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**Official Report  
of Debates  
(Hansard)**

**Journal  
des débats  
(Hansard)**

**Thursday 12 March 2009**

**Jeudi 12 mars 2009**

Speaker  
Honourable Steve Peters

Président  
L'honorable Steve Peters

Clerk  
Deborah Deller

Greffière  
Deborah Deller

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**LEGISLATIVE ASSEMBLY  
OF ONTARIO**

Thursday 12 March 2009

**ASSEMBLÉE LÉGISLATIVE  
DE L'ONTARIO**

Jeudi 12 mars 2009

*The House met at 0900.*

**The Speaker (Hon. Steve Peters):** Good morning. Please remain standing for the Lord's Prayer, followed by a Buddhist prayer.

*Prayers.*

**ORDERS OF THE DAY**

EMPLOYMENT STANDARDS  
AMENDMENT ACT  
(ORGAN DONOR LEAVE), 2009  
LOI DE 2009 MODIFIANT LA LOI  
SUR LES NORMES D'EMPLOI  
(CONGÉ POUR DON D'ORGANE)

Resuming the debate adjourned on March 10, 2009, on the motion for second reading of Bill 154, An Act to amend the Employment Standards Act, 2000 in respect of organ donor leave / Projet de loi 154, Loi modifiant la Loi de 2000 sur les normes d'emploi en ce qui concerne le congé pour don d'organe.

**The Speaker (Hon. Steve Peters):** Further debate?

**Mr. Peter Kormos:** I have but a few minutes left of the one hour permitted me to address this matter. I'm especially looking forward to the comments today by the member from Parkdale–High Park, Ms. DiNovo, who is passionate about this issue of organ donation, who has advocated on behalf of her own constituents who have been in need of organs and who has joined that broad, growing movement that wants to turn the organ donation culture on its head, that wants to create a whole new culture where we treat organ donation as benignly as we would treat giving blood at a Red Cross clinic, where we accommodate living donors—which is why the NDP are going to vote for the bill. But this bill in and of itself isn't going to increase the number of organs by any substantial amount, if any amount, going to people on those waiting lists.

If we're going to get serious about ending that waiting list, if we're going to get serious about those 1,700 people a year, including kids, waiting and facing death in the face on a daily basis and dying on those waiting lists, then we adopt the models that have been adopted throughout most of Europe, including Israel, and we adopt a model—rather than the one that exists now, rather than the status quo, which is presumed denial, we say the default position should be what most Ontarians

believe, and we know that most Ontarians believe that their organs should be used to save a life after their death; as simple, short and sweet as that.

We comment again that once you're dead, your organs are but dead weight for the pallbearers. Once you're dead, your organs are of no use to you whatsoever. God doesn't want your organs; if you believe in God, he or she wants your soul. As we're speaking, good organs are being burned and buried, this very morning here in the province of Ontario, organs that could well have saved a kid's life, a young mother's life or indeed perhaps some middle-aged person like I am and more than a few of you are, too.

Presumed consent: Let's grab the bull by the horns. This government should be showing leadership. The illustration of so many European countries demonstrates that once you create presumed consent, you create a totally different attitude and perspective and culture around organ donation, and the public will follow.

It's such a delight to be able to address the matter. I wish I had more time, on the last day of our pages' work here at Queen's Park. I know Patrick's parents are here; I talked to them downstairs. Of course they're here. I know Alexander's parents are here. I'm sure other folks are showing up. I just want to tell your parents, because that will tell you as well, that you've been as delightful a group of bright, talented young women and men as have ever worked here as pages. So all of us over here wish you well. We know you're going to do well. You've demonstrated that each and every one of you has incredible potential. Enjoy your spring break; enjoy the rest of your school year. Look forward to better funding for your secondary years and even better funding for your post-secondary years. We'll be reading about you in the papers when you, as doctors, lawyers, engineers, veterinarians and, yes, politicians, do great things.

**The Acting Speaker (Mr. Ted Arnott):** Questions and comments?

**Mrs. Carol Mitchell:** I'm very pleased to rise and enter the debate on Bill 154. I want to congratulate the member from Welland. No one can argue that the member has a great passion for organ donations, the whole strategy about it; no one can argue that. We have had the opportunity and the privilege to hear the member speak on this on many occasions.

I speak in favour of Bill 154 today simply for this reason: It's all part of a strategy. It's part of a strategy of increasing the ability for organ transplants to become a possibility for those people who are waiting. We can only imagine what that must be like if it's your child or if it's

yourself. The agony of waiting for an organ donation—I can't imagine what that would be like. It would be such a difficult journey. So when we have the opportunity to speak about it, part of the conversation has to be of how important it is for all of us, that we take ownership and we donate our organs as well and we lead by example.

Certainly, the member from Welland has spoken on it on many occasions, and I do want to congratulate him and thank him for the work he has done. I also want to thank a lady from my riding who has done a tremendous amount of work, Anne Miller. She has been, I tell you, a very, very strong advocate. When she had the—I'm trying to think of how one would word it. When her son was killed in a car accident and she was able to donate so many organs to help other children, I just can't believe how difficult a decision that would have been for her. But she tells the story. She is a strong advocate, and I personally wanted to thank Anne and the member from Welland for all of their hard work.

**0910**

**The Acting Speaker (Mr. Ted Arnott):** Questions and comments?

**Mr. Ted Chudleigh:** The member speaks eloquently about the need for transplants and organ tissue, and he's absolutely right. There needs to be a change of culture. I'm not sure the Ontario public is quite ready for that change in culture, but that is the solution to this huge problem that we have.

He also speaks glowingly of the job that the pages do here. I always thought that whoever came up with the idea that pages should be serving in the House made a very wise decision, particularly in the ages of the pages, in grades 7 and 8—12 or 13 years old, are you?—somewhere in that ballpark.

As we're debating issues that face Ontarians, and perhaps most of our debate centres around issues that will face Ontarians, if not immediately, certainly within the next four or five years, it always gives us pause—it gives me pause, anyway—when I see the pages here and I think, "Well, how will this affect them in their lives to come?" Their very presence gives us a different dimension of thought when we're talking about the long-term effects of some of the issues that we discuss. So I've always thought it was a very wise decision that young adults of this age should be the pages in the House.

I remember when my grandfather was here—my grandfather served in the Legislature from 1919 to 1959. That was a long time ago. He was always very fond of the pages as well and would encourage them to be adventurous in their time here—I know you have been adventurous in your time here—and also in their lives to come. So I pass that on to you as well. Thank you.

**Mr. Rosario Marchese:** I want to congratulate the member from Welland for his incredible, strong advocacy on this issue for quite a long time. He and George Marcello have been on a cross-country tour to talk about the need for people to donate organs, and he has been doing it for years and years, almost alone for much of that time.

I want to say that I agree with the member from Welland when he speaks badly of Bill 154, organ donor leave, as a way to deal with the problem of organ donation. This is but a little measure of what is desperately needed. The government says, "Yes, this is something we need to do as part of the way," but that is just a small measure of what needs to be done. It's clear we need to do more, and that's what the member from Welland has been saying for quite a long time.

I'm telling you that the public is more ready for this than they are for the Liberal initiative that's coming soon to harmonize the PST and the GST tax collection. There are going to be more attacks on that initiative coming from men and women and families than about their desire to give away their organs to help somebody else live.

That's what this is about. This is but a little initiative. You give somebody a leave for donating an organ. That's fine; that's good. It just is inadequate in terms of meeting the needs of thousands of people who are dying and waiting for an organ to be donated.

The member from Welland speaks about presumed consent. You give consent unless you say no. That's the way it should be, and those who feel strongly about it can say no. This would save lives, and that's the direction we need to move in.

**Mr. Khalil Ramal:** I had the chance and the privilege to listen to the member from Welland in the last couple of days, I believe, and today, finishing his one-hour speech about organ donation. I think it's a very important topic and all of us, not just in Canada, Ontario and North America but worldwide, are speaking about this issue because it's important to save lives. As he mentioned, when we die we don't need our organs. We don't need our parts. If they can be used to give somebody life, and the support to live a good life again, I think that is very important.

I remember a gentleman from my riding of London—Fanshawe who had a heart transplant done in London, and I think he survived for a long time. Sadly, he died a year ago, but he had the chance to live almost 11 years. He got married and had kids, and in the end he died. But whoever donated his heart to him gave him the chance to live 11 years. I think that's very important, especially since when we die, we don't need our parts. I think that's a very important step and I want to congratulate him and his advocacy in this regard. I wish all of us can come and support this small step, this small measure.

As you know, last week, or maybe this week, the United States again permitted their scientists to work on stem cells. I think it's going to affect Canada very well when we talk about stem cells and research innovation and many different things. And when we talk about organ donations and natural parts, we don't have to do anything. It just comes naturally. We donate it to someone who needs it badly.

I want to congratulate the member for Welland. I wish you all the luck and success. I also want to congratulate the Minister of Labour for his efforts and endeavours in this regard.

And before I leave—I have 10 seconds—I want to wish all the pages good luck. Hopefully they've learned good habits from this place. I also want to thank the parents who give them the support to be here. I wish you all success and luck in the future.

**The Acting Speaker (Mr. Ted Arnott):** Now we go back to the member for Welland, who has his opportunity to respond.

**Mr. Peter Kormos:** I thank all the people who responded. I think what it signals is that there is a clear passion in this chamber, in this Parliament, to proceed dramatically to improve the availability of organs. I close anticipating the critics, because I get the e-mails from the cranky people after I talk about presumed consent. They e-mail me: "You want my organs?" You bet your boots I want your organs. I want as many organs as we can get. We have the capacity to eliminate the waiting list here in the province of Ontario and, indeed, to help hundreds of others across Canada. So yes, I want your organs.

Two: Do I treat the matter rather trivially? Yes, because it's a rather trivial thing to give an organ when you no longer need it. That's not a gift. You're dead. I'm going to the tattoo parlour and I'm getting a dotted line up my belly and a little note that says, "Upon death, open here. Take what you need, if you can use it." And take the '94 Chev pickup parked down there in Welland in front of 121 Bald Street, because I'm dead. I don't have any use for that either.

They're only organs. Most of us eat them. Not our own of course, not people's, but cows'. We eat kidney, we eat liver, we eat tripe. They're just organs. Stop this bizarre fixation with the fact that they're yours or they're mine, you can't take them. You're dead. There is no you left. There is no me left.

Let's start saving lives here in the province of Ontario. We can show leadership and set a standard for the rest of Canada. There are two and a half years left of this government, of this Parliament. We could do it within those two and a half years and show true leadership. This government can leave a real legacy.

**The Acting Speaker (Mr. Jeff Leal):** Further debate? The member for Parkdale—High Park.

**Ms. Cheri DiNovo:** You got it right. Thank you, Mr. Speaker.

It's an honour to stand. First of all, I want to say how really blessed we are with the member for Welland, Peter Kormos, who is coming up to 20 years of public service. He deserves applause for that—20 years of public service coming up in April of this year.

And certainly, I want to thank the pages for all of their hard work. It's been amazing.

**Mr. Khalil Ramal:** Hey, Cheri, we should have a party for him.

**Ms. Cheri DiNovo:** Yes, we are having a party for him—certainly we are—in Welland. It will probably be a day off in Welland, I'm sure.

And for the pages, for all their hard work, and their parents, of course, who have allowed us to experience them here; it's been a great blessing as well.

You know, this is such a tiny step where such a large step is needed. Sometimes I wonder about this government. It's almost as if the McGuinty Liberals—if Queen's Park were on fire, instead of putting out the fire, they would be off-site somewhere writing up legislation about using more fire-retardant materials. That's what this step is in terms of the huge catastrophe that the situation of organ donation is in our province—and it is a catastrophe. It's a catastrophe. We have 1,700 people waiting on a list. It's life or death for them. They're waiting, they're taking up hospital beds; they're waiting for organs that aren't there. A hundred of them die on those waiting lists every single year. I call that a catastrophe: 100 deaths a year in Ontario alone waiting for organs that are not there when the answer is right before us.

**0920**

The answer is in the bill put forward by the member from Welland. The answer is presumed consent. What does that mean? Presumed consent simply means that upon your death, it is presumed that you wish to donate your organs unless you sign a card stipulating otherwise. That's what this is about. You know, we've done advertising campaigns; there have been thousands—millions—of dollars spent. I know Trillium Gift of Life has done everything they can to try to up the number of donors. We in this Legislature have to finally admit it isn't working. Nothing is working. We've tried it all, my friends, and nothing is working. There are 1,700 people waiting; 100 deaths a year. It isn't working. You know, "crazy" is continuing to do things over and over again when they didn't work in the past. That's what we're doing here.

What we're doing now, with this bill, is saying, "Well, you can take time off. You should be allowed by law to take time off to donate your organ if you're living." Please. Show me an example of some employer who won't give their employee time off to donate an organ or a part of an organ to someone else. I mean, Mr. Scrooge himself would have given Bob Cratchit time off to donate part of an organ. I would love to meet such an employer. In fact, the government hasn't brought forward any examples of employers or employees who would be affected by this bill. Much more meaningful, of course, which isn't in the bill, would be to pay people for the time they take off—much more meaningful. That's not even here. And quite frankly, even if it were, it would only be an inch, an inch toward what we need. What we need is presumed consent.

You know, this whole issue was brought before me in a very real way by one of my constituents, Andres Cotic. Mr. Cotic is a phenomenal person. He was in the hospital when he called my constituency office. He said that he had been waiting for a liver transplant, at that point, for months, and he was going to die if he didn't get one. He had already had part of a liver transplanted, donated by an incredibly generous co-employee. That was 25 years ago, but the situation continued; it was a progressive disease, and he needed a whole new liver. I don't know if all the members remember this, but he made the front page of the Toronto Sun when we brought him down to

Queen's Park with his family, begging and pleading with this government to bring in presumed consent—begging and pleading with them for his very life. There was no response. Thank God Ontarians are more generous than the McGuinty Liberals. Because of the publicity, Mr. Cotic got his liver, but only because of the publicity and only because Ontarians will do what's right if they're given half a chance.

I would really challenge anybody watching this, anybody who is out of the loop in terms of organ donation, who hasn't really thought about it lately—quite frankly, most Ontarians don't until the need is theirs or until the need is for someone they love. I challenge them, even if they have filled out an organ donor card, to put their hands on it right away. Under the system that the member from Welland quite frankly and very honestly and very realistically defined as presumed denial, under our system, you have to have the card filled out. How many of us walk around in life with an organ donor card in our pocket or on our person? What would happen if we were to die and they couldn't find the organ donor card? It's a very simple reality; it happens all the time.

I don't walk around with one. I think, quite frankly, it's in my car right now near my driver's licence. So, unless I die in my car, it's not going to be on my person, and I challenge anybody in this House to show me their organ donor card on their person. If they were to be hit by a car crossing the lanes on University, who would know that they'd signed one? That's the situation we have now.

Now, it doesn't hit home unless there's someone in your family who really needs it, just like giving blood. Giving blood is a perfect analogy to organ donation. This, after all, is part of your body: your blood. No less so, no more so than your organs. Giving blood is a no-brainer now. We all do it. Nobody—well, outside of a few—has an objection to it. We give blood because we know it saves lives, and, quite frankly, we don't care about it much anymore. There was a time, of course, when these kinds of discussions went on around giving blood. We've moved past them because we know it saves lives. We're past them as well when we know that organs save lives.

Over 50% of Ontarians would agree with a presumed-consent bill. To the members who say we're not there yet, the members should know that poll: Over 50% of Ontarians say yes to presumed consent. So Ontarians are there. They want this option. Why are the McGuinty Liberals stalling what most Ontarians want, particularly those who are in line and who are waiting?

Now, many of you know that my background is as a United Church minister, and so my truck was always with members of other faiths and members of my own. I went to a wonderful breakfast hosted by the Trillium Gift of Life Network at which members of all faiths were present. There were imams, rabbis, temple priests, Buddhists and Christians. There were a plethora of religious there, all of whom support the gift of life, the gift of life simply being something that I think and I know most

Ontarians support. Speaking as a Christian, we hearken to a Saviour whose gift to the world was his body. In the Eucharist, we celebrate the gift of Christ as the gift of his body. Surely that's a theological imperative upon every Christian across the province of Ontario to be generous with their body, and here is a classic case where the gift of one's body is the gift of life to someone else.

It's just that direct. The Trillium Gift of Life Network knows this, we know this, Ontarians say they know this and want this. The government won't give it to them. The McGuinty Liberals won't deliver what the vast majority of Ontarians and faith leaders want. You will always find, my friends, someone, somewhere, who objects, and objects vociferously, to the right thing to do. That doesn't mean you don't do it, particularly when, and again, I will keep coming back to these absolutely glaring and horrific statistics, 1,700 people are on the waiting list with 100 deaths every single year.

Now, those are just numbers, I know. But if it's somebody you know? To Andres Cotic's family, it was somebody they knew. It was their father, their loved one; it was someone they knew who was about to die because there was no liver available. When it's someone you know, then the issue becomes everything to you. We would be shocked and appalled—and we are shocked and appalled—if Ontarians didn't give blood. Why are we not shocked and appalled by the state of our current system?

#### 0930

Again, under this state of presumed denial, where we assume that nobody wants to give their organs unless they indicate that they do, the member from Welland is quite right: Every day in the province of Ontario bodies are buried and burned, organs are buried and burned that could save lives. It's common knowledge around the House as well—and I want to take this opportunity to thank all of those who have come up to me and offered their best wishes for my husband's recovery. He had a heart attack while playing with the Legiskaters last week. He's fine, he's back to work and all is good. I want to thank you all, because I heard from all members, including the Premier, and I thank him as well for his best wishes.

But, again, when you have that kind of scare in your family, when you look at losing someone you love so much, had that been a case where somebody else's organ could have saved him, trust me, I would speak with no less vigour than I do standing here. Certainly anybody who has faced a life-or-death moment would wish that the medical personnel had all the tools they needed to save them.

Remember, we're not just talking about adults here; we're talking about children on those waiting lists. There are 1,700 people waiting for organ donations, and many of them are children—children. You should know that it's never too late to donate your organs. You could be 70 or 80 years old, and your organs could still be harvested. Imagine if you were an 88-year-old and your organ could be harvested to save a five-year-old. Would you not want that? I can tell you, from my years in ministry, I don't

think I would have ever talked to anyone who died peacefully at 88 who wouldn't have said, "Please, save the five-year-old. What difference does it make to me if my organs are buried or burned, when they could save the life of a five-year-old?" This is what we're up against, my friends. This is what we're up against. This is the horror of the present reality.

Now, it isn't everywhere. If you were lucky enough to be born in Italy or Austria or Israel, there and then presumed consent rules. There and then in many other countries in Europe, too many to mention—but it's interesting to mention particularly Italy, a very Roman Catholic country, and one could say faithful country, where presumed consent is the law. Israel is a very faithful country; one could say a very Jewish theologically based community. There, presumed consent is the law. If you were lucky enough to be born in either of those places, you wouldn't have a waiting list of 1,700 people waiting for donors. The donors would be there. The organs would be there. You wouldn't be forced to lie in a hospital bed for months waiting. You wouldn't have to carry a beeper around on you on the off chance that somebody might die who had signed an organ donor card. No. My friends, that's sanity. That is sanity.

Everything we have done to the present in this province around the issue of organ donation hasn't worked. That is not to detract from the good people who have tried so hard at Trillium Gift of Life and others, because they've tried, under a very bad system, to help people, and they have. I certainly want to give thanks to all of those people who, under this ridiculous system, have still managed to find donors and get them to donate so that lives can be saved. We celebrate that when we have breakfast with them. We celebrate that every year, the Trillium Gift of Life. But how sad is it? There's a sadness that goes with that breakfast, because you know, coming back to those ugly statistics again, that 1,700 people are still waiting, that 100 people a year are still dying. No matter how we celebrate the ones who were successful, we certainly have to, at the same time, mourn all of those who were not and who are not.

Again, I want to thank Andres Cotic and his family, because they really made the issue personal to me. When you see someone who is waiting for a liver transplant and witness somebody who is yellow and thin, and who is in a hospital on and on and doesn't want to be there and would rather be at home—think of the cost to our hospitals and our health care system of this current system of madness we have around organ donation. Think of all those beds that could be used by folk who have a chance of getting better and getting out, that instead are used by people who are failing slowly, waiting and waiting for organ donors to come forward. This is absurd. People around the world think our system in Ontario is absurd—worse than absurd. They think it's horrific.

Andres Cotic thought it was horrific when it faced him and he realized he might die because of our system in Ontario. He might die because we do not have presumed consent but a system of presumed denial. As I said,

nothing to try to increase the number of donors has worked enough to affect those horrific statistics—we have to admit it. And this bill isn't going to do it either; it's not going to do it.

As I said at the beginning, even Scrooge would let Bob Cratchit off to donate his organ to somebody who needed it if they had the system back then. Show me an employer who wouldn't give time off to an employee to donate an organ. They may not pay them, but that's not in this bill either. There's nothing in this bill that says you have to pay them. Most employers, especially in these economic times, would say, "Take the 13 weeks—can't pay you."

In a sense, this bill does very little. It does extremely little. It makes a nod in the direction. One can ask, why even bring this bill forward? Have done with it. Bring forward presumed consent; make this a reasonable jurisdiction like the others that have presumed-consent legislation.

One can only figure that they want to be on record. It's a photo op. They want to say something about organ donation. It's a popular topic, especially when somebody like Andres Cotic is on the cover of the Toronto Sun. Then it becomes a popular topic. They want to look like they're doing something, when in fact nothing is changed. Nothing is changed: 1,700 people on the waiting list; 100 deaths a year, deaths on our hands, deaths we could prevent with a simple stroke of the legislative pen, deaths we could prevent and we don't. We don't.

Imagine how this debate would look in Italy or Austria or Israel or any of the countries where presumed consent is the law—imagine. They would look at us as though we were neanderthals, as though we hadn't quite come into the 21st century yet. Again, that might be cute or not if it weren't that there are 1,700 on the waiting list and 100 deaths while waiting for organ donors.

I just want to conclude by thanking Trillium Gift of Life and praying that this government finally brings in presumed consent.

**The Acting Speaker (Mr. Ted Arnott):** Questions and comments?

**Mrs. Maria Van Bommel:** I just want to bring this discussion back to what it's really intended to do. This bill is talking about trying to encourage live donors. We are looking at ways to make sure that people think about being a donor. In a way, that means a real sacrifice for themselves personally.

Last year, the Premier announced the Ontario organ donation strategy. Within that strategy is the program that reimburses people for the expenses they could incur if they look at donation as a possibility.

On Sunday, I came back to my apartment here in Toronto and found my sister and my niece there. It was a bit of a surprise. They had gotten my extra keys from my husband. Why were they there? Lindsey has a roommate whose mother has Wilson's disease, which is a disease of the liver, and Lindsey had volunteered to have herself tested as a donor. She spent the week at Toronto General here, and together she and her mom went through an

incredible number of tests to see if she was compatible. Each time the tests came back, she was further and further compatible. But yesterday, they found something that leaves her on the hold list; she's not completely compatible, and it's very critical in live donation that compatibility is there. For Lindsey, it means disappointment because she really wanted to do this.

**0940**

Lindsey is in her second year of university at Western. She made this decision because she has known this girl for a year and a half, and this is a young woman's mother whom she wanted to do this for. We want to encourage people to think about donation, but it is a gift, a sacrifice, that you have to want to make for someone else. I want to congratulate my niece for her really generous spirit. I know she makes my family proud.

**The Acting Speaker (Mr. Ted Arnott):** Questions and comments?

**Mr. Peter Shurman:** I listened with interest to my colleague from Parkdale–High Park and the passion she brings to this debate, very particularly about the concept of presumed consent, which is the real nub of the discussion on the issue of organ donation.

What I find interesting about this bill is that it's like so many other aspects of Liberal government legislation that are introduced here. It's not that the bill is wrong; I'll vote for it. It is a piece of the puzzle; it's a small piece of the puzzle. It's more labour law than it is medical law. It basically says that if somebody is going to offer up the greatest gift that they can to another human being—an organ—they can get time off work. That's all well and good. It kind of reminds me of a constituent who came in last week on another piece of legislation, but very relevant in this context. It was a person taking advantage of the lifting of the mandatory retirement age of 65, but being denied her benefits because she has turned 70 and nobody bothered to look at an overall policy. That's what we're talking about here and I think that's what my friend from Parkdale–High Park is referring to.

If you're going to take up the issue of organ replacement in the general sense, and you want to explore that fully and the operation of organ replacement as it affects citizens who are both donors and recipients in the province of Ontario, then, indeed, that's what you have to do. You don't take one little piece of the puzzle and say, "Look how well we've done."

Presumed consent: I can take either side of that argument. I understand why people who are passionately in favour of presumed consent are so. That debate has been on simmer for the past five, 10 or more years and, as the member correctly points out, it's not simmering elsewhere. There are sides that have been drawn up and we can easily debate that. What I'd like to see going forward is legislation presented that covers the full policy, not just on this, but on anything we're given to debate in this Legislature.

**The Acting Speaker (Mr. Ted Arnott):** Questions and comments?

**Mr. Khalil Ramal:** I listened to the member from Parkdale–High Park carefully when she was talking

about this particular issue. I also listened to my colleague, the member from the Lambton area. She was speaking about the importance of the person who donates organs. We have to break the cultural and psychological barriers. We have to create that culture and encourage people to donate.

We also mentioned that a donation is a gift of life. We cannot force people to do it. I know this bill is talking about a small step, but it's a very important step, as the member from Thornhill mentioned, toward breaking the barriers and allowing people, if they want to donate something and they are working, to donate without losing their jobs.

As I mentioned when I spoke earlier, it's important to convince people to donate parts of their organs because it's a very important step in saving lives. Especially now, all of us around the globe are struggling to create research through stem cells in many different areas in order to create and grow tissues. If we have those tissues and organs with us that are fresh and natural, it would be a lot better, cheaper, easier and more convenient for many people to continue living among us and giving back to their communities and their nation. So I think this is a very important step.

I want to congratulate the Minister of Labour for breaking those barriers and allowing people to donate without being concerned about their jobs, and giving them the support they need in order to help someone. As my colleague mentioned earlier, people want to help. Canadians, Ontarians—they are generous people. We have to break those barriers for them, to give them that chance to give.

**The Acting Speaker (Mr. Ted Arnott):** We have time for one last question or comment.

I will return now to the member for Parkdale–High Park to reply.

**Ms. Cheri DiNovo:** I listened with interest to the comments. Certainly, if we had presumed consent, there wouldn't be such a heavy burden placed on the living to donate organs. I think prayerfully of the member from Lambton–Kent–Middlesex and her family. These are difficult decisions for living people to make that perhaps wouldn't have to be made if there was presumed consent.

I particularly listened to the member from Thornhill. He's absolutely right; that's what I said at the outset. It's like if Queen's Park were on fire, there would be Liberals off-site, not putting the fire out but drafting legislation about fire-retardant materials. That's what this government does best. It does photo ops; it does pieces of legislation that don't change very much but sound good. That's what we have here. It's a piece of legislation that doesn't change much. Show us an employer or an employee where this would be brought to bear. I mean, please. If they could, they would have already. We know that. Certainly, one of the main objections to presumed consent that I didn't hear here is this idea that doctors would be pulling the plug too early, which is absolutely ridiculous. If it were the case, they'd do that on organ donors already.

We have jurisdictional examples around the world. We have the more egregious example right here in Ontario: 1,700 people on the waiting list, 100 deaths a year—waiting for donors. Do something. Show leadership. Bring in presumed consent. Stand up for all of those who are taking up hospital beds, whose families are praying, as we sit here, that somebody, somewhere, will come forward with an organ that they can use to save their loved one's life. Show leadership. Save lives. Here's an opportunity. Don't just do this silly little bill that won't change anything. Do something. Do something, as the member from Thornhill said, that we can really debate. Thank you, and here are prayers for all of those waiting; they'll keep waiting.

**The Acting Speaker (Mr. Ted Arnott):** Further debate?

**Mr. Frank Klees:** I'm pleased to join this debate on a bill that, as other members have indicated during debate this morning, is perhaps, unfortunately, more of a diversion than it is an answer to a serious issue that we have in this province. I will be, of course, supporting the bill, because it is a small element of the bigger picture that this government unfortunately is refusing to address. It allows for 13 weeks of leave of absence without pay for employees who undergo surgery in order to donate organs to other persons.

When I first read the explanatory note of this bill, I must admit that I had great consternation, because I thought, how do we debate this bill in all seriousness? How do we spend debate time around a piece of legislation that on the one hand says, "Employees, we're going to give you the right to take 13 weeks off without incurring the penalty of losing your job," and how do we say to employers, "By the way, you have to keep that 13 weeks open for this employee who has the ability and the desire to save another life"?

**0950**

So we're calling on the employer to make a financial commitment because to give an employee 13 weeks off, that employee has to be replaced. We are saying to the employer, "We, as the government, see it as your responsibility to replace an employee who has taken it upon himself or herself to give the gift of life, and it's okay for you to take on that financial responsibility," but we're saying to the employee, "Without pay. Thank you very much for doing that and for your sacrifice."

Reference was made earlier to the supposed strategy for organ donation that reimburses some expenses for this person who is giving the gift of life, but that's all. There's no compensation or recognition beyond that, no recognition for the fact that when someone gives the gift of life, they are essentially taking that person and putting that person back into the mainstream of life, taking them perhaps from a hospital bed that is costing thousands of dollars a day, and this government is not prepared to recognize that contribution.

I find it an insult, quite frankly, that this government continues to bring forward legislation, and, as the member for Parkdale—High Park indicated before, is willing to

actually go out and do the photo ops and get the headlines and be perceived to be doing something. The way the articles are written and the way the media represents this, the perception across the province is that this government is actually serious about this issue of organ donation, when we know that they're not. We know that they're not, because repeatedly this government has had the opportunity to take serious steps forward, to put in place meaningful legislation, to put in place a plan, not just a strategy.

When we look at the code words that this government has used since its election in 2003, repeatedly the word "strategy" is there, but when you examine the strategy, there is no plan and there are no resources, and there is never any implementation. But they've had their headline, they've had their day in the Sun or the Star or the Globe. It seems that is really all that matters to this government—divert the attention and have the focus on the headline.

I support this legislation, but, as has been said before today, there are 1,700 people in this province at any given time waiting for an organ. One person dies every three days on that waiting list. So when we talk about a 1,700-person waiting list, it's only a fraction of the people who are in dire need of an organ to sustain their lives. To even talk about a 1,700-person waiting list does an injustice to the crisis that we really are experiencing in this province with people who desperately want only one thing, and that is to live. Every person in this province has it within them to give that gift of life, but we have no plan and we have no strategy with resources.

The Trillium Gift of Life Network is an organization that is doing its best, within the parameters and within the limitations that are given them by this government. I commend them for the good work that they do. What is sad is that they have to look at other jurisdictions and see what is actually happening, what others can do. The frustration they have is that they know what could be done, if only the government were to prioritize. And what the government, of course, will say is, "Here comes the opposition with another spend request." They will plead that they are without resources. They're facing an \$18-billion deficit in their budget, and so they will sidestep any request for serious focus on this issue by saying, "We don't have the resources. We don't have the money."

We're not asking for a spend. We're asking for priorities to be set right. We're asking for this government to get their priorities right when they sit at the cabinet table and determine how the funds, the taxpayers' dollars, are going to be allocated—how they are going to allocate that. We, in the official opposition, and I would say that probably the vast majority of members in this House in all parties, whether it be the third party or the Liberal Party—I believe that most members in this House fundamentally believe that we should be prioritizing health care. Our seniors and people who are most vulnerable in our society should be at the top of the pyramid when we set our priorities for spending. That should be the guiding principle when cabinet ministers get together. When the

Minister of Finance and the Premier determine what this next budget will look like, they should be looking at priorities, not working backwards and saying they're going to dump billions into a failing industry where we will never, ever see where that money is going.

Let's start at the top and say these are our priorities: health care and people who are dying. It's one thing to lose someone in an accident; it's another thing for government to allow people to languish in hospital beds, knowing that there is an answer, knowing that there is a gift of life that will save that life and put them back into the mainstream of life. It will give them a quality of life, reunite them with their family and allow them to be productive again in our society. To simply turn our backs on them—that is essentially what we are doing by refusing to put in place a framework for organ donation that we know will work. We are simply responding with pieces of legislation like we have before us today. That isn't even a building block. It's a chip off a block, which is important, but it solves no problems. It does not address the issue.

This House has had before it many private members' bills. My colleague the member for Welland has repeatedly brought legislation forward proposing presumed consent. I have had private members' bills before this House; the most recent was the Mandatory Declaration Act. My bill was broadly supported by this Legislature. It was supported by the Trillium Gift of Life. But the government refused to bring it forward for third reading. Instead, what the Minister of Health did was to refer the entire matter to a study. The study came forward with a number of recommendations and, interestingly enough, one of the recommendations was that there should be a mandatory declaration.

#### 1000

Now, what that bill did not address was the issue of presumed consent, because frankly I do have concerns on that issue. I happen to believe that organ donation is a gift of life and that gift should be given graciously and voluntarily. It is a personal decision on the part of each and every person in this province. And because we still don't have the level of awareness and education about organ donation, I believe it is perhaps still premature for this House to make the move to presumed consent.

But what I do believe is that we should have a mandatory administrative requirement in this province that every individual citizen who applies for or renews a provincial health card or driver's licence is required to answer a question relating to organ donation, that every individual who is involved in that administrative process is confronted once every two or three years with the question, "Do you want to be an organ donor?" The bill provided for three answers: One is "yes," the second is "no" and the third is "undecided," because quite frankly, many people are not ready to make that decision. They either don't know enough about it or they're uncertain about it themselves, and so they should have the opportunity to say they're undecided. But what that would do is at least ensure that people are confronted with the

question and given an opportunity to become aware of the issue.

This government refused to implement that. When I had discussions with the Minister of Health at the time, he could give me no answer as to why a simple administrative measure like that could not be implemented and why the government wasn't prepared to move forward on it. We draw our own conclusions: Was it perhaps because the proposal came forward from a member of the opposition? There was no other reason. It's not a costly measure. It's common sense. There's broad public support for it.

I became interested and compelled to become involved in the issue of organ donation because of my experiences as a member of provincial Parliament. On a number of occasions, I've had constituents sit across from me, telling me they are waiting for an organ and that their lives are at a standstill. They're at different stages of health. I had one constituent come to me who had not been working for a number of years and was in a very weak state. He told me that he had been on the waiting list for a kidney for about five years and his health was failing rapidly.

The next time I saw this individual sit across from me at my desk in my constituency office, he was a new man. He looked 20 years younger. He told me that he had gone to Miami to have a new kidney. He was able to do that within three months after making application. It cost him a lot of money, but it didn't cost him nearly as much as his constant dialysis and medical treatment was costing the health care system.

So he came back to me and said, "Do you think the provincial government would be willing to reimburse me for the cost of having my transplant in Miami?" Of course the response from the government came: "No." Penny-wise, pound foolish. Had he not had the transplant, he would have continued to cost the system hundreds of thousands of dollars.

So when my colleague the member for Thornhill talks about the lack of a comprehensive plan, that's another aspect of it. If the organs are not available here, then should we not be willing to step into the gap and say that if we can't provide it here in the province of Ontario, but it is available elsewhere, we're willing to cover the cost of that transplant—restore a life, give a life? Think of my constituent Gerri Seeley, who today is healthy because someone stepped forward as a living donor and gave her life.

We are fully aware of what it means for someone to step forward and offer to be a living donor. What we, today, on this side of the House, do not understand is why this government continues to dabble on the edges on this very important issue, why they're not willing to come forward, put in place a comprehensive plan and resource it adequately to ensure that those 1,700 people who are on that waiting list, that one person who dies every three days because we don't have an adequate system of organ donation in this province—why we won't reach our hand out to those people and say: "We

recognize that this is a priority. We will prioritize not only the planning but also the resourcing, and we'll do the right thing."

I will vote for this legislation, but I want the government to know that no one is being fooled by this—no one. And while the minister will no doubt be applauded when this bill is finally passed, the minister will know that his government continues to fail people who need organ transplants in this province.

**The Acting Speaker (Mr. Ted Arnott):** Questions and comments?

**Ms. Cheri DiNovo:** It's a pleasure to rise and speak to the comments made by the member from Newmarket–Aurora.

I just want to say, first off, that we in the New Democratic Party are supporting this legislation. I mean, apple pie, motherhood; we support those, too. The problem is, as the member pointed out, this is not going to change anything. It's not going to answer anything for those 1,700 people waiting for an organ donation and the 100 people who die every year waiting for an organ donation. This isn't going to change their lives in any way, shape or form, and the member was quite right to point that out.

I just want to say, in terms of the member's own bill, mandatory reporting is a very good step in the right direction. We would certainly support that if it came forward. Even that would be a little bit more robust, a little bit healthier and a little bit more courageous than what the government has done. But ultimately what we need is what they already have in other jurisdictions around the world: We need presumed consent, because only that way will we have enough organs—medical personnel will tell you this; ask them—to be able to save all the lives that need saving. This has been shown over and over again in jurisdiction after jurisdiction. We are way behind in our response to this, and this won't get us any further ahead.

We're united here in that realization. I think even government has to admit that this isn't going to change the landscape much, if at all, in the organ donation crisis that we face right now in Ontario. So, again, all I can do is repeat the numbers: 1,700 people waiting, 100 people dying. There is blood on our hands. We need presumed consent, and we need it now.

1010

**The Acting Speaker (Mr. Ted Arnott):** Questions and comments?

**Mr. Peter Shurman:** A very eloquent contribution to the debate by my colleague from Newmarket–Aurora, asking the questions that, in a very real way, should be on all of our minds here.

It's very clear that we in the official opposition will accept this as the thin edge of the wedge and vote for it because, as my colleague from Parkdale–High Park has said, it's apple pie and motherhood. The NDP will clearly vote for it, and obviously, as government legislation, we can expect our friends on the government benches to vote for it. But I am willing to bet—and I wish there was a way to determine if this were true—that if you took a

straw poll of everyone who sits in any seat for any party, including the government, in this Legislature, and you said on a private basis, "Tell me: Should there be more or is this tiny little piece of the puzzle enough?" the answer would be, "No. There has got to be something to a strategy that makes it robust, when you call something a strategy." You can't talk about a subject as serious as organ donation and the saving of lives, with 1,700 people sitting on a waiting list, without getting deeper than, "You can have up to 13 weeks off work and, by the way, at no pay." That is patently ridiculous.

I wonder what debate costs in this Legislature: thousands and thousands and thousands of dollars per hour for us to sit here, the clerical support and all the rest of it, and what are we constantly debating? Bills that answer one element of a question, whether that's the mandatory retirement age that I referred to earlier and the implications that have never been addressed, or whether you're talking about an element that contributes to Smoke-Free Ontario, like not smoking in a car with people under 16. You vote for all of them. They're correct, but they're only a single element of an overall problem that this government never wants to discuss.

**The Acting Speaker (Mr. Ted Arnott):** Questions and comments?

I'll return to the member for Newmarket–Aurora, who has two minutes to respond.

**Mr. Frank Klees:** I want to thank the member for Parkdale–High Park and my colleague from Thornhill for their comments.

I will just leave this final appeal with the government: When this bill passes, I would ask them to focus on the words "without pay" that are inscribed in this legislation. I would ask them to give consideration to whether it is, in fact, not simply moral, in addition to making good economic sense, that they should go back to their strategy that, as it stands now, is prepared to reimburse expenses for living donors, and whether it does not make good sense to provide compensation, at the very minimum, up to the formula that we have in place for unemployment insurance; that people who come forward should be appropriately compensated; and that it is a responsibility of the provincial government because of the multimillions of dollars that this province would save by having individuals step forward, being enabled to do so. There are many people who are willing, but they can't. So we should, at the very least, be prepared to step into the gap and provide that kind of financial support. I leave the government with those thoughts. I thank you for the opportunity to speak to this important topic.

**The Acting Speaker (Mr. Ted Arnott):** Further debate?

Mr. Fonseca has moved second reading of Bill 154. Is it the pleasure of the House that the motion carry? Carried.

*Second reading agreed to.*

**The Acting Speaker (Mr. Ted Arnott):** Shall the bill be ordered for third reading?

**Hon. Brad Duguid:** I ask that the bill be referred to the Standing Committee on the Legislative Assembly.

**The Acting Speaker (Mr. Ted Arnott):** So ordered.

It being close to 10:15, this House is in recess until 10:30 of the clock.

*The House recessed from 1015 to 1030.*

## INTRODUCTION OF VISITORS

**Hon. Donna H. Cansfield:** I'm more than pleased to introduce you to Arbi Kevrkians, who is a guest today and in the Legislature for the first time and enjoying an opportunity to see how well we work together.

**Mrs. Christine Elliott:** I would like all members to join me in welcoming four guests from Durham region this morning: Allison Kahnert, Susan Pollard, Jean Mayne and Melissa Annan. Welcome.

**Mrs. Elizabeth Witmer:** I would like to introduce, from Barrie today, Brandy Hayes.

**Hon. Gerry Phillips:** I would like to introduce a good friend of mine and a great Canadian, Dorothy Davey, who is in the gallery. Many of the members would know her husband as well, Senator Keith Davey, who is also a great Canadian. Welcome, Dorothy.

**Mr. Ted Arnott:** I'm pleased to have the opportunity to introduce the family of page Emily Wilson: her mother Susan Wilson, sister Elizabeth Wilson, uncle Jim Ruddy, and they're here today as well.

**The Speaker (Hon. Steve Peters):** On behalf of the member for Oakville and page Alexander Glista, I would like to welcome his mother, Rochelle Defehr, his sister Victoria Glista and his father, who is here as well in the east members' gallery.

I would also like to welcome some former pages from the page program last fall. They are in the west members' gallery: Kevin, Elise, Helen, Willem, Adriane, Shaukat, Karlee and Meagan. Welcome back to Queen's Park.

## LEGISLATIVE PAGES

**The Speaker (Hon. Steve Peters):** I would just like to take this opportunity on behalf of all members to say thank you to the group of pages. Today is their last day. We wish each of you all the best in your future endeavours, and perhaps one day some of you will be joining us here in the Legislature. So on behalf of all members, thank you very much.

There being no further introductions, it is now time for oral questions.

## ORAL QUESTIONS

### AUTOMOTIVE INDUSTRY

**Mr. Ted Chudleigh:** My question is to the Deputy Premier. The Premier has previously said that the upcoming budget will address the crisis in the auto industry. Deputy Premier, before you finalize the details of the budget, would you agree to an immediate three-month

PST holiday on the purchase of new cars priced up to \$40,000? Would you agree to that?

**Hon. George Smitherman:** While I do want to agree with the honourable member that we are all anticipating the presentation of the government's budget in this place on March 26, I'm very confident that at that time Ontarians will see that our government continues to be moving in a direction which will enhance our capacity to provide a good quality of life for people in the province of Ontario.

We won't be making tax policy on the floor of the Legislature today. But on the issue of the automotive sector, it's very gratifying to see the honourable member joining the ranks of those in this Legislature who are supportive of our automotive sector. That has been somewhat inconsistent on the honourable member's part over the last number of years, but we agree with him forthrightly that it is necessary to look for opportunities to enhance the automotive sector in Ontario. It's such a staple of the Ontario economy.

**Mr. Ted Chudleigh:** This minister seems to be a little sensitive on the automotive side of things. Given the widespread support for this idea, I would have hoped for a firmer commitment from the minister.

Last January, my PC colleague the member for Haldimand-Norfolk started a petition and asked the Minister of Finance to look into a PST holiday. The Ontario Auto Dealers Association has given its full support, as have both Ford and Toyota, for a consumer incentive to stimulate new car sales.

Minister, it's a no-brainer. Why won't you support this initiative?

**Hon. George Smitherman:** It's always good to see the honourable member picking up on the newspaper clipping of the day and making policy as he goes. He suggests that it's a no-brainer; I won't comment further on that.

But I do think that the presentation of the budget is the appropriate place for the consideration of tax matters going forward. March 26 is the day when our government will bring that forward. Over the last five years we've worked hard to try and rebuild public services in the province of Ontario. The challenges that are of a global nature, but which are impacting Ontario at the moment, are top of mind in the presentation of such a budget. It's good to see that the honourable member is already anticipating that.

**Mr. Ted Chudleigh:** I'll avoid comment on the first comments the minister made, other than to mention bus shelters.

This proposal has a proven success record. In 1980, a PST holiday on the sale of 1979 models resulted in a 17% increase in car sales. Quebec brought in a similar program in 2007 for hybrids. And President Obama's stimulus package also included tax incentives for car purchases.

This proposal puts financial assistance to the auto industry in the hands of consumers. Minister, will you commit to this tax holiday today and give car dealers and

consumers the assurance and tools they need to get through this crisis?

**Hon. George Smitherman:** I do want to say to the honourable member that we're very, very appreciative of the support from him and from his party around the needs of the automotive sector. Over the last five years, we've been able to have investment in the automotive sector, which we believe is a good platform going forward to ensure that automotive continues to be an important contribution and dynamic in the economy of the province of Ontario.

As I said a couple of times already, obviously I won't be making tax policy for the government today, but we're taking note of the honourable member's interest, and that of others on this subject. On March 26, we'll look forward to the finance minister's presentation in this very Legislature.

#### LONG-TERM CARE

**Mrs. Elizabeth Witmer:** In the absence of others, I will go to the Deputy Premier, I guess. My question is—  
*Interjections.*

**Hon. James J. Bradley:** We're going to have to send out a posse to find the Tories.

**The Speaker (Hon. Steve Peters):** Order.

**Hon. James J. Bradley:** Those flights to Florida are going early.

**The Speaker (Hon. Steve Peters):** Minister of Transportation. Perhaps you may want to be going there.

The member from Kitchener–Waterloo.

**Mrs. Elizabeth Witmer:** My question then going to the Deputy Premier. As the Deputy Premier knows full well, there are residents in our long-term-care homes who are asking your government to make them—our seniors—a priority in your 2009 budget. So far, MPPs of all stripes have received more than 35,000 postcards signed by the residents, their family, their friends and staff, urging your Premier to provide desperately needed funding. They have indicated that there has been a steady erosion in funding in services to support resident care, comfort and safety.

In recognition of the fact that today the residents in our long-term-care homes are older—average age 83 years—and have more complex needs, will your government immediately implement the already promised 2,500 extra personal support workers and 2,000—

**The Speaker (Hon. Steve Peters):** Thank you. Deputy?

1040

**Hon. George Smitherman:** I would have thought that some of those people might be interested in signing cards to the honourable member asking her and her party to repudiate their commitment to eliminate \$3 billion of health funding through the elimination of the health premium. I would think that if we want to live up to the honourable member's rhetoric, where she said there has been an erosion of funding, it's almost like she's projecting onto the long-term-care file the idea that she won the

last election. That wasn't the case, and as a result, we've continued to make investments in long-term care.

Funding for long-term care has increased by 50% since our government came to office. That's more than \$1 billion, and a \$300-million increase this year alone. It's not to suggest that there are not pressures in long-term care. That's why we continue to invest in it, even in difficult and challenging economic times, and that's why it's so unfortunate that the honourable member is part of a party that continues to promise a \$3-billion cut to health care.

**Mrs. Elizabeth Witmer:** The Deputy Premier again is making statements that are not true. There will be no cut to health care. Also, I would remind him that it is the Ontario Long Term Care Association who is indicating that there is a need to correct the six-year erosion in funding for services that support resident care, comfort and safety.

Let's not play politics with this issue. There are 77,000 residents in this province who desperately need care. As the Deputy Premier knows, Ontario funds significantly less care for residents than Alberta, British Columbia, Manitoba and New Brunswick, where they receive about 3.2 hours or more; we only provide less than three. Will you live up to your promise to provide three hours of care per day per resident?

**Hon. George Smitherman:** The honourable member says we only provide less than three, but when she was in office in the same role, she eliminated the regulations that called for a minimum standard at all in our long-term-care homes. When we came to office, the number was 2.25, and we've invested \$1 billion since then in bringing that forward. We've raised resident hours of care; we've had a 33.6% increase in daily raw food allowance; we've increased personal allowance, the comfort allowance for residents, several times by at least 9%; and this year alone, we've invested an additional \$300 million in long-term care.

It's true that there will always be opportunities to enhance the quality of care for individuals in long-term care. That's why we've taken many steps and why we will continue to do so. But what is not fair is that that honourable member stands in this Legislature today and doesn't tell the long-term-care association what most of us know, which is that when she was in office, they eliminated all standards for long-term care.

**The Speaker (Hon. Steve Peters):** Final supplementary.

**Mrs. Elizabeth Witmer:** We're very proud of our track record. In fact, we were the government that built the 20,000 new long-term-care beds; we were the government that recognized that seniors deserve decent, safe housing; and we redeveloped 16,000 beds. We're still waiting for the 35,000 beds that you haven't developed. In fact, you have no plan of action and we currently have 25,000 people waiting on a list for long-term care. Many of them are languishing in hospitals—they're called alternative-level-care patients. They block emergency rooms and contribute to delays in surgery, and they don't

want to be there. They want to be either in their own homes, in supportive housing or in long-term care.

So I say to you: There are 25,000 people on a waiting list for long-term care. Will your government develop a plan to build more homes and beds, and will you—

**The Speaker (Hon. Steve Peters):** Thank you.

**Hon. George Smitherman:** I want to say to the honourable member that she's here with the long-term-care association today and has found her voice, but in the 2007 election, which wasn't that long ago, not one word of reference in their platform to increase staffing in long-term care—not a word. A history of cuts, the elimination of minimum standards—this is the honourable member's record with respect to long-term care. She says she wants a plan for new builds: 2,277 beds are being built this year, and we're moving forward in partnership with the sector, with OANHSS and OLTC, on the redevelopment of 35,000 beds over the next 10 years. The honourable member said she was proud of her record. I suppose she's also proud to be part of a party that plans a further \$3-billion cut to health care.

#### AUTOMOTIVE INDUSTRY

**Ms. Andrea Horwath:** My question is to the Acting Premier. Late yesterday in Ottawa, Chrysler CEO Thomas LaSorda made a very disturbing presentation to a parliamentary committee. Chrysler is threatening to slash the jobs of 9,400 Ontario workers unless governments provide more than \$2.5 billion in loans and the CAW agrees to reduce labour costs by 25%. I want to be clear that during this time of crisis in the auto sector New Democrats support financial assistance to companies like Chrysler, but we do not believe that large, foreign-based corporations should dictate the terms for taxpayers' assistance. Will this government stand up to Chrysler and demand guarantees on jobs, investments and pensions before any money flows?

**Hon. George Smitherman:** To the Minister of Economic Development.

**Hon. Michael Bryant:** I appreciate the member's question and, as well, the words of support for the government's approach, which is, number one, acting in the public interest. There was a presentation yesterday where a representative of the company spoke in a fashion that represented the investors' interest, and I understand that. This has been a negotiation that has been under way for several months. As long as Chrysler proves itself to be a viable company, there is a deal to be had, if they are willing. We'll continue to work with Chrysler and continue to talk to them about the issues they've raised and, yes, we will continue to ensure that there are production guarantees and that there is a footprint there so that we can ensure that there are future jobs for Ontarians with Chrysler.

**The Speaker (Hon. Steve Peters):** Supplementary?

**Ms. Andrea Horwath:** Here is what New Democrats say needs to be part of the deal with Chrysler if we're going to be forking over more taxpayers' money. We need an iron-clad guarantee that Chrysler will keep its

promise to invest \$1 billion in Brampton and several hundred million dollars in Windsor. We need an iron-clad guarantee that it will maintain one quarter—25%—of its North American production in Ontario. We need an iron-clad guarantee that it will honour all pension and benefit obligations to employees and their families. These are guarantees, Minister, that were absent the last time this government forked over hundreds of millions of dollars to the Big Three. Has this government finally learned its lesson from its past mistakes and will it ask for these guarantees this time?

**Hon. Michael Bryant:** I appreciate the member laying out some information and, yes, the government will continue to act in the public interest. We will continue to negotiate with Chrysler in a fashion that ensures that we have a footprint in Ontario so that we can have continued production and continued jobs. I say to the member as well that it has always been and always will be the government's position that when we enter into these agreements there are iron-clad understandings as to exactly what the companies need to do. They are understandings that are in the form of a contract and those are contracts that can and will be enforced.

We want to work with Chrysler right now. We want to enter into an agreement if, in fact, the company is viable. I appreciate the member's comments with respect to the position that the member thinks the government should take.

**The Speaker (Hon. Steve Peters):** Final supplementary.

**Ms. Andrea Horwath:** There's something else this government needs to demand, not just from Chrysler but from all companies that receive taxpayers' money. With hundreds of thousands of workers and their families having trouble keeping a roof over their head and food on their table, senior corporate executives must be sharing in the pain and sacrifice. There must be a hard cap on executive pay and perks. Why won't this government demand such a cap as a condition of any further taxpayers' investment?

**Hon. Michael Bryant:** The leader of the third party is a little late to the parade. This has been one of the conditions that the government placed from day one, and the United States government has placed as well. In fact, there is an acknowledgment by Mr. LaSorda in his remarks that this is exactly what the company intends to do, which is to comply with those restrictions that are placed on executives. There needs to be equality of sacrifice. Obviously, they are asking for a loan that is a sacrifice on behalf of the taxpayers; there needs to be sacrifice on behalf of management. The CAW has already come to the table with very significant concessions, acknowledging there needs to be sacrifice on their behalf as well. To the member: I agree. There needs to be equality of sacrifice in order for there to be a future, and I would like to be confident that there will be a future.

1050

#### CHILD CARE

**Ms. Andrea Horwath:** To the acting Premier: Across our province, parents are struggling to find child care.

Only 12% of Ontario families have access to licensed child care in this province. It's not a luxury; it's an economic imperative. It allows parents, especially mothers, to attend school, continue working or actively seek employment. Yet in London, Ottawa and Toronto, those three cities together, we have at least 23,000 eligible children on waiting lists. How can this government continue to let down so many children and parents?

**Hon. George Smitherman:** I think there is a necessity for agreement on how important child care is in the lives of families, most certainly. Our government has been very, very committed to the circumstances, especially for lower-income individuals and families with children. That's why the Ontario child benefit is featured so prominently in the work we've been doing to try to enhance the livelihoods of people.

I think it's important to note as well that that member is part of an organization, a party, that has a story where, in their legacy, they did cut child care subsidies. We have worked over the course of the last several years to open new spaces all across the province of Ontario, and with families under \$20,000 or so eligible for a full child care subsidy.

I would look forward to continuing to work on this matter with the honourable member, but I remind her as well that our government's commitment around the Ontario child benefit stands as one very strong example of the dedication that we have to the lowest-income families in the province of Ontario.

**The Speaker (Hon. Steve Peters):** Supplementary?

**Ms. Andrea Horwath:** The Deputy Premier should know very well that the Ontario child benefit is no replacement for real child care spaces in this province. The minister should take his response to Susanne, a mother from Toronto who is on 25 child care centre waiting lists. She's been waiting since 2007, when she was still only a couple of months pregnant. Now, with only a couple of months left in her maternity leave, she still does not have a child care space. She and her husband are being forced, the two of them, to each take time off work, something that is completely unaffordable to that family. What does this government say to Susanne and so many other working mothers and fathers who still can't access a program that is essential to our social and economic well-being?

**Hon. George Smitherman:** For the honourable member to say that income support for lowest-income families in Ontario is unimportant even in the context of providing for their needs around child care is, I think, challenging. I understand that there are circumstances where individuals are seeking these spaces, but for that member to raise a question about Toronto as an example, 4,276 additional spaces have been created through efforts that we have made in the province of Ontario, focused here in Toronto in particular. In the member's own community, Hamilton, and in Niagara the number was more than 2,000, evidence that there has been, alongside efforts like the Ontario child benefit, a strong desire to try to enhance the services that people need to be able to support their families.

I accept that there is room for more improvement here. I also acknowledge that there are some limitations on a resource which make balancing all of those things somewhat difficult, but we'll continue to charge ahead and do the best for working families.

**The Speaker (Hon. Steve Peters):** Final supplementary.

**Ms. Andrea Horwath:** Regardless of the numbers the Acting Premier is floating around, the reality is that only 12% of Ontario's children are in child care—12% in licensed, regulated child care in this province. It's a dismal failure.

A new report from the Ontario Association of Food Banks says that 500,000 more Ontarians will fall into poverty unless this government takes serious action in its upcoming budget. That includes investing at least \$300 million in new child care money now. Two weeks from today, when it announces its budget, will the McGuinty government make this investment, and if not, tell those parents and tell those children why not?

**Hon. George Smitherman:** As one who has observed matters around child care for quite a long time, I was one of those who was disappointed that the New Democrats at the time, in the federal Parliament, took down a party that was implementing a national child care plan. This was a piece of progress that many had awaited for decades and decades, and instead they pulled the political trigger, all so that they could elect one or two additional members of the Legislature. I think it's also—

**Mr. Paul Miller:** History, history, history.

**Hon. George Smitherman:** Well, the member doesn't like history, and I'm not surprised that the member for Hamilton doesn't like the history of his party, where they killed a national child care program in pursuit of their own political objectives.

But I think it's very, very important to acknowledge as well that we are implementing full-day learning for four- and five-year-olds in the province of Ontario. This is about enhancing their capacity, of course, to learn and will also free up more child care spaces for younger children. It's disappointing that the leader of the third party, when she had the chance to vote in favour of full-day learning for four- and five-year-olds, voted against it.

#### SENIOR CITIZENS

**Mr. Frank Klees:** My question is to the minister responsible for seniors. Seniors across the province are not immune to the economic downturn. They've worked hard to put aside funds in a retirement account, and they're counting on that income to pay their day-to-day living expenses. Many of those retirement accounts are eroded. The income from those retirement accounts is considerably less than it has been. My question is this: Has the minister responsible for seniors advocated with the Minister of Finance to allow seniors in this province to have access to 100% of their locked-in retirement accounts, and if not, why not?

**Hon. M. Aileen Carroll:** I can assure the honourable member that, the Seniors' Secretariat being part of my

portfolio, I am cognizant of the pressures of this economy on seniors in Ontario. I take every opportunity to convey to the Minister of Finance my concerns on issues such as elder abuse and the fiscal impact as well. The property tax initiative, of course, was a response to that very dilemma, and it was done by this government in advance of the current economic malaise that we are now dealing with.

Be assured, honourable member, that I will continue to advocate on their behalf to the best of my ability.

**The Speaker (Hon. Steve Peters):** Supplementary?

**Mr. Frank Klees:** My question was very specific. Seniors from across the province are asking for the right to their own money. This is money that seniors have put aside through their hard work for the day that we now have, and that is when they are in need. This is their money. Under current legislation, they cannot access their own retirement funds. It will take an act of this Legislature to open up those locked-in retirement accounts.

I'd like to know from the minister, has she specifically made the request of the minister to include that measure in the next budget, and if she hasn't, will she commit today that that will in fact be her request of the Minister of Finance on behalf of seniors across the province?

**Hon. M. Aileen Carroll:** As I assured the honourable member, I have conveyed, and continue to convey my concerns and those of seniors in Ontario to the Minister of Finance. As the honourable member knows, we took measures to allow seniors more access in the budget of 2007. Unfortunately, the honourable member chose to vote against it.

There are indeed a number of aspects of this particular dilemma that belong in the federal domain. I have not had an opportunity to speak to the Minister of Finance at the federal level; I leave that to my colleague in cabinet to do so. But I can only assure the House and the member that many of the initiatives that we have taken are assisting these seniors in these turbulent times. I would look for his support when we bring in a very, very excellent budget in a couple of weeks' time.

#### STELCO

**Mr. Paul Miller:** To the Acting Premier: Hundreds of workers slated to be laid off at Stelco are just months short of qualifying for their pensions. The heart of the problem is that there are hundreds of workers who are coming up a few months short and will be forced to rely on EI if a practical bridging solution is not found.

The difference between a pension payment and employment insurance is significant, with a typical Stelco pension averaging about \$2,600 a month; employment insurance pays a maximum of \$1,800 a month.

Will this minister get on the phone to US Steel/Stelco executives and management and demand that they bridge these workers so that they can begin collecting their pensions rather than relying on employment insurance?

1100

**Hon. George Smitherman:** To the Minister of Economic Development.

**Hon. Michael Bryant:** From day one in working with the head of the Steelworkers' union, we have been endeavouring to try and broker a solution. Just as the member has said, there are circumstances where potential early retirement, or other alternatives to layoffs, are options that ought to be pursued.

The local management is not the issue here. We have been reaching out to head office in order to do this, working with the union. It's a circumstance where the company needs to recognize that this is a union that will come to the table and will, in fact, work with the company to come forth with solutions that, in some cases, will save the company money. We will continue to push for that to happen because I think it's in the best interest of those workers.

**Mr. Paul Miller:** There are a few more details of the situation and how I understand them. To begin collecting a pension, workers must have 30 years of credited service acquired through their years in the plant. At Lake Erie Works, about 50 workers fall just short by months. The number doubles when you add workers who have 30 years of service but are short on their pension credits because of layoffs or strike time.

At Hamilton Steel, where three quarters of the workforce have more than 25 years of service, there are about 300 people in this position. I repeat: Will the minister get on the phone to US Steel/Stelco management, whether it's Pittsburgh or whether it's here, and demand that they bridge these workers so that they can begin collecting pensions that they've worked a lifetime to earn and that they deserve?

**Hon. Michael Bryant:** Again, I just want to assure the member that that has been the approach of this government from day one, pursuing this solution through a variety of means and working with Leo Gerard, who I'm going to see again today. We want to bring the parties to the table in order to come up with a solution.

The member has aptly summed up the situation for a number of workers. We always need to be pursuing alternatives. It's troubling that this is the first time in 25 years that Leo Gerard has not been given the opportunity to come to the table and work out alternatives. But that doesn't mean that we can't still try and do it, and the government is going to do everything it can to make that happen.

#### TOURISM

**Mr. Jean-Marc Lalonde:** My question is to the Minister of Tourism. Recently it was announced that the McGuinty government is providing funding to help the National Capital Commission and region host the 2009 Genie Awards and Genie week. I understand that the awards will take place on April 4 at the Canadian Aviation Museum in Ottawa.

There is no doubt that tourism helps local economies and creates jobs throughout the province. Can the minister outline why investments such as these from our government are important to communities throughout the region and throughout the entire province?

**Hon. Monique M. Smith:** On Tuesday, I had the opportunity to attend the Genie Award nominee reception here in Toronto, together with my colleague, the Honourable Jim Watson, the Minister of Municipal Affairs and Housing, who's a huge proponent of Ottawa. I want to congratulate all of the nominees for our Genie Awards this year.

I was pleased to announce, on behalf of the McGuinty government, that we will be investing \$150,000 to help the National Capital Commission host the Genie Awards and Genie week. Absolutely.

It's support like this for high-profile events like the Genies that help to bring focus to a community and attract visitors to the area. Festivals and events like the Genies are a great way to invigorate local economies, and I'm particularly delighted to see that Ottawa will be hosting this year.

As you know, tourism is an important economic driver in our province with over \$22 billion in revenues from tourism in 2007, and over—

**The Speaker (Hon. Steve Peters):** Thank you. Supplementary?

**Mr. Jean-Marc Lalonde:** Again to the Minister of Tourism: I am pleased that the Academy of Canadian Cinema and Television decided to hold the Genies in Ottawa this year. I may, however, be quite partial. From what I understand, this is the first year that the academy has hosted this event in the national capital, and I'm sure it will draw quite a bit of attention to the area. Can the minister comment specifically on the impact of this event for the region, and why it is important for the McGuinty government to work with the National Capital Commission on tourism initiatives in the area?

**L'hon. Monique M. Smith:** Merci au membre de Glengarry–Prescott–Russell pour sa question et pour son travail dans la région d'Ottawa. On apprécie bien son bon travail.

At the Genie Awards nominee reception, I met with Marie Lemay, who is the CEO for the National Capital Commission. They are working to organize a fabulous Genie week in Ottawa. They have events planned throughout the week, culminating with the big Genie event, the awards ceremony itself.

The commission is known throughout the province for hosting successful annual events like their grand Canada Day celebration, as well as Winterlude. We recently provided funding to the National Capital Commission for a spectacular new light show at this year's Winterlude. I hope many of the members of the House had the opportunity to participate in that.

Ottawa is a perfect place to be hosting the Genies, as its tourism is heavily based in culture, and we hope—

**The Speaker (Hon. Steve Peters):** Thank you. New question.

#### SKILLS TRAINING

**Mr. Garfield Dunlop:** My question today is for the Minister of Training, Colleges and Universities. On Feb-

ruary 26, this House passed a resolution calling for the government to adequately fund community-based literacy and basic skills programs due to rapid growth in enrolment. On Monday and Tuesday of this week, your ministry consultants informed the agencies that their funding increase for 2009-10 would be 0%—frozen now for over a decade in spite of demands put on the agencies by the tens of thousands of Ontarians who are losing their jobs each month. Thousands of these individuals require basic literacy in order to return to the workforce.

Minister, why are you turning your back on Ontarians who require the services of community-based literacy and basic skills programs?

**Hon. John Milloy:** I appreciate the honourable member's interest in literacy—certainly a very serious issue that our government takes seriously. We invest \$75 million a year to get individuals the literacy and basic skills services they need at almost 300 sites across the province, including colleges, school boards and community-based organizations. This year, we provided a special \$2.68 million in one-time funding to literacy and basic skills service providers to help them deal with some of the additional pressures. We continue to work with the sector to assess their needs and make sure that we can offer the literacy services that are needed across this province.

**Mr. Garfield Dunlop:** Thank you, Minister, but clearly you did not answer the question. We are talking about the funding of community-based literacy and basic skills programs. You continue to ignore them. You even denied a chance to meet with them. By April 1, these literacy groups will be laying off staff and releasing thousands of learners from their programs.

Minister, can you explain to the House and the people of Ontario why your government seems to find money for things like Liberal-friendly cricket clubs, cost overruns by tens of millions at dysfunctional casino expansions and handing out European sports cars as prizes for gambling, yet there doesn't seem to be any money to help Ontarians with literacy problems at a time when the community-based agencies desperately need and are pleading for your leadership on this file?

**Hon. John Milloy:** I've been very happy to meet with literacy groups and organizations, and I recognize their importance to our economy, especially in times of an economic downturn.

As I said to the honourable member, this year alone we are providing \$75 million for literacy and basic skills. We made an allowance of \$2.68 million for special one-time funding to deal with pressures, and we're going to continue to work with the sector.

I'd also point out to the honourable member that our Second Career program, to which the most recent statistics show over 7,000 people have come forward, has a literacy and basic skills component, as does our rapid re-employment and training service.

We recognize the importance of literacy on this side of the House, and we're going to continue to work with the sector.

## DISCIPLINARY HEARING

**Mr. Peter Kormos:** To the Minister of Community Safety and Correctional Services: How much more public money will OPP Commissioner Julian Fantino be allowed to burn through in his pathetic attempt to oust the adjudicator at his embarrassing disciplinary hearing?

**Hon. Rick Bartolucci:** Obviously it's a matter that's before the courts, so it would be inappropriate for me to comment. The member knows full well that that is the case.

**Mr. Peter Kormos:** You see, it's the taxpayers who are picking up the tab. Commissioner Fantino has three law firms on retainer, all being paid exorbitant fees by the taxpayers of Ontario. Why doesn't this minister just tell Fantino to get on with finishing his cross-examination so that we can be spared further mockery of the justice system on the public's dime?

**Hon. Rick Bartolucci:** Let me reinforce and repeat what I said: It would be very inappropriate for me to interject myself in those proceedings. That's not right; that is inappropriate. I don't plan on doing anything that's inappropriate or not right.

1110

## FLOODING

**Mr. Wayne Arthurs:** My question is to the Minister of Natural Resources. Minister, as we move into the spring after an unusually wet and snowy winter, many communities across the province are concerned about flooding. As the accumulated snow and ice continues to melt, it's not uncommon for many areas to experience risks. Last spring, we saw a few declarations of emergency due to flooding in communities throughout the province. Clearly, flooding has the potential to have devastating effects, including property damage and public safety concerns, particularly if people aren't adequately warned.

Would the minister outline for the House what steps our government is taking to prepare and adequately warn communities that are at risk of flooding?

**Hon. Donna H. Cansfield:** Thank you very much for the question. The spring is coming and the floods are inevitable, so the challenge becomes how we manage it. It's an opportunity for us to share, through the Ministry of Natural Resources, what we are doing.

We have over 4,000 sensors at 1,200 stations across the province. They provide us the information. The water control structure has managed to minimize the impact of the flooding, but remember that at this time of year people forget that the flooding that may occur in the north hasn't hit us yet. It will hit us and can be significantly damaging to personal property and personal safety.

What we want to say to you, all of you—and we've sent a letter to every member, every municipality—is that safety is paramount; ensure that children stay away from running water; and, secondly, to access that information instantly on our website as to the different levels of flooding that are occurring in southern Ontario.

**The Speaker (Hon. Steve Peters):** Supplementary?

**Mr. Wayne Arthurs:** Minister, I understand that the Ministry of Natural Resources is responsible for flood forecasting and that flood advisories are then communicated to municipalities and local conservation authorities, which have plans in place to deal with such situations. However, I think we remain concerned about unorganized areas where there isn't a municipality or conservation area in place to deal with floods. This includes rural areas in southern Ontario, as well as First Nations communities in the north, such as the James Bay First Nations communities, which often experience flood emergencies in the spring.

Would the minister clarify for the House what plans are in place to aid these areas in case of flooding?

**Hon. Donna H. Cansfield:** Again, it gives us an opportunity to share with the House and with the general public what we do. In the far north and in the unorganized territories, we work very closely with emergency management. There are five major rivers that flood into Hudson Bay and James Bay, and flooding does occur. We do daily flyovers and often we take our First Nations with us so that we can have, from the air, an on-the-ground look at what is happening so that we're able to work with, in particular, emergency management, when and if there is flooding.

Again, I can't emphasize how important this is. Just because spring comes here, don't forget it's further in the north in times of thaw, and that thaw ultimately may flow down through our major river systems, so safety is paramount.

You have an opportunity to get the message out to your community. Have them use our website and our conservation authorities that work very closely with us, in order to get accurate, up-to-date information that we can—

**The Speaker (Hon. Steve Peters):** Thank you. New question?

## TEMPORARY EMPLOYMENT AGENCIES

**Mr. Robert Bailey:** My question is for the Minister of Labour. Minister, in 2008, Premier McGuinty sent greetings to an organization, Staffing for Canada Week, where he said, "I applaud the staffing industry and temporary and contractual employees for their invaluable contribution to the continuing prosperity of our province and country as a whole."

We on this side of the House have some concerns with parts of Bill 139, which, if passed, will kill the temporary staffing industry, which employs, as you well know, over 200,000 people and is a very vital part of Ontario's economic recovery.

Minister, given your Premier's warm sentiments toward this industry and the importance that this industry plays in our economy, why are you and your party trying to kill this industry with Bill 139?

**Hon. Peter Fonseca:** I want to thank the member for the question. I also want to thank the member for the

supportive comments he has made on this legislation, where he said, "In general, we are supportive of the government's efforts to offer protection to workers in temporary agencies." We agree with the member.

The member wasn't here at the time that his party was governing this province, but I can tell him that the approach they took was one of weakening labour legislation, weakening employment standards legislation. We don't agree with that. What we have brought is a fair and balanced approach to address vulnerable workers in this province, some of our lowest-income workers. We want to ensure that they have the same rights as other employees in Ontario. I think this is something the member knows in his heart of hearts he should agree with. We want to ensure that those employees have opportunity.

**The Speaker (Hon. Steve Peters):** Supplementary?

**Mr. Robert Bailey:** I'd like to thank the minister for the history lesson, but we're talking about the here and now. Yesterday I met with ACSESS, the Association of Canadian Search, Employment and Staffing Services, who told me quite clearly that they would support this bill if you would agree to make two amendments that would not change the intent of your bill but would allow this industry that employs 200,000 Ontarians to continue to prosper. I know your own members are going to hear from these industries as well. If you don't support these technical amendments, the industry will die and will not be in a position to help meet Ontario companies' staffing needs when this economy does pick up. In effect, you will hamstring the economic potential.

Minister, will you commit to amending Bill 139 and listen to the stakeholders that you failed to consult with when you brought this bill forward?

**Hon. Peter Fonseca:** What I say to the member is that we highly respect the legislative process. I've had the opportunity—actually, I think the member is speaking to a number of stakeholders in particular, but ACSESS would be one of them. I would say that in my time as Minister of Labour, in the five months, I have spent more time with that stakeholder, ACSESS, and we're happy to do so and listen to their concerns that they bring to the table. Also, this is going to committee. There will be more opportunity to bring forward deputations, but what we are doing is changing some unfair practices that we feel are out there right now in the temporary help agencies sector: charging upfront fees to these workers and charging a temp-to-perm fee, where a lot of them feel that they can't find that permanent employment.

Also, what this legislation will do is give those workers the information—

**The Speaker (Hon. Steve Peters):** Thank you. New question.

#### WORKERS' COMPENSATION

**Mr. Paul Miller:** My question is to the Acting Premier. A Toronto Star article on March 4 stated that "data analysis ... found that 11,000 worker injuries were downplayed or improperly handled over a seven-year period, including 3,000 amputations, fractures, dislocations, bad

burns and other injuries, that companies" did not report one day of lost work. It further stated that "at the time, WSIB chair Steve Mahoney said the Star's findings proved exceptional behaviour, not the rule."

It is clear from the Morneau Sobeco report that this behaviour is not and was not the exception for a number of years. What immediate action is the government taking to get this situation corrected?

**Hon. George Smitherman:** To the Minister of Labour.

**Hon. Peter Fonseca:** I want to thank the member for the question. I also want to thank Morneau Sobeco for their report and review of the experience rating system, which is what it is called, and the Toronto Star's David Bruser for his in-depth report on this very important file. What it is about is that we want to incent employers on good behaviour when it comes to health and safety in the workplace.

That is why this government for the second time is doing a value-for-money audit of that program. We want to ensure that we get it right. After many, many years of that program, where it was not addressed—I could tell you that under the Conservative government they took a laissez-faire approach to this program. They took it out of the WSIB and we have had to manage this program—

**The Speaker (Hon. Steve Peters):** Thank you. Supplementary?

**Mr. Paul Miller:** The chair of the WSIB responded to the Toronto Star article, stating that he has been saying that "sound, rational changes" are needed and have been needed for some time. This is the same WSIB chair who last year denied that the Ontario Federation of Labour has been raising the flawed experience rating system with him for some time.

It is clear that no action was taken before the NDP, with the support of the Ontario Federation of Labour, supported them and raised this extremely serious issue during an opposition day motion last year. When will this government finally admit that the WSIB has been in serious trouble for some time and replace the chair with someone who gets it?

1120

**Hon. Peter Fonseca:** I am glad that the chair took leadership on this file and is addressing this file. That's why the Morneau Sobeco report was asked for. The recommendations out of that report are being taken to the stakeholders by the chair of the WSIB. It is being discussed with the board. They're working with injured workers; they're working with employers; they're working with trade unions. They want to ensure that they get it right.

I can tell you that when I go out there and speak with all these various stakeholders, one thing they all tell me is that we do need a program to incent good and great behaviour when it comes to health and safety in the workplace. That's why we have taken such a keen interest in this: to get it right, because this is about lowering injury rates in the workplace, and we've done an excellent job on—

**The Speaker (Hon. Steve Peters):** Thank you.

## PUBLIC TRANSIT

**Mr. Bob Delaney:** My question is for the Minister of Transportation. Public transit gets people in western Mississauga from where they live to where they work, study or go for entertainment. GO trains are our daily lifelines, and I'm one of those commuters. I generally take the train from either the Streetsville or Lisgar stations. GO Transit users help ease congestion on our roads. GO trains help us arrive on time; for many, with the advantages of a commuter catnap.

There are three GO train stops on the Milton line serving our western Mississauga neighbourhoods of Lisgar, Meadowvale and Streetsville. Milton is the third-busiest line on the GO network, with about 27,000 daily riders. GO Transit has worked very hard with our communities to build a new station and improve our existing facilities, but we need more. Will the Minister of Transportation—

**The Speaker (Hon. Steve Peters):** Thank you, Minister?

**Hon. James J. Bradley:** The member from Mississauga–Streetsville will be pleased to hear, as all members will, that GO Transit will soon be adding two new weekly trains on the Milton line. This new rail service on the Milton line is in part due to the \$2.5 billion that this government has invested in GO Transit since 2003.

The first train will be added to the morning schedule and will arrive at Union just after 9 a.m. It will give customers the benefit of a slightly later morning arrival. The second train will be added to the evening schedule, departing Union Station shortly after 5:30 p.m. This will allow for even more options to choose from, making it easier for commuters to get home to their families even faster.

To help encourage GO ridership, on average, GO Transit subsidizes almost 65,000 people per month in Mississauga alone to take Mississauga Transit to the GO station. Most of these initiatives are helping—

**The Speaker (Hon. Steve Peters):** Thank you. Supplementary?

**Mr. Bob Delaney:** More than 4,000 commuters in neighbourhoods like Streetsville, Meadowvale, Lisgar, Churchill Meadows and central Erin Mills, which I represent and the member for Mississauga–Erindale represents, are pleased to hear that the Milton line will soon benefit from this much-needed increase in service. For more than a dozen years between 1990 and 2003, public transit on the Milton GO line was simply lost in the 1980s. Put simply, nothing happened.

The system still needs better integration and needs more places more often on the line, especially Pearson airport. While GO trains are a great way to get downtown quickly for consumers, there are other public transit options open to us in Mississauga. In Peel region, we need to move north-south and east-west without taking a car and get where we're going quickly and conveniently. Will the Minister of Transportation share with the House—

**The Speaker (Hon. Steve Peters):** Thank you, Minister?

**Hon. James J. Bradley:** The member for Mississauga–Streetsville is an advocate for public transit. Everyone can see that. We appreciate all the work he has done on this front.

Since 2003, this government has invested almost \$200 million in public transit in the city of Mississauga. Most recently, it was announced that Mississauga received \$15.8 million in gas tax funding, which can be used for introducing service improvements such as additional buses, expanded routes and improved security infrastructure.

Metrolinx, which plans for transit across the GTA and Hamilton, has recently released their regional transportation plan for Mississauga. It envisions rapid transit along Hurontario Street from Highway 407 to Port Credit GO station and along Dundas Street West from Kipling Avenue to Brant Street, and electrification of the Lakeshore GO rail line. We're already moving forward. One of Metrolinx's—

**The Speaker (Hon. Steve Peters):** Thank you, Minister. New question.

## STELCO

**Mr. Toby Barrett:** A question to the acting Premier: 1,200 steelworkers from Lake Erie Steel attended a meeting this past Monday in my riding to hear the latest on the idling of our area's largest employer, US Steel. These jobs are now on hold indefinitely. As well, 1,200 steelworkers met in Hamilton this week. As the Simcoe Reformer reports, these people walked out of that meeting filled with doubt, uncertainty and anger.

Acting Premier, do you plan on abandoning these steelworkers, just as you abandoned the 300,000 people in the manufacturing sector who lost their jobs before them?

**Hon. George Smitherman:** To the Minister of Economic Development.

**The Speaker (Hon. Steve Peters):** Minister?

**Hon. Michael Bryant:** Well, really, what a bunch of—

**Hon. James J. Bradley:** Baloney.

**Hon. Michael Bryant:** Yes.

**The Speaker (Hon. Steve Peters):** Minister of Transportation.

**Hon. Michael Bryant:** This to a government that in fact, as a result of investments made in 2006 for US Steel workers, then Stelco workers, literally saved those workers' pensions. This was a company that was in receivership, and literally, the government stepped in to save the pensions.

But to the other part of the member's question, we do want to work with both the company and the workers. We want to try to broker a solution, as I said before, because that's in the best interests of the workers. This is a circumstance where the company needs to come to the table, needs to work with the workers in order to see what alternatives there may be.

**The Speaker (Hon. Steve Peters):** Supplementary?

**Mr. Toby Barrett:** I'm sure idled steelworkers phoning my office will take cold comfort in your opening comment there: the government that has taxed and spent its way onto the dole itself. Perhaps you have the wherewithal to have an answer in the coming budget.

You've found out that your emperor has no clothes. Three quarters of people in Ontario realize this government has no plan. Steelworkers need an industrial plan; they need a strategy; they need action for primary industry.

You saw this meltdown coming, and instead of setting aside \$27 billion, the extra revenue, for these tough times, you spent it. Please explain to these steelworkers in my riding why you have mismanaged Ontario's spending so badly that you now have nothing left to help when they need it most.

**Hon. Michael Bryant:** Unlike the other members who are representing these workers, who are not playing politics with this issue and are trying to come forward with a pragmatic solution, this member chooses to play politics.

But I want to assure those steelworkers in his riding that nonetheless, this government is going to continue to try to broker a solution between workers and management, because that is the right thing to do. The very least that the management can do is come to the table and talk about solutions with people who know how to come up with solutions, and in some cases save money for the company, but most important of all, create a future for those workers and for those communities, too.

#### TAXATION

**Mr. Michael Prue:** My question is to the acting Premier. With jobs harder to come by, times are tougher for everyone, especially for everyday families. The Premier has suggested that he may harmonize the PST with the GST, immediately raising the price on basic goods. For a mom going shopping with her kids on a Saturday afternoon, Atlantic-style harmonization would mean paying 13% more for diapers, children's clothing, footwear, the corner hot dog treat and women's hygiene products.

Why would the McGuinty government increase prices on necessities when families are just struggling to get by?  
1130

**Hon. George Smitherman:** I would have to say that the member's question was about a minute of uninformed speculation.

Associated with the economic challenges that Ontario is facing, we're working diligently as a government to bring forward for presentation in this House on March 26 a budget which will allow us to move Ontario forward. We know that there is a lot of work to be done on that point. I just want to say to the honourable member that we should all look forward to the opportunity on that day in this House to hear the presentation of the budget from the government of Ontario, but I'm not in a position to be

involved in the speculation that is the honourable member's fancy today.

**Mr. Michael Prue:** It is the Premier's musings that caused the questions and the people out there to be concerned. The PST exemption was created for a reason: because these goods are considered to be the basics. Families aren't going to be able to avoid paying the tax. The Acting Premier—and the Premier—has a chance here to tell Ontarians that his government isn't going to raise taxes on necessities like diapers, children's clothing and shoes. Why won't the Acting Premier commit today to ensuring that any tax harmonization plan maintains the current PST exemptions? Tell people so they won't have to wait around and they don't have to be worried until March 26.

**Hon. George Smitherman:** I just wouldn't want to deprive the honourable member of his opportunity for these kinds of points of speculation. I think, though, that in his use of the word "necessity" and the demonstration of those items he referenced, there is obviously something that many of us would agree with. I think that there is, in the presentation from the honourable member, some information that the Minister of Finance might want to take a look at in the context of the presentation of his budget.

I could just remind members that we're going to stick with the tradition commonly held in our province of presenting a budget here in the Legislature on March 26. We're going to have that done, as is the tradition, by the Minister of Finance.

#### RESEARCH AND INNOVATION

**Mr. Khalil Ramal:** My question is to the Minister of Research and Innovation. Minister, the Robarts Research Institute was officially merged with the University of Western Ontario on July 1, 2007, with the help of funding from our government. These two world-class research institutes are conducting groundbreaking research in the field of biotechnology and the medical devices field. This accomplishment is a source of pride in London. We're proud of the University of Western Ontario and the Robarts Research Institute because they're doing a great job for our community and for the province of Ontario. Minister, my question to you is, what are you doing through your ministry and our government to support those world-class institutes to serve our community, our province and our nation?

**Hon. John Wilkinson:** I want to thank my friend for the question and his advocacy, and the other members of the London region, who are so very, very proud of the University of Western Ontario and the Robarts Research Institute.

I want to share with the House that we made an investment of some \$12 million to bring the two institutions, UWO and Robarts, together through an investment made by my ministry. Robarts is installing two new brain scanners—something the opposition may want to hear about—which will provide insights into learning percep-

tion and communication for the diagnosis and treatment of such things as psychiatric disease, dementia, depression and Alzheimer's. I know the opposition wanted to hear about that.

The capital funding is a tremendous investment in the world-class research of such scientists as Dr. Ravi Menon, Mel Goodale and Aaron Fenster from the brain and mind centre. We're particularly proud of the new 7-Tesla MRI—

**The Speaker (Hon. Steve Peters):** Thank you. Supplementary?

**Mr. Khalil Ramal:** Recently, a report was released in the province of Ontario talking about the importance of innovation and research in order to carry this province toward a brighter future. What are you doing, Minister, to ensure support for research and innovation in this province to make sure we are part of the movement toward a brighter future for the province of Ontario and this nation?

**Hon. John Wilkinson:** What we understand on this side of the House is that we need to attract top talent and give them the very best tools. At the Robarts institute we have acquired through our investment what is known as a 7-Tesla MRI machine, the most powerful MRI in this country and one of only three in the world. It is amazing that we've been able to make that investment because we believe in the amazing talent of Mel Goodale, Aaron Fenster and Ravi Menon and all the other researchers in the group.

Biotechnology and life sciences are an area where this province leads, and though there may be others around the House who don't understand that, I think the people understand. Because of the advocacy of members like the member from London—Fanshawe and the other members of our London caucus, how strong they are, we're so very—

**The Speaker (Hon. Steve Peters):** Thank you.

The time for question period has ended. This House stands recessed until 1 p.m.

*The House recessed from 1135 to 1300.*

## INTRODUCTION OF VISITORS

**Mrs. Linda Jeffrey:** I rise in the House today to recognize the region of Peel on becoming the first winner of a Public Sector Leadership Award from the Institute of Public Administration of Canada, earning gold in the municipal category. The leadership awards recognize public sector organizations that have demonstrated outstanding leadership by taking bold steps through advancements in public policy and management. Specifically, the award profiles individuals and/or teams who have dared to take their organization in a new direction. The region of Peel's Common Purpose Transition Program aims to achieve three outcomes: employee engagement, client satisfaction and trust in the services that they deliver. The program involved a complete change in service delivery, from a corporate perspective, shifting to a customer point of view.

Countries from around the world often come to Canada to learn how to emulate the innovation and success of public sector organizations like the region of Peel. Successful leadership is about taking a calculated risk. As Robert Kennedy once said famously, "Only those who dare to fail greatly can ever achieve greatly."

Congratulations to the region of Peel for being innovative and for having the courage to dare to take the organization to the next level. The region of Peel has long been a leader in public sector management in Canada. This award just confirms and recognizes their hard work.

**Hon. Kathleen O. Wynne:** I'm looking around for our guest, but he's not here yet. I want to acknowledge nonetheless that Stu Auty, of the Canadian Safe School Network, is going to be joining us.

**Mr. Khalil Ramal:** I guess my guests haven't arrived yet, but I want to mention their names: Youssef Merti, and one other person whose name I don't remember very well.

**Mr. Jeff Leal:** I know this individual hasn't arrived yet, but John Sheehan from Peterborough will be here this afternoon. He just left Mr. Brownell's office. He's been very involved in the preservation of heritage in Peterborough for many, many years and will be here this afternoon to view the debate on Bill 149, An Act to protect Ontario's inactive cemeteries, in this House later this afternoon.

**Mr. Dave Levac:** I would like to introduce my mother.

## MEMBERS' STATEMENTS

### SKILLS TRAINING

**Mr. Garfield Dunlop:** I'm pleased to rise today to comment on community-based literacy and basic skills programs. I want to say right off the bat that it's my understanding, dealing with the stakeholders I've been working with across the province of Ontario, that these organizations are severely underfunded, and it is with great regret that the minister stood in the House today and tried to defend the action of the McGuinty Liberals.

We thought that the resolution we passed in the House back on February 26 was supported by all the members and voted on. It was that they supported the fact that it would need additional and adequate funding to continue on into the future.

That being said, these organizations have seen substantial increases in the number of clients coming to the door who are called learners. With 300,000 or 400,000 people out of work today in the manufacturing sector, more than ever we need people who can teach community-based skills, reading and writing etc. What's happened now with the fact that the minister has frozen funding for the last 10 years, even with these community-based programs, we're going to see layoffs.

I can tell you that that's a sad day for the province of Ontario. These are programs that work in Ontario. I would urge all members of this House, as the budget approaches, to call their MPPs, call the Minister of Finance—and please ask him to increase the funding in these particular areas: community-based literacy and basic skills funding.

### ENDANGERED SPECIES

**Mr. Jeff Leal:** I had the distinct pleasure of welcoming the Honourable Donna Cansfield, Minister of Natural Resources, to my riding of Peterborough on Friday, March 6.

Minister Cansfield contacted me after receiving letters from grade 4 students attending St. Catherine Elementary School. They wrote about the Endangered Species Act, a topic of great importance to them. Their letters revealed a comprehension beyond their years, and a passion to preserve our natural resources and protect our endangered species. These young people will grow to be great stewards of this province.

During her visit to St. Catherine school, she spoke to the general assembly about species at risk and environmental conservation. The minister spoke about the importance of preserving wildlife and their habitat. She talked about the steps that Ontario is taking to do this through the creation of the Species at Risk Act.

During the question period that followed, a student asked, "What species are at greatest risk in the province of Ontario?" Clearly, these children recognize the value of protecting our wildlife for the future—their future.

After the general assembly, the minister visited Mr. Pat Mackey's grade 4 class and met the students who had written to her. I'd like to end by reading a poem written by one of these students:

God's Gifts cannot go amiss,  
especially those that are at risk.  
We all must help and show we care.  
to lose a special animal is not fair.

### SENIOR CITIZENS

**Mr. Ernie Hardeman:** Imagine being a senior who is struggling to make ends meet and being told by the government that even though you have money, you can't use it. Imagine needing to repair your house or buy a new car and being told by the government that you can't spend your own money to do it.

That's the situation that many seniors across the province are facing. They are owners of life income funds or locked-in retirement income funds. Both of these types of accounts severely restrict the amount of money that can be withdrawn. In fact, to access the account for severe financial hardship, you have to apply and actually pay an application fee to try to get access to your own money.

Unlocking these pensions is a simple step the government can take to give people the flexibility they need

to manage their own finances. Other provinces already allow significantly more flexibility in when people can withdraw money from these funds. Saskatchewan allows 100% to be withdrawn any time after the age of 55.

Like these other provinces, Ontario should recognize the importance of giving people access to their own money, and allow seniors to withdraw 100% of their life income funds or locked-in retirement income funds. These people worked hard to save for old age. Now that it has arrived, they should be entitled to access these savings.

This change wouldn't cost the government anything. In fact, people who are finally making much-needed purchases will help the economy.

In the budget on March 26, the McGuinty government has an opportunity to do the right thing and ensure that people who worked hard for their money have access to it when they need it.

### INFRASTRUCTURE RENEWAL

**Mr. Kim Craitor:** February was indeed a truly great month for the people of my riding of Niagara Falls, Niagara-on-the-Lake and Fort Erie. Together with my colleague the federal Minister of Justice, the Honourable Rob Nicholson, we announced support for three major infrastructure projects totalling \$19 million in our riding.

In Niagara Falls, an investment of \$10 million in the Lundy's Lane Historical Museum as an 1812-14 bi-centennial legacy gift will make the museum a serious battlefield tourist attraction. It will attract history buffs for generations to come.

In Niagara-on-the-Lake, a \$6-million investment, in addition to the \$1.5 million by our province, will allow the town of Niagara-on-the-Lake to finally complete their proposed first-class community centre, an event I look forward to.

In Fort Erie, for the longest time, the residents of Crescent Park North have had to put up with flooding and unsanitary conditions. I'm happy to report that our \$3-million investment there will provide the citizens of that part of Fort Erie some comfort from the worry of sewer backups in their basements.

The \$19-million infrastructure investment in Niagara will stimulate the economy. It will create jobs. It will support a cleaner environment and enhance the overall lifestyle of the people of my riding. For this, the leadership of my government needs to be commended.

1310

### JUVENILE ARTHRITIS AWARENESS MONTH

**Mrs. Elizabeth Witmer:** I rise today to speak to the fact that March is Juvenile Arthritis AwarenessMonth.

Many Ontarians may not be aware that children do suffer from and get arthritis. In order to increase the public's knowledge of this disease, this is the month when the Arthritis Society recognizes it.

Juvenile arthritis can cause excruciating, constant pain, fatigue, depression and disability that can sideline children from engaging in normal activities such as their schoolwork and physical activity. Sometimes children are ridiculed by their peers for having an old person's disease and are isolated because they can't keep up with the other children.

During this month, activities and outreach are being undertaken, and the funds raised by the Arthritis Society help to provide education and support programs and services to the families of children with arthritis. It also supports research into the underlying causes of juvenile arthritis.

Yes, juvenile arthritis can take a terrible toll on the lives of our children and youth, as well as their families and friends. I commend the Arthritis Society for making the difference, and I wish them all the best in their quest to eliminate juvenile arthritis.

#### UNPARLIAMENTARY LANGUAGE

**Mr. Peter Kormos:** Speaker, I'm concerned about the language being used in this chamber and I'm calling upon you to intervene.

Look, I have no qualms about neologisms, and a malapropism, although always regrettable, at least can generate some humour. But I'll tell you, what's driving me freaking nuts is the misuse—the all-too-frequent misuse—of the word “fulsome.”

Oxford Guide to English Usage: “fulsome is a pejorative term, applied to nouns such as flattery, praise, servility, affection etc., and means ‘cloying, excessive, disgusting by excess.’”

Fowler's Modern English Usage refers to the 1663 definition of “fulsome”: “Its standard current meaning ‘(of language, style, behaviour etc.) offensive to good taste by being excessively flattering,’” and it goes on, “Meanwhile, everyone is advised to restrict the word to its 1663 meaning.” I didn't say that; Fowler's did.

It is incredible that this word is being bandied about. People want to say “full,” not “fuller.” There's no such thing as “fuller,” because something is either full or it's not. Nothing can be fuller. People want to say “more full.” Nothing can be more full. What's even worse than “fulsome” is “more fulsome.”

Speaker, it's a wonderful word with beautiful nuance. It's a historical English word. Use your prerogative. Surely if “baloney” is unparliamentary language, the misuse and the bastardization and diminishment of “fulsome” is equally unparliamentary.

#### JUVENILE ARTHRITIS AWARENESS MONTH

**Mr. David Zimmer:** I have a fulsome statement dealing with Juvenile Arthritis Awareness Month.

**Mr. Peter Kormos:** No, you don't. Mr. Speaker, on a point of order: I'm convinced he doesn't have a fulsome statement; he has a full one that is going to last one

minute and 30 seconds, and I propose that he get that one minute and 30 seconds to make his full statement.

**The Speaker (Hon. Steve Peters):** The honourable member will have a full statement. Please reset the clock to a minute and 30 seconds.

**Mr. David Zimmer:** My complete statement is as follows: I too want to speak to March as Juvenile Arthritis Awareness Month.

Many Ontarians are not aware that children can get arthritis. To increase the public's knowledge of this disease, the Arthritis Society has designated March as Juvenile Arthritis Awareness Month.

Juvenile arthritis is one of the most common chronic conditions that affect children. About one in 1,000 children under the age of 16 lives with arthritis. Juvenile arthritis and arthritis in its many forms causes excruciating, constant pain, fatigue, depression and disability that can sideline a child from engaging in the normal school activities: school work, school play and physical activities. Sadly, many children with arthritis are teased and ridiculed by their peers in school for having “an old people's disease” and are isolated because they are unable to keep up with their peers.

During the month of March, activities and outreach are being undertaken across the province of Ontario. Funds raised by the Arthritis Society help to provide education and community support programs and services to families of children with arthritis and support research into the underlying cause of juvenile arthritis.

Juvenile arthritis can take a terrible toll on the lives of Canadian children, as well as their families and friends. I commend the Arthritis Society for this initiative.

#### POST-SECONDARY EDUCATION

**Mr. Dave Levac:** I rise in the House today to share the McGuinty government's continued efforts to improve higher education in Ontario.

While this government and, more importantly, the people of Ontario recognize the current economic difficulties facing countries around the world are very, very real, we also know that giving our students, as part of our five-point plan, proper skills and training to ensure success in the 21st century knowledge-based economy is of the utmost importance.

That's why the McGuinty government has invested \$6.2 billion in post-secondary education as part of our Reaching Higher plan. This is the largest investment in higher education in over 40 years. As a result of this bold investment, we have 100,000 more students attending colleges and universities; we have doubled student aid; and we now provide grants, which were previously cancelled, to 168,000 deserving students every year.

We are also increasing graduate spaces to 15,000 and first-year enrolment in Ontario's medical schools by 23%; raised base operating grants to colleges and universities to \$4.2 billion, an increase of 56% since 2003; and committed \$2 billion to our skills-to-jobs action plan,

which includes \$560 million to support new skills for new careers.

These investments are symbolic—not only symbolic, but practical and actual—of the McGuinty government's commitment to students. While there's more to be done, and we will push that more be done, this government will continue to work to ensure that students have the tools to succeed in this new economy.

And, Mr. Speaker, I do want to remind the members of this House that there is a song called the Folsom Prison Blues.

## INTRODUCTION OF BILLS

### EDUCATION AMENDMENT ACT (KEEPING OUR KIDS SAFE AT SCHOOL), 2009

### LOI DE 2009 MODIFIANT LA LOI SUR L'ÉDUCATION (SÉCURITÉ DE NOS ENFANTS À L'ÉCOLE)

Ms. Wynne moved first reading of the following bill:

Bill 157, An Act to amend the Education Act / Projet de loi 157, Loi modifiant la Loi sur l'éducation.

**The Speaker (Hon. Steve Peters):** Is it the pleasure of the House that the motion carry? Carried.

*First reading agreed to.*

**The Speaker (Hon. Steve Peters):** The minister for a short statement?

**Hon. Kathleen O. Wynne:** I'll reserve my statement to ministerial statements.

## MOTIONS

### LEGISLATIVE MACE

**Hon. Brad Duguid:** I believe we have unanimous consent to put forward a motion without notice regarding a special mace ceremony.

**The Speaker (Hon. Steve Peters):** Agreed? Agreed.

**Hon. Brad Duguid:** I move that at 10 a.m. on Tuesday, March 24, the Speaker shall interrupt the proceedings and shall deem the debate then taking place to be adjourned; and

The Speaker shall then adjourn the House during pleasure, for the purpose of permitting a ceremony on the floor of the chamber for the presentation of the refurbished mace; and

Following the ceremony, a representative of each recognized party may speak for up to five minutes to commemorate the event; and

That at the conclusion of these remarks, the Speaker shall adjourn the House until 10:30 a.m.

**The Speaker (Hon. Steve Peters):** Is it the pleasure of the House that the motion carry? Carried.

*Motion agreed to.*

## STATEMENTS BY THE MINISTRY AND RESPONSES

### STUDENT SAFETY SÉCURITÉ DES ÉLÈVES

**Hon. Kathleen O. Wynne:** Before I begin, I just want to recognize the people who have worked on this legislation: Liz Harding and her team, who have joined us from the Ministry of Education—I thank them very much for their work; and Marika Bishop and Rob Coombs from my office, who have been very instrumental. I will acknowledge my parliamentary assistant, Liz Sandals, shortly, because she has led the development of this legislation.

Even one incident of bullying or harassment in our schools is unacceptable. Each one is one too many. We know these incidents can have a lasting impact on the well-being of the people involved and on their families. Safe schools have been a government priority from the beginning, when we introduced our safe schools strategy, and we will continue to take action to make our schools safer.

We've done a lot, but we're very aware that there is more to do, which is why, last February, I asked the safe schools action team to address some very sensitive and very serious issues: gender-based violence, homophobia, sexual harassment and inappropriate sexual behaviour among students. The safe schools action team also looked at barriers students face to reporting these issues and reporting requirements for support staff, and they participated in a review of local police-school board protocols.

1320

I want to very sincerely thank my colleague Liz Sandals, the member for Guelph, who is my parliamentary assistant, for so ably chairing that team in this process and the previous process. Thank you very much for all of your work.

Ses conclusions font réfléchir, mais l'équipe a formulé de nombreuses recommandations fortes qui peuvent nous aider à rendre nos écoles plus sûres. Nous avons annoncé que nous leur donnerions rapidement suite, et c'est le cas.

We are introducing the "keeping our kids safe at school" act, which, if passed, would require school staff to report to the principal any serious student incidents for which suspension or expulsion must be considered. The Education Act already lays out when suspension or expulsion must be considered by the principal, such as for incidents of bullying or assault. This legislation I'm introducing today would require school staff to report these activities to the principal so that the principal can respond appropriately. Principals cannot act on these behaviours if they do not know that they are happening.

We know that school staff in Ontario are committed to student safety. This legislation would help clarify the role of all school staff in reporting serious incidents. Under the existing legislation, there are clear requirements for principals on considering suspension or expulsion if students have engaged in activities spelled out in the

legislation. There are also policy requirements that require principals to report specified violent incidents to the police. This legislation would ensure that school staff also have clear direction in reporting to the principal.

I want to be clear that these changes will formalize something that is already common practice in the province. Students should feel comfortable reporting incidents to staff knowing that they will then be followed up on, and parents should feel comfortable knowing the incidents will be responded to appropriately.

This legislation would also require principals to contact the parents of victims of student incidents when suspension or expulsion must be considered—so that same type of incident where we're going to require, if this legislation is passed, that principals must contact the parents of the victims. Parents have a right to know when their child is a victim of serious behaviour. They cannot advocate for their child and work with the school to resolve these issues if they're unaware that these types of incidents are taking place. If passed, Ontario would be the first province in Canada with legislation of this kind, requiring school staff to report serious student incidents to the principal and requiring principals to notify parents of victims.

Finally, the legislation would require staff to intervene to address inappropriate and disrespectful behaviour amongst students, behaviour such as racist or sexist comments that are unacceptable in our schools. We would, of course, only require them to do this if it is safe to do so. This may include asking the student to stop the behaviour, identifying the type of behaviour and why it's inappropriate and disrespectful and asking the student for a change in future behaviour. If passed, the legislation would help make schools even safer and lead the way for students to succeed.

Le projet de loi, « sécurité de nos enfants à l'école », ne constitue qu'une étape.

Nous progressons également dans nombre d'autres domaines ciblés par les recommandations de l'équipe d'action, tels que le curriculum, l'amélioration des partenariats entre les conseils scolaires et les organismes communautaires, et le développement de sondages sur le climat scolaire.

We will continue to act to help ensure everyone feels welcome, safe and respected in all of our schools.

**The Speaker (Hon. Steve Peters):** Responses?

#### STUDENT SAFETY

**Mrs. Elizabeth Witmer:** I'm pleased to rise on behalf of our education critic, Joyce Savoline, the member from Burlington, who has fought hard to make the changes in order to make our schools safe and has been demanding mandatory reporting. I'm pleased that the McGuinty government is finally listening; however, I am disappointed that the amendments do not come into force on September 1 of this year as we had hoped, but rather one year from now, February 2010.

Today is a day to pay tribute to the strength and the fortitude of the families who have fought for years to see

justice for their children and the protection of all students in our schools. We also today must remember the bravery of the children who have suffered violence and abuse at the hands of their fellow students and who have had the courage to share their heart-wrenching stories. As a parent, I can tell you, that had to be very difficult.

We remember Daniel Sebben, who contemplated suicide because nobody could protect him at school; Lindsay Hyde, who was terrified for her life because she could not escape her tormentors. It is unbelievable that in this day and age these children had to go through those types of experiences.

It is time—it is overdue—that this government demonstrate leadership and take every possible step to protect our students. Since my colleagues and I have started to highlight the need for mandatory reporting, students have been coming forward with their stories of abuse. Clearly, this is a dark part of our education system that we need to continue to address.

So we hope that the parents of the victims will be notified. We need to make sure that all of our students will be safe from their abusers. We need to establish clear rules for the creation and enforcement of safety plans following incidents of violence and abuse. We need to remember that we have failed children like Daniel and Lindsay in the past, and the countless other children who have not been able to step forward or the parents who simply couldn't publicly identify their children.

Parents should not have had to fight for three years to keep their children safe from perpetrators on any government's watch. As parents, we always need to know that the government is doing everything in its power to protect our children while they are in our care. Regrettably, many of these parents and these children have been let down, and as we know from the stories that we're hearing, children—their lives—have been put at risk.

What has added insult to injury is that when the violence or the abuse has been discovered, no one in this school system or the ministry, in the past, has been able or willing to accept any responsibility or accountability, and the poor at-risk student and the parents have been totally left to fend for themselves. We've heard the stories. Again, I say to you that this has to be heart-breaking for any parent, and I can't imagine what the impact must have been on the children and continues to be to this day.

So we want every serious incident of violence and abuse to be reported to the parents and to the proper authorities. We want to make sure that an action plan is put in place immediately and enforced. It has to happen for the sake of the students.

We also need to take a look at those who have perpetrated the offences. We need to take whatever action we can with children, and we need to support those children too. Children who are nine years of age—or anywhere, younger or older—are too young to be tarred with the brush of a sexual deviant. The students deserve our help. They deserve counselling and support systems to resolve and monitor their issues now or we will see these

children later in the system, in one form or another, for the rest of their lives.

So let's work together. Let's be proactive about the future of our youth. Our students—every one of them—deserve a safe, secure learning environment. It is time now to deliver, not in February, but September 1 of this year.

#### STUDENT SAFETY

**Mr. Rosario Marchese:** We will, of course, be supporting this bill. I have a few positive remarks and a few negative ones as well, because I want to be balanced, as the Liberals would say often, regarding any issue.

Our students must be able to attend school without fear. We want our kids to be safe. Who doesn't? Parents have a right to know what is happening to their kids, particularly when there are incidents that require their attention. We know that we can't call parents for every single conflict that their child is involved in. We can't do that. Teachers cannot do that. The system would crawl to a halt if every incident was reported or had to be reported.

At the other end, there are serious incidents where calling parents is automatic, ought to be automatic, and necessary.

**1330**

What we all need is a way to judge all the incidents that are in between. Educators need direction to help determine what needs to be reported and what does not. Obviously, we're going to support anything that will assist educators to protect our children and keep our parents informed. Much will depend on the definition of "reportable incident." Teachers are already required, as the minister said, "to report suspected cases of child abuse to the principal who then has the responsibility to report externally. In situations of violent incidents among students, the practice is for teachers to report to the principal. The legislation clarifies that responsibility." That's good; that's fine, which is what the minister said.

In my experience as a former teacher and as a critic for a long time, teachers do report violent problems when they happen. It's in their interest to do so, to protect themselves, if nothing else, and to protect those young people. So of course reporting happens; whether or not there's support at the higher level is sometimes another question, but even then, principals, of course, have a lot to do and they have to use their judgment. In some cases, they may fail in their judgment in that regard, but in my experience, most teachers have done the job of reporting. But if this codifies it and helps them, God bless.

I do want to say that mandatory reporting doesn't deal with the issues that we should be talking about. Mandatory reporting doesn't deal with issues of mental illness. Mandatory reporting doesn't deal with kids who come to school, where in their family there's substance abuse or alcohol abuse. It doesn't deal with that. Many of these things bring violence to the school. Some of these kids are sexually abused, and some of these kids bring the violence into the school. Mandatory reporting doesn't

deal with that. The Liberals and Tories might say, "Well, that's not what they're supposed to be doing," but we should be talking about what we should be doing to prevent problems before we're in a situation where teachers are forced to report a violent or difficult problem. So reporting is good, but it doesn't address the causes of youth violence.

Dealing with youth violence requires more than accurate reporting and putting police in a few schools. We would like to see legislation that puts more support staff, social workers, psychologists and other people who deal with mental illness in our school system as a way of reducing tensions that contribute to violence. The Toronto District School Board's community safety advisory panel, chaired by Julian Falconer, also recommended the creation of a provincial school safety and equity officer to be a central repository for the reporting of serious issues of school safety. I think it's a good idea. We have not heard the minister respond to that recommendation made by Julian Falconer. We don't know whether the minister or the Liberals will ever speak to many of the recommendations made by Falconer; they claim they have, but 80% of what was in that report is still yet to be addressed. The one I just mentioned is a critical one.

We feel that this is an essential step in dealing with violence, and we would like to see it included in the legislation. We hope the minister and the Liberals will speak to these issues more than just doing mandatory reporting.

**Hon. Kathleen O. Wynne:** On a point of order, Mr. Speaker: Mr. Stu Auty has arrived. I introduced him earlier. Thank you for being here.

**The Speaker (Hon. Steve Peters):** That was not a point of order. The government House leader on a point of order.

**L'hon. Monique M. Smith:** Je crois que nous avons le consentement unanime pour chaque parti politique de faire un discours de cinq minutes pour célébrer la Journée internationale de la francophonie.

**The Speaker (Hon. Steve Peters):** Agreed? Agreed.

#### JOURNÉE INTERNATIONALE DE LA FRANCOPHONIE INTERNATIONAL DAY OF LA FRANCOPHONIE

**L'hon. Madeleine Meilleur:** Au cours de la prochaine semaine, nous allons célébrer la Journée internationale de la francophonie, une fête qui a lieu chaque année le 20 mars partout dans le monde.

Over 9.5 million francophones live in our country, and many have roots in Ontario that go back nearly 400 years.

Le gouvernement de l'Ontario accorde une grande importance à la promotion et à l'épanouissement des francophones dans la province. D'ailleurs, ici même à l'Assemblée législative, la valeur du français est reconnue grâce au respect que l'on voue à la langue française et à la culture francophone, ce qui a des répercussions sur

l'ensemble de l'appareil gouvernemental et la société ontarienne.

Le gouvernement investit des sommes importantes dans l'éducation en langue française. En retour, les résultats scolaires des élèves francophones et francophiles sont parmi les meilleurs en Ontario, ce qui fait honneur à la province, tout en améliorant notre position sur la scène mondiale.

De même, le gouvernement accorde une priorité élevée à la qualité et à l'accès aux soins de santé en français partout en Ontario. Les investissements majeurs touchent à la formation bilingue des professionnels de la santé, à la diversification des services de santé et aux installations physiques dans les communautés où il y a des francophones.

Depuis plusieurs années, le gouvernement a mis de l'avant des mesures créatrices pour améliorer le système de justice en français en Ontario.

Le gouvernement de l'Ontario reconnaît sa place unique dans la fédération canadienne. À ce titre, il joue un rôle d'avant-plan dans les grands dossiers de la francophonie canadienne. Par exemple, il y a deux ans nous avons créé le Commissariat aux services en français, et plusieurs provinces nous ont approchés pour s'en inspirer.

Nous savons tous que l'unité du Canada dépend largement de l'espace occupé par les trois peuples fondateurs dans nos institutions politiques et nos services publics. C'est pour cette raison que le gouvernement participe activement aux rencontres interministérielles de la francophonie canadienne qui rassemblent les Acadiens, les francophones de l'ouest, les Franco-Ontariens et les Québécois.

Le gouvernement accorde une grande valeur à sa relation avec le Québec, comme en font foi les ententes Québec-Ontario que le gouvernement a conclues récemment. Les liens culturels et économiques que nous tissons avec les Québécois et les Québécoises contribuent à la prospérité de l'Ontario.

I would also like to tell you about the celebrations for the International Day of la Francophonie that will be taking place on March 20. Here in Ontario, the theme for this celebration will be our rich and diverse francophone community. It is a well-known fact that the population of French Ontario is growing through the arrival of new francophones and francophiles.

L'Ontario se démarque encore une fois par son ouverture sur le monde en recevant à bras ouverts des femmes, des hommes et des enfants parlant le français, d'où qu'ils viennent : de l'Afrique de l'ouest, du Maghreb, des Caraïbes ou de l'Europe.

J'invite tous mes collègues députés à participer activement aux fêtes qui entoureront la Journée internationale de la francophonie dans leur comté.

Encore cette année, les Ontariens et Ontariennes vont célébrer la francophonie aux quatre coins de la province. À North Bay et à Chapleau se tiendra l'exposition itinérante sur la francophonie ontarienne au cours de la semaine prochaine. À Embrun ce samedi, la francophonie ontarienne se réunira dans le cadre du 11<sup>e</sup> banquet annuel

de la francophonie de Prescott et Russell, auquel j'assisterai en compagnie de près de 500 convives. Le 19 mars, la télé de Radio-Canada sera l'hôte du gala Trille Or, durant lequel l'Association des professionnels de la chanson et de la musique fera la promotion tous azimuts de la musique et de la chanson franco-ontarienne. La pièce de théâtre Terre d'accueil, de la troupe de La Vieille 17, sera en tournée partout en Ontario. À Sudbury, les jeunes vont célébrer La Nuit sur l'étang le 21 mars prochain.

De plus, ici même dans la fonction publique de l'Ontario, nous allons reconnaître les employés qui se démarquent dans la prestation de services en français ou bilingues. À l'aube de la grande fête qui se prépare, tous ensemble nous allons bientôt célébrer les 400 ans de présence francophone en Ontario, et l'aventure se poursuit grâce à la jeunesse francophone, qui transforme à son tour tout l'Ontario, une jeunesse dont le gouvernement a fait sa priorité en élaborant une stratégie jeunesse qui a pour but de créer une mobilisation générale rassemblant la communauté, les intervenants de la francophonie et la population.

**1340**

On International Day of la Francophonie, I invite every Ontarian to celebrate the invaluable contribution of francophones to our prosperity.

À tous et à toutes, je souhaite une bonne journée de la francophonie le 20 mars et une bonne semaine de la francophonie.

**M. Peter Shurman:** Comme pays, le Canada est officiellement bilingue, mais trop souvent nos racines francophones prennent une position secondaire. Notamment, ici dans notre province de l'Ontario, il est oublié de temps en temps que nous avons deux nations fondatrices, dont les Franco-Ontariens sont des partenaires égaux. Le Canada était, de plus, un des fondateurs de la francophonie il y a 39 ans.

La semaine prochaine, nous ne serons pas ici, et c'est pour cette raison que nous voulons attirer l'attention aujourd'hui sur la francophonie, une célébration mondiale fêtée chaque année par les francophones de cinq continents et par l'Organisation internationale de la francophonie.

Comme membre fondateur de la francophonie dans l'année 1970, le Canada va célébrer cette Journée internationale de la francophonie dans la région d'Ottawa-Gatineau avec un hommage aux Acadiens. Nous voulons souligner notre soutien pour le quatrième Congrès mondial acadien dans le mois d'août 2009. Les ambassades des différents pays francophones du monde entier sont les hôtes d'activités culturelles pour célébrer la journée de la francophonie, avec l'objectif de promouvoir et la langue française et la communauté internationale des 53 États membres de la francophonie. Le français est la langue officielle de 32 des États et des gouvernements; c'est la langue d'à peu près 200 millions de personnes du monde.

Il me semble que nous sommes ici véritablement un miroir du monde. Mais cela n'a pas pris longtemps pour les Anglais et les Français d'être ensemble pour créer les

conditions favorables pour notre propre fondation. Dans notre histoire et aujourd'hui, nous pouvons dire que notre communauté franco-ontarienne fait partie d'une communauté mondiale vaste, complexe, inclusive et ouverte. De temps en temps, on doit se souvenir que les résultats et les bénéfices pour nous, maintenant en 2009, ne sont pas seulement justifiés, mais extrêmement appréciés, parce que deux peuples ont fixé un objectif, ont commencé une tâche, ont maintenu un défi avec patience et ont montré une habileté commune de maintenir le cours face aux obstacles durant des siècles. Je peux dire que notre histoire et les histoires des autres membres de la francophonie sont unies pour toujours.

Il est important de se souvenir que les objectifs de la francophonie sont les mêmes que les nôtres ici en Ontario durant notre grande histoire : promouvoir la langue française, aider les pays du monde français où il y a un besoin d'aide économique, médicale, sociale ou n'importe laquelle. Nous avons la connaissance, et c'est notre devoir et notre nature.

À l'image de la population de l'Ontario, la population franco-ontarienne est diverse et vibrante. Elle accueille depuis de nombreuses années des francophones de l'Afrique, de l'Asie, du Moyen-Orient et de l'Europe. Les minorités raciales francophones représentent aujourd'hui 10,3 % de la population francophone de la province. Alors, nos racines franco-ontariennes sont maintenant vraiment mondiales—une réflexion de la francophonie partout. La francophonie ontarienne tire son dynamisme de la présence de nombreuses institutions et associations dans les domaines de l'éducation, de la culture, de la santé, de la justice, de l'économie et des communications.

Nous avons en Ontario la fierté et la confiance d'être une force majeure dans la francophonie du monde. De la part de l'opposition officielle, je souhaite et à la communauté franco-ontarienne et aux francophones du monde entier une célébration magnifique pour la journée de la francophonie le vendredi 20 mars.

**M. Rosario Marchese:** Je suis très fier, comme francophile, de participer aujourd'hui à la célébration de la semaine internationale de la francophonie. La Journée internationale de la francophonie se célèbre le 20 mars, car c'est le 20 mars 1970 à Niamey, au Niger, qu'a été signé le traité créant l'Agence de coopération culturelle et technique, ce que nous appelons aujourd'hui l'Organisation internationale de la francophonie.

L'Assemblée législative de l'Ontario est membre de l'Organisation internationale de la francophonie, et comme député je suis membre de l'Association des parlementaires francophones, un organisme regroupant plus de 80 pays et 120 parlements où le français est utilisé dans les débats parlementaires.

Ma collègue la députée de Nickel Belt, France Gélinas, mon collègue Gilles Bisson de Timmins-Baie-James et moi avons eu l'occasion de participer à certaines de leurs activités, et c'est avec fierté que nous avons clamé haut et fort que, oui, la francophonie existe et est bien vivante en Ontario; que depuis l'établissement de la mission de Sainte-Marie-au-pays-des-Hurons, en 1639, il

y a une présence française en Ontario; et que 50 % des francophones à l'extérieur du Québec se trouvent en Ontario. Nous en avons bien sûr profité pour faire reconnaître la chanson et la musique, la littérature et le théâtre franco-ontariens.

La francophonie ontarienne est de plus en plus diversifiée. En effet, l'Ontario accueille depuis de nombreuses années des francophones des quatre coins du monde. L'Ontario est peut-être le chef de file pour le thème de cette année qui met en valeur la diversité.

Dans ce contexte, je veux mentionner M<sup>me</sup> Tonia Mori, de Toronto, qui sera récipiendaire de l'Ordre de la Pléiade. Elle est à la barre de la Coopérative radio-phonique de Toronto depuis 2006 comme directrice générale. Elle a développé en mars 2008 le portail francophone « ma ville en français », [www.grandtoronto.ca](http://www.grandtoronto.ca). Pour Tonia Mori, il est capital de pouvoir rassembler et desservir les différentes communautés francophones multiculturelles de Toronto, de contrer l'assimilation chez les jeunes et de favoriser le développement de la culture et des talents franco-ontariens et canadiens.

Mais il y a aussi des lacunes. Une lacune que ma collègue de Nickel Belt a soulevée plus tôt cette semaine est la piètre qualité du français sur le site web de l'Assemblée législative. Le texte est cousu de fautes, et même les noms des députés francophones ne respectent pas les accents de la langue française. On a beau essayer de promouvoir le fait français en Ontario, c'est assez difficile d'être pris au sérieux lorsque nos outils de communication les plus utilisés sont inadéquats. Il faut changer ça. Le français est toléré à l'Assemblée législative mais il n'est certainement pas utilisé couramment, ni encouragé.

Je veux encourager tous les francophones et francophiles à se joindre aux nombreuses activités organisées afin de souligner la semaine de la francophonie. Pour ceux qui seront dans le coin de Sudbury, il y aura le film Babine, au Rainbow Centre, un dîner de la francophonie au centre de santé communautaire, une présentation de folklore du professeur Marcel Bénéteau, du département de folklore de l'Université de Sudbury, et bien d'autres.

Pour ceux qui se trouvent à Toronto, consultez le Centre francophone de Toronto : site web [www.centre-franco.org](http://www.centre-franco.org), et aussi [www.lexpress.to](http://www.lexpress.to).

Je veux terminer en disant à ceux qui ne parlent qu'une langue, l'unilinguisme peut être guéri.

1350

## PETITIONS

### CHILD CUSTODY

**Mr. Jim Brownell:** I have a petition, and it reads as follows:

“To the Legislative Assembly of Ontario:

“We, the people of Ontario, deserve and have the right to request an amendment to the Children's Law Reform Act to emphasize the importance of children's relationships with their parents and grandparents.

“Whereas subsection 20(2.1) requires parents and others with custody of children to refrain from unreasonably placing obstacles to personal relations between the children and their grandparents; and

“Whereas subsection 24(2) contains a list of matters that a court must consider when determining the best interests of a child. The bill amends that subsection to include a specific reference to the importance of maintaining emotional ties between children and grandparents; and

“Whereas subsection 24(2.1) requires a court that is considering custody of or access to a child to give effect to the principle that a child should have as much contact with each parent and grandparent as is consistent with the best interests of the child; and

“Whereas subsection 24(2.2) requires a court that is considering custody of a child to take into consideration each applicant’s willingness to facilitate as much contact between the child and each parent and grandparent as is consistent with the best interests of the child;

“We, the undersigned, hereby petition the Legislative Assembly of Ontario to amend the Children’s Law Reform Act” as above “to emphasize the importance of children’s relationships with their parents and grandparents.”

As I agree with this petition, I shall sign it and send it to the Clerks’ table.

#### CHILD CARE

**Mr. Ernie Hardeman:** I have a petition to the Legislative Assembly of Ontario. It was presented to me by the members of the Braemar Women’s Institute in Oxford county.

“Whereas the Minister of Community and Social Services, Madeleine Meilleur, has decided that grandparents caring for their grandchildren no longer qualify for temporary care assistance; and

“Whereas the removal of the temporary care assistance could mean that children will be forced into foster care; and

“Whereas the temporary care assistance amounted to \$231 per month, much less than a foster family would receive to look after the same children if they were forced into foster care;

“We, the undersigned, petition the Legislative Assembly of Ontario to immediately reverse the decision to remove temporary care assistance for grandparents looking after their grandchildren.”

Thank you very much for allowing me to present this petition on behalf of my constituents.

#### LUPUS

**Mr. Kim Craitor:** I am pleased to introduce the following petition on behalf of the Lupus Foundation of Ontario, located in my riding of Ridgeway. It reads as follows:

“To the Legislative Assembly of Ontario:

“Whereas systemic lupus erythematosus is under-recognized as a global health problem by the public, health professionals and governments, driving the need for greater awareness; and

“Whereas medical research on lupus and efforts to develop safer and more effective therapies for the disease are underfunded in comparison with diseases of comparable magnitude and severity; and

“Whereas no new safe and effective drugs for lupus have been introduced in more than 40 years. Current drugs for lupus are very toxic and can cause other life-threatening health problems that can be worse than the primary disease;

“We, the undersigned, hereby petition the Legislative Assembly of Ontario to assist financially with media campaigns to bring about knowledge of systemic lupus erythematosus and the signs and symptoms of this disease to all citizens of Ontario.

“We further petition the Legislative Assembly of Ontario to provide funding for research currently being undertaken in lupus clinics throughout Ontario.”

I’m proud to sign my signature in support.

#### HOSPITAL FUNDING

**Mr. Bob Delaney:** I have a petition to the Ontario Legislative Assembly signed by people from all over Mississauga, and a couple from Toronto, just for good measure. It reads as follows:

“Whereas wait times for access to surgical procedures in the western GTA area served by the Mississauga Halton LHIN are growing despite the vigorous capital project activity at the hospitals within the Mississauga Halton LHIN boundaries; and

“Whereas ‘day surgery’ procedures could be performed in an off-site facility, thus greatly increasing the ability of surgeons to perform more procedures, alleviating wait times for patients, and freeing up operating theatre space in hospitals for more complex procedures that may require post-operative intensive care unit support and a longer length of stay in hospital;

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

“That the Ministry of Health and Long-Term Care allocate funds in its 2008-09 capital budget to begin planning and construction of an ambulatory surgery centre located in western Mississauga to serve the Mississauga-Halton area and enable greater access to ‘day surgery’ procedures that comprise about four fifths of all surgical procedures performed.”

I am pleased to sign and support this petition and, on her last week with us, to ask page Emily to carry it for me.

#### HOSPITAL SERVICES

**Mr. Ted Chudleigh:** I have a petition to the Legislative Assembly of Ontario.

“Whereas the current Oakville Trafalgar Memorial Hospital is fully utilized; and

“Whereas Oakville Trafalgar Memorial Hospital was sized to serve a town of Oakville population of 130,000, and the current population is now 170,000; and

“Whereas the population of Oakville continues to grow as mandated by ‘Places to Grow,’ an act of the Ontario Legislature, and is projected to be 187,500 in 2012, the completion date for a new facility in the original time frame; and

“Whereas residents of the town of Oakville are entitled to the same quality of health care as all Ontarians; and

“Whereas hospital facilities in the surrounding area do not have capacity to absorb Oakville’s overflow needs;

“Therefore, be it resolved that the Minister of Health and Long-Term Care and the Minister of Energy and Infrastructure take the necessary steps to ensure the new Oakville Trafalgar Memorial Hospital be completed under its original timelines without further delay.”

I agree with this petition, affix my signature to it and pass it to my page, Nancy, on her last day.

#### PUBLIC TRANSIT

**Mr. Mike Colle:** I have a petition to the Legislative Assembly of Ontario.

“Whereas too many innocent people are being victimized by acts of violence while using public transit; and

“Whereas too many public transit employees are being victimized by acts of violence while working to serve the public; and

“Whereas we need to send a strong message of zero tolerance for violence on public transit; and

“Whereas anyone harming or carrying a weapon on public transit should be dealt with by the full force of the law; and

“Whereas public transit riders and workers have the right to ride and work on public transit free of violence, intimidation and harm;

“We, the undersigned, petition the Legislative Assembly of Ontario to put an end to violence on public transit and totally support MPP Mike Colle’s private member’s bill,” Bill 151, “to crack down on violence on public transit.”

I support the bill and the petition. Thank you.

#### SALES TAX

**Mr. Frank Klees:** I have literally thousands of signatures here sent to me through, mainly, car dealerships from across the province. The petition reads as follows:

“Whereas the auto industry in Ontario and throughout North America is experiencing a major restructuring; and

“Whereas the current economic crisis is affecting the auto manufacturers and the front-line dealerships throughout Ontario; and

“Whereas many potential automobile purchasers are having difficulty accessing credit even at current prices; and

“Whereas a three-month tax holiday of the GST and the PST on the purchase of new and used cars and trucks would stimulate auto sales;

“Therefore we, the undersigned, petition the provincial and federal governments to implement a three-month tax holiday, and that the Ontario Minister of Finance include the PST holiday in the next provincial budget.”

I’m pleased to affix my signature, as I believe it’s a very important measure for the Minister of Finance to include in the next budget.

#### CHILD CUSTODY

**Mr. Kim Craitor:** I’m pleased to introduce this petition for a second time in the House today. I want to thank Olga Alexander from Whitby, who provided me with these petitions. The petition is effectually known as the grandparents’ right petition, and it reads as follows:

“To the Legislative Assembly of Ontario:

“We, the people of Ontario, deserve and have the right to request an amendment to the Children’s Law Reform Act to emphasize the importance of children’s relationships with their parents and grandparents, as requested in Bill 33....

“Whereas subsection 20(2.1) requires parents and others with custody of children to refrain from unreasonably placing obstacles to personal relations between the children and their grandparents; and

“Whereas subsection 24(2) contains a list of matters that a court must consider when determining the best interests of a child. The bill amends that subsection to include a specific reference to the importance of maintaining emotional ties between children and grandparents; and

“Whereas subsection 24(2.1) requires a court that is considering custody of or access to a child to give effect to the principle that a child should have as much contact with each parent and grandparent as is consistent with the best interests of the child; and

“Whereas subsection 24(2.2) requires a court that is considering custody of a child to take into consideration each applicant’s willingness to facilitate as much contact between the child and each parent and grandparent as is consistent with the best interests of the child;

“We, the undersigned, hereby petition the Legislative Assembly of Ontario to amend the Children’s Law Reform Act to emphasize the importance of children’s relationships with their parents and grandparents.”

I’m proud to sign my signature in support of this petition.

1400

#### ONTARIO SOCIETY FOR THE PREVENTION OF CRUELTY TO ANIMALS

**Mr. Ted Chudleigh:** I have a petition to the Legislative Assembly of Ontario:

“Whereas the current Liberal government is proposing to eliminate the ability of local animal welfare groups to use the identifier Humane Society or Society for the Prevention of Cruelty to Animals unless they are affiliated with the provincial organization; and

“Whereas many local organizations which adopted these names have operated under them for many years; and

“Whereas the volunteers and local support of these historic organizations is invaluable to the cause of animal welfare in Ontario;

“Therefore we, the undersigned, ask the Legislative Assembly of Ontario to remove the proposed restriction of the use of these identifiers currently proposed in section 6 of Bill 50.”

#### ASSISTANCE TO FARMERS

**Mr. Bob Delaney:** I am pleased to read this petition addressed to the Legislative Assembly of Ontario on behalf of my colleague from Perth–Wellington. It is entitled “Safety-Net Payments and Beginning/Expanding Farmers.” It reads as follows:

“Whereas the Minister of Agriculture, Food and Rural Affairs ... has publicly stated that she ‘absolutely’ wants to help the beginning and new entrants to agriculture; and

“Whereas beginning and expanding farmers are going to be important in the coming decade, as a record number of producers are expected to leave the industry; and

“Whereas the safety net payments—i.e., Ontario cattle, hog and horticulture payments (OCHHP)—are based on historical averages, and many beginning and expanding farmers were not in business or just starting up in the period so named and thus do not have reflective historic allowable net sales; and

“Whereas beginning and expanding producers are likely at the greatest risk of being financially disadvantaged by poor market conditions and are being forced to exit agriculture because there is not a satisfactory safety-net program or payment that meets their needs;

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

“To immediately adjust the safety-net payments made via OCHHP to include beginning and expanding farmers, and make a relief payment to the beginning and expanding farmers that have been missed or received seriously disproportionate payments, thereby preventing beginning farmers from exiting the agriculture sector.”

On behalf of the member for Perth–Wellington, I’m pleased to affix my signature to this petition and send it down with page Tariq on his last week with us.

#### HOSPITAL SERVICES

**Mr. Ted Chudleigh:** I have a petition to the Legislative Assembly of Ontario.

“Whereas Milton District Hospital was designed to serve a population of 30,000 people and the town of

Milton is now home to more than 75,000 people and is still growing rapidly; and

“Whereas the town of Milton is the fastest-growing town in Canada and was forced into that rate of growth by an act of the Ontario Legislature called ‘Places to Grow’; and

“Whereas the town of Milton is projected to have a population of 101,600 people in 2014, which is the earliest date an expansion could be completed; and

“Whereas the current Milton facility is too small to accommodate Milton’s explosive growth and parts of the hospital prohibit the integration of new outpatient clinics and diagnostic technologies;

“Therefore, be it resolved that the Minister of Health and Long-Term Care and the Minister of Energy and Infrastructure take the necessary steps to ensure timely approval and construction of the expansion to Milton District Hospital.”

I approve of this petition, sign my name to it and pass it to my page, Jordan.

#### PRIVATE MEMBERS’ PUBLIC BUSINESS

#### INACTIVE CEMETERIES PROTECTION ACT, 2009

#### LOI DE 2009 SUR LA PROTECTION DES CIMETIÈRES INACTIFS

Mr. Brownell moved second reading of the following bill:

Bill 149, An Act to protect Ontario’s inactive cemeteries / Projet de loi 149, Loi visant à protéger les cimetières inactifs de l’Ontario.

**The Deputy Speaker (Mr. Bruce Crozier):** Mr. Brownell has moved second reading of Bill 149. Pursuant to standing order 98, Mr. Brownell, you have up to 12 minutes.

**Mr. Jim Brownell:** It is a pleasure to rise in the House this afternoon to speak on my private member’s bill, Bill 149, the Inactive Cemeteries Protection Act. The purpose of this bill is to preserve the sanctity of the final resting places of our deceased and to provide clear legislation that inactive cemeteries are protected, preserved and maintained in their original locations.

At this time I would like to introduce and welcome to the Legislature this afternoon Marjorie Stuart, Diane Clendenan, Rob Leverty and Bob Crawford from the Ontario Historical Society and the Ontario Genealogical Society, and also John Sheehan from the Citizens for the Protection and Preservation of the Pioneer Cemetery in the riding of Peterborough. I welcome them as we debate this afternoon. I sincerely thank them, too, for their support of this bill.

I would also like to acknowledge the good work of the former Minister of Culture, Caroline Di Cocco. It was

she who, before she was minister, devised a bill that was never tabled similar to the one that we are debating here today. Although the two bills are different, her bill certainly provided inspiration for Bill 149, and I commend her for her contribution. For many years now, it has been my contention that descendants of our deceased and those organizations opposing the closure and move of inactive cemeteries should not continuously fight with developers, the courts and tribunals to preserve the sanctity and last wishes of our ancestors.

Along with my colleagues who are debating with me today, I would like to commend all those from across Ontario, and indeed across Canada, who are in support of this bill and have taken the time to contact my office. To date, my office has received hundreds of letters, e-mails, telephone calls and petitions.

It is because I believe that this bill is in the best interests of our constituents that we are debating it here today. The support I've received from those concerned citizens confirms that people care about our deceased family members and the burial locations where they rest.

As many of you know, I am a proud advocate for the conservation of the rich history and heritage of Ontario, and indeed of all of Canada. As a past president of the Stormont, Dundas and Glengarry Historical Society and the Cornwall Township Historical Society, and having served 11 years as president of the Lost Villages Historical Society in my riding of Stormont-Dundas-South Glengarry, I have had much involvement in all aspects of history and heritage preservation. Bill 149, with the protection of inactive cemeteries, is certainly something I have been interested in for many years and is an extension of my community work and advocacy.

The Inactive Cemeteries Act has a great impact on the culture and heritage of our province, but it also affects other aspects of our way of life here in Ontario. This bill, in addition to preserving the history of our province, will also provide clear legislation to developers on where they can or cannot build in regard to the location of our cemeteries. It will protect valuable green spaces and the various species of plants and animals that live within our inactive cemeteries. It will acknowledge the benefits of our cemeteries when adjacent to our park systems or forested areas as places to engage in physical and leisure activities. It will allow organizations such as the Ontario Historical Society and the Ontario Genealogical Society to focus on what they do best: research, documentation and preservation, instead of fighting legal battles to protect these sites and spending huge sums of money in these battles.

For example, the battle in support of preserving the Clendenen Cemetery in its original location in the town of Markham is a familiar battle that the two said organizations fought and were successful. Thank goodness the Ontario Historical Society is supported through the financial generosity of donors through their cemetery defence fund.

This bill will provide peace of mind to the citizens of this province, knowing their families' and ancestors'

burial sites will not be disturbed and they will remain accessible to future generations. I know that my mother is watching today, and I know that when my parents chose their final resting place at St. Andrews West, Ontario, they did so expecting that their mortal remains would lie there forever.

As you can see, the history and heritage contained in Ontario's inactive cemeteries is but one aspect of this bill, and one that is close to my heart. These burial grounds contain not only great historical figures but also the pioneering souls who opened our province to future generations. These cemeteries lay out the various ethnic and cultural heritages of our province and provide us with our current identity of freedom and acceptance. To visit one of these inactive cemeteries is a journey back in time to when these great citizens were forging the communities that we live in today. As indicated in the preamble to the act, Ontario's cemeteries are unique repositories of human history and the resting places of human remains and associated artifacts like grave markers, tombstones and monuments. They are important elements of our collective heritage, a priceless, authentic historical record of the past and witnesses to the continuity of life in Ontario.

#### 1410

I would like to read an e-mail that I received from Dawn Leggett in support of Bill 149:

"Thank you for introducing Bill 149, Inactive Cemeteries Protection Act, 2009 in the Legislative Assembly of Ontario. We who have been and continue to be interested in preserving these sacred places are most grateful to you.

"I belong to the Friends of Christ Church, 7th Line, Vespra (Simcoe county) trying to ensure that this little historic cemetery is not lost and will continue to be remembered. It is the burying ground of the Reverend Canon Edward Morgan, who came, along with his family, from the West Indies to Simcoe county and planted many Anglican churches in the area. By rights, this cemetery should have an Ontario heritage plaque commemorating his tireless work.

"Our history of the restoration of this cemetery contains the following quote: 'Show me your cemeteries and I will tell you what kind of people you have.' Benjamin Franklin, 1706-1790. I believe that our descendants will be very pleased with your work on behalf of their ancestors.

"Thank you again. We will follow the progress of this bill with great interest."

There are hundreds of stories just like Ms. Leggett's across our province, and it saddens me that the greatest threat to these historic sites is the human race and our tendency to place the illusion of economic growth before less tangible benefits to our society.

To this end, this bill also aims to show that economic growth can flourish without the desecration of our forefathers' burial grounds. This happened here in Ontario when Richview Cemetery found itself situated in the middle of the interchange of Highways 427 and 401,

not far from Pearson airport. Engineers designed and redesigned the ramps and road networks to preserve the cemetery and the sanctity of this site.

This bill will establish clearly what we, the descendants of the deceased, cannot develop inactive cemeteries and that we cannot close and move them at random. It will eliminate lawsuits, fights and tiresome squabbles over these sacred sites. Here are two examples to illustrate my point.

In Toronto, part of the grounds of the original St. James' Cathedral on Church Street was planned to be sold to a condominium developer who planned to move the cemetery, so as to clear the land. Public outcry ensued, and a deal was made to sell off a parking lot northwest of the church instead.

In another story, John Haynes and his family banded together to prevent bulldozers from destroying the Haynes family burial ground, with graves dating from 1784 to 1860. Some graves were disturbed when the city of St. Catharines commenced building a recreational centre on the site, disregarding a 1974 bylaw whereby the city "undertook to provide for the maintenance, management, regulation, control of certain cemeteries including the Haynes cemetery."

The history of this family and a piece of our provincial heritage placed at risk for a recreational centre? Hard to believe, but it is true.

The battles just outlined took countless man-hours and thousands of dollars to preserve and protect the sanctity of these sites. If there had been clear legislation stating that these gravesites could not be disturbed, these battles could have been avoided, saving tax dollars and the time and money of the developers and also of historical societies and citizens' groups that are given the arduous task of fighting on behalf of our deceased.

These cemeteries thus remain accessible to the citizens of Ontario. They cannot be overrun by urban sprawl or commercial development. They deserve to exist in a natural state so our citizens can appreciate the heritage and culture they provide.

According to a document on the Ministry of Culture website, many cemeteries promote recreational use of their grounds by welcoming hikers, cyclists, photographers and bird watchers, and by organizing walking tours and outdoor chamber music concerts. Cemeteries can supplement community park systems and enhance adjacent public open spaces.

This type of activity draws to mind Mount Pleasant Cemetery in Toronto. Although it is not an inactive cemetery, many of these recreational uses are undertaken at that site, and I shudder to think what this location would be like if it was ever moved or desecrated, because some day that cemetery will close. While the bill is entitled the Inactive Cemeteries Protection Act, it affects all current burial grounds as well, as they too will eventually fall idle.

This same document from the Ministry of Culture has referred to our cemeteries as outdoor classrooms. Many of our outdoor cemeteries, such as the Red Cloud Ceme-

tery in Northumberland township—the descendants of those buried there had to go to court to prevent its destruction—are home to rare species of plants and animals, as well as the final resting places of our deceased ancestors and family members. These ecosystems that developed in these burial grounds, due to their peaceful and lush environments, have existed for perhaps 100 years. They are bastions of life for the living, made possible by being the final resting places of our deceased. These valued deceased still resonate within their own families and communities. They are examples of hard work and pioneering spirit.

In an e-mail to me from a strong supporter of Bill 149, Michael Harrison of Toronto states: "I am writing to let you know" that I support your bill.

"I strongly believe that the final resting places of our ancestors should be respected and protected.

"I also have a personal connection to this. My great-great grandmother and her child are buried on my great-great grandfather's farm in Brampton that is now subject to a development application. In this case, I have known about the cemetery for over 20 years and ended up getting it registered so that it was known and will now be protected, but since that date the province has changed the rules and now only permits the property owner to register cemeteries. Had that been the case then, I doubt I could have persuaded owners of the property—who were holding it for development—to register the cemetery and it would have been dug up and moved. A terrible travesty as far as I am concerned. These pioneers built the country we all live in and we desecrate their final resting place!

"Anyway, this bill would ensure that all unregistered cemeteries are protected for the future—and there are thousands out there."

I could go on. I have a few more comments to make, and I'm sure in my wrap-up I'll have time to end it with a poem that I think very much expresses what I'm talking about today: that we must, as a province, protect inactive cemeteries in our province.

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

**Mrs. Elizabeth Witmer:** It's a real pleasure to support this bill that has been introduced by MPP Jim Brownell from Stormont-Dundas-South Glengarry, An Act to protect Ontario's inactive cemeteries. This act, if passed, would override anything in any other act or regulation that addresses the relocation of inactive cemeteries. I would just like to inform the Speaker that I will be supporting this bill. I believe places of burial should be protected, and I do believe a person's resting place should be their final resting place, so I'm quite supportive.

It was interesting, when I took a look at the legislation, to know that Mr. Brownell had previously tabled another private member's bill regarding cemeteries as well, and that was Bill 25, An Act to preserve the gravesites of former Premiers of Ontario, which our caucus supported as well. I don't think we've seen the passage of that bill yet, but again, that would have given recognition to the

gravesites of former Ontario Premiers, and it would have committed to the preservation of those gravesites as well. Under Parks Canada, the federal government has recognized the gravesites of Canada's former Prime Ministers, and I think it is important.

As a former history teacher, part of what we used to do sometimes was visit some of the cemeteries. There's a tremendous amount of history to be found. There's a lot that you can learn about a community—their way of life and what they may have done during their lifetime—and so I think that our cemeteries are very valuable. We need to preserve them. They are a very important component of our heritage and our culture, and they do provide a valuable resource to the historians, the genealogists and the general public, people who have an interest.

I always find it interesting, as well, not only to visit some of the cemeteries in our own province, but when you go south of the border. Our neighbours take great pride and do preserve their cemeteries. Again, there's a great story to be told about the people who have come before us.

This bill, if it is passed, will establish as well some very clear-cut, upfront regulations to any potential developers in order that they don't do planning that may be unnecessary and could incur some additional costs. It will also provide families and descendants with peace of mind, knowing that their loved ones and their ancestors will not ever be disinterred. As well, we have important societies, the Ontario Historical Society and the Ontario Genealogical Society, which now have the opportunity to spend the money that they have, the hard-earned and valuable funds that they have, in conservation and the preservation of our province's history and heritage, rather than having to spend thousands of dollars fighting in courts for the rights of deceased Ontarians—and that is the right and respect of the final resting place.

1420

Many people in communities today, particularly as we continue to see expansion of growth and expansion of development in communities such as Toronto and the GTA, of course, come to cemeteries and walk. They're very valuable recreational spaces. They're also very valuable green spaces, and they're home to many rare species and many different types of plants and animals. So this bill would maintain the ecosystems that are housed in the cemetery grounds; they provide a valuable resource to our communities in many respects.

This is a bill which we will probably all support. I know that I will, and I congratulate the member for bringing it forward and thank him.

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

**Mr. Rosario Marchese:** It's a real pleasure to speak to this bill, I have to say, and it's a pleasure as well to listen to all the different members who are going to speak to this bill, because we all have a history in one way or another. So far, we're going to get a whole lot of Liberals to support it, which is good; we've got the Conservatives who are supporting this, which is good; and New Demo-

crats, which is good—until you wonder, “Where was the problem around this?” as we review this historically. I want to help you with that brief review of the history around this.

Before I do, I want to congratulate the Ontario Genealogical Society, and in particular the Ontario Historical Society, for their incredible work on this issue, because they have been concerned about the identification and preservation of every aspect of Ontario's history for over a century. I'll make reference to them as I refer to some of the cases that I'm going to speak about.

We have all had a history in this regard. The Liberals introduced a bill in 1989, the new Cemeteries Act, and it was a very weak act. The Ontario Historical Society introduced many amendments which were rejected by the then-Liberal government. We carried on until New Democrats came into power, and I recall my involvement with this in the year that I was Minister of Culture, when I took an interest in cemeteries—and I was reminded of this by my friend Rob Levery from the Ontario Historical Society—where we said, “How do we create a strong Cemeteries Act that protects cemeteries?”

I remember dealing with that and dealing with the fact that I wanted to get on with the idea of having a strong heritage act. It took a long time to develop that as well, a long time. We've had a series of bills along the years, each one better, but, my God, does it ever take a long time to really create strong bills that create the tools to be able to preserve our heritage. And it doesn't come easy.

In 1992, therefore—just to talk about the history—we, the New Democrats, created the Ontario Cemeteries Act, where the owner of a cemetery could close a cemetery if it was in the public interest. The problem of the public interest is that we never really define it. So anyone, really, could define “the public interest” according to their own interest, rather than the public interest being that we will protect cemeteries at all costs. That needs to be defined today, still, so many years later, and that's what the Ontario Historical Society has been fighting for a long, long time.

One example of the public interest that was fought for years was the case in 1994 in the town of Markham where someone who owned a 100-acre farm in Markham applied to the province of Ontario to close and move a tiny pioneer cemetery located on the property. The problem was that the registrar of cemeteries for Ontario agreed that the Clendennen Cemetery, as it was known, could indeed be moved. Understand this: The registrar of cemeteries agreed that it could be moved. They're the people charged to protect cemeteries, and they agreed that it could be moved. So you wonder: Who was there to protect cemeteries, except for people like the Ontario Historical Society, which had to try to find support across Ontario, raise a few dollars and take it to court to be heard? It took years—three long years. At the end of it, at the end of spending \$100,000 from money raised from private donations, they were able to win that particular case. It was a landmark decision for heritage organizations that were involved and for every Ontarian who cared about the rich history of Ontario.

In 2001, the province ordered that it was in the public interest for the St. Alban's Anglican Cemetery to be partially relocated for real estate development. Understand: It was the province that said that it's okay, that it's in the public interest to move the cemetery. This case was successfully appealed by the Ontario Historical Society to the Licence Appeal Tribunal, which ruled against the registrar, cemeteries branch. Remember it—the registrar, cemeteries branch, which you would think is there to protect and preserve cemeteries.

The government of Ontario was discredited, and it cost the taxpayers of Ontario a great deal of money to justify and promote, at public and private hearings, a real estate development on a historical cemetery. It cost the Ontario Historical Society 120,000 bucks. Imagine. They had to raise \$120,000 to fight that legal battle against the province. Finding money isn't easy, as you all know, but that's why I want to give them credit because if it wasn't for them, that public interest would have been lost.

We need to define "the public interest" as it relates to the protection and preservation of all cemeteries, designated or not, because even those cemeteries that are designated have no protection. They can easily be undesignated. We need to preserve all of them, and we have close to 4,000 or 5,000 such cemeteries.

So it's a real pleasure today to support the member's bill from Stormont–Dundas–South Glengarry because I think it's a good bill. I don't want to say that in 2006—but I have to—we were dealing with the Ontario Heritage Act—actually 2005, it was—and Liberals and, I suspect, even civil servants were saying that the revisions to the Ontario Heritage Act in 2005 would protect Ontario's cemeteries, but they weren't and we were saying so in committee. Even Tories, whom we fought during their term, were in committee saying that we need to protect cemeteries. God bless. You see how things change as we go around the circle? But it was great; even the Tories agreed.

**1430**

We said that we needed to make sure that the cemeteries are protected, and we filed three main motions, which of course were rejected by the Liberals. Some of you remember that because you were there in committee with me. Some of you weren't, but some of you were. You know that they were rejected. Of course, many of you, who were not active and wouldn't know anything about it because you were not part of the committee, would say, "I don't know. I wasn't there. Therefore, I wasn't part of it." But it's a government initiative.

When you introduce a bill and you reject and oppose amendments that we make to protect cemeteries, it means that you, as a member of the government, opposed those amendments that would have strengthened the protection of our cemeteries. But why go back in history? Why do that? It doesn't really help, does it? We have to move forward, reflect on the positive and reflect on the fact that this is a private member's bill, and I want to support it. I don't know where the Minister of Culture is on this, but I assume the Minister of Culture probably is on board. I

could be wrong; I don't know. I suspect that she might be today; I don't know. We'll wait and see.

My suspicion is that the majority of Liberals today will support this bill. Am I correct? There is nodding around. That's a good thing. Why criticize the Liberals for what they didn't do? Let's focus on what the Liberals might do in the future.

**Mr. Mike Colle:** You didn't do it either.

**Mr. Rosario Marchese:** I just gave a history, Michael. I just went through the brief history. I don't want to repeat it because we don't have much time.

I know that the member for Peterborough is likely to speak to this because he has a case in his own area, and I'm interested to listen to what he has to say.

We know that Ontario cemeteries are an important part of Ontario's history. I have to tell you, I'm not a religious man—I'm not.

**Mr. Jeff Leal:** God bless.

**Mr. Rosario Marchese:** "God bless" is an expression I use. It's true, I'm not a religious man, and it's not for this reason that I support this bill. I believe we need to respect our history, and I believe we need to respect our burial sites. It's part of who we are. I don't want any developer saying, "It is in the public interest for us to move these burial sites because I want to develop here and it's in the interest of the community to move these burial sites so that we can develop whatever we want."

*Interjection.*

**Mr. Rosario Marchese:** It's not in my interest to do that.

**Mr. Mike Colle:** Tell us about where we're going.

**Mr. Rosario Marchese:** So where are we going with this bill? We are going to, as New Democrats, Tories and Liberals, move forward and support this bill, aren't we? And then we're going to talk to the minister or ministers involved—there are two ministries, right? Culture and Ontario government services, I suspect. So we need to get these two people to work together. I don't see how the ministers, once all three parties support this, are going to say no. I can't see it. Do you see that? I can't see it.

Member for Stormont–Dundas–South Glengarry, thank you for introducing this motion. It's a very good one. It's a way to protect those inactive cemeteries that have no protection. As a New Democrat, I'm here today to say God bless, I am on your side, and I'm happy to hear Tories speak in support and happy to hear the Liberals in support. So we're all going in this together. Isn't that a beautiful thing? It's just so beautiful to see.

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

**Mr. Jeff Leal:** It is indeed a pleasure for me to speak in support of Bill 149, which has been brought forward by my colleague the member for Stormont–Dundas–South Glengarry.

To put the Peterborough case in context, well over a decade ago, an individual came forward, Mr. David Edgerton, to build a new veterans' memorial adjacent to the cenotaph in Peterborough. The cenotaph in Peterborough is rather unique because it was designed by

Walter Allward. Walter Allward did very few designs within the Commonwealth countries. Of course, the most famous design that he was involved with was the memorial at Vimy Ridge. The cenotaph in Peterborough is obviously a very special place because of the unique design of the Allward memorial.

But over this period of time, it was revealed to us that to build this new veterans' memorial abutting the cenotaph in Peterborough, there would have to be very deep excavations done to support the black granite memorial. The concept was taken from the Vietnam memorial in Washington, DC. Anybody who has had the opportunity to visit that memorial knows the size of those granite walls. To support them would have meant a very deep excavation.

A project in my riding that should have been unifying in nature became somewhat divisive, because many of us who were born and raised in Peterborough knew—Mr. Sheehan, who is in the east Speaker's gallery today, brought it to our attention—that there was a pioneers' cemetery on this particular site. The ironic thing about that pioneers' cemetery—some of the ancestors that Mr. Edgerton wanted to put on the new veterans' memorial can be traced back to people who were buried during the War of 1812 in this pioneers' cemetery. For me, it was quite an education to have Mr. Sheehan and his colleagues come forward and indicate the number of people who were buried in this pioneers' cemetery.

The city of Peterborough brought forward an application to partially close the pioneers' cemetery. It was rejected by Mr. D'Mello, the registrar of cemeteries for the province of Ontario, and put us into a situation where we had to come up with a different design. Thank God that Mr. Sheehan and his colleagues came forward to explain to the population in the city of Peterborough and the county of Peterborough the need to preserve and respect those individuals who were buried in the pioneers' cemetery during 1812 to 1814. That's why I feel that this piece of legislation is so significant and needs to be passed: to protect individuals who are buried in these kinds of cemeteries.

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

**Mrs. Maria Van Bommel:** I too want to add my support to the passage of second reading of Bill 149.

I've had a number of e-mails and letters coming in to my constituency office in support of this. I've had a number of genealogists come and talk to me about it. They are fully in support of this; in particular, a woman in my riding named Noreen Croxford. Noreen was involved in the development of a history book of the community of Watford–Warwick.

We see that a lot in rural ridings, where communities come together which want to preserve their histories. They ask the families to write about how they came to be there. They want to demonstrate where their history is, where they came from and how they have evolved into the communities they are today.

She listed for me a number of cemeteries in forests in the Lambton county area in particular that she had

discovered as she went through, doing the research work on the history book.

I am always very fascinated by history, so when these history books are written, I enjoy reading them. But what I also learned from Noreen, and actually have learned myself in my own travels, is what you can learn from walking through a cemetery. You can learn a lot about the history of the community there. Even as immigrants, with our own more recent histories, we see the changes when our groups of people came into this country, when the immigration came and you started to see that evolve. You can see when there was illness in the community. You can see where the illness affected children, because suddenly, at a certain time or period, there are a number of infant gravestones in the cemetery. All these things help us to remember, but also kind of lend some local flavour, a local sense of what happened in our communities.

Many times, we hear from people—I live in a house that was built in 1903, and the house has a wonderful history of its own. But the families who lived there, of course, are now buried in the local cemeteries, so going there to see tells me a lot about the families: the size of the family, the ages. You can see the tragedy that they lived through sometimes, when the children are buried too young, and parents; you see young mothers who didn't survive childbirth. You see that as well. All those things are there.

I have had, as I said, occasion to travel back to my own native country of Holland, the Netherlands, and had a chance to look in cemeteries there. It's amazing to see what our history is, and there the cemeteries are hundreds of years old.

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

**Mr. Mike Colle:** Just like the member from Lambton–Kent–Middlesex, I have so much to say about this. I just want to say first that I'm very disappointed in the member, Jim Brownell, because he didn't mention, when he talked about Mount Pleasant, that Canada's longest-serving Prime Minister is there: William Lyon Mackenzie King. I invite everybody to visit Mount Pleasant for that. I have the pleasure of having Mount Pleasant near to where I live, and I jog through it quite frequently. You can see the most wonderful collection of trees; they're all marked, so it's a great place to learn about our wonderful trees in Ontario.

But again, we know about Jim's passion; he strongly believes in restoring and protecting things that are important. What could be more important than preserving the sanctity of our deceased friends, relatives and pioneers? That's what this bill is about.

I should mention that when he mentioned the bill to me, I thought of two of my favourite cemeteries in Toronto. One, the most unique one, is the Richview Memorial Cemetery—I bet you the Minister of Education doesn't know where that is. Where is it?

**Hon. Kathleen O. Wynne:** I don't know where it is.

**Mr. Mike Colle:** Highway 401 and Highway 427. It's stuck way up there, and it's probably at the busiest intersection in North America. There is a little cemetery; Richview cemetery has been there since about 1853. If you go by there—not when you're driving—just take a look at that cemetery. It has been restored just recently by the Etobicoke Historical Society.

My favourite cemetery is St. Michael's Cemetery, which is just up the street here, on Yonge Street. It's another—do you know, Minister of Education, where St. Michael's is? That's another quiz.

**Hon. Kathleen O. Wynne:** On Yonge?

**Mr. Mike Colle:** Yonge, just south of St. Clair, in behind the Granite Club—

**Hon. Kathleen O. Wynne:** You can't see it.

**Mr. Mike Colle:** —and Imperial Oil. Anyway, there are over 25,000 people buried in that cemetery, the first Catholic cemetery. It's a wonderful place. There's great architecture there, by the way, by Joseph Sheard. I was talking to Mr. Sheehan from Peterborough, and his relatives are buried there at St. Michael's Cemetery.

So this bill is needed. It preserves things that are very sacred; it's our history, it's our families. Our pioneers are protected there when we protect these cemeteries. I think all of us understand that this is something that is very, very important for us to do.

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

**Ms. Laurel C. Broten:** I'm so very pleased to stand and support my colleague from Stormont–Dundas–South Glengarry on the introduction and second reading of Bill 149, An Act to protect Ontario's inactive cemeteries.

In my own community, we have a long history in having a community champion an inactive cemetery. I have some correspondence with me today from Ed Janiszewski, who is writing to me on behalf of the Lakeshore Asylum Cemetery Project, which is a cemetery at the corner of Horner and Evans in my community. It is the cemetery where those individuals who passed away who were living at the Lakeshore Psychiatric Hospital were buried for many, many years. I had, myself, an opportunity to attend that cemetery last May and work with a group in the community who were revitalizing, cleaning the graves and planting flowers to make sure that that cemetery would not be forgotten.

It's a cemetery that was the subject of some controversy a number of years ago, as there were concerns that the land would be sold—had been sold—and would be turned into something else. I can certainly tell you that I received a lot of comment from my community and was very pleased when it was not the case anymore that that cemetery was at risk. So I'm very pleased to know that individuals who watch the protection of our cemeteries across the province are giving their wholehearted support to Mr. Brownell, the member from Stormont–Dundas–South Glengarry, including the Ontario Genealogical Society, whose president wrote to me in support of this bill. As I said, folks from my own community have been supportive.

I think it is so important to understand what we are talking about here today—simply to look at the preamble of Bill 149: “Ontario's cemeteries are unique repositories of human history and the resting places of human remains and associated artifacts like grave markers, tombstones and monuments. They are important elements of our collective heritage, a priceless authentic historical record of the past and witnesses to the continuity of life in Ontario. Many of Ontario's cemeteries also contain significant ecological features invaluable to the natural heritage of Ontario.”

I stand wholeheartedly in support of my colleague for moving forward in their protection and look very much toward seeing passage of this legislation.

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

The member for Stormont–Dundas–South Glengarry has two minutes to respond.

**Mr. Jim Brownell:** First, I'd like to thank all those who spoke in support of this bill: the members from Kitchener–Waterloo, Trinity–Spadina, Peterborough, Lambton–Kent–Middlesex, Eglinton–Lawrence and Etobicoke–Lakeshore.

It's wonderful to be in the House this afternoon and see support on this from all sides of the Legislature, and to have our good friends from the two societies—the Ontario Historical Society and the Ontario Genealogical Society—who have worked so hard to protect what we have, and protect the sanctity and cemeteries out there.

But these fights should not have to go on any longer. These historical and genealogical groups should be researching and documenting and preserving; that's what they do best. I just want to thank them for their work and their support.

I would like to wrap up this afternoon—somebody passed along this poem; its author is unknown, and it's certainly not from my pen. It reads as follows:

Dear Ancestor  
Your tombstone stands among the rest;  
Neglected and alone.  
The name and date are chiselled out  
On polished, marbled stone.  
It reaches out to all who care  
It is too late to mourn.  
You did not know that I exist  
You died and I was born.  
Yet each of us are cells of you  
In flesh, in blood, in bone.  
Our blood contracts and beats a pulse  
Entirely not our own.  
Dear Ancestor, the place you filled  
One hundred years ago  
Spreads out among the ones you left  
Who would have loved you so.  
I wonder if you lived and loved,  
I wonder if you knew  
That someday I would find this spot,  
And come to visit you.

I hope that we in the province of Ontario can continue to visit those sites in their original locations and stop this fighting, to preserve the sanctity of these sacred places in our province.

GREENBELT DAY ACT, 2009  
LOI DE 2009 SUR LE JOUR  
DE LA CEINTURE DE VERDURE

Mr. Dickson moved second reading of the following bill:

Bill 153, An Act to proclaim Greenbelt Day / Projet de loi 153, Loi proclamant le Jour de la ceinture de verdure.

**The Deputy Speaker (Mr. Bruce Crozier):** Pursuant to standing order 98, Mr. Dickson, you have up to 12 minutes.

**Mr. Joe Dickson:** Thank you, Mr. Speaker, honourable members of the Legislature, ladies and gentlemen. It is with great pleasure that I rise today to speak in favour of having February 28 designated as a permanent basis for Ontario Greenbelt Day.

My interest in matters of the environment is not recent. From 1985 to 2000, I had the pleasure of chairing the Ajax waterfront committee as its longest-serving chair. We have maintained it in green, passive parkland, the best waterfront between Toronto and Kingston. It is not commercial. It is full of walkways, bikeways, gardens, picnic areas and sitting areas.

Twenty-three years ago, I was privileged to start Ajax Environmental Affairs Week, and to this day remain active with all of its volunteers. Some 22 years ago, I had the pleasure, with Sherry Brown, president of ACE, Ajax Citizens for the Environment, of commencing a waste reduction week in Ajax.

**1450**

These date-specific events bring out people in Ajax–Pickering to clean up waste, plant trees and greenery, repair environmental damage, and participate in workshops and seminars, compost giveaways, naturalization and much more, with the good people from TRCA, which of course is the Toronto and Region Conservation Authority, and CLOCA, which is the Central Lake Ontario Conservation Authority, with its headquarters in Oshawa, in Durham region.

This also fosters intense community awareness of the need to preserve and conserve our environment. This kind of focus also helps to create media awareness in our home, the town of Ajax, various villages and the city of Pickering. But we still need to promote the environment more.

This increased awareness in turn ensures that more of our citizens understand the environmental actions that can alter and shape behaviour in our society. By having a specific focus on the environment at a specific time, we are able to involve more people at a deeper participatory level in issues of the environment and conservation. This kind of awareness can and will change how people behave in terms of the environment.

Four years ago, in February 2005, the government of Ontario, under the Minister of Municipal Affairs, John Gerretsen, and our Premier, Dalton McGuinty, established Ontario's greenbelt with the agreement of all political parties in the Legislature. I want to take a moment and commend the opposition parties for their generous support then, and ask for their strong and ongoing full support on this measure. By jointly recognizing the importance of this day in terms of environmental legislation and conservation issues, we will be able to focus public opinion and support on environmental cleanup, growth and conservation.

The greenbelt deserves recognition with its own special day, not only for the many benefits we receive from its existence, but the greenbelt also protects 1.8 million acres of environmentally sensitive and agricultural lands in the Golden Horseshoe area. Some of Ontario's most valuable watersheds, wetlands and forests have been preserved by the greenbelt. It's great to have the Minister of Natural Resources here today to add her support to this.

My own region of Durham has over 500,000 acres of protected greenbelt, preserving crucial farmland, watersheds and wetlands, such as the Rouge River, Duffins Creek, Carruthers Creek, Lynde Creek, Lynde Shores, Oshawa Creek, Bowmanville/Soper Creek, Wilmot Creek, Black Creek, Harmony Creek and Farewell Creek.

The more than 7,000 farms in the greenbelt provide Ontarians with locally grown and raised food. Locally produced foods have a shorter distance to market. They thus reduce transportation costs and air pollution problems, including smog and greenhouse gases. Direct economic benefits, as well, flow from the greenbelt. Many notable tourism and recreation and culture events come from this.

In Durham region it boosts, and in some cases drives, the initiatives of food, hospitality and tourism industries, most notably the Durham Farm Fresh project, a great project chaired by one of Durham's mayors, Mayor Marilyn Pearce of Scugog. It is a region-sponsored project. I have represented both the Minister of Agriculture and the Minister of Tourism on these events' kickoffs.

Moreover, estimates have shown the greenbelt provides essential ecological services or benefits based on \$2.6 billion for eight million residents across the Golden Horseshoe. These benefits and services help to support the growth of the green economies for Durham region and Ontario communities. At the same time, our environment is protected, along with the 66 endangered species that inhabit the greenbelt. The Ontario government has recently recognized again the importance of the greenbelt by establishing the I Love the Greenbelt awards that honour those people from all walks of life who have made the greenbelt such a success.

On February 26, our Minister of Municipal Affairs and Housing, Jim Watson, paid a visit to St. Patrick Catholic School in Ajax. He promoted the awards for the greenbelt contest, which allows the students to help design the new awards as part of this initiative. He was

warmly received by all of the classes and the principal and teachers.

It would be most fitting for us as legislators to honour the greenbelt idea itself with a special day. As my community in Durham region and others like it in Ontario continue to experience such rapid growth as we have seen in the last few years, we realize more and more how important it is to build awareness of our citizens and appreciation for land protected from excessive overdevelopment. Our greenbelt has been praised across the world as a forward-thinking initiative that protects needed green space around our largest urban centre.

A recently released study pointed out that the zone of protected land around Toronto was one of the largest in the world and was superior to those in Europe and other parts of North America. The David Suzuki group is a great advocate of what we have accomplished as a province so far. That study, compiled by the Canadian Institute for Environmental Law and Policy called our greenbelt "the most successful and the most useful greenbelt in the world." I remember my past regional chair, a very popular gentleman, a farmer by the name of Gary Herrema, in the late 1980s and early 1990s when I was on regional council, who foresaw this need and made us all aware of it over two decades ago. As a farmer, he understands the environment and conservation.

Greenbelt Day will be an opportunity for schools, youth groups, seniors, municipalities and environmental groups to come together and promote conservation. We will have a chance to heighten the awareness of how we're all linked together in communities in our province by the ever-increasing need to protect our natural heritage for ourselves, our children and our grandchildren. We need to remember and recognize that the greenbelt is a legacy for our young people and future generations. We are only stewards of the land. We have a distinct obligation to honour the terms of this stewardship by passing on our land in such a way as may be enjoyed by the generations coming after us.

Creating a day to celebrate the greenbelt will ensure Ontario's greenbelts are respected, protected and enjoyed by future generations. I ask you for your continued all-party support in moving this bill forward. Let us not lose this wonderful opportunity that we have as unified legislators to bring Ontario together in our communities to celebrate this milestone and by so doing, protect our environment and enhance our conservation efforts for all of us for all time.

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

**Mr. Ted Chudleigh:** The greenbelt area is a wonderful concept, a great concept, because I think that what planners fear and what the people of Ontario fear is the expansion that takes place in the growth of population and industry as that happens across Ontario, particularly in the Toronto area. As you fly into Pearson airport, you see rooftops for almost as far as your eye can see, and I think people are worried that those rooftops may just continue to grow and expand. Certainly the next stage

might be going west; they might stop somewhere west of Cambridge. But then what would happen? Would they just continue after that?

**1500**

The concept of a greenbelt is a good concept. I'd point out that the Greenbelt Protection Act was introduced in December 2003 and received royal ascent in June 2004. Some eight months later, the Greenbelt Act was introduced, in October 2004, and some four months later, in February 2005, it received royal ascent. The first bill, of course, created a greenbelt study area and the second bill, the latter bill, provided for the establishment of the greenbelt. Of course what happened during that intervening eight months is that they studied this massive area, a million and a half acres, 700,000 hectares. They studied this massive area as to where this greenbelt should go.

I would respectfully suggest that that study was insignificant and far less than it should have been. We can make comparisons because we've done this kind of thing in the past in Ontario. We can make comparisons with the Niagara Escarpment Planning and Development Act, which was introduced in 1984. In the Niagara Escarpment Planning and Development Act there was a 10-year period where the lines as to what would be protected, how it would be protected and what that protection would look like took place. Over that 10-year period of debate, there developed a concept that there was an area along the scarp, along the cliff of the Niagara Escarpment, which was extremely sensitive to development. The most sensitive area that had to be protected was called the "natural area." Then, set back from that area, there was another band on each side of it called the "protected area," which extended from a few hundred yards to a mile or more in various parts along the escarpment. As these concepts developed over this 10 years, lines began to be drawn on the map as to what was sensitive and what was not, what could be protected and what did not need to be protected. There was then a further protected area outside the first two designations that was called "agricultural" or "rural." Those areas had some constraints as to what could be done on them as well.

That conversation took place over 10 years between the people of Ontario and the planning committee. It also took place between the people whose property was going to be affected and the planning committee. Although that was never a smooth process, it was a process that I think gave maximum opportunity for those who were going to be affected by this act to have their input. By and large, it went fairly well over the course of that act. It's had some rocky roads and some people have been upset with it, some people have been very happy with it, but I think it has had the desired effect overall: protecting a very sensitive part and a very beautiful part of Ontario. A good portion of my riding, of course, is under the protection of the Niagara Escarpment act.

In comparing that to how the greenbelt worked, they had eight months of study. The study was not public; the study was internal. They drew lines on the map as to

where the greenbelt would go to protect sensitive environmental areas. Lo and behold, a lot of these lines that came out to define the greenbelt were straight. They run straight down a road. They were made with a ruler across a map. We all know that natural areas, areas that are sensitive, areas that need protection, don't run in straight lines. So I say to you that the method of developing the way this greenbelt looks was seriously flawed and that some effort should be made by this government to open up that Greenbelt Act and to reconsider where those lines should go. Some of them in the riding of Halton, and particularly in the riding of Wellington–Halton Hills, should be expanded, very definitely. There are some very sensitive, very beautiful areas that are left outside those lines. Some of those lines should be contracted. Some of those lines are “me too” property that doesn't have any significant value.

Another comparison to the Greenbelt Act would be Ontario's Living Legacy, which I was personally involved with. Ontario's Living Legacy was the largest protection of land in Ontario's history. It almost doubled the number of acres that were placed under protection in Ontario. In Ontario we have about nine million acres of agricultural land. As you drive from a little west of Toronto to Windsor along the 401, you drive through a tremendous number of acres of agricultural land. If you drive from Fort Erie to Owen Sound, you will see a tremendous number of agricultural acres. If you add all of those acres together, and you add in the acres that are north and west and east of Toronto, you will come up with about nine and a half million acres of agricultural land in Ontario. Ontario's Living Legacy program protected about that number of acres in Ontario from further development or further desecration. That was the largest increase in protected property in Ontario's history, in Canada's history, and in fact it was the largest protected program ever attempted in the world. That was Ontario's Living Legacy. It was a wonderful program.

I was responsible for bringing the Great Lakes Heritage Coast project into fruition under that program. It was an interesting process we went through. The Great Lakes Heritage Coast basically stretched from Port Severn along the coast of Georgian Bay, up across the North Channel, including the islands in the North Channel—Manitoulin Island and St. Joseph's Island, which was mentioned in debate here a couple of days ago as being one of the most beautiful islands in the Great Lakes, and I can concur that it is. It is an absolutely amazing island, including an 1812 fort on the south end of that island which was put there to protect against an American invasion during the War of 1812. The only thing that's left of it is the foundations now, but it's still an integral part of our history and an integral part of St. Joseph's Island, which is in Mike's riding. It is a beautiful part of Ontario; I recommend you go and see it. Not too many of you, because there's a lot of wilderness there and part of its charm is its remoteness. So if too many of you go, it will lose that remoteness, that charm that it has. So only a few of you go at a time anyway. Don't everybody go up there together. It's a wonderful part of Ontario.

The Great Lakes Heritage Coast continues on along the North Shore of Lake Superior all the way to the American border. And in the discussions that took place, first we went out and discussed with each community along the way what their concept of a Great Lakes Heritage Coast was. What did they think this might be? How did they feel about it? Was it a good thing or a bad thing? They then gave us playback on that. About six months later, we went back out along the coast to many of the same communities again and presented them with a plan: “This is what we're thinking. Is this what you told us? Is this what we heard from you? Did we get it right? Is this what you want to have happen in your town, in your part of the Great Lakes Heritage Coast.” This isn't a plan that was going to be planned in Toronto by the bureaucrats or the elected representatives; this was a plan that was going to be developed by the people who live, work and play along this wonderful piece of Ontario's real estate.

#### 1510

After that, we tuned up the plan as to what they told us, from the playback that we got from that second round of consultations. We came up with a third round of consultations, which was going to be the plan. These were going to be the lines, this was going to be what was allowed to happen in this area and what was allowed to happen in that area. We went back out again for a third round of consultations, saying, “This is what we propose to do. What is your reaction? Are you in favour of this or are you against it?” There were three separate consultations over a two-and-a-half-year period that took place in order to make sure that the people this plan was being imposed upon were supportive and worked with it.

That did not happen with the greenbelt. The greenbelt was imposed after eight months of study. I suppose there was study, because it wasn't public. No one was involved in that study, so I don't know if the study actually took place. But after only eight months of a secret study, the greenbelt was imposed. So although the concept is good, and I can support the concept of the greenbelt, the implementation was very bad.

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

**Mr. Peter Tabuns:** I appreciate the opportunity to speak today to the inauguration of Greenbelt Day, a concept that I support. I think it's important to bring attention to the value of the greenbelt here in southern Ontario. It really is very, very easy, all too easy for us to forget about the value of the environment that we depend on, take it for granted, just simply assume it's always going to be there.

Right now at this time when many Ontarians are struggling to make ends meet—and everyone in this chamber is well aware of that, not just from newspaper reports but, I'm sure, from personal stories, interactions with neighbours and friends, constituents; you know people who have lost their savings as seniors, farmers who are facing a tough time. All are absorbed with the reality that they're trying to deal with, and it can be very difficult for

them to think about what some of us may consider as longer-term considerations. Longer-term issues may even, to some of them, look like a luxury.

But we need to understand that the greenbelt is important and that neither the Greenbelt Act of 2004 nor the resulting greenbelt plan of 2005 have fully succeeded in protecting this important piece of land. That task needs to be completed, and this act will contribute to that completion.

According to the greenbelt plan, the purpose of the greenbelt is to protect against loss of agricultural land, both to preserve our food security and also to protect against sprawl. It's meant to protect natural heritage. It's meant to protect water resources to ensure ecological and human health. We in this part of Ontario all depend on the greenbelt and the water that flows through it for recreation, ultimately for drinking water, because it flows into Lake Ontario; we depend on it to keep nature alive and functioning in this part of Ontario.

Given that, what do we see when we look at the greenbelt? We see 150,000 acres of land in the greenbelt still open to future development, enough for the continuation of urban sprawl for decades. That, for us, is a substantial threat because as we sprawl, we increase the air pollution that we all have to deal with. As we sprawl, we build a city and an urban form that's very difficult to serve with urban transit, and we build an urban form that demands continued exploitation of and consumption of oil and other fossil fuel resources. We see leapfrogging over the greenbelt into places like the Lake Simcoe area. We see the continued failure to protect areas on the outskirts of Hamilton, Waterloo, areas that are very vulnerable to urban sprawl. Clearly, everyone in this House knows there will be a price to pay—no, not that there will be; certainly there will be, but there already is today a price to pay for sprawl, and one that continues to mount not only in congestion and the inconvenience that comes from that but a price to be paid in terms of the stability of our cities in the long run.

We see exemptions to the greenbelt granted to numerous major developments. In fact, as I understand it, the government doesn't even know how many exemptions have been granted because they had some level of approval before this act took effect. That is of consequence. When I drive along the 401 and see those big signs saying, "Entering the greenbelt," and see the land around covered in suburban subdivisions, I have to ask myself, was this sign put here out of a sense of irony, was it put here out of a sense of humour, or does it in fact mark an area that was thought to be greenbelt at one point but is now simply seen as an area for more development?

One development that should be brought to people's attention is the West Hill development in Aurora, which is poised to suck away hundreds of thousands of litres of water a day from the moraine—not a good use of that land, but also not a good indicator of the health of the greenbelt itself.

We see the imposition of inefficient and polluting gas-fired power plants, such as the one in King township, on

greenbelt land where most residents and even local councils don't want them. Residents there made a very good argument. They pointed out that this plant was far in excess of any need for power in that region, that this was a regional power plant being imposed on them, and that there were huge opportunities for investing alternatively in renewable energy generation that would be compatible with the greenbelt. Their objections were brushed aside.

We see an increasing number of golf courses on or at the edges of the greenbelt drawing huge amounts of groundwater. These golf courses are centres for use of pesticides, unfortunately. The pesticides act that we so recently debated in this Legislature didn't include an amendment that would have required substantial reduction of pesticides on golf courses. Those golf courses that are there continue to be a centre of toxins that will get into the water supply. The reality, according to a report by Earthroots and Ecojustice from last year, is that the province has not even studied the cumulative impact on the Oak Ridges moraine of golf courses and other water users. So I have to ask, if you haven't studied the cumulative impact, how can you actually do realistic water planning? How can you know that you will have sufficient water at a price that is affordable and bearable in the decades to come? The moraine provides the headwaters for some 65 streams flowing into Lake Simcoe, Lake Scugog and Lake Ontario and is the source of much of the region's drinking water.

In New York City, they have an area north of the city that they have protected and preserved because they realized that protecting, preserving and conserving these headwaters was far more important and far more cost-effective for the city's water supply than any other engineered solution that could be presented. We do not seem to have approached it as vigorously as that jurisdiction. The government itself lets dozens of golf course operators draw billions of litres of water a day away from the crucial resource with little or no oversight. I have to ask, why would you not stand up and protect those water resources that are crucial for the well-being of the millions of people who live in the GTA?

We see continued permission given to mining pits and quarries allowed on the vast majority of the greenbelt without any long-term conservation strategy for aggregates such as stone, sand, gravel and shale. When we do demolition in the GTA, there is a ready source of aggregates in old concrete, in aggregates that were used in the past that could be recycled now rather than digging up the greenbelt.

We see the continued expansion of highways and the building of new highways both within and just outside of the greenbelt, highways that have a huge detrimental ecological impact and perpetuate low-density, car-dependent urban sprawl. Again, this government's initiative in the greenbelt is being undermined by its own failure to actually follow through and make sure that the greenbelt is protected, to deliver—what would be best?—the long-term protection that the people of this province expect.

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We see inadequate support and compensation to farmers for services provided in protecting the land. If you talk to farmers, they have great interest in protecting land, not a great interest in going bankrupt. Investing in them and helping them protect land serves us all.

This government could take significant action to strengthen and expand the protection of the greenbelt land. It could put a moratorium on new golf courses, new highways, new polluting gas power plants and new aggregate extraction in the greenbelt. Those are all options open to it.

I'm glad this bill is here before us today because every year on Greenbelt Day we will be able to remind the government that its protection of the greenbelt is inadequate; that the task of building a greenbelt that will protect us against urban sprawl, deal with our water resources and deal with our agricultural land uses is an incomplete task—in fact, a task that is not getting the support it deserves from the parents of this very initiative.

This government could significantly expand support for stewardship and other incentive programs that recognize and reward farmers' efforts to conserve soil, water, air and the biodiversity of the greenbelt.

The government could move ahead much more quickly with expanding its alternative land use services program, which has been in pilot mode for too long. After a while you have to ask when something is no longer worthy of the term "pilot" and more worthy of the term "diversion." The government could change that. It could say, "Okay, we've piloted this alternative land use services program. We've learned what's good about it, what's weak about it and we can roll ahead."

The government could significantly expand the greenbelt itself to protect new areas facing significant development pressures, as recently called for by the Ontario Greenbelt Alliance. Last month, the alliance stated there has been little progress on expanding the greenbelt since the government released draft expansion criteria last August—August. It's March, getting into April. It's been a while. There's an opportunity there to move forward. Time is passing quickly. Development pressures, even in a recession, are very much there, and the government needs to take steps to resist those.

The alliance called for the expansion of the greenbelt to protect areas facing specific threats: Kitchener-Waterloo, Guelph, Brantford, Simcoe county, Port Hope, the upper watershed areas, the Golden Horseshoe rivers and others.

In summary, although putting forward the idea of a greenbelt—the initial legislative adoption was useful; the lack of ongoing protection of that child of the Legislature is highly problematic. It means that those ecosystems that we depend on aren't getting the protection they need. The Greenbelt Act hasn't succeeded in stemming urban sprawl. It sort of moved it around. It left massive amounts out of the greenbelt and unprotected.

I look forward to celebrating this day in the future and raising these issues year after year.

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

**Mr. Kim Craiton:** I'm pleased to have the opportunity to speak this Thursday afternoon, shortly after 3 o'clock.

First, I want to thank the member from the great riding—or the green riding, let's say—of Ajax-Pickering for allowing me to speak on his bill this afternoon.

Four years ago, our government made a decision to protect—and a great decision—1.8 million acres of environmentally sensitive and agricultural lands, of which a large portion is in my riding of Niagara Falls, Niagara-on-the-Lake and Fort Erie.

There are over 7,000 farms in the greenbelt, farms that provide Ontarians with delicious and healthy food that is grown and raised locally. In my opinion, farming and the greenbelt is about the land and the people who preserve it—our farmers. Farmers like the Hernders, the Kirkbys, the Ducs, the Neumanns and the Troupes—all from my riding.

Research shows that the greenbelt contributes \$2.6 billion to our local economy each year; \$1 billion of that happens to be in the very fertile 60,000 acres in one third of my riding, Niagara-on-the-Lake. Niagara's 2.1 million tender-fruit trees produce about 800,000 baskets of fruit that would stretch along the QEW from Kingston to Niagara Falls. Fifteen thousand acres are devoted to the production of some of the world's finest—finest—VQA wines; 80% of Canada's total wine production. My riding alone is responsible for nearly 75% of that production. I'll tell you, that is a lot of great wine in Canada. I drink some of it as well, and I'm sure all the members of the House do. VQA wine, remember that. So the greenbelt is certainly worth saving, and it's certainly worth celebrating.

Let me tell you about what our government is doing to protect this wonderful, natural, all-green resource. We have invested \$25 million to help create the Vineland Research and Innovation Centre, under the leadership of Don Zirardo. This centre, working closely with Guelph and Brock universities, will be a model for horticulture research and have the capacity to serve as a major contributor to Ontario's horticulture industry, including the grape-growing sector. We've provided over \$33 million since 2003 in support to the Ontario apple, tender fruit and grape growers. We secured \$22.3 million in federal funding from stock removal and strategic planting projects when plum pox hit the tree-fruit industry. We moved quickly to help the grape vineyards transition from grape juice to wine juice. In March 2006, we provided \$150,000 to Brock University to advance innovation and research relative to the region's unique agricultural resources, including biotechnology, biomedical and information technology research. As part of our buy-Ontario strategy, we recently announced the \$12-million, four-year Ontario market investment fund, which includes support for local food networks and other industry efforts in promoting local foods. We provided nearly \$10 million to promote VQA wines and another \$4 million this year to help with the grape surpluses.

In summary, the year 2009 marks the fourth anniversary of the establishment of Ontario's greenbelt. This greenbelt protects 1.8 million acres in the Golden Horseshoe, preserving critical farmlands, providing tourism, recreation and health benefits and supporting local green economies that benefit the environment. The greenbelt has been praised throughout the world as forward-thinking. It is estimated that the greenbelt is valued at \$2.6 billion in ecological services and benefits. Leading environmental organizations have lauded the establishment of the greenbelt for the economic benefit and ecological protection it provides. Proclaiming February 28 in each year as Greenbelt Day certainly provides Ontarians with an opportunity to celebrate this milestone.

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

**Ms. Helena Jaczek:** I'm really pleased to rise today to support Bill 153, An Act to proclaim Greenbelt Day, brought forward by my colleague from Ajax-Pickering. Celebrating a particular day to honour the greenbelt is, I think, a real opportunity to engage communities and to sensitize individuals to the issues of environmental sustainability and conservation right at the local level.

The majority of the landmass of my riding of Oak Ridges-Markham is in fact in the greenbelt. There are two particular features that are part of this greenbelt: the Oak Ridges moraine and Rouge Park. They are both tremendously important to the residents of my riding.

First of all, the Oak Ridges moraine, as has already been described, is an environmentally sensitive area. It's an irregular ridge of sandy hills, and it acts as a recharge area for groundwater when rainwater percolates through these generally porous soils to the aquifer below. It provides drinking water for thousands and thousands through individual and municipal wells.

1530

Most important, as our colleague from Beaches-East York has mentioned, it is the largest concentration of headwater streams in the GTA, flowing into, in my area, both Lake Ontario and Lake Simcoe, the source of drinking water for millions. So maintaining the purity of these waters at the source is extremely important.

It's also a very beautiful area. I had the opportunity to go up in a hot air balloon a number of years ago and float over the Oak Ridges moraine. And although you do see the Kettle Lakes from the roads going through the moraine, when you see it from the air, it is absolutely spectacular. The number of little lakes, wetlands, is extraordinarily beautiful. It's also home to many endangered species. There are waterfowl in abundance. So the aesthetic pleasure of having this on our doorstep is just a tremendous asset.

I'd also like to mention the Rouge Park, started in Scarborough in 1994 by a group of environmental activists. Since 2004, our government has made a concerted effort to expand the park north of Steeles into my riding, so that it now covers an amazing 47 square kilometres.

In 2006, a new natural area was dedicated to long-time environmentalist and journalist Bob Hunter. In fact, the

member for Ajax-Pickering and I were planting trees there just last year. In 2007, the Ontario government added an additional 600 hectares in east Markham, in my riding.

There is actually a special section on the Rouge Park that was included in the greenbelt plan. It recognized the park's management and implementation plans as key planning documents, as well as the park's key role in protecting a major biodiversity reservoir for the Toronto area.

I'm extremely fortunate to have so much of the greenbelt in my riding. There's a very large network of hiking trails throughout. Last fall, I attended the opening of the link between the Bruce Trail and the Oak Ridges Trail, creating Canada's longest marked footpath.

I look forward to celebrating Greenbelt Day in my riding of Oak Ridges.

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

**Mr. Jeff Leal:** It is indeed a pleasure to have the opportunity to speak for a few minutes this afternoon in support of Bill 153, An Act to proclaim Greenbelt Day, in support of my good friend the member from Ajax-Pickering.

Since his time here, I've gotten to know the member from Ajax-Pickering very well. His wife, Donna, and his family have been leaders during his entire municipal career in Ajax, in promoting environmentalism and establishing a number of days, a number of activities, in the town of Ajax to support positive environmental stewardship. Indeed, I wasn't surprised when the member brought forward this act, after four years of implementation, to celebrate Greenbelt Day.

The greenbelt of Ontario provides protection for in excess of 1.8 million acres. This is an extension of a long history in the province of Ontario of protecting areas. I think of a former Premier, William Davis, of course, who brought forward the Niagara Escarpment act to protect, as the member from Halton said very clearly today, land mass from the town of Halton right down to the very tip of Niagara Falls. Out of that activity came the establishment of the Niagara Escarpment Commission to provide a framework to make sure that the goals articulated in the Niagara Escarpment act were preserved, through the years and years of work by the Niagara Escarpment Commission.

The greenbelt does come east, does touch my riding, so to speak, in the municipality of Cavan-Monaghan. In fact, Cavan-Monaghan is in the riding of Haliburton-Kawartha Lakes-Brock, but we do share it.

We understand that the Oak Ridges moraine, which was incorporated by the previous government, became part of our greenbelt along with the Niagara Escarpment. It is an area that has extensive springs and serves as the recharge area for groundwater in that area, something that's very much depended on. The communities in that area—the farm community and others—depend on the protection that is offered in the Oak Ridges moraine to provide a quality source of drinking water.

This has been supported over the last number of years by David Suzuki, who certainly applauded the Ontario

government in moving forward in such a decisive direction to protect this area.

I think we've all been told that they don't make land anymore. If we don't bring in measures to protect land for future generations, it will be gobbled up by the development industry. I know the member for St. Catharines is quoted many times as saying that if they hadn't brought in the Niagara Escarpment Commission, "every inch of ground from Mississauga to Niagara Falls would have been paved over by developers."

**The Deputy Speaker (Mr. Bruce Crozier):** Member for Ajax-Pickering, you have up to two minutes to respond.

**Mr. Joe Dickson:** I certainly appreciate everyone who rose today.

I understand the good member from Halton's comments on the straight lines as part of the boundaries, and certainly that's one item that's going to be reviewed in the five-and-a-half-year time frame when that comes forward. He talked about the protected areas on the escarpment—the Cambridge area—and what a good concept the green plan is. He gave us a history of the evolution of the greenbelt over 10 years, and I do appreciate that.

My neighbour, the minister here—sorry, the past minister, probably—from Toronto—Danforth certainly cites the value of the environment. We need an understanding of what we have yet to do to fully secure the land. We need to protect this against sprawl for agriculture and of course for drinking water. He had a concern about the Westhill development in Aurora. Things like that are concerns of us all.

My good friend from Niagara Falls is the only person here with a green Harley. He spoke green every time he could. He mentioned grapes, fruits, wines, Niagara-on-the-Lake and, of course, the 1.8 million acres preserved and what a great establishment it was.

My good seatmate the wonderful doctor—I can't mention the doctor's name, but she's from the Oak Ridges—Markham riding—talked about the Oak Ridges moraine, the kettle lakes, the endangered species, Rouge Park, which is now 47 square kilometres, and of course our joint venture where I followed her lead at the Bob Hunter park tree-planting exercises.

My good friend from Peterborough's country is part of my country, because I go through it most weekends to get to the cottage. I realize that the benefit of this greenbelt touches not only Peterborough, but of course the new riding of Haliburton—Kawartha Lakes—Brock, which will receive representation soon.

**The Deputy Speaker (Mr. Bruce Crozier):** Thank you. We have lots of time today, but yours has run out.

#### TRUTH ABOUT CALEDONIA ACT, 2009

#### LOI DE 2009 CONCERNANT LA VÉRITÉ SUR CALEDONIA

Mr. Barrett moved second reading of the following bill:

Bill 146, An Act to provide for a public inquiry to determine the truth about the administration of justice, law enforcement and the ownership of land within the former Haldimand Tract and nearby areas / *Projet de loi 146, Loi prévoyant une enquête publique pour établir la vérité sur l'administration de la justice, l'exécution de la loi et la propriété de biens-fonds dans les limites de l'ancien terrain de Haldimand et dans les zones environnantes.*

**The Deputy Speaker (Mr. Bruce Crozier):** Pursuant to standing order 98, Mr. Barrett, you have up to 12 minutes.

**Mr. Toby Barrett:** It's been three years of native land disputes in the Haldimand-Brant area that have been marked, as many will know, by violence, injury, fear and intimidation. They've shut down development and drained our area economy. I stand before those assembled today asking for a public inquiry. We do wish to bring clarity, answers and truth to those who have been forced to suffer through the economic, fiscal and emotional impact over the past three years.

Last night, I addressed the Brantford-area home builders on native land disputes and talked about this call for an inquiry. When I finished, the first question from the audience was, "Will the bill pass?" I responded, "Not a hope in hell." The Premier has already stated his distaste for such an endeavour. In fact, it was probably four hours before I had a chance to even introduce Bill 146 to legislators. Mr. McGuinty announced he would stop such an inquiry from going forward.

**1540**

Again, all before you, as elected members—none of you had a chance to see the proposed legislation. Clearly, our Premier has jeopardized this process. I remind the Premier this is private members' hour: It's part of our time-honoured democratic process. This is our hour.

In the words of Alfred Tennyson, today I feel I'm perhaps part of the charge of the light brigade. As many will know, that was the ill-fated brigade that stormed on to a predetermined defeat. They fought on, despite the tragic destiny that awaited. So I'll saddle up and forward this call for an inquiry. I do ask all present to look into your hearts on behalf of people in Brantford, Caledonia and the area if you feel this is an intolerable situation. Rest assured that I will not be calling for a recorded vote. This a secret ballot. Look well to your ballot.

I do remind members that following the light brigade, Tennyson informs us in his poem, there was the charge of the heavy brigade, and I look forward to the spring. There will be a large number of people from Caledonia descending on Queen's Park. There's a petition out there right now; there are 7,000 signatures calling for a police inquiry with respect to Caledonia.

Despite the Premier's interference in our democratic process this afternoon, I wish to go forward on some of the reasoning behind 146, the short title, Truth about Caledonia Act. In crafting the legislation, I attempted to build on previous efforts to get to the truth with respect to this ongoing series of land disputes and the impact on

people, on their lives and on their livelihoods as well. The protesters arrived at the Douglas Creek Estates subdivision on February 28, 2006. I walked in behind the barricades the next day, or maybe two days later. We've watched a series of events unfold since then. It has changed people's lives. It has obviously changed the area economy. And it has changed, regrettably, the age-old relationships between native and non-native people in our area. April 20, we witnessed the botched OPP raid, followed by the road closures, the tire burnings, the fistfights, the electricity switching station that was torched and, later on, the brutal beating of the older son, Gualtieri, and the assault on a Channel 11 cameraman. We've seen, as a result, a three-year freeze on any building activity. I travel Haldimand county. You don't hear hammers; you do not hear skill saws.

It continues just this week. We hear of a leaked memo in which the provincial government put \$100,000 on the table at a meeting in Brantford; \$100,000 allocated to the Haudenosaunee Six Nations. The agreement called for the city of Brantford to request the court to adjourn for three months on this interlocutory injunction motion against the Haudenosaunee Development Institute. That's the infamous HDI group that is involved in extortion from builders and developers. I really am not in favour of paying or even negotiating with people who are engaged in illegal activity. I feel that is an affront, really, to the very concepts of what this great province was built on.

There's also the issue of the Minister of Municipal Affairs. I raised the question this week, instructing Haldimand county that he would approve their official plan if, and only if, they remove two properties from the urban boundary, properties that the county had included back in 2006. One property is at Argyle Street and 6th Line, and it's adjacent to the Douglas Creek Estates subdivision that is presently occupied by militants. In spite of this province saying it's a federal issue, it seems to feel it appropriate to wade in and make decisions on whether or not there's going to be some kind of a Native objection or militant action.

A few examples of why I would like to have an inquiry to get down to what's been going on: There's so much talk of the secret negotiations, secret deals that are being made. There are so many mixed messages and, really, false information, while essentially we see a situation where this province is selling the farm to those who have brought a gun to our heads, all without the input and knowledge of those who will be most affected. So it really is time to shed some light on the backroom dealings and the unreported agreements that this government is attempting to hide.

To that end, the bill calls for an inquiry into the administration of justice, law enforcement and the ownership of land within the former Haldimand tract and nearby areas. The preamble to this legislation cites that allegations have been raised with respect to political influence in the court's administration of justice and in the enforcement of the law by police. Area residents also want to determine the truth with respect to the ownership of the various lands in dispute.

Now, in regard to allegations of political influence and the court's administration of justice, I make reference to a very common expression now, "catch-and-release justice." I make mention of the \$100,000 that was put on the table recently to block a court injunction motion against the Haudenosaunee Development Institute. I think of Justice Marshall's injunction three years ago to clear Douglas Creek Estates of the occupiers. The province stepped in and blocked that, actually to the point of buying that land, and that injunction was never enforced. Those occupiers are here three years later.

Allegations of political influence in the enforcement of the law by the police: I think of that ongoing occupation of the subdivision. I was there on the second or third day. I did not witness anybody asking those people to leave. I walked back in there at least 18 times; no one asked them to leave. The carpenters had to leave. I think of a photograph I distributed to members here of a group of people, quite visible, throwing a van from a Haldimand county bridge onto provincial Highway 6. Again, no charges were laid. I am told of residents being asked if it's a Native issue when they dial 911 and then a different police force shows up, depending on their answer. Hence, this call for a police inquiry and this petition that will be arriving here in May.

Land ownership rights in the province of Ontario: I'm thinking of the eviction notices a number of people have received. My wife pulled an eviction notice out of our mailbox at our farm. To this day, I fully believe I do own my land. It's not owned by anybody else. I attended what's called a TRUE meeting in Brantford. Representatives of a new group, the Men's Fire, explained to residents in Brantford, "It's okay. You can live in your house. You just don't own your land any more."

I've mentioned the HDI extortion of the building trades. There are certain revelations. The small print within title insurance is very, very unnerving, and this is something I hope to be raising in the future.

A number of initiatives: A few years ago, there was an opposition day motion here calling for an inquiry, dozens of questions in the House and on committees like the estimates committee. I put forward what I labelled the Haldimand proclamation. I had petitions calling for public hearings. I drafted a resolution to restore policing to Sixth Line—that's a Haldimand county road without OPP protection; no police protection at the subdivision, at DCE—and a call to restore Douglas Creek Estates to its original use as a subdivision. In the future, there will be people arriving, calling for the police inquiry.

#### 1550

I've received lots of input. I've got about 430 people on an e-mail list who have given me some advice and comments. I've worked with four or five lawyers on this. All we ask for are some answers. We know the value of inquiries like the Walkerton inquiry and the Ipperwash inquiry. It allows us to find out what happened and to look back. It allows us to look forward and to propose policy reform, all the while conducted in public view with the full participation of the public.

I leave this for those present. You do have a vote this afternoon, and I just ask you to make a decision on your own.

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

**Mr. Jeff Leal:** It is a privilege to have the opportunity to get a few words on the record this afternoon.

I want to preface my remarks by saying that I am the parliamentary assistant for the Minister of Aboriginal Affairs in the province of Ontario. At the request of the then minister, Michael Bryant, on Family Day in February 2008 I made a visit to Caledonia. On that particular day, I spent some time visiting the Six Nations of the Mohawk. I visited Douglas Creek Estates. I took a look at the situation there. One of the things that I think always gives you a perspective on how things are happening and unfolding in the community—I went to McDonald's in Caledonia and I sat down and had lunch with a number of the local residents to have a positive dialogue on the challenges they're facing.

Indeed, I think we did have a public inquiry a number of years ago. We had the inquiry into the situation surrounding Ipperwash and the tragic death of Dudley George. Under that inquiry, there came a series of recommendations that provide a way forward on how to handle what is certainly a very, very challenging situation for the residents who reside in that area. But I do think it does provide a framework. It provides us with a series of recommendations. It goes without saying that the federal government indeed has a very large role to play in trying to resolve a number of these land issues, not only in the province of Ontario but indeed throughout Canada.

We have moved forward in a couple of areas. Just recently, the Minister of Aboriginal Affairs, the Honourable Brad Duguid, appointed Canada's pre-eminent negotiator, Mr. Tom Malloy, to act as Ontario's representative at the negotiation table. I know that all of us wish Mr. Malloy Godspeed in helping to resolve some of these very important and fundamental issues.

I must say, at OGRA/ROMA I had the opportunity also to meet with Mr. Ron Eddy, who is the mayor of Brant county. Mr. Eddy, who has been an experienced municipal politician for many, many years, brought some of these concerns to the table and how we might address them.

Just to recount, we have provided Haldimand county with more than \$4.3 million in new infrastructure funding through Investing in Ontario. We've also provided an additional \$2 million to support economic recovery in Caledonia and Haldimand counties. More than \$1.3 million have been provided for 150 businesses in the Caledonia area. We've also provided some \$90,000 to the county of Haldimand for a comprehensive economic/industrial development marketing strategy. Indeed, we've provided some tools that will be very, very important to individuals who are in this particular area.

We know that these disputes are very, very challenging. Any time that you bring a series of personalities together—on one side, we have 400 years of history. One

of the things we can't do is rewrite those 400 years of history, but we can write a new history. I really think this is what this government, this Minister of Aboriginal Affairs and the Ministry of Aboriginal Affairs are attempting to do. But the only way to write that new history, I believe, will take all of us working together in common cause to create a path forward that everybody can be part of. We all need to be part of the solution to satisfy the very legitimate aspirations of the people who live in the community of Caledonia and the county of Haldimand.

**The Deputy Speaker (Mr. Bruce Crozier):** Further debate? The member for Richmond Hill.

**Mr. Peter Shurman:** Thornhill. I'm very honoured today to stand in support of my colleague the member from Haldimand-Norfolk's private member's Bill 146.

I want to begin by relating a recent story to this Legislature. I was attending a media availability by Prime—I almost elevated him there—Premier McGuinty a couple of weeks ago. When the media asked Mr. McGuinty whether or not he would support an inquiry of this type, he immediately and very specifically said absolutely not, he wouldn't. That happened to coincide with the presentation for first reading of this bill by my colleague several hours later, so it was preordained as far as I could see.

The first thing that I asked myself was, if this is the case, if the Premier is going to pre-empt private members' business, what's the point? This is a legitimate question that we're considering today, because what we're discussing is the protection of people, homeowners and businesses in an area that has been beleaguered by a virtual siege for the past three years. I want to know, and my colleague wants to know, why it seems impossible on the part of this government to respect the wishes of this Legislature going back three years and, moreover, to offer protection to people who have every right to that protection.

Private members' business is basically the thought of a private member put forward in legislative or motion form where you vote yes or no on the basis of your conscience, not a whipped vote. But the first thing I hear from the other side on behalf of the member for Peterborough is that he's the minister's parliamentary assistant and so he's speaking literally on behalf of the government. We're not debating government business. I would appeal to members from all sides of this House to remember that when voting their conscience and think in terms of the people who are at the receiving end of the negativity for the past three years.

There have been no answers to the questions about what the government is doing or plans to do to put an end to the land disputes in Caledonia and the surrounding areas. Three years, and what we look at is a veritable badminton game played on one side by Premier McGuinty with the federal government. I don't hear much back from Ottawa, but every time there's a question asked of Mr. McGuinty, I certainly see him take that bat and throw it away.

The McGuinty government has stood by in this instance for too long. It sounds like we're all being very partisan, but I would like to see us work together on behalf of the people who are affected. I can't say that too often. Residents do not feel safe any more because there is no consistent policing. There is questionable security. There are no assurances that this is going to be put to an end any time soon. I would be very charitable in describing this as dereliction of duty.

In June 2006, we presented an opposition day motion in this Legislature, which was passed, calling for a commission to be set up, and here we are in March 2009. I'm going to quote from that motion: "inquire into and report on how absence of communication and lack of leadership by Premier McGuinty and his Liberal government allowed the Caledonia situation to escalate to a full-blown standoff and subsequently a public security crisis."

I repeat, that passed. So why have we not seen such an inquiry? Why have we travelled through time, three years, to get to a point where my colleague from Haldimand-Norfolk is still asking for an inquiry three years after the fact when people cannot buy or sell homes legitimately in that area, when people cannot do business legitimately in that area? It has been more than two years, and we're still waiting for that inquiry.

This is another example of the McGuinty government's lack of leadership or, as I have previously described it, dereliction of duty, and this is not something that is just going to go away if we ignore it. The longer nothing is done, the worse it's going to get.

#### 1600

My party has been consistent on this issue in saying that the rule of law is not applied unevenly or at will; it is a one-size-fits-all situation when you talk about the rule of law. Here we're talking about the use of land, the disposition of land. It involves something on which I've questioned the government on a number of times over the course of the past year, and that's tobacco sales; that's attached to it, whatever. The rule of law should be applied equally across the province on all issues, and we don't see that in Caledonia.

We need answers about the lack of policing, which affects the lives of innocent people. We need answers for why the law does not seem to apply equally to everyone. There have been reports that the police have failed to respond to 911 calls when there have been threats and harassment from protestors. They refuse to enforce injunctions and contempt orders to end the occupation.

I would like to remind Mr. McGuinty that this is his responsibility, and it's a responsibility he has avoided for too long, hence Bill 146. The people of Caledonia want answers. In my opinion, that is the least we can do for them, the least you can do for them, since you have left them out to dry for over three years now. What will it take for Mr. McGuinty to call an inquiry?

Perhaps I can, one more time before I sit down, appeal to the members of this Legislature from all parties. This is not a bill, as important as some of these bills are, to add French to signs in Niagara or to declare Greenbelt

Day. They are good pieces of legislation; they are heartfelt by the people who present them. This is an important piece of legislation that we all should get behind, because it provides for answers to people who have no voice for themselves.

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

**Mr. Michael Prue:** I listened intently to the previous speaker, and I want to assure him and all members of this House that I have not been whipped. I want to assure him and all members of this House that New Democrats are free to vote on any bill as we see fit.

**Mr. Shafiq Qaadri:** On each ballot?

**Mr. Michael Prue:** On each ballot.

But I also want to tell this member that unfortunately I cannot support this bill, and I will not be supporting it.

The bill calls for an "administration of justice" for the OPP and senior government officials. I have looked at the situation of Caledonia. I have studied it as intently as one can from the confines of this building and from Toronto, and in a couple of attempts to get down close to and around the area over the last eight months. In my leadership bid, I got to Brantford and to other places, and talked to people about Caledonia.

It comes down to me, in my discussions, in my reading and in my understanding, that this is not an issue about the administration of justice, nor is it about the OPP and senior government officials, but in fact this is an issue about land claims. This is an issue about whether or not the land is legally owned by the people who claim to own it. This is an issue that goes back, not generations but hundreds of years, to the Haldimand land tract.

The province is responsible for making resource allocation decisions, whether that be land use, minerals, forests or other natural resources. The province, when it ignores this, the impact that these decisions have on traditional aboriginal peoples and territories, simply fuels frustration in those same peoples.

I take you back, not to Caledonia, but to another incident just in the last year or two. It was the famous one; it was debated day after day, questioned day after day in this Legislature. It was about the people of Big Trout Lake, or KI, and I wish I could pronounce the First Nations name but I cannot. Let me call it KI.

The First Nations traditional territory was encroached upon—let me be very gentle here—by a group called Platinex. They literally ran roughshod over the land. They did not consult with the First Nations people; they did not talk about land use planning or the use of the land, what they were looking for or what gave them the authority to do so.

When the people of KI stood up for their rights, they were placed in jail. These were not people who were doing anything untoward. They were standing up for the claims and for the land rights use that they had been granted by treaty more than 100 years before. You will remember that the KI Six, as they became known, included three grandmothers, people who were aged and had wisdom. They weren't young hotheads; they were

three grandmothers and the tribal elders who were there trying to protect their land.

I look back to the Haldimand area and try to draw some parallels, if indeed there are any. In the Haldimand area, the provincial land use decisions created many of these problems in first place. The first thing that has happened here is that in the last few decades there has been rapid urban development that stretched into the Haldimand Tract.

Just so everybody knows about the Haldimand Tract—and I think everybody in this Legislature will know—it was an area of six miles on each side of Grand River granted by Sir Frederick Haldimand to the Six Nations as compensation for the four million acres given up by the Six Nations when they joined the British in the American War of Independence. They got six miles on each side of the Grand River, land which was to be theirs in perpetuity. This was granted on October 25, 1784. The men and women who served with the British are Canadian heroes. They were heroes who helped ensure that Canada was not successfully invaded by the Americans who were invading Canada at that time. They fought for our independence, they assured the creation of Canada, and they were indeed heroes. They were granted the land, six miles on each side, and it was not long after that that another decree stated that the Six Nations can only surrender the land to the crown, and nobody else.

Therefore, what we have over these last couple of hundred years is land being surrendered or sold to people who had no right to have it. There's a whole dispute whether or not that was legal, whether it took place, whether it was proper, and I think this needs to be resolved. The Six Nations has submitted 29 land claims since 1980, none of which have been finally adjudicated upon. I think we in this Legislature have to look at that as well.

I also go back and look at what has happened in terms of land claims. The most famous case, of course, in the last number of years is the Ipperwash inquiry and the tragic death of Dudley George and the people around Ipperwash, the people who were looking to the land claims, to the burial grounds, to make sure that others did not come in and develop the lands in ways that were hurtful and improper to the First Nations people who lived there.

That Ipperwash inquiry took a long time to take place. It took far too long, but the justice and the truth finally came out in that inquiry. There were a couple of resolutions and a couple of recommendations made by the Ipperwash inquiry that I think need to be stated here, because if in fact this is what the police are attempting to do, then I think the police are acting properly. The Ipperwash inquiry stated two things, and I quote them both. First, "The OPP should maintain its framework for police preparedness for aboriginal critical incidents, aboriginal relations teams and related initiatives as a high priority and devote a commensurate level of resources and executive support to them." Now, if the police in Caledonia are in fact doing that and are behaving in the way that I think

they are behaving, and behaving as proper officers of the crown, then I think this is what they are doing. I would hope they're doing this. Perhaps one of the government speakers, when they speak later, can answer that: whether in fact these are instructions given to the OPP. But it's readily apparent to me that they're following a protocol if not identical to this, then very close to it.

The second one: "The OPP should develop a consultation and liaison policy regarding non-aboriginal communities which may be affected by an aboriginal occupation or protest. This policy should be developed in consultation with local non-aboriginal communities and should be distributed to local officials and posted on the OPP website." I have checked the OPP website, and I don't believe that has been done. If I am mistaken, please, one of the government members, tell me.

But those are two things that the Ipperwash inquiry recommended, and I think they were good, solid recommendations. The OPP's approach in Caledonia I think is a far better approach than what happened in Ipperwash. If anyone in this chamber thinks that it is not, let him or her stand up and say why the approach being adopted at Caledonia—where no lives have been lost, where no property has been burned, where the community is in far less turmoil than it was in Ipperwash—is a lesser statement or a lesser action than what happened in Ipperwash. We know that they're both difficult but I think what happened in Ipperwash was far more tragic.

#### 1610

The Ipperwash inquiry also recommended—and I want to deal with this in the short time left—the establishment of the Treaty Commission of Ontario, an independent provincial organization to assist First Nations in fast-tracking land claims. This is exactly what it said:

"The Treaty Commission of Ontario should be established in a provincial statute as an independent agency reporting directly to the Legislative Assembly of Ontario. The Treaty Commission of Ontario should have permanent administrative, legal and research staff and should be fully independent from the governments of Canada, Ontario and First Nations. The statute should specify that the purpose of the Treaty Commission of Ontario is to assist Ontario in discharging its treaty responsibilities."

Two years later none of that has been done, and two years later we have the ongoing problems at Caledonia. I would suggest to the government members opposite, if they truly wanted to resolve the issue at Caledonia and the hundreds of land claims that are still outstanding in this province, this is what should have been done and what can still be done during the term of this government's mandate. This would make far more sense than what has been called for today.

The sad part is the number of people whose lives have been affected: Caledonia residents, the Six Nations people and the countless businesses on both sides that operate in the area. Surely something must be done, but something must be done understanding the plight of the First Nations people. I ask members of this Legislature and all of you who have travelled around this province,

where you have gone to First Nations, not only in Caledonia but elsewhere, to recognize the deplorable conditions in which these people live.

I had the opportunity to grow up with a First Nations family living a couple of doors away from me when I was a young man. Their last name was Longboat and they were related to the famous Tom Longboat who brought Canada such great pride at the turn of the century—one of the fastest human beings on earth in those days.

**Interjection:** Ever.

**Mr. Michael Prue:** Ever, perhaps ever. They were a wonderful family.

I remember one of the young men; his name was Danny Longboat and he died tragically. My brother went from Toronto down to Brantford, down to the Six Nations, down to Caledonia, for the funeral. I did not go, but my brother went. They were really good friends. My brother came back horrified at what he saw there. He came back—I've told many times that I grew up in Regent Park, I grew up in housing. I grew up in places where people were poor. But my brother, as poor as we were and in the housing conditions in which we lived, came back horrified at the conditions in the Brantford area and in this particular place. He told me how ashamed he was in those days, even though it is now 20 or 30 or 40 years ago, of the way our First Nations people lived and how the Longboats lived and the place where he was buried, and all of those. I have never forgotten his sense—and I have never forgotten that as I have travelled around this province from one end to the other to see First Nations in disarray, kids with no hope, people with no opportunity, expense upon expense in northern reserves, in northern locations.

We need to look at that. We need to do something desperately as a government. I believe that the government opposite has an obligation to set up a commission as set out in the Ipperwash inquiry, but I do not believe the answer given by my friend is the right one here today.

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

**Mrs. Maria Van Bommel:** I'm certainly very pleased to be able to speak to this particular bill at this point. I was listening to the member for Thornhill, and he chastised the member for Peterborough in terms of his role as parliamentary assistant. I guess we don't necessarily hear the same thing as we're listening, because what I heard was the member for Peterborough talking about how he had made visits to the Caledonia area, the kinds of things he saw and his experiences there, which painted quite a different picture than we heard from the member for Haldimand-Norfolk.

I can speak from my own experience with Ipperwash and the Kettle and Stony Point First Nation in my own riding. I have watched the community that surrounds Kettle Point and Stony Point, as well as the First Nation, the Chippewas of Kettle and Stony Point, try to heal after the death of Dudley George. I watched as the inquiry took shape, and I watched as Justice Linden did a

yeoman's job in trying to bring reconciliation back to that community. The inquiry certainly dealt with the death of Dudley George, but more importantly, the recommendations talked about guidelines and ways to provide healing for all our First Nations in this province. It went well beyond the one incident.

I look to those recommendations as we deal with other First Nations issues, but I also know from my experience with my First Nations that there is frustration there. These people have land claims that we, as a community and as governments, have been very slow in dealing with. The frustration that comes from the First Nations has as much to do with our own procedures and our own lack of power and movement on these issues as anything else.

The community around Ipperwash and the First Nations communities there have a very fragile relationship at this point. The healing is moving forward. The reconciliation is starting. It's in its infancy, but it has moved. And I'm very proud of my constituents, because they're trying very hard to make this work. They recognize, as a community, that they're not going to be able to move forward economically—they're not going to be able to move forward together as a community—until that healing and reconciliation take place. They need to do that, and we, as a government, support that.

I'm very proud of the fact that my communities are working very hard. But there is certainly a very difficult feeling around it. I know that many members in the communities have memories of what happened in 1995. Those things never really leave you, and they don't leave the First Nation community either. That will always be a part of the relationship we have. It will always be a part of that healing and reconciliation process. It will always be there to remind us of something that was not a proud point in our history.

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

**Mr. Ernie Hardeman:** I'm pleased to rise today to support Bill 146, the Truth About Caledonia Act, introduced by my colleague from Haldimand-Norfolk. In 2006, the people of Ontario saw, through newspapers and television, the occupation of Douglas Creek Estates in Caledonia. They saw the standoff, the barricades on the highways and the riots in the street. Since then, other stories have captured media attention, and in spite of the incredible efforts of my colleague from Haldimand-Norfolk, many Ontarians have forgotten that there is still land being illegally occupied just a few hours' drive from this Legislature.

But the people of Caledonia can't forget. They experience the fear and lawlessness of the occupation. They have been living for three years with the fear that the situation will escalate. They have suffered through the collapse of their local economy and housing prices, and they live with the feeling of being abandoned by their government.

Let's be honest. This is not an easy situation for everyone: the natives, who believe this is their land; the police, who are doing their best to keep peace in a very difficult

situation; and the people of the community, who have had to live with the occupation. But regardless of the issues or background, we cannot encourage or allow a group—any group—to be above the law. We cannot accept areas of the province where the law does not apply.

We probably all remember, in June 2006, when two OPP officers were dragged from their car and the police cruiser window was broken. A spokesperson tried to explain the incident by saying that the officers had entered a no-go zone. Can we accept a no-go zone for the police in the province of Ontario?

When the Ministry of Community Safety and Correctional Services was asked about the incident, he actually seemed to blame the police. He said:

“I can confirm that that event happened. But the situation is that the two OPP officers who had been assigned to the Caledonia area, who were not familiar with it, made a wrong turn. That was the extent of what happened. As a result of that, there was a reaction. That is something that is now being investigated, and I’m not in a position to comment on it, but I can tell you this: There was nothing untoward about it. It was a mistake that they made.”

**1620**

Our police investigating and trying to keep the peace should never be referred to as a mistake, and no member of the government should excuse violence towards our police officers. There are strong allegations that there was political influence exerted on the police so they would not take action to end the occupation. The people of Caledonia and the people of Ontario deserve to know the truth about those allegations. I’m not making those allegations, but I think the people deserve to know about them.

The Ontario Provincial Police Association was quoted as saying that public image was being placed ahead of officers’ safety and law and order. A report in the Toronto Star said that police officers weren’t allowed to wear proper safety gear for “optical reasons.” Our police officers deserve better than that. They deserve an inquiry to make sure that they aren’t put into danger for political and public relations reasons.

A recent editorial in the Brantford Expositor said, “Silence is not a sufficient response. Part of the administration of justice involves ensuring public confidence in those involved in enforcing the law.” They are right. There is probably no way that the occupation could continue this long without tension on all sides being pushed to the breaking point and fingers being pointed. For everyone’s sake, we need answers.

In June 2006, the Ontario Legislature passed an opposition day motion calling for a commission to be set up and to inquire into and report on how the absence of communication and the lack of leadership by the Premier and his Liberal government allowed the Caledonia situation to escalate to a full-blown standoff and, subsequently, a public security crisis. Despite the fact that the motion received the support of the Legislature, the

McGuinty government has taken no action to set up a commission or provide answers to the people of Caledonia.

I want to congratulate the member from Haldimand–Norfolk for bringing forward this bill to represent his constituents in Caledonia and to help them move forward. I’m pleased that this bill is looking towards the future. The inquiry it creates would not only look at how we got to this point but it would look at ways to avoid these situations in the future. It’s time for answers and action. It’s time to launch an inquiry into this sad situation and look at what we can do to end it and to make sure that this never happens again.

Thank you very much, Mr. Speaker, for allowing me to speak for these few moments.

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

**Mr. Dave Levac:** I do want to make a quick comment on the introduction of this bill and the subsequent comments by the member from Beaches–East York. Thank you for understanding. I appreciate deeply the balanced approach that you took and the questions that you asked and I’ll try to answer a couple of those questions, but more importantly, I stand to tell you: I will not be supporting this bill. I think it’s ill-advised. I think that this bill has other means and other purposes, and I’ll allow the member’s words on the opposite side to be read to explain to us exactly why they’re introducing this bill and its purpose. Just re-read their comments and you’ll understand why I will speak vehemently against this bill.

Where was the member and where was the Conservative Party when, in March 2008, Monday, at the Best Western Brant Park Inn on Holiday Drive at the Grand River summit–Brant district, I brought together all of the stakeholders, including Brant, Brantford, New Credit, Six Nations, the province of Ontario, the government of Canada, the OPP, the municipal police, bankers, developers and homeowners to decide on a resolution to this issue in a peaceful manner and to discuss how we move forward in development and how we move forward in correcting some of the wrongs of the past?

The federal member was there. I want to know if the members on the other side want to support the petition that was sent around. In this petition, you talked about firing Fantino before you even had anything to say, before your inquiry. I want to know if you signed it. Do you want to make the prejudgment that Fantino’s not doing his job?

The member from Beaches–East York just said the right thing. There’s your answer. There’s your roadmap. There’s the way in which we can find peace in this community along the Haldimand Tract in Ontario. It’s called the inquiry. Why? Because it sets out very clearly exactly how the roadmap is followed. The member for Beaches–East York, I want to explain to you very clearly that it is being discussed; the first Minister of Aboriginal Affairs was, and now this Minister of Aboriginal Affairs is, in discussions about how the treaty concept can go forward.

What is not being recognized very clearly is that the federal government is participating in the negotiations and the discussions. There are people from Six Nations who are talking right now with both federal, provincial and municipal representatives to move forward on how to get out of this quagmire without raising the temperature, because they know darn well that this has got nothing to do with lowering the temperature. All they want to do is to continue to raise the temperature and not actually solve the issue.

How many charges have been laid? One hundred fifty charges by the OPP. The implication is that they're not doing their job—46 officers have been hurt trying to do their job and keeping the peace. They don't want to go by your definition of what a police officer should do, because all you're talking about is, "I want to see people dragged away in handcuffs." That's not their job. Their job is to keep people safe and to keep the peace. Quite frankly, they're doing a darn good job of it, no thanks to the people who want to sit back and say, "Get them in handcuffs and take them away."

I want to see people elevate this into the discussion that it's supposed to be, and that is to get together to try to resolve something that's 200 years old. This member wants, in one bill, in a six-month time period, to report back? How do we get the land claims finished? We have got 200 years of corrections to make. I'm looking forward and I support that—

**The Deputy Speaker (Mr. Bruce Crozier):** Thank you, the member for Brant.

Further debate? I think there was a minute left, but there are no members, so Mr. Barrett, the member for Haldimand–Norfolk, you have two minutes to respond.

**Mr. Toby Barrett:** I thank the MPPs for participating in this debate.

The member for Peterborough made the reference to Mayor Ron Eddy. Please listen to Ron Eddy. He's a former Liberal member in this Legislature. The member for Peterborough and the member from Lambton–Kent–Middlesex hearkened back to Ipperwash and alluded to the death of Dudley George. People know the name of the person killed in Ipperwash. I don't know whether there's anybody in this room who knows the name of the police officer killed in Oka.

The member from Thornhill used the expression, "What's the point?" We have a preordained decision here by the Premier, by the PA to aboriginal affairs speaking on behalf of the government. I recognize as well that the member for Oxford also pointed out, as did the member for Thornhill, that this Legislature did pass the motion three years ago for an inquiry.

The member for Beaches–East York indicated that the NDP are not whipped. Private members' hour is just that: You have the opportunity to vote with your conscience. I don't think I'm going to see that happen here.

As far as the member from Beaches–East York—others have made reference to the approach that the OPP has been instructed to follow. I will point out that many

people in Caledonia disagree with that direction. There's a feeling locally that the OPP should enforce the law.

The member for Oxford: I appreciate the comments there, again suggesting that some body, someone at the upper level—

**The Deputy Speaker (Mr. Bruce Crozier):** Thank you. You're out of time. In fact, the time provided for private members' public business has expired.

#### INACTIVE CEMETERIES PROTECTION ACT, 2009

#### LOI DE 2009 SUR LA PROTECTION DES CIMETIÈRES INACTIFS

**The Deputy Speaker (Mr. Bruce Crozier):** We will deal first with ballot item number 76, standing in the name of Mr. Brownell.

Mr. Brownell has moved second reading of Bill 149. Is it the pleasure of the House that the motion carry? Carried.

*Second reading agreed to.*

**Mr. Jim Brownell:** I'd like to refer the bill to the Standing Committee on General Government.

**The Deputy Speaker (Mr. Bruce Crozier):** He has asked that the bill be referred to the Standing Committee on General Government. Agreed? Agreed.

#### GREENBELT DAY ACT, 2009

#### LOI DE 2009 SUR LE JOUR DE LA CEINTURE DE VERDURE

**The Deputy Speaker (Mr. Bruce Crozier):** We will now deal with ballot item number 77, standing in the name of Mr. Dickson.

Mr. Dickson has moved second reading of Bill 153. Is it the pleasure of the House that the motion carry? Carried.

*Second reading agreed to.*

**Mr. Joe Dickson:** I recommend that we refer this to the Standing Committee on the Legislative Assembly.

**The Deputy Speaker (Mr. Bruce Crozier):** He asks that the bill be referred to the Standing Committee on the Legislative Assembly. Agreed? Agreed.

#### TRUTH ABOUT CALEDONIA ACT, 2009

#### LOI DE 2009 CONCERNANT LA VÉRITÉ SUR CALEDONIA

**The Deputy Speaker (Mr. Bruce Crozier):** We shall now deal with ballot item number 78, standing in the name of Mr. Barrett.

Mr. Barrett has moved second reading of Bill 146. Is it the pleasure of the House that the motion carry? No. I declare the motion lost.

*Interjections.*

**The Deputy Speaker (Mr. Bruce Crozier):** Will you agree that there was an "aye"? I didn't happen to hear it.

All those in favour, say "aye."

“All those opposed, say “nay.”

In my opinion, the nays have it.

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

*The division bells rang from 1631 to 1636.*

**The Deputy Speaker (Mr. Bruce Crozier):** Mr. Barrett has moved second reading of Bill 146. All those in favour, please stand and be recognized by the Clerk.

**Ayes**

Barrett, Toby                      Hardeman, Ernie                      Shurman, Peter

**The Deputy Speaker (Mr. Bruce Crozier):** All those opposed, stand at the same time.

**Nays**

Aggelonitis, Sophia	Duguid, Brad	Qaadri, Shafiq
Albanese, Laura	Fonseca, Peter	Ramal, Khalil
Balkissoon, Bas	Hoy, Pat	Rinaldi, Lou
Berardinetti, Lorenzo	Jaczek, Helena	Sandals, Liz
Best, Margaret	Jeffrey, Linda	Sergio, Mario
Broten, Laurel C.	Kular, Kuldip	Smitherman, George
Brown, Michael A.	Leal, Jeff	Sousa, Charles
Brownell, Jim	Levac, Dave	Tabuns, Peter
Cansfield, Donna H.	McNeely, Phil	Takhar, Harinder S.

Colle, Mike  
Craitor, Kim  
Delaney, Bob  
Dhillon, Vic  
Dickson, Joe

Mitchell, Carol  
Naqvi, Yasir  
Pendergast, Leeanna  
Phillips, Gerry  
Prue, Michael

Van Bommel, Maria  
Wynne, Kathleen O.  
Zimmer, David

**The Clerk of the Assembly (Ms. Deborah Deller):**  
The ayes are 3; the nays are 40.

**The Deputy Speaker (Mr. Bruce Crozier):** I declare the motion lost.

*Second reading negatived.*

**The Deputy Speaker (Mr. Bruce Crozier):** Orders of the day.

**Hon. Brad Duguid:** I move adjournment of the House.

**The Deputy Speaker (Mr. Bruce Crozier):** Is it the pleasure of the House that the motion carry? Carried.

This House is adjourned until Monday, March 23, at 10:30 of the clock.

*The House adjourned at 1639.*

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

Lieutenant Governor / Lieutenant-gouverneur: Hon. / L'hon. David C. Onley, O.Ont.

Speaker / Président: Hon. / L'hon. Steve Peters

Clerk / Greffière: Deborah Deller

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

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

Member and Party / Député(e) et parti	Constituency / Circonscription	Other responsibilities / Autres responsabilités
Aggelonitis, Sophia (LIB)	Hamilton Mountain	
Albanese, Laura (LIB)	York South–Weston / York-Sud–Weston	
<b>Arnott, Ted (PC)</b>	Wellington–Halton Hills	First Deputy Chair of the Committee of the Whole House / Premier vice-président du comité plénier de l'Assemblée
Arthurs, Wayne (LIB)	Pickering–Scarborough East / Pickering–Scarborough-Est	
Bailey, Robert (PC)	Sarnia–Lambton	
Balkissoon, Bas (LIB)	Scarborough–Rouge River	
Barrett, Toby (PC)	Haldimand–Norfolk	
<b>Bartolucci, Hon. / L'hon. Rick (LIB)</b>	Sudbury	Minister of Community Safety and Correctional Services / Ministre de la Sécurité communautaire et des Services correctionnels
<b>Bentley, Hon. / L'hon. Christopher (LIB)</b>	London West / London-Ouest	Attorney General / Procureur général
Berardinetti, Lorenzo (LIB)	Scarborough Southwest / Scarborough-Sud-Ouest	
<b>Best, Hon. / L'hon. Margaret R. (LIB)</b>	Scarborough–Guildwood	Minister of Health Promotion / Ministre de la Promotion de la santé
Bisson, Gilles (NDP)	Timmins–James Bay / Timmins–Baie James	
<b>Bradley, Hon. / L'hon. James J. (LIB)</b>	St. Catharines	Minister of Transportation / Ministre des Transports
Brotten, Laurel C. (LIB)	Etobicoke–Lakeshore	
Brown, Michael A. (LIB)	Algoma–Manitoulin	
Brownell, Jim (LIB)	Stormont–Dundas–South Glengarry	
<b>Bryant, Hon. / L'hon. Michael (LIB)</b>	St. Paul's	Minister of Economic Development / Ministre du Développement économique
<b>Cansfield, Hon. / L'hon. Donna H. (LIB)</b>	Etobicoke Centre / Etobicoke-Centre	Minister of Natural Resources / Ministre des Richesses naturelles
<b>Caplan, Hon. / L'hon. David (LIB)</b>	Don Valley East / Don Valley-Est	Minister of Health and Long-Term Care / Ministre de la Santé et des Soins de longue durée
<b>Carroll, Hon. / L'hon. M. Aileen (LIB)</b>	Barrie	Minister of Culture / Ministre de la Culture Minister Responsible for Seniors / Ministre déléguée aux Affaires des personnes âgées
<b>Chan, Hon. / L'hon. Michael (LIB)</b>	Markham–Unionville	Minister of Citizenship and Immigration / Ministre des Affaires civiques et de l'Immigration
Chudleigh, Ted (PC)	Halton	
Colle, Mike (LIB)	Eglinton–Lawrence	
Craitor, Kim (LIB)	Niagara Falls	
<b>Crozier, Bruce (LIB)</b>	Essex	Chair of the Committee of the Whole House / Président du comité plénier de l'Assemblée Deputy Speaker / Vice-président
Delaney, Bob (LIB)	Mississauga–Streetsville	
Dhillon, Vic (LIB)	Brampton West / Brampton-Ouest	
Dickson, Joe (LIB)	Ajax–Pickering	
DiNovo, Cheri (NDP)	Parkdale–High Park	
<b>Dombrowsky, Hon. / L'hon. Leona (LIB)</b>	Prince Edward–Hastings	Minister of Agriculture, Food and Rural Affairs / Ministre de l'Agriculture, de l'Alimentation et des Affaires rurales
<b>Duguid, Hon. / L'hon. Brad (LIB)</b>	Scarborough Centre / Scarborough-Centre	Minister of Aboriginal Affairs / Ministre des Affaires autochtones Deputy Government House Leader / Leader parlementaire adjoint du gouvernement
<b>Duncan, Hon. / L'hon. Dwight (LIB)</b>	Windsor–Tecumseh	Chair of the Management Board of Cabinet / Président du Conseil de gestion du gouvernement Minister of Finance / Ministre des Finances Minister of Revenue / Ministre du Revenu
Dunlop, Garfield (PC)	Simcoe North / Simcoe-Nord	
Elliott, Christine (PC)	Whitby–Oshawa	

Member and Party / Député(e) et parti	Constituency / Circonscription	Other responsibilities / Autres responsabilités
Flynn, Kevin Daniel (LIB) <b>Fonseca, Hon. / L'hon. Peter (LIB)</b>	Oakville Mississauga East–Cooksville / Mississauga–Est–Cooksville	Minister of Labour / Ministre du Travail
Gélinas, France (NDP) <b>Gerretsen, Hon. / L'hon. John (LIB)</b>	Nickel Belt Kingston and the Islands / Kingston et les Îles	Minister of the Environment / Ministre de l'Environnement
<b>Gravelle, Hon. / L'hon. Michael (LIB)</b>	Thunder Bay–Superior North / Thunder Bay–Superior-Nord	Minister of Northern Development and Mines / Ministre du Développement du Nord et des Mines
Hampton, Howard (NDP) Hardeman, Ernie (PC)	Kenora–Rainy River Oxford	Deputy Opposition House Leader / Leader parlementaire adjoint de l'opposition officielle
Hillier, Randy (PC) <b>Horwath, Andrea (NDP)</b>	Lanark–Frontenac–Lennox and Addington Hamilton Centre / Hamilton-Centre	Leader, Recognized Party / Chef de parti reconnu Leader, New Democratic Party of Ontario / Chef du Nouveau parti démocratique de l'Ontario Third Deputy Chair of the Committee of the Whole House / Troisième vice-présidente du Comité plénier de l'Assemblée législative
Hoy, Pat (LIB) Hudak, Tim (PC)	Chatham–Kent–Essex Niagara West–Glanbrook / Niagara- Ouest–Glanbrook	
Jaczek, Helena (LIB) Jeffrey, Linda (LIB) Jones, Sylvia (PC) Klees, Frank (PC) Kormos, Peter (NDP) Kular, Kuldip (LIB) Kwinter, Monte (LIB) Lalonde, Jean-Marc (LIB) Leal, Jeff (LIB) Levac, Dave (LIB) MacLeod, Lisa (PC) Mangat, Amrit (LIB)	Oak Ridges–Markham Brampton–Springdale Dufferin–Caledon Newmarket–Aurora Welland Bramalea–Gore–Malton York Centre / York-Centre Glengarry–Prescott–Russell Peterborough Brant Nepean–Carleton Mississauga–Brampton South / Mississauga–Brampton-Sud	Third Party House Leader / Leader parlementaire de parti reconnu
Marchese, Rosario (NDP) Martiniuk, Gerry (PC) <b>Matthews, Hon. / L'hon. Deborah (LIB)</b>	Trinity–Spadina Cambridge London North Centre / London- Centre-Nord	Minister of Children and Youth Services / Ministre des Services à l'enfance et à la jeunesse Minister Responsible for Women's Issues / Ministre déléguée à la Condition féminine
Mauro, Bill (LIB) <b>McGuinty, Hon. / L'hon. Dalton (LIB)</b>	Thunder Bay–Atikokan Ottawa South / Ottawa-Sud	Minister of Intergovernmental Affairs / Ministre des Affaires intergouvernementales Premier / Premier ministre Leader, Liberal Party of Ontario / Chef du Parti libéral de l'Ontario
<b>McMeekin, Hon. / L'hon. Ted (LIB)</b>	Ancaster–Dundas–Flamborough– Westdale	Minister of Government Services / Ministre des Services gouvernementaux
McNeely, Phil (LIB) <b>Meilleur, Hon. / L'hon. Madeleine (LIB)</b>	Ottawa–Orléans Ottawa–Vanier	Minister of Community and Social Services / Ministre des Services sociaux et communautaires Minister Responsible for Francophone Affairs / Ministre déléguée aux Affaires francophones
Miller, Norm (PC) Miller, Paul (NDP) <b>Milloy, Hon. / L'hon. John (LIB)</b>	Parry Sound–Muskoka Hamilton East–Stoney Creek / Hamilton–Est–Stoney Creek Kitchener Centre / Kitchener-Centre	Minister of Training, Colleges and Universities / Ministre de la Formation et des Collèges et Universités
Mitchell, Carol (LIB) Moridi, Reza (LIB) Munro, Julia (PC) Murdoch, Bill (IND) Naqvi, Yasir (LIB)	Huron–Bruce Richmond Hill York–Simcoe Bruce–Grey–Owen Sound Ottawa Centre / Ottawa-Centre	

<b>Member and Party / Député(e) et parti</b>	<b>Constituency / Circonscription</b>	<b>Other responsibilities / Autres responsabilités</b>
O'Toole, John (PC)	Durham	
Oraziotti, David (LIB)	Sault Ste. Marie	
Ouellette, Jerry J. (PC)	Oshawa	
Pendergast, Leeanna (LIB)	Kitchener–Conestoga	
<b>Peters, Hon. / L'hon. Steve (LIB)</b>	Elgin–Middlesex–London	Speaker / Président de l'Assemblée législative
<b>Phillips, Hon. / L'hon. Gerry (LIB)</b>	Scarborough–Agincourt	Chair of Cabinet / Président du Conseil des ministres
		Minister Without Portfolio / Ministre sans portefeuille
Prue, Michael (NDP)	Beaches–East York	Deputy Third Party House Leader / Leader parlementaire adjoint de parti reconnu
<b>Pupatello, Hon. / L'hon. Sandra (LIB)</b>	Windsor West / Windsor-Ouest	Minister of International Trade and Investment / Ministre du Commerce international et de l'Investissement
Qaadri, Shafiq (LIB)	Etobicoke North / Etobicoke-Nord	
Ramal, Khalil (LIB)	London–Fanshawe	
Ramsay, David (LIB)	Timiskaming–Cochrane	
Rinaldi, Lou (LIB)	Northumberland–Quinte West	
Runciman, Robert W. (PC)	Leeds–Grenville	Leader, Official Opposition / Chef de l'opposition officielle
Ruprecht, Tony (LIB)	Davenport	
Sandals, Liz (LIB)	Guelph	
Savoline, Joyce (PC)	Burlington	
Sergio, Mario (LIB)	York West / York-Ouest	
Shurman, Peter (PC)	Thornhill	
<b>Smith, Hon. / L'hon. Monique M. (LIB)</b>	Nipissing	Minister of Tourism / Ministre du Tourisme
		Government House Leader / Leader parlementaire du gouvernement
<b>Smitherman, Hon. / L'hon. George (LIB)</b>	Toronto Centre / Toronto-Centre	Deputy Premier / Vice-premier ministre
		Minister of Energy and Infrastructure / Ministre de l'Énergie et de l'Infrastructure
Sorbara, Greg (LIB)	Vaughan	
Sousa, Charles (LIB)	Mississauga South / Mississauga-Sud	
Sterling, Norman W. (PC)	Carleton–Mississippi Mills	
Tabuns, Peter (NDP)	Toronto–Danforth	
<b>Takhar, Hon. / L'hon. Harinder S. (LIB)</b>	Mississauga–Erindale	Minister of Small Business and Consumer Services / Ministre des Petites Entreprises et des Services aux consommateurs
Van Bommel, Maria (LIB)	Lambton–Kent–Middlesex	
<b>Watson, Hon. / L'hon. Jim (LIB)</b>	Ottawa West–Nepean / Ottawa-Ouest–Nepean	Minister of Municipal Affairs and Housing / Ministre des Affaires municipales et du Logement
<b>Wilkinson, Hon. / L'hon. John (LIB)</b>	Perth–Wellington	Minister of Research and Innovation / Ministre de la Recherche et de l'Innovation
<b>Wilson, Jim (PC)</b>	Simcoe–Grey	Second Deputy Chair of the Committee of the Whole House / Deuxième vice-président du Comité plénier de l'Assemblée législative
Witmer, Elizabeth (PC)	Kitchener–Waterloo	Opposition House Leader / Leader parlementaire de l'opposition officielle
		Deputy Leader, Official Opposition / Chef adjointe de l'opposition officielle
<b>Wynne, Hon. / L'hon. Kathleen O. (LIB)</b>	Don Valley West / Don Valley-Ouest	Minister of Education / Ministre de l'Éducation
Yakabuski, John (PC)	Renfrew–Nipissing–Pembroke	
Zimmer, David (LIB)	Willowdale	
Vacant	Haliburton–Kawartha Lakes–Brock	

**STANDING AND SELECT COMMITTEES OF THE LEGISLATIVE ASSEMBLY  
COMITÉS PERMANENTS ET SPÉCIAUX DE L'ASSEMBLÉE LÉGISLATIVE**

**Standing Committee on Estimates / Comité permanent des budgets des dépenses**

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Vice-Chair / Vice-président: Garfield Dunlop  
Gilles Bisson, Bob Delaney  
Garfield Dunlop, Kevin Daniel Flynn  
Tim Hudak, Amrit Mangat  
Phil McNeely, Yasir Naqvi  
John O'Toole  
Committee Clerk / Greffière: Sylwia Przewdziecki

**Standing Committee on Finance and Economic Affairs /  
Comité permanent des finances et des affaires économiques**

Chair / Président: Pat Hoy  
Vice-Chair / Vice-président: Jean-Marc Lalonde  
Sophia Aggelonitis, Ted Arnott  
Wayne Arthurs, Toby Barrett  
Pat Hoy, Jean-Marc Lalonde  
Leeanna Pendergast, Michael Prue  
Charles Sousa  
Committee Clerk / Greffier: William Short

**Standing Committee on General Government / Comité  
permanent des affaires gouvernementales**

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Vice-Chair / Vice-président: Jim Brownell  
Robert Bailey, Jim Brownell  
Linda Jeffrey, Kuldip Kular  
Rosario Marchese, Bill Mauro  
Carol Mitchell, David Orziatti  
Joyce Savoline  
Committee Clerk / Greffier: Trevor Day

**Standing Committee on Government Agencies / Comité  
permanent des organismes gouvernementaux**

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Vice-Chair / Vice-présidente: Lisa MacLeod  
Michael A. Brown, France Gélinas  
Randy Hillier, Lisa MacLeod  
Julia Munro, David Ramsay  
Lou Rinaldi, Liz Sandals  
Maria Van Bommel  
Committee Clerk / Greffier: Douglas Arnott

**Standing Committee on Justice Policy / Comité permanent de  
la justice**

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Vice-Chair / Vice-président: Jeff Leal  
Lorenzo Berardinetti, Christine Elliott  
Peter Kormos, Jeff Leal  
Dave Levac, Reza Moridi  
Lou Rinaldi, John Yakabuski  
David Zimmer  
Committee Clerk / Greffière: Susan Sourial

**Standing Committee on the Legislative Assembly / Comité  
permanent de l'Assemblée législative**

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Vice-Chair / Vice-président: Kevin Daniel Flynn  
Laura Albanese, Bas Balkissoon  
Bob Delaney, Joe Dickson  
Kevin Daniel Flynn, Sylvia Jones  
Norm Miller, Mario Sergio  
Peter Tabuns  
Committee Clerk / Greffière: Tonia Grannum

**Standing Committee on Public Accounts / Comité permanent  
des comptes publics**

Chair / Président: Norman W. Sterling  
Vice-Chair / Vice-président: Jerry J. Ouellette  
Laura Albanese, Ernie Hardeman  
Andrea Horwath, Phil McNeely  
Jerry J. Ouellette, Liz Sandals  
Norman W. Sterling, Maria Van Bommel  
David Zimmer  
Committee Clerk / Greffier: Katch Koch

**Standing Committee on Regulations and Private Bills / Comité  
permanent des règlements et des projets de loi d'intérêt privé**

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Vice-Chair / Vice-président: Paul Miller  
Bas Balkissoon, Mike Colle  
Gerry Martiniuk, Paul Miller  
Bill Murdoch, Yasir Naqvi  
Michael Prue, Tony Ruprecht  
Mario Sergio  
Committee Clerk / Greffière: Sylwia Przewdziecki

**Standing Committee on Social Policy / Comité permanent de  
la politique sociale**

Chair / Président: Shafiq Qaadri  
Vice-Chair / Vice-président: Vic Dhillon  
Laurel C. Broten, Kim Craitor  
Vic Dhillon, Cheri DiNovo  
Helena Jaczek, Shafiq Qaadri  
Khalil Ramal, Peter Shurman  
Elizabeth Witmer  
Committee Clerk / Greffier: Katch Koch

**Select Committee on Elections / Comité spécial des élections**

Chair / Président: Greg Sorbara  
Howard Hampton, Greg Sorbara  
Norman W. Sterling, David Zimmer  
Committee Clerk / Greffier: Trevor Day

**Select Committee on Mental Health and Addictions / Comité  
spécial de la santé mentale et des dépendances**

Chair / Président: Kevin Daniel Flynn  
Vice-Chair / Vice-présidente: Christine Elliott  
Bas Balkissoon, Christine Elliott  
Kevin Daniel Flynn, France Gélinas  
Helena Jaczek, Sylvia Jones  
Jeff Leal, Liz Sandals  
Maria Van Bommel  
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