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Thursday 8 June 2006

Jeudi 8 juin 2006

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LEGISLATIVE ASSEMBLY
OF ONTARIO

Thursday 8 June 2006

ASSEMBLÉE LÉGISLATIVE
DE L'ONTARIO

Jeudi 8 juin 2006

*The House met at 1000.
Prayers.*

PRIVATE MEMBERS'
PUBLIC BUSINESS

Mr. Ted Chudleigh (Halton): On a point of order, Mr. Speaker: If I were to call quorum and quorum were not achieved, would it cancel this morning's session or would it cancel the entire day's session?

The Deputy Speaker (Mr. Bruce Crozier): Just this morning.

Mr. Chudleigh: I think a quorum might very well be present.

ONTARIO POPULATION

Mr. Ted Chudleigh (Halton): I move that, in the opinion of this House, the government of Ontario should immediately begin to utilize more accurate population counts when calculating its contribution to various provincial programs and funding partners; and that these population counts be determined through municipal tax rolls and include a multiplier to account for children.

The Deputy Speaker (Mr. Bruce Crozier): Mr. Chudleigh has moved private member's notice of motion number 15. Pursuant to standing order 96, Mr. Chudleigh, you have up to 10 minutes.

Mr. Chudleigh: Is it number 41 or 15?

The Deputy Speaker: It's ballot item number 41, but it's notice of motion number 15.

Mr. Chudleigh: Thank you, Mr. Speaker.

It's a matter of fairness. Where provincial funding is based on population, then a true population is necessary or we are shortchanging the high-growth communities and the people who live in them. Often these funds are desperately needed by growth communities, which are building infrastructure and programs from the ground up rather than enhancing or simply providing funds for already existing needs. A new hospital in Oakville, for instance, is a brand new facility, and this is one community that is being grossly underfunded; the expansion of a hospital in Milton, which is more underfunded than the Oakville area. Other programs that are affected here include the gas tax distribution, the transit needs in Oakville and doctor shortages in communities such as Halton Hills and Milton.

As an example, Milton's current population is 62,000 people; we determined this from the tax rolls. The 2001

census population indicated that there was a population of 35,000. We've gone from 35,000 to 62,000. That's a difference of 27,000 between the census population and the current population. Those are 27,000 people living in Milton who are not recognized as being part of provincial funding projects.

Oakville's population is currently about 159,000, whereas the census population for 2001 put it at 140,000. That's a 19,000-person gap. Brampton's current population is 435,000 people, while the census in 2001 concluded it was only 325,428. That's over 100,000 people who are not funded through provincial programs. Markham, Ontario's current population is 257,000, whereas the census put it at 208,000. That's almost 50,000 people who do not fall into the funding formula for provincial programs, when brought to municipalities.

This situation is not going to go away with the mini-census numbers, when they are released. May 16 is the point in time when these numbers will be collected. That census won't be released for quite some time; it could be as long as a year and a half. During that time, of course, high-growth communities will continue to grow.

A census is merely a snapshot in time and, like a stopped clock, it is still correct twice each day. The census information is reasonably accurate only twice each decade. This is not good enough for the towns and the cities and the villages of Ontario that are struggling to maintain their contributions, especially the demands for services, especially through high-growth areas. High-growth areas exist everywhere in Ontario, from the GTA to Ottawa, and even in some areas that are very popular with retirees.

Although the household count system is used with a factor for children added when municipalities are assessed for their need for physicians—and this system works very well: A factor is added to the tax roll population count to account for children, and these numbers and factors are updated and checked for accuracy during the census years.

I'm also very open to suggestions on a better way to count. However, I believe the municipal tax roll system is the easiest to access, the cheapest method available and will provide substantially accurate results. These accurate results, as I mentioned earlier, could be checked every five years, when we do a census roll, to ensure that the multiplier effect or the tax roll system is accurate.

How accurate do we see these things that might take place? In Milton, currently we have a 77% disparity rate between the population and the census count. In Oakville we have a disparity rate of 13.5%. In Brampton it's 34%.

Markham is 23%. If we were using the tax roll system and a multiplier effect for children, I would suggest that we would be under the 2% to 3% disparity rate. In other words, we would have an extremely accurate way in which to count the tax roll program.

What kind of an effect does this have on a town—in a program for the corporation of the town of Milton, for instance? The Ontario fire service grant is a grant the province gave to the municipalities based on population counts; Move Ontario is another provincial program that allocated money to municipalities based on population counts; and of course the federal and provincial gas tax—both of these programs were based on a combination of municipal transit riders and municipal populations.

1010

The town of Milton, for instance, received almost \$3.5 million from these three programs, not including the provincial gas tax distribution because it's got a rather convoluted and difficult formula. That's \$3.5 million that the town of Milton received from these three programs; however, if they had been using accurate population counts from the tax rolls plus a multiplier for children, the town of Milton would have received \$6.856 million. That's an increase of \$3.394 million or almost 98%. In other words, Milton is being underfunded by almost half when it comes to their programs on fire services, on Move Ontario and for municipal transportation through the federal gas tax, and there would be in the area of \$120,000 to \$130,000 difference in the provincial gas tax transfer.

As I pointed out, Milton is not the only town in Ontario that is suffering. There's Oakville, Burlington, Georgetown, Markham, Brampton, and many, many areas, particularly in the 905 but also in Ottawa. There are areas of high growth in Ottawa which are not being recognized from the provincial program point of view for the monies that they are not getting.

This discrepancy is also prevalent when you look at the costs of the CCACs, the community care access centres. Many of their programs are funded through a population census base as opposed to the actual population in the town at the time. Those people with mental and physical handicap programs—Erin Oak is a provider of services to these people. Erin Oak is suffering from underfunding because of the disproportionate number of people they find they have to service, and that population is not being funded properly or fairly through the current process of using census populations.

Mayor Rick Bonnette of Halton Hills agrees, as does the mayor of Milton, Gord Krantz. They agree very strongly that we should be looking at a different way of funding these things and the way in which they are currently being funded is totally unfair to local municipalities. In fact, the mayor of Halton Hills supports the intent of the provincial funding. It should be "based on the most current data available because it is the most fair and equitable way of addressing today's financial pressures being faced by" the current citizens of Halton Hills. That's a direct quote from Rick Bonnette, mayor of Halton Hills.

"The current funding model does not recognize growing communities such as Milton, because it is based on outdated information," the town of Milton mayor, Gord Krantz, says. "Our population has almost doubled since the 2001 census, so in areas such as gas tax and hospital funding, Milton is essentially receiving half of what it should. I believe Mr. Chudleigh is on the right track." He goes on to say some nice things, but I won't bother the assembly with them.

The fact of the matter is, if we can look at a more fair funding formula that takes into account accurate populations, we have that material available to us. We have that material available through tax rolls. We're already using a multiplier effect when it comes to shortage of physicians in communities. It's something that's within our purview to do. We have the information, and it would be fair to Ontario to do it.

The Deputy Speaker: Further debate?

Mr. Lorenzo Berardinetti (Scarborough Southwest):

It's a pleasure to have an opportunity to speak briefly to the resolution moved by the member from Halton: That, in the opinion of this House, the government of Ontario should immediately begin to utilize more accurate population counts when calculating its contribution to various provincial programs and funding partners; and that these population counts be determined through municipal tax rolls and include a multiplier to account for children.

I commend the member for bringing this forward, but I want to start off with a few brief comments first before I get into the resolution itself.

The first issue that comes to my mind when I see this is money. What's it going to cost to do this? These are the famous lines that the Conservatives like to use whenever the Liberals propose something. It's, "How much will it cost? Can we afford to do it? Who's going to go and check all the municipal tax rolls? Who's going to create the multiplier for accounting for children? How are we going to account for children who are from divorced parents? What about children who are with one parent some of the time and with the other parent the rest of the time? There are cost issues involved and we can't afford it right now; we're running a very expensive provincial budget right now." These would be the first arguments the Conservatives would make, that I'm sure they would love to make: that a lot of money would be spent on this. So it's interesting that in this case it's not an issue. Perhaps when the member from Halton does his two-minute wrap-up he can explain how the issue of cost is going to be addressed.

That being put aside, I want to say that what the member is trying to do is honourable and well intentioned—just like my private member's bill was honourable and well intentioned. He actually spoke to my private member's bill a while back, and I remember that his opening words were that my bill was a cheap publicity stunt that I was trying to do. I never knew that I was good at publicity. I could turn around and say the same thing, that in Milton this is a cheap publicity stunt—but I won't say that. I was looking at a movie the

other day, and the opening line of the movie was, “An eye for an eye and a tooth for a tooth will leave us all blind and toothless,” so if I were to respond in the same way, we would all be blind. Those are the words of Gandhi, not myself.

That being put aside, looking at the present day and at Halton, it is one of the fastest-growing municipalities in Ontario. We have a situation where Halton is growing very rapidly and we're trying to make sure that the numbers for the current population are accurate and reliable, and I can see why the member would want that to be the case.

In my own riding of Scarborough Southwest, or in the general area of Scarborough, we have well over half a million people. When Toronto began to grow, a lot of people moved out into Scarborough, and I don't think the province of the time—the Bill Davis government and perhaps even the Robarts government, going back a while ago now—really took into account Scarborough's concerns. A lot of affordable housing and subsidized housing was dumped into Scarborough. The mayor of the day, Paul Cosgrove, complained about that to Metro council and to the rest of the city of Toronto. We got a disproportionate amount of hospitals. We have three hospitals that serve over half a million people, yet we still manage to survive with that—an infrastructure that wasn't totally properly funded by the province or assisted by the province.

Scarborough was well off prior to amalgamation; Scarborough was well off back in the 1940s, 1950s and 1960s. Once the amalgamation began to occur in its first stage back in 1958, and later on more drastically in 1997, Scarborough was left off the table and Scarborough was hurt very badly. Hundreds of thousands of people were adversely affected by what happened at that time. I don't think that the people who decided to do the amalgamation and the people from the province who kept numbers of how many people lived in what area really knew what was happening in Scarborough. Sometimes nowadays, some people in some areas like to take shots at Scarborough and say things about Scarborough. One of the reasons they do is because they don't fully understand Scarborough, don't understand what it went through in the 1950s and 1960s during this amalgamation time.

It's good to want to support Mr. Chudleigh and his resolution, but it's also important to realize that there are other communities, other areas of the city and of the province that have suffered similarly from out-of-date census population and out-of-date information or just out-of-date statistics and ways of calculating needs of various communities. We're underserved with daycare centres. Only now, with the McGuinty government, are we beginning to catch up in some of these areas. Only now are we putting proper funding into policing and into hospitals and into firefighters and into the things we need. Only now is a subway being properly constructed. Only now are the needs of the people of Scarborough finally being addressed, and throughout Metro. I don't mean to be parochial; I just happen to represent the riding of Scarborough Southwest. I represent the people who

are there, and I'll continue to do so as long as I sit in this seat.

1020

But the member from Halton wants to have a better population counter; he wants it determined through municipal tax rolls and by including a multiplier to account for children. That's conceivably because Statistics Canada or the census may not be able to keep up with what is happening in his own area because of the fast growth there.

While his motion is aimed at identifying and rectifying problems with the out-of-date population data when a municipality is growing very rapidly, like it is in his area, the sweep of the motion is too broad. Both census and municipal tax population data should be and are used as appropriate to the situation. To try to bring forward a new method of doing it now, a broad sweep, the first question, a very important one, is: How much will it cost, and who will pay the price for this? While it is honourable to want to have the best system possible for trying to do this kind of work, we have Stats Canada in place; Stats Canada is supposed to do that. And we have municipal tax roll populations that are in place; people pay property taxes. That information is stored and kept by the cities, the municipalities, the counties and the districts of the various parts of Ontario. So why don't we improve those areas? Why don't we perhaps change the wording of the resolution and ask Stats Canada to do a better job in keeping its numbers accurate?

Those are the areas that are of concern to me. While I know that the member is honourable and is trying to do an honourable thing for his community, I find that his motion is just too broad. It's not a cheap publicity stunt, but it is an attempt to fix something up that perhaps can be done through other means.

Mr. Jerry J. Ouellette (Oshawa): I very much look forward to debating the member's bill on this very large concern in our community and high-growth communities.

It's never more evident than in dealing with riding boundaries alone. I have had the privilege and honour to represent the community of Oshawa since 1995. Since then, the next upcoming election will be the third time the riding boundaries have changed, and that's based on population. But the difficulty, as has been brought forward by the member's resolution, is never more evident in that the riding boundaries are based on the census from 1999. The community of Oshawa has been listed by a number of various organizations as the largest-growth community in Canada for the next number of years, five or seven years, and that's because of all the high growth taking place in the community, which is not taken into consideration. What's going to happen now is that the riding boundaries are going to be rechanged without the assessment of the new growth that has been taking place for seven years. For the next federal election that comes along, they're going to find out that the numbers have increased so substantially that they're going to have to readjust the riding boundaries again because they will be so out of whack. That's because everything is based on the 1999 census.

When the census tour took place, we tried to give input based on the new growth figures, but they are not allowed to receive information except based on the 1999 figures. What will take place is that we have a substantial increase, I would say in the area of 1,000 new households—just households alone—in one small section of the community. That's not all of Oshawa, because there's constant growth and infilling taking place throughout the community, but in one small part of the community you're looking at that number of houses going up since 1999. Quite frankly, the detailed figures on that are probably going to show it to be even more than that.

When you look at those figures and you take into consideration the fact that Oshawa is listed as being one of the sites for a doctor shortage, what happens when you add all these other growth figures in there? All of a sudden the shortage becomes even more substantial. Take into consideration other aspects of government operations such as education funding. When you look at education funding, the growth formula taken and produced by the Ministry of Education does not take into consideration all that new growth. Right now, we're kind of in flux in the community, and when I speak to the people within the education sectors, they're very concerned because they have all this huge, new growth in Oshawa. As well, I should say that it's not Oshawa alone but the boundary communities of Whitby. My colleague the member from Whitby–Ajax would certainly know about the growth in her community, what's taking place there and how it's affecting it. What we're going to see is that the next time a federal election takes place, they're going to realize that the numbers are out of whack and they'll have to try and adjust them again.

Not only that, but when you look at all the growth and all these factors, we need to be able to assess exactly what's going to take place. My understanding, from the headlines in last night's local paper, is that the community of Kingston just received four million provincial dollars for a new downtown sports complex. When we spoke to the city officials in Kingston, it was on the understanding that they were underfunded as compared to other communities. Well, guess what? We have a brand new downtown sports complex in Oshawa, as they have in Sault Ste. Marie and in communities like London and other areas. If you take the high growth in those communities, it hasn't been factored into a lot of communities like Oshawa to be recipients simply because there was no program. The only way it was assessed was because of the fact that it was underfunded.

If you look at the high growth in our community and you see the sports-based funding—and I'm not complaining: Oshawa has done very well with new interchanges, the cancer centre, the university and other aspects. But when you look at mental health, sports complexes, the doctor shortage, the education funding that takes place and all these other aspects, they certainly aren't given the full debate that's necessary to address the high growth.

I can understand what's going to take place. In the next election we'll see that there's going to be, all of a

sudden, a 20% increase in the numbers in the riding, and the federal government is going to say, "We're going to have to recheck these boundaries."

Some of the areas the member is trying to address are very clear and very concise, in that we need to deal with these issues on an annual basis so that we can get funding out to be where it needs to be so that the assessments can be made for various aspects, whether it's education growth, health care growth, mental health funding—all the other aspects in our community.

One of the other areas I need to mention as well is the transit funding that the member spoke about. If you look at transit funding, the recent changes have caused a bit of a flux, because in the community of Oshawa, originally capital wasn't allowed to be included for transit funding in the funding programs. But my understanding now is that with the new funding proposal coming forward for the transit funding allocation that comes to the community, the communities will now be allowed to spend on capital expansion. With the growth in our community and the high growth in those communities, think of all the new transit routes that will have to be put into them when you get that number of households. And it's not just one area; it's a number of pockets of areas that are growing that are going to have to include the transit.

The difficulty in our community of Oshawa is that Oshawa allocates the transit funding to the region. However, now that capital expansion is being allowed, they're saying, "Wait a sec. We've got all these bus stops, we've got all these other things, all this route information, all the other things that we as a community in Oshawa can utilize that funding for, and it's going to cause a little bit of a problem." But I hope the government members are going to take into consideration how they're going to address that issue.

With that growth, simple things like transit funding, as the member mentioned, are certainly going to be impacted, as well as the routes. The cause for that: The big thing I have concern with is, as I mentioned before, that I had the privilege and honour of serving in the community and being elected three times. The next election will be the fourth election, and there have been three riding changes, three boundary changes, in those four elections simply because they're not taking into consideration the growth that takes place. A census from 1999 is dictating what's going to take place in the next election, whether it's provincially in 2007 or when the next federal election comes forward, and it will not have any impact on how growth in our community is taking place. How does that affect the community? Very significantly.

I would hope the government members take a look at the considerable number of impacts that high-growth communities such as Oshawa and the region of Durham have so that we can assess and deal with this problem. I certainly hope all members here will support the resolution so we can move forward on taking care of these problems with high-growth areas and a lack of proper funding on an annual basis.

1030

Ms. Andrea Horwath (Hamilton East): It's certainly my pleasure to make a few comments on the member from Halton's motion that's before us today.

First of all, I think it's important to say that I don't think we should ever be complacent in this place about the way that we do things, so having the member bring forward a motion that asks us to review or to take a fresh look at the way we're doing something I think is a positive thing. I think that the more we take the time to examine the ways that we do things, the more we have opportunities to make changes that could be positive, so I want to thank the member from Halton for bringing this motion forward. I think it's one that at least deserves a bit of review from the members of this Legislature, and perhaps some action at the end of the day. We'll see how it works out when it comes time to vote on the motion.

Nonetheless, I do want to congratulate him for finding this particular concern specifically related to his own community because of the rate of growth that's happening in his own community and determining how that can be addressed, perhaps, through re-looking at or re-examining the way we develop our formulas for funding various activities that are happening at the municipal level.

Interestingly enough, I have a few concerns about the extent to which reliance on tax rolls will bring the result that the member is looking for. I say this because I recently attended an event and met a wonderful gentleman who is a retired assessment officer from the old system of assessment. In fact, he worked under the current MPAC system as well. He was quite enlightening in his description to me of the pitfalls, if you will, or the challenges or the problems that exist currently with the municipal tax rolls in terms of their lack of being up-to-date, if you will. Apparently, his experience has been—of course, I met him in Hamilton, but he has acted in the capacity of an assessor for the municipal level, as a provincial function, though, for many, many years and in many, many communities. His experience was that, in fact, municipal tax rolls are often just as out of date, if not more.

When new subdivisions—and it is dependent upon the specific municipality, because there are a number of pieces of work that need to be done by the various city departments before all of the information flows to make sure that those properties that are being developed and new subdivisions are brought onto the municipal tax rolls. However, apparently there are a couple of bottlenecks in the system that lead to, then, the tax rolls being significantly out of date, to the point where he said his understanding was that many municipal treasurers were concerned about the lengthy process that it takes. "Sometimes I'm talking three and four years," he indicated to me: three or four years after a house is completely built, completely serviced, completely occupied, part of a community, part of the municipality, and yet that property has not made it onto the tax rolls for sometimes three or four years.

So I would caution the member from Halton that there is no panacea. There has to be not only a look at what he is recommending, but also an acknowledgment that the tax rolls, in and of themselves, may not solve the problem, because there are problems with or there are delays in getting properties onto the tax rolls. That's something that has been long identified not only by assessors but, apparently, also by municipal treasurers. At least that's what my information was from the gentleman I was talking to who had worked in that capacity for so long.

Having said that, though, there are another couple of issues I thought I should raise within the context of this particular motion, because the challenges, the frustrations, the difficulties, the burdens that are felt at the municipal level are largely a result of other policy problems as well that are flowing out of this place, particularly the issues around the downloading that was undertaken by the member who put the motion forward, by his party, when they were in government here in this House. People will recall—and I certainly know that people in Hamilton recall; in fact, we recall it every single year when our municipality is struggling to put together a budget—that the Mike Harris Conservative government downloaded a significant number of services to the municipal level. A great deal of the financial burden, the fiscal crunch that faces municipalities across the province of Ontario today, is a result of that historic policy decision that took place under the Harris government. So, yes, I do believe that looking at how we calculate the way transfers take place between the province and the municipalities is important and should be done; there's no reason not to do it. I still also need to be sure that it's on the record and very clear that it's only one small part of the problem that faces municipalities here in Ontario.

A big part of the problem that faces municipalities here in the province of Ontario is what they call the fiscal gap, the gap in what they should be receiving from provincial coffers to pay for what are, in effect, provincial programs. I think we need to acknowledge that wealth redistribution programs like social services programs, like social housing programs, and to some extent like health programs, do not belong on the property tax base. They are not programs, they are not services, that are in any way related to property. Parks, yes. Waste water, yes. Garbage collection, yes. Local roads, yes, absolutely. But social services, no. Social housing, no. Health, no. These things do not belong on the property tax base.

Documents from AMO clearly indicate that what they call Ontario's \$3-billion provincial-municipal fiscal gap is a result of a number of different envelopes. From their perspective, the provincial program of public health is costing—in fact, the language they use I think is interesting, that they are subsidizing the provincial provision of public health services to the tune of \$266.4 million. They are subsidizing—"they" meaning municipalities—the provincial government and the ambulance program. Now, I have to caution that this is from August 2005. I know there have been minor adjustments in how some of

these programs are funded, so the numbers might be a little bit out of whack, but the scenario remains largely the same. Ambulance, \$312.7 million; social assistance, \$1.3309 billion; senior services, services for our elderly populations, \$242.5 million; child care, \$193.4 million; social housing, \$879.7 million, for a whopping total of \$3.2256 billion by which, collectively, municipalities subsidize provincial programs.

Coming from the municipality of Hamilton, I can tell you that this has meant significant challenges for that municipality, and I know it is consistent across the municipalities of the province of Ontario. It is causing extreme hardship in terms of the municipalities being able to do the job they are supposed to be doing off the property tax base, things like—and I've already mentioned them—roads, sewer and water, waste disposal, waste collection.

In fact, today I received an invitation to the city of Hamilton's ribbon-cutting for their new organics processing facility. Again, this is a project that the city has worked on for several years in order to divert more organic materials out of the waste stream so that they don't end up in the landfill adding to the toxic soup that's called leachate but rather in an organics facility where, at the end of the day, they can be churned into usable product for the growing of other organic materials.

I have to say that the problem raised by the member in terms of the way that we deal with our numbers game, if you will, in terms of the provincial transfers to municipalities certainly is an important issue, and it's one that we look forward to at least having a look at and having a review of for the purpose of making things better. However, the reality is that that small piece pales in comparison to the huge problem of downloading faced by municipalities. In fact, in an AMO document that was published in February 2006, they say: "Leading academics, including Professor Harry Kitchen of Trent University, financial industry economists, public policy research institutes, selected provincial elected officials, municipal governments and property taxpayers have argued that Ontario's unique situation of requiring municipalities to subsidize provincial programs and provincial services is not good public policy and it is not economically sustainable. The resulting infrastructure deficit undermines the capacity of all municipalities to prosper and it limits their ability to compete internationally." That's the problem that we need to deal with here in the province of Ontario.

1040

The document goes on to describe Ontario's situation compared to other provinces in Canada: "Between 1988 and 1998, Ontario's per capita municipal spending increased by almost 40%, compared to a 10% increase for the rest of Canada. Although wide variation exists in the level of per capita property taxes across Canada, Ontario remains the highest." That's 2001 data. "For the average family of two or more persons in Ontario in 2003, municipal property taxes were 35% more than the comparable family in the rest of Canada and 15% higher than the next highest, Saskatchewan."

The reality is that as the property taxes continue to go up, as the pressure on municipalities continues to become greater and greater, the breaking point is very near. I know that myself and a number of other members in this House have been receiving letters pleading with the members of this assembly to make sure that we address the problem of property tax increases that are happening at the local level. It is provincial policy that has created a great deal of the stress on the property taxpayer at the municipal level. We need to get at that issue, and we need to solve it once and for all.

I know that the Ombudsman came up with some scathing condemnations of the Municipal Property Assessment Corp. The government has a couple of things that they need to get done around that issue, but I have to tell you it's far too late. People are already losing their homes. I have fixed-income people in my community who are just beside themselves, who know they cannot afford another \$100 a year, another \$200 a year, another \$300 a year in property tax increases. They will lose their homes; they are losing their homes. Whether it's a senior citizen who's on a fixed pension, whether it's a person with a disability who's on ODSP, these people are losing their homes because property taxes are going up, because provincial services are inappropriately being paid for at the municipal level.

In the meanwhile, the most galling thing is that as these property taxes go up, the people paying them are watching their municipal services erode and become reduced. So it's quite a dilemma, and it certainly is something that needs to be addressed by this current government. They talked about these kinds of issues when they were running for election, but the McGuinty Liberals have come up short time and time again when it comes to solving the real problems facing the people of Ontario, and certainly the people of Hamilton as well.

One last thing: The member from Halton describes the situation that gave rise to his motion coming forward in regard to the rapid growth that's occurring in one of the municipalities in the area that he represents. The city of Hamilton has recently gone through a process called the GRIDS, the growth-related infrastructure development system or something like that. It's basically an integrated planning process that has been undertaken by the municipality with stakeholders. Notwithstanding that there's some controversy as to the efficacy of the research that was done there and whether or not the final recommendations were unanimously supported by all of the community, the bottom line is that many municipalities, particularly in the GTA, are facing the possibility, the likelihood, of population growth that will be significant over the next decade or two. We not only need to get a handle on the numbers game that the member from Halton talks about in terms of how we determine the formulae for the transfers from the province to the municipalities, but we absolutely have to get those programs and services that don't belong on the municipal tax base off of them and fix the property tax system so that people don't get assessed out of their homes.

Mr. Tony Ruprecht (Davenport): I would like to make a few comments on the member from Halton's resolution before the House: That ... the government of Ontario should immediately begin to utilize more accurate population counts when calculating its contribution to various provincial programs and funding partners; and that these population counts be determined through municipal tax rolls and include a multiplier to account for children.

Interjection.

Mr. Ruprecht: I know, Mr. Kormos, but I'm not as flamboyant and able to speak as well as you do—

Mr. Peter Kormos (Niagara Centre): Oh, Tony, you can rise to it.

Mr. Ruprecht:—and, consequently, don't start to get me excited, because when you do, the passion will come out, and that may not be the best idea on this specific resolution. So let me be calm and try to talk about this in a reasonable fashion so that all of us can get ahead with this specific issue.

The member from Halton raised concerns that there are out-of-date census population counts which he claims disadvantage rapidly growing municipalities in terms of provincial funding for hospitals, roads, gas tax sharing and other projects. Let me say at the outset that while he is putting his finger on something that is fairly important, especially in Halton and Milton, he should also realize that there are no perfect statistics. There are no perfect funding models that the province is using to determine how much should be paid, even for various ministries and their services. So the statistics, especially Census of Canada, will always take some time to catch up to the reality.

Yes, we all agree that there has been tremendous growth in Milton, especially after the big water pipe was installed in Milton in about 2001 and consequently opened up a whole process of new development in terms of housing, businesses and schools. This growth, of course, is very important to him, because he thinks he is being shortchanged. But let's look at the imperfection of the system itself and the proposal he is putting forth in terms of using population statistics, especially tax rolls and the multiplier effect for children.

Let's look at Milton's population and average annual growth. There were three sources for this growth, and the funny part is that none of them is perfect, because not one of them checks out with the other. Let me give you an example. In 2001, Statistics Canada said there were 32,730 household dwelling units here in this specific area of population in Milton—32,730. The Halton planners, the local planners, who were right there looking at each one of these developments, said there were not 32,730, there were only 31,471.

Now let's get to the tax rolls which the member from Halton wishes to introduce. Even the MPAC tax rolls gave us a different picture—pretty close to the planners but out in terms of Statistics Canada. They said there were only 31,428 dwelling units. Within that framework, we might say, "Well, that's not too bad." But now let's look at what happens in Milton in 2005. Here is the big

difference and here is the big surprise. Statistics Canada says their numbers are 33,784. That's a growth rate of 0.8%. I repeat: 33,784. Halton planners said—and get this—53,200. Wow, Mr. Chudleigh, what a difference. The Halton planners are saying the growth rate was not 0.8% as Statistics Canada indicated, but the growth rate was a whopping 14%. What a difference.

1050

Yes, you might say, "You are talking to my point and I'm right," but hold on. Now let's look at MPAC. MPAC tells us a totally different story. The growth rate for MPAC is not 0.8%; the growth rate for MPAC is 9%. What was the growth rate for the Halton planners? Fourteen per cent.

I submit to you that none of these are probably accurate, because if they were accurate, they would be much closer in terms of the population growth rate in Milton. We have a difference between 0.8%, which is lower than 1%—

Mr. Kormos: Passion.

Mr. Ruprecht: Are you trying to cause trouble again?

Mr. Kormos is trying to egg me on to cause trouble with me, but he's leaving, so I'm glad. Why are you leaving, by the way?

Mr. Kormos: Because boredom can be a fatal experience.

Mr. Ruprecht: I guess the reason that the member is leaving is because he is bored about these statistics, because statistics don't turn him on. But remember, for the member from Halton, Mr. Chudleigh, these statistics are of utmost importance because they speak of a difference in terms of funding.

He wants to change the funding formula for certain items such as hospitals, schools, roads and gas. Consequently, we have to look at these statistics to determine just how accurate they are. I submit to you, Mr. Speaker, that they may not be as accurate as we say they are.

Mr. Ernie Hardeman (Oxford): I am pleased to rise and speak in support of this resolution. I commend the member from Halton, my colleague, for bringing it forward.

As I speak to the resolution, I am somewhat surprised to hear some of the members of the Legislature speaking against the resolution because "no population numbers are accurate, so we might as well stay with the method we've got," which seems kind of a strange way of looking at life.

The resolution is very explicit on that issue. It says, "...begin to utilize more accurate population counts when calculating its contribution to various provincial programs and funding partners." The resolution doesn't say that this is going to make it perfect. If you read the whole resolution, what it speaks to is the fact that that appears to be the most accurate count of population that presently exists that could be used for these types of programs.

I really didn't come to speak to that part of it. What I really came to speak to is that I think there's another reason for going to that population count as opposed to the census. That has to do with the population that's

being served by the service that's being funded by the province. An example of that, of course, is the special program that the Ministry of Health has that, if you have a shortage of physicians in a community, you can then get special funding to help recruit new physicians.

In my community, the town of Tillsonburg is right at the bottom end of the riding in the county of Oxford. The physicians serve areas in Elgin county, in the former county of Norfolk and, of course, in Oxford county—all the way; the whole south end of Oxford county. When you looked at the community of Tillsonburg being 15,000 people, with the number of physicians in that community, of course we didn't have a shortage of physicians. What it took was, we could look at the population being served and getting the numbers from each municipality as to how many people lived in that area being served by those physicians. We came out that indeed it was a very underserved community, and we got provincial funding to help deal with that.

I think it's very important that we use those types of numbers for programs that are being funded beyond municipal boundaries. With the census and the funding as it presently is, it seems ironic that the money just goes out to communities based on their population with no relationship to the services that are needed.

A couple of examples that I would just point out in Oxford where that has happened: In the city of Woodstock, we have an organization that helps youth: Oxford Child and Youth Centre. They expanded to provide services in other parts of the county, but because it's being funded based on the Woodstock population as opposed to the Oxford county population, then per capita of the service area they are not getting their fair share of provincial funding, and there are other ones like that.

Community Living in Tillsonburg has exactly the same problem. Incidentally, when we have Community Living Day here in Toronto, the largest delegation in the last number of years has been from Tillsonburg Community Living, yet they get funded based on the area they are serving, which is the Tillsonburg area as opposed to a broader area. We need to get funding put in where we can look at the municipal data as to where people live and how many live there, so we can get fair and equitable funding.

The gas tax is another area that's the same problem. Again, as was mentioned earlier, the gas tax is being divvied up in the province partly based on population and partly based on ridership, but if a community that is growing needs to put in a transit system and presently doesn't have one, what are their chances of getting some support through the gas tax to build that infrastructure? Of course, the answer is nil because they don't already have the service, and then all of a sudden the population doesn't seem to count. The other issue, of course: We keep hearing about gas tax. It's not the gas tax, it's just from general revenue. In fact, where the gas is sold has no relationship to where the gas tax is going.

I have another colleague who would like to speak to this resolution. Again, I strongly support it and ask every-

one in the House to do similar because I think it's a good first start.

Mr. John O'Toole (Durham): I'm pleased to support my colleague and friend the member from Halton. We've always said that Halton and Durham are like the bookends for the greater Toronto area, and I have worked with him and he has worked with me. In fact, he was in my riding just a few weeks ago. I do want to put that on the record. In fact, he pays very close attention to the current economics, as our critic in that area, and he has always been fair-minded. This is the one thing that stands out most importantly.

Why I think most members should support this rather non-partisan resolution is because all it's saying theoretically is that in calculating the contributions to similar provincial programs so that there's universal fairness in all of the decisions, they should look at current, more accurate population numbers.

I can tell you that in Port Perry in my riding of Durham this was an issue a couple of years ago. The mayor at the time was Doug Moffat, a very nice fellow, a great guy. He came to me respecting a couple of things he was concerned about. In fact, at that time we were the government. The civil service—whoever makes these decisions—didn't respond positively. They didn't want to adjust to the numbers they felt because of the growth. The same thing with Mayor Mutton in Clarington, which is in the south part of the riding: They wanted to change the signs on the highways to more accurately reflect a larger number.

How it really shows up in the final analysis is, for years there's been a certain definition of underfunding. That's how this is important and why I wanted to put on the record, on behalf of my constituents, the effect on hospital funding, children's treatment centre funding and transit funding and the sharing of the gas tax, as the member from Oxford has just stated, so I won't go into that.

For instance, the GTA/905 Healthcare Alliance estimates that hospitals in Durham, Halton, Peel and York are underfunded to the tune of \$187 per person living in each region. For us, this gap represents \$762 million last year alone. This simply is not tolerable. It's a similar kind of explanation of what's going on in children's treatment centres, if it's any relationship to their catchment area. The funding on a per capita basis is simply just not fair. Exacerbating the problem are high needs in high-growth areas, which are quite often exceptional to the needs of more stable population-based areas.

I would urge members, in an attitude of fairness in this private members' hour, to support Mr. Chudleigh on this resolution. It's calling for fairness in the province of Ontario in funding of provincial programs based on more accurate population estimates and counts, so that the taxes we all pay for common-good services are shared equitably across the province. I commend the member for bringing this resolution forward.

1100

The Deputy Speaker: Mr. Chudleigh, you have up to two minutes to respond.

Mr. Chudleigh: I'd like to thank the member from Stormont–Dundas–Charlottenburgh, who was concerned about the costs, and I appreciate this. He must be one of the few members of the Liberal Party who are concerned about costs, although there would be no additional cost to this because this system is already in place. It's already being used when determining doctor shortages or the proportion of doctors in a riding. This is not about added cost; this is about the redistribution of money that is going into programs. So instead of dividing it up in the way it's currently being done, it would be divided up on a per capita basis, on a much more accurate level regarding the number of people who are actually in that population.

Member from Hamilton East, thank you very much for your kind remarks. Can we do it better? What a great concept. We've been doing it this way for many, many years. There are better ways around. These systems are being used within our system. Is there a better way to attack this? As I mentioned in my original presentation, I'm open to other suggestions; I'm open to other ways to do this. Is there a better way? What I'm saying is that when we get 100% deviation—in the case of the Milton experience, receiving \$3.5 million instead of \$7 million for the funding process—is there a better way? Is there a fairer way?

The member for Davenport mentioned that the statistics all give different answers. But the statistics that we use today are the least accurate. There are other systems that we could use, a different set of statistics that would be far more accurate, to within 1% or 2%, I would suggest to the member for Davenport. He seemed to want to stay with the system that creates a 98% divergence.

I'd like to thank the members from Oxford and Durham for their kind remarks as well.

FIRE PROTECTION STATUTE LAW AMENDMENT ACT, 2006

LOI DE 2006 MODIFIANT DES LOIS EN CE QUI A TRAIT À LA PROTECTION CONTRE L'INCENDIE

Mr. Prue moved second reading of the following bill:

Bill 120, An Act to require the Building Code and the Fire Code to provide for fire detectors, interconnected fire alarms and non-combustible fire escapes / Projet de loi 120, Loi exigeant que le code du bâtiment et le code de prévention des incendies prévoient des détecteurs d'incendie, des systèmes d'alerte d'incendie interconnectés et des sorties de secours incombustibles.

The Deputy Speaker (Mr. Bruce Crozier): Pursuant to standing order 96, Mr. Prue, you have up to 10 minutes.

Mr. Michael Prue (Beaches–East York): This is a reintroduction of a bill which was unanimously passed by the members present in this House in private members' business on April 21, 2005. Unfortunately, like so many private members' bills, although they receive the approval of the House, they often do not go anywhere on

the order paper, they do not make it to committee and they do not subsequently become law. So this is the re-introduction of a bill that my colleagues unanimously agreed was a good bill a little over a year ago.

I'd like to preface my remarks today to thank four individuals, although there were a great many who were involved in this. The first is Fire Chief Bill Stewart of the city of Toronto, who provided technical expertise, who came and gave information and spoke at a press conference that was held last year.

I would like to thank Chris Bardecki of the Toronto firefighters, who is here today again in support of this bill. The firefighters of Toronto feel that this is a bill that will help to save lives and, potentially, to also save firefighters' lives.

I would like to thank the Federation of Metro Tenants' Associations who have come on board because they recognize and realize that with the passage of this bill, tenants, particularly those who are vulnerable tenants—those living in older units, in older apartment buildings—will have a much safer environment.

Last but not least, and certainly not least, I would like to thank an individual, Tom Steers. Tom Steers was the fiancé of one of two people who were killed in a tragic accident on Queen Street in 1999. He attended literally all of the coroner's jury deliberations and recommendations into that tragic event. He has met subsequently with politicians at all levels and of all stripes, trying to get them to understand the recommendations of the coroner's jury and how they would impact upon the safety of individuals in Ontario. He was instrumental in the preparation of the bill last year and, subsequently, in having it reintroduced today. He encouraged me to reintroduce it, notwithstanding the fate of the last occasion, and I have agreed. He is right; this is a bill whose time has come. This is an idea that must be pushed forward until it is passed.

I would also like to thank my colleague Gilles Bisson for agreeing to change places. Through an order of this House, we changed the order so that my bill, which was scheduled to be held much later this year, is being done today and he has taken my later spot.

At 3 a.m. on January 14, 1999, a fire broke out at 2362 Queen Street East. That fire spread quickly. No one activated the manual pull stations that are common in so many apartment buildings in this city and in this province. The woman in whose apartment the fire started awoke, tried to put the fire out, was unsuccessful, went downstairs to get the superintendent, brought the superintendent upstairs, and the superintendent and she were unable to control the fire. The woman called her daughter and said, "Come and get me. My apartment is on fire," and the daughter came. The superintendent packed up some of the belongings and got the pets out of the apartment and they all went outside. No one pulled the fire alarm. That may seem bizarre to people, but you have to understand that when people are in a panic mode with a fire going on, they don't know what to do. Instead of calling 911, instead of pulling the fire alarm, they did, in

a panic, what some people would likely do, and probably a lot would do: They gathered up their belongings and they went outside. There was no attempt to alert the other residents of the building. By the time the residents knew there was a fire, it was triggered not by anyone pulling the manual alarm but because it got so hot that the wires actually fried in the alarm system and that set it off. It actually evaporated the wires and that set off the alarm. By then it was too late. By then, the building was engulfed in flames and two people died. The fire marshal found that there were multiple violations of the act in the actions of the tenant. But the coroner's jury made two key recommendations, neither of which has ever been acted upon in this province. The first is that interconnected fire alarms should be made mandatory in rental buildings, and the second is that fire escapes must be made of non-flammable materials.

You can understand the confusion of that night. You can understand that no one pulled the manual alarms. You can understand the fear they had and that they thought somebody else would have pulled it; they left that to others. An interconnected fire alarm would quite simply notify all residents in a building when there was a major fire or when there was smoke. The bill asks simply that it be mandatory in common areas of buildings and not in each apartment. I can understand that there was some comment the last time, would this set it off if someone was cooking toast and burnt it? We know that fire alarms will go off in our own houses or our own apartments if we're burning toast or if we overheat cooking oil. That's not what this is about. This is to put it in all the common areas so that by the time the smoke spills out into the hall, by the time it spills out into the common areas and activates the fire alarm, it will set off the fire alarms in other common areas throughout the building so that people will know that there is a real fire. This is something which I think is routine or should be routine. It will not cost a great deal of money.

The second issue involves wooden fire escapes. You know, Linda Elderkin, one of the persons who lost their lives, and Paul Benson, who lost his life at the same time, knew about the fire and were at the top of the fire escape, but they couldn't get down the fire escape because it was completely engulfed in flames. They could not get out. The firefighters could see them at the top screaming and yelling as the panic must have set in, but they could not get up the fire escape because it was burning too heavily, too hard.

1110

One of the firefighters who was there was Scott Marks. He is presently the president of the Toronto firefighters. He has recounted to me, on the last occasion and on subsequent occasions, about the sinking, horrible feeling of a firefighter who wants to do his duty but can't. Because the fire escape was made totally out of wood—in compliance with the laws of the province of Ontario, I might add—it was totally engulfed in flames, and he had to watch two people die on the scene, two people who could have been rescued and would have been rescued

had the fire escape been made out of non-combustible material.

The law today: Section 3.4.7.13(3) of the Ontario fire code reads, "Fire escapes shall be of metal or concrete ... except that wooden fire escapes may be used on buildings of combustible" material. This is strange. If the building can be burnt down, so can the fire escape. If the building can't be burnt down, then you have to have a metal or concrete one. "... if all posts and brackets are at least 89 mm in their least dimension and all other woodwork is ... 38 mm in its least dimension." Those are two-by-fours. That's what we're going to build it out of. This is weak and inadequate.

After the last reading of this bill, April 21, 2005, the news went through CP across Canada. It was front page news in the city of Vancouver, and no wonder: They outlawed this years ago. They have interconnected provisions, and they also have no wooden fire escapes. In 2003, there were no fire deaths in the city of Vancouver because of those two provisions and the sprinkler provision. There were 110 deaths that same year in Ontario. This is incredible.

I want to tell you that what we have here in Ontario has been abandoned in literally every other province of Canada. We need to do much more. We need to emulate Vancouver. We need to work in order to save the people of this province. I would ask the members present to do what you did all those many months ago: Pass this bill again and send it to committee. We need to save lives in Ontario.

Mrs. Linda Jeffrey (Brampton Centre): I'm pleased today to speak to Bill 120, the Fire Protection Statute Law Amendment Act, 2006. I'd like to congratulate the member from Beaches—East York for his vision. I remember the first time this bill was introduced—the predecessor bill, Bill 184—in 2005. I'm delighted to support all fire protection legislation designed to save lives.

Fire kills nearly 100 Ontarians each and every year and injures many more, the overwhelming number at home. Despite mandatory smoke alarms and improved building construction, there has not been a substantial reduction in this number in over a decade. The cost to the Ontario economy in health care expenses, property loss and personal impact is in the hundreds of millions of dollars. Smoke alarms are simply not enough.

There is, however, a proven and cost-effective solution that can save lives: residential fire sprinklers. The Ontario building code already requires fire sprinklers in places where we work, shop, dine and learn, to name a few. It is unfortunate that in the place where we should feel the safest, our home, we actually have the least protection.

My private member's bill, the Home Fire Sprinkler Act, is awaiting public hearings. It is imperative that we begin a dialogue on Bill 2. It would require new homes, town homes, apartments and condominiums to have residential sprinklers installed. Over 220 jurisdictions in North America have passed similar legislation, including Vancouver, which has required residential fire sprinklers

for over 15 years. During this time, there has not been a single accidental fire-related fatality where a properly installed and functioning residential fire sprinkler was present.

Residential fire sprinklers are a proven, reliable technology that will respond quickly in a fire, thereby offering seniors, the disabled and our children additional time to escape. Sprinklers save lives. They reduce property loss and they can cut homeowners' insurance premiums. For more than 25 years, nearly a dozen coroners' juries and inquests have recommended changes to the Ontario building code to include residential fire sprinklers.

Bill 120 has the support of the firefighting community, the fire safety industry, many large and small municipalities, contractors, seniors' organizations, the insurance industry and Ontarians right across this province.

Fatal residential fires most often occur between the hours of midnight and 6 a.m., when the victims are asleep. Victims are also disproportionately children and the elderly, who are vulnerable because they're physically less capable of escaping.

There's no single solution to the fire deaths in this province. Rather, for Ontarians to be effectively protecting themselves from fire, we need to use a number of strategies. Simply having a smoke alarm is not enough.

A report by a CBC Marketplace broadcast in June 1990 reported that one third of smoke alarms fail to go off in an emergency. People just don't maintain them. In fact, Canada has one of the highest rates of fire deaths in the world, and almost 80% of them happen at night. Many people think the smell of smoke will wake them up. Fire alarms cannot protect you from fire, and often a fire is out of control by the time people in a residence are warned by a fire alarm. By the time a parent realizes that their house is on fire, it's too late to save the children. By the time you realize there's a fire, it may be too late to save an elderly parent.

The age group of 65-plus constitutes 25% to 30% of fire fatalities in Ontario every year. This demographic is getting older and they're having more difficulty hearing working smoke alarms. As well, their reaction time is likely slower. The installation of residential sprinklers would allow seniors to remain in their homes longer and enhance their quality of life.

I recently read a frightening article written by Jen Horsey of the Canadian Press. She wrote:

"A recent surge in concern over the way children react to smoke alarms has the key Canadian standard setter considering changing the rules that govern the devices.

"Children don't necessarily hear the smoke detectors," Gina MacArthur, a spokeswoman for the Canadian Hearing Society, said ... after a meeting with experts and Underwriters Laboratories ... the group that sets standards for smoke alarms in Canada. There are few scientific studies into children's responses to smoke detectors, but experts agree that kids may be less responsive than adults when an alarm sounds.

"Fire officials universally cite horror stories of frightened children crawling into closets" or under beds "to hide from smoke and the noise of the alarm....

"Fire prevention officer Derrick Ethridge investigated the issue after children in his eastern Ontario community of Loyalist township suggested the alarms wouldn't wake them.

"He teamed up with Queen's University ... and sent 222 questionnaires to grade 6 students asking their parents to conduct night fire drills and record their responses....

"Thirty-two per cent ... didn't wake to the initial sound of the alarm at all, ... 53% didn't wake during the crucial first minute.

"Smoke alarms are required to sound at a standardized level of 85 decibels at a distance of three metres—roughly equivalent to the volume of a garbage disposal at close range.

"But even alarms that meet that standard failed to wake some children....

"Sleep experts suggest the poor response could be due in part to the way kids sleep.... Dr. Shelley Weiss, a pediatric sleep expert at the Toronto Hospital for Sick Children," notes that "[c]hildren spend more time in the deep, dreamless phase of sleep, so even a blaring smoke alarm won't always wake them."

This study should frighten every parent. Parents need to realize that children won't necessarily hear the smoke alarm, and if they do, they won't necessarily respond to it appropriately. In other words, if you rely entirely on a smoke alarm to wake your sleeping child, you may be making a fatal error.

Smoke alarms certainly help save lives, but the number of smoke alarms that have not been maintained properly is staggering. Sprinklers are an automatic device, a technology that requires no human intervention or reaction. Sprinklers are like having a firefighter in your home 24 hours a day, seven days a week. It's a proven technology, like airbags, that doesn't rely on changed human behaviour to prevent an accident or loss of life. Installing both smoke alarms and a fire sprinkler system reduces the risk of a fire death in a home by 82% in comparison to having neither, which is why I introduced my private member's bill.

I agree with the member from Beaches–East York that this is important legislation. I'm happy to support Bill 120, the Fire Protection Statute Law Amendment Act, 2006, and I believe the time is right to make Ontario a national leader in home fire safety.

1120

Mr. Ernie Hardeman (Oxford): I'm happy to rise and speak in support of this Bill 120 put forward by the member from Beaches–East York. First of all, I want to say, as the member mentioned in his presentation, that this is not the first time this bill has appeared before us. It was here previously and in fact supported unanimously by all those present that morning in private members' business. The reason I bring this up is that I think that is one of the challenges we have here. It would seem strange to me that the House would unanimously be in support of an important initiative like this for the safety of our population, it goes forward, and no one seems to

think it's important to bring that back for third reading and actually have it become the law of the land.

In the process, we would all recognize—particularly you, Mr. Speaker, but I'm sure every member of the House—that when the bill has second reading and goes to committee, the committee can have hearings on it, but at that point it must be the government that calls it back for third and final reading. I think it's so important that the member brought this back, so maybe this will impress the powers that be, and the House leaders of all three parties will see fit that, once this goes back to committee—if, as I expect, it will be passed today—it would be brought back for third reading to make it the law of the land. As a 25-year firefighter, I can tell you that many times one looks at the results after a fire has been put out and says, “If only someone had noticed it sooner, it could have been a much different situation.”

As we look at this law, it really is about making sure that, if there is a problem in the building, if it's in the public area where there is no one present at the time, someone will be notified that it's happening so they can take the action that's needed in order to facilitate the escape and of course the extinguishment as quickly as possible.

It isn't so much the problem that it's a different law for the people in multi-residential. In fact, a couple of months ago it became the law in the province that every residential unit must have these fire alarms on every floor. As I said, I was a 25-year firefighter, but I wasn't sure that where I had my smoke detectors placed was appropriate to meet the rules as they now apply. I did have a quick meeting with our local fire official, the chief of the department, and said, “This is where I have the smoke detectors in my house. Will it suffice?” I have a three-storey house. I had three smoke detectors in the house. So I thought, the way they were placed, everything was fine. He said to me, “All are okay except the one that's in your basement. If you have a bedroom in the basement, it should be close enough to that bedroom so if anything happens in that basement, the bedroom would hear that noise as soon as possible in order to facilitate the removal of oneself from that room.”

I had made the assumption that the best place to put it was in the furnace room, where the opportunity for a fire to start would be most likely. When I told the fire chief that, he said, “That's great. We now have a smoke alarm going off full blast in your basement and no one in the house can hear it.” So obviously it is going to be a useless exercise.

The reason I mentioned that is that that relates to this bill before us. Where there is no one present, you have to be able to get the message out that there's a problem there to the people who will be affected by the end result of this fire. That's what this bill does. It speaks to, in the absence of people, having a smoke alarm go off and having it set up so that the people who would be living in those apartments would, in fact, hear the alarm and could make their decision based on that.

Recognizing, as I mentioned, about the smoke alarms in the house, that law also applies to the units referred to

in this bill. They already must have those in their apartments, but there is nothing presently in the law that requires the landlord, or someone, to put the detecting device in the area where there would most likely be no one present; that is, between the danger that's there and the people who live in the rest of the building. So I strongly support that.

There are a couple of other issues, but one I was intrigued by in the bill was the issue, and the member spoke to it, about fire escapes, and the fact that they should be built of non-combustible material so that they can be used in case of an emergency. I strongly agree with that. It seems ironic that if it's a wooden building, it's not as important that people escape or that someone can get up it as if it were a stone building. I think the people who wrote that part of the building code could think back on it and say, “Yes, I think maybe we made a mistake there and we're awfully happy that the member from Beaches–East York brought this forward so we could correct that before we run into this problem and have to admit how bad a mistake we made.” I very much agree with making sure that all fire escapes are made out of material that is non-combustible so that they will be there to be used.

The one problem I have with the bill, and I'm sure as it goes to committee it will get corrected, is in that section:

“1.(2.2) Regulations made under subsections (1) and (2) shall require that fire escapes, where permitted, are constructed of non-combustible material.”

I really wonder at the need for the wording “where permitted,” because it would seem to me appropriate to say, regardless of whether they were permitted to be there or whether they weren't, that wherever fire escapes are, we don't have wooden fire escapes. I have some concern that if you leave the words “where permitted” in, if it's not saying that they have to be there, where it's not mandated, municipalities could put in that they don't allow fire escapes and then you could put wooden ones there. I think it's somewhat irrelevant as to whether they're permitted or not. That's another issue. Any fire escape built anywhere should be of non-combustible material.

I think it's very important in the implementation that they not only have smoke detectors, but that they be installed in such a way that everyone in the building—that if it's a two-unit building, there are two places where the alarm will go off; that if it's a six-unit building, every unit has access to and will have the alarm go off in their unit, so that a fire that starts in the public area is in fact announced to everyone in the building so proper decisions and evacuations can be conducted and the fire brought under control as quickly as possible.

With that, I want to share my time with my colleague, but I want to commend the member for bringing this forward and I suggest we will be supporting it to make sure this becomes the law of the land.

Mr. Tony Ruprecht (Davenport): Thank you to the member from Beaches–East York for introducing his

private member's bill, Bill 120, the Fire Protection Statute Law Amendment Act, 2006. He has already indicated that Mr. Chris Bardecki is here from the Toronto firefighters. I know that if Chris is in support of this 100%, and I'm looking at him right now, it must be a good piece of legislation.

But I have two questions for the member for Beaches–East York. The first one is this: The Ontario building code currently requires that smoke alarms be installed in all residential buildings, even single-family homes, and smoke alarms must be interconnected where more than one is installed in a dwelling. My question goes back to the fire that he described—in January 1999, I think—where two people died in Beaches–East York, whether in fact this was the case or this was illegal.

1130

Second, regarding the requirement for fire detectors in the proposed legislation, both the building code and fire code refer to a fire detector as a device that detects a fire condition and can automatically initiate an alarm signal. It is unclear, therefore, what is meant in the proposed legislation, since a fire detector can include heat detectors and smoke detectors. I hope the member from Beaches–East York is going to clear that part up.

Going back to the coroner's inquest and the recommendations the coroner's jury made in terms of the fire in 1999 that the member for Beaches–East York speaks about, I would agree with at least the coroner's jury recommendation that said, "Let's require each tenant and landlord, when they write a tenancy agreement, to get together and require the landlord to say to the lessee, 'Here is the existing fire alarm pull station. Here is the existing fire alarm system in the house,'" and sign off that the landlord has told the tenant.

That is a very good recommendation, because looking at some of these units in Toronto, what we find is that when the toast is burned and the burning material reaches the smoke detector, which is in the present law, the smoke detector would go off, there's no doubt, if the battery is there. As the law says here, these smoke detectors are supposed to be interconnected, so it isn't simply a question of being in a basement and nobody hears them. If the fire alarm goes off because it activates the smoke alarm system in the basement, and if they're interconnected, as the law stipulates, then the alarms would go off when any one of these smoke detectors is activated. Consequently, interconnectedness of smoke alarm systems is in this legislation. I would ask the member from Beaches–East York to clarify this a bit.

I have one more point to make: Some of the tenants, if the alarm goes off, remove the battery or simply tape over the intake hole. That's something we have to discuss but my time, unfortunately, is over.

Ms. Laurie Scott (Haliburton–Victoria–Brock): I'm pleased today to stand in support of Bill 120, an act to amend the building code, brought forward by my colleague the member from Beaches–East York. There's certainly nothing more devastating than losing a loved one and then discovering that the tragedy was prevent-

able. This bill gives us all here in the Legislature the opportunity to prevent the tragedy from striking other families. So often, what we do here in the Legislature gradually does impact the lives of Ontarians. Bill 120 holds the possibility of a very tangible impact: saving lives. It's not only our responsibility, I think it is our duty, when faced with legislation that could save lives, to support this bill in a non-partisan way.

I congratulate the member from Beaches–East York for his perseverance with this legislation. It's been brought up many times—this is not the first time it's been introduced—so I encourage the government members to prioritize some of the things that could make a difference. They certainly have the ability to do that, because they are the government.

Bill 120 amends the building code: "Every residential building with two or more dwelling units is equipped with fire detectors in all public corridors and common areas of the building and interconnected fire alarms that are audible throughout the building.... Every fire escape is constructed of non-combustible material."

The member from Beaches–East York brought to our attention what's currently in the fire code. I think it's shocking that there are still fire escapes that are made out of wood. It's incredible to think about that. The last time he introduced the bill he brought up that it was picked up in BC, the fact that Ontario is the only province that doesn't have a rule outlawing wooden fire escapes. So I think it should be a priority; we should recognize that. I encourage the government to move forward on that. They can do this with their agenda. The member from Beaches–East York is doing a good job of prompting them again and again. Hopefully, we can see this into legislation, because we do support this and it is going to save lives. He used the example of the people in his riding, the terrible occurrence with Linda Elderkin and Paul Benson. If their fire escape had been constructed out of metal, they would be here with us now. Their deaths were preventable. It really is difficult to accept that that has occurred.

I know that I have a lot of single detached dwellings and houses in my riding, but we have to think of who lives in the dwellings with wooden fire escapes. Most of us in the room would be surprised that we do know people who live in a building with a wooden fire escape. Students who go to university and college from my riding who are here live in houses, because that's just where students live while they are getting that education. Students are packed into these buildings. We never want anything to happen, but we should plan for the worst. This is what this legislation is bringing forward: the fact that we need to give people a chance if such a situation does occur. The interconnecting smoke alarms would certainly notify the household that the retrofitted garage and dormitory was on fire for these kids. As a nurse, I witnessed the many devastating effects that fire and smoke inhalation itself have on patients and their chances of survival. The longer people have to hunt around thick,

black smoke for an exit—it can be too late. They are overcome, and their chance of survival is less.

We've seen some gruesome images recently of panic and hysteria of people when they're caught in a fire. You can only imagine how you would feel not being able to breathe, not being able to see where you're going. I was shocked and saddened to see on the news the German woman who dropped her child over the balcony and then threw herself over to escape her burning apartment. Those are the types of images that send shivers down your spine. Knowing that your options are to jump or stay in and be overcome by fire is really unthinkable.

We have the chance to make a difference here today. We should institute interconnecting smoke alarms in multi-residential buildings. We have a duty to safeguard the people, to protect people and our firefighters. If we do our part to institute early warning systems and mandate fire-retardant fire escapes, then these courageous firemen and women will not have to endanger their lives unnecessarily. There are certainly circumstances where they must go into dangerous situations, but if we can reduce that number through simple actions, I believe it's incumbent upon us to do so.

The Toronto Professional Firefighters' Association is in support of this legislation. They've taken the time to work with the member from Beaches–East York to ensure that the legislation protects our communities and protects their members. I know that some private members' bills can get lost in the shuffle—we're all busy dealing with issues—but, as I said, this should get everyone's support; this should be brought forward. It is our responsibility to protect the citizens of Ontario, and we do that by what we do here.

I want to commend the member from Beaches–East York for his diligence and his commitment to this cause. We need to support him. He's stuck with it; he believes in it; he speaks passionately about it. We need to set our party politics aside and demonstrate to Ontarians that this is good policy, no matter who brings it forward. Contrary to the popular belief that we can't work together in the House, I think we can show that, in matters of importance, we can all work together in the House. I hope all members in the Legislature will join me and support the member from Beaches–East York with the passage of Bill 120 today.

Ms. Andrea Horwath (Hamilton East): It is definitely my pleasure to rise this morning and make some remarks about Bill 120, a bill that was brought forward by my friend and colleague from Beaches–East York, Michael Prue.

I have to start by saying how much we all, I think, take for granted in some way our firefighters in our communities. We take for granted that when we hear a siren going down the street it's because people are rushing to a place where there's going to be danger, where there is going to be possible injury for those workers who are rushing into that situation, where there is a possibility, unfortunately, of death. It's someone who's going in to a situation where everyone else near that situation is run-

ning away. That's what firefighters do in our communities. I think that sometimes we take for granted the fact that those men and women are serving communities across the province day in and day out.

1140

So it seems to me absolutely astonishing, completely perplexing, that we don't have some of the basic laws in place in this province that would protect those workers from exacerbation of the dangers that face them every day in their work. I speak particularly about the portion of the bill that addresses the external—I guess they're all external.

I think of fire escapes, where firefighters are approaching a burning structure and see the unbelievable situation that gave rise to the coroner's inquest that took place in that riding of the member for Beaches–East York, when firefighters attend a scene and actually see people becoming victims of the fire. And they are left powerless to save them, powerless to get them out of that fire, because the very apparatus that is currently required under Ontario law to assist firefighters and individuals escaping a burning building is made out of combustible material, is made out of wood, is not even able to function in the capacity that it was intended to function when it was required, under the current building code, to be put in place.

It's absolutely unbelievable that wooden fire escapes are still allowed, that they are still in place in this province and that we have done nothing to make sure that they have been upgraded, changed. You know what says it all to me, when it really became clear in terms of this one small change? Bill 120, by the way, for people who are watching, has got to be one of the smallest bills I've ever seen. Really, it is small in terms of words, but it is huge in terms of impact. There are only really two sections of this bill: One section that deals with the sprinkler system issue and one section that deals with the wooden fire escape issue. But for a bill that's this small, to imagine that we have been indifferent in this Legislature to this issue, that it has now come a second time for second reading debate, that it still has not gone to committee, that it still has not been implemented in the province of Ontario, is unthinkable; it's absolutely unthinkable. It's horrifying to imagine what firefighters face every day already. It's horrifying to imagine the situations that they put themselves in every day. But for me, what's even more horrifying is that a simple change, two simple clauses in the bill, not including the two that talk about when it comes into effect and that kind of thing—I guess, technically, there are four sections to the bill. But the bottom line is, two small changes could make quite a difference.

I was starting to say that it all became very clear about how important this is, not only through the fact that the coroner's office did the investigation finally, after so much pressure by the fiancé of one of the victims of that fateful day back in 1999, but also—and that those recommendations included what was in this bill is extremely important—we need to acknowledge that when

we ask that coroners' investigations take place, when we ask that recommendations come forward, we then have an obligation, an extremely important obligation, to implement the recommendations of these coroners' investigations; otherwise, why would we bother having them? So there's a problem there in terms of making sure that we are seized with the recommendations that come out of these coroners' investigations and that we actually implement the changes that are being recommended.

When the member from Beaches–East York indicated that in 2003 there were zero—none—fire deaths in Vancouver, while in the same year in Toronto there were 110 fire deaths—

Mr. Prue: Ontario.

Ms. Horwath: Oh, Ontario. Sorry. In the entire province of Ontario, not just Toronto, there were 110 fire deaths. That, to me, is a very clear indication. What's different? Well, the difference is that in Vancouver they already have in place the requirements that Bill 120 would put in place if it gets approved, if it gets supported by the members of this Legislature and implemented in the province of Ontario. It's the biggest difference. They actually have the system of fire alarm notification that is described in Bill 120. They have a ban on or they don't allow wooden fire escapes to be used on buildings in the city of Vancouver. So it seems to me that the indifference that we've had to this issue has to end, and it has to end today. I think that all members would agree that these two small changes, if they save one life, if they save one firefighter from injury, if they save one firefighter's life, then it's good enough; it has done its job. I would put to you that if we put this legislation into place, if we go through the committee process and we implement the two clauses, the two initiatives that are described in the two clauses in this bill, then we will have gone a very long way to catch up to other communities and other jurisdictions in Canada and what they're doing to make sure that we reduce the number of fire deaths that are occurring in our province.

It's unbelievable to me that we still rely on manual systems of pulling a fire alarm. It's interesting, because many of the members today have spoken about the anxiety, the adrenaline that gets going if you're in a fire or if you're in a building that has got a fire, even just hearing a fire alarm. I know for myself, just hearing a fire alarm, you don't know what to do. Your immediate reaction is usually, unfortunately, "Oh, there goes the fire alarm again. Somebody must have been fooling around." That's a problem. There's no doubt that that's a problem. But really, when you get the sense that there is actually an emergency occurring and there may, in fact, be a fire in the building that you are in, it is the scariest, scariest experience. You freeze up. You really don't know what to do. You don't know where to turn.

An interesting story was related to me by a very good friend of mine in Hamilton. She's about my age and she has a couple of children who are kind of young adults, in their late teens. She had gone out for a couple of hours one night and came back, and her daughter looked a little

nervous, a little kind of guilty. Her mom—the woman's name is Sandy Shaw—Sandy said to her daughter, "What did you guys do while I was gone? You're looking awfully guilty." The daughter said, "Well, it wasn't me, it was my brother." There was a little incident, a bit of a fire on the couch downstairs. They had moved the couch around, turned on the gas fireplace, and the heat just kept building and building and the couch caught on fire. So the kids had tried to cover it up. It didn't catch on fire in a big way, I mean, it didn't go up in major flames, but a portion of the couch was burned. So the kids sprayed and they tried to get rid of any evidence of a problem having occurred.

But, of course, when mom came home they had to fess up. So Sandy, at that time, apparently said to the kids, "You know, I'm just glad everybody's safe. It's good that you took care of everything, but bottom line is it still stinks in here, so let's take the couch and let's put it outside, because until we get rid of this burnt, charred little piece on the couch—we have to get rid of the whole couch anyway. Let's just take it outside." Fine, they took it outside. Everybody went to bed. The next morning, she went out to take out her recycling, and she looked on the little patio where they had put the couch. She couldn't figure out what was there. She's looking at the patio and there's this—she's describing it as this bit of a mess on the patio. She's trying to think what the heck could that be? Then it dawns on her—that's where they had put the couch. The fire wasn't out and the couch had continued to burn all night long. By morning, the couch was really just a pile of ashes on their patio. That's a situation that could have turned out much, much worse. I raise this story, I share the story because I think people assume that they know all about what can cause a fire and they know all about how to handle a situation where there is a fire, how to handle an occurrence of that nature. This is a person who is a very educated and very responsible person. The only reason she took the couch outside was because it was stinking up the house, not because she had any idea that in fact there were still burning embers inside the couch that ended up literally burning it to the ground on the patio.

1150

Incidents of fires occur. Incidents of fires are something that are not easily dealt with by people. When there's a fire in a building, people lose their ability to be rational. I firmly believe that. Building in systems that take out the requirement for people to think rationally and do the right thing, to take the right step, to be able to call for help through the pulling of a manual fire alarm, taking out that step and assuring ourselves that every building in Ontario is equipped with something that will automatically start the process of bringing the emergency services, bringing the firefighters in particular to the scene to deal with the fire, is almost a no-brainer.

It's just unbelievable that we don't have it in place yet. I know the member has tried very hard to bring this legislation forward a couple of times now. I'm extremely hopeful that the members of this Legislature will unani-

mously support this initiative, and I'm extremely hopeful that we can have quick work at committee, but not ineffective or inefficient work, not short shrift by any means, because there are some issues.

After the member first raised this issue, I went back to my community and heard from a couple of owners of residential care facilities who were operating facilities that were older buildings, in our downtown in particular, and they were concerned about the cost, whether they would be able to afford to replace their wooden fire escapes with metal or concrete structures. I think we need to put an eye to whether there are ways to assist organizations that are providing services to vulnerable people in our community, to assist them with the cost of retrofitting their buildings, not only to deal with the fire escapes but also to deal with the alarm systems.

I think there are things we need to do to make sure that, instead of avoiding the implementation of these new requirements, people will embrace them and implement them wholeheartedly, because it's a matter of saving lives in the province. It's a matter of making sure that firefighters are in a situation where they don't have to worry about running up a fire escape because it might be falling apart under their feet, because it is vulnerable to burning as well, being made of a combustible material.

The bottom line for me is that this legislation needs to go forward quickly. We have been dilatory, by my reading, in not bringing this legislation forward earlier. We need to make sure that we get it through to committee. We need to make sure we make any changes that need to be made to keep it as strong as possible. We also need to consider ways we might be able to assist in the implementation phase, so that we don't have people avoiding the legislation or avoiding responsibilities to upgrade their buildings.

Finally, I want to say that the member from Beaches–East York has done an excellent job. He not only continued to stay in contact with the people who were affected by this fire, particularly the fiancé of the woman who passed away in the fire, Mr. Benson, I guess it was. Is it Mr. Benson? No.

Mr. Prue: Tom Steers.

Ms. Horwath: Tom Steers. Right. It was Linda and Paul Benson who passed away, and Linda was the fiancé of Tom. He kept in touch with them and continues to push this through. I'll be very proud to be voting in favour of it.

Ms. Monique M. Smith (Nipissing): I'm pleased to speak to this bill today that the member for Beaches–East York has brought forward. I don't think any of us in this House has been untouched by some kind of tragedy or fire. This week, a family in Eldee just outside of my community lost their home to fire. Thankfully, everyone was safe, but I certainly know that we all know of circumstances where fire has affected families and friends in our communities.

I just recently met with Chief Ted McCullough, who's the fire chief in North Bay. I was speaking to him about the bill that was presented by my colleague from Bramp-

ton Centre. I know that the firefighters in my community under the leadership of Chief Ted McCullough are doing a fabulous job. I want to join with my colleagues who have all taken the opportunity to commend our firefighters who are doing such great services in all of our communities across the province.

I had a few technical concerns about the bill today that I just want to raise and perhaps have the member for Beaches–East York respond to. Under the Ontario building code, we presently have requirements that smoke alarms be installed in all residential buildings, even single-family homes, and that smoke alarms be interconnected where more than one is installed in a dwelling. We generally require that fire escapes be constructed of metal or concrete, and we have requirements to protect fire escapes from fire.

As the member for Beaches–East York is aware, the Building Code Act falls under the Ministry of Municipal Affairs and Housing, and the Fire Protection and Prevention Act falls under the Ministry of Community Safety and Correctional Services. However, the technical requirements that he is addressing in his bill fall under the building code and the fire code, which are in fact regulations under each of those acts. So I would hope, regardless of where we come to today with this bill, that he will continue to work with those two ministers, as I'm sure they are open to working with him, to make those amendments where they are most effective, which is in fact in the building code, which is a regulation under the Building Code Act, and in the fire code, which is a regulation under the Fire Protection and Prevention Act. Putting these technical kinds of amendments in the act itself changes the nature of the act. As you know, legislation is a complicated process, as I well know these days. We just want to make sure we get these things in the right places.

As well, I'd like a technical clarification. In the bill as presented, the member for Beaches–East York has talked about fire detectors. In the building code, we talk about smoke detectors or heat detectors. I just wondered how you define fire detectors, or what specifically—

Mr. Prue: Both.

Ms. Smith: Both? Okay. Thank you. Again, in legal drafting they are always very particular about the wordings that we use, so we want to make sure we're talking about the same things.

One last point I'd like to make today is just on the basic need for education. I found it interesting that the member for Oxford, I believe it was, was talking about his experiences with smoke detectors in his home. I believe he said that he'd been in the fire service for a number of years, and he wasn't clear on or aware of where he should place his fire detectors in his home. That, for me, raised major concerns. If he, who has been out in the field, was not clear on where we should have these placed in our homes, then I believe that Joe Q. Public in Ontario is probably in the same boat. I think there is a need for further education by our fire services,

locally and perhaps provincially, on how we best should place these fire detection devices in our homes.

I just want to commend the member for his piece of legislation, ask for those few clarifications, and thank you, Mr. Speaker, for allowing me the opportunity to speak this morning.

The Deputy Speaker: The member for Beaches–East York has two minutes to respond.

Mr. Prue: I thank all of the members who spoke.

Just to answer a few questions: To the member for Oxford, the word “permitted” means having received a permit. It’s under the building code. It’s not that it’s a permitted use; it’s because they have received a permit. I hope that clarifies that.

The member for Davenport raised the issue about smoke alarms being interconnected within the apartment. That’s not the purpose of the bill. The purpose of the bill is to interconnect the alarms in all of the common areas: not within individual apartments or between apartments, but from one floor to another, from one section of a common area to another, so that all tenants, if smoke spills out into the halls, will be notified. That’s the purpose.

The member from Nipissing raised the issue of the two ministers. Yes, thank you. We were well aware that there are two ministers; there are two separate acts. The intent of the legislation is to change both of those. We recognize the complexity. I have met with the ministers or the ministers’ staff on both of these, and it is doable.

The final thing that I want to raise is the issue—and the member from Hamilton East raised this—about firefighters. They are involved in one of the most dangerous businesses that you can possibly know. Not only is it the danger of rushing to the fire, not only is it the danger of fighting the fire, but it is also the danger—that might occur years and years later—of breathing in the smoke with the carcinogens that are involved and the high rates of cancer that firefighters have. If we can do anything to lessen the incidence of fires, if we can do anything to lessen the severity of the fires so as to not put their lives at risk as well, then I think that we have to do that.

The bill intends to save lives. I know that it’s going to cost money, but there are government programs that will allow for people to recoup some of those costs and, in the end, if we save lives, it will be worth every penny.

The Deputy Speaker: The time provided for private members’ public business has expired.

ONTARIO POPULATION

The Deputy Speaker (Mr. Bruce Crozier): We shall first deal with ballot item number 41, standing in the name of Mr. Chudleigh. Mr. Chudleigh has moved private member’s notice of motion number 15. 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.

We’ll defer this until after the next ballot item.

FIRE PROTECTION STATUTE LAW AMENDMENT ACT, 2006

LOI DE 2006 MODIFIANT DES LOIS EN CE QUI A TRAIT À LA PROTECTION CONTRE L’INCENDIE

The Deputy Speaker (Mr. Bruce Crozier): We’ll deal with ballot item number 42. Mr. Prue has moved second reading of Bill 120. 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.

We will call in the members to vote on these two ballot items. This will be a five-minute bell.

The division bells rang from 1201 to 1206.

ONTARIO POPULATION

The Deputy Speaker (Mr. Bruce Crozier): Mr. Chudleigh has moved private member’s notice of motion number 15.

All those in favour, please rise.

Ayes

Berardinetti, Lorenzo	Jeffrey, Linda	Patten, Richard
Bisson, Gilles	Kormos, Peter	Prue, Michael
Bradley, James J.	Lalonde, Jean-Marc	Ramal, Khalil
Brownell, Jim	Levac, Dave	Ruprecht, Tony
Chudleigh, Ted	MacLeod, Lisa	Scott, Laurie
Delaney, Bob	Marsales, Judy	Tabuns, Peter
Dhillon, Vic	Mauro, Bill	Van Bommel, Maria
Dunlop, Garfield	McNeely, Phil	Wilkinson, John
Hampton, Howard	Mitchell, Carol	Zimmer, David
Hardeman, Ernie	O’Toole, John	
Horwath, Andrea	Ouellette, Jerry J.	

The Deputy Speaker: All those opposed, please stand.

Nays

McMeekin, Ted

The Clerk of the Assembly (Mr. Claude L. DesRosiers): The ayes are 31; the nays are 1.

The Deputy Speaker: I declare the motion carried.

The doors will be open for 30 seconds before the next vote.

FIRE PROTECTION STATUTE LAW AMENDMENT ACT, 2006

LOI DE 2006 MODIFIANT DES LOIS EN CE QUI A TRAIT À LA PROTECTION CONTRE L’INCENDIE

The Deputy Speaker (Mr. Bruce Crozier): Mr. Prue has moved second reading of Bill 120.

All those in favour, please stand.

Ayes

Berardinetti, Lorenzo	Jeffrey, Linda	Ouellette, Jerry J.
Bisson, Gilles	Kormos, Peter	Patten, Richard
Bradley, James J.	Lalonde, Jean-Marc	Prue, Michael
Brownell, Jim	Levac, Dave	Ramal, Khalil
Chudleigh, Ted	MacLeod, Lisa	Ruprecht, Tony
Delaney, Bob	Marsales, Judy	Scott, Laurie
Dhillon, Vic	Mauro, Bill	Tabuns, Peter
Dunlop, Garfield	McMeekin, Ted	Van Bommel, Maria
Hampton, Howard	McNeely, Phil	Wilkinson, John
Hardeman, Ernie	Mitchell, Carol	Zimmer, David
Horwath, Andrea	O'Toole, John	

The Deputy Speaker: All those opposed, please stand.

The Clerk of the Assembly (Mr. Claude L. DesRosiers): The ayes are 32; the nays are 0.

The Deputy Speaker: I declare the motion carried.

Mr. Prue?

Mr. Michael Prue (Beaches—East York): I move that this be sent to the standing committee on general government.

The Deputy Speaker: Mr. Prue has asked consent that this bill be sent to the standing committee on general government. Agreed.

All matters relating to private members' public business having been completed, this House is adjourned until 1:30 of the clock.

The House recessed from 1210 to 1330.

MEMBERS' STATEMENTS**MABEL READ**

Mr. Jerry J. Ouellette (Oshawa): I'd like to take this opportunity to rise to highlight an extraordinary event that took place in my riding recognizing an outstanding citizen, Mabel Read.

On Monday, I had the honour of attending Mabel Read's 100th birthday celebration at Parkview Place, along with family, friends, and numerous honoured guests paying tribute and wishing her well.

Mabel Read was born in Ottawa on June 5, 1906, where she was the third child in a family which included three sisters and two brothers. Mabel came to Toronto from Ottawa by horse and cutter when she was only four years old, and she has vivid memories of the adventure, especially travelling in the snow with her mother, who was expecting her next child at that time.

During the war, Mabel worked the night shift, gunning rivets on Lancaster planes in a hangar in the west end of Toronto. She was enthusiastically involved in bowling and music, and spent many rewarding hours playing flute and accordion in a band. Mabel was married, but unfortunately her husband passed away after only 10 years of marriage. Mabel and her sister Frances travelled extensively together, and rumour has it that Mabel still likes to ride the bus, especially if it's going to a casino. She has been an active member of the Oshawa seniors' centre, and over the years one of her joys has been

modelling in the seniors' centre fashion show and entertaining the residents.

It is indeed a privilege to rise today to recognize one of our community's outstanding citizens and to congratulate her on this unforgettable occasion. I am honoured to have had the opportunity to meet and speak with her, and I'd like to ask all to join me in congratulating Mabel Read on her 100 years young.

EVENTS IN BRAMPTON

Mrs. Linda Jeffrey (Brampton Centre): I'm delighted today to speak about two exciting events in the Brampton community that are only weeks away.

Brampton's multicultural festival, Carabram, is in its 24th year. The event will run through July 7, 8 and 9. Carabram provides an opportunity for families to tour the world and experience the rich culture, foods, crafts and entertainment of ethnic groups in Brampton. This year's pavilions will represent the Caribbean, Germany, Hawaii, India, Ireland, Italy, Macedonia, Pakistan, Philippines, Poland and the Ukraine. Previously, Carabram has attracted over 60,000 visitors from around the world. In addition, the Lieutenant Governor will be hosting Carabram at a reception in the Legislature next week.

The second event is Brampton's seventh annual Classic Cars and Legendary Stars. Organized by the Brampton Downtown Business Association, the event features hot cars and cool music. Running from July 13 through 15, the festival showcases live entertainment, from bands to tribute artists. I know first-hand that Gage Park becomes the centre of great food, drink and company. The "show and shine" on Saturday will be a show-stopping parade of classic and antique cars. There will be more than 100 cars on display, including real antique cars from the 1920s through the 1970s.

We've ordered good weather, and I hope members will take the opportunity to visit Brampton for these exciting summer events.

YOUTH SERVICES

Mrs. Julia Munro (York North): This morning, I attended a press conference given by Family Service Ontario where they called on the government to save the Families and Schools Together program. This program works to prevent family violence and breakdown, child abuse and neglect, school failure, and juvenile violence and delinquency.

This vital program is funded by the Early Years challenge fund established by our PC government. These grants are ending and the Liberal government refuses to renew or replace them.

Parents and family members this morning told us that more than 1,000 at-risk families may lose access to this program. The Families and Schools Together program has received numerous awards and is endorsed by the Canadian Association of Chiefs of Police, amongst others. Not only is their funding in jeopardy, but the Minister of Children and Youth Services refuses to even meet

with them. Parents and staff had to come and hold a press conference at Queen's Park to get the minister's attention.

I call on the minister today to meet with the staff and families of this program. Listen to them. Find out about the good work the program does, and then keep funding them to do the good work they do.

HAMILTON WATERFRONT TRAIL

Ms. Judy Marsales (Hamilton West): We in Hamilton are creating our city's new vision for the future one step at a time, and the literal expression of this statement took place recently with the opening of the Hamilton waterfront trail extension.

Twenty years ago, very few people would have believed we would be celebrating Hamilton's magnificent waterfront. However, the province has invested \$1.3 million in this initiative and I was honoured to be part of the celebration.

Not long ago, Hamilton harbour was mainly industrial, with only 5% of it accessible to the public. Today more than two thirds of the shoreline is open to the public. Walking trails, panoramic views, the gorgeous Canada Marine Discovery Centre, the Haida, the HMCS Star and our own Hamilton boat cruise are but a few examples.

We take pride in the forged partnerships that have worked to create this lasting legacy of great natural beauty, and this project would not have been possible without the dedication of many volunteers and tireless workers such as Werner Plessel, executive director of the waterfront trust; Marilyn Baxter, executive director of the Bay Area Restoration Council; Chad Collins, councillor for the city of Hamilton and chair of the waterfront trust; Keith Robson, CEO of the Hamilton Port Authority; Alice Willems, manager of the Marine Discovery Centre and the Haida for Parks Canada; John Dolbec, executive director of the chamber of commerce; HMCS Star personnel; and our own Brian Henley, a local historian.

This official opening showcased the expansion of Williams Coffee Pub, the inaugural tour of the Hamilton waterfront trolley and the opening of Waterfront Scoops. That's ice cream, for the uninitiated.

We welcome everyone to Hamilton this summer. Come and walk a mile in our historic shoes.

ONTARIO ECONOMY

Mr. Ted Chudleigh (Halton): It's with sadness that I stand today and express my concern for Ontario's lagging investment climate, which has fallen behind Alberta, British Columbia, Saskatchewan and Newfoundland, and we are expected to be overtaken by Manitoba. It should come as no surprise that Ontario's worsening investment climate can be attributed to a growing list of the McGuinty Liberals' broken promises and misguided policies.

To remind you: the infamous promise of not raising taxes, followed by the largest tax increase in Ontario's history; increasing corporate taxes; increasing taxes to

small business; increasing capital taxes; and every year, the McGuinty Liberals manufacture deficits and go on massive spending sprees, breaking their promise to balance the budget.

Ontario's tax system discourages growth and investment compared to other jurisdictions in Canada. A C.D. Howe Institute report states, "If Ontario were an independent country, its effective tax rate would be close to China's 45.8% ... rate on capital, hence ... the highest of all jurisdictions surveyed." This government doesn't seem to realize that it is severely damaging Ontario's ability to compete on both the national and international levels. It doesn't seem to realize that it is driving business away through its archaic tax-and-spend policies. It doesn't seem to realize that Ontario needs the private sector, and the private sector needs safe, secure and affordable power.

When will this government stop the deterioration of Ontario's competitive advantage? Ontarians deserve better.

1340

WILLIS BLAIR

Mr. Michael Prue (Beaches—East York): On May 26 this year, people from East York, east Toronto and Scarborough got together to host and roast at the Toronto Hunt a certain Willis Lincoln Blair. Members of this place may know Mr. Blair. Mr. Blair is probably best known around East York as a former alderman and mayor of East York, where he served from 1959 to 1976. He was also on Metro council, from 1967 to 1976, when he retired and went to the Ontario Municipal Board, and then on from that to the Liquor Licence Board of Ontario, where he served, again with distinction, from 1981 to 1986.

People gathered at the Toronto Hunt a couple of weeks ago to remember what Willis Blair did for Toronto East General Hospital; that's what we were there for. He was on the board of directors for more than 20 years. He contributed in ways that truly made our hospital a great community institution. He was and continues to be an honorary member of the foundation and continues to do good work around that hospital.

If that wasn't enough for a lifetime, he was also and continues to be an active member of the Kiwanis Club of East York, where he has been recognized as a Mel Osborne fellow. He is still a participant in the Empire Club of Canada. He is still one of the leading people in his local church, Westview Presbyterian Church in East York.

The people who gathered that night remember and applaud Willis Blair for his decades of service to our community.

PORTUGUESE CANADIAN COMMUNITY

Mr. Peter Fonseca (Mississauga East): I rise in the House today with great pride to mark Portugal Day here

in the province of Ontario. This year is the fifth anniversary of Portuguese Heritage and History Month in Ontario.

Every year, during the month of June, Luso-Canadians—those who speak Portuguese—come together to celebrate our unique heritage and culture, and have so much to celebrate. Portuguese Canadians have made a vast contribution to Canadian society and culture. We contributed to the building of this country's roads, bridges, houses and skyscrapers. We excel in the arts, music and theatre. We have made contributions in academics, athletics, business and politics. Portuguese Canadians can be found succeeding in every field and discipline.

In celebration of Portugal Day, a large group of prominent Portuguese Canadians will be hosted by myself and my colleague Tony Ruprecht, as well as Mike Colle, Minister of Citizenship and Immigration, for the official raising of the Portuguese flag at Queen's Park tomorrow afternoon.

Remarks in Portuguese.

I would like to take this opportunity to acknowledge the continuous contributions made by individuals of Portuguese heritage in Ontario. I would also like to encourage members of this Legislature to join us tomorrow and also to take part in Portuguese festivities in their ridings this month.

Portugal Month offers an excellent opportunity to learn more about one segment of the cultural fabric that makes up this great province of Ontario.

INSURANCE RATES

Mr. Tony Ruprecht (Davenport): Two months ago, I and hundreds of homeowners received a letter from Allstate Insurance Co. telling us to expect an increase in rate based on our credit score. The letter reads:

“One of the sources is TransUnion who provides us with aspects of a consumer's credit history which we use to establish a score. Canadian insurers have found these specific characteristics, when used together, are very predictive of future insurance losses. Based on your score,” Mr. Ruprecht, “with respect to your property insurance coverage, your premium reflects an increase from this factor.”

This is wrong. Why should I pay more for my home insurance because my credit score has dropped a few points?

I've stood in this House time and again pointing out that every adult should check their credit score. Why? Because even errors or mistakes on your credit report drop your credit score, and thus you pay more for insurance, your loans, and finally, you may not even get a loan.

Insurance companies and consumers of this province should know that linking home insurance rates to a person's credit score is highly unfair and completely unacceptable.

Finally, I wish to thank the Insurance Brokers of Ontario for their support and sharing the same view on this subject as I do.

HEATHER CROWE AWARD

Mr. Ted McMeekin (Ancaster–Dundas–Flamborough–Aldershot): Today, I rise to announce and celebrate five recipients of the newly established Heather Crowe Award.

First, Pat Vaeriano, former controller in the city of Hamilton: In 1978, he launched a valiant and successful campaign to put a bylaw in place to protect the public against the effects of second-hand smoke. He was not only ahead of his time, but a mentor to all who were to follow him.

Next, Marvin Caplan, former chair of the Hamilton-Wentworth region's community services and public health committee. Marvin was a tireless advocate for broad public health issues. He fought to put the issue to a vote in Hamilton and, in so doing, clearly established that 87% of Hamiltonians wanted a smoke-free bylaw in place.

Third, Dr. Barbara Gowitzke, lifelong advocate for healthy lifestyles and a smoke-free Ontario. A mentor and dear friend, Dr. Barb was and continues to be a true pioneer.

Finally, Cathy and David Pengelly: What a team. As executive director of the Hamilton-Wentworth Lung Association, Cathy Pengelly worked to build an effective coalition of health professionals to fight the fight for clean air. Her partner, Dr. David Pengelly, is a renowned air quality researcher who has championed important air quality causes.

Often scorned for their early efforts, today these five individuals are considered patron saints of the struggle to ensure better public health for us all.

DORIS STERLING

Mr. Norman W. Sterling (Lanark–Carleton): On a point of order, Mr. Speaker: Today is a very, very important day in the Sterling family. My mother, Doris Sterling, turns 97 years old today. I'm going to be here a long time, fellows. My brother, John, and his wife, Alice, my sister, Mary, and her husband, Eric, and my uncle—her brother, Douglas Swerdfager—are having lunch at this very moment at the Unitarian House in Ottawa and are watching our proceedings.

My dad, Jack Sterling, died 62 years ago, leaving mom a young widow, but that never deterred her from her task of raising four young children and pursuing a career as a teacher at Hilson Avenue Public School. She was an excellent teacher as well. She has made a tremendous contribution to our province, to her community, to her church and to her many, many pupils. Her four children, 11 grandchildren and 26 great-grandchildren wish her the very best. They are all Conservatives.

I thank her for her love and her care over the past 97 years. We love you, Mom. You've done tremendous

things for all of us. Have a great day with your family and your friends.

Flynn, Kevin Daniel
Fonseca, Peter
Gerretsen, John
Hardeman, Ernie

O'Toole, John
Ouellette, Jerry J.
Phillips, Gerry
Pupatello, Sandra

Wong, Tony C.
Wynne, Kathleen O.
Zimmer, David

VISITORS

Ms. Judy Marsales (Hamilton West): On a point of order, Mr. Speaker: I'd like to recognize Mr. Gene Stodolak, who is in the members' gallery this afternoon. Mr. Stodolak is the chairman of the Ontario Association of Certified Engineering Technicians and Technologists. We welcome you to Queen's Park today.

Mr. John O'Toole (Durham): On a point of order, Mr. Speaker: I'd like to recognize the class of 1995. This is the 11th anniversary of June 8, 1995, when we formed government, and we'll be back—

Mr. Peter Kormos (Niagara Centre): —Mr. O'Toole said with great sorrow.

On a point of order, Mr. Speaker: I want to welcome secondary school students from Notre Dame school in Welland and their teacher, Agi Mete, who's in the visitors' gallery looking over the shoulders of the government this afternoon.

REPORTS BY COMMITTEES

STANDING COMMITTEE ON FINANCE AND ECONOMIC AFFAIRS

Mr. Pat Hoy (Chatham-Kent Essex): I beg leave to present a report from the standing committee on finance and economic affairs and move its adoption.

The Clerk-at-the-Table (Mr. Todd Decker): Your committee begs to report the following bill as amended:

Bill 104, An Act to establish the Greater Toronto Transportation Authority and to repeal the GO Transit Act, 2001 / Projet de loi 104, Loi visant à créer la Régie des transports du grand Toronto et à abroger la Loi de 2001 sur le Réseau GO.

The Speaker (Hon. Michael A. Brown): Shall the report be received and adopted? Agreed?

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 1350 to 1355.

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

Ayes

Bentley, Christopher	Hoy, Pat	Qaadri, Shafiq
Berardinetti, Lorenzo	Jeffrey, Linda	Ruprecht, Tony
Bradley, James J.	Kwinter, Monte	Sandals, Liz
Bryant, Michael	Lalonde, Jean-Marc	Scott, Laurie
Caplan, David	Levac, Dave	Smith, Monique
Chambers, Mary Anne V.	MacLeod, Lisa	Smitherman, George
Chudleigh, Ted	Marsales, Judy	Sorbara, Gregory S.
Colle, Mike	Mauro, Bill	Sterling, Norman W.
Dhillon, Vic	McMeekin, Ted	Van Bommel, Maria
Duguid, Brad	Miller, Norm	Watson, Jim
Dunlop, Garfield	Munro, Julia	Wilkinson, John

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

Nays

Bisson, Gilles
Kormos, Peter

The Clerk of the Assembly (Mr. Claude L. DesRosiers): The ayes are 44; the nays are 2.

The Speaker: I declare the motion carried. The bill is therefore ordered for third reading.

STANDING COMMITTEE ON GENERAL GOVERNMENT

Mrs. Linda Jeffrey (Brampton Centre): I beg leave to present a report from the standing committee on general government and move its adoption.

The Clerk-at-the-Table (Mr. Todd Decker): Your committee begs to report the following bill, as amended:

Bill 109, An Act to revise the law governing residential tenancies / Projet de loi 109, Loi visant le droit régissant la location à usage d'habitation.

The Speaker (Hon. Michael A. Brown): Shall the report be received and adopted?

All those in favour will please say "aye."

All those opposed will please say "nay."

In my opinion, the ayes have it.

Call in the members. This will be a 10-minute bell.

The division bells rang from 1358 to 1408.

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

Ayes

Bentley, Christopher	Jeffrey, Linda	Ramsay, David
Berardinetti, Lorenzo	Kwinter, Monte	Ruprecht, Tony
Bradley, James J.	Lalonde, Jean-Marc	Sandals, Liz
Bryant, Michael	Levac, Dave	Smith, Monique
Caplan, David	Marsales, Judy	Smitherman, George
Chambers, Mary Anne V.	Matthews, Deborah	Sorbara, Gregory S.
Colle, Mike	Mauro, Bill	Takhar, Harinder S.
Dhillon, Vic	McMeekin, Ted	Van Bommel, Maria
Di Cocco, Caroline	McNeely, Phil	Watson, Jim
Duguid, Brad	Meilleur, Madeleine	Wilkinson, John
Flynn, Kevin Daniel	Phillips, Gerry	Wong, Tony C.
Fonseca, Peter	Pupatello, Sandra	Wynne, Kathleen O.
Gerretsen, John	Qaadri, Shafiq	Zimmer, David
Hoy, Pat	Ramal, Khalil	

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

Nays

Bisson, Gilles	Horwath, Andrea	O'Toole, John
Chudleigh, Ted	Kormos, Peter	Ouellette, Jerry J.
Dunlop, Garfield	MacLeod, Lisa	Prue, Michael
Hampton, Howard	Miller, Norm	Scott, Laurie
Hardeman, Ernie	Munro, Julia	Tascona, Joseph N.

The Clerk of the Assembly (Mr. Claude L. DesRosiers): The ayes are 41; the nays are 15.

The Speaker: I declare the motion carried. Pursuant to the order of the House dated May 16, 2006, the bill is ordered for third reading.

INTRODUCTION OF BILLS

FAIR ACCESS TO REGULATED PROFESSIONS ACT, 2006

LOI DE 2006 SUR L'ACCÈS ÉQUITABLE AUX PROFESSIONS RÉGLEMENTÉES

Mr. Colle moved first reading of the following bill:

Bill 124, An Act to provide for fair registration practices in Ontario's regulated professions / Projet de loi 124, Loi prévoyant des pratiques d'inscription équitables dans les professions réglementées de l'Ontario.

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

The minister may wish to make a brief statement.

Hon. Mike Colle (Minister of Citizenship and Immigration): I'll wait for ministerial statements.

The Speaker: Motions?

VISITORS

Mr. Garfield Dunlop (Simcoe North): On a point of order, Mr. Speaker: I'd like to take this opportunity and hope everyone in the House will welcome students from the Brechin Public School in Brechin and the Hillcrest Public School in Orillia, who are both here today in the audience.

Mr. Peter Kormos (Niagara Centre): On a point of order, Mr. Speaker: Unanimous consent to revert to introduction of bills, please.

The Speaker (Hon. Michael A. Brown): Mr. Kormos has asked for unanimous consent to revert to introduction of bills. Agreed? Agreed.

ONTARIO LABOUR MARKET BOARD ACT, 2006

LOI DE 2006 SUR LA COMMISSION ONTARIENNE DU MARCHÉ DU TRAVAIL

Mr. Hampton moved first reading of the following bill:

Bill 125, An Act to establish the Ontario Labour Market Board / Projet de loi 125, Loi créant la Commission ontarienne du marché du travail.

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

All those in favour will say "aye."

All those opposed will say "nay."

In my opinion, the ayes have it.

The member may wish to make a brief statement.

Mr. Howard Hampton (Kenora–Rainy River): The bill would establish the Ontario labour market board, a

crowd agency which is to assume broad responsibilities for the promotion, coordination, design and provision of programs and services with respect to labour force training and adjustments.

JOB PROTECTION COMMISSIONER ACT, 2006

LOI DE 2006 SUR LE COMMISSAIRE À LA PROTECTION DES EMPLOIS

Mr. Hampton moved first reading of the following bill:

Bill 126, An Act to provide for a Job Protection Commissioner / Projet de loi 126, Loi prévoyant la nomination d'un commissaire à la protection des emplois.

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

The member may wish to make a brief statement.

Mr. Howard Hampton (Kenora–Rainy River): This bill would create the office of job protection commissioner, with the objects of seeking to enhance the competitiveness and effectiveness of business enterprises and of Ontario's economy in general, to prevent workplace closure and resulting job losses, and to mitigate the effects of job losses. The job protection commissioner would carry out these objects in a variety of ways, including conferring with business enterprises and employee groups, promoting the development of economic plans, making policy recommendations to various levels of government and providing mediation services.

EMPLOYMENT STANDARDS AMENDMENT ACT, 2006

LOI DE 2006 MODIFIANT LA LOI SUR LES NORMES D'EMPLOI

Mr. Hampton moved first reading of the following bill:

Bill 127, An Act to amend the Employment Standards Act, 2000 / Projet de loi 127, Loi modifiant la Loi de 2000 sur les normes d'emploi.

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

The member may wish to make a brief statement.

Mr. Howard Hampton (Kenora–Rainy River): This bill makes several amendments to the Employment Standards Act, 2000. The bill provides for increased notice periods—16, 20 and 24 weeks respectively—building them into the act itself, and adds the requirement of a mass layoff agreement between labour and management, dealing with such matters as retraining and restructuring options.

Section 64 of the act provides that an employee is entitled to severance pay if he or she has worked for the employer for at least five years and the employer has a payroll of at least \$2.5 million. This bill reduces the qualifying period of employment to one year and the payroll level to \$1 million.

STATEMENTS BY THE MINISTRY AND RESPONSES

IMMIGRANTS' SKILLS COMPÉTENCES DES IMMIGRANTS

Hon. Mike Colle (Minister of Citizenship and Immigration): Today is a most important day that demonstrates our strong commitment to newcomers to Ontario. With this proposed legislation, Ontario is going further than any other province in breaking down barriers that stand in the way of their success.

Too many skilled newcomers are frustrated with the complexities of the current process for licensing and admission to our regulated professions, whether they are trying to work as accountants, pharmacists or doctors. According to the Conference Board of Canada, our economy loses up to \$5 billion every year because the skills and credentials of internationally trained professionals are not recognized.

With our flat birth rate and our rapidly aging population, all of Ontario's net labour growth will come from immigration within the next five years.

C'est un fait que l'Ontario a un grand besoin des talents et de l'expérience internationale que beaucoup d'immigrants nous apportent.

The reality is that Ontario needs the skills and global experience that many newcomers bring to our communities. They are a brain gain. We can no longer afford the brain waste.

That's why our government is making sure that more newcomers have the opportunity to practise their profession, whether it be teaching, forestry or geoscience.

1420

Today I'm proud to introduce the Fair Access to Regulated Professions Act, 2006. If passed, this legislation will be the first in Canada to establish barrier-free application and admission practices and procedures that are fair, transparent, timely and applicant-friendly. It means 34 regulatory bodies in Ontario will be required to have licensing and admission practices that are efficient, affordable, understandable and accessible.

The goal is to get more qualified internationally trained professionals into the fields in which they've been trained, whether it's land surveying or law, teaching or accounting. The bill includes the appointment of a fairness commissioner to make sure the registration and admission practices of all regulatory bodies are fair and expeditious and the legislation is complied with. The commissioner will require annual reports from the regulated professions and will oversee audits to ensure that our standards are being met. He or she will also work alongside the regulatory bodies to improve practices and remove barriers.

Our proposed legislation also calls for the creation of an access centre for the internationally trained. This will provide a one-stop resource centre where internationally trained individuals and others can get information, re-

ferred and support as they attempt to navigate the application process. Such support would increase the chances of success, lower frustration levels and provide expert advice to internationally trained individuals.

I'm also going to establish a minister's round table on fair access to regulated professions. The round table will include internationally trained individuals and representatives from community groups, agencies, regulatory bodies, colleges, universities and employers to advise me on how this proposed legislation should be implemented and how we can continue to break down barriers and increase opportunities for internationally trained individuals and regulated professions.

Je tiens à remercier les agences d'établissement, les groupes de défense, les employeurs et les professions réglementées pour leur importante contribution à nos travaux.

I want to thank newcomer settlement agencies, advocacy groups, employers and many of the regulated professions for their thoughtful insights on this matter and for their dedication to finding solutions and positive outcomes. We all want skilled newcomers to be able to make a good life for themselves and their families in Ontario. It is essential for Ontario's prosperity. By helping newcomers achieve their goals and aspirations, we not only help those who choose Ontario as their new home but we help all Ontarians, who stand to benefit from all that newcomers have to contribute to our society, our culture, our economy and our communities across the province.

Today's proposed landmark legislation is a crucial part of our comprehensive approach to helping newcomers succeed. It is the cornerstone of our plan for newcomer success and opportunity as we build a stronger Ontario, both socially and economically. We are the first provincial government in Canada to establish an internship program for internationally trained individuals in provincial ministries and crown corporations across the Ontario government. We are also investing in a loans program for internationally trained professionals, with individual loans of up to \$5,000 to defray the cost of courses, exams and fees.

All of us in this Legislature want to ensure that newcomers have the opportunity to pursue their goals and make a better life for themselves in Ontario. I'm hopeful that my colleagues on all sides of the House will support our bill and see it as a significant step forward in providing a more level and fair playing field for internationally trained professionals in Ontario.

Today I would like to thank and recognize the following people in the members' gallery: First of all, former judge and respected civil servant of the highest level, who was really the leader in this initiative, Judge George Thomson. He is with two of his colleagues who were so helpful in this initiative: Karen Cohl and Don Chiasson, who helped draft the Thomson report; also Mario Calla from COSTI Immigrant Services; Christopher May from the Institute of Chartered Accountants of Ontario; Ratna Omidvar from the Maytree Foundation; Thomas Qu from the Chinese Professionals Association of Canada; Gene

Stodolak from the Ontario Association of Certified Engineering Technicians and Technologists; Jane Cullingworth from Skills For Change; Khan Lee from OCASI; and Rena Porteous from the College of Midwives of Ontario, all of whom have been outstanding advocates and champions for the internationally trained. They deserve much of the credit for this legislation.

The president of the Ontario Chamber of Commerce, Len Crispino, said that our proposed legislation will help, as he said, “cut through the red tape and” will put “foreign trained professionals one step closer to the workforce.” Jane Cullingworth, who’s with us today from Skills for Change, said, it’s “a good day not only for internationally trained and educated professionals, but for all Ontarians.” As Judge Thomson said, “I am very pleased that the government is taking important steps, both to remove hurdles facing many foreign-trained professionals and to ensure that the procedures for admission to the professions are transparent and fair.” While also respecting the independence of regulatory bodies, this legislation represents a thoughtful and balanced approach to resolving long-standing issues.

This bill speaks to our best values. It speaks to what Ontario is all about: fairness and opportunity. Today is a big step forward in making sure Ontario’s newcomers have the opportunity to reach their goals and achieve their dreams. The simple truth is that when newcomers succeed, we all succeed.

Quand les nouveaux arrivés réussissent, nous réussissons tous.

Mr. Tony Ruprecht (Davenport): I think it’s only appropriate that we welcome at this stage, after the minister’s statement, a person who is in the process of becoming a physician. He came from Byelorussia. Congratulations to him. He’s Dr. Alexander Matveyev.

SPECIAL EDUCATION

PROGRAMMES D’ENSEIGNEMENT À L’ENFANCE EN DIFFICULTÉ

Hon. Sandra Pupatello (Minister of Education, minister responsible for women’s issues): I rise in the House today to outline and explain how the McGuinty government is reforming the special education system to support better student outcomes. We’re modernizing the way that special education programs are delivered and changing evaluation methods to improve achievement for students who cannot be left behind.

Les élèves ayant des besoins particuliers méritent une éducation d’excellente qualité qui leur permette de réussir.

Il existe près de 290 000 élèves en Ontario qui reçoivent de l’aide par l’entremise de programmes et de services d’éducation de l’enfance en difficulté.

Quels que soient les défis particuliers qu’ils doivent relever, ces élèves méritent tous notre pleine attention.

We must shift our thinking to more student achievement and away from process and paperwork. Ontario is

currently facing a backlog of students who require assessments. Teachers need better teaching tools to give students with special education the best education possible. Some parents would like a stronger voice in the education of their children if their children have special needs. For all of these reasons, we announced this morning that we’re making changes to Ontario’s special education system so it is more responsive to the needs of the students.

We’re developing new parent engagement and dispute resolution guidelines for school boards. These will give parents a more effective voice in their child’s education. We’re also encouraging school boards to put a greater focus on student outcomes and reduce administrative processes. And we’ve awarded grants totalling \$50 million to various organizations that deliver valuable support to students with special education needs. Soon, students will benefit from more teacher professional development provided by the Council of Ontario Directors of Education—that is supported by a \$25-million grant from our government; more student assessments conducted by school boards in co-operation with the Ontario Psychological Association—that’s supported by a \$20-million grant from our government; more training by the Geneva Centre for Autism for teachers’ assistants who have students with autism spectrum disorders, supported by a \$5-million grant from our government.

1430

Today was the first day that I, as Minister of Education, and the Minister for Children and Youth Services jointly presented this announcement. We think this is a strong indicator of how our ministries will work together for the betterment of students with special needs in Ontario. We thought today was quite a landmark. I was very pleased that Minister Chambers was there.

These programs and supports respond to many of the recommendations made by the working table on special education. That working table was co-chaired by Dr. Sheila Bennett, quite renowned in this field, an associate professor at Brock University, and by my colleague and parliamentary assistant Kathleen Wynne, who I know is here today and is very proud of this report.

We released that report today. It is available on our website. The working table’s report found that the system needs to be more focused on student learning, achievement and access to the Ontario curriculum.

I want to personally thank Kathleen and Sheila, in addition to those participating: the teachers, teachers’ assistants, principals, trustee associations and parents who contributed hours of their time and energy to improve our education system. More students will now have access to a better education because of their very valuable input and advice. I thank them greatly.

I am also proud to report that the McGuinty government has a coordinated approach to helping children and youth with special needs and their parents. This includes as well the Ministry of Community and Social Services. Our new minister, Madeleine Meilleur, is piloting a new mentoring program that will give young adults with a developmental disability the guidance, skills and inspir-

ation they need to achieve success in life after school. I hope everyone can see this kind of coordinated, integrated process as benefiting children.

Starting this year, the Ministry of Children and Youth Services is investing an additional \$10 million annually to help Ontario's children's achievement centres provide services to approximately 4,800 more children and youth with special needs.

These are important new initiatives. They will improve the learning environment for students with special education needs. We're working hard on many fronts to make a real difference for our province's most vulnerable young people and their families.

The Speaker (Hon. Michael A. Brown): Responses?

IMMIGRANTS' SKILLS

Ms. Laurie Scott (Haliburton–Victoria–Brock): I am pleased to respond to the Minister of Citizenship and Immigration on behalf of John Tory and the PC caucus and to thank the member opposite for finally acting to grant fair access to regulated professions.

The previous Conservative government started this ball rolling, and was unfortunately sidelined by a Liberal agenda before we had the opportunity to make it a reality. Three years later—

Interjections.

Ms. Scott: At least you're awake—the McGuinty government is finally coming to the table with legislation that will reduce some of the barriers that foreign-trained professionals face when coming into this country and this province to work.

Our population growth is stagnating. We will not be able to meet the future demands of the labour market within our borders. We actively need to encourage foreign-trained professionals to choose Ontario and work in their chosen field.

The problem is that we do a fabulous job of marketing Ontario overseas, but we do a very poor job of preparing them for the real challenges they face when they arrive. We make it sound like they can just hop off the plane and into an office within a week, but unfortunately this is not the case. Oftentimes they need to recertify, and to do that, they must study, pass tests and learn the English, job-specific, technical wording that will enable them to practise their trade or profession in Ontario.

They not only need the information, but a critical part of the problem is providing them with a realistic timeline. Making certain they understand that the process will take a certain period of time helps them make their decision and put plans in place to ensure the well-being of their family during that time.

Time and time again, I hear of foreign-trained professionals not working in their chosen field, often a field in need of workers, because they have not had time to study and certify in Ontario. Meanwhile, their children's need of clothes and shoes and putting a roof over their heads takes priority.

What the McGuinty government's proposed plan does not do that the Conservative government was very clear about is that the information-sharing and certification process needs to take place before these professionals have uprooted their families and sold their homes and moved to Ontario. As usual, the McGuinty government has chosen to take an issue that needs our attention as one of the key pieces of the puzzle to keep Ontario moving forward, and they have gone only halfway.

Has the McGuinty government made provisions for these foreign-trained professionals to get access to this information in their own language? No. Is the McGuinty government truly focused on streamlining access to Ontario by foreign-trained professionals? No. If they were, they would have started the certification process in their home country, not waiting until they sell up and pack up their homes and move here to begin the process.

This is a step in the right direction, but as usual, the Liberal government has only gone halfway up the stairs. We have much more work to do with this legislation before we can start patting ourselves on the back.

SPECIAL EDUCATION

Mr. Garfield Dunlop (Simcoe North): I'm pleased to respond to the Minister of Education on behalf of John Tory and our caucus. Again, the Minister of Education announced this morning that the government is supposedly investing in special-education reforms. We are pleased that after five months of sitting on this report, the government finally found time to share it with the people of Ontario. It is unfortunate that once again they are throwing money out the door in an attempt to alleviate the guilt of not living up to their commitments. I commend the hard work of the advisory panel and all their time and effort to provide this government with the framework with which to truly help students with special needs in Ontario. Instead, they announced very little in the way of true commitments.

This government has promised again and again, and broken the promise again and again, to help autistic students. This morning, they announced new funding for special-needs programs, but once again failed to live up to the commitment to fund programs for autistic children. Dalton McGuinty made this promise to autistic children and their parents during the 2003 election campaign. "The Ontario Liberals support extending autism treatment beyond the age of six," said Mr. McGuinty. The Premier himself said again, "I ... believe that the lack of government-funded IBI treatment for autistic children over six is unfair and discriminatory." The minister missed a prime opportunity to fulfill that commitment today to fully fund autistic children in Ontario. The announcement made today is nothing more than vague rhetoric. Nowhere does it demonstrate a commitment to extend autism treatment beyond the age of six.

The minister was responsible for community and social services and ducked this file. Now, as Minister of Education, there is an opportunity to correct this, and it is

once again passed up. This government cannot continue to avoid their commitment to fund these programs. The minister should have taken the opportunity during the announcement this morning to live up to the commitment they promised.

As well, you have school boards in this province sitting on pins and needles, waiting to hear what kind of money they are going to have to spend this year. They are waiting for this government to come forward with their grants for the next school year, and instead, you make airy announcements with further platitudes to, "Just wait." School boards cannot afford to keep waiting, and the government needs to let them get on with their job of educating Ontario's children and not waste their time with vague delays.

IMMIGRANTS' SKILLS

Mr. Michael Prue (Beaches–East York): My first response is to the Minister of Citizenship and Immigration. More than three years ago, Dalton McGuinty and the Liberals promised, "We will require that all Ontario trades and professions accelerate the entry of qualified new Canadians. If after one year the profession or trade has not eliminated barriers to entry, we will act." A year went by and nothing happened. Two years went by and nothing happened. And now, with almost three years, we finally pretend to have some action. But I have to tell you, Mr. Minister, probably everyone in this House is underwhelmed by the response.

For the engineers driving taxicabs, for the doctors delivering pizza, I don't think that what has been done today is near enough. This legislation does very little. I welcomed Mr. Thomson here to the House. I welcomed what he had to say. And what did he have to say? He told you that foreign-trained professionals needed an independent body they could appeal to when professional bodies rejected their qualifications. Do we see that in today's announcements? It's not there. But that was one of the key planks he recommended to you. He also recommended to you that the McGuinty government's expert told you that concrete timelines had to be established so that foreign-trained professionals wouldn't be left waiting for years to find out whether they could practise their trade. Did you put in any concrete timelines? There are no concrete timelines.

1440

It's all well and good to underwhelm us with something that you're promising to do so that maybe you're going to help 1,000 people a year. Every one of us welcomes your helping 1,000 people a year. The problem is that this year Ontario is going to welcome 12,500 foreign professionals. You're going to help 1,000 of them. That means 11,500 of them are not going to have the help they need. I have to tell you, we are underwhelmed, and it's not just us here on this side of the House who are underwhelmed; the people out there on the street are underwhelmed too. Huda Abuzeid, a manager at Community MicroSkills Development Centre, probably said it

best. He said that your standardized rules won't necessarily speed up the credential process or how foreign education is reviewed.

Quite frankly, we are disappointed; we are underwhelmed. After three years, we expected more.

SPECIAL EDUCATION

Mr. Michael Prue (Beaches–East York): As for the Minister of Education, I have to tell you, today is a day of underwhelming announcements. There are over 40,000 students on the waiting lists for special education services in Ontario. In 2000, there were only 29,000. They go up each and every year; there are more and more special-needs students looking for service. Those kids are looking for action, and what do we have from this government? We have an "announce and defer" policy: Announce it today and defer it until next year, 2007, or 2008 or 2010 or whenever there might be some money. "Announce and defer" is what we're getting. We're getting it at every turn.

Let's consider autism. Three years ago, Dalton McGuinty promised parents of autistic children that the government would fund IBI treatment for children over the age of six. They broke that promise. Then they promised that IBI and ABA would be available in the schools. Now they're breaking that promise too. Instead of meeting the needs of autistic children, today's announced plans talk about studying the problem more.

Minister, we already know what the problem is. The parents know what the problem is. Even Dalton McGuinty three years ago knew what the problem was. And today it's just another announcement. In fact, that's all that's happening: vague promises, ethereal pronouncements, commitments to study, but nothing that will actually help the kids with special needs.

Boards across the province are taking money and have continued to take money from other programs to pay for special education. We are very concerned about the capping of funding and we are calling for sustainable funding for the 40,000 students who are on the waiting lists. This is up 35% in just six years. The problem is with the funding formula. We've said it before, and you in opposition said it was the funding formula that is to blame. You have to fix that. Dalton McGuinty promised to fix the funding formula and to provide Ontario students with the funding they need. If you really want to make an announcement, do something about that.

ORAL QUESTIONS

NATIVE LAND DISPUTE

Mr. Robert W. Runciman (Leeds–Grenville): My question is for the Minister of Community Safety. Minister, in today's Toronto Star there's an alarming report that calls into question the safety of OPP officers

policing the Caledonia land occupation. The Ontario Provincial Police Association says that public image is being placed ahead of officer safety and law and order. Can you tell us if officer safety is being put at risk at Caledonia, and, if yes, what are you doing about it?

Hon. Monte Kwinter (Minister of Community Safety and Correctional Services): The member from Leeds–Grenville, of anyone in this House, should know that I have no responsibility for directing the OPP as to what they do and how they do it.

I have utmost confidence in OPP Commissioner Gwen Boniface. She is internationally recognized as a top police officer. I have confidence in the senior management of the OPP. They make decisions based on their need to provide the citizens of Ontario with the safest police force that they can have.

Mr. Runciman: The Star report indicates that so far, 100 days into the longest occupation in Canadian history, 13 officers have been injured. It also states that officers are not being allowed to wear appropriate safety gear, for optical reasons. These are the sons and daughters, husbands and wives, moms and dads who don't know if they'll be coming home unharmed because they're not in proper uniform.

One of your responsibilities as top cop is to stand up for front-line officer safety. Earlier this week, you blamed OPP officers for making what you described as a wrong turn that resulted in them being assaulted and run off occupied property. Minister, when are you going to put political imagery aside, do your job, stand up for officer safety and insist that front-line officers at Caledonia be equipped with the appropriate safety gear?

Hon. Mr. Kwinter: Just to correct the record, I did not blame the OPP officers for making a wrong turn; I just stated that they did. I wasn't apportioning any blame to them; I was just stating the facts.

The other situation is that any equipment that is required, any dress that is required, any operational issues that are required are the sole responsibility of the OPP. If there are any concerns that people have, particularly the president of the OPPA—he knows the procedure; he knows that he should be contacting the commissioner. As a matter of fact, I understand he is planning to do that as we speak.

This is a situation where when you talk about political posturing, we have a situation where the Leader of the Opposition was in Caledonia, bragging about how he's been there several times, and he has not once talked to the OPP. How does he know what's going on there when he's never talked to them?

Mr. Runciman: I wonder how many times the Minister of Community Safety has been to Caledonia. Zero.

We are now beginning to see public concern among police officers forced to work in the politically correct world of Dalton McGuinty. Political optics trump front-line officer safety: Don't do or wear anything that could potentially damage the image of the Liberal government.

Minister, knowing you as I do, I'm sure you are personally concerned about the safety situation: 13 officers

injured to date. I ask you to override the political manipulators in Mr. McGuinty's office and insist that officers at Caledonia can wear the appropriate safety equipment. These officers and their families deserve to know that their safety, not optics, is your government's first priority.

Hon. Mr. Kwinter: I hold a challenge out to the member from Leeds–Grenville: If you can prove to me that anybody—anybody in my ministry, anybody in this government—has in any way directed the OPP to do anything, then we can discuss your concerns. I would suggest to you that you have a responsibility to correct the record, to suggest that we in fact are interfering with the operation of the OPP.

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

Mr. Ted Chudleigh (Halton): My question is to the minister of native affairs. This week, Dalton McGuinty referred to the Caledonia standoff as being one “without incident,” this after 13 police officers have been injured; tire fires have been seen for miles; there was an electricity blackout involving more than 9,000 people and businesses caused by sabotage of a transformer station; there were brawls between protesters and other Caledonians; a security guard's car was burnt to the ground; paved Ontario roads were being dug up by heavy machinery; two OPP officers were reportedly held by protesters for entering a no-go zone, and on and on. Clearly, Minister, Mr. McGuinty is out of touch with what is going on in Caledonia. If not, why would he have said such a thing?

Hon. David Ramsay (Minister of Natural Resources, minister responsible for aboriginal affairs): I was in the House when the Premier give that response, and I know exactly what the Premier was responding to. Basically, your party, the official opposition, was asking questions that were suggesting there should be stronger action being brought to bear on this situation rather than the approach that we have taken of negotiation. What the Premier was saying was, unlike some of the incidents in the past where there have been deaths—there was a death at Oka and there was a death, as we know, at Ipperwash. What the Premier was stating was that we did not have an incident of loss of life like that here, and that it's because of the cool manner we've taken and proceeded with in trying to resolve this issue.

1450

Mr. Chudleigh: I beg to differ with you. Caledonia has undergone more than 100 days of hardship, with no solution in sight. Businesses have suffered. People have been hurt. The community is torn in half. Youth sports are now being cancelled or boycotted. For Mr. McGuinty to describe this standoff as one “without incident” is at best insensitive and insulting to the injured OPP officers and the entire community of the Caledonia area. The Premier has trivialized this standoff from the beginning, and his lack of leadership is inexcusable.

Minister, will you, on behalf of your government, apologize for the Premier's remarks, his insensitive remarks, of this week?

Hon. Mr. Ramsay: It appears we're going to be here all afternoon, I suppose, debating semantics, and you can do that if you wish.

What I want to say to you is that Premier McGuinty has put all the resources of the Ontario government behind resolving this issue, and that's from day one. We've been doing that and working with the people of Caledonia, and you know the help that we've brought to the community: the \$500,000 that the Minister of Economic Development and Trade has brought to the community; the work we've been doing with the Six Nations community. You know it's a complex and difficult issue. Today, the long-term table, with Jane Stewart and Barbara McDougall, are talking as we speak today, and we're working towards a resolution.

Mr. Chudleigh: Dalton McGuinty has been missing in action when it comes to the standoff in Caledonia. All we have heard is desperate spin about instructing police officers, how motions passed in this Legislature are nothing but mischievous and how this situation is without incident or physical harm.

Minister, your Premier's irresponsible and inexcusable spin job exemplifies his inability to show real leadership on this particular issue. You and your Premier need to tune in to what is really going on down there, and you can start by retracting and apologizing for Dalton McGuinty's insensitive remarks about the standoff being without incident. It is not even close to being accurate, and the record should be corrected here in the House today. Will you do that, Minister? Will you apologize and confirm that the Premier's comments were inaccurate and wrong?

Hon. Mr. Ramsay: On many occasions in this House in response to questions, all of us on the government side have stated how saddened we were by the incredible disruptions to people's lives that have happened down in the Caledonia area. It has affected the community, it has affected businesses, and we have tried to support and respond to those concerns.

I would say to you, in talking to Jane Stewart this morning before she went into negotiations, that we are confident that we have a good engagement with the Six Nations leadership. We're going to have some good, productive discussions today, and our goal and our aim here are to solve this situation for the betterment of the community at large in Caledonia and the people of Six Nations.

EMPLOYMENT

Mr. Howard Hampton (Kenora–Rainy River): My question is for the Acting Premier. There is a manufacturing jobs crisis in Ontario. Since June 2004, under the McGuinty government, Ontario has lost 87,000 good-paying manufacturing jobs and over 4,000 jobs in the forest sector alone, and while these thousands of workers

have lost their jobs, the McGuinty government has done next to nothing. So I've introduced legislation to create a new job protection commissioner to help at-risk companies reposition themselves when faced with bankruptcy or other economic difficulties.

My question is this: Since you've shown no leadership on this issue yourselves, will you support the idea of a jobs protection commissioner for Ontario?

Hon. George Smitherman (Minister of Health and Long-Term Care): To the Minister of Finance.

Hon. Greg Sorbara (Minister of Finance, Chair of the Management Board of Cabinet): I'd just say to my friend that, in listening to his question, I see that he has descended even further into the dungeon of doom. I want to tell him—

Interjections.

Hon. Mr. Sorbara: Yes, I want to tell him that the Ontario economy continues to outperform. The Ontario economy, over the course of the past years, has created over 250,000 jobs, almost all of them high-paying, full-time jobs. Yes, this government has taken a lead role in strengthening the auto sector of the economy, the forestry sector of the economy, the mining sector of the economy, the entertainment sector of the economy, the construction and development sector of the economy, the high-tech sector of the economy and, recently, with the appointment of a Minister for Small Business and Entrepreneurship, the small business sector of the economy. This economy is performing very well indeed.

Mr. Hampton: I invite the Minister of Finance to go to any community in northern Ontario, for example, and try to make that speech. You'd be run out of town, and you'd be run out of town very quickly. Try making that speech in Hamilton where workers are losing their jobs, or try making that speech in Kitchener–Waterloo, where over 1,000 workers are losing their jobs.

Here is the reality: Over 87,000 manufacturing workers in this province have lost their jobs in the last year, and about the only thing the McGuinty government has done is send out the occasional letter saying, "Sorry. Too bad." That is not good enough.

A jobs protection commissioner has succeeded in other provinces. It has succeeded in helping to reposition businesses that are in trouble. It has helped to sustain jobs. Will you support an office of the jobs protection commissioner here in Ontario, yes or no?

Hon. Mr. Sorbara: My friend the leader of the third party talks about northern Ontario, where this government has invested more than \$900 million to strengthen the forestry industry. He talks about Hamilton, where this government invested \$150 million to ensure that we would have a stronger, more vibrant Stelco. The minister talks about Kitchener, where we have created thousands of new jobs—and in Woodstock, under the leadership of my friend the Minister of Economic Development and Trade, the first new greenfield auto plant in this province in the last 15 years.

I want to tell my friend that this government has a very strong labour adjustment program. This government

takes very seriously the issue of job loss. This government recently signed a labour market development agreement with the federal government, under the leadership of my friend the Minister of Training, Colleges and Universities, that ensures that we are going to be able to respond where there may be job losses.

Mr. Hampton: Minister, you talk about \$900 million in the forest sector of northern Ontario. Yes, you've made about that many announcements, but go to any mill, any community, and ask them if what you've announced is in any way worth accessing and they'll tell you, "No, it isn't." That's why mills are closing. That's why workers are being put out of work.

You talk about the auto sector. Thousands have lost their jobs in Oshawa. People are losing their jobs in Oakville. People are losing their jobs in St. Catharines. Thousands more are losing their jobs in the auto parts sector.

What you and the Premier are promising is, "Well, there may be some jobs in 2008-09." People fell for that from Dalton McGuinty before—promising something before the election, and it doesn't happen after the election.

My point is this: You can do something to help reposition and sustain businesses, factories and plants that are in trouble. It's called a jobs protection commissioner. Will you support the idea or not?

Hon. Mr. Sorbara: The unfortunate reality of the leader of the third party is that he doesn't do his homework. The fact is that his legislation today is modelled on legislation that once existed in British Columbia. But we contacted British Columbia and we found out that the Job Protection Commissioner has been obsolete since 2002, and the Job Protection Act was repealed in 1997.

I want to say to my friend that the greatest threat to jobs in Ontario is the possibility, remote as it is, that some day, somehow, the New Democratic Party could return to power, and we're going to make sure that that never happens.

The Speaker (Hon. Michael A. Brown): New question, the leader of the third party.

Mr. Hampton: To the Minister of Finance: Yes, it is true. The newly elected Liberal government in British Columbia put an end to the Job Protection Commissioner's office, after it acknowledged that 75,000 jobs had been repositioned or sustained by the Office of the Job Protection Commissioner.

But I want to ask you about a worker like Donna Shipstone from Hamilton, who will lose her job on June 23 at Rheem Canada in Hamilton. Yet it is very clear that this is not an economic closure; this is a large transnational corporation that says, "Do you know what? We can make a greater profit by shutting down our operations in Hamilton."

The B.F. Goodrich situation is not a case where the company is not making money. This, again, is a continental consolidation where they say, "Do you know what? If we close the plant in Kitchener-Waterloo, we can make more money."

Allowing that to happen is not good enough. We need a jobs protection commissioner, because some of these jobs can be sustained. Will you support it or not?

1500

Hon. Mr. Sorbara: Like almost everything else we hear from the leader of the third party, it's just oh, so yesterday. I repeat to him that the model in British Columbia was abandoned almost 10 years ago. I want to say to him that job creation in Ontario, including manufacturing, where the pressures with a higher dollar and competition from markets like China and India is intense—even there we have had strong growth in productivity. We've had new jobs opening in the auto sector; we've had new jobs opening in mining. We are about to open the first diamond mine in the northern part of the province, and mining in this province is in a period of very rapid growth.

But I want to tell him, in response to the individual case he raised, that my colleague the Minister of Training, Colleges and Universities is now implementing an unprecedented system of labour market adjustment—

The Speaker: Thank you. Supplementary?

Mr. Hampton: Someone needs to inform the Minister of Finance that the diamond mine at Attawapiskat has been under development since about 1999, long before you were the government. Yet it is true that the McGuinty government will take credit for anything.

Let me give you an example of where the jobs protection commissioner could do a good job. We know that what is killing jobs in paper mills in northern Ontario is the wrong-headed McGuinty government policy of driving electricity rates through the roof. Every paper mill and pulp mill that's closing will tell you that is a big part of the problem. Do you know what a jobs commissioner could do? He could go to those communities, sit down with workers, with managers, with community leaders, and detail exactly how big that problem is and prescribe how we deal with it, how we sustain those jobs. Why would the McGuinty government be opposed to that, Minister?

Hon. Mr. Sorbara: Let me just remind my friend that whilst the NDP was in power, this province lost some 75,000 jobs—almost 1,300 jobs for every month they were in power. By comparison, over the course of the past two and a half years, the Ontario economy has created more than 250,000 new jobs, a record that I believe is very commendable.

But let's talk about adjustment, because adjustment is absolutely part of a vibrant economy. The Conservatives were in power for eight and a half years and were unable to sign a labour market development agreement with the federal government. We have now signed that agreement. We now have the kind of programs that can intervene on the day that job losses are announced so we can be assured that those employees can be retrained and moved to new, high-paying, permanent jobs.

Mr. Hampton: The Minister of Finance says that his friend Bob Rae made some wrong-headed decisions. I

agree. I couldn't agree more. He's a Liberal now, and you're welcome to him.

One of the things that a jobs protection commissioner could do would be to look at scenarios where jobs are at risk. For example, we know there is continuing risk in the steel sector, because the steel sector is another sector that is very vulnerable to high and increasing electricity rates. A jobs protection commissioner could do some of the work that Judge Farley did in terms of getting everybody at the table and working out a viable solution to sustain jobs, only you'd be doing it prospectively, not retrospectively, not after the bankruptcies already happen. Why would the McGuinty government be opposed to a jobs protection commissioner who would have the capability to bring people to the table and say, "I see the possibility of a problem here. Here's what we need to do to sustain jobs"?

Hon. Mr. Sorbara: I should, by way of response, Mr. Speaker, tell you that my friend Bob Rae's problem was that he was saddled with a political party that without doubt has had its head in the sand for the past 12 years. Fortunately, he no longer has to carry that burden.

I want to tell my friend about the levels of employment in the construction and development industry, where electricians, plumbers and pipefitters have had virtually full employment over the course of the past two and a half years, and in the entertainment sector, where intervention by this government has created a new generation of life in film in the greater Toronto area. We are becoming a leader in the entertainment cluster in this province.

I want to finish by telling him of the investments we have made through the new Ministry of Research and Innovation in high-tech that will put Ontario as one of the North American—

The Speaker: Thank you.

NATIVE LAND DISPUTE

Mr. Garfield Dunlop (Simcoe North): My question today is for the Minister of Community Safety and Correctional Services. Minister, as you know, the general headquarters of the OPP is located in my riding of Simcoe North in the city of Orillia. We're very proud of their strong presence and community involvement. I speak to officers virtually every day, and lately the discussion is about Caledonia. Officers have told me that the officers at Caledonia feel like the meat in a sandwich. They are the sons and daughters, brothers and sisters, and mothers and fathers of Ontario families. These men and women put their lives on the line every day.

Minister, the president of the OPPA has criticized the government for the lack of support involving equipment and clothing used under normal procedures. The officers have been told not to wear riot gear and tactical uniforms when dealing with native protesters. In today's Toronto Star, Susan Clairmont's column, President Walsh of the OPPA made a statement on this very issue: "Due to the political pressures and optics involved with this, the OPP

seems to be bending their own rules while sacrificing officer safety."

The Speaker (Hon. Michael A. Brown): The question's been asked.

Hon. Monte Kwinter (Minister of Community Safety and Correctional Services): I assume there was a question that was contemplated in that statement. I'll try to anticipate what it is.

As I told the member from Leeds–Grenville, the OPP is directed by Commissioner Gwen Boniface and her command officers. They make the determinations as to what their officers will be doing. It is their responsibility. In conversations I've had with the commissioner over time, she has not in any way ever indicated that they lack resources, that they lack manpower. She has said they are equipped to deal with the situation as they find it. I have a great deal of confidence in the OPP. I have confidence in their leadership, and I have confidence in all the men and women who serve this province so ably.

Mr. Dunlop: Minister, it is clear that OPP officers' safety is in jeopardy because of political optics. Further in today's Toronto Star, President Walsh makes two more statements in reference to this issue: "It's okay to have an officer ... in tactical uniform at Wasaga Beach on a long weekend, but it's not okay in Caledonia." The second quote is, "But these officers were ordered not to wear them for optical purposes." Minister, do you agree with the statements made by OPP President Walsh?

Hon. Mr. Kwinter: I have no ability to disagree with him because this is an internal operational issue of the OPP. If Karl Walsh, the president of the OPPA, has a problem with the direction the OPP is taking, it's up to him as the president of the OPPA to direct his concerns to the commissioner. It is my understanding that in fact that is what he is doing. To suggest that I should get involved in an operational issue that is the responsibility of the OPP and the concern of the OPPA is just not true. That's not something I am entitled or enabled to do.

EMPLOYMENT

Mr. Howard Hampton (Kenora–Rainy River): To the Minister of Finance, who seems to be opposed to a jobs protection commissioner in Ontario: I also introduced amendments to the Employment Standards Act that would ensure there is more time to look at all possible options before a factory or a plant closes, and more time and opportunity to look at sustaining good-paying jobs. In British Columbia, the jobs protection commissioner sustained and repositioned 75,000 jobs. The Stelco experience here in Ontario demonstrated that where there is time, you can create opportunity and can sustain and reposition jobs. Your government has stood around while manufacturing jobs have been lost. Will you adopt my amendments to the Employment Standards Act to give us more time to look at options of sustaining and repositioning jobs?

1510

Hon. Greg Sorbara (Minister of Finance, Chair of the Management Board of Cabinet): To the Minister of Training, Colleges and Universities.

Hon. Christopher Bentley (Minister of Training, Colleges and Universities): As the member would know, we have right now the adjustment advisory process, which gets in on the very day we're advised either of a closure or a layoff and works with the union if they're there, the community and the company to build an advisory process that's suited to the community so we can provide job counselling services and we can provide direction to other job training services such as the Job Connect service, which is in 82 communities across the province. Through the labour market development process, having finally signed that agreement, we are working to build an even stronger ability to provide the type of adjustment that industry throughout history has had to undergo, given pressures from within and from without a jurisdiction.

There is no pretending away the economic winds, but we have done very well in this province in already positioning ourselves and we'll do increasingly well in the future with the labour market development process.

Mr. Hampton: The only people who are doing pretending here is the McGuinty government, pretending that it has no responsibility to help sustain and reposition good-paying manufacturing jobs. What the Stelco experience showed us and what they learned in British Columbia is that where you have more time to look at the options, where you have more time to bring all of the interests together, you have a greater opportunity to reposition mills, reposition factories and sustain jobs. The amendments that I'm proposing to the Employment Standards Act would do exactly that.

Minister, Ontario has lost 8% of its manufacturing jobs in a little over the last year. Why would you be opposed to amendments that would put in place a process much like Judge Farley conducted in terms of Stelco in Hamilton? Why would you be opposed to mechanisms that would buy us time to help sustain jobs and sustain communities?

Hon. Mr. Bentley: Of course, if we left it to the NDP, most of the businesses in the province might well be in receivership, but that's not where we want to go.

What type of investment have we made? The Toyota investment is all about repositioning the economy. The Beacon-GM \$2.6-billion investment was repositioning. The Ford investment was about repositioning. The CAMI investment: repositioning. When we invest in the industries in this province, as outlined by the Minister of Finance, that's repositioning. Allied with that, you build a stronger retraining system that provides everything from academic upgrading to apprenticeship retraining to investment in training, colleges and universities and building a bigger structure.

The honourable leader of the third party wants a single person to have a magic wand to pretend away the economic realities of the world. We're determined to provide

real training for the people who need it, on the ground. No more pretend; no more 1990-95 disaster.

MORE TO DISCOVER FUN PASS

Mr. Ted McMeekin (Ancaster–Dundas–Flamborough–Aldershot): My question is for the Minister of Culture. Minister, the summer months are a time when school children are out of their classrooms soaking up the weather, going to camp, spending time with family, playing, reading and all the other activities that make summer so special. I know that a number of government agencies are open across the province year-round. In fact, the people in my riding of Ancaster–Dundas–Flamborough–Aldershot routinely enjoy tours and special events that take place at the Wentworth Heritage Village or Bronte Creek Provincial Park, amongst others. Minister, I wonder if you could outline for the assembly how our government is encouraging visitors to come and enjoy the many experiences provided by our agencies across the province.

Hon. Caroline Di Cocco (Minister of Culture): Earlier this week, Minister Bradley and I were at the Ontario Science Centre to announce the More to Discover fun passes. The fun passes make provincial attractions more affordable for families and they also help parents plan their summer vacations and encourage them to share visits with families and friends near home and elsewhere in the province. As well, the Royal Botanical Gardens, the Ontario Science Centre, the Royal Ontario Museum, Science North, Uncle Tom's Cabin and the Art Gallery of Ontario are some of the agencies that are included in these fun passes. Thanks to the fun pass, nearly 1.5 million elementary school students will be exposed to historical, natural, scientific, artistic and recreational experiences. Many of the attractions offer programs that complement the provincial curriculum.

Mr. McMeekin: You mentioned that the pass can be used not only at the 15 provincial attractions but for many provincial parks as well. In addition to the Royal Botanical Gardens, widely considered the crown jewel of the area around Hamilton, children are also able to experience many events that happen at Bronte Creek Provincial Park and elsewhere.

I know that this announcement has been met with a very positive response; we saw that in the House just a moment ago. Children and their parents across Ontario are eager to get out and see all that Ontario has to offer during the summer months.

Minister, I have a specific question, though: Who is eligible for this fun pass? A constituent of mine thought it was only available to elementary school students. Is its availability broader than that?

Hon. Caroline Di Cocco: To the Minister of Tourism.

Hon. James J. Bradley (Minister of Tourism, minister responsible for seniors, Government House Leader): I want to make it perfectly clear that all elementary school children across the province of Ontario are eligible for a fun pass. This includes children who

attend all public schools, all separate schools and private religious schools as well as any home-schooled child in the province. Over the next few weeks, passes will be distributed to elementary school children through their school boards. As well, any children who are home-schooled are eligible to get the pass by contacting the Ministry of Tourism.

Just as school gets out, our passes kick in. Our government wants to ensure that every child will be able to enjoy the benefits of the fun pass and experience the great things that Ontario has to offer in the summer. As well, we expect that the tourism business will benefit from the additional travel and visitation the fun pass will generate throughout the entire summer.

WASTE DIVERSION

Ms. Laurie Scott (Haliburton–Victoria–Brock): My question is to the Minister of the Environment. Recently, the US company that has been accepting sludge from Toronto said they won't do it anymore and Toronto will need to find another location to take their sludge by August 1 this year. The city of Toronto has put on a brave face, but nobody is lining up to take this sludge. This is only a sample of the problems Ontario could face if the US border were to close to garbage.

Minister, what is your amazing plan, and what will you do when Toronto comes to you on July 31 and tells you they don't have a place for their sludge?

Hon. Laurel C. Broten (Minister of the Environment): I know that I've answered this question before, and I'll certainly repeat that I know the city of Toronto is working diligently to locate a location to put their waste. That is their responsibility. It would be highly inappropriate for me as Minister of the Environment to be involved in their private negotiations as they undertake that examination. But I have every confidence that the city of Toronto—Shelley Carroll and Mayor Miller—will find a solution to this difficult issue for them, as it is their responsibility to do.

Ms. Scott: Clearly, the city of Toronto is worried. Councillor Michael Del Grande has openly admitted, "We have no plan."

When he was in opposition, leader Dalton McGuinty said it is unreasonable and irresponsible to create a site for Toronto's waste unless there is consent by the whole community. Minister, do you stand by that statement? Are you going to ship sludge to some unsuspecting community with no notice whatsoever?

Hon. Ms. Broten: I'd certainly like to provide my colleague and the opposition with some more information. It has been reported that the mayor says Republic, their current hauler, has an obligation to find Toronto another landfill for its sludge. Again, that's a contractual matter between the city and Republic. We're not privy to those details, and neither should we be. But we certainly expect that both parties will resolve this matter very expeditiously.

SOFTWOOD LUMBER

Mr. Gilles Bisson (Timmins–James Bay): My question is to the Acting Premier. You will know that in the forest industry in northern Ontario, we've lost over 4,000 direct jobs as a result of a whole bunch of different issues that are affecting the forest industry, most of which have to do with your very own policies. Added to this is this very bad deal that was negotiated by Stephen Harper and the Ontario government, with Mr. McGuinty, on the softwood lumber deal. We find now that yet another person is offside, this time Gordon Campbell, the Premier of British Columbia, who says, "BC will not settle for a bad deal ... this is a deal that is going to be" either "good for British Columbia ... or it's not going to be a deal" at all.

1520

Are you prepared to finally admit that this deal that's been negotiated by Stephen Harper and Dalton McGuinty is a deal that is not good for the forest industry of Ontario?

Hon. George Smitherman (Minister of Health and Long-Term Care): To the Minister of Natural Resources.

Hon. David Ramsay (Minister of Natural Resources, minister responsible for aboriginal affairs): On a daily basis, I say to the member, I continue to meet with heads of our major sawmilling companies. Yesterday, it was Bowater and Weyerhaeuser, Tembec the day before. I continue to keep engaged with them. In fact, right after question period, I have a meeting with our chief negotiator and our technical team on getting an update on where the framework agreement is. We want the best deal for Ontario also, and I'm also going to be in touch soon with my colleagues across the country. It seems to me, we obviously want a good deal, and we need to take the time to get a good deal, and work with our companies and work with our sister provinces, so we're taking our time. We're going to make sure we get it right and get the best deal possible for Ontario companies.

Mr. Bisson: What I seem to be hearing is finally a bit of an admission on the part of the government that in fact the deal that was negotiated isn't as good as it was made out to be. A number of us were quick on the draw in realizing fairly quickly that leaving \$1 billion on the table with the Americans so they can use those dollars to act against you in the future, leaving tariffs on the table and sliding penalties to the industry was a bad one. So I take it from your answer that you're finally admitting that this deal is not a good one and that you're to try to re-negotiate a deal that will be to the benefit of Ontario. Are you admitting this was a bad deal in the first place, and are you prepared to change it?

Hon. Mr. Ramsay: No, we're not admitting that it was a bad deal. What we're saying is that it was a framework agreement. Of course, as you know, in many negotiations, the devil is in the details, so we have the opportunity to make sure we get the details correct. That's what we're doing. We're doing that in conjunction with other provinces, with the industry. We think that's very important, obviously, to do that, to get it right. We

want to take the time to get it right, and we think, under this basic framework agreement, we can get it right.

HUMAN RIGHTS SYSTEM

Ms. Deborah Matthews (London North Centre): My question is for the Attorney General. Minister, I have been hearing from individuals and groups in the social justice community who are asking questions about Bill 107, which, of course, proposes to improve Ontario's human rights system. If passed, this bill would ensure that human rights complainants will have adequate support when they appear before the Human Rights Tribunal. But groups are now asking if we can do even more to ensure that. Minister, what steps are you taking to answer their concerns?

Hon. Michael Bryant (Attorney General): I thank the member for London North Centre. I know she, and many members of this House, have taken the opportunity to meet with Ontarians about this very important bill. This is, after all, the first time in more than 40 years that this House has had an opportunity to engage in substantial changes to the Human Rights Code, so there have been a number of questions about the bill, and so there should be. After a lengthy and productive second reading debate, the House has voted in favour, in principle, of the bill. I know that the government has consulted and will continue to consult with Ontarians. I know that MPPs in this House have consulted and will continue to consult with Ontarians on this bill. So now it goes to the standing committee on justice and social policy, where open, full public hearings will take place. Of course, at that committee we'll seek input and the committee will seek input about the bill and any potential amendments that could be proposed.

Ms. Matthews: Will the Attorney General take steps to ensure that legal supports for human rights complainants are further entrenched in the proposed law that would improve our outdated human rights system?

Hon. Mr. Bryant: The human rights legal support centre that we are establishing is the first of its kind in the country. We have committed to providing full legal supports to all Ontarians who turn to their human rights system, at the same time as the Human Rights Commission goes forth and, on behalf of all Ontarians, addresses systemic issues, both on behalf of the commission and before the tribunal.

Section 46 of the bill does make reference and entrenches the first-ever human rights legal support centre, but the McGuinty government recognizes the need for clarity and endeavours to bring even greater clarity to this bill, long overdue, and this reform, long overdue. So to answer the question directly, we do intend proposing amendments at the appropriate time to section 46 in order to bring even greater clarity, not only to section 46 but to the entire human rights process, and we look forward to hearing from all Ontarians and all members of the committee on that front.

NATURAL RESOURCES PROGRAM FUNDING

Mr. Norm Miller (Parry Sound–Muskoka): I have a question for the Minister of Natural Resources. Minister, I understand that you are now reconsidering your decision to cut \$500,000 from the community fish and wild-life involvement program. There are many worthwhile programs that are supported with this funding, including programs like the Barrie Bassmasters creating fish habitat, the Toronto region remedial action plan protecting and rehabilitating fish and wildlife habitat, the Oak Ridges moraine, Niagara Escarpment and Rouge Park, and the Rice Lake walleye recruitment study.

Minister, these programs are one of the best investments you can make. For every dollar you spend, 10 times that investment is made by community partners and volunteers. This is grassroots conservation at its best, where people of all ages can make a difference in their own backyards. Conservationists and community groups need to know that you will commit to continued full funding of the CFWIP. Will you make that commitment today?

Hon. David Ramsay (Minister of Natural Resources, minister responsible for aboriginal affairs): In response to the member, I would say to him that I do commit full funding to that program today. He's described it very well. It is a tremendous partnership we have with outdoor clubs that help provide us with the restocking program that is very important to anglers and to the habitat and the fisheries of Ontario. We think it's money well spent, an investment, and what it does is really ensure that those volunteers are connected to the ministry and to the environment we both want to protect.

Mr. Miller: Thank you, Minister. I'm pleased you recognize the work of those 35,000 volunteers, and I'm pleased you've committed to full funding, but I would also like to ask you about cuts to Ontario's provincial parks. I have a press release dated June 2. It says the McGuinty government is slashing 19% from the summer staff funding. These cuts will compromise nature education, park safety and recreational opportunities, as well as the cleanliness of bathrooms and the maintenance of trails and garbage pickup. First of all, Minister, can you confirm that this 19% cut decision has been made, and secondly, if that is in fact true, how are you going to maintain park services and safety with 19% fewer park staff?

Hon. Mr. Ramsay: What I'll confirm is that it's a cut of 8%, and we believe that with that cut we are able to maintain the viability of the parks. In fact, one of the reasons to do this was to make sure that access to the tremendous provincial park system of this province is fully accessible for all people in Ontario. As many members have stated in this House, the provincial park system allows people of all means access to the wonderful biodiversity we have in this province. It offers a wide range of experience out in the wilderness, from canoe camping to camping with your car and everything

in between. I would say to the members of the House that if you haven't experienced the wolf howl experience in Algonquin Park, you should do that. Satellite pictures will show three miles of headlamps on Highway 60 going through that, people who entertain that. That program is still going to be on. It's a great experience. So come out to the provincial parks this summer.

YOUTH SERVICES

Ms. Andrea Horwath (Hamilton East): My question is for the Minister of Children and Youth Services. Supporters of the Families and Schools Together program are here in the gallery today from across Ontario. They run a province-wide program that's proven to reduce youth violence, substance abuse, social isolation and problems at school. Minister, for a year and a half, you and your Liberal predecessor have avoided meeting with them while you allowed their funding to run out. I hear you talk many times about your concern for youth and families. Why aren't you continuing to fund this incredible and cost-effective program that has been so successful in solving these problems and that brings families and schools together?

Hon. Mary Anne V. Chambers (Minister of Children and Youth Services): I'm happy to address the question from the member for Hamilton East. As a matter of fact, I received my first introduction to their programs from my colleague Deb Matthews, the member for London North Centre. My colleague was very complimentary, as has been another colleague, the member from Sarnia, about these programs. That was in fact the first time I had had the opportunity to learn about what this organization is doing.

1530

I noticed from their press conference this morning that they indicated that I've refused to meet them. I'm very sorry they have that impression, because I have not refused to meet them. I look forward to meeting with them.

Ms. Horwath: Minister, compliments don't fund programs; financial commitments do. Thousands of families and youth are helped by these programs and they see significant improvements in the lives of these families where they're operating. The program has been delivered at a very low cost, with a very, very high success rate. The child advocate for Ontario supports this program, chiefs of police support it and schools, families and agencies all support this program. Why don't you support it? Will you make that commitment right now to meet with Family Service Ontario and work this out so that funding continues to flow and they don't have to continue to reduce? They're down to 44 programs from well over 50. They need your help, Minister, and they need it today.

Hon. Mrs. Chambers: I'm not really sure what language to use in answering this question, but let me just say again that I would be happy to meet with this organization. I look forward to meeting with them.

ASSISTANCE TO DISABLED STUDENTS

Mr. David Zimmer (Willowdale): My question is for the Minister of Training, Colleges and Universities. Minister, 70% of future jobs in Canada will require some sort of post-secondary education. Education training beyond high school is essential to succeeding in today's competitive labour market. With the help of our Reaching Higher plan, Ontario's colleges and universities are doing a superb job of training and educating our students to meet these requirements. I'm particularly proud of the record of Seneca College in my riding of Willowdale.

However, 5% of students identify themselves as having disabilities. These students may require extra assistance to overcome barriers in obtaining their education goals. Minister, what are we doing as a government to support students with disabilities at Ontario's colleges, like Seneca?

Hon. Christopher Bentley (Minister of Training, Colleges and Universities): The member for Willowdale rightly identifies a very important issue. You know, we'll never reach our potential as a province unless everyone within it is able to reach their potential. That's why on May 29 the McGuinty government made an announcement that we're investing \$28.2 million this year to support persons with disabilities in their access to post-secondary education and their success in post-secondary education. This included an additional \$2.6 million from one of the access committee funds that was set up through the McGuinty government's Reaching Higher plan.

Seneca in particular received \$1 million in base funding and an access enhancement of \$300,000. And what are they doing? It provides additional counselling, personal, social, academic and career exploration, vocational assessments, peer tutoring, workshops on study skills, extended tests, exam time supervision, recorders and special audiovisual and other devices to help persons with disabilities actually succeed in their studies as they go on. Seneca is doing—

The Speaker (Hon. Michael A. Brown): Thank you, Minister. Supplementary.

Mr. Zimmer: Thank you, Minister. Access to financial and technical learning resources that students with disabilities need is very important. Some students have encountered physical barriers to learning on their campuses due to the deterioration of facilities. Aging classrooms and labs create special challenges to learning. Students at Seneca College and other colleges in Ontario have found themselves trying to learn in these conditions because of the previous government's lack of investment in our post-secondary education system.

Minister, what are we doing to improve the learning environment for all students at Seneca and other colleges?

Hon. Mr. Bentley: Once again the honourable member has identified a very important issue. Just this past April, we announced \$50 million to Ontario's colleges and universities so they could make the types of renovations that have long been needed.

In Seneca's case, this meant that they got \$1.1 million that they used to renovate some classrooms; repair walkways, making them more accessible, in some cases, like the honourable member outlines; and upgrade the fire system. Under another program, the college equipment renewal fund, they received more than \$800,000 to provide some special equipment that they use in their underwater skills program, in a computer engineering technology program, in labs for their precision skills programs and in their centre for financial services.

It's all part of our determination to ensure that student success includes an improved quality of education. I have to commend the good people at Seneca for delivering high-quality programs to so many students.

ONTARIO ECONOMY

Mr. Ted Chudleigh (Halton): It's with a heavy heart and a great deal of sadness that I rise in the House today to ask the Minister of Small Business and Entrepreneurship a question.

A Fraser Institute report has determined where Ontario stands among the other nine provinces with respect to some key economic indicators. It has found that in corporate income tax, we stand fifth; in fiscal prudence, we stand fifth; in personal income tax, we stand sixth; in corporate capital tax, we stand fifth; and in regulatory burden, we stand fifth. As much as this comes as a disappointment to Ontario, it should be no surprise. Your tax-and-spend policies are weighing down the province as other jurisdictions pass us by. It's predicted that Manitoba will soon be a more favourable climate for small business than Ontario.

With Ontario's economic prospects dropping like a stone under your watch, will you now admit that your tax-and-spend policies and the deficits you manufacture are not working for Ontario's small business?

Hon. Harinder S. Takhar (Minister of Small Business and Entrepreneurship): Let me say that small businesses are the engine of our economy and are contributing enormously to Ontario's economy. We have about 340,000 businesses in this province, and 99% of them have less than 500 employees. These are the employers who actually create 60% of all new jobs in this province. We are very proud of the program we have been able to put in place to assist not only them but anybody who wants to open new businesses in this province, and our record basically shows that.

Mr. Chudleigh: You're right, Minister, they are the backbone of this country. But they're going south and they're going west to Manitoba. They're even going east to Newfoundland. If you were listening to the statement I made a short time ago, you would have heard me citing the C.D. Howe Institute report along the same lines: Ontario is becoming a less attractive place to invest. Ontario used to be the leader, the economic engine of Canada. It seems that Dalton McGuinty's Ontario is found more in the middle of the pack.

Minister, when will you ease the pain of business in Ontario and create the kind of investment climate in which small business in Ontario can prosper? When will this happen?

Hon. Mr. Takhar: Let me start by saying that we've got a very competitive tax system in this province, and let me also tell you that 800 firms in this province have been growing at the rate of 50% plus for the last three years. We are the home of 45% of the top 500 corporate head offices in Canada, and we have created over 200,000 net jobs in the last three years. We are very proud of our record, and I think we provide the right environment for new businesses to come into this province and succeed.

ADDICTION SERVICES

Mr. Gilles Bisson (Timmins-James Bay): My question is for the Minister of Natural Resources. Minister, you would know that a few weeks ago I raised the issue with you privately in regard to north corridor addiction services. This is the agency that provides employee assistance services to those employees who are affected by layoffs in the forestry industry. You will know that this particular agency is in a position right now where they're going to have to start laying off staff because their funding is dependent on the number of employees who are employed within the sector. I would like to know from you, as well as for the people of north addiction services, where we're at in trying to find a solution so that north corridor addiction services can keep their doors open and provide services to people in the industry at this very time when we're undergoing probably the worst time in the industry in the history of Ontario.

Hon. David Ramsay (Minister of Natural Resources, minister responsible for aboriginal affairs): I appreciate the question from the member, and I appreciate the heads-up that he gave me. I have to assure the member that we're very concerned about the outcome of the losses in the forest industry to the people of northern Ontario and across this province. I want to assure him that this government is going to do everything it can to not only help the industry directly but the workers directly. There are many agencies out there that offer assistance to people who find themselves displaced and also pick up various challenges that result in the social pressures of losing one's job and one's income and the inability to support their family. So I'll say to the member that we are working on this.

1540

Mr. Bisson: You know, Minister, that the clock is ticking. They're in a position now where they're going to start reducing services within the agency, and if they don't get a signal from you fairly quickly—and these are your constituents and mine, people from Cochrane, Hearst, Kapuskasing, Smooth Rock, people we both represent within our own individual ridings. If they don't get an indication from you soon, they're going to have to start figuring out how to shut down the agency, and that would be a crying shame.

You understand as well as I do that you need EAP services, especially in the climate we're in now. Workers are losing their jobs by the hundreds in our ridings, and they need to have support within the employment in order to deal with the issues that come from the uncertainty of not knowing whether you have a job or do not have a job.

So I'm going to ask you again: Specifically, what are you prepared to do and when are you going to do it?

Hon. Mr. Ramsay: Again, I'd just like to assure the member that I take his concern as being sincere. It's an important agency, and we are looking into it.

WATER QUALITY

Mr. Lorenzo Berardinetti (Scarborough Southwest): My question is to the Minister of the Environment. In my riding, there is a beautiful beach and park area known as Bluffer's Park. Many residents from the Scarborough community come to this park during the summer months and spend time to partake in various outdoor activities such as swimming. There are also barbecuing and other activities in that area.

Recent reports have surfaced that the beach area at Bluffer's Park might be closed for much of the summer because of the high concentration of E. coli that is being emitted from a nearby sewage treatment facility.

What initiative is your ministry taking to ensure that the beach at Bluffer's Park will stay open this summer?

Hon. Laurel C. Broten (Minister of the Environment): I want to thank the member for Scarborough Southwest for his advocacy on behalf of his constituents. I too have a riding on the shores of Lake Ontario, and very much appreciate our beautiful beaches in the city of Toronto and all of our beaches along the Great Lakes.

I think it's very important for your community to know that our government is absolutely committed to helping reduce the discharge of contaminants into the Great Lakes, and we're tackling that on a number of fronts. We have a Premier who started a Ministry of Public Infrastructure Renewal to be able to rebuild our infrastructure that had languished for so many years in this province. That will certainly help with the water quality in the Great Lakes.

My ministry has increased our sewage inspection protocol, and we've increased our inspection tools through provincial officers' orders. We will help municipalities implement the responsibilities they have to keep the beaches open.

Mr. Berardinetti: Madam Minister, as you know, E. coli is a very serious bacterium with potentially fatal and life-changing consequences. One need look no further than Walkerton to understand this.

Our government made a commitment during the previous election to ensure clean water from source to tap. In light of this commitment, what is the plan to ensure that E. coli and other hazardous materials are properly disposed of and not deposited into our lake water?

Hon. Ms. Broten: Certainly a big component of ensuring we have clean, safe drinking water in this province is our new Clean Water Act, which, if passed, will ensure source protection of our vital drinking water. So many of us get that drinking water out of Lake Ontario. We need good treatment. We need good training. We need all sorts of fronts. But, first and foremost, we need to ensure that we prevent contaminants from getting into our sources of drinking water in the first place.

So, together with our federal partners, we continue to improve the quality of the Great Lakes. The Clean Water Act allows me opportunity to set targets for the Great Lakes to reduce the impacts of pollutants. We look forward to seeing the Clean Water Act passed and the implementation of full source-to-tap protection of drinking water.

PETITIONS

LONG-TERM CARE

Ms. Laurie Scott (Haliburton-Victoria-Brock): "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)."

This petition was brought to me by Roxanne Purdy on behalf of her mother, Jackie, as well as the rest of the family.

WORKPLACE HARASSMENT

Ms. Andrea Horwath (Hamilton East): This is a petition to the Legislative Assembly of Ontario. It reads:

"Whereas workplace harassment is linked to the murders of women in Ontario; and

"Whereas harassment needs to be defined as a violation of the Occupational Health and Safety Act so that

it is dealt with as quickly and seriously by employers as other health and safety issues; and

“Whereas employers should have a legal obligation to deal with harassment; and

“Whereas harassment poisons the workplace, takes many form—sexual and sexist, verbal, physical, intimidation and racist—and should not be tolerated; and

“Whereas harassment in any form harms a victim’s physical and mental health, esteem and productivity, and contributes to trauma and stress on the job; and

“Whereas Bill 45 would make it the law to protect workers from workplace harassment by giving workers the right to refuse work after harassment has occurred, require an investigation of allegations of workplace-related harassment and oblige employers to take steps to prevent further occurrences of workplace-related harassment;

“Therefore we, the unsigned, petition the Legislative Assembly of Ontario to treat workplace harassment as a serious health and safety issue by passing MPP Andrea Horwath’s Bill 45, which would bring workplace harassment under the scope of the Occupational Health and Safety Act.”

Mr. John O’Toole (Durham): On a point of order, Mr. Speaker.

The Acting Speaker (Mr. Joseph N. Tascona): What’s your point of order, Mr. O’Toole? You want to be recognized? Well, it’s the member for York West.

Mr. O’Toole: That’s inappropriate, Speaker. I’m rising on a point of order.

COMMUNITY MEDIATION

Mr. Mario Sergio (York West): I have a petition addressed to the Ontario Legislative Assembly with respect to support of community mediation, which I’d like to read to the House.

“Whereas many types of civil disputes may be resolved through community mediation delivered by trained mediators, who are volunteers who work with the parties in the dispute; and

“Whereas Inter-Cultural Neighbourhood Social Services established the Peel Community Mediation Service in 1999 with support from the government of Ontario through the Trillium Foundation, the Rotary Club of Mississauga West and the United Way of Peel, and has proven the viability and success of community mediation; and

“Whereas the city of Mississauga and the town of Caledon have endorsed the Peel Community Mediation Service, and law enforcement bodies refer many cases to the Peel Community Mediation Service as an alternative to a court dispute; and

“Whereas court facilities and court time are both scarce and expensive, the cost of community mediation is very small and the extra expense incurred for lack of community mediation in Peel region would be much greater than the small annual cost of funding community mediation;

“Be it therefore resolved that the government of Ontario, through the Ministry of the Attorney General, support and fund the ongoing service delivery of the Peel Community Mediation Service through Inter-Cultural Neighbourhood Social Services.”

I do concur and I will affix my signature to it.

ONTARIO SPCA

Mr. Garfield Dunlop (Simcoe North): This is to the Legislative Assembly of Ontario and it’s to do with the Ontario Society for the Prevention of Cruelty to Animals.

“Whereas the services provided by the Ontario SPCA, Lennox and Addington branch, is being forced due to budget constraints to close its doors; and

“Whereas the services provided by the Ontario SPCA, Lennox and Addington branch, to our community include animal cruelty investigations; 24-hour emergency rescue of injured animals; acceptance of abandoned animals; acceptance of owned animals, where people can no longer care for their pets; adoption of animals; family violence assistance program, allowing women entering a shelter to temporarily house their pets with the Ontario SPCA; humane education to local schools and community groups; and

“Whereas none of these services are provided by any other agency in the county and the municipal dog pound is small and not able to accept cats or other small animals; and

“Whereas investigation services will fall to the Ontario Provincial Police and they do not have the resources or training to fulfill this role and they are already overworked; and

“Whereas the Northumberland and Quinte humane societies are also facing financial challenges and will not be able to accept the additional animals;

“Be it resolved that the Legislative Assembly of Ontario act now to help prevent the closure of this facility and others across Ontario by ensuring that the Ministry of Community Safety and Correctional Services immediately implement the recommendations made in the February 2005 report of Grant Thornton, which called for interim funding to facilitate the operations of the Ontario SPCA until a long-term strategy is developed for animal welfare in Ontario.”

I’m very pleased to sign this as well, and to present it to the table.

1550

LABOUR UNIONS

Mr. Lorenzo Berardinetti (Scarborough Southwest): I have a petition addressed to the Legislative Assembly of Ontario, and it reads as follows:

“Whereas the rights of workers should always play an important role in the workplace;

“Whereas labour unions help promote and foster workers’ rights and ensure that they get the best possible benefits when it comes to the work they do;

“Whereas the McGuinty government has always been a champion for the worker and continues to promote workers’ rights through other means by increasing the minimum wage and amending the Employment Standards Act to allow for a more harmonious and just working environment for workers;

“We, the undersigned, support these efforts and encourage the McGuinty government to continue on the course of its revolutionary initiatives to enhance workers’ rights and encourage the McGuinty government to make it easier for workers in other sectors of the economy to unionize.”

I affix my signature to it, as I agree with this petition, and give it to page Evan who is here with me today.

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 agreement, I have affixed my signature, and give this to Madeleine.

Mr. Mario Sergio (York West): There are a number of petitions being circulated to members of the House and mine being similar to the former one, I’d like to read it:

“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).”

This petition has been addressed to the Legislative Assembly of Ontario, and I’ll forward it on to the Clerk.

SPEECH AND LANGUAGE SERVICES

Mr. Ernie Hardeman (Oxford): I have a petition signed by a great number of my constituents in the great riding of Oxford:

“To the Legislative Assembly of Ontario:

“Whereas over one million Ontarians of all ages suffer from communication disorders relating to speech, language and/or hearing; and

“Whereas there is a growing need for awareness of the profound developmental, economic and social consequences that communication disorders have on people and their families; and

“Whereas persons with communication problems require access to the professional services of audiologists and speech-language pathologists who provide treatments to improve and enhance quality of life; and

“Whereas effective treatment of communication disorders benefits all of society by allowing otherwise disadvantaged persons to achieve their academic and vocational potentials; and

“Whereas investments in treatments for communication disorders pay economic dividends in reduced reliance on other social services,

“We, the undersigned, in conjunction with the Ontario Association of Speech-Language Pathologists and Audiologists, call on the Legislative Assembly of Ontario to proclaim the month of May as Better Speech, Language and Hearing Month.”

I affix my signature as I agree with the petition.

RENT REGULATION

Mr. Lorenzo Berardinetti (Scarborough Southwest): I have a petition here that was given to me by a community activist, Sonny Sansone of Fir Valley Court. He’s got all the signatures for this petition from his building. It’s addressed to the Legislative Assembly of Ontario, and it reads as follows:

“Whereas the McGuinty government is concerned about tenants in Ontario and wants to have a fair relationship between landlords and tenants; and

“Whereas the cost of living continues to rise, and income of many people, especially pensioners and low-income workers, remains comparatively low; and

“Whereas landlords currently have more rights than tenants, giving them the ability to raise rent fees as they wish, causing tenants to fear rent increases they can’t afford;

“We, therefore, the undersigned, petition to cap rents in Ontario, giving more rights to tenants; and

“Further, we, the undersigned, petition the Legislative Assembly to pass into law the Residential Tenancies Act, Bill 109, as soon as possible.”

I agree with this petition, affix my signature to it and give it to page Hartford, who is here with me today.

LONG-TERM CARE

Mr. Ernie Hardeman (Oxford): I have another petition.

“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 affix my signature, and give it to Nolan to present to the table.

HOME CARE

Mr. Mario Sergio (York West): I have another petition addressed to the Legislative Assembly of Ontario, which reads as follows:

“Whereas access to home care for seniors and persons with disabilities allows them greater independence within their own homes and the ability to limit the amount of time that they are forced to stay in hospitals and/or long-term-care facilities; and

“Whereas doctors, nurses and health care workers need to be recognized and supported for the outstanding work they do within their communities, which must translate into increased funding and resources for their efforts; and

“Whereas implementing the Caplan review will contribute to a more stringent set of guidelines for ensuring that home care and community support services are more effective and far-reaching;

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

“That the Liberal government’s commitment to contribute \$117.8 million to improve home care and implement the Caplan review be supported by all members of the House.”

I believe this to be a fair request and I will affix my signature to it.

LONG-TERM CARE

Ms. Laurie Scott (Haliburton–Victoria–Brock): “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).”

That’s signed by long-term-care centres in my riding of Haliburton–Victoria–Brock.

1600

BUSINESS OF THE HOUSE

Hon. David Caplan (Minister of Public Infrastructure Renewal, Deputy Government House Leader): I’m rising pursuant to standing order 55, and I’d like to give the Legislature the business of the House for next week.

On Monday, June 12, in the afternoon, second reading of Bill 52, the Education Statute Law Amendment Act (Learning to Age 18); in the evening, third reading of Bill 56, the Emergency Management Statute Law Amendment Act.

On the afternoon of Tuesday, June 13, second reading of Bill 28, the Mandatory Blood Testing Act; in the evening, second reading of Bill 52, the Education Statute Law Amendment Act (Learning to Age 18).

On Wednesday, June 14, in the afternoon, second reading of Bill 65, the Mortgage Brokerages, Lenders and Administrators Act; in the evening, second reading of Bill 52, the Education Statute Law Amendment Act.

On Thursday, June 15, in the afternoon, third reading of Bill 102, the Transparent Drug System for Patients Act.

ORDERS OF THE DAY

STRONGER CITY OF TORONTO FOR A STRONGER ONTARIO ACT, 2006

LOI DE 2006 CRÉANT UN TORONTO PLUS FORT POUR UN ONTARIO PLUS FORT

Resuming the debate adjourned on June 6, 2006, on the motion for third reading of Bill 53, An Act to revise the City of Toronto Acts, 1997 (Nos. 1 and 2), to amend certain public Acts in relation to municipal powers and to repeal certain private Acts relating to the City of Toronto / Projet de loi 53, Loi révisant les lois de 1997 Nos 1 et 2 sur la cité de Toronto, modifiant certaines lois d'intérêt public en ce qui concerne les pouvoirs municipaux et abrogeant certaines lois d'intérêt privé se rapportant à la cité de Toronto.

The Acting Speaker (Mr. Joseph N. Tascona): Further debate? The Chair recognizes the member for Toronto–Danforth.

Mr. Peter Tabuns (Toronto–Danforth): Thanks, Mr. Speaker, and my thanks to—

Mr. Ted Chudleigh (Halton): On a point of order, Mr. Speaker: Is there a quorum present?

The Acting Speaker: Is a quorum present?

The Deputy Clerk (Ms. Deborah Deller): A quorum is not present, Speaker.

The Acting Speaker ordered the bells rung.

The Deputy Clerk: A quorum is now present, Speaker.

The Acting Speaker: The Chair recognizes the member from Toronto–Danforth.

Mr. Tabuns: I rise today to talk about Bill 53, the City of Toronto Act. This act has been the subject of some debate in this House over the last month. We had extensive committee hearings, and we're here today to continue third reading of this bill.

When you talk about the city of Toronto, first you have to think about the context within which the city of Toronto operates. We've seen huge changes around the world and huge changes here in Canada and Ontario since the Second World War as the world has urbanized. A world that a century ago was primarily rural, a world that a century ago was dominated by farming interests, is a world that has become radically different, a world that depends on the health of cities, on the dynamism of cities, on the inventiveness of cities for its sustainability.

Hon. David Caplan (Minister of Public Infrastructure Renewal, Deputy Government House Leader): On a point of order, Mr. Speaker: I seek unanimous consent that official opposition questions next week be divided amongst the other two parties.

The Acting Speaker: The deputy House leader seeks unanimous consent that the—

Hon. Mr. Caplan: To divide official opposition questions next week amongst the other two parties.

The Acting Speaker: To divide official opposition questions among the two parties. Is there unanimous consent? Agreed.

The Chair recognizes the member for Toronto–Danforth.

Mr. Tabuns: Thank you.

Interjections.

Mr. Tabuns: I have the floor.

The Acting Speaker: The Chair recognizes the member for Toronto–Danforth. You've got the floor.

Mr. Tabuns: Thank you, Mr. Speaker. Maybe we can go back to some order, then.

Interjections.

Mr. Tabuns: I think it's going to take a moment for the House to settle.

Ms. Kathleen O. Wynne (Don Valley West): You have our undivided attention.

Mr. Tabuns: It isn't even a question of undivided; it's a question of the level of noise going to a low enough pitch where I can hear myself speak.

In any event, the reality is that when it comes to dealing with our cities, they are still treated as less than junior partners in this society. They are treated as creatures that cannot be trusted to govern their own matters, that cannot be trusted to look at their own economies, that need to be kept on a very short leash. The reality is that the city of Toronto has a population greater than that of just about every other province except the province of Quebec. It has four times the population of Manitoba. It's a city that has a huge impact on the economy of this country and a huge impact on the well-being of this province.

The city of Toronto is crucial to the long-term future of Ontario, but the reality is that the city of Toronto is hamstrung both in terms of legislation and in terms of finances. The legislation that has been brought before us deals to some extent with the administrative issues that are of concern to the city of Toronto. To the extent that the city of Toronto is not even able to deal with things like authorizing speed bumps, we are in a situation where the city is treated as a wayward child. Those matters to some extent are addressed in this legislation, but the opportunities that have been missed in this legislation are substantial, and I will take the opportunity today to address those.

But before I go into the substance of the bill itself, I want to talk about the financial situation and the fact that this legislation in no way addresses the financial shortfalls that the city of Toronto faces. The city of Toronto was deprived of a substantial amount of financial independence and stability with the decisions that were made by the Harris government in the 1990s. Decisions were made that moved a wide range of provincially mandated programs from provincial budgets to municipal budgets: the Ontario disability support program, Ontario Works, support for transit, support for social housing. Programs that cost, in aggregate, billions of dollars, and for the city of Toronto hundreds of millions of dollars, were moved from the provincial purse to the city of Toronto, to Ottawa, to Hamilton. Those changes have

made it fundamentally problematic for the city of Toronto and other cities to ensure that the services they're supposed to provide are provided.

Because those changes made in the 1990s were seen to be so deleterious to the city, we had Dalton McGuinty, who at the time was leader of the provincial Liberals, railing against the downloading of provincial costs. He said at the time, "The province took over education. On the face of it, it appeared to be good, but in return—this is very important to understand—it dumped a slew of new areas on the property taxpayers, including public health services, welfare, child care, long-term care for seniors, libraries, public housing, public transit and highways. Each of these new areas will now have to be paid for out of property taxes."

He goes on to say that the Premier would have had people believe that this was an even swap, but that in fact there was no even swap. The province came out of this shift in costs billions of dollars to the better. The cities, and the city of Toronto in particular, came out of this hundreds of millions—billions—of dollars to the worse. This means that this situation is far beyond a situation of problems with administrative matters. It is a problem related to the fundamental funding of the city, and we see the effect on daily basis.

1610

When you walk down the streets in Toronto, you see more litter than you would have seen a decade ago. When you go to public facilities, like schools, when you go to recreation centres, you see decay, you see buildings that are unattended, you see situations that would not have been left untouched a decade and a half ago but which now are becoming increasingly the norm. The download on to the cities, which has not been corrected by this government, even though in opposition and in the last election they promised to correct it, is fundamentally problematic for the health of this city.

This bill will not address that. This bill is meant to address a number of administrative matters, and those administrative matters to some extent will give the city tools that will allow it to function more efficiently but won't allow it to fully deal with the political and social problems before it.

One of the things that is suggested in this bill is to allow the city to impose new levies on alcohol, tobacco and entertainment, which, even if fully utilized, are estimated to be worth about \$50 million, perhaps a quarter or perhaps a tenth of the value of the burden that's been imposed on the city by the provincial government. Beyond that, those levies, which may be useful in an emergency, are highly problematic for the city—highly problematic in terms of the city's ability to levy them without running into real difficulties with its tourism and hospitality sector.

So what is the city left with? The city is left with a highly problematic financial situation and with a series of amendments that are far less substantial than the city has asked for and far less substantial than the city needs.

When you actually take a look at the act, when you take a look at the preamble to the act, you find this:

"The assembly recognizes the importance of providing the city with a legislative framework within which the city can build a strong, vibrant and sustainable city that is capable of thriving in the global economy. The assembly recognizes that the city is a government that is capable of exercising its powers in a responsible and accountable fashion."

I think that is a pretty good preamble. But the reality is that the legislation before us does not reflect that preamble. It squandered opportunities that will not come before us for a very long time.

If you look at this legislation, it amends the City of Toronto Act that was adopted in 1997. So once a decade we have an opportunity to try and deal with the problems that face us here in the city of Toronto, here in the province of Ontario, with regard to the urban agenda.

There are tremendous opportunities in this legislation to deal with environmental issues, to deal with influence peddling, to deal with disruptive social problems, but we didn't get action on those. We got the beginnings of action, but not the action that has to happen. We got perpetuation of the control by the province over the internal workings of the city of Toronto in a way that I believe will be highly problematic for the city in the years to come.

I want to address a number of those problems that could have been dealt with at the committee level so that upon coming here, we would know that at least for the next decade many of the administrative problems that people are concerned about will have been dealt with.

I first want to talk about the whole question of energy efficiency and conservation. In his initial statement to our committee when this bill was presented for hearings and consultation, the Minister of Municipal Affairs and Housing came forward and talked about the bill and about the huge advance and advantage that the legislation would provide for the city when it came to energy efficiency. Energy efficiency in this bill is addressed in one area only, and that's the question of allowing the city some latitude to assist in the development of green roofs.

Green roofs are a wonderful thing. I was at a ceremony just earlier today at the opening of a green roof at Jackman school in my riding—a very positive advance for that school. The green roof will mean that the classrooms underneath that roof will be much cooler. The students on the second floor will have an opportunity to see a full-blown pasture, essentially, outside of their classroom. That pasture is planted with plants that will attract butterflies. It is a real advance.

But when the city suggested that it could use a change in the legislation so it could charge a tax on energy consumption, which would in fact give the city a tremendous advantage in being able to finance long-term energy efficiency and conservation, that was denied at the committee level. The Liberal members of committee voted against it even though it is recognized in this chamber—recognized by the Minister of the Environment the other

day that in fact we have profound air quality problems in the city of Toronto and in southern Ontario.

Even though it has been recognized by the Minister of Energy that we have an energy supply problem in downtown Toronto that needs to be dealt with, will this government give the city of Toronto the tools to actually address those issues? Will it give it the power to raise the money that can be plowed back into energy efficiency so that we can drive down energy consumption in this city? It wouldn't. It said no. It passed it on. It set it aside.

I moved a motion to give the city of Toronto the power to set energy efficiency standards as part of site plan control, so that the city, which in the 1990s was a leader in these matters, could pioneer the efficiency of buildings in this city and advance the interests of an environmental agenda. Unfortunately, that motion was set aside, was not adopted.

In the early 1990s, the city of Toronto council brought forward a requirement that new buildings that needed rezoning had to conform to ASHRAE 89.1, if I remember the number correctly. That requirement led to a change in the provincial building code, requiring higher efficiency. The city of Toronto has a bureaucracy, a leadership, within its administration that has a consciousness about energy issues and efficiency issues that is qualitatively different from that of the rest of this province. The city's electrical utility, Toronto Hydro, is engaged in far more aggressive plans for energy efficiency than any other utility in this province.

To give the city of Toronto an opportunity to move forward its environmental agenda, its energy agenda, is something that would benefit the province as a whole—not just the city but the province as a whole, and yet it was not possible to get that moved forward.

You know as well as I do, Mr. Speaker, that the reality right now in the city of Toronto is that this government, the McGuinty government, is moving forward with a 500-megawatt power plant costing \$700 million to deal with the shortfall of power within the city of Toronto's downtown core.

Now Toronto Hydro is going forward with a \$40-million program to cut energy use by 250 megawatts. They estimate that with another \$150 million, \$200 million, they could cut power by a further 200 megawatts, 250 megawatts. For a cost far less than the cost of building this 500-megawatt power plant, they could deal with the power crunch in downtown Toronto. They could employ thousands of people. They could cut air pollution. They could reduce the burden on ratepayers for hydro in this province. They could make a huge difference to downtown Toronto, and to the province as a whole, if they were given the support from this provincial government that they should be given.

1620

The approach of this government is not one that's supportive. This government has been consistently moving forward on the Portlands Energy Centre, contrary to the interests, the stated concerns and the stated wishes of the city of Toronto. Contrary to the preamble that I read out

to you, this bill and this government have not respected the city of Toronto, its well-being, its interests.

Another amendment that the city of Toronto requested was an amendment to allow city staff to require production of a licence by those in a standing vehicle. The reason for that is to allow the city of Toronto to enforce its anti-idling bylaw.

You are well aware, Mr. Speaker, that we have an air quality problem in this city. The city of Toronto has an anti-idling bylaw. It wants the ability to enforce that bylaw so that unnecessary burning of fossil fuels, unnecessary burning of gasoline can be restricted, can be contained, and so that the city can actually take action to improve the quality of air.

This lack of response and interest on the part of the province to give the city power to deal with air pollution says to me that all the fine words we hear from the Minister of the Environment, from the Premier and others are simply window dressing. When it comes to giving the city of Toronto—an entity bigger than most provinces in this country—the ability to deal with its air pollution problems, this McGuinty Liberal government pulls back. It ignores them. It forgets about them. It sets their interests aside.

In another area of concern, we have the whole matter of slumlords. Not all landlords—in fact, a very small minority of landlords are slumlords. But some are highly problematic, people who speculate on the value of housing. They speculate, and then they buy houses and fill them with whoever they can get. They pack them as full as they can. When challenged by the city or by municipal bylaw enforcement, those landlords engage in a variety of methods of subterfuge to avoid being held to account.

The city of Toronto asked for powers within this act to take action against landlords by being able to take action against individual addresses. Unfortunately, this government felt that it could stand aside, let things go on the way they were, not give the city the power to deal with crack houses. I've had to deal with them from time to time as a city councillor. If you have a house full of people who are doing a lot of dope, peddling a lot of dope or engaged in a variety of disruptive activities in a neighbourhood, you will know very quickly that neighbours want action. Cities have some powers but not the powers they need to go after slumlords and absentee landlords who are quite happy to disrupt those neighbourhoods.

Frankly, the refusal of this government to deal with that issue is going to come back to those MPPs in this government who will, from time to time, have to deal with disruptive houses or crack houses. Their refusal to give the city of Toronto, the leadership of Toronto, the politicians in Toronto the ability to act is hugely problematic—irresponsible, frankly.

The next area where the committee and McGuinty government had an opportunity to take action was around influence peddling. We're all well aware of the MFP scandal. We're all well aware of Madam Justice Bellamy's review of the problem with the city of Toronto and her recommendations for action. In fact, the city of

Toronto came forward asking for action to be taken in those areas, and in a very limited way the government started to take action on those issues. But when it came to dealing with some of the key pieces around making sure that lobbyists could not become major fundraisers, when it came to making sure that lobbyists couldn't establish their net of influence through financial means, this government balked.

There's a famous series of stories done about influence peddling in the city of Toronto in the 1980s. One reporter related in the *Globe and Mail* a famous story about going past a city councillor's office with one lobbyist roaring at the councillor that he was never going to be selling baseball tickets for him again because of the bylaw he'd voted in favour of that day.

We heard during the Bellamy inquiry about lobbyists who made sure they channelled payments to city councillors, allegations that people were given cheques to carry in, cheques to bundle. In the course of debate in committee, it was that we shouldn't be restricting people's rights of access to the political process. In terms of lobbyists coming and making an argument, putting the case, setting out the facts, I think that's fair enough. People in this society should have access to decision-makers. I think it should be our constituents more than lobbyists, but be that as it may, there are interests in society that select spokespeople, send them in and ask them to make a case to decision-makers. That's one thing.

The other thing is to have lobbyists become fundraisers for those politicians and develop influence far beyond what most people want by allowing those lobbyists to also be major fundraisers for those politicians. That's something the city of Toronto wanted ended that came out of the Bellamy inquiry. I would say most people here who followed the events in that inquiry, who followed the events that lead up to that inquiry, would have said, "Madam Justice Bellamy has got something here." We should make sure that politics are cleaned up municipally. We should make sure that the city of Toronto doesn't have to deal with these kinds of problems in future, and that if it has to deal with them, it has the tools to deal with them so that politics are clean, because we know what happens with these kinds of scandals.

Quite certainly, the individuals who were at the centre of them are tainted. Their reputations are scarred. I would say that where in fact they were guilty of acts that were completely untoward or illegal, the scarring of their reputations was entirely reasonable, but the reality is that scarring carries over to the whole political process and to all politicians. So to the extent we don't act to cut back on corruption, to the extent we don't act to make this a cleaner political system, we undermine the ground we stand on. This was a huge opportunity that was squandered by this government. It should not have done this. Yet it still rejected those amendments that came out of the Bellamy inquiry—frustrating, profoundly frustrating.

So Mr. Speaker—Madam Speaker. Turn away and the Speaker changes.

Hon. Mr. Caplan: For the better.

Mr. Tabuns: I have no comment on for the better or the worse, just the Speaker changes.

In any event, Madam Speaker, concern about energy efficiency, concern about crack houses, concern about corruption—those matters where in fact the government could have acted and provided the city with stronger tools were squandered opportunities.

1630

But the other problem relates to the fact that, notwithstanding the very stirring preamble to this act, the province has continued to keep the city on an extraordinarily short leash. I want to read out two sections of this act that people should be aware of. Section 25 says:

"Regulations re the provincial interest

"25(1) If the Lieutenant Governor in Council considers that it is necessary or desirable in the provincial interest to do so, the Lieutenant Governor in Council may make regulations imposing limits and conditions on the power of the city under sections 7, 8 and 262 or providing that the city cannot exercise the power in prescribed circumstances."

So without coming back to this Legislature, without having general debate by those of us here who represent the city of Toronto or the rest of Ontario, the cabinet on its own can simply say, "You know, we don't like what these guys are doing. We don't like what this city council has decided to do. We're going to go in. We're going to reach in. We're going to reshape their decisions. We're going to set them aside." How do you justify that? How do you justify saying that we're dealing with a mature level of government and yet, not even through legislation in future, simply by a cabinet decision, reaching in and setting aside the bylaws of the city of Toronto? This leash is very short. This leash is unreasonably short.

Again, I note that the city of Toronto is larger than most provinces except for the province of Quebec. It has people it elects who will make mistakes; it has people it elects who will make good decisions; but it is a level of government that deserves to be able to make its own decisions and chart its own course.

We set the framework within which they operate so that we protect the citizens. They have a democratic structure, but after that, people get to protect themselves through elections. They get to vote people in, they get to vote them out, and we let those elected representatives make those mistakes and pay the price or reap the benefit of happiness that comes from those decisions.

What we've done with section 25 is say, "Watch it. We're looking over your shoulder. Don't do anything we don't like because we can reach in any time without legislative debate and change what you've done or set aside what you've done."

The other thing that we got in this bill is section 151. This is quite interesting, and it was Mr. Hardeman who initially started off this debate. I'll just read it out, because people should understand what's in here:

"151(1) The Lieutenant Governor in Council may make regulations,

“(a) requiring the city to establish an executive committee from among the members of council and prescribing the composition, powers and duties of the committee, including, for example, requiring the committee to provide strategic directions for the city;

“(b) requiring the head of council to appoint the chairs and vice-chairs of specified committees of council and specified local boards;

“(c) requiring the head of council to appoint one or more deputy heads of council from among the members of council and prescribing the duties of the persons appointed;

“(d) requiring the head of council to nominate or to appoint one or more persons who will have the prescribed responsibilities, powers and duties of a chief administrative officer for the city;

“(e) establishing procedures for the appointment of persons who are nominated under clause (d) by the head of council;

“(f) establishing procedures relating to the dismissal of persons who are nominated or appointed under clause (d)....

“(h) requiring council to appoint specified committees composed of members of council elected from specified geographic areas of the city and requiring the city to delegate prescribed powers and duties to the committees;

“(i) specifying procedures for the adoption by the city of a budget....

“(j) specifying the duties of the head of council in respect of the adoption or re-adoption of such a budget by the city.”

In other words, what this government has done is say, “On the one hand, you can have whatever form of organization you want on your council. You can set up whatever committees you want; you can have whatever relationship you want between the mayor, senior members of council and the rest of council. But frankly, there’s a hammer over your head. There’s a structure we like, we’ve set it out, and you have to guess how far you can go away from this structure before we act,” because the structure set out here is not something that has to be debated in this Legislature. “No; don’t have to go that far; don’t have to take up that much time. It’s far speedier, far more effective, far more efficient: It can be decided in cabinet.”

So on a day-to-day basis, the cabinet of this government or the next government that’s elected—and I don’t know who will make up that government—will be able to reach in and change the structure simply by cabinet decree. That does not make sense. That does not speak to respect for the maturity of the city of Toronto level of government. It does not speak to the kind of structure we want in this country, in this province. We don’t want a situation where arbitrary decisions by cabinet, not reviewable by the Legislature as a whole, can rewrite the structure of the city of Toronto and, in fact, rewrite it in a way that centralizes power in the mayor’s office in a manner far more reminiscent of American cities, not of Canadian cities. We know the problems that American

cities have faced. We also know the difficulties inherent in running a city anyway.

One of the concerns that’s been pointed out to me is that, far more often, over the years, women have been elected to city council; fewer women are elected as mayors. Women have less access to financial resources that will allow them to mount large, city-wide campaigns. So what we have here will be another marginalization of women and minorities as they come into council because power will be concentrated in the office of the mayor, the head of council. I think that’s a huge mistake on the part of those who drafted this bill. Their interest is in that centralization of power. Their interest is not just in the centralization of power, but making sure that power stays as close to Queen’s Park as possible and making sure, as I said, that the city of Toronto is on a very short leash. I think that is a mistake. I think the government should not have put it forward.

We know that this is not the only venue, the only forum within which the power of the city, and of other cities, is going to be constrained. Bill 51, the planning and conservation land statute law that is going to be debated here, has a section within it that allows the province to override municipal zoning when it decides it wants to site a facility that produces electrical power, which is quite extraordinary. So it seems very clear that, notwithstanding the debates that councils go through, notwithstanding the debates that citizens go through when they want to decide how their cities will be shaped, we have the ability of the province to simply move in and say, “You know, we’ve decided to build a power plant here. We know you have zoning, we’re glad you went through the zoning exercise. Gee, I hope people enjoyed the debate and the open houses, but frankly, forget about it. We’re going to put in a power plant. We’re going to ignore your zoning, we’re going to ignore your municipal power. We’re just going to go ahead and do what we feel we have to do.” That does not speak to respect for the municipal level of government. That speaks to an approach that is arrogant—an approach that is arrogant in the same way that this bill will be when it imposes very short-leash conditions on the city of the Toronto.

1640

This lack of respect again comes out when we look at the Portlands Energy Centre, when we look at what the province wants to do in Toronto. In 2003, the province of Ontario decided it wanted to build a Portlands Energy Centre in the port area on Toronto’s waterfront. The city of Toronto went through extensive debate. They decided they did not like the plan that was put forward. They sent conditions to the province around which they would be willing to have a discussion, around which they would give themselves and the province grounds for discussion, grounds for deciding exactly how the city of Toronto’s power needs would be met. This government completely ignored them.

The initial plans came forward: a power plant that would provide steam/hot water to the downtown so it would be a cogeneration plant, a huge solar photovoltaic

installation, one of the biggest in North America—so it was pitched. As the project went on, those environmental elements were ditched. The panels are gone, the cogeneration is gone; we have an expensive plant and we have a government that ignores the city of Toronto. And when it brings in legislation to deal with the city's concerns, it doesn't give the city the powers the city feels it needs to deal with a variety of pressing environmental, legal and social problems. This act perpetuates that parent-child relationship with the city that I don't think in the long run—even in the short run—can be good.

Where does that leave us with this act? I know that this act will come forward. This government has a majority. It will use that majority to have this act adopted. But over the next five to 10 years, while the city tries to struggle with its financial problems, while it tries to struggle with its social problems, we will hear from people in the city, because they know that they're stuck in a situation where their fundamental needs are not being met. I think what it will mean is that this bill or a bill like it will have to come back to the House at a later date. This government or a subsequent government is going to have to address the fact that cities cannot be treated as wayward children.

The section on imposing a structure of government on the city of Toronto is going to have to be taken out. The section on allowing the cabinet to interfere with council decisions is going to have to go out. You have to ask, is this government going to be monitoring every council meeting? Or is this government going to be acting on decisions of council when it gets complaints from a friend who says, "You know, the city didn't give me the zoning I wanted. They've passed a bylaw that's contrary to my 70-storey tower in a residential area. I want you to step in"?

This government is opening itself up to lobbying by interests that will not be happy with the city of Toronto's decisions. The city should be allowed to make its own decisions; it should not be put in a position by this government where it will always be looking over its shoulder.

It's frustrating to know where to go with this. I know in 1997 when we were dealing with the Harris government on the megacity legislation, we were all completely taken aback that the government of the day, of Mike Harris, had decided to ignore the history of Toronto, had decided to ignore the will of the elected representatives, of those who lived in Toronto and, frankly, had decided to ignore the will of the majority of people in Toronto who were willing to vote in a variety of referenda that took place in the city at that time.

I had an opportunity to talk to people throughout my riding in that period, people who did not like the idea that their government that they had a connection to, that they had responsiveness from, was going to be taken away from them. We had rallies, we had mail-in votes, we had call-in votes, we had demonstrations on the steps of the Legislature, we had support from the Liberal Party at the time, and yet the government of the day, the Harris

government, went ahead and stripped Toronto, Etobicoke, Scarborough, East York and North York of their historic character, of their ability to set their own course, and set in place a mechanism that dramatically reduced accessibility of people to their elected politicians. That's a simple reality. The number of politicians—and no one will weep over this—was reduced, but what was problematic was the ability of people to sit down with elected representatives, talk to them, shape their thinking and make them aware of what was going on in their neighbourhood. That was reduced dramatically—highly problematic, and something that the city of Toronto has been wrestling with ever since.

I talk to people in my riding and I talk to people in other ridings whose experience has been that the city government has become much more distant, much farther from them, because in fact their ability to get at politicians now has been reduced, and at the same time the government of the day collapsed the boards of education. They took trustees from being full-time down to \$5,000 a year part-time; thus people couldn't access trustees. When they had problems with schools, their ability to get at the administration, to have an advocate speaking on their behalf, moving things in their direction, dried up.

I'm hopeful that at least part of that will be addressed by this government. But if it's addressed in as narrow a way as it is addressed in this bill, if it is addressed in a way that does not deal with the fundamental problems, if opportunities are squandered, as was done with this bill, then we will not have a happy group of voters out there. We will have people who feel that their interests, their needs, are once again forgotten.

I know that when people see this bill, they will say, "Okay, there were some administrative problems that were dealt with. We're very pleased about that. We're glad that it doesn't take provincial action or provincial approval to get a speed bump on a street." But if this government intervenes and reshapes the government of the city of Toronto in a way that does not reflect the interests of people there and people cannot simply say to council, "We don't like the way you restructured yourselves. We want you to change it back, and if you don't change it back, we will address this in the next election," if they're told, "Well, in fact, that's out of your hands. It's in the hands of cabinet. Good luck. Too bad, so sad. Get used to it," you will have undermined people's confidence in government in this province. You will have undermined their confidence in government generally because you will have done what the Harris Tories did: distanced the municipal government once again from the people of the city.

If you don't act to give the city of Toronto the tools to deal with air pollution and smog, you will undermine confidence in government as a whole. People expect action. They hear words from us. They hear words from us constantly about how much we care about air pollution, smog and climate change, and yet those problems continue to deepen and they continue to broaden. We aren't getting action on it, particularly when we see that

jurisdictions like Toronto that have the will, the interest and the capacity to take action on it don't get the powers they feel they need, feel they can use, to move the agenda forward.

It's a surprising thing for me. I've only been here a short while. You're aware of that. When an opportunity presents itself, a once-in-a-decade opportunity, one would think that a government would try to move things along in a way that would comprehensively deal with problems. When I talk to the police in my riding about the problems they face with crack houses, they express a total frustration about the inability of municipal officials to deal with those houses. They express frustration with the lack of authority in municipal legislation to actually move the agenda forward. So we face a problem of people feeling that their local community is out of control and that not the police, not the city, not anyone is able to actually deal with problems that they think are so glaringly obvious, so glaringly unacceptable that surely someone should be able to step in and take action.

1650

This government, in rejecting the amendments requested by the city of Toronto, has made sure that the city can't step in, can't take action the way it's supposed to take action. I believe that, ultimately, all of us will pay a price for that, but I certainly think the government will pay a price for that. They had an opportunity, they understood the facts, they were given the information and yet they still, en masse, in a bloc, in committee voted against taking the steps that have to be taken.

I would say that this government should, even now, decide that within the next few years it will reintroduce legislation, that it should consult with the city of Toronto, that it should look at the actual operation of the legislation that was brought forward and that it should sit down two years from now and say, "Okay, the sky hasn't fallen in. The city of Toronto has used its powers in a way that's admirable. Let's move things forward."

If we don't adjust things, if we don't address the things that the city has brought to our attention, once again we will be dealing with another inquiry into another MFP-type scandal because it's a matter of time. When you deal with government, you know there is constant pressure on the part of different interests to get their way, and interests that want to get their way by hook or by crook are out there.

Happily, with the election of David Miller I'd say that those forces have been pushed to the side. But administrations change, people in government come and go, and there again will come a time in the city of Toronto when lobbyists who are able to bundle large numbers of cheques, who are able to fundraise, who are able to send councillors to football games or hockey games in Pittsburgh, will once again have the opportunity to get at the city. If the structures are not in place to bar those lobbyists, to weaken them, to fundamentally undermine their powers, then we will once again find ourselves wrestling with the very same problems we've wrestled with over the last few years.

In wrapping up, I suggest that this government consider the opportunities that it has lost, resolve to come back to this bill again in the not-too-distant future and deal with the problems that the city of Toronto and I have identified in the course of the debate at committee and here.

The Acting Speaker: Questions and comments?

Ms. Wynne: I appreciate the comments of the member for Toronto–Danforth. I know he's got a keen interest in city issues. I see this differently, however. I worked very closely with folks in the community. I know that this legislation was drafted really out of a joint process between city staff and provincial staff. I know that Mayor Miller was very happy that we had landed where we landed.

I see this legislation as a huge opportunity for the city. The member for Toronto–Danforth has said, "You may have to come back and change things in the future." Well, sure, there will always be amendments to legislation in the future. We can't predict that. But at this point, we've come up with a piece of legislation that actually addresses a lot of the concerns in terms of local governance, in terms of local autonomy that the city was concerned about.

I just want to talk about two sections, sections 140 and 144. In those sections, the city gets the authority to create boards or other groups, and to delegate authority from the large city council to those other bodies. That's a critical piece of autonomy that is necessary for this city to heal from the amalgamation that was thrust upon it by the previous government. Until the city can organize itself in such a way that local communities have some control over that decision-making process and that not everything goes to the central council, I don't think the city can heal.

I agree with the member for Toronto–Danforth: The amalgamation was a disaster for the city. We all fought it. He and I fought it tooth and nail. It's a fact. What we have to do now is give the city the tools to rebuild. That's what this legislation is very much central to.

Mrs. Julia Munro (York North): I'm pleased to add a few comments to the debate on Bill 53. One of the pieces that has to be understood about any bill to respond to a city with the kind of vitality, dynamism and vibrancy that Toronto has is one that maintains that, one that ensures it will continue to be a vibrant city.

There are a couple of things I think need to be raised in awareness in terms of the problems and challenges this bill presents for people. One of them is the question of the ability to raise new taxes. This has two possible fall-outs. One, obviously, is that it will put Toronto in an even less competitive position with its GTA neighbours. Subsequent to that, I think it will mean that other municipalities are going to see the opportunity and are going to want the same kind of taxing powers, neither of which I think goes to the whole idea of having a healthy economy and a vibrant city.

To me, those two things should be the cornerstones of any piece of legislation that any government would want

to put forward, not only for the capital of the province, but quite frankly for other cities as well. I think that in a number of areas that vitality is severely damaged by the potential of this bill.

Mr. Michael Prue (Beaches–East York): I rise to talk about my colleague from Toronto–Danforth and his speech. I watched most of it on the television downstairs, but in two minutes I can only talk about one aspect. That's when he raised the whole issue of Madam Justice Bellamy and her report to Toronto city council about how and the many ways in which she recommended that the city of Toronto could pass legislation and/or bylaws to make sure that the transgressions meted out upon the city and the people and council of Toronto would not occur again.

I had the opportunity during the many deliberations to actually give evidence before Madam Justice Bellamy. I was called with a group of politicians, having been a former mayor, to talk about how procedures operated within in-camera meetings, how procedures operated around the tendering process. I remember that quite well. The recommendations that subsequently came from her were exactly spot on. They were exactly what needed to be done.

Given an understanding that the city of Toronto requested that much of those powers be contained or be amended and included within the body of this bill and that that has not happened, I'm not surprised some officials in Toronto are disappointed. They may not be disappointed to the extent that they want the whole bill thrown out, and I would acknowledge that, but they are disappointed nonetheless.

It would seem to me that if this government were truly anxious to have a municipal partner instead of a municipal underling in the city of Toronto, they would have listened much more carefully to what the city has requested and what Madam Justice Bellamy had to offer in her very learned recommendations. They chose not to do so. They defeated the very amendments that would have strengthened that and would have made it literally impossible for those transgressions to happen in the city again.

1700

Mr. Shafiq Qaadri (Etobicoke North): I would like to add the voice of the good people of Etobicoke North, as a Toronto member myself, in support of Bill 53, the Stronger City of Toronto for a Stronger Ontario Act. I think there are a number of aspects that we can share—highlights, I guess, of this particular bill, whether it's continued maintenance of the provincial interest yet offering a certain degree of autonomy to make its own decisions, to implement some its own strategies and, yes, also to avail itself of some taxation or money-raising opportunities, for things that are seen as important at the local level because after all, Speaker, as you'll very well appreciate, the riot-police-level mess that was left by the previous administration with regard to downloading, with regard to amalgamation—these are serious issues that

we, as a government, have had to deal with, have had to seek remedy for.

I think, beyond the members of this government, beyond the Premier, if anyone has the interests of Toronto at heart and whose opinion one can seek and value in this area, it's His Worship David Miller, the mayor of the city of Toronto, not only by his presence here during the launch of this particular bill but, as well, for the many meetings both he and his staff and his particular associates had with us in terms of consultation, in terms of framing this debate, in terms of, essentially, helping us to navigate our response to stakeholders.

This is a bill that is absolutely good for the engine of Ontario, and that, of course, is the city of Toronto.

The Acting Speaker: It's time for a response. The Chair recognizes the member from Toronto–Danforth.

Mr. Tabuns: I appreciate the words from the member from Don Valley West, and I think, indeed, it's true that it's necessary to provide the city of Toronto with some structure that will allow it to devolve decision-making down, closer to the grassroots, closer to the citizens. That could be done without, in fact, bringing forward the changes or, frankly, incorporating in this act the ability of the cabinet to reach in and change the city of Toronto, keep it on a leash without any discussion, any debate, here in this Legislature. I think that's highly problematic.

When we fought against the megacity legislation, there were public hearings, there was debate in the Legislature, there was an opportunity to challenge the direction the government was going in. But what we have here is a movement of power into the hands of cabinet. I say to the MPP, the member from Don Valley West, that you can't always be sure who's going to be in government. These things are unpredictable. Make sure that you structure things so that you, possibly in opposition, can live with the structure that's before you. I think the structure that's before us could be highly problematic in the future, may be highly problematic in the very near future, but it may be seen from Liberal benches to be very problematic two years from now. This is a failing in the bill. I still think there are things here that the city of Toronto needs. We should go forward with them, but these failings will come back to haunt us.

Hon. Mr. Caplan: On a point of order, Mr. Speaker: I seek unanimous consent that, in question period next week, the normal rotation for all political parties is restored.

The Acting Speaker: The deputy House leader has sought unanimous consent for the normal rotation for question period to be restored for next week. Is there unanimous consent? Agreed.

Further debate?

Mr. Prue: I'll take this opportunity. First of all, I would like to thank my colleague from Toronto–Danforth. This has been a couple of very hectic weeks. Although I am the municipal affairs critic and would normally be expected to have carriage of this bill in committee, it has not been possible to do so because I'm also, of course, the finance critic and we've been in estimates for the last

four times that the committee met to discuss Bill 53. So he has had carriage of the many, many amendments put before the committee and, from everything I understand, did a most capable job.

But I still need to speak to this bill. It still is of the utmost importance to me to make sure that the city of Toronto recovers from the forced amalgamation. Speakers have said—even today, the speaker from Don Valley West, I think, put it very well—that amalgamation has not worked for the citizens of this city; it has been an unqualified, unmitigated disaster. Even the politicians who are elected, who put on a brave face, will tell you in private what they will not say in public: that things do not work well in this city. All of the savings that were supposed to accrue to the people who live here have not been realized. All of the efficiencies that were supposed to happen have not happened. All of the reductions in staff have not happened; in fact, there are more people working for the city of Toronto today than there were in the six municipalities and Metro Toronto before 1997.

Certainly, we know that citizen involvement in the city of Toronto is at an all-time low. The structure that has been set up is not conducive to ordinary citizens becoming involved in the political process. Before, they were able to go before their local councils; before, they were able to make deputations at council meetings and/or committee meetings. Today they have a very difficult job doing that in front of the community councils. They have a difficult job doing that because the structure that was set up at the time of amalgamation is not one which allows for ordinary citizen involvement.

The reality is that when you go to a committee today in the city of Toronto and you try to make a deputation, unless your local councillor is on that committee, there may be no one on the committee who understands your neighbourhood, there may be no one on that committee who understands your issue, and in fact they very often don't listen. I have been a party to that. I have been there and seen deputants come in and start to talk about an issue in Etobicoke or Scarborough or North York or the old city of York, the city of Toronto, some neighbourhood with which I was not familiar. I do have to tell you, I took that job as a megacity councillor quite seriously, and it was difficult. It was difficult to watch those deputants with hope in their eyes and trying to make a position known before a group of councillors sitting around in a circle who quite frankly did not know, and often did not care, what their issue was. Those people who were there couldn't defeat them in the next election. Those people didn't have a vote in the next election on whether a councillor from another area of the city would be elected or not elected. I don't know on how many occasions the councillors had to be admonished by the chair, or sometimes by the people themselves, for not paying attention, for not listening and for not participating in the debate. That's the reality of the megacity today.

So when this bill came forward, we all held hopes that the bill would allow the city of Toronto, the megacity, to

restructure. If it is not possible for it to de-amalgamate—and I still live in that hope. I still live in the hope that Toronto, like every other megacity in the world that was forced to amalgamate, will one day find the strength or find the government that will allow them to do so should the citizens wish. I don't know what's happening today; I don't know what's happening in the city. But I do know in my own local neighbourhoods and from the people I meet across this wonderful place called Toronto that there is still an undercurrent of people who feel that the old system was better, that they were better served and that their politicians listened to them better than they do now.

So when I look at this act, in the absence of de-amalgamation, in the absence of giving back the citizens' power in their own locally controlled councils, what else can work? I looked at this bill with some hope, but I have to tell you, some of those hopes have been dashed not only by what has been contained within the bill, but by the government's actions in committee.

1710

First of all, we put forward some 60 motions in committee, trying to change various aspects of the bill. The majority of those motions were requested by the council and the mayor of the city of Toronto. They read the bill with great interest, and they put forward 60 motions, most of which were technical in nature. They were technical in nature to the extent that most of them allowed the city of Toronto, through its council, to have a say in how they were governed and in their governance process. Most of them would have worked, but in every case save and except one, the government used its majority to reject them all. The only one that passed, one of the motions which my colleague the member from Toronto—Danforth put in, was by some miracle identically worded to a Liberal motion which you had put in. I'm given to understand that you mistook ours for yours, and therefore passed ours instead of yours. But I don't think that's to any avail. It was one that you were going to pass and had already determined you were going to pass. So there was then one motion passed. We have to say that we are very disappointed that they were all defeated.

They don't want the city's requests, quite frankly, for greater control over setting environmental efficiency and conservation standards. This was another one of the issues that were raised. We moved an amendment in committee that would have provided Toronto with the ability to set higher energy efficiency and conservation standards than those in the Ontario building code. We know the Ontario building code, in many respects, is deficient. It is 40 or 50 years old; it is out of date. This very day, this morning in this House, I put forward a bill that would in part change the Ontario building code to make it illegal to build a wooden fire escape. That's the kind of stuff that's contained in there. The building code allows Ontario as the only province to have a wooden fire escape that can go up in flames when someone's trying to escape an inferno. That's the kind of stuff that's there. The city of Toronto understands that the building

code doesn't work in a modern metropolitan environment. They understand that with skyscrapers and with people living cheek to jowl in tight proximity, the old building codes don't work.

The city of Toronto also understands, through its green cities initiative, that there are many things that can be done in conservation measures which are not contained in the present building code of Ontario. So they asked for the authority to do something more: to put in green roofs perhaps, to put in better insulation in walls and ceilings. They wanted an opportunity to make this an environmental experiment, an environmental capital not only for Canada but for the world. The city of Toronto has won awards for what they have done as a city, and they wanted that contained within the body of this bill so that they don't have to run back and forth to Queen's Park asking to do things better than the norm. It would seem to me that it would have been very simple in the bill to allow the city of Toronto to go ahead and do something which is better. The building code is there, and all they would have had to say is that they must obey the building code, save and except where what they are proposing is of a higher standard. You could have allowed the city of Toronto to do that. I don't know why you wouldn't allow the city of Toronto to do that, but you did not.

You did not allow them to show leadership in energy efficiency and conservation, and you're holding them back. I don't know why you want to hold them back. It makes no sense at all, considering the debate that we have nearly every day in this Legislature, where minister after minister stands up and says, "We're interested in conservation. We want to conserve electricity. We want to conserve our resources. We want to conserve. We want to conserve." I hear that every day in this Legislature. But when somebody with a proven track record comes forward and says, "We can do it better. Just give us the authority. You're passing the bill anyway," the answer is no. I have to tell you that the city of Toronto is disappointed, I am disappointed, and I know that the citizens who live here are disappointed.

Instead of letting the city of Toronto meet a greater proportion of its energy needs through decreasing demand, the McGuinty government wants to put a mega power plant in east Toronto. I want to talk about that for a minute too, because the city of Toronto doesn't want that mega power plant. They have made that very plain; they have made it very clear in the deputations. That is an ill-conceived idea and I have no idea where it came from. I've heard the former Minister of Energy talk about that in this House, some obscure argument that 20 years ago some of the electricity used in Toronto was produced in Toronto, but now we don't produce the same amount we used to and we import it from beyond our borders.

There is a very rational reason for that. It is because the coal-fired generation plants have been shut down, and they needed to be shut down. Those were the polluters—the Hearn and the others—that were in downtown Toronto, and they were the ones that were seen as necessary to close. I agree they needed to be closed.

With modern electrical procedures, with modern electrical technology, power can be brought in from anywhere. We could run an underwater cable from Niagara Falls for the new electricity that Toronto needs. We could build new transfer stations. We can do all kinds of things. It does not have to be located—the amount of electricity that is lost in transmission over the wires from outside the borders, the four corners of Toronto, is quite negligible.

Toronto has asked to do something about that. You have turned them down. Toronto does not want that mega-development on its waterfront, that waterfront that every single Torontonians covets for green space, covets for parkland, covets for new development, covets to make our waterfront the equivalent of and as good as what has happened in Barcelona, what has happened in London, what has happened in many cities in the United States. That is the dream we have. Instead of having that dream, we have the proposal to build an ugly gas-fired plant without any conservation. You shoot down the conservation on the one hand and you force through your mega gas plant on the other. The city of Toronto and its councillors want nothing to do with that. That is not a vision. This is a short-term misguided action of a government with no plan, a government with no vision.

Transportation authority: That was a bit of a stuff today, you know? I guess the TTC is having some of its own problems. I read with sadness in the last couple of days that Rick Ducharme has decided to quit. There seems to be a great deal of turmoil within the city of Toronto, its council and its members.

The Greater Toronto Transportation Authority is perhaps a good idea, but there is no funding that goes with it. There is no funding that goes with that transportation authority. I know the members opposite are going to talk about a two-cent gas tax, but the two-cent gas tax, even when fully funded out, is less money for transit and transportation than even Mike Harris gave the city of Toronto. I know it's sustainable in its long term, which is a good thing, but for this year there is less money going to Toronto than even the Harris Tories gave, and you have to ask about that.

The city of Toronto is a magnificent place. It is suffering like every other city in Ontario. I'd like to talk about the downloading for a minute because that hasn't been resolved by this bill either. Much has been made by the Tories about the \$53 million or so that the city may be able to raise in additional revenue by taxing theatre tickets, by taxing alcohol and beverages, by taxing restaurant and/or hotel meals and hotel rooms, but that is really quite small potatoes when one thinks of the problems that literally every single municipality, including the largest one in Ontario and the largest one in Canada—that is Toronto—faces every single day, and that's a result of the downloading this government has chosen to literally do next to nothing about.

As I alluded to earlier, I was in the estimates committee this week and had an opportunity over some nine hours, along with colleagues in the Liberal and Con-

servative parties, to put questions to the finance minister. It was quite revealing in many respects, but a group of questions I had an opportunity to ask the finance minister about was the downloading.

The finance minister and his officials somewhat said that the Association of Municipalities of Ontario's, AMO's, description of the \$3.2-billion download—you want to talk about a finance gap, there's one there—of provincially mandated programs that are paid for by municipalities was not correct. So when we push the issue, and I pushed the issue, if the AMO numbers are not right, if the \$1.3 billion for social assistance is not right, what are the numbers?

Well, I guess the numbers the province has and why they're disputing what the municipalities had to say is that it's not \$1.3 billion; it's only \$1.205 billion. There's about \$100 million there that they are disputing is not there, but they're not disputing the reality that there's somewhere between \$1.2 billion and \$1.3 billion of provincially mandated programs that are being paid for by municipalities that can't afford it.

1720

I asked the same question about housing, and that one came within a few million dollars of the \$879 million that the Association of Municipalities of Ontario had said. The others were in various degrees close, but there was one—I'm trying to think now which one it was; I think it was ambulance—where the estimate by the province was actually much higher than what the Association of Municipalities of Ontario said it was. When you added them all together, lo and behold, it was \$3.1 billion that the province says is unfair taxation, downloaded upon the municipalities for provincially mandated programs, and not \$3.2 billion.

That's what we should be talking about. Approximately one sixth or one fifth—closer to one fifth—of all the people who live in Ontario live in the city of Toronto. I would only guesstimate that about one fifth of all the costs of downloading—and it's probably higher than that—occur in this city. What we're talking about here is \$500 million, \$600 million or \$700 million. That's the money the city of Toronto needs to do its job and do it well. That's what this government should be talking about.

Instead, all of the debate is around whether or not the citizens of Toronto and those who come to visit here will have to pay an extra \$53 million in taxes. We all know that citizens do not want to pay taxes, save and except if they think the taxes are earmarked for socially progressive and necessary improvements in their municipality. They don't want to be paying extra taxes when they see that governments at higher levels are not doing well with those. They're not going to praise city of Toronto officials by raising the \$53 million, even though almost every single person who has been surveyed says that the cities are being starved of revenue. This government had a chance to do that. The city of Toronto asked them to do that in some of the amendments, to pass on some of the

savings from the downloading, but they chose not to do so.

It's a difficult bill because, quite clearly, there are those in the city of Toronto who are advocating additional powers to try to make an amalgamated city work. There are those who think that it is still salvageable; there are some who think it is not. I probably am of two minds. I can see that if you give additional powers to the city of Toronto, if you tinker around the edges on the governance structure, perhaps something that is more workable than what we have had to live through for these last seven or eight years may prove of benefit. On the other hand, it may not do anything at all.

The city as it exists today is in a bit of a crisis. It is in a crisis that is largely financial, but it is also in a crisis that it has not been able to do for its citizens that which literally every other unamalgamated city and town and village has been able to do: to have a dialogue with its citizens, have the citizens participate in the process, have the citizens have a say in whether or not taxes will go up in a direct election and a direct response to their local municipal councillors. That is what has failed in here.

This government has set a bludgeon that if the city of Toronto does not change the process in a way they think works best for them, the Premier, the cabinet and the Lieutenant Governor in Council can come along and institute anything else you want. They have asked for the right to be exclusively given to them. You have, in fact, denied it. That is a very sad day for democracy in this city. In spite of all of your protestations, this bill could have been so much better.

The Acting Speaker: Questions and comments?

Mr. Brad Duguid (Scarborough Centre): I want to begin by saying there are some things in the member from Beaches–East York's speech that we do agree with. We agree that amalgamation has been a real problem for our residents. He considered it a disaster. I don't know if it's a complete disaster, but it certainly was not a positive development for Toronto. We agree as well that Toronto is a great city that can be greater. It has great potential and I think, with the right tools, can become even greater. I believe this package will provide the city with some of the tools it needs to fulfill its potential. It's not the be-all and end-all, but it certainly is a very historic and important step.

Where we disagree is in the interpretation of the reaction from the city of Toronto. The city of Toronto is very much in support of what we're doing here. In fact, the mayor of Toronto has said many times that Premier McGuinty gets it when it comes to the needs of Toronto, that this bill is historic in its nature, that this bill will significantly assist Toronto in meeting its challenges. On that, I agree with the mayor of Toronto, not the former mayor of East York, the member for Beaches–East York.

He also indicated that a number of the amendments that came forward from the city of Toronto were not accepted by the province. Well, dozens of amendments came forward from the city of Toronto that were accepted by the government. I think he was referring to just

the NDP motions that were accepted. There were a couple of NDP motions, two or three, that the government accepted, but there were dozens that came from the city of Toronto, some of which we didn't accept, but the majority we were quite happy to accept.

That being said, in the few minutes left I want to thank him for his efforts in trying to champion the city of Toronto. Working together, we'll certainly create a better city of Toronto for all of us.

Mr. Ernie Hardeman (Oxford): I'm pleased to rise for just a few moments to commend the member from Beaches–East York for his fine presentation. Obviously, most of what was in the presentation we had heard before, as he was working on the committee and putting forward the position which he saw as the appropriate way to deal with the City of Toronto Act.

I just want to comment on a couple of the places in this bill—not everywhere—where I agree with his opinion on it in committee. One of the areas where I think we were in agreement is that there are far too many places in the bill where the province has the ability to override the decisions of the city of Toronto. It wasn't that I thought more power needed to go to the city; my position was just that if the intent of the bill was to give more authority to the city and in fact treat them as a mature level of government, that's what should be the end result. It shouldn't be by saying, "You can do all these things provided we agree with them, but the moment we don't, then we can override you."

One of the areas the member spoke to was the issue of taxation and the ability to raise money to cover the added costs of running the city. The taxes that are allowed are not sufficient to do that. One of the taxes that was brought up during the committee hearings that the private sector did not want in, the realty people in particular, was the land transfer tax. We said, "Why doesn't the province just include that in the list? Since the minister said he was not in favour of that type of tax, if you really believe that one should not be used, why don't you put it in the list of taxes that are not allowed to be used by the city of Toronto?" The province refused to do that, recognizing, I suppose, that they intended the city to be able to use that, and in the whole bill that would be the only place one could even envision enough dollars coming out of the new taxing authority to cover the costs of the city, that they need to run their budget.

Mr. Tabuns: I want to say I appreciate the comments from the member for Beaches–East York. In the fight to preserve the old municipalities in the city of Toronto, as the mayor of East York, Mr. Prue was one of the key leaders. East York, for its size, was one of the most highly mobilized, most vocal, most energetic and most committed municipalities in the old city of Toronto to preserving local democracy. The simple reality was that East York had, and does have, a character of its own that it wanted to see preserved, and to a great extent those residents of that municipality express to this day a sense of loss of their ability to shape their destiny, to control their city as they saw fit, to be able to make the com-

munity in their image. Frankly, I understand why they fought so hard and why their representatives were so effective in mobilizing them.

1730

This legislation, as I had an opportunity to say—and it has not been contradicted by the member who is the parliamentary assistant—continues that whole approach of keeping the city of Toronto under the thumb of the province. I have no doubt that the city of Toronto council is happier to get this than to get nothing. There are some things that are given, some advances in administrative control that are useful, and if I was on that council, I would be wanting these things to move forward. But if I was on that council, I would not want to have a hammer over my head over the structure of the government. I would not want to have the ability of cabinet to reach in and change my decisions.

Mr. Tony C. Wong (Markham): I'm happy to speak to Bill 53 as the member for Markham, which is adjacent to the city of Toronto.

Let me say this to the members from Beaches–East York and Toronto–Danforth: It may be perceived by some people as not sufficient and not having gone far enough, but when the mayor described this as historic and groundbreaking, it certainly is important to note that the tools we have provided as a province to the city of Toronto are going to empower them to do a lot of things they have never been able to do before. I can say right now that a lot of my colleagues in York region would love to have these powers and tools. To say that we are providing the city with tools does not mean that we are providing them with direct solutions. It is not our job to provide them with those solutions. These are permissive powers, and we know that with these permissive powers, the Toronto council will be able to design and develop the solutions that will be most appropriate and beneficial to the residents of Toronto.

As a member of the GTA, although there may even be a bit of jealousy on the part of York region municipal politicians, I think that a stronger Toronto will certainly lead to a stronger GTA, and York region will benefit in some way as well. We have said oftentimes that pooling is something that is of grave concern to York region, and I think when Toronto is able to do better economically and develop well, with the powers we've given them in the new bill, Bill 53, then the GTA will benefit overall. I am one of the firm believers in not being overly parochial, even when I was a municipal politician. I support this bill because I know Toronto will benefit and so will Markham and York region.

The Acting Speaker: It's time for a response. The Chair recognizes the member for Beaches–East York.

Mr. Prue: I thank the members from Scarborough Centre, Oxford, Toronto–Danforth and Markham for their comments. They were all quite constructive and to the point, so that's very good.

To the member for Scarborough Centre, I would acknowledge that the mayor of Toronto is anxious about certain parts of this bill; there is no doubt. My own col-

leagues, my own representatives—Janet Davis in ward 31, which is the East York portion of Beaches–East York, and Sandra Bussin, who represents the Beaches portion of Beaches–East York—have both talked to me, and they are largely in favour of this bill. And when I go around and meet members of Toronto city council, I get much the same reaction, because some of what is contained in the bill is good.

What causes me grief and what causes me fear is that the province continues to have an override. Should the municipality not behave in restructuring its council in a way that is acceptable to the Lieutenant Governor in Council, i.e., the cabinet, then the Lieutenant Governor in Council can override and impose a system upon the city of Toronto. Do I think this government is going to do that? I don't know, but I want to tell you that another government, should you not be elected in the next election, might very well do so, because they've done it before. You are setting up a system so that at any time in the future any cabinet can turn around and restructure the city of Toronto in a way that its politicians and its people do not want.

That causes me considerable grief in a bill like this. The city may see it and grab it as a potential short-term gain, but the long-term pain may be there for many years. The people have been frozen out of the process, and have been frozen out for the last eight years. They will continue to be frozen out unless we can devolve it, unless we can make it more community based. We do not need a strong mayor system; the opposite, we need a strong mayor and council to do it right.

The Acting Speaker: Further debate?

Mrs. Munro: I appreciate the opportunity to make some comments today about Bill 53. I think all of us understand the value of Toronto, recognize its diversity, the fact that it has the reputation of being one of the leading entertainment districts in North America. It's also a centre of expertise and innovation in education and science. All of these things contribute to a vibrancy in the city that obviously spills over into the province as a whole. In fact, as I consider my remarks today, it occurs to me that the last thing we want is to have what has been referred to sometimes as the hole in the doughnut, and that it is incredibly important to maintain a very vibrant, healthy Toronto.

But when I look at some of the consultation, some of the issues that have been raised by various members of the community at large, I'm concerned about the challenges this bill presents in regard to the vibrancy and the important health that we must have. I'm concerned about the fact that the city continues to have a deficit. We're looking at numbers in the area of \$450 million. Those are very chilling numbers. It is interesting to note how that has been reflected by a number of the groups that have concerns over this.

I'd like to take a moment to look at part of a letter from Judith Andrew, the vice-president of the Canadian Federation of Independent Business. She begins, "We are extremely concerned with the lack of in-depth consul-

tation with stakeholders prior to the drafting" of this legislation—and again, this has primarily to do with the licensing provisions. "It is inconceivable that the province would proceed with a matter of this significance without the necessary analysis, study and consultation with stakeholders on specific policy proposals before legislation is drafted."

She goes on to say, "... the Premier is willing to give Toronto greater authority, even as he worries that the whole plan could go sideways if the mayor and council don't use their new powers wisely. It's a scenario the business community has feared since the plans for the new legislation were announced. Past experience with property taxes, city procurement and municipal regulation have shown small business owners that they can count on unfair treatment from the mayor and council."

It's in those contexts that we need to look as well at the Joint Ontario Business Sector Coalition, the JOBS coalition. They, as well, expressed great concern about the issue around the claim that the city of Toronto needs additional revenue to address any fiscal challenges. In their submission, they said, "We believe it is necessary first to determine whether the alleged fiscal shortfall is real, and then to explore alternatives to increased revenue, e.g., fewer responsibilities, before any governments are given new taxing powers."

1740

There are a number of things that I think point to some concerns around the competitiveness and prosperity of the city. Certainly, while there are those who would like to characterize criticisms of this bill as criticisms of Toronto, the opposite is the case: The question of Toronto's competitiveness is extremely vital to all of us. When you look at some of the challenges that have been faced by Toronto in relation to its closest rivals in the economy, of course we're talking about the 905. The costs of doing business in Toronto have been very much higher when compared to GTA competitors. As a result of that, in contrast to the 905, Toronto's job creation numbers have been in negative numbers for a long time and, certainly in terms of job creation, Toronto has long ceased to be the province's engine of economic growth.

I would just take the opportunity in the time that I have to compare Toronto and its commercial tax rate at 3.8% with that of Richmond Hill and Markham in York region at less than 1.5%. I think this gives evidence to the kinds of concerns that people have raised with regard to the economic viability of Toronto.

Obviously, opening up the opportunity in this bill for new taxing powers by the city means that even further dangers exist for very specific areas when we're talking about entertainment and the specific areas of alcohol and tobacco. These are all centring on what is essentially a very competitive and viable part of our economy, and one where Toronto always has to consider its competition: the areas of tourism and culture. So to have put those kinds of things in this bill certainly sends a message of the potential for even greater economic woes. The fact that last year Toronto city council adopted a

plan for a modest rebalancing of the business-to-residential property tax ratios over 15 years does not make for a speedy opportunity for competitors in Toronto, simply because 15 years is not something that small businesses can compete with.

I want to change my focus for the few minutes that remain and refer to the question raised by the member for Toronto–Danforth: the question of Madam Justice Bellamy's recommendations. I'm going to quote from a letter that I received from Guy Giorno, who also made a submission during the hearings on Bill 53. I think his letter is something that we need to consider:

"Madam Justice Bellamy formed her recommendations after hearing from 156 witnesses over 214 hearing days.... These are not idle musings; they are the considered advice of an eminent jurist based on extensive evidence."

He goes on to quote from her report: "The connection between political donations by lobbyists and influence-peddling is obvious. And whether political donations actually translate into inappropriate influence for the lobbyist does not really matter. The public reasonably believes that the connection exists, and this perception alone is enough to chip away at public trust in governments...."

"It should go without saying that lobbyists should not donate other people's money, hiding the identity of the true donor...."

"Also objectionable is for a lobbyist to engage in the practice known as "bundling," in which one person bundles together a number of political donations and delivers them to a candidate under one covering letter...."

"Lobbyists might be making contributions not so much to try to influence the politicians, but rather to increase their access to decision-makers. They hope that a councillor may consider an unsolicited proposal from them if their clients donated to a campaign. This is improper influence. It is an attempt to buy a favourable impression and even favourable treatment."

"Unfortunately, as presently worded, Bill 53 probably does not give Toronto sufficient authority to restrict lobbyists' involvement in political fundraising. Bill 53 would not let Toronto implement recommendation 113 of the Bellamy inquiry."

"In committee, Mr. Tabuns proposed an amendment that would confirm the city's power to 'prohibit persons who lobby a public office holder from engaging in fundraising activities on his or her [i.e., the public office holder's] behalf.'"

"Such an amendment would give Toronto the power ... control such influence peddling. It would clearly permit Toronto to implement Bellamy recommendation 113."

"There was very little discussion before the Tabuns amendment was rejected."

I think the point that Mr. Giorno is making is that it is simply wrong to assert that there is an unrestricted constitutional right to lobby a politician for whom one is fundraising or to fundraise for a politician whom one is lobbying.

As you know, Mr. Speaker, we are at third reading. I certainly think that it is open, as it always is, for the government to make changes. It is possible to go to committee of the whole. It is possible to give Toronto this kind of ability which would speak to an important and unfortunate past in Toronto city council.

The Acting Speaker: Questions and comments?

Mr. Prue: I would like to congratulate the member from York North for the statement that she had to make. In fact, this is a huge issue. This government had an opportunity earlier last year. The city of Toronto requested companion legislation that would have made it very difficult to accept both union and corporate donations. They lobbied extensively, having passed two separate bylaws and two separate requests before the city of Toronto to send it up to the province to have that changed.

The city of Toronto councillors and the mayor are very mindful of the fact of the kind of influence that lobbyists can have over municipal politicians. The money is huge in terms of municipal politics. One only has to see some of the printed reports that came out in the paper last week about municipal politicians, not only in Toronto but in the Toronto area, and where the bulk of the finances for campaigns is coming from.

The city of Toronto council understood that. Perhaps the other ones understand it as well. Some of the councillors and some of the mayors are showing that 97% of the revenue they are accepting in donations for municipal campaign purposes is coming from developers and from people who are lobbyists, people who are looking for favours.

Mr. Giorno is absolutely right in the quote. There is no proof that you simply give money and a favour is going to be given, but in politics this certainly does tarnish the image. It certainly does tarnish people's image when they see—and they see a direct link between the thousands—the \$2,000 or \$5,000 donation on the one hand and access to the mayor and council and to legislation that flows. I would think that this government should be doing everything they can to stamp out that process.

Mr. Lorenzo Berardinetti (Scarborough Southwest): I just wanted to say that Bill 53 is perhaps one of the heaviest bills we've had since I've been here. It's quite a lot of legislation. I think it does weigh close to a kilo. Basically, I think it's about time that we have a fair relationship between Ontario and its biggest city. This bill does that. We've heard from other speakers earlier, and I'm glad to support the government today.

1750

Mr. Tabuns: I was very appreciative of the comments of the member from York North. The thing I'm still mystified by is why this government would not take advantage of those amendments. There's no question that we saw what happened with the city of Toronto when lobbyists were allowed to run as wild as they would like, when lobbyists were allowed to engage in activities that everyone in this House would find to be objectionable. I find it completely beyond me why this government,

having seen the outcome of the MFP experience, having read the documents produced by Madam Justice Bellamy, would not in fact go forward and adopt the full suite of recommendations so we could prevent a repetition of this from happening in the future.

I think that is a question that will come up the next time there's a scandal, the next time there's a profound problem in Toronto, Newmarket, Markham, Oshawa or Whitby: Why has the government not taken the action it could take when the opportunity presented to constrain the power of lobbyists in their dealings with municipal politicians?

We know that the government will apply the experience it gains from this legislation to other cities. It has had the opportunity in this bill to constrain lobbyists, to reduce influence peddling, to make sure that things operate in a way that the people of this province expect them to operate.

I want to thank the member for speaking out and making those points.

The Acting Speaker: The Chair recognizes the member from York North for a response.

Mrs. Munro: I want to thank those who responded. I guess the point to be understood is that a prosperous city is what everyone wants. A prosperous city and initiatives that raise the quality of life are paramount, but so is the kind of legislative environment, regardless of the weight of the bill, but more importantly, the taking of advice from people such as Madam Justice Bellamy. Those are the two things that I think are the keys to the future of a strong Toronto.

The Acting Speaker: Are there any other honourable members who wish to participate in the debate? Reply of the minister or the parliamentary assistant?

The Honourable Mr. Gerretsen has moved third reading of Bill 53, An Act to revise the City of Toronto Acts, 1997 (Nos. 1 and 2), to amend certain public Acts in relation to municipal powers and to repeal certain private Acts relating to the City of Toronto.

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

All those in favour of the motion will please say "aye."

All those opposed to the motion will please say "nay."

In my opinion, the ayes have it.

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

I received notice from the government whip: "Pursuant to standing order 28(h), I request that the vote on the motion by Minister Gerretsen for the third reading of Bill 53, An Act to revise the City of Toronto Acts, 1997 (Nos. 1 and 2), to amend certain public Acts in relation to municipal powers and to repeal certain private Acts relating to the City of Toronto, be deferred until deferred votes on Monday, June 12, 2006."

Hon. Mr. Caplan: I move adjournment of the House.

The Acting Speaker: The deputy government House leader has moved adjournment of the House. Is it the pleasure of the House that the motion carry? Carried.

This House stands adjourned until Monday, June 12, at 1:30 of the clock.

The House adjourned at 1755.

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Scarborough Southwest / Scarborough-Sud-Ouest	Berardinetti, Lorenzo (L)		
Scarborough–Agincourt	Phillips, Hon. / L'hon. Gerry (L) Minister of Government Services / ministre des Services gouvernementaux		
Scarborough–Rouge River	Balkissoon, Bas (L)		
Simcoe North / Simcoe-Nord	Dunlop, Garfield (PC)		
Simcoe–Grey	Wilson, Jim (PC)		
St. Catharines	Bradley, Hon. / L'hon. James J. (L) Minister of Tourism, minister responsible for seniors, government House leader / ministre du Tourisme, ministre délégué aux Affaires des personnes âgées, leader parlementaire du gouvernement		

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

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

OTHER BUSINESS

Visitors

Ms. Marsales	4451
Mr. O'Toole	4451
Mr. Kormos	4451
Mr. Dunlop	4452

Business of the House

Mr. Caplan	4469
------------------	------

TABLE DES MATIÈRES

Jeudi 8 juin 2006

AFFAIRES D'INTÉRÊT PUBLIC ÉMANANT DES DÉPUTÉS

Loi de 2006 modifiant des lois en ce qui a trait à la protection contre l'incendie, projet de loi 120, M. Prue	
Adoptée	4448

PREMIÈRE LECTURE

Loi de 2006 sur l'accès équitable aux professions réglementées, projet de loi 124, M. Colle	
Adoptée	4452
Loi de 2006 sur la Commission ontarienne du marché du travail, projet de loi 125, M. Hampton	
Adoptée	4452
Loi de 2006 sur le commissaire à la protection des emplois, projet de loi 126, M. Hampton	
Adoptée	4452
Loi de 2006 modifiant la Loi sur les normes d'emploi, projet de loi 127, M. Hampton	
Adoptée	4452

DÉCLARATIONS MINISTÉRIELLES ET RÉPONSES

Compétences des immigrants

M. Colle	4453
M. Ruprecht	4454
M ^{me} Scott	4455
M. Prue	4456

Programmes d'enseignement à l'enfance en difficulté

M ^{me} Pupatello	4454
M. Dunlop	4455
M. Prue	4456

TROISIÈME LECTURE

Loi de 2006 créant un Toronto plus fort pour un Ontario plus fort, projet de loi 53, M. Gerretsen	
Vote différé	4484

CONTENTS

Thursday 8 June 2006

PRIVATE MEMBERS' PUBLIC BUSINESS

Ontario population, private member's notice of motion 15, <i>Mr. Chudleigh</i>	
Mr. Chudleigh.....	4431, 4439
Mr. Berardinetti	4432
Mr. Ouellette.....	4433
Ms. Horwath	4435
Mr. Ruprecht.....	4437
Mr. Hardeman.....	4437
Mr. O'Toole.....	4438
Agreed to	4447
Fire Protection Statute Law Amendment Act, 2006, Bill 120, <i>Mr. Prue</i>	
Mr. Prue.....	4439, 4447
Mrs. Jeffrey.....	4440
Mr. Hardeman.....	4441
Mr. Ruprecht.....	4442
Ms. Scott.....	4443
Ms. Horwath.....	4444
Ms. Smith.....	4446
Agreed to	4448

MEMBERS' STATEMENTS

Mabel Read	
Mr. Ouellette.....	4448
Events in Brampton	
Mrs. Jeffrey.....	4448
Youth services	
Mrs. Munro.....	4448
Hamilton waterfront trail	
Ms. Marsales.....	4449
Ontario economy	
Mr. Chudleigh.....	4449
Willis Blair	
Mr. Prue.....	4449
Portuguese Canadian community	
Mr. Fonseca.....	4449
Insurance rates	
Mr. Ruprecht.....	4450
Heather Crowe Award	
Mr. McMeekin.....	4450
Doris Sterling	
Mr. Sterling.....	4450

REPORTS BY COMMITTEES

Standing committee on finance and economic affairs	
Mr. Hoy	4451
Report adopted.....	4451
Standing committee on general government	
Mrs. Jeffrey.....	4451
Report adopted.....	4451

FIRST READINGS

Fair Access to Regulated Professions Act, 2006, Bill 124, <i>Mr. Colle</i>	
Agreed to.....	4452
Ontario Labour Market Board Act, 2006, Bill 125, <i>Mr. Hampton</i>	
Agreed to.....	4452
Mr. Hampton.....	4452
Job Protection Commissioner Act, 2006, Bill 126, <i>Mr. Hampton</i>	
Agreed to.....	4452
Mr. Hampton.....	4452
Employment Standards Amendment Act, 2006, Bill 127, <i>Mr. Hampton</i>	
Agreed to.....	4452
Mr. Hampton.....	4452

STATEMENTS BY THE MINISTRY AND RESPONSES

Immigrants' skills	
Mr. Colle	4453
Mr. Ruprecht	4454
Ms. Scott	4455
Mr. Prue	4456
Special education	
Ms. Papatello.....	4454
Mr. Dunlop.....	4455
Mr. Prue	4456

ORAL QUESTIONS

Native land dispute	
Mr. Runciman	4456
Mr. Kwinter.....	4457, 4460
Mr. Chudleigh	4457
Mr. Ramsay	4457
Mr. Dunlop.....	4460
Employment	
Mr. Hampton.....	4458, 4459, 4460
Mr. Sorbara	4458, 4459
Mr. Bentley	4461
More to Discover fun pass	
Mr. McMeekin	4461
Ms. Di Cocco	4461
Mr. Bradley	4461
Waste diversion	
Ms. Scott	4462
Ms. Broten.....	4462
Softwood lumber	
Mr. Bisson.....	4462
Mr. Ramsay	4462
Human rights system	
Ms. Matthews.....	4463
Mr. Bryant.....	4463

Natural resources program funding

Mr. Miller	4463
Mr. Ramsay	4463
Youth services	
Ms. Horwath	4464
Mrs. Chambers.....	4464
Assistance to disabled students	
Mr. Zimmer	4464
Mr. Bentley	4464
Ontario economy	
Mr. Chudleigh.....	4465
Mr. Takhar	4465
Addiction services	
Mr. Bisson	4465
Mr. Ramsay	4465
Water quality	
Mr. Berardinetti	4466
Ms. Broten	4466

PETITIONS

Long-term care	
Ms. Scott.....	4466, 4469
Mrs. Munro.....	4468
Mr. Sergio.....	4468
Mr. Hardeman.....	4469
Workplace harassment	
Ms. Horwath	4467
Community mediation	
Mr. Sergio.....	4467
Ontario SPCA	
Mr. Dunlop	4467
Labour unions	
Mr. Berardinetti	4468
Speech and language services	
Mr. Hardeman.....	4468
Rent regulation	
Mr. Berardinetti	4468
Home care	
Mr. Sergio.....	4469

THIRD READINGS

Stronger City of Toronto for a Stronger Ontario Act, 2006, Bill 53, <i>Mr. Gerretsen</i>	
Mr. Tabuns... 4470, 4477, 4481, 4483	
Ms. Wynne.....	4476
Mrs. Munro.....	4476, 4482, 4484
Mr. Prue.....	4477, 4481, 4483
Mr. Qaadri	4477
Mr. Duguid	4480
Mr. Hardeman.....	4481
Mr. Wong.....	4481
Mr. Berardinetti	4483
Vote deferred	4484

Continued overleaf