterborough	Parliamentary assistant to the Minister of Energy / adjoint parlementaire au ministre de l'Énergie
Levac, Dave (L)	Brant	Chief government whip / whip en chef du gouvernement
MacLeod, Lisa (PC)	Nepean–Carleton	
Marchese, Rosario (ND)	Trinity–Spadina	
Marsales, Judy (L)	Hamilton West / Hamilton-Ouest	Parliamentary assistant to the Minister of Small Business and Entrepreneurship / adjointe parlementaire au ministre des Petites Entreprises et de l'Entrepreneuriat
Martel, Shelley (ND)	Nickel Belt	
Martiniuk, Gerry (PC)	Cambridge	
Matthews, Deborah (L)	London North Centre / London-Centre-Nord	Parliamentary assistant to the Minister of Community and Social Services and minister responsible for women's issues / adjointe parlementaire à la ministre des Services sociaux et communautaires et ministre déléguée à la Condition féminine
Mauro, Bill (L)	Thunder Bay–Atikokan	Parliamentary assistant to the Minister of Northern Development and Mines / adjoint parlementaire au ministre du Développement du Nord et des Mines

<b>Member and Party / Député(e) et parti</b>	<b>Constituency / Circonscription</b>	<b>Other responsibilities / Autres responsabilités</b>
<b>McGuinty, Hon. / L'hon. Dalton</b> (L)	Ottawa South / Ottawa-Sud	Premier and President of the Executive Council, Minister of Research and Innovation / premier ministre et président du Conseil exécutif, ministre de la Recherche et de l'Innovation
McMeekin, Ted (L)	Ancaster–Dundas– Flamborough–Aldershot	Parliamentary assistant to the Minister of Education / adjoint parlementaire à la ministre de l'Éducation
McNeely, Phil (L)	Ottawa–Orléans	Parliamentary assistant to the Minister of Transportation / adjoint parlementaire à la ministre des Transports
<b>Meilleur, Hon. / L'hon. Madeleine</b> (L)	Ottawa–Vanier	Minister of Community and Social Services, minister responsible for francophone affairs / ministre des Services sociaux et communautaires, ministre déléguée aux Affaires francophones
Miller, Norm (PC)	Parry Sound–Muskoka	Chief opposition whip / whip en chef de l'opposition
Milloy, John (L)	Kitchener Centre / Kitchener-Centre	Parliamentary assistant to the Minister of Intergovernmental Affairs / adjoint parlementaire à la ministre des Affaires intergouvernementales
Mitchell, Carol (L)	Huron–Bruce	Parliamentary assistant to the Minister of Public Infrastructure Renewal / adjointe parlementaire au ministre du Renouvellement de l'infrastructure publique
Mossop, Jennifer F. (L)	Stoney Creek	Parliamentary assistant to the Minister of Culture and minister responsible for francophone affairs / adjointe parlementaire à la ministre de la Culture et ministre déléguée aux Affaires francophones
Munro, Julia (PC)	York North / York-Nord	
Murdoch, Bill (PC)	Bruce–Grey–Owen Sound	
O'Toole, John (PC)	Durham	Deputy opposition whip / whip adjoint de l'opposition
Oraziotti, David (L)	Sault Ste. Marie	Parliamentary assistant to the Minister of Natural Resources and minister responsible for aboriginal affairs / adjoint parlementaire au ministre des Richesses naturelles et ministre délégué aux Affaires autochtones
Ouellette, Jerry J. (PC)	Oshawa	
Parsons, Ernie (L)	Prince Edward–Hastings	Parliamentary assistant to the Minister of Community and Social Services (Disabilities) / adjoint parlementaire à la ministre des Services sociaux et communautaires (Personnes handicapées)
Patten, Richard (L)	Ottawa Centre / Ottawa-Centre	Parliamentary assistant to the Minister of Training, Colleges and Universities / adjoint parlementaire au ministre de la Formation et des Collèges et Universités
<b>Peters, Hon. / L'hon. Steve</b> (L)	Elgin–Middlesex–London	Minister of Labour / ministre du Travail
Peterson, Tim (L)	Mississauga South / Mississauga-Sud	Parliamentary assistant to the Minister of Health and Long-Term Care / adjoint parlementaire au ministre de la Santé et des Soins de longue durée
<b>Phillips, Hon. / L'hon. Gerry</b> (L)	Scarborough–Agincourt	Minister of Government Services / ministre des Services gouvernementaux
Prue, Michael (ND)	Beaches–East York / Beaches–York-Est	
<b>Pupatello, Hon. / L'hon. Sandra</b> (L)	Windsor West / Windsor-Ouest	Minister of Education, minister responsible for women's issues / ministre de l'Éducation, ministre déléguée à la Condition féminine
Qaadri, Shafiq (L)	Etobicoke North / Etobicoke-Nord	Parliamentary assistant to the Minister of Health Promotion / adjoint parlementaire au ministre de la Promotion de la santé
Racco, Mario G. (L)	Thornhill	Parliamentary assistant to the Minister of Labour / adjoint parlementaire au ministre du Travail
Ramal, Khalil (L)	London–Fanshawe	Parliamentary assistant to the Minister of Citizenship and Immigration / adjoint parlementaire au ministre des Affaires civiles et de l'Immigration
<b>Ramsay, Hon. / L'hon. David</b> (L)	Timiskaming–Cochrane	Minister of Natural Resources, minister responsible for aboriginal affairs / ministre des Richesses naturelles, ministre délégué aux Affaires autochtones
Rinaldi, Lou (L)	Northumberland	Parliamentary assistant to the Minister of Agriculture, Food and Rural Affairs (Rural Affairs) / adjoint parlementaire à la ministre de l'Agriculture, de l'Alimentation et des Affaires rurales (Affaires rurales)



<b>Member and Party / Député(e) et parti</b>	<b>Constituency / Circonscription</b>	<b>Other responsibilities / Autres responsabilités</b>
Runciman, Robert W. (PC) Ruprecht, Tony (L) Sandals, Liz (L)	Leeds–Grenville Davenport Guelph–Wellington	Opposition House leader / leader parlementaire de l'opposition  Parliamentary assistant to the Minister of Government Services / adjointe parlementaire au ministre des Services gouvernementaux
Scott, Laurie (PC) Sergio, Mario (L)	Haliburton–Victoria–Brock York West / York-Ouest	Parliamentary assistant to the Minister of Municipal Affairs and Housing (Housing) / adjoint parlementaire au ministre des Affaires municipales et du Logement (Logement) Parliamentary assistant to the Minister of Health and Long-Term Care / adjointe parlementaire au ministre de la Santé et des Soins de longue durée
Smith, Monique M. (L)	Nipissing	Minister of Health and Long-Term Care / ministre de la Santé et des Soins de longue durée
<b>Smitherman, Hon. / L'hon. George (L)</b>	Toronto Centre–Rosedale / Toronto-Centre–Rosedale	Minister of Finance, Chair of the Management Board of Cabinet / ministre des Finances, président du Conseil de gestion du gouvernement
<b>Sorbara, Hon. / L'hon. Greg (L)</b>	Vaughan–King–Aurora	
Sterling, Norman W. (PC) Tabuns, Peter (ND) <b>Takhar, Hon. / L'hon. Harinder S. (L)</b>	Lanark–Carleton Toronto–Danforth Mississauga Centre / Mississauga-Centre	Minister of Small Business and Entrepreneurship / ministre des Petites Entreprises et de l'Entrepreneuriat Second Deputy Chair of the committee of the whole House / Deuxième Vice-Président du comité plénier de l'Assemblée législative
<b>Tascona, Joseph N. (PC)</b>	Barrie–Simcoe–Bradford	Leader of the Opposition / chef de l'opposition Parliamentary assistant to the Minister of Agriculture, Food and Rural Affairs (Agriculture and Food) / adjointe parlementaire à la ministre de l'Agriculture, de l'Alimentation et des Affaires rurales (Agriculture et Alimentation)
Tory, John (PC) Van Bommel, Maria (L)	Dufferin–Peel–Wellington–Grey Lambton–Kent–Middlesex	Minister of Health Promotion / ministre de la Promotion de la santé Parliamentary assistant to the Minister of the Environment / adjoint parlementaire à la ministre de l'Environnement
<b>Watson, Hon. / L'hon. Jim (L)</b>	Ottawa West–Nepean / Ottawa-Ouest–Nepean	Deputy opposition House leader / leader parlementaire adjoint de l'opposition
Wilkinson, John (L)	Perth–Middlesex	Parliamentary assistant to the Minister of Research and Innovation / adjoint parlementaire au ministre de la Recherche et de l'Innovation
Wilson, Jim (PC)	Simcoe–Grey	Parliamentary assistant to the Minister of Education / adjointe parlementaire à la ministre de l'Éducation
Witmer, Elizabeth (PC) Wong, Tony C. (L)	Kitchener–Waterloo Markham	Parliamentary assistant to the Attorney General / adjoint parlementaire au procureur général
Wynne, Kathleen O. (L)	Don Valley West / Don Valley-Ouest	
Yakabuski, John (PC) Zimmer, David (L)	Renfrew–Nipissing–Pembroke Willowdale	
Vacant	Parkdale–High Park	

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Kuldip Kular, Norm Miller, Richard Patten,  
Michael Prue, Monique M. Smith,  
Norman W. Sterling, Kathleen O.Wynne  
Clerk / Greffière: Anne Stokes

These lists appear in the first and last issues of each session and on the first Monday of each month. A list arranged by riding appears when space permits.

Ces listes figurent dans les premier et dernier numéros de chaque session et du premier lundi de chaque mois. Par contre, une liste des circonscriptions paraît si l'espace est disponible.

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