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of Ontario  
Second Session, 38<sup>th</sup> Parliament

Assemblée législative  
de l'Ontario  
Deuxième session, 38<sup>e</sup> législature

**Official Report  
of Debates  
(Hansard)**

**Journal  
des débats  
(Hansard)**

**Monday 25 September 2006**

**Lundi 25 septembre 2006**

Speaker  
Honourable Michael A. Brown

Président  
L'honorable Michael A. Brown

Clerk  
Claude L. DesRosiers

Greffier  
Claude L. DesRosiers

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LEGISLATIVE ASSEMBLY  
OF ONTARIO

Monday 25 September 2006

ASSEMBLÉE LÉGISLATIVE  
DE L'ONTARIO

Lundi 25 septembre 2006

*The House met at 1330.  
Prayers.*

INTRODUCTION OF MEMBER  
FOR PARKDALE–HIGH PARK

**The Speaker (Hon. Michael A. Brown):** I beg to inform the House that the Clerk has received from the Chief Election Officer and laid upon the table a certificate of the by-election in the electoral district of Parkdale–High Park.

**The Clerk of the Assembly (Mr. Claude L. DesRosiers):**

“Mr. Claude DesRosiers  
“Clerk of the Legislative Assembly  
“Room 104  
“Legislative Building  
“Queen’s Park  
“Toronto, Ontario  
“M7A 1A2  
“Dear Mr. DesRosiers:

“A writ of election dated the 16th day of August, 2006, was issued by the Honourable Lieutenant Governor of the province of Ontario, and was addressed to Ted Scaldwell, returning officer for the electoral district of Parkdale–High Park, for the election of a member to represent the said electoral district of Parkdale–High Park in the Legislative Assembly of this province in the room of Gerard Kennedy who, since his election as representative of the said electoral district of Parkdale–High Park, has resigned his seat. This is to certify that, a poll having been granted and held in Parkdale–High Park on the 14th day of September, 2006, Cheri DiNovo has been returned as duly elected as appears by the return of the said writ of election, dated the 22nd of September, 2006, which is now lodged of record in my office.

“John L. Hollins  
“Chief Election Officer  
“Toronto, September 22, 2006.”

*Ms. DiNovo was escorted into the chamber by Mr. Hampton and Mr. Kormos.*

**Mr. Howard Hampton (Kenora–Rainy River):** I have the honour to present to you and the House Cheri DiNovo, member-elect for the electoral district of Parkdale–High Park, who has taken the oath and signed the roll and now claims the right to take her seat.

**The Speaker:** Let the honourable member take her seat.

*Applause.*

MEMBERS’ STATEMENTS

ONTARIO TARTAN

**Mr. Bill Murdoch (Bruce–Grey–Owen Sound):** Let me first congratulate and welcome the new member for Parkdale–High Park, Cheri DiNovo, to Queen’s Park.

Mr. Speaker, I’d like to now welcome all of us back to the Legislature with a good-news story. After waiting years for this moment, it is with honour that I bring to you today, for the first time, the official tartan of the province of Ontario. This is a district tartan identifying the wearer as being from the province of Ontario, comprised of four colours: blue, green, white and red. The tartan represents what we love about our great province and is also a reflection of our history.

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The kilt, made by Mrs. Marlene Reid of Scottish Imports in Hamilton, reflects the diversity of our province. In the tartan, the shades of green represent the forests and agriculture of Ontario, the red represents the First Nations, the shades of blue represent our water, and the white represents the sky over Ontario. This tartan was designed by Mr. James MacNeil, Marlene Reid’s father.

Mr. Speaker, this really wasn’t just another opportunity to wear the kilt. Mrs. Reid did a wonderful job, and so it is my pleasure to recognize her work by being the first to wear it on our first day back to the Legislature.

Finally, I’d like to recognize my former colleague Lillian Ross, who was the first to introduce this bill back in 1997. I’d also like to thank the government of Ontario on helping to establish the official tartan for Ontario and adding one more symbol to our rich heritage.

RIDING OF NORTHUMBERLAND

**Mr. Lou Rinaldi (Northumberland):** Let me first welcome our new member to the Legislature. Welcome.

Today I rise in the House to say thank you: thank you to my fellow MPPs and colleagues who visited my riding of Northumberland last week for a caucus retreat; thank you to the government cabinet ministers who took the time to meet with stakeholders in my riding; thank you to the local artist Beth Hoselton for donating two beautiful pieces of artwork that raised over \$1,200 for the Northumberland United Way; and thank you to the best Premier this province has seen in many, many years.

Premier McGuinty, thank you for the family health teams that are up and running in Brighton and Camp-

bellford in my riding of Northumberland. Thank you for committing to a community health centre in Port Hope and Trenton. Thank you for the new CT scanner at the Trenton Memorial Hospital. Thank you, Premier, for 174 new teachers in my riding of Northumberland. Thank you for the \$7.6 million to improve and build local roads and bridges through Move Ontario. Thank you for over \$8 million in Ontario municipal partnership funding; that's \$3 million over the old CRF funding. Thank you for providing the funding for 212 new daycare spaces when the new federal Conservative government discontinued the funding. And thank you, Premier, for being the leader of this open and transparent government that I'm so proud to be part of.

#### ROSH HASHANAH AND RAMADAN

**Mrs. Julia Munro (York North):** I'm pleased to rise today to honour Canadians of the Muslim and Jewish faiths as we recognize Rosh Hashanah and the first day of Ramadan.

To Jews throughout the world, Rosh Hashanah represents the day of judgment, where they examine past deeds and ask for forgiveness for their sins. It is the day on which the shofar, or ram's horn, is blown in the temple to herald the beginning of the High Holy Days. It is the day of remembrance, where Jews review the history of their people and pray for Israel. And it is, of course, New Year's Day.

For Muslims in Canada, today is the first day of the month of Ramadan. This is the ninth month of the Islamic calendar and is considered the holiest month. Prayers, fasting, self-accountability and charity have special associations with Ramadan. Muslims believe that during Ramadan, the revelation of the Quran to the prophet Muhammad began. The entire month is spent fasting from dawn to dusk.

On behalf of this House, I join with all Ontarians in giving our best wishes for Rosh Hashanah and the first day of Ramadan.

#### CINN À HEARST

**M. Gilles Bisson (Timmins–Baie James):** Monsieur le Président, vous allez demander pourquoi je suis un peu moins barbu aujourd'hui. C'est une question que je suis sûr que les autres députés de l'Assemblée vont demander également.

C'est bien simple. Les communautés de Hearst, Hallébourg, Mattice, Jogues, et toutes les autres communautés aux environs ont fait partie cette fin de semaine d'un radiothon à CINN-FM, la radio communautaire de Hearst et de la région, où elles ont mis comme défi d'être capables de soulever 20 000 \$ pour la radio. L'année passée, comme beaucoup d'entre vous le savent, on a fait 15 000 \$. On a dépassé cette année 20 000 \$ dans le défi qu'on a faisant affaire avec la régie d'alcool, qui était fermée ; c'est un événement cette année.

On a eu beaucoup de succès. Une des affaires qu'on a demandées, c'était que si je pourrais présider comme président d'honneur à la radio CINN à Hearst, et à environ 4 h de l'après-midi dimanche, deux heures avant qu'on ait fini l'événement, on était un peu plus que 5 000 \$ à court de notre 20 000 \$. Ils m'ont posé un défi. Ils ont dit, « Monsieur Bisson, êtes-vous préparé à couper votre barbe ? Si on atteint 20 000 \$, allez-vous le faire ? »

J'ai dit oui, et justement, la communauté de Hearst et les environs de Mattice, Opatatika, Constance Lake, Hallébourg et toutes les autres places comme Jogues sont arrivées au défi pour dire, « Oui, on va supporter notre radio communautaire. » On a soulevé plus que 20 000 \$. Ça va pour montrer, premièrement, que la communauté appuie toujours la radio communautaire; deuxièmement, on est une équipe qui est très dynamique; et troisièmement, on sait comment se prendre en main au nord de l'Ontario.

Félicitations, CINN.

#### HEALTH PARTNERS INTERNATIONAL OF CANADA

**Mr. Kuldip Kular (Bramalea–Gore–Malton–Springdale):** It's an honour to rise today at the start of a new session of government to acknowledge yet another outstanding organization in my riding of Bramalea–Gore–Malton–Springdale.

During the summer, I had the privilege to visit the Health Partners International of Canada distribution centre in my riding. This charity is a national organization that helps Canadians to send medical aid to the developing world. It works alongside many associations, such as the World Health Organization and the Canadian International Development Agency, to ensure that vital medicines are expedited quickly to aid workers for efficient delivery to the people who need them most.

It's great to see an organization which not only has such a positive influence on the community but also on other parts of the world. I'm truly proud and honoured that HPIC is a part of my riding, and I encourage it to continue in all its humanitarian efforts.

HPIC's response to the conflict in Lebanon was the shipment of 60 physician travel packs to Lebanon in August. There were enough medicines in those packs to treat 60,000 people.

I have every confidence that they will continue to thrive in bringing medical aid to millions of adults and children in the developing world from right here in my riding of Bramalea–Gore–Malton–Springdale.

#### NORTHERN ONTARIO

**Mr. Norm Miller (Parry Sound–Muskoka):** John Tory keeps his promises. This past weekend, more than 100 attendees met in North Bay for the northern summit. John Tory committed to a northern summit in his leadership race and, unlike Dalton McGuinty, who says anything and promises anything to get elected, John Tory does what he says he's going to do.

We heard that Dalton McGuinty broke his promise to the resource industry and his promise to take action on the high cost of electricity, a promise he made a year ago. Four thousand jobs later, his energy minister's plan is to tell northerners, "Too bad, so bad. Wrap yourself in a blanket and drink some good red wine."

The fact is that in Dalton McGuinty's northern Ontario wait times are up, there are not enough doctors, youth are leaving, the forestry sector is dying, and northerners feel cut out of the decision-making process. The Liberal one-size-fits-all plan doesn't work in the north.

Thankfully, this weekend we heard some exciting things that the north can do. We heard about the possibilities for the future in mining and forestry, the opportunities to create economic development for aboriginal communities, and the wonderful results that can be achieved if we work to bring better infrastructure in telecommunications to northern Ontario.

Needless to say, it was a great weekend. I want especially to thank John Tory for holding, attending and contributing so much to the summit and, by so doing, honouring a promise he made to the north: keeping a promise, something northerners now know not all politicians—

**The Speaker (Hon. Michael A. Brown):** Thank you.

#### SENIOR CITIZENS

**Ms. Deborah Matthews (London North Centre):** I've always said that the seniors in my riding of London North Centre are especially dynamic and involved members of the community. I'd like to take this opportunity to tell you about a few of them.

A few weeks ago I was fortunate to have the opportunity to see some amazing Londoners perform in the RBC Seniors' Jubilee at Roy Thomson Hall here in Toronto. Some of these fine people are here with us today.

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One of the performers was Sebastiano Barberi, known as Sam to his adoring friends. Sam was an outstanding performer and has wowed audiences across the world. His magnificent rendition of *Nessun Dorma* and *La donna è mobile* brought many of the audience at Roy Thomson Hall, including myself, to tears.

Also at the seniors' jubilee, I had the joy of seeing Deborah O'Hara's Stardust Cloggers. This dance troupe was spectacular, and their energetic performance delighted the audience members and proved that age is just a state of mind. Along with Debbie, the troupe is made up of Sylvia Nichols, Marie Munro, Janette Irwin, Annette Laidlaw, Marg Fountain, Chyleen Munday, Brenda Primmer, Sherry Jordan and Nancy Brandie.

I'm pleased to welcome this great group of seniors to the House today. I ask you to join me in thanking them all for sharing their outstanding talent with their fellow Ontarians and inspiring all of us to keep active, no matter what our age.

#### PREMIER OF ONTARIO

**Mr. John Milloy (Kitchener Centre):** Last Thursday, my community of Kitchener-Waterloo was pleased to host fDi magazine's annual Personality of the Year Award. fDi is a leading-edge, international business magazine, part of the Financial Times Group, which is based in London, England. Each year, it recognizes the political and business leaders from around the world who have been most proactive, dynamic and innovative in improving the business environment of their jurisdiction. Ontarians will be proud to know that this year's overall global winner was our Premier, the Honourable Dalton McGuinty. The Premier was recognized for his vision and leadership in terms of research and innovation, our auto investment strategy and his efforts to guarantee a safe, clean and reliable supply of energy for our future.

The ceremony was also an important recognition of Waterloo region. Thursday's event marked the first time that fDi held their awards ceremony on this side of the Atlantic. Previous ceremonies have been held in world-class cities like London, Amsterdam and Seoul, and now Kitchener-Waterloo has joined their ranks. My community's selection as host city is a testament to its economic success particularly in the area of research and innovation, success that has been supported by the hard work of our Premier.

I'd like to congratulate Premier McGuinty on receiving this well-deserved international recognition. I would also like to thank the sponsors of the event, the Centre for International Governance Innovation, Canada's technology triangle—

*Interjections.*

**The Speaker (Hon. Michael A. Brown):** Thank you. I know that everyone is quite happy to be back and happy to be visiting with all other members, but the level of ambient noise in here is a little bit much for the Speaker to deal with. So if we could take the private conversations outside, that would be appreciated.

#### CANADIAN FORCES

**Mr. Phil McNeely (Ottawa-Orléans):** Last Friday, I was part of an event hosted by News Talk Radio 580 CFRA in Ottawa. I had the pleasure of joining a huge crowd on Parliament Hill in front of the Peace Tower in support of our troops. It is so important to let our troops know that they have our support, that we appreciate the sacrifices they are making. Every Friday, we are encouraged to wear red to show our support for the Canadian Forces.

This past Friday on Parliament Hill, a gathering of over 20,000 people donned their red hats, shirts, bandanas and jackets and participated in a giant public rally. We were joined by police officers, firefighters, city staff, politicians of all stripes, OC Transpo staff, paramedics, United Way workers, private business people and more in a colourful parade of veterans to show our respect and thanks in a very public way.

I attended the event with Minister Jim Watson and members of my staff, colleagues and friends. In the comfort of our safe, comfortable environment, it is so easy to forget the Canadian men and women who live constantly in a state of uncertainty and danger. I know that Friday's rally was an important support for our troops and served as a reminder to all of us that we must always be grateful for what we have here in Ontario and Canada.

#### RESIGNATION OF MEMBER FOR YORK–SOUTH WESTON

**The Speaker (Hon. Michael A. Brown):** I beg to inform the House that during the recess a vacancy has occurred in the membership of the House by reason of the resignation of Joe Cordiano as the member for the electoral district of York–South Weston, effective the 22nd day of September, 2006.

#### RESIGNATION OF MEMBER FOR MARKHAM

**The Speaker (Hon. Michael A. Brown):** I beg to inform the House that during the recess, a vacancy has occurred in the membership of the House by reason of the resignation of Tony Wong as member for the electoral district of Markham, effective the 22nd day of September, 2006.

#### TABLING OF REPORTS

**The Speaker (Hon. Michael A. Brown):** I beg to inform the House that during the adjournment, the following reports of parliamentary officers were tabled:

On June 27, 2006, the 2005 annual report of the Information and Privacy Commissioner; and on August 9, 2006, the special report of the Ombudsman respecting the Family Responsibility Office.

#### STANDING COMMITTEE ON GOVERNMENT AGENCIES

**The Speaker (Hon. Michael A. Brown):** I beg to inform the House that during the adjournment, the Clerk received the report of intended appointments, dated September 5, 2006, of the standing committee on government agencies. Pursuant to standing order 106(e)9, the report is deemed adopted by the House.

#### REQUEST TO THE INTEGRITY COMMISSIONER

**The Speaker (Hon. Michael A. Brown):** I beg to inform the House that I have laid upon the table a request by the member for York West, Mr. Sergio, to the Honourable Coulter A. Osborne, Integrity Commissioner, for an opinion pursuant to subsection 30(1) of the Members' Integrity Act, 1991.

#### RELEASE OF PUBLIC ACCOUNTS

**The Speaker (Hon. Michael A. Brown):** I beg to inform the House that, pursuant to section 28 of the Auditor General Act, I have laid upon the table the audited financial statements of the Office of the Auditor General for the year ended March 31, 2006.

**Mr. Robert W. Runciman (Leeds–Grenville):** On a point of order, Mr. Speaker. It is with great concern that I herewith submit what the official opposition perceives to be a matter of contempt of the Legislative Assembly of Ontario for your consideration and that of the members of this Assembly.

As you are aware, the official opposition, under the leadership of John Tory, has placed great emphasis on the need to restore decorum and integrity to the activities and proceedings of the Legislative Assembly of Ontario. We've made it a priority on the part of our caucus to restore order, civility and respect to the proceedings of the House and had hoped that the Premier and the government caucus would contribute to our initiative by keeping their campaign commitment to "treat the Legislature, its members and the people they represent with respect at all times."

Our focus on restoring integrity and decorum in this assembly is rooted in respect for the fundamental doctrine of our parliamentary democracy: responsible government. This doctrine has been discussed often in our chamber and in other legislative chambers across the Commonwealth. Indeed, as Speaker Fraser in Canada's House of Commons observed on October 10, 1989, "We are not an executive democracy. We are not an administrative democracy. We are a parliamentary democracy that pivots on the doctrine of responsible government."

As the renowned parliamentary authority Eugene Forsey states at page 18 of his October 1985 submission, *The Question of Confidence and Responsible Government*, to a special parliamentary committee of the Canadian House of Commons:

"Responsible government is the term we use to describe the harmony between the executive and the Legislature that we have already achieved. It is the essential and distinctive feature of the British parliamentary democracy.... The essence is simple: The executive is accountable to and owes its continued existence to the Legislature. The executive is accountable and answerable, not only for its budget, its money measures and its legislative proposals, but also for the whole range of its activities. The servants of the sovereign can continue in office only so long as they retain the confidence of the Legislature; which means only so long as they can secure the grant of supply—the making of appropriations from the consolidated revenue fund necessary to carry on the programs they desire....

"The House of Commons owes its origins, its growth in power, its pre-eminence and its ultimate authority over the government to money." Again, this is Eugene Forsey.

**1400**

"The prime function of the House of Commons, the very source of its power in the centuries up to the first

reform bill, had been the granting of supply, the control of power of the purse, involving originally only grants and aids but later also control over the objects on which monies were to be spent and ensuring the monies voted were not spent otherwise.”

In short, Mr. Speaker, our primary role as legislators and as members of this Assembly is in holding members of the executive to account, and, while this role is universal, it is most relevant in matters of money.

Indeed, as Marleau and Montpetit observe, the history of our very processes and procedure is rooted in those matters:

“The development of parliamentary procedure is closely bound up with the evolution of the financial relationship between Parliament and the crown. As the executive power, the crown is responsible for managing all the revenue of the state, including all payments for public service. The crown, on the advice of its ministers, makes the financial requirements of the government known to the House of Commons which, in return, authorizes the necessary ‘aids’ (taxes) and ‘supplies’ (grants and money). No tax may be imposed, or money spent, without the consent of Parliament.

“The direct control of national finance has been referred to as the ‘great task of modern parliamentary government.’ That control is exercised at two levels. First, Parliament must assent to all legislative measures which implement public policy and the House of Commons authorizes both the amounts and objects or destination of all public expenditures. Second, through its review of the annual departmental performance reports, the public accounts and the reports of the Auditor General, the House ascertains that no expenditure was made other than those it had authorized.”

It is on the question of the fundamental importance of the role of this assembly in the second level of this “great task,” specifically the review of the public accounts of Ontario, that I wish to address in this submission.

As Marleau and Montpetit state further at pages 762 and 763:

“The financial role of the House of Commons does not end with voting supply or authorizing measures to raise revenue. The House also acts as a ‘watchdog’ to ensure that federal money is spent in the amounts and for the purposes authorized by the Parliament. This monitoring function (often described as ‘closing the loop’) is delegated largely to the standing committee on public accounts, which examines and reports the public accounts of Canada, as well as on all reports of the Auditor General....

“The fundamental purpose of the public accounts ... is to provide information to Parliament, and thus to the public, which will enable them to understand and evaluate the financial position and transactions of the government. Two constitutional principles underlie the public accounting system: that duties and revenues accruing to the government ... form one consolidated revenue fund, and that the balance of that fund after certain prior charges is appropriated by the Parliament ... for the public service.”

The “watchdog” role of our assembly is an integral part of our responsibilities and roles as legislators in representing the people of Ontario, and it is imperative that we—and especially representatives of this House who sit as members of the standing committee on public accounts—have the opportunity to both examine and understand the public accounts of the province.

Marleau and Montpetit speak to the function of this standing committee at page 768:

“Under the standing orders, all reports of the Auditor General, as well as the public accounts..., are deemed permanently referred to the standing committee on public accounts as soon as they are tabled in the House....

“The committee’s main functions are to ensure that public money is spent for the purposes authorized by Parliament, that extravagance and waste are minimized and that sound financial practices are encouraged in estimating and contracting, and in administration generally. The committee does not concern itself with the appropriateness of government policy; rather it focuses on the economy and efficiency of its administration.”

Erskine May reinforces this interpretation of the particular and detailed oversight required of this standing committee:

“The committee is principally concerned with whether policy is carried out efficiently, effectively and economically whether than with the merits of government policy. Its main functions are to see that public monies are applied for the purposes prescribed by Parliament, that extravagance and waste are minimized and that sound financial practices are encouraged in estimating and contracting, and in administration generally.”

As in the federal House of Commons, referenced by Marleau and Montpetit, the critical mandate of the standing committee on public accounts is set out in standing orders of the Legislative Assembly of Ontario. Standing order 106(13)(g) establishes:

“Standing committee on public accounts which is empowered to review and report to the House its observations, opinions and recommendations on the Report of the Provincial Auditor and the public accounts, which documents shall be deemed to have been permanently referred to the committee as they become available.”

Further, and more particularly, the Ministry of Treasury and Economics Act, RSO 1990, entrenches the statutory terms for the tabling of the public accounts, thereby emphasizing the importance of the public accounts in the financial processes of the province of Ontario and the oversight role of the elected assembly and its standing committee on public accounts:

“The public accounts for each fiscal year commencing on or after April 1, 2003 shall be prepared under the direction of the Treasurer and shall include,

“(a) the annual report of the government of Ontario for the fiscal year;

“(b) the summary financial statements of the government of Ontario for the fiscal year;

“(c) the report of the Auditor General concerning his or her examination of the summary financial statements; and

“(d) subject to subsection (2.2), any other information that is required, under another act of the Legislature, to be included in the public accounts....

“Except in extraordinary circumstances, the Treasurer shall submit the public accounts for each fiscal year commencing on or after April 1, 2003 to the Lieutenant Governor in Council on or before the 180th day after the end of the fiscal year and the Lieutenant Governor in Council shall,

“(a) lay the public accounts before the assembly, if the assembly is in session when the public accounts are ready to be laid before the assembly; or

“(b) make the public accounts public, if the assembly is not in session when the public accounts are ready to be laid before the assembly, and lay the public accounts before the assembly on or before the tenth day of the next session.”

Standing order 39(a) provides:

“Reports, returns and other documents required to be laid before the House by any act of the assembly or under any standing order or resolution of the House, or that any minister wishes to present to the House, may be deposited with the Clerk of the House, whether or not on a sessional day, and such report, return or other document shall be deemed for all purposes to have been presented to or laid before the House. A record of any such document shall be entered in the Votes and Proceedings on the day it is filed except that where it is filed on a day that is not a sessional day, it shall be entered in the Votes and Proceedings of the next sessional day.”

Mr. Speaker, consideration historically has been given by the government of the day to ensure that the public accounts of this province are tabled while the House is in session. This allows for the appropriate scrutiny of the accounts by the members, provides them with the opportunity to hold the members of the executive accountable, and ensures that the members of the standing committee on public accounts are able to consider the accounts of the province in detail and in a timely manner. Indeed, there have been but three instances when the public accounts have not been tabled when the House was sitting: October 3, 1985; October 20, 1994; and August 24, 2006, when the House was adjourned for summer recess.

While we regret that the Minister of Finance chose to release the public accounts while the House was recessed, our concern is with the manner in which the minister made the public accounts of Ontario public. For the purposes of the matter at hand, I would like to review the chronology of events around the publicizing of the public accounts of Ontario, as we in the official opposition are aware of them:

At 9:51 a.m., The Ontario Ministry of Finance issues a media advisory on Canada NewsWire indicating that a “briefing for the media” on the release of the public accounts of Ontario would open at 1 p.m. for a briefing by Ministry of Finance officials to begin at 1:30 p.m. and for “media availability” with the minister at 2:15 p.m. The media notice stipulates that media must be ready to show identification. No similar notice or invitation is

extended to elected officials of any party or their staff. No similar invitation is extended to appointed members of the legislative standing committee on public accounts or committee staff.

At 2:31 p.m., The Ontario Ministry of Finance issues a press release and background document, “Province Achieves Modest Surplus in 2005-06.”

#### 1410

With all due respect, when the media advisory was issued, the majority of elected members of this House were conducting themselves in their ridings, attending to the concerns of their constituents. No specific notice or invitations were sent to the elected members of this House. We would argue that three hours’ notice of a special meeting, a special briefing, had it even been offered to members of this assembly, is hardly adequate for members to rearrange their constituency operations and travel to Queen’s Park.

We would also argue that we do not consider this briefing to be some kind of value-added presentation either. Access to the briefing meant access to the public accounts; denied access to the briefing meant denied access to the public accounts. The members of this assembly were not afforded the privilege of even a briefing concurrent to that offered to the media that afternoon. Indeed, the only interpretation of the public accounts provided to assembly members came through the Ministry of Finance press release and background issued at 2:31 p.m. on August 24, 2006, one and a half hours after the media had been briefed on the contents of the public accounts for 2005-06, and through the filter of media reports that had already interpreted the information provided to them at that special meeting.

I should note for the record that this is the first occasion in the history of this assembly that we’re aware of where special briefings have been deemed necessary by the Minister of Finance on the release of the public accounts. I’ll grant you that, in the past, the House has usually been sitting and members have had the benefit of the opportunity to question the Premier, the minister and other members of the executive directly in question period. In the past, we would have had the benefit of the standing committee on public accounts at the ready to consider the documents tabled and to question ministry officials, as is its mandate and indeed responsibility under the standing orders and the principles of responsible government which I’ve already cited.

In this instance, no authorization was provided to the standing committee when this House passed, on June 22, 2006, a motion to allow standing committees to sit during the recess, so there could be no formal sitting of that committee. Had the Minister of Finance and the government anticipated tabling the accounts during the recess, the House could have provided for the standing committee on public accounts to sit during the recess as necessary when we passed that June 22 motion. Alternatively, the minister had until the 108th day after the fiscal year-end—that’s tomorrow, September 26—to table the public accounts. The minister could easily have



tabled the accounts today and provided an appropriate briefing to both media and elected members.

It's evident from this special briefing offered only to the media, however, that the minister believed that the release of the public accounts was an urgent matter and that those accounts could not be properly understood without the benefit of expert commentary and explanation from senior officials in the Ministry of Finance. Given that any formal briefing external to that provided to the standing committee on the public accounts of Ontario is unprecedented, the Minister of Finance should have considered the pre-eminent role of this House and its committee in the consideration of those accounts. In a situation where the minister deemed that the information contained within those accounts merited special commentary—and indeed where there was a marked difference between the expenditures proposed in the 2005-06 provincial budget and estimates and what the public accounts documented as having been spent—briefings, at the very least, ought to have been arranged for the elected members of this assembly at the same time as those provided to members of the Queen's Park press gallery. Such a process would merely have built on the practice used for briefings on the release of the Ontario budget and the report of the Auditor General of Ontario.

We believe that it is quite proper to brief the media. However, we do not believe that it is proper that commentary on the province's expenditures was provided not merely first, but exclusively, to the media rather than to the legislators to whom the minister and executive ought to be accountable. So the affront on the information related is not merely in its priority going to the media first but in its quality, failing to provide legislators at all with the guidance deemed so essential to understanding the financial affairs of the province.

This recent practice and others that have followed it—such as so-called technical briefings for media only at the Ministries of Training, Colleges and Universities, Health and Long-Term Care and, most recently, Economic Development and Trade—represent anything but respect for the role and representation of the elected members of this assembly. Indeed, we believe that the specific matter at hand represents an offence against the authority and dignity of this House that fails to recognize the rights and primacy of its members to hold the government and executive accountable.

In this instance, where the public accounts of Ontario were released while the House was adjourned for the summer recess, yet still in session, detailed, technical information was provided only to the media to allow them to judge the actions of the executive and hold it accountable. As indicated, media were afforded the opportunity to question the minister immediately and directly after having been briefed on the details of the public accounts. That same access was denied the elected members of this assembly and appointed members of the standing committee on public accounts, where public accounts are permanently deemed referred. In this instance, the elected members of this assembly, save for

members of the executive, were reliant on media as intermediaries in understanding and reporting the details of the public accounts to the very people they represent.

For the record, we must indicate that, on the date in question, a representative of the Progressive Conservative caucus staff was denied access to the briefing, and when one of our elected members was able to arrive in time for the media availability with the minister, both he and our staff representative were given access to that press conference only after members of the Queen's Park press gallery threatened to leave if members of the opposition parties or representatives, including representatives of the third party, were not permitted to stay.

Did the Minister of Finance believe that a special briefing—deemed exclusively necessary for the media—would not be of interest or of relevance to the elected members of this assembly in our role and responsibility of holding the executive accountable for the expenditures of the province?

While we do not intend to derogate the important role and responsibility of the media in publicizing and holding the government accountable, we believe that the role of the elected member of the Legislative Assembly ought to be supreme. In this instance, it was not even held to be equal.

In this instance, we would argue that the Minister of Finance usurped the role and responsibilities of the broader membership of this assembly and the membership of the standing committee on public accounts. Indeed, this instance interferes profoundly with the role of the Legislative Assembly and its officers in a system of responsible government.

Providing access to the public accounts to media first to the exclusion of the elected members of this assembly and denying elected members the same briefing afforded the media not only was unhelpful; it was a disrespectful offence to the authority and dignity of this House and represents contempt of this Legislature.

Joseph Maingot's *Parliamentary Privilege in Canada*, second edition, holds:

“As a working rule it can be said that when an offence is not identifiable as a breach of known and enumerated rights and immunities, then the offence is a contempt of Parliament’....

“The significant difference between a breach of privilege and contempt may be put this way:

“(1) Privileges are enumerated and known and thus may be breached whereas contempts are not enumerable.

“(2) The extent of the law of privilege is a proper subject of inquiry for a court, whereas the House of Commons is the judge as to whether in a particular case a breach of privilege or a contempt of the House has been committed.

“(3) Contempt is more aptly described as an offence against the authority or dignity of the House.

“(4) While privilege may be codified, contempt may not, because new forms of obstruction are constantly being devised and Parliament must be able to invoke its penal jurisdiction to protect itself against these new

forms; there is no closed list of classes of offences punishable as contempts of Parliament.”

#### 1420

In a ruling in the Canadian House of Commons on October 10, 1989, Speaker Fraser clarified that “all breaches of privileges are contempts of the House, but not all contempts are necessarily breaches of privilege. A contempt may be an act or an omission. It does not have to actually obstruct or impede the House or a member[;] it merely has to have the tendency to produce such results. Matters ranging from minor breaches of decorum to grave attacks against the authority of Parliament may be considered as contempts.”

Erskine May defines contempt at pages 128 and 142 of the 23rd edition: “Generally speaking, any act or omission which obstructs or impedes either House or Parliament in the performance of its functions, or which obstructs or impedes any member or officer of such House in the discharge of his duty, or which has a tendency, directly or indirectly, to produce such results, may be treated as a contempt even though there is no precedent for the offence. It is therefore impossible to list every act which might be considered to amount to a contempt, the power to punish for such an offence being of its nature discretionary....”

“Other acts besides words spoken or writings published reflecting upon either House or its proceedings which, though they do not tend directly to obstruct or impede either House in the performance of its functions, yet have a tendency to produce this result indirectly by bringing such House into odium, contempt or ridicule or by lowering its authority may constitute contempts.”

We are arguing that the Minister of Finance, in disregarding the roles and responsibilities of the members of this House associated with the finances and expenditures of the province and the release of the public accounts of Ontario, and in providing a special briefing deemed by the minister and the executive as so necessary to the media and to the exclusion of the elected members of this assembly and the assembly’s standing committee on public accounts, was in contempt.

The integrity of and respect for the principles of accountable, responsible government are fundamental to the effective and legitimate processes and procedures of this assembly. On May 8, 2003, Speaker Carr noted that “parliamentary proceedings can be animated and often emotional, and they can be cumbersome. It may not be the most efficient of political systems, but it is a process that reflects the reality that members, like the people of Ontario, may not be of one mind on matters of public policy. A mature parliamentary democracy is not a docile, esoteric or one-way communications vehicle; it is a dynamic, interactive and representative institution that allows the government of the day to propose and defend its policies—financial and otherwise. It also allows the opposition to scrutinize and hold the government to account for those policies. It is an open, working and relevant system of scrutiny and accountability.”

Further, and ironically, on May 12, 2003, the honourable member for Ottawa South, who now sits as Premier of Ontario, stood before the assembled members of this House and largely echoed Speaker Carr’s comments as he spoke to the process used by the government of the day: “I think we can all understand that democracy is slow, it is messy, it is cumbersome, it is inefficient and it’s wonderful. The government lost sight of the value of the democratic institution itself and the Parliament, of the importance that we should always attach to conventions and rules and process.”

Yet on August 24, 2006, the day that the Minister of Finance deliberately and consciously chose to table the public accounts of Ontario with the Legislative Assembly of Ontario when the House was recessed, the minister completely disregarded the roles and responsibilities of the elected members of this House in scrutinizing and holding the government responsible and to account for those accounts. The minister disregarded that watchdog function so fundamental to the financial role of Parliament in a system of responsible government. Indeed, to repeat Marleau and Montpetit, “The fundamental purpose of the public accounts ... is to provide information to Parliament, and thus to the public, which will enable them to understand and evaluate the financial position and transactions of the government.”

Marleau and Montpetit hold, therefore, that the principal surrogates for the public are members of Parliament. Yet on August 24, 2006, the Minister of Finance believed that the public accounts for 2005-06 needed explanation and commentary to be understood fully, and this information on the public accounts of Ontario was provided first to the media, and thus to the public and Parliament. Indeed, it was only at the behest of the media that members of the opposition and third party were even allowed to be privy to the questions media asked the minister following their private briefing. Members of this assembly were not provided public access to the public accounts of Ontario until one and a half hours after media had been briefed by senior Ministry of Finance officials and had had the opportunity to question the minister. If information is being made public, it must include access and full disclosure to members of the assembly. To deny that access is contempt.

Indeed, had we at least known in advance that the public accounts were to have been tabled on August 24, 2006, our members could have made efforts to obtain copies of the accounts as soon as they had been presented to the Clerk’s office, and members could have made themselves available for the special briefing deemed so necessary by the Minister of Finance and for the opportunity to question the minister.

To that point, the 2003 budget process brought to the floor the fundamental roles, responsibilities and obligations of this assembly as they relate to the principles of responsible government and the financial processes and procedures of the province. In that instance, the government argued that it was taking the budget directly to the people. Well, the opposition argued, and Speaker

Carr agreed, that in making the budget public in a way that bypassed the House, notwithstanding that documents had been duly tabled with the assembly and, in that instance, concurrent briefings to members, media and stakeholders in the lock-up were provided, there was sufficient cause for the House to consider the matter of contempt.

We believe that Speaker Carr's findings in 2003 present a precedent for the House to consider the matter at hand concerning the release of the 2005-06 public accounts.

We believe that the remarks made in May 2003 by the honourable member for Ottawa South hold true, which I've already read into the record.

We therefore submit that the circumstances concerning the release of and briefing on the public accounts of Ontario on August 24, 2006, and the egregious disregard for the roles and responsibilities of the members of this assembly, constitute a matter of contempt that merits the consideration of this House so as to ensure that such incidents never occur again.

**Mr. Peter Kormos (Niagara Centre):** The New Democratic Party wants to join in the submissions made by the member for Leeds-Grenville. His narration of the facts is accurate and complete and doesn't require any further comment. His reference to the precedents is, as well, exhaustive and requires no further comment. So I submit but this to you, and that is to look at the motivation of the government in this type of conduct. The only inference that can be drawn is that it's an effort on the part of the government to have access to the press without any involvement on the part of opposition members, an opportunity for the government to spin the numbers with the press without participation and without witnessing by members of the opposition.

I ask you further to note that the government can't argue de minimis. It's clear that any breach of this type constitutes a contempt. In this instance, it was not just a demonstration of disregard and disdain by the government for opposition members, but it was a conscious effort on the part of this government to frustrate the opposition in the performance of their duties, their responsibilities. That comes from a government that purports to introduce democratic renewal. That comes from a Premier who pretends to want to do things differently, but rather, we have some of the most shameful manipulation on the part of this government and some of the most egregious disregard for the role of parliamentarians that's ever been demonstrated in this Parliament.

1430

**Hon. Greg Sorbara (Minister of Finance, Chair of the Management Board of Cabinet):** On the same point of order, Mr. Speaker: I am really somewhat dismayed that, after a summer of all of us being engaged with 12 and a half million people in Ontario, my friends opposite would come to this Parliament this afternoon with this order.

I listened attentively to my friend from Leeds-Grenville. I want to tell you that I will undertake, along

with the government House leader, to provide a more fulsome and perhaps written response for your consideration, given the allegations that are made by my friend from Leeds-Grenville—but just, at this point, to put a couple of things on the record for the consideration of members who are sitting in this House at this point.

First of all, we are extremely proud of the fact that, consistent with the theme and the spirit of the Fiscal Transparency and Accountability Act, the government was able to release the financial statements from 2005-06 as early and as clearly as we did, and we're going to continue to do that. The notion, somehow, that we should sit on financial statements until some time more convenient is a principle that we do not agree with.

Secondly, just to be very clear: What my friend from Leeds-Grenville is talking about was the release of the annual financial statements for this government for the year 2005-06. Those financial statements were tabled with the Clerk of this House before they were released to anyone—to members of the media, to members of the public—and therefore were available to my friends opposite at 1 o'clock on August 24.

The third point to be made is that, consistent with the notion of transparency and accountability, we offered to the media a technical briefing and we offered to members opposite a technical briefing. What is interesting is that members of the media took up the offer for a technical briefing and members opposite did not take up the offer for a technical briefing.

Finally, I simply want to say, as a precedent to the submissions that we will be making, that the approach of this government in terms of transparency and clarity and providing access to information will be the very highest standard of any Parliament in the country or in the world, and we will continue that tradition.

**The Speaker:** I'd like to thank the member for Leeds-Grenville for raising the point of order with me, and the member for Niagara Centre and the Minister of Finance for their interventions. I will reserve my judgment on this matter.

#### BIRTH OF MEMBER'S GRANDCHILD

**Mrs. Maria Van Bommel (Lambton-Kent-Middlesex):** On a point of order, Mr. Speaker: I just want to tell the Legislature that Rene and I became grandparents for the 10th time last week on Tuesday. Rose was born to our daughter Amanda and her husband Aaron Shelly, and Grace now has a baby sister, so just wait for the Christmas card.

#### VISITOR

**The Speaker (Hon. Michael A. Brown):** In the members' gallery east, we have a former member of this place, Ed Fulton, the former member for Scarborough East in the 33rd and 34th Parliament. Welcome, Mr. Fulton.

## REPORTS BY COMMITTEES

### COMITÉ PERMANENT DE LA POLITIQUE SOCIALE STANDING COMMITTEE ON SOCIAL POLICY

**M. Shafiq Qadri (Etobicoke–Nord):** Monsieur le Président, je demande la permission de déposer un rapport du comité permanent de la politique sociale, et je propose son adoption.

Speaker, I beg leave to present a report from the standing committee on social policy and move its adoption.

**The Clerk-at-the-Table (Ms. Lisa Freedman):** Your committee begs to report the following bill as amended:

Bill 43, An Act to protect existing and future sources of drinking water and to make complementary and other amendments to other Acts / Projet de loi 43, Loi visant à protéger les sources existantes et futures d'eau potable et à apporter des modifications complémentaires et autres à d'autres lois.

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

The bill is therefore ordered for third reading.

### STANDING COMMITTEE ON PUBLIC ACCOUNTS

**Mr. Norman W. Sterling (Lanark–Carleton):** Pursuant to the order of the House of June 22, 2006, I beg leave to present a report on ambulance services—land from the standing committee on public accounts and move the adoption of its recommendations.

**The Speaker (Hon. Michael A. Brown):** Does the member wish to make a brief statement?

**Mr. Sterling:** Yes, Mr. Speaker. As you know, the public accounts committee reviews the report of the auditor, which came out in late November 2005. In that report was a substantial finding with regard to the inefficiency of our land ambulance services, where it was recognized that two thirds of the land ambulance operators were not meeting their legislated response times, which were the 1996 response times, so two thirds of our municipalities had fallen back from 1996 response times. The total cost of the program had increased by 94% over the previous four years.

The committee studied various different themes associated with the problems with our land ambulance services, including plans to address delays in hospital emergency admission of patients arriving in ambulances and problems with regard to cross-border jurisdiction in providing ambulance services.

The committee made a whole number of recommendations, and it is perhaps one of the areas in which the committee feels that there needs to be a lot of work, to improve the administration of this particular program.

I move adjournment of the debate.

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

## 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 (Ms. Lisa Freedman):** Your committee begs to report the following bill as amended:

Bill 51, An Act to amend the Planning Act and the Conservation Land Act and to make related amendments to other Acts / Projet de loi 51, Loi modifiant la Loi sur l'aménagement du territoire et la Loi sur les terres protégées et apportant des modifications connexes à d'autres lois.

**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 1437 to 1442.*

**The Speaker:** Mrs. Jeffrey has presented Bill 51. Shall the report be received and adopted?

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

### Ayes

Arthurs, Wayne	Gerretsen, John	Pupatello, Sandra
Balkissoon, Bas	Hoy, Pat	Qadri, Shafiq
Bartolucci, Rick	Jeffrey, Linda	Racco, Mario G.
Bentley, Christopher	Kular, Kuldip	Ramal, Khalil
Bountrogianni, Marie	Kwinter, Monte	Ramsay, David
Bradley, James J.	Leal, Jeff	Rinaldi, Lou
Broten, Laurel C.	Levac, Dave	Ruprecht, Tony
Bryant, Michael	Marsales, Judy	Sandals, Liz
Cansfield, Donna H.	Matthews, Deborah	Sergio, Mario
Caplan, David	McNeely, Phil	Smith, Monique
Chambers, Mary Anne V.	Meilleur, Madeleine	Smitherman, George
Colle, Mike	Milloy, John	Sorbara, Gregory S.
Crozier, Bruce	Mitchell, Carol	Takhar, Harinder S.
Delaney, Bob	Mossop, Jennifer F.	Van Bommel, Maria
Di Cocco, Caroline	Oraziotti, David	Watson, Jim
Dombrowsky, Leona	Parsons, Ernie	Wilkinson, John
Duguid, Brad	Patten, Richard	Wynne, Kathleen O.
Duncan, Dwight	Peters, Steve	Zimmer, David
Flynn, Kevin Daniel	Peterson, Tim	
Fonseca, Peter	Phillips, Gerry	

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

### Nays

Arnott, Ted	Kormos, Peter	Runciman, Robert W.
Barrett, Toby	MacLeod, Lisa	Scott, Laurie
Bisson, Gilles	Marchese, Rosario	Sterling, Norman W.
Chudleigh, Ted	Martel, Shelley	Tabuns, Peter
DiNovo, Cheri	Martiniuk, Gerry	Tascona, Joseph N.
Dunlop, Garfield	Miller, Norm	Tory, John
Elliott, Christine	Munro, Julia	Wilson, Jim
Hardeman, Ernie	Murdoch, Bill	Witmer, Elizabeth
Horwath, Andrea	O'Toole, John	Yakabuski, John
Hudak, Tim	Ouellette, Jerry J.	
Klees, Frank	Prue, Michael	

**The Clerk of the Assembly (Mr. Claude L. DesRosiers):** The ayes are 58; the nays are 31.

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

The bill is therefore ordered for third reading.

STANDING COMMITTEE ON  
PUBLIC ACCOUNTS

**Mr. Norman W. Sterling (Lanark–Carleton):** Pursuant to the order of the House of June 22, 2006, I beg leave to present a report on ambulance services—air from the standing committee on public accounts and move the adoption of its recommendations.

**The Speaker (Hon. Michael A. Brown):** Does the member wish to make a brief statement?

**Mr. Sterling:** Yes. The committee looked at the functioning of the crown corporation or non-profit corporation which has been set up to run air ambulances across the province of Ontario. There are some questions, and some improvements can be made to this particular service.

One of the things that the committee looked long and hard at was the provision of air ambulance services to non-residents who are in Ontario who require that service. At the present time, Ontario is providing that service not at cost-recovery mode. It was felt by the committee that people from other provinces should be treated the same way as residents from our province should be treated when they are in the other provinces. The committee makes a recommendation that full cost recovery be implemented with regard to non-residents requiring this service, unless their province provided a reciprocal service for our residents when they were there.

The committee also asked for a rationale for this new corporation taking away the responsibility of the supplier for the provision of paramedics for each of the air ambulance flights. The committee has asked for the ministry to report to the committee in 2008 on the number of flight cancellations due to paramedics not being available and the resulting cost.

I move adjournment of the debate.

**The Speaker:** Mr. Sterling has moved adjournment of the debate. Is it the pleasure of the House that the motion carry? Carried.

STANDING COMMITTEE ON  
REGULATIONS AND PRIVATE BILLS

**Ms. Andrea Horwath (Hamilton East):** I beg leave to present a report from the standing committee on regulations and private bills regarding Bill 89, which was unanimously supported by committee, and move its adoption.

**The Clerk-at-the-Table (Ms. Lisa Freedman):** Ms. Horwath from the standing committee on regulations and private bills presents the committee's report as follows, and moves its adoption:

Your committee begs to report the following bill as amended:

Bill 89, An Act to amend the Child and Family Services Act and the Coroners Act to better protect the children of Ontario.

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

The bill is therefore ordered for third reading.

STANDING COMMITTEE ON  
PUBLIC ACCOUNTS

**Mr. Norman W. Sterling (Lanark–Carleton):** Pursuant to the order of the House of June 22, 2006, I beg leave to present a report on children's mental health services from the standing committee on public accounts and move the adoption of its recommendations.

1450

**The Speaker (Hon. Michael A. Brown):** Does the member wish to make a brief statement?

**Mr. Norman W. Sterling (Lanark–Carleton):** Yes. This report by the committee homes in on the information systems of the Ministry of Children and Youth Services. This is the first time, to my knowledge, that the public accounts committee has asked the ministry to return at a future date to update the committee on their progress with regard to a particular administrative matter. We have asked that the ministry come before the committee in the spring of 2007 to report on their information systems because there is a feeling that the ministry is not well enough aware of the various amounts of money that are being paid to various parts of our province and that, therefore, priorities cannot be properly set when allocating new funds.

Also within this report are recommendations in response to the report which the committee requested on autism treatment. There are several recommendations dealing with how that particular program is delivered by the government and how in fact that program can be delivered in a more efficient, economical way, and that the children receiving this treatment can in fact make up for many of the lost hours which they are not getting because the therapist does not show on a particular date.

With those remarks, I would move adjournment of the debate.

**The Speaker:** Mr. Sterling has moved adjournment of the debate. Is it the pleasure of the House the motion carry? Carried.

STANDING COMMITTEE ON  
REGULATIONS AND PRIVATE BILLS

**Ms. Andrea Horwath (Hamilton East):** I beg leave to present a report from the standing committee on regulations and private bills regarding Bill 120, again unanimously supported by committee, and move its adoption.

**The Clerk-at-the-Table (Ms. Lisa Freedman):** Your committee begs to report the following bill as amended:

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 title of which is amended to read "An Act to deem that the Building Code and the Fire Code require fire*

detectors, interconnected fire alarms and non-combustible fire escapes / Loi portant que le code du bâtiment et le code de prévention des incendies sont réputés exiger des détecteurs d'incendie, des systèmes d'alerte d'incendie interconnectés et des sorties de secours incombustibles.”

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

The bill is therefore ordered for third reading.

## INTRODUCTION OF BILLS

### HIGHWAY TRAFFIC AMENDMENT ACT (USE OF PORTABLE EQUIPMENT BY NOVICE DRIVERS), 2006

### LOI DE 2006 MODIFIANT LE CODE DE LA ROUTE (UTILISATION DE MATÉRIEL PORTATIF PAR LES CONDUCTEURS DÉBUTANTS)

Mr. Flynn moved first reading of the following bill:

Bill 135, An Act to amend the Highway Traffic Act to prohibit the use of phones and other portable equipment by novice drivers while driving on a highway / Projet de loi 135, Loi modifiant le Code de la route pour interdire aux conducteurs débutants l'utilisation de téléphones et d'autre matériel portatif pendant qu'ils conduisent sur une voie publique.

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

Does the member wish to make a brief statement?

**Mr. Kevin Daniel Flynn (Oakville):** Very briefly, the bill would prohibit the use of cellphones and other portable devices by novice drivers, those who are under the guidelines of Ontario's graduated licensing program.

### RESTORE THE DEED ACT, 2006

### LOI DE 2006 SUR LE RÉTABLISSEMENT DES TITRES

Mr. Tascona moved first reading of the following bill:

Bill 136, An Act to amend the Land Titles Act / Projet de loi 136, Loi modifiant la Loi sur l'enregistrement des droits immobiliers.

**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. Joseph N. Tascona (Barrie-Simcoe-Bradford):** The Restore the Deed Act is a serious response to the real problem of home ownership mortgage fraud and title fraud. It will also reform the Land Titles Assurance Fund to make it a fund of first resort. I'm confident that it will restore the confidence in the real estate system, which is lacking.

## CLIMATE CHANGE AWARENESS DAY ACT, 2006 LOI DE 2006 SUR LA JOURNÉE DE SENSIBILISATION AUX CHANGEMENTS CLIMATIQUES

Mr. McNeely moved first reading of the following bill:

Bill 139, An Act to make April 21 Climate Change Awareness Day / Projet de loi 139, Loi visant à faire du 21 avril la Journée de sensibilisation aux changements climatiques.

**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. Phil McNeely (Ottawa-Orléans):** Climate change has become a reality. Of this fact I have no doubt. There are those who still believe climate change to be a myth, but I believe that this is a reality that will face our children and grandchildren. Unless we do something to reverse this trend, this would soon become a very dangerous place to live. It is for this reason that I propose to name April 21 of each year Climate Change Awareness Day.

## MOTIONS

### PRIVATE MEMBERS' PUBLIC BUSINESS

**Hon. James J. Bradley (Minister of Tourism, minister responsible for seniors, Government House Leader):** I seek unanimous consent to put forward a motion without notice regarding private members' public business.

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

**Hon. Mr. Bradley:** I move that, notwithstanding standing order 96(d), the following changes be made to the ballot list of private members' public business:

Mr. Tascona and Mr. Murdoch exchange places in order of precedence such that Mr. Tascona assumes ballot item 48 and Mr. Murdoch assumes ballot item 70; Ms. Matthews and Mr. Oraziotti exchange places in order of precedence such that Ms. Matthews assumes ballot item 51 and Mr. Oraziotti assumes ballot item 55; and that, pursuant to standing order 96(g), notice be waived for ballot items 47, 48 and 49.

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

## STATEMENTS BY THE MINISTRY AND RESPONSES

### CONSUMER PROTECTION

**Hon. Gerry Phillips (Minister of Government Services):** I'm pleased today to tell the House that we

will introduce legislation this fall that, if passed, will give the government regulation-making authority over consumer gift cards.

Gift cards are a rapidly growing segment of the retail industry in the province. These cards are purchased in good faith by the people of Ontario for their family and friends. They rightly expect that these cards should retain their full value until they are redeemed, no matter when that might be.

We want to ensure that Ontario consumers purchasing gift cards get what they pay for. We have heard their concerns about expired cards and we are taking action to put an end to this practice. Proposed amendments to the Consumer Protection Act will, if passed, allow us to create regulations to remove expiry dates from retail gift cards and to put strict limits on any fees applied to these cards. In addition, we are proposing to ensure that gift cards contain clear and comprehensible language.

**1500**

I have already consulted with business and consumer groups about the gift card issues, and I'm considering their views in developing proposals for new regulations. We will continue to consult with the retail industry as we develop and implement regulations, recognizing the need to be reasonable and accommodate their business needs. But foremost, we must be mindful of the rights and the needs of Ontario consumers. They are the ones who have made gift cards such a successful segment of the retail industry, and they deserve to be protected. The new measures we are planning will bolster consumer protection and ensure that our thriving retail industry continues to meet the expectations of the people of this province.

## EDUCATION

## ÉDUCATION

### **Hon. Kathleen O. Wynne (Minister of Education):**

I rise in the House today to reaffirm the McGuinty government's dedication to improving public education in Ontario. I want to thank the Premier for his fundamental belief in publicly funded education and his public commitment to raising the bar on student achievement and closing the gap for struggling students. It's an enormous honour to have been asked by the Premier to take on this role. I'm grateful to both my predecessors, Gerard Kennedy and Sandra Pupatello, for setting us on a solid course.

As a former school board trustee, parent advocate and parliamentary assistant in education, access to public education has been one of the abiding themes of my political career. We have made an excellent start as a government on the ambitious priorities that were in our platform and that were also the priorities of the people who elected us. The facts that more students are graduating from high school, primary class sizes are being capped and we have had no labour strife among our teachers for three years are real results and proof that our policies are working.

L'an dernier, près de la moitié de nos classes au primaire avaient déjà atteint l'objectif de 20 élèves ou moins. La tendance se poursuit, et je suis convaincue qu'elle progressera jusqu'à ce que nous atteignons notre but dans 90% des classes.

Also, student achievement is up for the third straight year. If we help just two more students from each grade 6 class in Ontario meet the standard, we can meet our goal of 75% of students meeting the provincial standard in reading, writing and math in 2008.

When this government took office, only two thirds of students were graduating from secondary school.

Par l'entremise de notre stratégie pour la réussite des élèves, nous donnons aux élèves la possibilité d'adapter leurs études et leur offrons du soutien et des ressources supplémentaires.

In 2004-05, the graduation rate had risen by three percentage points, to 71%. So we've made considerable progress, but I know we still have work to do.

We have, as a government, made significant changes to the provincial funding formula. The funding formula is really an allocation formula through which the available education money flows to school boards. We know that there's more to do on that funding formula; the Premier has said that it's a work in progress. We have to be careful, however, that we do not oversimplify the issues confronting us, and that whenever we talk about education funding, we're absolutely clear what we're talking about.

I'd like to wish everyone returning to school a wonderful and successful year. This will be a great year thanks to our excellent students, teachers, vice-principals, principals, education workers and parent volunteers—not because of us, but because of them. The only way for every student to achieve his or her potential is for all of us in government to work collaboratively with all of our educators, parents, trustees, education workers and communities. In turn, Ontario can reach its full potential.

## SEAT BELTS

**Hon. Donna H. Cansfield (Minister of Transportation):** I say welcome back, everyone. I hope you had a wonderful summer.

I rise in the House today to talk about an issue that affects everyone in Ontario. It's called road safety. Earlier today, I joined our government safety partners in launching the annual fall seat belt campaign.

In 1976 Ontario, under the Honourable James Snow, was the first jurisdiction in North America to make wearing seat belts mandatory. At the time, only 15.5% of drivers killed or injured in collisions were wearing a seat belt. Since seat belts were made mandatory, the number of people killed and injured in collisions has steadily dropped and the number of people who buckle up has dramatically increased.

I'd like to recognize Suzanne Chaddock, who is in the public gallery today, along with her father, Mr. Ken Chaddock, and her two children, Christopher and Neil.

Suzanne is here today because a seat belt saved her life in 1976, so she is living proof that seat belts save lives. Suzanne survived a terrible collision because of having her seat belt on, and now she's helping to improve road safety as an Ontario Provincial Police officer. I know that she has saved many lives throughout her career.

The most recent survey by Transport Canada found that Ontario has one of the second-highest rates of seat belt use in urban areas in Canada: nearly 93%. That's above the national average of just 91%. An earlier survey showed that Ontario's rural seat belt use was nearly at 88%, also above the national average. But we can, and we must, do more. For every 1% use of seat belts, five lives are saved, so our goal must be 100%. About one third of all drivers and passengers killed in motor vehicle collisions were not wearing seatbelts. The message of the fall seat belt campaign is clear: Using a seat belt is the single most effective way to reduce motor vehicle-related injuries and deaths.

The safety of children is a particular concern of mine. I'm pleased to report, that according to the 2004 Ontario Road Safety Annual Report, the number of children killed and injured in road collisions fell by 22%, compared to 2003. Sadly, collisions still are a leading cause of death and injury for children between one and nine years old, and the statistic comes from Safe Kids Canada. A properly used child car safety seat can cut the chances of death or serious injury by as much as 75%, so we need to buckle up our children. That's why the McGuinty government brought forward legislation to make it mandatory for all caregivers—grandparents, baby-sitters, hosts of children's birthday parties—to ensure that children are properly secured in an appropriate child seat, safety or booster seat when they're travelling. Drivers who don't, face a fine and two demerit points. So we are serious about safety. We know that kids are safer in a child car safety seat and in their booster seat. Now you know why there's a law: Our children are important to all of us.

That's why we're getting the message out with the fall seat belt campaign, running from September 23 until October 8. This year's campaign includes police enforcement blitzes; seat belt counts, where groups of volunteers actually survey and tally seat belt usage; clinics highlighting the proper use of child car safety seats and booster seats; and a public education campaign to keep buckling up top of mind for everyone.

Ontario has a lot to be proud of as we mark the 30th anniversary of mandatory seat belt use. The most recent Ontario Road Safety Annual Report also shows that for a second year in a row, Ontario has the safest roads in North America. But road safety doesn't just happen on its own. I'd like to thank the police who hold seat belt safety blitzes, the volunteers who conduct seat belt surveys, the community groups who organize child car safety seat clinics, the fire and emergency medical services, the local health care professionals, the committee which helped plan the fall and spring campaigns, and everyone else across Ontario who has helped to spread this important message: Seat belts simply save lives.

There are no accidents. There's no fate. When two cars collide, it's a collision or it's a crash, and it is preventable. We know that we can make our roads safer for children in Ontario and everyone who travels our roads. All we need to do is use our heads and buckle up and be safe in Ontario.

1510

## ORAL QUESTIONS

### AUTISM TREATMENT

**Mr. John Tory (Leader of the Opposition):** My first question is for the Premier. I know he's close by, because he couldn't be any further than 60 feet away, no matter what. So perhaps we can—

**The Speaker (Hon. Michael A. Brown):** You could perhaps stand down the lead question. Do you wish to stand down the first question? Agreed?

*Interjections.*

**The Speaker:** Order. Stop the clock.

I would ask the Leader of the Opposition if your second question is to a minister now present.

**Mr. Tory:** My second question is also to the Premier, Mr. Speaker.

**The Speaker:** I have no ability to know where the Premier is at this present time. Do you wish to proceed by asking the Deputy Premier? No?

*Interjections.*

**The Speaker:** Order.

We'll reset the clock. The Leader of the Opposition.

**Mr. Tory:** I wanted to wait for the Premier on the basis that they were suggesting I question the Deputy Premier, but I think there will be lots of days when I'll have that privilege going forward.

My question is to the Premier. Premier, on September 17, 2003, in the middle of the election campaign, you wrote to Nancy Morrison, the parent of an autistic child, and you said, "I believe that the lack of government-funded IBI treatment for autistic children over six is unfair and discriminatory." You also said that you would work to ensure that autistic children in our province can get the support and treatment they need, and you said that this included children over the age of six.

We keep hearing from parents of autistic children of all ages who are not receiving the treatment that you promised. Dozens are here today, and I could read you many more than dozens more e-mails from other parents. Are you intending to keep your word to these parents, and, if so, when?

**Hon. Dalton McGuinty (Premier, Minister of Research and Innovation):** I thank the leader of the official opposition for the question.

Let me take the opportunity at the outset to convey to him that I had the opportunity yet again this summer to meet with some parents who were very concerned about their children and with services in the province of Ontario that might help better address their needs as children



who are affected by autism. Let me say as well that, contrary to what the previous government had done, we've made some tremendous inroads in terms of providing new opportunities and new services.

First of all, I'm proud to affirm that children who attain the age of six in the province of Ontario are no longer aging out when it comes to receiving services. That's an important development.

I can also say that we have doubled the investment to more than \$112 million this year in terms of providing services for children affected by autism.

**Mr. Tory:** You've also, Premier, at the same time, taken the waiting list from 76 when you took office to over 700 today. The parents and the children who are here today are not here to thank you for things you claim to have done. If the Fente family, the DiCarlo family, the McVicar family or the MacIntosh family believed that you had kept your promise, they wouldn't have come all the way here today, including a man who drove eight hours from Espanola with his grandson, and many hours from other cities.

What do you have to say to Lisa Prasuhn, who wrote to me about her daughter Carlyne? She said that she finds it difficult to accept that "our child cannot write with a pencil, eat with a spoon, dress herself, ride a bicycle on her own, ride a school bus with her sister," and she goes on. Then she says, "Almost three years have gone by and our child has not yet received a single hour of IBI therapy from this province, despite the promises and press releases emanating from this government and this minister."

That coincides with your period of time in office. If you've kept your promise, when is Carlyne going to begin to receive her IBI treatments?

**Hon. Mr. McGuinty:** I don't doubt that by any objective measure we are moving in the right direction. We have, as I said a moment ago, doubled investment to more than \$112 million. We have now more therapists. We've created a new college program to train therapists. Some 110 were hired this year; 200 graduating next year. More children than ever before are getting service in the province of Ontario. In fact, more than 900 children are receiving IBI treatment this year. That's a 70% increase since 2004. We've also reduced the wait time for assessments. There's been a 68% reduction in the waiting list for assessments since 2004.

Is there more to be done? Undoubtedly. But again, I think that by any objective standard, we are moving in the right direction.

**Mr. Tory:** By any objective standard, you said anything you had to say and signed any letter you had to sign to win the election. The fact is that the number that you're not referring to is that there was a wait list of 76 people when you took office that today stands at 753, as of this spring.

Rhoda Boyd doesn't believe you either. She's the mother of Emmett Vokral, who is one month from his sixth birthday. She says that she and her family "live in constant fear that we will be told any day now that our

child will no longer be receiving services." She says that because she got an assessment report this week and she was told, "his services may be cut pending the outcome of [the] Wynberg [case] and the development of new discharge criteria being finalized this fall."

Ms. Boyd obviously feels that you have not kept your promise; in fact, that you've broken it. If you've kept your promise, and if you're so intent on doing so—and you haven't said once today so far, in three opportunities, that you will keep the promise—will you guarantee today that Emmett Vokral will not see a break in his treatment, that it will carry on? Will you keep that promise and make it? I don't know why we'd believe it, but will you make it anyway?

**Hon. Mr. McGuinty:** I know that parents who have had born into their families beautiful children who have been affected by autism understand the difference between our government's record and that former government's record. But so that the rest of Ontario better understands, that former government cut children off from IBI services when they reached the age of six. We've changed that in Ontario. We've more than doubled the funding available for these programs.

More than that, there were no programs available, no funding opportunities for services in our schools. We have more support now in schools than ever before. We're training 5,000 teaching assistants to work with children with autism in the classroom and we've hired 170 autism consultants to advise teachers.

So kids are no longer aging out at the age of six, we're investing in a new college program to train therapists, we've got opportunities in schools that have never been there before and, on top of that, we've said that we're going to continue—

**The Speaker:** Thank you, Premier. New question.

## EMERGENCY SERVICES

**Mr. John Tory (Leader of the Opposition):** I'd point out, by the way, that it's your signature on that letter making the promise and it was your government they faced in court when you took them to court to carry on with the court case.

My question is for the Premier. In 2003, the campaign platform full of broken promises, you also promised to "unclog existing" emergency rooms.

If you had meant what you said when you were running for election, if you had any intention whatsoever of keeping that promise, among many others, we wouldn't see emergency rooms threatened with closure—ERs in communities like Orangeville, Collingwood and Brockville.

**1520**

You promised to unclog hospital emergency rooms, and you've broken that promise. Do you have any intention of keeping this promise, among the many others? Will you unclog the emergency rooms so they're not threatened with closure and people can get the care they need?

**Hon. Dalton McGuinty (Premier, Minister of Research and Innovation):** I think the leader of the official opposition will want to admit that we have made significant levels of new investment in health care in Ontario. Ontario families now have more access to doctors and nurses than ever before. They have shorter wait times than they've had in a long, long time, and we've been very public and transparent about that: Ontariowaittimes.com is now available for Ontarians to check out. They will know that we have a new medical school in northern Ontario. They will know that we've provided funding for more than 4,000 new nurses. They'll know that the Minister of Health has made a commitment to take on all nurses graduating next year.

He will know as well that there is a real question that weighs heavily on the minds of Ontario families, and that is, how is it that Mr. Tory can possibly purport to improve the quality of our health care if he's going to take \$2.5 billion out of our health care system?

**Mr. Tory:** Mr. Speaker, (a) I've never said such a thing; and secondly, if you got such a great record, what are you spending your time talking about—

*Interjections.*

**The Speaker (Hon. Michael A. Brown):** Order. I need to be able to hear the member asking the question. That means that the member asking the question is the only member in here whose voice I should hear.

**Mr. Tory:** The fact is that emergency rooms across the province have had difficulty finding doctors and staying open over the course of the summer. Last November, a group of emergency room doctors came to Queen's Park to raise this issue. They were dismissed out of hand by the Minister of Health as a rogue group. When asked by the media if he was prepared to make emergency room wait times a priority, he said, "No, I'm not." It's a shame, actually, that the only time anybody's kept their word around here is when he said, "No, I'm not," and he didn't do it. It hasn't been a priority, and they've been closing.

People come up to me in almost every single community in this province when I visit—and I'm sure they do with your members too—and they talk about their mother and their sister and their children who are waiting hours to see somebody in these emergency rooms, and now they're threatened with closure.

In the same interview conducted a year ago, the minister said he was going to bring forward an alternate funding arrangement for emergency room doctors. Here we are a year later and it's not done. When are we going to see that promise kept, or is that going to become another McGuinty broken promise?

**Hon. Mr. McGuinty:** The Minister of Health.

**Hon. George Smitherman (Deputy Premier, Minister of Health and Long-Term Care):** I think it's important in the conversation with respect to the challenges related to emergency rooms that we put on the table and acknowledge a few things.

Firstly, this is a challenge that has been apparent in the Ontario health care system not just for a few years or a few months, but for literally decades.

The honourable member asked about the alternate funding arrangement for emergency room doctors. That's in place. In fact, in the Kitchener community, perhaps the most noted experience that we're having in the challenges related to emergency rooms is not related to an EDADA, as it's known; there's one of those in place. The circumstances are such that some hospitals in the province of Ontario, most notably in Hamilton, had a practice for a period of time where they were topping up beyond that arrangement which was negotiated between the government and the Ontario Medical Association. We continue to work with the Ontario Medical Association to ensure that the contractual obligations which we fulfill on our side are fulfilled at the other.

Of course we have more work to do, but it would be important for the honourable member to acknowledge as well that 600 fewer doctors in our province, made possible as a result of the inaction by the government that bears his name, is a big part of the circumstance that we're facing—

**The Speaker:** Final supplementary.

**Mr. Tory:** That's all very interesting, but it's of no interest to people who are sitting with their child or with their mother or with their brother or by themselves in a waiting room waiting hours, or when they see in the newspaper or actually experience the fact that some of these emergency rooms are threatened with closure. All you've managed to do—I give you credit for at least doing something, but what you have done when you've done anything has been kind of a paper-clip-and-bubble-gum solution, where you make a couple of phone calls and tide us over for a few hours. That's not a solution in Ingersoll, Hanover, Kirkland Lake, Timmins, Sault Ste. Marie and Atikokan, where they're on the front lines of this crisis.

People are worried for themselves and for their families. They are waiting hours to be seen. They just want to know, when are you going to keep the Premier's promise, yet another broken promise from your election platform, to unclog the emergency rooms? Because whatever you've said you've done, it's not working, and more needs to be done. When are you going to act? You're the minister; get on with it.

**Hon. Mr. Smitherman:** The honourable member has exposed himself once and for all, because it seems that for his first two years around this place, his suggestion for the resolution to every file was just to pick up the phone: "Why don't you just pick up the phone and call?" So we saw a circumstance emerging where the small community of St. Marys was at risk of losing its emergency room, and someone in my office did that: They picked up the phone and they called a doctor that they knew from Strathroy, Dr. Tom Wolder. As a result of that, what you refer to as a "paper clip and bubble gum strategy," we retained coverage on an August long week-end for the people of that community. It is an example of the efforts that we will go to.

You refuse to be held accountable for the reality that is your record. Your name and your party's name are the

same. You squandered the opportunity to produce a sufficiency of doctors in this province, and community after community pays the price. You can't pretend you weren't a backroom power. You can't pretend that, just because you were in the backroom, you didn't have influence over those policies. So stand up and fess up and be honest about the circumstances that that Minister of Health—

**The Speaker:** Thank you. New question?

*Interjections.*

**The Speaker:** Order. Stop the clock. A few minutes ago, I gave a lecture to members about having only one member speak at a time. Our memory seems to be a little short today. Let's just try to concentrate. Remember that only one member has the floor at a time.

The leader of the third party.

#### GOVERNMENT'S RECORD

**Mr. Howard Hampton (Kenora–Rainy River):** I first want to welcome all members back to the Legislature. I especially want to welcome the member for Parkdale–High Park to the Legislature.

To the Premier: The people of Parkdale–High Park sent you a message. They are disappointed by your broken promises and your half measures. You promised to fix the school funding formula. You promised to close coal plants. You promised to stop the creeping privatization of our health care system. Instead, you closed schools while coal plants and private health clinics remain open.

Your government is entering your fourth year of government. When are you going to stop blaming others for your failures, take responsibility, show leadership and start keeping your promises?

**Hon. Dalton McGuinty (Premier, Minister of Research and Innovation):** I always appreciate the leader of the NDP's particular perspective on issues, but I obviously see things differently.

He made reference to a number of areas, and let me just focus on one of those: education. He may decry the lack of progress, but that's not how I see it and I don't think it's how Ontarians see it. Test scores are going up. We have more books in our schools and in our school libraries. We have more special ed children getting the help they need. We have 6,750 more teachers on the job. Class sizes are going down in the early grades; in fact, almost 50% of our primary classes are now capped at 20. Dropout rates are coming down. So again, I say to the leader of the NDP, he may see each and every one of those facts as bad news, but I see them as good news, and as evidence of a commitment to the quality of public education.

**Mr. Hampton:** Yes, you try to tell everyone across the province that those are facts. The people of Parkdale–High Park know they are not facts and people across Ontario know they are not facts.

The people of Parkdale–High Park told you in no uncertain terms that they are disappointed by your failure

to fix the Conservatives' flawed funding formula for our schools. University students and college students told you that they are unhappy with your broken promise to freeze tuition fees and your escalation of tuition fees instead. My question is this: When are cash-strapped university and college students going to see some relief on tuition fees, and when is Dalton McGuinty going to finally keep his promise to fix the flawed school funding formula?

1530

**Hon. Mr. McGuinty:** The leader of the NDP indulges in a world of fantasy which is unlike the world that I live in. I know that one of the things he's going to want to do is to correct the record in his supplementary and remind Ontarians that, in fact, our commitment was to freeze tuition for two years. I know he's very much aware of that, Speaker, and he'll want to make sure he corrects that record.

We're very proud to have been the government that has committed to investing \$6.2 billion into post-secondary education over the course of five years. That, by the way, was not a commitment we made. We're doing it nonetheless.

He will know that \$1.5 billion of that new money is devoted to student assistance. He will know that we brought back grants to the province of Ontario. This September, some 60,000 students will benefit from grants. He will know that we're hiring 3,300 new faculty members. He will know that we're increasing medical school spaces by 23%. He will know that, overall, we're increasing college and university spaces by 73,000—

**The Speaker (Hon. Michael A. Brown):** Thank you, Premier. Final supplementary.

**Mr. Hampton:** Premier, the people of Parkdale–High Park heard all of that and shook their heads and said, "No, we don't believe that anymore." They've seen the photo ops, they've heard the speeches laden with platitudes, and they know it's not true.

I want to ask you about the situation with our emergency rooms. Today, Cambridge Memorial Hospital is looking at privatizing emergency room services—handing over delivery of its most urgent health care services to profit-driven corporations. The chief executive officer says that when you're facing threats of closure, exhausted nurses and the public's fatigue with long waits, "You have to think outside of the box."

Premier, after many promises, what is the McGuinty government going to do to address the emergency room crisis in our hospitals and ensure that more health care services aren't privatized?

**Hon. Mr. McGuinty:** One of the reasons we're facing challenges when it comes to staffing up emergency rooms and other areas that require physicians, regardless of whether they're within a hospital or outside a hospital, is because that member and his government cut the number of medical school spaces in the province of Ontario.

What we've done is we've built the first new medical school in Canada in some 30 years, we've expanded medical school spaces by 23%, and we've more than

doubled the number of spaces for our international medical graduates. Those are the kinds of things we have done in order to work as fast as we can to address the damage that was created by the former NDP government.

#### AUTISM TREATMENT

**Ms. Shelley Martel (Nickel Belt):** To the Premier: During the last election, you promised the parents of autistic children that you'd allow IBI treatment in the schools. Seventeen months later, at the end of March 2005, Justice Kiteley said this in her autism decision: "In particular, the Minister of Education failed to develop policy and give direction to school boards to ensure that ABA/IBI services are provided to children of compulsory school age. Indeed, the actions and inactions of the Ministry of Education and the minister created a policy barrier to the availability of IBI/ABA in schools."

Premier, that is the same sad state of affairs today in Ontario. Why have you broken your promise to autistic children who need IBI in the schools?

**Hon. Mr. McGuinty:** It's good to learn of some passing interest in this issue by the NDP, which made not a single reference to the word "autism" in their platform. It's interesting to see that they've developed some passing interest at this particular point in time.

Again, I'd ask Ontarians to take a look at what we inherited and what we've done so far. There were no services available for children once they reached the age of six; they were cut off. That was a Tory policy. We've changed that. Furthermore, there were no services available in our schools. We've changed that as well. We've more than doubled the funding available for our children who are affected by autism.

Yes, we're making progress; yes, we're working together with the affected families; and yes, there is more work to be done.

**Ms. Martel:** I remind the Premier that his government only stopped cutting people off IBI when Justice Kiteley ordered him to do so, 17 months after you were elected.

I want to talk about Nancy Morrison, the same Nancy Morrison that you had so much to say to on September 17, 2003, when you made your promises on autism. She had this to say about IBI in the schools: "My child has to stay home from school to get his therapy and only goes to school half days because they won't allow trained people in.... The therapist is not allowed in school.... She has been barred from the classroom."

Parents of autistic children know that what their child needs to succeed in school is their IBI therapist in the classroom, helping them to learn. That is, after all, the promise you made to Nancy Morrison in the last election. I ask you again, Premier, why have you broken your promise to families like Nancy Morrison?

**Hon. Mr. McGuinty:** It may be helpful to the members of the opposition to know exactly what our commitment was, and I'll restate it here.

I said in government: "My team and I will work with clinical directors, parents, teachers and school boards to

devise a feasible way in which autistic children in our province can get the support and treatment they need. That includes children over the age of six." That was the commitment.

The member opposite may, through her own particular idiosyncratic perspective, choose to interpret us as not having lived up to our commitment, but I say that we have, and I say beyond that, we will continue to work with parents; we will continue to work with representatives to ensure that we can make still more progress.

Again, we more than doubled the funding. We've ensured that children no longer age out at the age of six. We're providing an unprecedented level of supports in our schools. Does that represent progress? Yes. Is there more to be done? I say yes again.

**Ms. Martel:** I don't think the Premier wants to challenge Nancy Morrison again. He's already made many promises to her and broken them, and her son's therapist is barred from going into that classroom to provide IBI.

What else did Justice Kiteley have to say about your government and your Minister of Education? She said: "The absence of ABA/IBI means that children with autism are excluded from the opportunity to access learning, with the consequential deprivation of skills, the likelihood of isolation from society and the loss of ability to exercise the rights and freedoms to which all Canadians are entitled."

Every day in Ontario, school children with autism cannot go to school because they cannot learn in the classroom without their IBI therapist, and every day your government, Premier, keeps in place the barriers that ensure that therapists cannot be there. Autistic children have a right to public education in Ontario. What are you going to do to keep your promise to ensure that they can get it?

**Hon. Mr. McGuinty:** I gather the member is changing tactics. Now that she no longer believes that we have not kept our commitment, she's going back to a court decision.

We will continue to work with parents. I say that in the presence of parents here, some of whom I've had the opportunity to meet with. We will maintain an ongoing dialogue. We've made some real progress working together. We have more than doubled the funding. Children no longer age out at the age of six. We're providing an unprecedented level of new support in our schools. Again I say to the member opposite and to the parents present: There is more work to be done, and we will continue to work together.

#### EMERGENCY SERVICES

**Mrs. Elizabeth Witmer (Kitchener-Waterloo):** My question is for the Minister of Health. Last year in November, I raised the issue of the overcrowded emergency rooms with you here in this House after several emergency room doctors had travelled to Toronto in order to let you know about the problems they were seeing in emergency rooms. They said that the emergency department situation was severe, it was

impacting patient outcomes and it was not sustainable with current resources. Not only did you attempt to marginalize these doctors; you refused to acknowledge that there was a problem.

Today the problem is even worse than it was last year. In fact, administrators and doctors throughout the province are telling us so, and we know that at least 19 communities have been threatened with temporary closures of their emergency rooms. My community, Kitchener-Waterloo, is among them.

I would like to know, Minister: What steps are you taking to ensure that Grand River and St. Mary's hospitals are going to be able to continue to meet the needs of my—

**The Speaker (Hon. Michael A. Brown):** The question has been asked. The Minister of Health.

1540

**Hon. George Smitherman (Deputy Premier, Minister of Health and Long-Term Care):** The honourable member tries pretty hard to tell a story. She told a story. The circumstances are a little different by recollection.

Firstly, a group of doctors that is not the Ontario Medical Association, with whom we negotiate, came forward. They didn't represent all emergency room doctors. We work through the OMA, and we continue to do that. In fact, Dr. David Bach, the president of the Ontario Medical Association, has been playing a role and assisting in the situation with respect to Kitchener.

The issue in Kitchener, best as I've been able to detect, is one that is challenged on a variety of bases. Most certainly at the heart of it, one of the challenges we have in our province was created by these two parties. They like to pretend that it's not true, but they did shortchange Ontario at least 600 doctors. They could be making a difference in all of those communities.

Secondly, many of the challenges in Kitchener are locally occurring in the relationship between the doctors and the hospital. We worked hard, including at a meeting last Friday, to guide a path through that, and we're going to continue to follow up and assist and address these circumstances in—

**The Speaker:** Thank you, Minister. Supplementary.

**Mrs. Witmer:** First of all, let me correct the record. It was our government that actually added medical doctors to the system. We increased medical school enrolment. We announced the new medical school up north.

I would say to you that people in Kitchener-Waterloo are alarmed. Now a statement is being made that our emergency room services are going to be suspended. One of the emergency rooms is going to be closed. I want you to commit today that our emergency rooms at both Grand River and St. Marys will not close as a result of a problem that you have left unattended for three years, despite the promise made by your Premier. You've broken your promise.

**Hon. Mr. Smitherman:** From the honourable member, who is a fantastic pretender—let's get real here. The situation is so well known and so well established. In

1993, that party made a decision to tramp down our medical schools, to make them smaller. This party waited years into its term in office to begin to expand again. The reality is clear to everyone. You can't make a doctor as fast as you can make a pizza. You sat on the sidelines and squandered opportunity, and the result was, working with them, we lost 600 docs. Now, you can make up any story you want, but you can't escape that fundamental accountability.

On the issue with respect to the emergency rooms in Kitchener, this is a serious situation and we take it seriously on behalf of those patients. Two assistant deputy ministers from the ministry were there in Kitchener on Friday. We've enlisted the support of the Ontario Medical Association. We will do all that is within our power to address this. But the honourable member, as a local member, cannot pretend that some of the circumstances here are not about the relationship between the doctors—

**The Speaker:** Thank you, Minister. New question.

#### LANDFILL

**Mr. Peter Kormos (Niagara Centre):** I have a question to the Premier. Premier, in 2004 and 2005, the Ontario Liberal Party received over \$35,000 from Green Lane landfill and Green Lane Environmental Group Ltd. Your London-area Liberal MPPs purport to oppose the mega-dumping planned at Green Lane, but that hasn't stopped the McGuinty Liberals from pocketing mega donations from the dump's owners.

If McGuinty Liberals are so opposed to this dump, why are they taking money from the very company that owns the dump and has now won approvals to expand it?

**Hon. Dalton McGuinty (Premier, Minister of Research and Innovation):** The Minister of the Environment.

**Hon. Laurel C. Broten (Minister of the Environment):** It's great to be back, to have a chance to answer questions from the opposition and to bring them out of a fantasyland into reality.

Let me tell you, friends across the House, the long process with respect to the Green Lane landfill and the work that the Ministry of the Environment has done to ensure that the people of that community will be safe and protected. The terms of reference of that landfill were approved by the former government on March 28, 2002, and a process was undertaken for several years whereby facets of that landfill, which has been in existence since 1978, would be assured that any expansion application that was being brought forward would be examined in the fullness of science and that many conditions could be put in place to ensure that that landfill would be safe and protected. Any steps undertaken by the Ministry of the Environment, and all steps undertaken, are done to ensure that communities are safe, healthy and protected—

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

**Mr. Kormos:** Oh, Minister, it didn't take that long. In only two years, Green Lane pumped \$35,000 into the coffers of the Ontario Liberal Party. Even cabinet minister Steve Peters was more than pleased to take money from Green Lane Environmental Group Ltd. Is this the new McGuinty standard: cash for trash?

**Hon. Ms. Broten:** Perhaps I'll ask my friend opposite a question: Would you cancel the Green Lane landfill? Would you seek to interfere in a legally binding—

*Interjections.*

**The Speaker:** Order. Minister?

**Hon. Ms. Broten:** The responsibility of the Ministry of the Environment is to examine the facts, the reality, examine the science and ensure that communities can be safe and protected. There is no doubt that reducing waste is our first priority. But we don't live in a fantasyland and we recognize that landfill may be required. This application came forward to the Ministry of the Environment. It was fully examined, conditions were put in place, and those conditions will ensure that the community will be safe and protected. The members opposite may seek to close Green Lane landfill, may in fact want to interfere in a legally binding agreement. That's not the ability or—

**The Speaker:** Thank you. New question.

#### ASSISTANCE TO FARMERS

**Mr. Jeff Leal (Peterborough):** My question today is to the Minister of Agriculture, Food and Rural Affairs. The Peterborough riding was pleased, and in particular Keene, Ontario, to host the International Plowing Match last week. The IPM usually attracts more than 150 competitors and over 500 exhibitors and is considered the largest outdoor farm and rural expo show in Canada. The farm show includes historic, modern, educational, artisan and agriculture exhibits as well as special events. This year's plowing match attracted over 81,000 visitors. It was hosted by Jim and Mary Glenn, the owners of Glenn Isle Farms, and Norm Blodgett and his committee did an excellent job.

Minister, I was delighted to have the Premier and so many of my colleagues attend this event. It was truly a successful week. I was very pleased that our Premier announced new investment in rural Ontario that will build opportunities for farmers and strengthen vital infrastructure in rural communities. Minister, could you share with us the details of this wonderful announcement?

**Hon. Leona Dombrowsky (Minister of Agriculture, Food and Rural Affairs):** I'm very happy to have the opportunity, first of all, to congratulate the organizers of the International Plowing Match, who I believe did an outstanding job for their event this year in Keene, also the host couple, the host farm, Jim and Mary Glenn, as well as our colleague Jeff Leal. He did a great job of advertising for his local community. He got two wagonloads of his colleagues out to the International Plowing Match. It was an opportunity when our Premier was able to announce \$185 million of new money. That's on top of the federal announcement that was made at the time of

their budget last spring. Of that \$185 million, \$110 million will go directly to farmers and \$75 million will be going to rural municipalities across Ontario.

**Mr. Leal:** Minister, this is exciting news for rural Ontario. I'm sure the constituents of Peterborough and the folks who were at the plowing match really appreciate this commitment.

However, it would seem that the Leader of the Opposition has got his numbers wrong again. I was shocked when I read in the papers the suggestion that the Leader of the Opposition said that the \$110 million that was announced is actually federal money which allegedly the Ontario government has been sitting on for four months. Once again, when John Tory visits rural Ontario, it's one foot in the furrow and one in his mouth. Minister, can you set the record straight?

1550

**Hon. Mrs. Dombrowsky:** I'm very happy to. I can't tell you how disappointed I was. I think it certainly reflects very sloppy research, very poor math skills and very empty rhetoric on the part of the opposition to try and suggest that this government was sitting on federal dollars. Nothing could be further from the case in the province of Ontario. The money that was announced last week is new money. I would also like to clarify that that is a result of our Premier listening to farmers in rural Ontario. He spent the entire summer going across Ontario and he indicated that this investment is essential if we are to continue to have a strong agriculture sector.

We are providing a 40% match to the federal dollars that were announced in the federal budget last spring, even though there is absolutely no requirement. The federal government made it very clear in their announcement last spring that provinces would not be required to come up with 40%, and this Premier has come up with \$110 million for farmers in Ontario. That is our commitment to farmers.

#### AUTISM TREATMENT

**Mr. Frank Klees (Oak Ridges):** I have a question to the Minister of Education. Today, Dennis Lendrum travelled from Espanola with his daughter, Trinna Lendrum, and her son, Alex Bertrand. He is autistic. He is not receiving the services that we hear about today. There is a great gap between the rhetoric of your government, the services that you say are there for autistic children, and what parents are experiencing in a practical way in their homes every day.

You, as minister, made your first major announcement relating to autism. We were encouraged by the fact that it related to autism; we were greatly disappointed to hear how quickly you've learned the art of spin over substance, because your announcement related strictly to the creation of yet one more study. You're going to appoint a reference group to study this issue three years after your government has taken office. I want to ask you this question—

**The Speaker (Hon. Michael A. Brown):** The question has been asked. Minister.

**Hon. Kathleen O. Wynne (Minister of Education):** Thank you to the member for the question. It is with great pleasure that I'm going to counter the claim of the member opposite; I can't tell you how much pleasure it gives me. We have this year already put \$50 million more into special education generally. We have given \$5 million from our ministry to the Geneva Centre to train education assistants. We know very well that training is needed.

What the member opposite is referring to is the establishment of an autism reference group. It is not to study; that reference group has been set up to advise both the Minister of Children and Youth Services and myself on the best practices that are needed in our province.

There is no silver bullet. I wish there were a silver bullet to help all those families who are dealing with children with autism. We need to know from the experts who are sitting in that autism reference group what the best practices are so we can make the best difference in this province with the money that we're—

**The Speaker:** Thank you. Supplementary.

**Mr. Klees:** My question is, very simply: Why has it taken you three years to bring those people to the table to find out what the best practices are? Ask the parents; they'll tell you what the best practices are. You don't need another reference group. I suggest, Minister, that effectively what you have done is you've deflected one more time. You're creating another photo op instead of getting down to the heart of dealing with the issue. Every one of these parents will tell you today what the answer is. Why will you not simply implement and meet the commitment that your Premier made, and that is to look after the needs of these autistic children?

**Hon. Ms. Wynne:** We need this group to talk to us about good practices because in fact we know about the bad practices. The bad practices were practised by the previous government. Aging children out at six was a bad practice. Not putting the resources into the system to allow the schools to work with the community agencies was a bad practice. What we need are the transition plans. We need to make the links between what's happening in the community and what's happening in the school so that those kids who are not aging out at six are continuing to get training. But they need to be in the mainstream in the school. How do we do that? That's what we're asking the reference group, and you did not start on that road.

#### EDUCATION FUNDING

**Ms. Cheri DiNovo (Parkdale–High Park):** My question is for the Premier. I was sent here by my electorate in Parkdale–High Park with very simple questions: Why don't we have fully funded public schools? Why do we still have a flawed funding formula? Why do we still have the Toronto District School Board running an \$84-million deficit and the Catholic school board running a \$34-million one? Why did the Campaign for Public Education yesterday send me here to ask these questions

as well—parents, teachers, trustees and, finally, students? I would like the Premier to answer.

**Hon. Dalton McGuinty (Premier, Minister of Research and Innovation):** Let me first of all take the opportunity to congratulate the member on her success and to offer her my very best wishes as she engages in this privileged opportunity to represent her constituents. I mean that in the most sincere way possible.

The member will know that we have put together a team of people who are working now with the Toronto school board in a genuine effort to learn more about their particular financial challenges. We do know that we are getting class sizes down in the TDSB. We know that we have more teachers, that we have more textbooks, that the graduation rate is going up. Those are all good things. They're all moving in the right direction. At the same time, the board has a responsibility to ensure they are managing that new, unprecedented level of dollars in the best way possible. We have a process in place. My advice to the member opposite would be to allow those people to work together to come back to us with their very best advice so we may then decide on the best plan going forward.

**Ms. DiNovo:** My question, then, to the Premier would be: Why did the electorate send you an interim failing report card? Also, aren't these advisers the same sorts of advisers and overseers that the Harris-Eves government sent in?

**Hon. Mr. McGuinty:** I know that the member, in her heart of hearts, doesn't believe that. She would know, for example, that in our first three years in government we put \$2.7 billion more into education and she would know that in their first three years the Harris-Eves government took \$200 million out of education.

I would remind the member of what it was that the chairperson from the Toronto District School Board said when we first announced that we were sending in these three people:

"It demonstrates clearly that the government is looking for solutions, and I think the experience and knowledge these individuals have about TDSB's challenges and programs will be very helpful in assisting the board with its budget issues.

"I commend the minister.... Brian and Joan have demonstrated throughout their careers that they are interested in finding solutions to challenging issues in education."

What we said to the TDSB was, "Let's sit down. Let's work together."

#### WASTE MANAGEMENT

**Ms. Deborah Matthews (London North Centre):** My question is to the Minister of the Environment. Minister, people in London and southwestern Ontario are asking why Toronto can't deal with their own sewage sludge and their own garbage in their own backyard. I'm asking the same question. I know that municipal waste is a municipal responsibility, but clearly the province has some responsibility here too. I think it's important that

we step up to that responsibility and take action. Minister, what are we doing as a province and what are you doing as a minister to solve our garbage issues and move into the 21st century to ensure that every municipality can deal with their own waste in their own backyard and not just send it down the highway and dump it in someone else's backyard?

**Hon. Laurel C. Broten (Minister of the Environment):** I want to thank the member for her question and her advocacy on behalf of her community in London. There is no doubt that increased diversion is our first priority. We need to take this province into the 21st century. We have inherited a legacy whereby the NDP wasted millions of dollars looking for landfill across the province and did nothing, and the Conservatives while in government spent eight years trying to send Toronto's trash to a lake in northern Ontario and accomplished nothing. But I can tell you that as Minister of the Environment, I'm committed to taking down the barriers that have held us back from state-of-the-art waste management in this province. We're working with industry to develop 21st-century solutions, new and innovative technology—gasification, methane capture—that will solve disposal issues in communities right across the province. We need also to work with municipalities and industry to develop new, faster and better ways to increase recycling, speed up EA approvals and adopt new technologies, as we have seen in the Plasco site in Ottawa. We have also—

**The Speaker (Hon. Michael A. Brown):** Thank you, Minister. Supplementary? The member for London—Fanshawe.

**Mr. Khalil Ramal (London—Fanshawe):** Minister, thank you for your answer. But I also have a question, because my constituents are concerned that the terms and conditions of the operating licence might change when Toronto takes ownership. Can you assure my constituency office and the people of London that nothing will change when Toronto takes ownership?

**Hon. Ms. Broten:** I also thank this member for his question and his advocacy on behalf of his community.

I want to make it absolutely clear that the terms of the environmental assessment, which took place over a number of years—28 of them put in place to ensure the most stringent environmental protections for the community that is the host of this landfill—will remain in place under the current ownership, under any ownership. If Toronto takes its place, they will remain in place. The role of the province in all of this is to ensure that those strict environmental standards remain in place.

1600

**Mr. Tim Hudak (Erie—Lincoln):** On a point of order, Mr. Speaker: I'd like to seek unanimous consent to finish the last 11 minutes and 49 seconds of question period.

**The Speaker:** Mr. Hudak has asked for unanimous consent to—

*Interjection.*

**The Speaker:** I heard a no.

Pursuant to standing order 30(b), it now being 4 of the clock, I am now required to call orders of the day.

## ORDERS OF THE DAY

### MUNICIPAL STATUTE LAW AMENDMENT ACT, 2006

#### LOI DE 2006 MODIFIANT DES LOIS CONCERNANT LES MUNICIPALITÉS

Mr. Gerretsen moved second reading of the following bill:

Bill 130, An Act to amend various Acts in relation to municipalities / Projet de loi 130, Loi modifiant diverses lois en ce qui concerne les municipalités.

**The Speaker (Hon. Michael A. Brown):** Mr. Gerretsen has moved second reading of Bill 130. Mr. Gerretsen.

**Hon. John Gerretsen (Minister of Municipal Affairs and Housing):** I will be sharing my time with my parliamentary assistant, the member from Scarborough Centre.

Let me first of all say what a pleasure it is to be back in the House again after our summer recess. I look forward to a vigorous debate on this bill and a number of others as well.

Today I'm pleased to start off the second reading of Bill 130, our government's proposed Municipal Statute Law Amendment Act, 2006. Bill 130 is the result of our government's review with our municipal partners of the Municipal Act, 2001. We launched phase 1 of the review with two minister's forums, where we listened to the concerns of municipal representatives and the business sector. We were told that municipal governments simply needed new powers. We heard that local governments face delays because they have to get provincial government approval for even the simplest of things.

We considered all of the comments and concerns we heard during the review, and the legislation we're giving second reading to today is part of an answer to that. I say that it's part of an answer because more will come after the completion of the provincial-municipal fiscal and service delivery review that was announced this past summer.

Bill 130 and the review I just mentioned are a part of our government's plan for strong communities across Ontario. If passed, this bill would significantly amend and revise the Municipal Act, 2001, to give Ontario's municipalities new powers and autonomy so that they have greater flexibility to meet local expectations and fulfill council responsibilities and the requirements of their local citizens.

In drafting this bill, our government has built on our good and positive relationship with municipalities. This is a relationship that our government was intent on establishing when we came to office. We were and we are determined to work with our municipal partners for stronger communities in Ontario for the benefit of all of our residents.

For example, our government has continued to strengthen our commitment under the memorandum of



understanding to consult with the Association of Municipalities of Ontario on matters that may affect municipal budgets and municipal planning. We conduct meetings on a monthly basis with AMO, and at these consultations, cabinet ministers sit across the table from municipal leaders for in-depth and frank exchanges of views and ideas about legislation and regulations within their particular ministry's jurisdiction.

In addition to these monthly meetings, through the course of the municipal review for Bill 130, we've had extensive discussions with AMO and our other municipal partners. We received many thoughtful submissions, all of which helped us to draft a bill that will truly help our municipal partners to deliver the services that help make the quality of life in Ontario second to none in the world.

On top of this helpful advice, Bill 130 was also informed by the policy approach taken by the City of Toronto Act that was passed earlier this year.

I want to talk specifically about the requirements and the ingredients of Bill 130.

First, the general structure of the Municipal Act, 2001, as it currently exists, will not change. However, an important point is that Bill 130 will require that the powers of municipalities under the current Municipal Act or any other act that grants powers to a municipality will be interpreted broadly, which is currently not the case.

As well, the "natural person" powers of a municipality that currently exist will continue. That means, for single-tier municipalities, Bill 130 will provide broad permissive powers to council to pass bylaws respecting a number of significant matters, including: their governance structure; how they deal with accountability and transparency; how they enhance and support the economic, social and environmental well-being of their municipality; how they protect and promote the health, safety and well-being of the people within their municipality; how they go about protecting the persons and property within a particular municipality, which also includes consumer protection. The final power I wish to mention is business licensing.

All of these permissive powers will be interpreted broadly, and they are permissive powers.

Both upper-tier and lower-tier municipalities will also enjoy broad powers, but the existing division of powers between upper- and lower-tier municipalities will remain unchanged.

I also want to make it clear that the broad powers that municipalities will enjoy if the bill passes will not overwrite the current assignment of powers under the spheres of jurisdiction as set out in the current Municipal Act.

Further, in regard to what the new powers will not do, let me just give you a few examples.

They will not give municipalities the power to change any provincial act or regulations as they apply to that particular municipality. All provincial acts and regulations will continue to prevail over municipal bylaws in the event of a conflict, once this particular bill is passed.

#### 1610

Furthermore, the assignment of any specific municipal powers to either a lower- or upper-tier municipality will

continue. The government of Ontario will also retain the power to make regulations that prohibit or impose conditions on the use of broad powers by a municipality, if necessary. These provincially made regulations will expire after 18 months.

If Bill 130 is passed, though, municipalities will enjoy much greater flexibility than they have today. For example, a municipality will have greater authority to delegate its powers and duties to a person or body. A municipality will also have the authority to delegate legislative and quasi-judicial powers to certain persons and bodies that it names, but with restrictions. There are specific powers and duties that a municipality will not be able to delegate. They include the power to impose a tax, the authority to adopt official plans or pass zoning bylaws, and the authority to adopt or amend a municipal budget. However, for the powers that could be delegated, municipalities will have the authority to establish an appeal body for any such regulated matter.

If this bill is passed, municipalities will also enjoy broad permissive powers with respect to local boards and municipal service boards. For example, municipalities would receive expanded powers to establish, change or dissolve local boards, with the exception of certain local boards, including the police service boards, boards of health and public library boards.

Our government has always said that government must be accountable, and that applies to our local governments as well. Therefore, Bill 130, if passed, will give municipalities new accountability measures. Bill 130 will give municipalities express authority to establish codes of conduct and to establish offices for an integrity commissioner, an ombudsman, an auditor general and a lobbyist registrar.

It will also place new accountability around council meetings. A municipality would have the express authority to appoint an investigator in regard to compliance to closed meeting provisions. Otherwise, an investigation may be undertaken by the provincial Ombudsman if no local investigator is appointed by council, and that is a new power.

To enhance accountability, however, we must also clarify the existing roles. Bill 130 will clarify and strengthen the roles of the head of council and the municipal council. This would help ensure the accountability and transparency of municipal operations while ensuring that local controllership policies, practices and procedures facilitate and adequately monitor the implementation of council decisions.

The bill would also add a new section to the Municipal Act that would outline the duties of the head of council as CEO of that particular municipality.

Municipalities would also have new enforcement powers if Bill 130 is passed. They would have administrative power of entry to determine compliance with bylaws, orders or conditions placed on a licence issued by the municipalities, subject to special protections for dwelling units. Municipalities would also be able to obtain a warrant to search for evidence of contravention

of a bylaw without having to seize evidence as they currently do.

Authority will be given to municipalities to establish fines for contravention of bylaws that they establish. And, subject to regulations, a municipality will be able to require a person to pay an administrative penalty if they fail to comply with, for example, parking bylaws.

The bill also addresses the request for economic tools that many, many municipal representatives participating in this review said they need. For example, a municipality would be able to establish a small business incubator program to encourage the establishment and initial growth of small businesses within their municipality. This would be with ministerial approval rather than ratification by cabinet.

A municipality would also have the authority to set the rules and conditions for any business improvement area within their jurisdiction. It is the government's intention to provide authority for local councils to approve municipal financial incentives within the context of the community improvement plan established under the Planning Act without provincial approval.

Our government, through Bill 130, also proposes new financial tools for municipalities. The bill, if passed, would expressly enable local councils to set out multi-year budgets, which is presently not the case. It will also enable municipalities to determine which of its employees to bond and, subject to regulations, to establish business corporations. It proposes to give municipalities greater flexibility to levy area rates and greater flexibility in administration of tax sales.

Bill 130 will also give municipalities the ability to identify other capital works that are eligible to be funded through local improvement charges. It will give municipalities greater flexibility for business licensing, and it will also give municipalities broader authority to license businesses.

The act would enable a municipality to undertake a time-limited administrative suspension of a business licence and give a municipality the authority to require payment of administrative penalties for failure to comply with the conditions of a business licence.

In response to a need that was identified during our review, the bill will give municipalities the authority to regulate taxis with airport permits that are picking up passengers in a municipality.

Some limits on the powers of municipalities to license would remain the same under our proposed legislation. For example, manufacturing or industrial businesses would continue to be exempt from municipal licensing. Similarly, the sale of goods by wholesale and businesses related to natural resources would continue to be exempt.

Also continuing generally unchanged would be municipal authority to limit the number of taxi licences issued and set the fares and rates for taxis and tow trucks.

Also continuing unchanged in our proposed legislation is the regulation-making authority respecting business licences of the Minister of Municipal Affairs and Housing.

Our government has the greatest of respect for our municipal governments within Ontario. They are, after all, mature governments that have demonstrated over the years their competence and have served their constituents well. We recognize the abilities of our municipal partners and, in keeping with the broad-permissive-powers approach to municipal reform that we think is appropriate, the bill will, if passed, replace some specific provisions in the current act with general requirements to adopt policies on the sale and disposition of lands, hiring, procurement and when and under what circumstances notices are to be given. Specific provisions would be replaced with a general requirement to adopt policies on the delegation of municipal powers and duties, the accountability and transparency of municipal actions, and ensuring that the property and civil rights of persons affected by municipal decisions are dealt with in a fair and consistent manner.

Bill 130 also carries amendments that, if passed, would affect legislation other than the Municipal Act, 2001. For example, the Highway Traffic Act would be amended to give municipalities greater flexibility in setting speed limits on local roads within their municipalities. The Retail Business Holidays Act would be amended to allow municipalities to pass a bylaw providing that the act no longer applies and, instead, allow municipalities to use their new powers under the act to pass bylaws on store closings. The Liquor Licence Act would be amended to enable municipalities to extend bar hours on occasion.

Of greater interest to some of our rural municipalities, the Line Fences Act will be amended with respect to the duties of municipalities to fence any abandoned railway rights-of-way they may own or purchase for tourism, recreational or other purposes. Currently, section 20 of the Line Fences Act requires the owner of an abandoned railway right-of-way to construct and maintain boundary fences along adjacent properties, which some municipalities have found to be extremely onerous. This amendment is in the spirit of the consultation report that was prepared by Dr. Wayne Caldwell. It achieves a balance between the fencing needs of farming businesses along abandoned railroad rights-of-way and the financial burden that fencing the whole length of corridors represents for owners of abandoned rights-of-way, which in most cases are municipalities or other agencies. It would limit the responsibility of the right-of-way owners to pay full fencing costs only for those parts of their property that abut a legitimate farming business. Such fences will only be provided and paid for by the owner of an abandoned railway right-of-way if it is requested by the neighbouring farming businesses. Non-farm properties will be treated like all other lands in Ontario, and the provisions of the Line Fences Act will apply, including the provision with respect to fence viewers.

#### 1620

I now want to address some of the criticism that we've already heard of Bill 130. Some have suggested that Bill 130 will limit public access to municipal councils. In

fact, there would be enhanced requirements to support greater openness if the bill is passed because of the new powers that come with increased accountability.

For greater transparency, municipalities will be required to keep a record of all meetings, both open and closed. Furthermore, Bill 130 will not eliminate the current requirement that council state the general nature of a matter being discussed in camera; rather, the legislation, if passed, will clarify that municipal councils can conduct closed meetings for things such as councillor education and training sessions or orientation and team-building sessions, provided that they do not materially advance any issue before council and no decisions are made. Since there is an obligation to record minutes of these meetings, and these minutes are public documents, a person can use a municipality's own words to question whether a municipality has, in effect, contravened the act. In addition, each municipality would have explicit authority to appoint an investigator who would receive and investigate any complaints from the public about council, about committee or about local board meetings.

However, our proposed legislation gives citizens another avenue if a municipality chooses not to appoint a person to fulfill this role. As I've mentioned earlier, it would then be the responsibility of Ontario's Ombudsman to investigate complaints, and I might note that the Ombudsman does not currently have that right to do so.

We are proposing important changes for municipalities across the province. I'm confident that if they are passed, municipal affairs will be conducted across this province in an open and transparent fashion.

I will reiterate that our government regards local councils as mature governments that we highly respect and that all of us depend on. Bill 130 is part of what we are proposing to provide to municipalities to help them meet the challenges of today's competitive economy. It will not give broad taxation powers to municipalities. Rather the joint provincial-municipal fiscal and service delivery review that was announced by our Premier at the AMO conference this August and which is currently under way is focusing on a new fiscal and service delivery partnership for the 21st century. Our partnership efforts with the municipal sector are tackling this important issue over the next 18 months. The joint review will be broad in scope and recognizes that any outcomes should be affordable to both orders of government, to the taxpayer, sustainable over the long run and designed to provide a high quality of service to all.

We will be examining the challenges faced by municipalities if facing these responsibilities. We will be taking the time to get it right, and we believe a thorough discussion is needed to review the details and explore all of the options. Our aim with this review and this bill is to develop solutions that are sustainable. A strong Ontario, after all, starts with strong individual communities. The McGuinty government is determined to support our municipal partners as we work together to ensure that Ontarians continue to enjoy vibrant, sustainable communities and a robust economy in the years to come.

I will now turn it over to my parliamentary assistant.

**The Deputy Speaker (Mr. Bruce Crozier):** The member for Mississauga Centre.

**Mr. Brad Duguid (Scarborough Centre):** It's the other side of town—Scarborough.

**The Deputy Speaker:** All right, let's hear from the member from Scarborough Centre.

**Mr. Duguid:** I love Mississauga, but I love Scarborough even more, so I'll stay in Scarborough. That's where I plan to run in the next election. I'm not moving to Mississauga.

I'm pleased to participate in today's debate on Bill 130, the proposed Municipal Statute Law Amendment Act, 2006. That's really a technical name for what we all have referred to in the past as the Municipal Act. I know there are probably people tuning in to us today that are thinking, "The Municipal Act? That must be some law that deals with relations between governments. That sounds like pretty boring stuff." But to be frank, the Municipal Act is the bible under which municipalities in the past have had to operate.

The legislation before us today is very important, frankly, to every man, woman and child in this province, because it boldly goes where no Municipal Act has gone before in freeing municipalities, giving them the flexibility that they need to provide better services for the people of this province. So there's not a man, woman or child that lives anywhere in Ontario that will not in some way, over the course of time, be positively impacted by the legislation that we have in front of us today. I know my colleagues here in this House will be intently listening to this debate because they know how important this legislation is and how historic it is, in that it's a real changeover from the approaches taken by previous governments.

As I said, the Municipal Act has often been referred to as a bible, which in the past dictated—and I use that word deliberately—to municipalities what they could and couldn't do. In the past, municipalities were considered subservient levels of government, creatures of the province, if you will. Well, under the McGuinty Liberal government, those days are gone; the days of dictating to municipalities what they should and shouldn't be doing are gone. This government has confidence in the people of this province, in the communities across Ontario and in the municipal councils across Ontario, and we're going to be giving them enhanced powers and enhanced flexibility so that they can better govern themselves. That will provide better governance, more effective decision-making and more accountable decision-making right across Ontario. So indeed, this is an historic piece of legislation. Technical and legal as the writing of this bill is, it's very, very important to every community across this province.

Let's contrast this approach with the approach taken by previous governments. The opposition, the Tories, when they were in government saw municipalities as cash cows to unload costly services upon to save money provincially. They spent the better part of eight long and

harmful years in office hammering municipalities, downloading costs for public transit, downloading costs for public health, downloading public infrastructure costs, downloading public housing costs and downloading social services costs. The list goes on and on. It's a wonder our cities, our hamlets, our towns were even able to survive those eight years of Tory rule.

John Tory and the Tory party, I'm sure, would very much like us to forget those devastating years. They'd very much like us to forgive that party for the abuse that they laid upon municipalities over those eight long years. I say to Ontarians and I say to my colleagues here in this House, we should never forget the damage that municipalities have incurred as a result of John Tory's party, the damage that's been inflicted on every municipality across this province as a result of those years.

The Tories don't believe in strong municipalities; they believe in a province that should dictate public policy to municipal councils. John Tory has never apologized for those years of downloading. He said, "We've made some mistakes," but that just doesn't cut it. It wasn't errors in judgment that made it completely the wrong policy. It was the wrong approach to governing in Ontario, an approach that the opposition still have; an approach that John Tory still believes in; an approach that if they were ever to get back in office again, they'd have the opportunity to inflict upon Ontario municipalities over and over.

**1630**

When our government came through with important policies and important dollars for public transit, the Leader of the Opposition said that Toronto wasn't ready for it, that the municipalities weren't ready for it. When our government came through with important dollars, with the City of Toronto Act, to give Toronto the autonomy that we're giving municipalities across this province, the Leader of the Opposition said that the city wasn't ready for those powers. It's obvious that the opposition, it's obvious that John Tory is still stuck in that old dynamic where the province should be dictating to municipalities, still stuck in that old dynamic where the municipalities are considered as creatures of the province.

Well, I'm proud to say that the McGuinty government is not mired in the past. We're looking forward to a very successful and prosperous future working with our municipalities, giving them the flexibility that they need, and this bill, this act, is a very important step in that direction.

We've come too far, we've sacrificed too much in terms of time and effort, to roll back the clock now. We need to keep moving on in an aggressive manner to give our municipalities the tools they need to prosper, to build stronger communities, to build safer communities, to build more prosperous communities.

Our government will continue to work hard to foster local governments that are self-reliant and accountable. We want to accomplish this by giving municipalities the tools and flexibility they need to more effectively serve

their communities. Bill 130, if passed, would give local governments broad, permissive powers for municipal purposes. This is a 180 from what they're currently operating within. They'll now have permissive powers, which gives them the ability to go out and get the job done. We're looking forward to taking the shackles off municipalities across this province, allowing them to be creative as they move forward to work in the best interests of their communities. That's what this bill will help them do. It will provide for strengthened accountability, a framework that will ensure that municipalities have—without having to come to the province for permission—the ability to set up a lobbyist registry, the ability to set up an integrity commissioner, the ability to have an enhanced auditor general function and the ability to set up a code of conduct for members of council and their staff. Greater accountability will be accessible now to all municipalities right across the province. We'll also allow municipal councils more flexibility to delegate powers and responsibilities to committees, boards and staff. That will lead to more effective decision-making, something that I think constituents and residents right across this province will look forward to seeing.

In our review of the Municipal Act, we heard many municipal representatives voice concerns about the need for municipalities to have greater powers and flexibility to serve their communities. AMO agreed with that view: "If the municipal role is to evolve in the years ahead ... if Ontario municipalities are going to deliver on behalf of their communities ... then they need greater responsibility, greater authority and greater accountability." This bill will give them just that. It will give them the ability to move forward with more flexibility, to move forward with more creativity, to not have to come cap in hand all the time to the province asking for permission to do this or to do that. It'll give them the ability to make many of those decisions and be accountable for their decisions to their own constituents. I think it will lead to much stronger communities. I think it will lead to much better municipal decision-making.

It's a real contrast to the approach taken by the previous Tory government. It's a real contrast to the approach that the Leader of the Opposition has taken with regard to our previous steps in that direction. It's something that this government is very, very proud to bring forward. We look forward to continued debate both here at second reading and at committee as we move forward with unleashing these powers to allow municipalities to govern more effectively.

**The Deputy Speaker:** Questions and comments?

**Mr. Michael Prue (Beaches—East York):** I guess I'm like the proverbial trout rising to the bait here, but I just couldn't believe what the minister and his parliamentary assistant had to say. The minister said that you are showing respect for the municipal governments. The parliamentary assistant went on to say that those days are "gone when provincial governments will dictate to municipalities what they can do." This is kind of a benign bill, Bill 130. It tinkers around the edges—and I'm going

to have my whole hour to talk about that—but the days aren't gone, Mr. Parliamentary Assistant.

The respect for governments, Mr. Minister? You should have been in the committee on Bill 51; you should have been there when section 23 was being debated, when the municipalities for all time were cut out of the planning process on any kind of energy deal that's going to be located in their municipality. They have had that authority for 100 years, but oh no, you're not going to give them any kind of thought anymore, because they have now been cut out for all time from the planning process. Is that the respect that you have for the municipalities? You're not going to act that way anymore?

With the greatest of respect, you're tinkering around the edges but you're not treating the municipalities like mature levels of government. You're not letting them act on fundamental issues that they have for themselves, for their citizens, for the prosperity of their cities; you're not letting them act on safeguarding the environment; you're not letting them act, in Toronto's case, about putting parkland along the waterfront. You're so concerned with mega-electrical projects and energy projects that are you going to supersede anything they might have to say. That's the reality. You can tinker on the edges of this bill, but the heavy hand of the province is there and it's there all the time.

**Mr. Khalil Ramal (London–Fanshawe):** It's a privilege and honour to stand up again in this House. I missed standing up to speak on many different issues. Today, we are speaking about a very, very important issue, Bill 130, the proposed act to change and give more authority to the municipalities across the province to deal with their own issues. I agreed with the parliamentary assistant to the minister, the member from Scarborough Centre, when he was talking about the times changing. The time has changed from the past government to the present government. We show some kind of respect to the municipalities across the province of Ontario since they are elected by their own people. The people elect them to office to represent them, to deal with their issues. If this bill is passed, it will give them more authority on a daily basis to deal with bylaws, many different management issues which they were not able to deal with before.

We believe that by respecting the municipalities, by giving them more authority, we can form a good partnership. It is the only way to have a prosperous province, because the municipalities know better about their own issues than the province of Ontario or Queen's Park. That's why the people in that municipality were elected to represent their own people: They're elected on issues and they have to deal with those issues. They have to have the authority on a daily basis to be able to regulate, to oversee the issues they have been elected on.

I want to commend the minister for bringing this bill forward, because it will give some kind of education to the municipalities, who are here at Queen's Park. We are respecting them. We are going to give them the authority they need in order to govern their own jurisdictions. I believe we can actually see in the future a change of

direction: a direction of respect, a direction for more partnerships with municipalities, which is the way it was supposed to be before. That's why we have a government and a minister that care about municipalities, the prosperity of the province, the future of this province.

**Ms. Lisa MacLeod (Nepean–Carleton):** I'll reserve my detailed comments on this bill for a little later on today.

I do find it highly ironic that the member from Scarborough Centre, the parliamentary assistant to the minister, would take such a combative approach to my leader, whom he endorsed in 2003 and attended many events with. He at that time endorsed Mr. Tory's municipal policies and was quite pleased to stand there. If he wants to start talking about municipal governments and how to respect them, then he might want to take a page from my colleague in the New Democratic Party.

You weren't there when we sat through the Bill 51 hearings, as many of your other colleagues were, when many councillors from throughout the province were upset with section 23, which you did not remove. We have issues in the city of Ottawa, where the city of Ottawa is actually asking you to download municipal ICI waste diversion because you guys can't get it right.

And you're not getting this bill right either, because what you've decided to do with this bill is actually create more closed-door meetings. I don't think the people of Ontario want to see any more Liberal backroom deals. They don't want to see any more Liberal closed meetings. They don't want to see any more Liberal-friendly ad firms and Liberal-friendly groups getting contracts behind closed doors.

**1640**

The fact of the matter is that this is not a piece of legislation that should be coming forward at this time. It should have been coming forward a year ago or two years ago, not during municipal elections. This party is very irresponsible in doing it during municipal election time.

Obviously, I will expand upon my comments in another 40 minutes' time, and that's why I'd like to leave it at that for the time being.

**Mr. Lou Rinaldi (Northumberland):** It's great to rise and speak for a couple of minutes about this legislation. I'm not sure what the members on the other side of the House, when they were in municipal government, felt like under the previous regime. I remember the Rae days and the policy that the NDP government had. I was on council at that time.

*Interjection.*

**Mr. Rinaldi:** I was on council at that time. I remember the omnibus bill of the Harris government and how they dealt with municipalities. I remember that they were ready to introduce legislation that you have to have a referendum whenever you make a decision, and then they have the gall to talk about closed meetings. They have a real short memory.

As we move forward with this legislation, I know I've spoken to my colleagues who sit on municipal council

who do a great job. They're the ones who are closer to the ground. I have eight municipalities in my riding. I speak to them on a regular basis, and they have respect for this government when we're dealing with issues through AMO. We're the ones that introduced legislation—we have a memorandum of understanding. We don't make any decisions until we dialogue with AMO and the city of Toronto. How much more open can we be?

So it's galling to hear that we're creating secret deals somewhere. We're trying to provide a government that is open and accountable. There's only one taxpayer, regardless of what level of government they want to speak to. We should all speak the same language and in the same tone, and I think we're setting the pace to do that.

With that, I think we need to deal with this legislation so that municipalities have the freedom to be able to do the job that they're allowed to do.

**The Deputy Speaker:** Response? The Minister of Municipal Affairs and Housing.

**Hon. Mr. Gerretsen:** Let me first of all say once again that it's great to be back and getting involved in such stimulating debate as we have here today.

Just for the record, Bill 51 doesn't change anything with respect to Ontario Hydro projects. They've always been excluded under the Planning Act, as the members opposite well know. After all, I think everyone, even the opposition, surely wants to make sure that the lights are on in the province of Ontario. I know they're in the dark most of the time, but even they would like to see the lights on across this province.

This bill is all about bringing municipal government into the 21st century and getting them away from this old-fashioned notion that it's quite obvious that the two opposition parties are wedded to that they are creatures of the provincial government. Although they may still be under the provincial government from a constitutional viewpoint, we want to empower them and give them the autonomy to do what is best for their own communities. That's what this bill is all about.

Let me make it absolutely and fundamentally clear that we hope this bill has a good debate, that there will be a lot of other ideas that may be brought into the system. We are willing to look at any kind of amendment that will make this a better act so that municipalities will have greater empowerment and greater autonomy to do what is best for the people within their communities. That's to the benefit of us all.

So I look forward to an honest debate. When the conversation somehow gets sidetracked to Bill 51, I know that the opposition parties really do not have an awful lot to say about this bill. They agree with the general intent of this bill. We've basically gone through this bill already in most respects when we dealt with the City of Toronto Act. Many of those provisions are contained in this bill and this is for the good of municipal government across this province. The real benefit of this, the real winners of this will be the people in the different

communities of Ontario, because they will be better served by their local councils.

**The Deputy Speaker:** Further debate?

**Mr. Ernie Hardeman (Oxford):** It's a pleasure to rise to speak to this bill today, but before we start the debate on the bill, I'd like to make—I think they call it a political announcement. I'm sure the government is very concerned about not telling the truth.

As I was listening to question period, I noticed that a comment came from the Minister of Agriculture, something about how John Tory said that agriculture announcement was federal money. Of course, that wasn't true. What John Tory said was—and, incidentally, I was at the ploughing match with our leader, and I was there when he said that. In fact, what John Tory said was that this government has essentially been sitting on this money for months, and over the past three years they have completely turned their backs—

**The Deputy Speaker:** I think the preamble is referencing something totally different from what we're dealing with here. Really, we should start your remarks with Bill 130.

**Mr. Hardeman:** Thank you very much, Mr. Speaker, but I think it's very important, as we relate the issue to the bill, that what we're talking about is that this government will say anything to get elected, and I have real concerns that that's what a lot of the things in this bill are doing, that they're not going to implement it; in fact, they're going to just say it in order to start their election campaign for the next election. So I just wanted to finish with this to—

**The Deputy Speaker:** Will the member sit down? I think I've already asked you to deal with the bill at hand. There are opportunities for members' statements and questions in the Legislature, and I would like you to address the bill at hand. It's my obligation to ask you to do that.

**Mr. Hardeman:** Yes. Thank you very much, Mr. Speaker. I never said anything beyond what was in the bill in that sentence yet, but I take the comment seriously. I was going to, but I hadn't got to that yet. Obviously, you have a good sense for what will be coming.

Incidentally, I do want to get to the bill and say that when it came to consultation, the minister and the parliamentary assistant have been very adamant that they've consulted with everyone and that this is a bill that will be good for everyone, that this will be a great improvement on the present Municipal Act. And I'm not going to deny that I agree with a lot of the things that are in this bill that will make the Municipal Act better.

I did personally have the opportunity to spend two years consulting with the general population about the new Municipal Act, and the Municipal Act we presently have was the result of that. So I understand that there are a lot of different stakeholders and different interests involved in coming up with something as important as the Municipal Act.

I also want to say that not too long ago we passed the City of Toronto Act. At that time, originally it had been said that we were going to have the City of Toronto Act

and the new Municipal Act, or the revisions to the Municipal Act were going to come out at the same time, one to deal with the city of Toronto and the other to deal with the rest of the province.

Then when the City of Toronto Act came out, obviously there was no Municipal Act there. The government side then said that they were going to pass the City of Toronto Act and kind of have a look to see what happened with that. If it worked well, they would bring similar legislation to revise the Municipal Act. They were going to look at the effects of the City of Toronto Act to see whether that would work well for the rest of the province.

What was interesting from that was that the first reading of this bill, Bill 130, An Act to amend various Acts in relation to municipalities—in fact, it's primarily to revise the Municipal Act, but there are a number of other acts in there that are being changed. It was introduced three days prior to the completion of the City of Toronto Act. So in fact they did it at completely different times, but they didn't see whether the City of Toronto Act would work. They introduced the new reforms and assumed that they were going to be right. I suppose the reason they assumed it was going to be right was because, between second and third reading, they had so many changes that there was very little left of the original bill. So they thought, "Obviously, we've made so many changes that it must be right now. It couldn't be totally wrong twice in a row."

It's clear that they didn't wait for the introduction of the new Municipal Act amendments, waiting for the City of Toronto Act to take effect.

#### 1650

As I mentioned, this is a rather large bill. It deals with a number of issues across the broad spectrum of other bills that affect municipalities. But I want to focus my comments on the areas of greatest concern to the constituents in my riding and to the people of the province. One of the problems we have with all municipal legislation—and, I think, with the government in a lot of areas with all the legislation—is that they do the consultation and they discuss it with their stakeholders but they don't discuss it with the people who will be impacted by those changes. In the Municipal Act, it's great to talk with municipal politicians—as was mentioned in the comments here, we have a little concern with the fact that the majority of the debate on this bill is going to take place during the municipal election campaign, so no one in the municipalities will have an opportunity or the time to look through it and bring forward constructive comments to improve the bill.

Having said that, the consultation with municipalities is one thing, but there's another side. The people of Ontario are the beneficiaries or the people who suffer detrimentally because of the changes that are being made, and I think it's important that we remember those people who are going to be impacted by it.

The other thing that's interesting is that, as I mentioned, the City of Toronto Act and these amendments

are quite similar. I asked the minister about the similarities, just subsequent to the introduction after first reading, and they are primarily the same, save and except for the act of taxing powers. We had a great debate during the City of Toronto Act about whether it was a good idea or a bad idea to allow the city to have greater taxing powers. At that time, we weren't aware whether that would be in for the other municipalities. As it turns out, I guess the province has decided that extra taxing powers are not a good thing, so they have not included it in all the others. So the question would be, why would this bill not have an amendment to change the City of Toronto Act to also remove it from the City of Toronto Act? Because if it's not good for the rest of the province, the question is, why would it be good for Toronto? It doesn't make sense that the people of Toronto are the only ones this government believes should be burdened with additional taxes on entertainment, tobacco and alcohol. That may be an issue for the council in Toronto, but I don't think the population, the people who live in Toronto, feel that they should be taxed any more than anyone else in Ontario.

Really, the question is, does the government believe that municipalities should have sales taxing powers or they shouldn't? Obviously, they should be consistent for all municipalities. I'm not sure why, if it's right for Toronto, it wouldn't be right for Ottawa, Hamilton, London and Mississauga. I know Hazel, the mayor of Mississauga, has said that she doesn't want the extra taxing powers. But then again she doesn't want Toronto to have those extra taxing powers either because she doesn't believe that sales tax is the answer to the municipal dilemma. What is needed is a review of the municipal services, and no one seems to be dealing with changes to the municipal services.

I know the Premier has announced that he's going to appoint a panel to look at the alignment of services, the distribution—what shall we call it?—the fiscal imbalance between the municipalities and the province. I'm sure no one in this Legislature or no one watching would not understand that there was a reason why he decided this study should take 18 months. Of course that's because it will be beyond October 2007, which is the next election.

Having said that, there is nothing that hasn't been studied a number of times as it relates to the provincial-municipal relationships and service delivery. It has been continually studied for the last six or seven years. I can assure you that, as recently as last year, the municipalities, AMO, came forward with numbers that showed how much money was required in order to balance that fiscal imbalance.

I would think that the province could get together with the municipalities and with all the people involved and discuss, without doing an 18-month study, and decide, if we agree that there is an inappropriate level of service being delivered for the taxes able to be raised in municipalities, how much that would be, and then transfer the money from the province to the municipalities. That, in my mind, should not take 18 months.

I think we'll just leave that one for a moment, and we want to talk about the government. The minister introduced this bill last June. He talked about how it will create more accountability and transparency. However, when you get to the details of the act, we find that the actual opposite is true. For instance, the act gives municipalities the ability to appoint an investigator, an ombudsman, and I support the idea of a municipal investigator. However, the plan to create that position, as outlined in this bill, is flawed. In fact, our provincial Ombudsman said, "While purporting to introduce a degree of accountability into municipal administration, this bill will result in an unfair, inequitable and unsustainable patchwork of quasi-oversight measures throughout Ontario." That's from our Ombudsman for the province of Ontario, and he said that on June 19, 2006.

The big problem with it, I think in his mind, is the fact that the bill doesn't mandate that municipalities must appoint the ombudsman; it just gives them the right to, the ability to. I have great respect for the municipal politicians in this province, but I think we have to ask ourselves: Who is more likely to choose not to have an ombudsman? The council that is doing well, where the constituents are happy with their representation, or the council that is doing badly? I don't think that's a very difficult question to answer. If there's a problem with governance, the people who are doing the governing are not likely to appoint an ombudsman. Secondly, if they are liable to appoint an ombudsman, it is unlikely that they will appoint someone who will become critical of them as they do the job. So if the choice of picking the ombudsman is left up to the municipalities, then Ontarians who need the ombudsman the most to ensure good local government are the ones who will end up without that protection.

The Ombudsman also said, speaking to Bill 130: "It's a piece of legislation that exploits the goodwill associated with the term 'Ombudsman,' yet doesn't deliver on any of the basic tenets.... They are making it appear as a very credible, substantial step forward when it borders on fraud." I think it is a very, very scathing statement to the government to have the Ombudsman of the province of Ontario say that this piece of legislation, as it relates to the appointment of Ombudsmen—to say that it's about accountability and transparency, and he says, "It borders on fraud." I think that the government should immediately say, "We will withdraw that section of the bill because we don't think that the people of Ontario should have to even debate that type of legislation when the independent Ombudsman comes up with those concerns."

His concern is that in municipalities that appoint an ombudsman, those people no longer have the ability to go to the Ontario Ombudsman. For those that don't appoint one, if the ratepayers in those communities have a problem, they can go to the Ontario Ombudsman, where they would be heard by an impartial third party and the issue would be dealt with. So he says that where the real concerns are will never get to the appropriate ombudsman authority in order to have a proper investi-

gation. They will be investigated by the council themselves. Everywhere else in our society where we have that people who investigate another body, such as in police oversight, we have an impartial third party that does that. In this case they would be appointed directly by the council, and in turn those ratepayers would not be able to appeal to the Ontario Ombudsman. The Ombudsman says, "How could the Ombudsman that was appointed by council actually be accountable and transparent if they have a fear of losing the job if they do any real investigating?"

**1700**

Again, the main thrust of this bill was supposed to be transparency and accountability, but it seems unclear how having more meetings closed to the public would increase accountability and transparency. Bill 130 would allow councils to close meetings to the public "if, at the meeting, no member of the council ... discusses or otherwise deals with any matter in a way that materially advances the business or decision-making of the council...." It sounds kind of confusing to me, but that's the way it's written in the bill. I guess what that means is, providing council says that when they're going into the council meeting they're not going to discuss anything but the Saturday night hockey game, they can have a closed meeting, but if they are going to have a discussion as to who wagered on which team, that would have to be in open council, because that's going to further the discussion because somebody would have to pay up.

It points out that there is no way of telling what now could go behind closed doors, because right now, in the present Municipal Act, it must be legal and personnel matters. That's it. This one here says that they can go for anything as long as it doesn't further the business of council. When I asked the ministry about that, they said that it's also changed so that they must keep minutes of the council meeting even though it's in the legal and personnel. I stand to be corrected, but I think in the Municipal Act it presently states that the duty of the clerk is to record the actions of council "without note or comment." Since they cannot vote in camera, behind closed doors, there is no action of council that is taking place behind closed doors. So in fact, we have the behind-closed-doors discussions and then they come out, and the minutes record, "We went in, we talked and we came out." That's all the minutes say, because the clerk cannot have note or comment; they can only record council's decisions. So they come out and they vote, and no one knows what discussion took place. I don't know how this could possibly be considered more transparency and more accountability.

The Kingston Whig-Standard said—this is interesting, because of course we all know the minister represents the Kingston area, Kingston and the Islands—"If council is open and accountable, then having another right to close meetings to the public is not necessary."

There is nothing about this that serves the needs of the members of the public or the average taxpayer. How can members of the public make an educated decision at



election time? I think this is very important. How can they make an educated decision at election time if they have no idea who said what in the debate leading up to a council decision? How can having closed-door meetings make municipalities more accountable and transparent? It just doesn't make sense. In fact, the Ontario director of the Canadian Taxpayers Federation called it "a poor transparency decision."

Another area that I have a problem with as it relates to accountability and transparency is allowing council to delegate authority. They can delegate it to commissions and boards; they can delegate it to an authority or a board that is only 50% appointed by the municipalities. That means there are certain things that they're restricted on, but it means they can delegate their decision and they can promise to do something—council can promise during an election campaign that they're going to do this, this and this, and they appoint that action to a local board and never have to be accountable for that again. Recognizing that the board they gave it to could be 50% non-elected people, how are the people, the ratepayers, supposed to hold those people accountable? I don't think they can. If all the difficult decisions are delegated to a non-elected board, how do the voters know what councillors believe? Again, I think that becomes important.

The public has the right to hear this debate on this bill. When this bill goes to a vote for second reading, I don't think there's anyone in this House who isn't quite sure what the result of that vote will be, but that doesn't take away the need to have a public debate to put forward both sides of the issue to make sure that the public understands what the impact of that bill will be.

This bill allows municipalities—and I'm not suggesting that the majority of municipalities are going to do it—to take a lot of that debate out of the public domain, and I don't believe that is a positive for accountable and transparent municipal government.

The Liberals across the floor may not think that it's important to be able to keep an election promise, but our municipal councils are full of people who are running because they want to represent people, to do a good job and to keep their word. I think it's important that the debate is in public, because sometimes your word is opposite to the decision of full council. I think those councillors have a right to that debate to be in public, even though they're not in the majority of council and the majority have decided to do it behind closed doors. They have a right for the public to know how they felt about it and what their position was on it. Again, I think that takes away from the accountability by doing that.

Councillor Lorraine Aelick, a councillor in St. Joseph township, said, "To me, this is handing the responsibility of council on. I think that's what elected people are there to do, and to delegate these responsibilities on to someone else is not good." This is a local councillor. It was quoted in the Sault Ste. Marie Star. I have to agree with her. I believe that we have some great men and women on municipal council in this province, and if you give them the right tools, they want to do their job and they do

not want to hand it off. Councillors do not want to have the majority vote and allow it to hand their responsibilities off to someone else. So I think it's important that every councillor has a right to be heard and that they also can stay involved in the decisions they were elected to make.

I'm not as well versed as I should be on it. I haven't looked to see whether, in fact, the council could actually allocate road decisions to a roads board that was 50% non-elected people, and then councillors could no longer make a decision based on where the work on the roads was going to take place. Again, I'm just saying that hypothetically this could happen. I don't envision any municipality doing that. At the same time, I think it's important to point out as an example what could be done because the legislation is written this way, and I think it's important that that legislation would be changed to read differently so that wasn't a possibility, so that when someone runs for—I should clarify that. People don't run for things. Dogs run for things. People stand for office. So when someone stands for office in a local municipality, I think they have a right, when they get there, to be able to personally be involved in the decision-making that they were elected to do.

The next one is the issue of licensing. Again, we have a lot of debate in the City of Toronto Act about the power to license and what could be licensed and what couldn't be licensed. The transferring of minor powers in the act: It says they can delegate the power to issue and impose conditions on licences. To a small business in a municipality, they don't think that putting conditions on and licensing their business that didn't require a licence before is a small issue. I think that type of issue, they would expect, would be debated and passed and approved by the majority members of council, not by a local board appointed by a council not knowing what that council was going to decide. So I think it becomes important that they have a right to go to council and put their position forward to the elected officials as to what's appropriate.

The issue of licensing goes even deeper. There are a lot of challenges. The business in this act—and this is a business that could be licensed—is defined as "any business wholly or partly carried on within a municipality, even if the business is being carried on from a location outside the municipality." So it's quite possible that a business in one community would have to have licences in a number of communities just to do business there. If they had a warehouse there, it's possible that the municipality could also license the warehouse or that part of the business. People would not necessarily know what licence was required, and the cost of the licence could vary in every community.

#### 1710

If you go even further, the act also allows municipalities to require a licence for "the display of samples, patterns or specimens of goods for the purpose of sale" and "the sale or hire of goods or services on an intermittent or one-time basis and the activities of a transient trader."

To me, that looks like we're going to set up a great big bureaucracy in municipalities to try to find a way to license everything that walks. Of course, I know licences are not taxes, but it's just another form of payment that the taxpayer must make to the municipality. I think most people would understand that to be the same as a tax.

The question really becomes, the way it's written: I might need a licence to hold a garage sale on my lawn. That, to me, just doesn't make sense. In fact, there is nothing that would inhibit the municipalities from making that decision, that all lawn sales must be licensed.

I just say, at best, this is a tax grab; at worst, it's a layer of bureaucracy that's going to stifle businesses and kill jobs. Obviously, it's not going to kill many jobs as I no longer can hold my yard sale, but it is definitely going to hurt small business as it tries to do business in a number of communities.

Another area that I wanted to touch on, and the minister mentioned it in his comments, was about the Line Fences Act—the issue as it relates to abandoned railroads' rights-of-way. Presently, the Line Fences Act says that the railroad that owns the right-of-way, or any subsequent buyer, is obligated to provide fencing on both sides of the right-of-way. When the railroad is abandoned, the railroad has the obligation to offer for sale the right-of-way, first to municipalities if they wish to purchase it. The second one: If the municipalities decide they do not want it, then next they must offer it to the adjoining property owners.

Mr. Speaker, you would know, having been on municipal council for quite a number of years, that the property owners would generally—at least some of them—purchase it and just add it to their farms on both sides. Of course, if some of them do that, then it's obviously no longer accessible for trails, snowmobile trails, wildlife corridors and so forth, so in a lot of cases the municipality purchases the right-of-way and then sells it, donates it or lets snowmobile organizations or others use it for their purposes.

The people along the right-of-way, when they purchased their property and ever since they've had their property, have been assured that as long as they didn't get it back, somebody would be responsible to keep the fences up on both sides.

Now the minister says, "We have consulted with the people. The municipalities like this and the farmers like it, because the farmers are going to stay with the status quo." I agree with them. I would like that, too.

The challenge comes up: The people who are not in agriculture anymore today are also eligible for fencing on both sides to keep them out of their parking lot, or wherever this right-of-way is going through. With this amendment, they're saying, "No, you no longer get the fencing to divide that railroad property from your property. You have to help pay for that."

When I asked the ministry whether they had actually consulted with any of those people who would be negatively impacted, no one could tell me that that had happened. I think it's very important that we don't talk

just to the people who are going to be positively impacted by the amendment, but we should also talk to the people who are going to be negatively impacted, so they know that this is happening.

That's why I think this type of debate is so important, to make sure you point out some of these shortcomings in the legislation, so everyone can be here and at the committee, at the hearings, to point out their concern with it. Again, we're doing it at a rather odd time of year for that concern to be totally addressed.

I think there are an awful lot of people along the railroad right-of-way who purchased property who do not use it for agriculture but still have a need to divide it. Particularly if it's going to be used for a recreational area, they want to keep the two uses separated. Somebody mentioned to me: What if it's going through the town and there's a residential area? These people don't want the recreational vehicles to be able to go on their back lawn, and yet this says that if you want that fence fixed, you have to pay half of it because the municipality now owns it. If the railroad still owned it, they would just call up and say, "Your fence is letting people through. You have to fix the fence," and they would get that done.

The other thing that this bill has bit of a problem with is that the minister tells us that it's going to give a lot more authority, ability and tools to municipalities, but in almost every case, where it improves the ability to get things done by municipalities, there is a regulation-making authority in that part of the bill that allows the minister to supersede the municipal decision through regulation. If the minister can still change their decisions, that's really not giving them authority; that's just giving them a lot more responsibility, with no extra authority. At the same time, it's likely going to increase their liability or their costs a lot. In this bill, there's absolutely nothing that would increase their revenues, because they have taken that part out of the City of Toronto Act here.

The last item I wanted to talk on is the strong mayor or the mayor's—what shall we say?—job description right in the bill. The minister says that he believes municipal governments are mature and accountable. But how much does he trust them if he feels it's necessary to give the mayors a list of duties that they must do? The act doesn't say "may" do; it says "shall" do, and there's a big difference.

I think the mayors of Ontario are good people who work hard, so I don't believe that the province needs to tell them how to do their job, especially when the province thinks that one of their top responsibilities is to promote their communities internationally. I'm sure all the mayors in our small towns in Ontario will enjoy the international travel that they are being required to take. Perhaps they could ask the Minister of Energy for advice on international travel. Maybe the Liberal government is trying to make the provincial expenses look more reasonable by asking municipalities to spend large amounts of money on travel. Again, it says that they must promote their municipality internationally. It doesn't say "may"; it says "shall." They use the word "shall." So I'm going to assume that if they don't do it, the ombudsman that they

were appointed could investigate that and say, "Mr. Mayor or Madam Mayor, you're not doing your job. You haven't been anywhere in the last two years. You'd better buy a ticket, do a little travelling, because you haven't promoted your municipality and that is part of your job."

There are a number of other things that are very prescriptive in what the mayor must do. I think if the word "shall" was changed to "may," then all of it would start to make some sense. Maybe that was the intent. Maybe it was a misprint. We'll hope that as it goes to committee the government will look at that and change that, that those are responsibilities that the mayor may take on, but I don't think it should say that the mayor shall take them on.

These are just a few of the examples of where I think this government is failing to address the concerns of municipalities, organizations and the people of Ontario. Again, I think it's very important to point out the people of Ontario. That's what this is all about. It's not about making councils happy; it's not about giving councils more authority; it's about how we can best govern and ensure governance for the people. If we want to give total carte blanche to municipalities to say, "You are directly elected by the people, you are the most representative of the people because you are closest to the people for elections," why do we need a Municipal Act at all? Why do we not just let them do what it is they do? "This is what you're responsible for; go to it." The government believes there are certain guidelines that we need to put in place to protect or to facilitate the orderly operation of municipalities and, secondly, to make sure that the people in the municipalities are protected when they are not getting a fair deal.

1720

I look forward to continuing debate and working to make sure that this bill addresses the real needs of municipalities but, more importantly, of the people of Ontario.

I do want to share part of my leadoff time with the member from Nepean–Carleton. With that, I thank you very much for your time and turn it over to the member from Nepean–Carleton to finish off.

**Ms. MacLeod:** The member from Oxford brings together some very valid points. Having discussed this legislation with him, I know that our concerns are very similar.

One thing that we're very concerned with is the Liberals introducing this legislation that's going to have long-lasting effects on every municipality in Ontario at a time when most municipal politicians are out ordering signs, securing office space and knocking on doors. Many people here will recall that this legislation was introduced on a sleepy day in June about three months ago. The Dalton McGuinty Liberals are asking the people of Ontario to decide which municipal politicians to vote for at this time for a four-year period, which they snuck in through schedule H of the budget bill. Our electorate is actually not going to know what the jobs of municipal politicians will be because this bill won't see its final form for quite some time.

Aspiring politicians like Rob Burton in Oakville, John Blair in Scarborough Southwest and J.P. Dorion in the city of Ottawa are all running because they love their cities and their homes, yet the McGuinty Liberals do not want to give the duly elected councillors and mayors, or future councillors and mayors, a direct decision on what this bill will mean to them.

I want to say at the outset that the Ontario PC caucus recognizes that Ontario municipalities are facing some unique challenges, but this government has said anything and will do anything just to get elected, and this bill is just another example of that. It's a bill that doesn't solve the main issues facing municipalities, nor does it live up to the high expectations the minister has set for it.

It's because of the unique challenges of Ontario's municipalities that John Tory and our PC caucus have called for a review of how municipal services are delivered and how they are paid for. Unlike the McGuinty government, we believe that municipalities should not have to wait until the next election before work begins on striking a better fiscal balance between the province and Ontario's 400 and some municipalities.

We suggest that the logic of addressing the challenges of municipalities in this way is piecemeal. Why not address the fiscal challenges at the same time as those addressed in this bill? That includes, as well, the logic behind sneaking in four-year terms when the taxpayers and the voters weren't looking.

There are a few key issues that I'd like to talk about today. I'll talk about them briefly and then I'll expound upon them later.

One concern that we on this side have is the new secret, in-camera meetings. Council meetings will be allowed to be go in camera as long as the discussions or the decisions do not advance decision-making. Some see this, and we certainly do, as a weakening of the transparency and accountability of city councils.

We are also concerned about another layer of decision-makers. The proposed legislation would allow for the creation of community councils which can make decisions on such things as snow plowing and garbage collection. These representatives would not necessarily be elected. This could actually be another weakening of accountability at the municipal level.

There's an optional ombudsman, an optional investigator. Currently, the Ontario Ombudsman is unsatisfied with the proposed changes surrounding oversight, calling those changes bordering on fraud. Due to the vague nature of the provisions and the option for municipalities to opt out, the Ombudsman feels that these changes are meaningless.

We're concerned about extension of bar hours. In large cities like mine, the city of Ottawa, there can be a potential for later nights in downtown cores. Many municipalities are worried about the noise levels and disturbances.

The setting of speed limits: With the new power to set speed limits not exceeding 100 kilometres an hour, people in large cities where there are main thoroughways are concerned that we might see 99 kilometres an hour on

city roads. We will see large shifts in limits between communities; for example, 75 in Whitby to 45 in Ajax.

We're concerned about decision-making. Bill 130 continues to allow the province to circumvent a municipality's decision through regulation, or the province can veto any municipal bylaw if it sees fit, such as in section 51. These options available to the province leave municipalities feeling very much like a junior partner, not a senior partner.

With respect to the timelines of this legislation, as I mentioned, it was introduced on a lazy day in June when most people were trying to get out of here. Right now, we are going through municipal elections across Ontario, yet certain provisions—for example, the appointment of investigators to deal with closed-meeting complaints—will be impossible to meet by the January 2007 deadline. Most of our municipal councils won't be ready to meet until mid-December. That is unrealistic and overly arduous for municipalities, considering that this is an election year.

Business licensing is another concern. We're concerned that the provisions around business licensing will cause hardships for small businesses. For example, it is possible that a business would have to get multiple licences to serve different communities or that a family would have to get municipal business licences before they conduct a yard sale.

In my community in the city of Ottawa, which is the largest agricultural city in Canada, we have an issue where we need some scalable bylaw licensing. So in a certain way, this provision may be helpful, but there is a sense of cautiousness that I have in endorsing this.

The final concern is something Mr. Hardeman talked about, which was the mayor's junket. As a portion of the section relating to new powers of heads of council, it states that mayors "shall" promote their communities internationally. We're concerned that we might be forcing mayors of small towns like Smiths Falls to budget for Dwight-Duncan-style European junkets.

The Liberals, in their 2003 platform, made no mention of amending the Municipal Act, yet the PC record on this has been solid. The first comprehensive overhaul of Ontario's municipal legislation in 150 years occurred with the passage of the 2001 Municipal Act. The act gave municipalities broad new flexibility to deal with local circumstances and to react quickly to local economic or social changes while promoting strong accountability to taxpayers.

Just before I focus more on the ombudsman and the investigator, I'd like to talk a little bit about the municipal review which was announced at the AMO conference. I apologize for my voice; I have a very early fall cold. I think it's interesting that the government has decided to take action on the new Municipal Act while they are still dragging their feet on giving municipalities the resources they need. Every time the government passes new legislation that affects municipalities, it adds to the burden that they are already facing. I've spoken to many city councillors from across the province at the

AMO conference, and they were hopeful that this municipal review would have taken effect prior to the 2008 deadline. The cost of delivering local services is increasing, and the Liberal government just keeps adding more expenses and adding to the responsibilities instead of giving them real help. The Liberal proposal to study the problem for 18 months so they can get through the next election without having to deliver real help to municipalities and ratepayers is unacceptable, and it's certainly something we're not supportive of in my community.

I'd like to talk a little bit about the ombudsman/investigator. This is a real concern that was brought up by the Ontario Ombudsman, André Marin. The act gives municipalities the ability to appoint an investigator/ombudsman, and I obviously support this idea, as do I an auditor general in the city of Ottawa, which we passed several years ago. However, I think the plan to create the position as outlined in the bill is fatally flawed. In fact, our Provincial Auditor said, "While purporting to introduce a degree of accountability into municipal administration, this bill will result in an unfair, inequitable and unsustainable patchwork of quasi-oversight measures throughout Ontario." The auditor also said, "It is a piece of legislation that exploits the goodwill associated with the term 'ombudsman,' yet doesn't deliver on any of the basic tenets. They are making it appear as a very credible, substantial step forward when it borders on fraud."

First, under this bill, it is not a requirement that municipalities have an ombudsman. I have great respect for the municipal politicians in this province, but I think we have to ask ourselves: Who is more likely to choose not to have an ombudsman—the council that is doing well, where the constituents are happy with their representation, or the council that is doing poorly? If the need to have an ombudsman is left up to the municipalities, then Ontarians who need the ombudsman most to ensure good local government are the ones who will end up without that protection.

The Ombudsman's concern is that the investigator or ombudsman, if the municipality chooses to have one, is appointed by the council. How can anyone do a good job of investigating the people who appointed them to their job? It almost sounds like the Integrity Commissioner who was appointed under Jean Chrétien. How can any member of the public have confidence that the ombudsman is there to hear their concerns and investigate if they are appointed by the council they are investigating? Under the current draft of the bill, the ombudsman could even be an existing employee of the municipality, reporting directly to a department that he or she may be called upon to investigate.

**1730**

I just have one more quote from the Ombudsman:

"The citizens of Ontario deserve to have a strong, credible and independent oversight body with full investigative powers, to ensure compliance with public meeting requirements as well as to deal with general complaints about municipal matters affecting them."

“As Bill 130 is currently drafted, the Ombudsman’s office would act solely as a default for investigation of complaints about a municipality’s failure to hold public meetings. In lieu of the Ombudsman, municipalities are given the power to appoint an internal investigator to address such complaints, thereby ousting the Ombudsman’s authority. Municipalities could even appoint one of their own employees,” as we’ve just mentioned, “to do the job, something that completely defies the basic tenets of oversight.”

Mr. Speaker, as you can see, there are severe concerns from Ontario’s Ombudsman, even as we speak, that this piece of legislation may not be as fair and impartial as the government would portend.

In terms of closed meetings, I touched on that earlier. That’s a concern for us on this side. Bill 31 would allow councils to close meetings to the public “if, at the meeting, no member of the council ... discusses or otherwise deals with any matter in a way that materially advances the business or decision-making of the council ....” I’m unclear as to the intent of this change. Does this mean they can discuss council business as long as it isn’t a productive session or that the council can go in camera to discuss last night’s television show?

What really concerns me about this is that important details of public debate will be kept from the public. Imagine: Here today, people at home are able to watch us. They don’t have to agree with us, they don’t have to respect where we’re coming from, but at least they know our side of the debate and why certain parties support legislation and certain parties don’t. I believe that gives the electorate valuable information before they make critical choices on who their representatives are.

There’s nothing about this that serves the needs of the members of the public or the average taxpayer. How can members of the public make an educated decision at election time if they don’t know who said what or how a decision was made? How can having closed-door meetings make municipalities more accountable or transparent? To me, it simply does not make sense. As the Kingston Whig-Standard said, “If council is open and accountable, then having another right to close meetings to the public is not necessary.” Neil Desai, the Ontario director of the Canadian Taxpayers Federation, called it “a poor transparency decision,” and I have to echo that.

Another cause of concern for me is delegating authority. Another way this bill takes away accountability and transparency is by allowing council to delegate their authority and responsibility to people whom the council appoints or who are employed by the municipality. They can even delegate authority to a board that is only 50% appointed by the municipality. This means elected officials can actually delegate matters of their municipality that are important to the electorate to unelected and unaccountable taxpayers. I almost wonder, do the people of Ontario know that’s happening right now? Are they going to be included in the series of consultations we are about to embark upon? If all those difficult decisions are delegated to an unelected board,

how do voters know what councillors believe? A councillor can make a promise at election time and then claim they couldn’t keep their promise because the power to make it happen had been delegated to an appointed board.

I know there are Liberals across the floor who may not think it is important to be able to keep an election promise, but they couldn’t keep their promise because they would say anything and do anything to get elected, and I don’t think many of our municipal councillors are like that. They are good people who believe in their communities. They believe in safer streets and self-reliance and strong families. St. Joseph township’s Lorraine Aelick, a city councillor, said to me, “That is handing the responsibility of council on, and I think that’s what elected people are there to do, not to delegate those responsibilities on to someone else.” I have to say I agree with her, as an elected official myself. I believe it’s us, the men and the women who are elected to serve at any level of government, who should be given the right tools to do our jobs properly, not behind closed doors and not through our delegated authorities.

Just one final note on business licences: I’ve already heard from my constituents and stakeholders alike who are concerned that industries which are already highly regulated by this government will now have another layer of regulation and red tape. Business in this act is defined as “any business wholly or partly carried on within a municipality even if the business is being carried on from a location outside the municipality.” That means that a business that delivers outside of the municipality where it is located might need a business licence from more than one municipality to operate. This act also allows municipalities to require licences for “the display of samples, patterns or specimens of goods for the purpose of sale” and “the sale ... of goods or services on an intermittent or one-time basis and the activities of a transient trader.” The way this is written, I might need a licence to hold a garage sale on my own front lawn, and that just doesn’t make sense. This is a tax grab and, at worst, it’s another layer of bureaucracy that is going to stifle businesses and kill jobs.

So, Mr. Speaker, I have about eight minutes left. I don’t think I’m going to finish my time. I don’t think my voice will hold out. But there are some critical issues that need to be addressed in this bill. I find it highly unfortunate that it is occurring at a time when our municipal councillors and our electorate, the people who have most at stake with this bill, are otherwise occupied. They’re working right now in their communities to get elected; they’re working in their communities to find the best candidates possible to run their municipalities for the next four years. Right now, they want to talk about how to make their lives and their communities better. They don’t want to be talking about a municipal act, quite frankly, that should have appeared before us three or four years ago.

On that note I’ll conclude, and I look forward to participating in committee hearings and improving this piece of legislation. Thank you, sir.

**The Deputy Speaker:** Questions and comments?

**Mr. Prue:** It is always a pleasure to listen to the members from Oxford and Nepean–Carleton. In the two minutes I have—they spoke on so many issues, but I do want to zero in and echo the concerns they raised about the ombudsman and what the Ombudsman has had to say about this particular bill, particularly. To use the Ombudsman’s own words, it “defies the basic tenets of ... oversight.”

We know that Mr. Marin has done an excellent job in everything that he’s touched since being appointed to that position. You only have to watch the positions that he has taken, the way that he deals with government, the way he gets actions, the way he is followed by the press, to understand that he has the very best of intentions when it’s dealing with the citizenry of this province. One has to take his cautions to heart. One has to see that the section whereby the municipalities can appoint one of their own, can appoint someone who is on the payroll, can appoint someone to be the person with the oversight, may indeed be seriously flawed. I would take Mr. Marin’s point to be based in some strong sense of logic, some strong sense of law.

The members who spoke to this spoke to it quite eloquently. They brought out parts of the difficulty in the investigations that take place. Right now, I have to say that the situation is not much better. I know what the government is trying to do, but this is something that needs to be looked at, and hopefully will be looked at in committee. Right now, it is the councils themselves who investigate themselves, and if ever there was a system that doesn’t work, clearly that is the one. I hope to be able to expand on that when it is my own turn to speak, about councils and the failure to investigate one of their own, usually to close ranks around one of their own who finds himself or herself in trouble. Quite clearly, it is important that a real ombudsperson be appointed, but not so much one that is under the control of the municipal council.

**The Deputy Speaker:** Questions and comments? The member for Chatham–Kent–Middlesex.

**Mrs. Maria Van Bommel (Lambton–Kent–Middlesex):** Lambton–Kent–Middlesex. I didn’t get Chatham just yet.

**The Deputy Speaker:** It’s been a long summer.

1740

**Mrs. Van Bommel:** Thank you very much, Speaker. I certainly listened with great interest to the comments of both the members from Nepean–Carleton and Oxford. I found it quite amazing, actually, to hear the member from Nepean–Carleton talk about adding burden, because I was certainly on municipal council in the years when the Conservative government amalgamated and downloaded, and that was adding burden. There was certainly nothing revenue-neutral about the things that happened in those days, and it was always told to us that that would be the case.

We had the community reinvestment fund, which was supposed to create that revenue neutrality. It never

happened. As a matter of fact, it was such a fiasco that, as a government, we had to come forward with the Ontario municipal partnership fund. In the last year, we’ve put \$763 million into Ontario municipalities because there is no such thing as revenue neutrality at the municipal level. It’s a very difficult thing to make sure that you provide all the services, especially services that were downloaded in those days.

I also found it very interesting to hear the comments about community councils, because I know, as a municipal councillor, we have had for many years our committee of adjustment. A committee of adjustment is made up of both elected and non-elected people; it depends on the council as to how they want to handle that. Ultimately, the decisions and the recommendations that come forward from those committees are still up to the municipality to deal with. Municipal elected councillors are the ones who make that final decision. So I am very confident that community councils will be able to do the work they’re appointed to do.

I also listened with interest to the comments about the Line Fences Act. I certainly hope to have an opportunity to speak to that further too.

**Mr. Norm Miller (Parry Sound–Muskoka):** It’s my pleasure to add some comments to the speech from the members from Oxford and Nepean–Carleton. I was just listening to a CBC radio clip from northwestern Ontario, from Thunder Bay, which had a number of municipal mayors who attended the conference talking about their relationship with the government. It’s very illustrative of the “say anything, promise anything to get elected” McGuinty government.

Some of these quotes were pretty strong. The mayors were Dave Canfield from Kenora, Lynn Peterson from Thunder Bay, Anne Krassilowsky from Dryden and Michael Power from Greenstone. Michael Power goes on—this is a direct quote—“If you do not, Dalton McGuinty, government of Ontario, step up to the plate now and put in place the promises you have given us, I swear by all that is holy that there will not be a Liberal elected in northern Ontario—not one.”

That’s pretty strong language. They had five minutes of quotes, talking about the commitments that have been made by the Liberal government to do with the forestry sector and the thousands of job losses there have not been acted on. He talks about how the Minister of Energy goes to Sudbury to make an announcement on energy policy, and he paraphrases and says, “Too bad, so sad; turn down your thermostat, put a blanket around you, drink some good red wine and cuddle up with somebody you like.” That was what the Minister of Energy said in Sudbury when he made his announcement. And they go on.

Another one of the mayors says, “It appears that nobody cares and nobody wants to listen and nobody is willing to step forward to the plate, and all we keep hearing is, ‘Soon, soon, soon.’ It means more delay and more mill closures.” That’s what the mayors in northwestern Ontario are saying about the current government and the sort of treatment they’re getting from this current government.

**Mrs. Carol Mitchell (Huron–Bruce):** I rise in support of Bill 130, but I also want to add my comments about the members from Nepean–Carleton and Oxford. I know it is very difficult for the other side to understand this, but clearly the McGuinty government understands municipal governments are mature, they are accountable and the system that they need is one that will meet their communities' needs. I know, coming from a municipal background—the downloading has been mentioned, but I remember just about three days prior to Christmas the joke in the municipal world was, you had to use water on the fax machines. The paper was coming through so fast that they were downloading so much that we had to pour pails of water on the fax machines so they didn't catch fire. That's how much notification was coming through.

When we talk about a bill that recognizes and gives the tools to municipalities to move forward, I know it's very difficult for that side to understand the level of maturity that our municipal governments have reached.

I tell you that this bill will go on to committee, and we know that many things will be discussed, as has been mentioned by other members. We will look forward to that opportunity.

I want the House to recognize that I do support Bill 130, and I do hope that the other side of the House will someday be able to trust our municipal governments, our partners.

**The Deputy Speaker:** Response?

**Ms. MacLeod:** I'd like to thank the member for Beaches–East York; the member from Lambton–Kent–Middlesex, whom I want to congratulate on being a grandparent for the 10th time—I think that's wonderful; my colleague from Parry Sound–Muskoka; and my friend from Huron–Bruce.

In terms of the comments, there were a couple of things that I think need to be addressed here. They're talking on the other side about all the downloading that happened in the past. I don't see any evidence on the other side of this House that they're going to upload anything.

They've got empty promises over there, or broken promises, or, "Let's say anything to get elected." What I'm wholly amused at right now is the fact that they've made a promise to the people of Ontario to take two things off the shelf until after the next election—property assessments and the municipal review—because they're too afraid to do anything. They'll say anything to get elected and they'll make any promise to get elected, and then they won't keep it. The words "follow through" mean nothing to them. To keep a commitment is very important.

In the next year, as we move toward October 4, I think we're going to see a lot of things coming from the other side. I've heard the tone in the debate tonight. It's completely in the gutter.

*Interjections.*

**Ms. MacLeod:** I barely have a voice, but they can hear me, thankfully.

In the last 25 seconds that I have, I'll just say that there's an issue in the city of Ottawa, and if you want to

put your money where your mouth is, then you'll work with our city council, you'll start to meet those ICI waste diversion targets that you promised you would with the city of Ottawa, and you won't continue to break your promise or continue with your inaction on ICI waste diversion. Right now, the councillors in the city of Ottawa are asking for an upload, if you can believe it, because of your inaction.

**The Deputy Speaker:** Further debate? The member for Beaches–East York.

*Applause.*

**Mr. Prue:** Thank you for the applause. I hope you're still applauding 12 minutes from now, because the dubious distinction that I often have, being from the third party, is that I begin my speech and I end it on some other day. I call it the bifurcation process: Do a little bit now and do the rest tomorrow or whenever it gets called back again. But today, for the 11 or 12 minutes that I have, I'd just like to talk about the process and what's happening here.

This is but one bill in a whole bunch of bills. There was the City of Toronto Act. There's this act, Bill 130. There's Bill 51. The minister started off his own statement by saying that there's going to be a municipal service review that has been undertaken by the government, which is but another bill and another set of policies. I guess they're all going to come together at some point.

The member from Huron–Bruce made a statement—and I don't know whether she was trying to include me or just the members of the official opposition—that she hoped that one day people on this side of the House could support municipalities. With the greatest of respect, I think that the members of my party and myself particularly have spent a long time arguing about the mature level of municipal governments. In fact, we took an unprecedented step for us. We even—much, I think, some days, to my chagrin—voted for your bill on the City of Toronto Act. We did so because we had faith that the government of Ontario was moving in the right direction vis-à-vis the people who live in Toronto and the whole process of government in that city. It is a huge and very complex government, the city of Toronto. There are 2.5 million people. The budget of the city of Toronto is bigger than that of six of the 10 provinces in this country. The number of politicians there is almost as large as one might find in New Brunswick, located just on a municipal council. And we have to understand that what is happening in municipalities across this province, and indeed around the world, is very different from what municipalities did 20, 30 or 40 years ago.

**1750**

It is no longer appropriate for anyone to consider municipalities as being creatures of the province. They are a mature form of government able to make their own decisions. Would that this bill had gone even further, I want to tell you, because I have confidence, at least insofar as the larger municipalities go in this province, that they have the wherewithal, the strength, the financial resolution. They have lawyers and they have accountants to be able to do what is right for their municipality.

I would acknowledge, and we all need to know, that there are a number of small municipalities in the province of 1,000 or 2,000 people that do not have that kind of clout, that do not have that kind of expertise and may never have that kind of expertise, and it is for them that I'm really looking to the bill. But in terms of the larger municipalities, it's quite clear to me that they can and should be allowed to do literally almost anything they want to do, provided their taxpayers accept it and provided it does not harm other municipal jurisdictions and/or the province.

This government started off the whole debate some time ago with a statement. I'd like to read it into the record, because this is the statement whereby all of your bills have flowed, including this one. The government started out with your stated objective, and I quote you: "Our goal is to give municipal governments the respect they deserve and the tools and instruments they need to meet the challenges of today's competitive economy." That's the end of the quote. That's where you're supposed to start from. Hopefully, that's what the bills are supposed to deliver.

We've heard this language before. We heard this same kind of language being used in the whole debate around the City of Toronto Act. We also, unfortunately, have seen actions that belie that respect. We have seen actions in my own municipality and in my own riding and in the adjacent riding of Toronto-Danforth where this government used and said those kinds of things and then turned around and forced the Portlands energy project on an unwilling community, on unwilling neighbourhoods, on an unwilling city council, on an unwilling mayor, on an unwilling group of people who are charged with promoting the interests of the harbour and of the port lands, and against all the wishes and dreams of the people of our city to develop the port lands into some kind of heritage site, into some kind of tourist destination, into a magical place of fountains and grass and shows and places where people can go and really feel proud of their city.

You have forced the Portlands Energy Centre, a mega gas plant, on the people of Toronto-Danforth and on the people of Beaches-East York. You have done that while at the same time claiming that you are trying to give some kind of new authority to the city of Toronto. You did not choose to consult with the city of Toronto or the council at all. You imposed your will even though you start out with this statement saying that you want to give them the tools and instruments they need to meet the challenges of today's economy. In fact, you do not intend to do that. In fact, you intend to do whatever you think is in your best interests. You intend to do it based on what you believe the energy crisis is or is not. You intend to do it notwithstanding that they have other goals and other aspirations and other dreams.

I find this just a little bit galling. I find it galling because when you give something, you take it away. I know it's another bill, Mr. Speaker, and if you'll just give me latitude for a minute, I'm going to bring it back to this one. Bill 51 went through second reading and into com-

mittee over the summer. Bill 51 has a section in there which I consider to be quite odious. It is section 23, which takes away the right of every single municipality in this province, every planning board, and the Ontario Municipal Board to have any say whatsoever when some kind of energy project is located within the municipal jurisdiction.

If that wasn't bad enough because you're doing this—and every single mayor, every single councillor, every single citizens' group who came before us said that this was a wrong thing to do. If you really trust municipalities, if you really think they're mature levels of government, you have to leave with them the authority that they have had since Confederation. They have had the authority under the Planning Act to delve into these matters, save and except when it came to Ontario Hydro, but now that's gone, because literally anybody who's building a windmill, any private consortium that wants to put in a nuclear plant, anybody who wants to burn garbage, anybody who wants to do anything that will produce energy, no longer has to deal with what you call the mature level of government. They are cut out of the process.

When we complained, we complained bitterly. I did and so did the members of the Conservatives who were there in the committee. I held my breath and I thought, I wonder if they're going to do this to the city of Toronto, because there was nothing in section 23 that would actually touch the city of Toronto and touch what the council had planned to do to fight the Portlands energy project.

I should not have been naive. Of course, if I saw it, so did a thousand bureaucrats and a thousand political handlers who work for this government, because without consultation, on the very last day and at the very last hour, an amendment was brought forward by the government. The amendment was not shared with the opposition. The amendment was not shared with the city of Toronto or with the mayor or with the council or with anybody involved in the port lands or in the harbourfront or in all of the elaborate plans that the city has, and it took away the rights that you had, just four weeks before, passed into law in this very Legislature, took away the same rights you had just granted.

Now, here it is: "Trust us. Let's do all these things for municipalities." Look how fast you were able to undo the legislation which I put my hand up and voted for. Maybe I shouldn't have been naive to trust you, but I was naive, because I had a dream that the city that I have spent my whole life in, minus one year when I lived in Ottawa, was getting on the right track. I had a dream, a hope that the legislation was going to do something to actually make it into a mature level of government, a government of 2.5 billion people, a government with an \$8-billion expenditure per year. It seemed that this was a good thing.

Under the most horrible of circumstances, that which you had given four weeks before was taken away in one brutal attempt by the government backbenchers, who I think were reading from prepared lines. When challenged



about why they would undo legislation they had just passed four weeks earlier, the answer was, "Do you want the lights to go out?" With the greatest of respect, that was a very naive argument, an extremely naive argument, because what they were trying to do was play upon the fears of people who are afraid that someday there's going to be an energy crunch and there's going to be no electricity in Toronto.

The reality is that, for the foreseeable future, that is not likely to be the case, and you have taken away the rights of the municipal council to do anything, including where the siting might take place; including the size; including any of the amenities that are going to be around existing people, around existing neighbourhoods; whether or not there's going to be any noxious gas or anything else coming from it; the decision of the winds; the decision of whether or not it should be a park. There's a whole bunch of things that have been taken away from them.

You said you would not entertain city proposals or other bids with fewer impacts on the environment, the east-end residents and the future redevelopment of east Toronto's waterfront. You said you weren't going to

listen to the Toronto waterfront regeneration corporation, who state that a new power plant outside the old Hearn generating station will negatively impact future development of Toronto's waterfront. You said you're not going to listen to Toronto residents about the needs to increase energy conservation and energy efficiency to reduce the need for a mega generating plant.

Thank you, Mr. Speaker. I realize I have one minute.

I'd just like to close with what Mayor Miller had to say about all of this, because he's right. I quote him: "The proposed plant will be adjacent to the long-awaited Lake Ontario Park and the future Filmport studios. To date, the province has been a genuine partner on Toronto's waterfront revitalization. This proposal flies in the face of the progress we are beginning to see emerge"—Mayor David Miller, February 10, 2006.

I have to question—and I'll do it the next time—where is the respect for Toronto? Where is the respect for the municipalities of Ontario?

**The Deputy Speaker:** It being 6 of the clock, this House stands adjourned until 1:30 of the clock, September 26.

*The House adjourned at 1800.*

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<b>Bentley, Hon. / L'hon. Christopher</b> (L)	London West / London-Ouest	Minister of Training, Colleges and Universities / ministre de la Formation et des Collèges et Universités
Berardinetti, Lorenzo (L)	Scarborough Southwest / Scarborough-Sud-Ouest	Deputy government whip / whip adjoint du gouvernement
Bisson, Gilles (ND)	Timmins–James Bay / Timmins-Baie James	Chief New Democratic Party whip / whip en chef du Nouveau Parti démocratique
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<b>Brotten, Hon. / L'hon. Laurel C.</b> (L)	Etobicoke–Lakeshore	Minister of the Environment / ministre de l'Environnement
<b>Brown, Hon. / L'hon. Michael A.</b> (L)	Algoma–Manitoulin	Speaker / Président
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<b>Bryant, Hon. / L'hon. Michael</b> (L)	St. Paul's	Attorney General / procureur général
<b>Cansfield, Hon. / L'hon. Donna H.</b> (L)	Etobicoke Centre / Etobicoke-Centre	Minister of Transportation / ministre des Transports
<b>Caplan, Hon. / L'hon. David</b> (L)	Don Valley East / Don Valley-Est	Minister of Public Infrastructure Renewal, deputy government House leader / ministre du Renouvellement de l'infrastructure publique, leader parlementaire adjoint du gouvernement
<b>Chambers, Hon. / L'hon. Mary Anne V.</b> (L)	Scarborough East / Scarborough-Est	Minister of Children and Youth Services / ministre des Services à l'enfance et à la jeunesse
Chudleigh, Ted (PC)	Halton	Deputy opposition whip / whip adjoint de l'opposition
<b>Colle, Hon. / L'hon. Mike</b> (L)	Eglinton–Lawrence	Minister of Citizenship and Immigration / ministre des Affaires civiles et de l'Immigration
Craiton, Kim (L)	Niagara Falls	Parliamentary assistant to the Minister of Community Safety and Correctional Services (Correctional and Emergency Services) / adjoint parlementaire au ministre de la Sécurité communautaire et des Services correctionnels (Services correctionnels et situations d'urgence)
<b>Crozier, Bruce</b> (L)	Essex	Deputy Speaker, Chair of the committee of the whole House / Vice-Président, Président du comité plénier de l'Assemblée législative
Delaney, Bob (L)	Mississauga West / Mississauga-Ouest	Parliamentary assistant to the minister responsible for seniors / adjoint parlementaire au ministre délégué aux Affaires des personnes âgées

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

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

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

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

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Monday 25 September 2006

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