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des débats  
(Hansard)**

**Thursday 7 May 2009**

**Jeudi 7 mai 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 7 May 2009

## ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Jeudi 7 mai 2009

*The House met at 0900.*

**The Speaker (Hon. Steve Peters):** Good morning. Please remain standing for the Lord's Prayer, followed by a moment of silence for inner thought and personal reflection.

*Prayers.*

### ORDERS OF THE DAY

#### FAMILY STATUTE LAW AMENDMENT ACT, 2009 LOI DE 2009 MODIFIANT DES LOIS EN CE QUI CONCERNE LE DROIT DE LA FAMILLE

Resuming the debate adjourned on May 6, 2009, on the motion for third reading of Bill 133, An Act to amend various Acts in relation to certain family law matters and to repeal the Domestic Violence Protection Act, 2000 / *Projet de loi 133, Loi modifiant diverses lois en ce qui concerne des questions de droit de la famille et abrogeant la Loi de 2000 sur la protection contre la violence familiale.*

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

**Mrs. Joyce Savoline:** I rise today to speak to Bill 133, the Family Statute Law Amendment Act, 2009. Unfortunately, it's yet another missed opportunity to get something right, and especially to get something right for our children.

As my caucus colleague from Simcoe North so clearly illustrated yesterday, you know you have a problem when the Family Court judges, in a very rare act, have come out in writing against this bill. These are the people this province has put in place to uphold the law of the land. Not only that, but they see the ramifications of missed opportunities in front of them in court every single day. We can't afford to get these issues wrong, especially when we have an opportunity to fix them. It's our duty as legislators to create balanced legislation that will have a meaningful impact on the lives of Ontarians, vulnerable Ontarians.

In the case of Bill 133, the intent is to offer protection to these vulnerable citizens, and we have an obligation to get this duty right. The Liberal government has once again chosen to play partisan politics and shot down key amendments without any comment, I might say—they just voted against them—that would have offered children and youth the protection that they deserve. Call it

what you will. The bottom line is, Bill 133 is a feel-good piece for the Liberal members only, and we do not share this enthusiasm.

This is just a first step, but once again, the devil is in the details. I would like to know how this will be enforced. We also need to ensure that the people we are trying to protect have access to the courts. We have a significant backlog in our court system today, and family courts are one of the most challenged. Enforcement, training and funding are all vital components of making this legislation work. There are problems with the delay throughout Ontario's justice system. Until that is resolved, how can we ensure that the best interests of our children are immediately addressed? If you plan on hurrying this bill through without significant changes, in the effort to get your name in the paper as protecting our children, you are only going to harm the very people that you've set out to try to help in the first place.

There are serious concerns that this legislation has repealed the Domestic Violence Protection Act, 2000, which could have provided victims of abuse the opportunity to apply for an emergency intervention order. I'm going to remind my Liberal colleagues about a few simple facts.

First of all, we're all aware that 64% of female homicide victims are killed by their current or past partners. Eighty-seven per cent of sexual offenders are actually known to their victims. In Canada, four out of five people—four out of five people—murdered by their spouses are women murdered by men. Over the last five years, it is documented that 1.2 million Canadians were victims of domestic violence.

As a mother and a grandmother, when I read these statistics I am very, very upset. It appalls me. These numbers are much too high, and I am proud that my caucus colleague from Durham took action to address some of these issues in his bill, the Lori Dupont Act. Lori might be alive today if the ability to secure an emergency intervention order had existed at the time. Why on earth would this government try to undo a necessary tool in preventing deaths from domestic violence? We have the opportunity now to give vulnerable people immediate access to court orders that would safeguard their lives and the lives of their loved ones. We can give vulnerable people immediate access to court orders. As well, applications for emergency intervention orders, as described in Bill 10, are intended to be available 24 hours a day, seven days a week. That's access to justice. That's what a democratic society has. That should be the focus of this legislation.

Ten years ago, Glen and Brenda Copithorn lost their daughter Jennifer in a tragic accident outside her workplace in Bowmanville. Her boyfriend was charged with first-degree murder. In 1999, the court of Ontario held an inquest into the murder of Arlene May by her boyfriend, Randy Iles. Arlene May was murdered in March 1996 by her former boyfriend, who then killed himself. Arlene's murder followed months of abuse, threats and harassment, which she reported to police on numerous occasions. At the time of the murder-suicide, her former boyfriend had been charged with several offences. They were against Arlene, and he was free on bail, and that prohibited him from having any contact with her.

Yet another familiar name: Gillian Hadley. Gillian was murdered in June 2000 by her husband, Ralph Hadley, from whom she was separated. He had assaulted her and her disabled child and had criminal charges pending against him. He had been charged with criminal harassment after stalking her following their separation. He was under a restraining order at the time of that murder.

Again, Lori Dupont, from Amherstburg, applied for a restraining order in April 2005 against Dr. Marc Daniel, an anesthesiologist with whom she had had a relationship until it ended badly. But the man contested the order, and a court date to hear the case was set a month after her death. What good was that? She was killed at her workplace, Hotel-Dieu Grace Hospital, on November 12, 2005. She left a daughter, aged 11, and her parents, Barb and John Dupont.

We must pay tribute to the hard work in our communities on a day-to-day basis. But we cannot expect our community partners to continue to deal with the aftermath of these tragedies when we have the opportunity right here and right now to get it right. The prevention of domestic violence is also a matter of education, awareness and support for victims, but most especially access to justice.

When this issue went through second reading in the Legislature, my colleagues and I did have some concerns about Bill 133, but we were prepared to support it in principle, because of the fact that it is dealing with some very significant issues that remain outstanding in family law, including child custody applications, domestic violence and, of course, pension splitting. But regrettably, the flaws in Bill 133 became apparent as soon as the various presenters came before committee at the hearings.

#### 0910

With respect to child custody and protection matters, we heard from numerous presenters that the amendments to the Children's Law Reform Act that were proposed by Bill 133 are unworkable. They place judges in an untenable position and may in fact work against the child's best interests in some cases. We heard from a number of experts on this issue, including individual family law practitioners, the Family Lawyers' Association and, most notably, a letter that was written to the committee by 12 Family Court judges. This is quite remarkable in itself. I've never heard of this happening in committee before, where the judges themselves have actually been in touch

directly with the committee. As my colleague read into the record, they discussed some of the specific concerns that they have and basically recommended that the fitness of an applicant for a custody application be reviewed by the Office of the Children's Lawyer. This is something that we believe is going to ensure that children are properly protected and that custody applications are only granted in the children's best interests. It's the children we're focusing on here.

The other point is that one wonders who was consulted in the course of drafting this Bill 133. Almost every person who presented indicated that they were concerned about the so-called protection measures—a point that was also expressed by the judges. Who did we talk to? With respect to our preferred choices and the amendments that we, in our caucus, have put forward, we would prefer to see the Office of the Children's Lawyer be prepared to do the investigations in this process and present a report to the judge. The additional amendments that we have proffered really relate to a second alternative, which is to deal with what we already have and try to make that stronger. Certainly, the preferred course would be to have the Office of the Children's Lawyer involved. I think we need to be reminded about the importance of having the Office of the Children's Lawyer involved.

Katelynn Sampson was going into grade 3 at Parkdale public school. She had those chubby cheeks, if you remember her from the newscasts, and a beautiful smile. Around 2:30 on Sunday morning, August 4, Donna Irving, Katelynn's guardian, reported to 911 operators that seven-year-old Katelynn was choking on food. Well, when the police arrived at the apartment, they found Katelynn without any vital signs and pronounced her dead. After observing signs of obvious trauma to much of Katelynn's body, responding officers called homicide investigators. Donna Irving was arrested. She was charged with second-degree murder after EMS personnel arrived. Homicide Detective Sergeant Steve Ryan told reporters, "It is probably the worst thing I've seen in 20 years of policing—the worst. Katelynn clearly had not choked. It was quite clear. I can't give you the specifics," he said, "just that she was assaulted throughout her entire [little] body."

An autopsy the following two days took far longer than expected because of "the nature and severity" of her injuries. Katelynn appeared to have sustained the many and complicated injuries over a period of time before she was murdered. Ontario's Child and Youth Advocate, Irwin Elman, is calling for an inquest into Katelynn's death. Mr. Elman said, "I think that any time a child dies under these circumstances, we as a community, as a society, have something to learn." Even though an inquest would need to wait for resolution of the criminal case by the courts—which could take years, by the way—Elman said that the little girl's death should not "leave the public eye. We can't allow it to leave our memory." We also cannot be allowed to let this opportunity to prevent the tragedy that befell Katelynn to happen to yet other precious children.

With respect to this issue of domestic violence, I certainly do commend the government and the committee for taking on the issue of criminalizing the breach of restraining orders. That's a good thing. This is certainly commendable and something that is needed in order to prevent people being involved in domestic violence, predominantly women and children. However, the one thing we were not able to receive clarity on in the committee process was why: Why was it also necessary to repeal the Domestic Violence Protection Act? To our understanding, there are complementary provisions, and certainly not mutually exclusive. I would advocate retaining the Domestic Violence Protection Act, in addition to the other changes that are being made.

With respect to the issue of pension-splitting, well, we certainly heard a wide divergence in opinion between the actuaries who presented and the pension administrators. There really seems to be a concern about fairness for the non-pension-holding spouse and the concern that one shouldn't just use one pension valuation when determining net family property for equalization purposes. The suggestion was made by the actuaries—in fact, it was recommended by the Law Commission of Ontario—that two pension values be used: one for the vested amount, which would be included as the transfer amount, and the second one being the non-vested or contingent value, which would be used for the calculation of the net family property for equalization purposes. I would certainly suggest that we should make sure that the non-pension-holding spouse is fairly dealt with within the equalization process. Those are the types of amendments that we would prefer to see in this legislation.

The issues that are dealt with in our Family Court are not just legal ones; they have implications across all sectors, including our education system. In a study conducted by CAS in London–Middlesex between 1995 and 2001, it was found that children who were exposed to the abuse of women and were victims of abuse themselves were far more likely to be diagnosed with ADHD. What happens to these children who have no support at home and are also struggling at school? I believe that these are the children who are getting left behind, the ones who are falling through the cracks because they don't have anyone in their corner. We need resources dedicated to these at-risk children, not a plan to put new light bulbs in our schools.

The study concluded that healthy child development is affected by the quality of the parent-child relationship. When the parents are dealing with a myriad of social and highly emotional issues, the child is the one who suffers the most. We can never underestimate what a child observes and feels. It is the children who are deprived of what they need and what they deserve in order to grow up with the same opportunities as their classmates.

Our system let Katelynn Sampson down miserably. Now it's our duty to stand up for Katelynn and those for whom we can try to prevent the same kind of incident. It is our duty to stand for these precious children who are vulnerable to abuse at the hands of people that they look

to for protection and try to trust. We must not fail them. There is simply too much at stake here.

If there was ever a time to set our partisan politics aside, it is for Bill 133. So I ask the minister and I ask the whole team to take another look. Take another look at this amendment and put forward ideas that make the right decision here, because it's a lost opportunity if we don't.

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

**Mr. Peter Tabuns:** I just wanted to thank the member for her very eloquent comments about the shortcomings of this bill. The reality that we face—and one that we faced yesterday afternoon when we had the presentations by the member from Welland and Mr. Dunlop—is that this bill, for all the good intentions that I have no doubt existed on the part of those who were assigned to write it and those who shepherded it politically, will not prevent the sorts of tragic, horrible deaths that children will continue to face in a situation where there is not adequate provision for their protection, where there is not adequate provision for the sustaining of families and where there is not adequate provision for a system to review the state of children in the hands of the guardians into which their lives and fates are entrusted. This bill will not correct that.

**0920**

The member went through the failings in the bill and the failings in the process of deciding this bill. This bill should have been reshaped by the commentary of many of those who came before the committee. In particular—I will refer to this in my remarks—it should have been reshaped by the commentary of the judges, who came to say, “What you have given us will not work. What we have is already fragile, and the outcome will not be good for those children of this province who will, in the end, have their lives—their fates—determined by the family law courts.”

I appreciate the member standing up and going into detail about the failings of the process on the bill itself. I ask, because I know that time is brief, that the government, in its next step with this bill, which will inevitably pass, actually take a look at the larger picture and try to ensure that the loss of life that comes about because of this failing system is in some way substantially reduced.

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

**Mr. David Zimmer:** I just want to reply to two issues that have come up in the member from Burlington's comments.

First of all, on the issue of pension reform, we have heard from experts across the field: the family law bar, the litigants themselves who have been involved in the process and the Law Commission of Ontario. There is a sense that one of the issues that has been responsible for delay in the resolution of these family court matters is the husband and wife—partners—getting involved in a very complicated technical dispute about the valuation of pensions. We have heard that the parties, more often than not, have to engage not only the lawyer representing

them in the family law matter but a lawyer who has a special expertise in pensions—a pension lawyer. The pension lawyer, in turn, then finds it necessary to engage accountants and actuaries. This drives up the cost of resolution of these issues around division of the pension.

This law has a section on the valuation of pensions. It's a very clear, crisp direction about how to value the pension, who gets what portion of the pension and when. The testimony we heard at the hearings was that this process of clarifying, of giving clear direction on when and how to divide a pension, is going to do two things: It's going to speed up the proceedings and it's going to make them a lot cheaper. This is good.

**The Acting Speaker (Mr. Ted Chudleigh):** Further questions and comments?

The member for Burlington for a two-minute wrap-up.

**Mrs. Joyce Savoline:** I want to thank the member from Toronto–Danforth and the member from Willowdale.

I get it; I understand that this is a balancing act and that there are a lot of things that need to be satisfied. This is extremely complicated, and we're talking about people's lives at the worst time in their life, at a time when some of them have been through violent behaviour within their homes. Some of them have been through the ultimate violent behaviour, and members of their family have been murdered. I understand that; I get it.

But do you know what I don't understand? I don't understand why we have a committee hearing and, in the face of good advice from people who deal with this every single day—Family Court judges, the people themselves who have been through the violent acts and are telling you they're bleeding of their own experiences—we can't understand that and be able to weave it into amendments that really make a difference to people's lives and people's safety.

After hearing from these folks who have suffered—and some of them have, as I say, gone through murders in their families—we're putting emphasis on pension-splitting. What is this about? That's the predominant message from the Liberal side: "We have heard about pension-splitting." Yes, it's part of the act, and it is a component that's important to have straightened out in some way, but my God, we're talking about people being murdered. Where's that part of this? What about the protection and the safety and the peace of mind for the people? What about reducing the risk of more murders of vulnerable children? Let's think about this, folks, and let's do the right thing.

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

**Mr. Peter Tabuns:** I appreciate the opportunity. Speaker, as you would well know, and as other members of the Legislature would know, this is not my area of expertise. I haven't spent a lot of time in my life sorting through legal issues, court issues, family law issues. I've had an opportunity, in the course of this debate, to listen to a few speakers talk about the issue before us. I had a chance to listen to the member from Welland yesterday, I

had a chance to listen to my colleague Mr. Dunlop, and I had a chance to read through, in its entirety, the letter to the committee that was considering this act written by a number of sitting judges who deal with family law. For those who are watching today who have followed this bill and are not familiar with the law, not familiar with the legal process and how matters are argued and how, in theory, we sort out what's real and what's not real, it's a bit sobering, actually, to come into the process and get the opinion of those who are actually charged with trying to ensure that children are properly protected, so that children, be they two, four, eight or 10, are seen to have their lives and their futures protected by the world of those in their adult years who properly, correctly, ethically have responsibility for them.

It was pretty clear to me on reading the letter from the judges, it was pretty clear to me in talking to the member from Welland, pretty clear in listening to the member from Burlington, that we have a system here that will continue to fail and will continue to fail children. It will doom more children either to lives that are extraordinarily unpleasant, dreary or painful, or to death. You can't deal with the problems that we have before us in a small way because the problems are very far-reaching.

I want to say that the problems reach far beyond the courts, and they do. If families don't have adequate incomes, the internal pressures that creates are extraordinary. They cause anger, and they can cause violence, drug addiction and mental illness, all of which erode the basis for the families, may pull those families apart, may blow them apart, putting children in a position where they have to be assigned a guardian. If, when those conditions blow a family apart and there's conflict over the custody of a child, the system that's in place is not adequate to actually represent the interests of the child and not adequate to actually put the facts before someone who can make a considered judgment, then that child's life, both in terms of living and dying and in terms of how they will proceed in the future, is thrown in the balance.

I was trying to think of a way of expressing it that would be clearer. I'm not sure if this will be clear enough, but if you throw a whole bunch of children into the deep end of a swimming pool every day and you have a few lifeguards, some of the kids will struggle to the edge of the pool and pull themselves out, some will be saved by the lifeguards and some will fall to the bottom. If you do that every day, you will continue to have the survivors, you will continue to have those who are saved and you will continue to have those who will drown.

**0930**

That, unfortunately, is the situation that we are in. We don't have a situation that stops the kids from being thrown right off into the deep end. Poverty, lack of programs for mental illness, lack of programs for addiction, lack of programs to stop violence and sexism: All those things set the pre-conditions for blowing families apart and throwing children deep into the water. You have to deal with those things. That's not really being dealt with—no, I shouldn't have said "not really"; that is not being dealt with.

So we fall back on the next line of defence, which should be a properly functioning system of custodianship for children and a properly functioning system of determining who should be looking after children, under what conditions they will be looked after and how those custodians will be supervised, as has been said in the course of the hearings on this act.

A presentation was made by 12 sitting judges in the family court system. I recognized only one name on that list, a judge whom I had met in her former life as a lawyer, who was a very balanced, sane, compassionate person who, I think, would probably be doing the best she could and frankly would not be a person who would commonly write in to legislation, just because judges generally are not meant to write legislation. I would say that she and the others were wise to point out to us, the legislators, that there are substantial problems that are not going to be dealt with by this legislation and there are substantial problems in the world beyond legislation that, if not dealt with, will continue to result in the loss of life and the loss of futures for many, many children.

For those who are watching, you should know that their letter is probably available on the public record, but I want to read some of what they had to say and comment on it, as was done by Mr. Garfield Dunlop yesterday. I'm not going to read their whole thing, but there were a few points they made that really illustrated the fundamental weaknesses that we face here. The judges write:

"We reject the view, advanced by some, that our courts are so over loaded that judges are too busy to address this critical issue in each case. This is not our experience. However, in a court system which is critically underpopulated by lawyers, the task of judges becomes more difficult.

"Today Family Court judges in Ontario are expected to make crucial legal decisions affecting the well-being of children in an environment which has been degraded by the disappearance of family lawyers. This problem is likely most acute in the provincial family courts, where parties of modest means come to seek a solution of their urgent family problems. These litigants cannot afford lawyers and cannot qualify for legal aid. They cannot afford child psychologists, custody assessors, parenting coordinators and private mediators."

In other words, the vast bulk of the population who are working at jobs in retail or service, perhaps grandparents on retirement income, are people who come to court with no professional backup, trying to present evidence before a judge in a situation which may or may not be contested, and a judge trying to figure out what is real and what is not real.

For those who have ever gone through any legal proceedings—and I had an opportunity when I was a property manager in a life a long time ago. For those who are not schooled as lawyers, when you first present your story to a lawyer, let me tell you that a large part of what you present doesn't really reflect on the facts and the matters that are relevant to a judge. Because when you talk, you talk about all the things that are important to

you emotionally, as well as intellectually; what's on your mind in a variety of ways. Legally there's a far narrower field of facts and matters that are of consequence to a judge and the decisions that are made by a judge. For those of us who are unschooled in the law, presenting an argument to a judge is very different from presenting an argument to a friend. You can have a huge negative impact on your own interests if you don't present an argument properly. That is why there is a whole profession of people whose job it is to go out, sort through statements that are made, pull out the facts that are of consequence, look for facts in the arguments of others and present them to a judge in a coherent way so that hopefully—hopefully—an intelligent decision is made about the matter before us.

It's quite correct, what the judges say. You talk to lawyers in this city who have done work on legal aid—the money is very scanty, there's no evidence of any change of that, and thus you have a situation where very few people are assisted in what are fundamental decisions about the fate of their families and their children. The judges are saying, "You can have this act, you can have us do a lot more, but we're telling you right now that if you don't have the lawyers and you don't provide access for the families to qualified professionals who can assess issues around psychology and around the state of the family, then you are not going to get good decisions," and the judges are right. So no matter what good intent there may have been with the law—there may have been good intent—unless that problem is dealt with, even an excellent law is going to find itself badly applied because there aren't the supports and the frameworks necessary to deliver justice in a court setting. That is a fundamental flaw with the situation before us.

The judges go on to say, "Even if they"—referring to those who come, the mothers and fathers, those who are looking after the children who have been cast into chaos by a family coming apart—"did have access to these resources, the child psychologists, the custody assessors, the litigants in our courts may have the kind of problem that cannot be resolved through mediation and parent information programs. They may be isolated for cultural or language reasons. Their partner may have substance abuse or mental health issues. There may be violence in the home. These litigants need to go to court because they need a court order to protect themselves and their children, and they have the right and even the obligation to do so to protect their children's best interests." Again the judges are saying that there's a huge issue of supports, social services, that have to be out there if you're actually going to protect these families and these children. This act is not going to address that. I can assure anyone who is watching or listening today, and I can assure you, Speaker, that the budget of this government that is going to come forward is not going to address this either.

The judges go on to talk about duty counsel, because in many, many cases, people are not going to be in a position to have someone represent them, and duty counsel will not be there.

Speaker, do we have a quorum?

**The Acting Speaker (Mr. Ted Chudleigh):** Is there a quorum present?

**The Acting Clerk-at-the-Table (Katch Kotch):** A quorum is not present, Speaker.

**The Acting Speaker (Mr. Ted Chudleigh):** Call in the members.

*The Acting Speaker ordered the bells rung.*

**The Clerk-at-the-Table (Ms. Lisa Freedman):** A quorum is now present, Speaker.

0940

**The Acting Speaker (Mr. Ted Chudleigh):** Thank you. The member for Toronto–Danforth may continue.

**Mr. Peter Tabuns:** The judges talking about the legal services available to those who come before the court note that those who don't qualify for legal aid may qualify for duty counsel. They say that duty counsel are people who "have inadequate time to interview" those who come before the court and "to ensure ... their cases can be presented properly to the court. Duty counsel do not assist in the preparation of motions and affidavits. Duty counsel do not represent parties at motions or trials. Pleadings are drafted by volunteer law students, or by self-represented parties, who have limited knowledge of the evidentiary requirements of relevance and reliability. Duty counsel do not maintain files. A party coming to court twice will likely see two different duty counsel. There is no continuity."

At every point, the Family Court judges have made it very clear that those who come before them are not adequately or properly represented, even in a situation where we are dealing with a simple mediation process. We're not dealing with matters of no consequence, and we're not dealing with some sort of specially modified world of law that doesn't have rules of evidence. We are dealing with law courts operating within the framework of law that demand presentation of evidence and arguments that are of substance. And yet those whose lives are dependent on the outcome of these decisions don't have representation and basically try to muddle through as best they can to get the results that may protect them and their children. The judges make it clear that the system that is in place does not protect families and does not protect children.

"The family law legal system," they go on to say, "is complex. Self-represented parties are at a tremendous disadvantage. They may not even speak English. These parties are not in court because they enjoy the experience." I have absolutely no doubt of that statement. "They are there because they have a legal problem which requires, and is capable of, a legal solution. They have little or no knowledge of the governing laws, how the legal system works, and what kind of evidence they need to prove their case. The challenge facing the judge who has to find the facts, and make the best decision in these circumstances, is immense. In other words, we understand the legislator's concerns because it is our concern."

Again, if this was the most wonderful legislation in the world and we had a system behind it that was so thread-

bare, so lacking in substance, so lacking in support for the families and the children whose lives depend on the outcome, even if it was the most wonderful bill in the world, it would not protect the people whose lives are dependent upon this system. It is not an excusable, it is not a pardonable, it is not an explainable situation. It is abhorrent. It is one that should be rejected—this system within which children are thrown into the deep end and those who can, save themselves; some are saved by the occasional intervention; and some fall to the bottom of the pool, not to be recovered.

They go on to talk about the lack of information presented to the courts because there isn't representation on both sides. They talk about the need for independent advice to the courts, and say that you can provide judges with tons of information, unprocessed and raw, and they will not be able to get through it and figure out—they, in their very narrow range of decision-making and assessment, need information that has been reviewed, condensed and brought forward. That will not be addressed in this act.

I have made the points I want to make. Children in this province and families in this province will continue to face profound problems. Children's futures will be lost, and children's lives will be lost; this act will not correct that. The issue has to be addressed on a much larger basis, and it is time for this government to do that.

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

**Mr. David Zimmer:** I want to respond to the two previous speakers, the NDP speaker and the Conservative speaker, who seem to be of the view that the legislation does not do enough to protect women from violence. Here is what the experts in the field say. These are the people who are on the front line on a day-to-day basis dealing with violence against women. It's important to consider what the experts think, not what the Conservative member from Burlington and the previous speaker from the NDP think.

Pamela Cross, who is a legal consultant for violence-against-women issues and an advocate, says: "Making restraining orders available to more women who live in an environment of violence is an important step forward in both preventing and responding to violence against women."

Here's what Heather McGregor, CEO of the YWCA—an expert dealing with it on a day-to-day basis, who provides emergency shelter to 547 women and their children each year who are fleeing violence—says: "This package of reforms will ensure that more of these women are able to keep themselves and their children safe" and live "lives free from violence." That's the opinion of someone who is dealing with this issue on a day-to-day basis.

Here is what Shahina Siddiqui, the executive director of the Islamic Social Services Association, says: "We welcome this announcement and support the government's commitment to ensuring the rights and safety of women and children in Ontario."

There are several other quotes from these people who are on the front lines on a day-to-day basis. They're ac-



tually dealing with these acts of violence. They think it's good legislation.

**The Acting Speaker (Mr. Ted Chudleigh):** Further questions and comments?

**M<sup>me</sup> France Gélinas:** I would like to recognize some of the comments that were made by my colleague from Toronto–Danforth. First of all, he recognized that New Democrats want to protect women from violence, and they want to protect children and whole families from violence and hardship also. When a bill is before this House that attempts to do this, it is certainly something that is first greeted with enthusiasm. We believe in supporting strong and healthy families that work and live in strong and healthy communities. Any work that this legislation could do to achieve this goal is something that the NDP would support. Then he went into some of the details of what's in the bill and details of what is not in the bill, that would fail to do what it sets out to do; that is, to protect women from violence and keep children who are in harm's way from getting hurt in sometimes messy processes.

He focused a little bit on the fact that the Domestic Violence Protection Act, 2000, is being repealed with this act. While some will tell you that it was not a perfect bill, it certainly was put into place to do exactly what it wanted to do: to protect people from domestic violence. It's one thing to have a bill put forward in this House; it's something else to see how it will play out. I would say that my colleague from Toronto–Danforth explained that clearly in his presentation this morning.

**The Acting Speaker (Mr. Ted Chudleigh):** Further questions and comments?

*Interjection.*

**Mr. Mike Colle:** You can't do it twice.

**The Acting Speaker (Mr. Ted Chudleigh):** You can't do it twice, sir.

Further questions and comments?

Seeing none, is there further debate?

**Mr. Mike Colle:** Doesn't he have a wrap-up?

**The Acting Speaker (Mr. Ted Chudleigh):** Oh, would you like a two-minute response?

**Mr. Peter Tabuns:** Yes. Why not?

**The Acting Speaker (Mr. Ted Chudleigh):** Why not? Good idea.

**Mr. Peter Tabuns:** I can see that my fellow legislators would have been deeply disappointed if I had not responded—deeply, deeply.

I want to speak very briefly to the comments of the member from Willowdale, who quoted a number of people who work in the field, protecting women against violence.

I'd like to say to you, Speaker, and to the member from Willowdale that it is very clear from reading what has been presented to us that this act, even if it was wonderfully written, will not do what we, as individuals in this House, want done in a context in which the social and legal services are not there to protect the interests of women and children. It will not stem the violence that goes on. There are far larger social steps that have to be

taken. There are substantial steps that have to be taken in the administration of law and the support of families involved in the legal process.

Sometimes legislation can be a good thing, and sometimes legislation can simply be wallpaper. It can be a nice coating on the face of a structure that itself is not sound and will not hold up a building.

Whether this legislation is good or bad—others have talked in far more detail about the precise content of the legislation—the situation in which women, children and families find themselves in this province is often one of misery, and until you address the larger issues, the legislation will be largely irrelevant.

**The Acting Speaker (Mr. Ted Chudleigh):** Is there further debate?

Mr. Bentley has moved third reading of Bill 133. Is it the pleasure of the House that the motion carry?

I heard a no.

All those in favour will please say "aye."

All those opposed will please say "nay."

I believe the ayes have it.

This vote will be deferred until after question period.

*Third reading vote deferred.*

**The Acting Speaker (Mr. Ted Chudleigh):** Orders of the day.

**Hon. John Wilkinson:** The government has no further business this morning until question period.

**The Acting Speaker (Mr. Ted Chudleigh):** This House stands recessed until question period at 10:30.

*The House recessed from 0953 to 1030.*

## INTRODUCTION OF VISITORS

**Mr. Jerry J. Ouellette:** I would ask all to join me in welcoming the staff and students from G.L. Roberts Collegiate and Vocational Institute in my riding. They'll be arriving very shortly and very much enjoying question period.

**Hon. Margaret R. Best:** Today it's certainly a great pleasure for me to welcome to the Legislature two of our summer students, Monique Habib from Brock University and Roberto Walcott from Wilfrid Laurier University.

**Mrs. Carol Mitchell:** It's my pleasure to introduce Ross Davies, who is attending question period today. He'll be very well-informed when he leaves here today.

**Ms. Helena Jaczek:** In the west members' gallery we have Edwina McGroddy, executive director for the Ontario Society of Professional Engineers, and joining her shortly will be a constituent of mine, Angela Shama, the CEO of the same society.

**Mr. David Zimmer:** I'd like to welcome Cathy Bailey, the chair of the Certified Management Accountants of Ontario, and all of the other certified management accountants who are here today in the Legislature and throughout Queen's Park. There will be a reception in room 230 after question period. I urge all of you to attend.

**The Speaker (Hon. Steve Peters):** On behalf of the member from Kitchener–Conestoga and page Lindsay Eenkooren, we'd like to welcome, from the McQuarrie Enrichment Centre, Lindsay's grade 7 class and their teacher, Susan Watt, joining us in the public gallery today. Welcome.

A happy birthday to the Minister of Small Business and Consumer Services. Happy birthday, Mr. Takhar.

I'd like to welcome, from Aylmer in my riding of Elgin–Middlesex–London, Abe and Anita Harms. Abe is a tireless advocate for the Mennonite community and is seated in the Speaker's gallery. Abe, Anita, welcome to Queen's Park today.

Not to feel left out, I'd like all members to wish the honourable member from Halton, Mr. Chudleigh, a happy birthday today as well.

## ORAL QUESTIONS

### PROTECTION FOR WORKERS

**Mr. Robert W. Runciman:** My question is to the Minister of Labour, and it's regarding the Ruby Dhalla affair and his contention that he did absolutely nothing after hearing horror stories from two nannies about the treatment they received at the hands of Ms. Dhalla, a Liberal member of Parliament. Minister, that's your story, and even your Premier has difficulty buying it when he says there's "a perception issue" here. Your defence is apparently that you are totally incompetent and lacking in moral fibre, and the fact that a prominent Liberal was involved in the accusations had nothing to do with your lack of action. Are you sticking to that story today?

**Hon. Peter Fonseca:** In my round tables, I've heard many, many stories from women who were mistreated by unscrupulous agencies and employers. That is why we set up a dedicated 1-800 hotline for live-in caregivers: so that they can call and they can learn about their rights and how to file a complaint. It's why we set up a dedicated enforcement unit that's behind that 1-800 line, to be able to investigate those complaints. It's why we're moving forward with legislation that will, for the first time in this province, ban placement fees and further strengthen protections for vulnerable live-in caregivers. These people take care of our most precious resource—our children, our loved ones—and that is what we're doing: taking care of them.

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

**Mr. Robert W. Runciman:** That's more stonewalling.

Minister, I trust you can appreciate that your negligence, your failure to act, raises serious questions about a deliberate cover-up, an attempt to keep allegations of—

**The Speaker (Hon. Steve Peters):** I'd just ask the honourable member to withdraw that comment.

**Mr. Robert W. Runciman:** My God. I will withdraw—an attempt to keep under wraps an abuse by a prominent member of the Liberal Party. It's difficult to

believe that alarm bells didn't go off when you heard Ms. Dhalla's name.

Minister, did you and the Minister of Education discuss this issue after the meeting? Is that when you decided to ignore the plight of these women?

**Hon. Peter Fonseca:** I thank the member for the question. The member should know full well himself that the last thing I would want to do is jeopardize an investigation. As an elected official, my involvement in a specific claim could do just that. These investigations are pursued by independent officials, and I think that is the best approach and the right way to move forward.

As Minister of Labour, I've been holding round tables to inform my ministry officials and myself of what is happening out there with this federal live-in caregiver program. We do hear about the exploitation and how this program is completely broken. This is the information that my officials are using as we put together our piece of legislation. But I would hope that that—

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

**Mr. Robert W. Runciman:** As a minister of the crown, you have a special duty, and you've clearly failed that here, if not worse. You've failed these two women, either on the basis of incompetence or a deliberate effort to put this under wraps for a Liberal ally, and today you are stonewalling legitimate and valid questions about your performance as a minister.

I don't ask this lightly, having stepped aside myself: Will you step aside, support an investigation and do the right thing?

**Hon. Peter Fonseca:** After that particular round table, some of those live-in caregivers shared their stories with me that they would be meeting with Mr. Kenney the next evening. I urged them to share their stories so that he could understand how flawed this federal program is.

Allegations by several of the live-in caregivers have been made at meetings that I've attended. I repeatedly urged those live-in caregivers, those nannies, to call my ministry, to call the toll-free number, to call the hotline, where we have trained officials to be able to deal with their cases, to be able to provide them information. These are impartial professionals, officials, who are there to do that work. So I urge anybody who feels that they have been mistreated, unjustly treated, to call the 1-800 hotline and speak with ministry officials.

### PROTECTION FOR WORKERS

**Mr. Robert W. Runciman:** Back to the Minister of Labour: This minister and his colleagues like to portray themselves as the defenders of the downtrodden, but we all know that actions mean more than words. In this case, the action was to protect the queen of mean, a Liberal ally, and give these victims, immigrant women who may have been victims of serious human rights abuses at her hands—what did you do? You gave them a 1-800 number.

I ask you again, Minister: Who did you talk to about this? You can't get anyone to believe that you heard serious allegations about a prominent member of the Liberal Party and then simply went home and went to bed. Is that what you want us to believe?

**1040**

**Hon. Peter Fonseca:** As Minister of Labour, I must be impartial and I must be fair. The last thing I want to do is jeopardize an investigation by providing information. It's important that a minister in a regulatory ministry is not seen to be participating in an investigation. The federal minister himself said on CTV News, "The allegations relate to multiple different statutes at different levels of government. There's no single, one-stop shopping to deal with these kinds of offences. It is kind of complex. I am informed by my officials that they're aware of the allegations of violation of section 124 of the Immigration Act. They're looking at that, of course. And as a minister"—this is the federal minister—

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

**Mr. Robert W. Runciman:** This minister wants to suggest, as an example, that if the Solicitor General at a meeting heard allegations about criminal behaviour, he wouldn't report them to his ADM of policing or his deputy minister or the police service in the area responsible. Of course he would.

This minister hasn't done his job. I want to touch on the role of the education minister and her interaction with the minister on this, because she's complicit in this as well. Minister, did Minister Wynne confront you after the meeting and encourage you to report these cases of abuse? Is that why she's getting off with a free pass today and you're under the gun in this alone because of this shameful failure to act?

**Hon. Peter Fonseca:** Just to get on the record again, this is from Minister Kenney in regard to a interview he had with CTV News, that when they're looking at section 124 of the Immigration Act, "they're looking at that, of course. And as a minister, I'm keeping my hands off from any such investigation." But one caregiver shared her story as reported by the Philippine Times. It was a story of abuse. What did Minister Kenney do with that information? He certainly didn't pick up the phone and call my office or report it to my ministry. According to the Philippine Times, another caregiver, Maribel Beato, had come prepared to tell her story but was told by the minister's staff that only one caregiver could speak—only one caregiver. She was not allowed to share her story with Minister Kenney. That is very—

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

**Mr. Robert W. Runciman:** That's disgusting tripe from this minister. In Jim Coyle's column today in the Star he reminds us of Minister Wynne's requirement that school staff report serious incidents. Surely she couldn't be two-faced enough not to follow her own dictum.

**The Speaker (Hon. Steve Peters):** I just ask the honourable member to withdraw that comment, please.

**Mr. Robert W. Runciman:** —a new dictionary in this place. I withdraw.

She must have urged you to take action, and you failed. So again your credibility is coming into question, and her absence today is even more understandable. Again, Minister, what advice did the Minister of Education give you regarding the abuse allegations regarding a Liberal ally?

**The Speaker (Hon. Steve Peters):** I would just remind all honourable members of the tradition within this place of not making reference to a member's attendance.

**Hon. Peter Fonseca:** Again, as reported by the Philippine Times, one caregiver came forward to be able to share her story to Minister Kenney and his staff that were there, and she was not allowed to do so. She was very disappointed that her voice was not heard and the voices of other caregivers were not heard in that forum. That's the approach of the federal government. They want to hear from only one person, and one person only. Our approach has been to reach out to the community, to meet with all caregivers, all advocacy groups and all stakeholders to hear from them, to be able to provide and put the protections in place to help and support them. That's what we are doing at the Ministry of Labour. We are doing it in a fair, impartial way by providing the resources necessary to follow through with—

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

#### PROTECTION FOR WORKERS

**Ms. Andrea Horwath:** My question is to the Minister of Labour. This morning, Ontarians are having serious doubts about the judgment and the competence of this minister, a minister who is responsible for protecting the rights of all Ontario workers. I have a few questions for him this morning, but I want to start with a very, very basic one.

When he met with caregivers at the constituency office of the Minister of Education on April 25, what did he say after at least two of them made serious allegations of employer abuse and harassment?

**Hon. Peter Fonseca:** Again to the member opposite, the last thing that I would ever want to do is jeopardize an investigation and provide any incorrect information to our officials. What we did is provide the access—immediately—so that those caregivers who felt that they had been abused or that an injustice had taken place could call. I know that the members opposite don't want me, as a minister, to be directing investigations.

Think about what they would say if I had done that, if I had done what they are asking me to do in other situations. What if I read a newspaper story about an opposition MPP mistreating their employees? What if I then asked my staff to investigate that matter that we all read about? That—

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

**Ms. Andrea Horwath:** On April 25, at least two caregivers made serious allegations of employer abuse and harassment at the hands of an employer whom this

minister knows well. The minister's response was to give them a toll-free number. He didn't follow up with his deputy the first thing Monday morning so that ministry officials could immediately begin investigating the complaints. That would have been the obvious course of action for a Minister of Labour to pursue: send it to your deputy and have the investigation begin. Instead, he gives out a toll-free number.

Why didn't this Minister of Labour do the right thing and immediately order his officials to investigate these serious cases of abuse?

**Hon. Peter Fonseca:** At all the round tables that I participated in where we've gathered information, we have heard many stories of abuse from many, many caregivers. Most of the allegations stem back to a flawed, broken federal program.

But I say again to the leader of the third party over there: What if I read in a newspaper about an MPP here in this chamber who had, in some way, abused her workers? I ask that leader of the third party: What would that leader want to happen? What does that leader feel that the Ministry of Labour should do?

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

**Ms. Andrea Horwath:** The point is that this Minister of Labour failed to take action expected of a minister on a direct information complaint about abuses in the workplace. He failed. He failed to instruct his officials to follow up on the complaints that he heard on April 25.

In the opinion of New Democrats, that represents a complete dereliction of duty on the part of the minister of the crown who has the ministerial responsibility and the ethical obligation to protect all workers in this province. How could this minister have been so hopelessly derelict in carrying out his responsibilities?

**Hon. Peter Fonseca:** With all the round tables and consultations we've been having with live-in caregivers, with nannies, with stakeholders and with advocacy groups, we have heard about many disturbing, alarming stories. With all of them, immediately, I have encouraged them to call our ministry to speak with dedicated, highly trained, professional officials who can deal with their claims or provide them information and support and help them through the process. That is what a Minister of Labour should do: work with the community impartially, in a fair manner. As Minister of Labour, in no way would I want to jeopardize any of those allegations or claims that have come forward at those round tables—

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

1050

#### PROTECTION FOR WORKERS

**Ms. Andrea Horwath:** Back to the Minister of Labour: The minister's lack of action on this is nothing short of scandalous. He has failed miserably to uphold his ministerial responsibility, not to mention his ethical obligation to take these workers seriously and have their allegations investigated promptly and thoroughly. How

can he possibly continue to defend this gross dereliction of duty?

**Hon. Peter Fonseca:** The Ministry of Labour, the McGuinty government, have been moving forward on so many fronts to help vulnerable workers in the province of Ontario. We just recently passed the temporary help agencies legislation in this House. We have increased the minimum wage—

*Interjections.*

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

Minister of Labour?

**Hon. Peter Fonseca:** When it comes to the live-in caregiver program, this flawed federal program, we are moving forward to bring protections to workers in Ontario in every way that we can. That's why we have a dedicated professional team behind a 1-800 hotline that has been well publicized within the community, at all our libraries. All MPPs' offices have received a letter from my office with the—

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

**Ms. Andrea Horwath:** This minister's attitude speaks to a government that just doesn't care about the plight of Ontario workers. It speaks to a labour minister who fails to enforce his own laws.

This minister is responsible for the administration of the Employment Standards Act, but he seems totally unaware of that fact. He has lost the confidence not only of those caregivers that he met in the office of Education Minister Kathleen Wynne, but all workers across Ontario. Will he now do the right thing and resign immediately?

**Hon. Peter Fonseca:** My job, as Minister of Labour, is to protect all workers in Ontario. That is what I will continue to do, that is what I will champion, and I will do that in an impartial and fair manner. I would hope that member would understand the responsibility of this position, and her position, and know that that would be the right way to approach this.

The real crux of the matter is a flawed, broken federal program. When we go out into the community and I listen to these very alarming, disturbing, concerning stories from live-in caregivers, from nannies, that's what they have shared with me. That's why, over a month ago, I picked up the phone and called—

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

**Ms. Andrea Horwath:** There can be no excuses here. This minister has failed miserably to act. Those caregivers deserve a labour minister who is up to the job of protecting their rights, not one who casually dismisses their concerns by offering up a toll-free number.

His conduct is shameful and unbecoming of a minister of the crown. It is time for him to go. He needs to resign. Why won't he do that immediately?

**Hon. Peter Fonseca:** It is unfortunate that that member does not agree with having a dedicated team behind that 1-800 number to deal with live-in caregivers, with

nannies, so that they can call and make a claim. We have these highly trained professionals to provide information and help them work through that process.

I will continue to meet with stakeholders and continue to—

*Interjections.*

**The Speaker (Hon. Steve Peters):** You have 10 seconds to respond.

**Hon. Peter Fonseca:** Again, that 1-800 number is working very effectively. In the last two weeks, we've received 120 calls. Three claims have been made—

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

#### PROTECTION FOR WORKERS

**Mr. Robert W. Runciman:** Back to the Minister of Labour. I think that people viewing the proceedings today recognize that the minister has failed to answer every question posed by both opposition parties, hiding behind jeopardizing an investigation.

I want to go back to a very simple question that has nothing to do with an investigation. After this meeting, when you heard these accusations against a Liberal member of Parliament, did you contact anyone to make them aware of this—the Premier's office, Ruby Dhalla, anyone?

**Hon. Peter Fonseca:** I would like to refresh the member's memory here from something he said in Hansard on April 2, 1997. What the member said was, "I think it's quite appropriate for the Solicitor General, whoever occupies this office, not to be involved in those kinds of investigations." I think he was right when he made that point, and that is what I'm doing: I am working in an impartial, fair way.

We have to ensure there is impartiality in every case. What we do is provide people information to be able to file that complaint, to have support so that they know that their complaints, their claims, are being addressed in a very serious manner. I can assure all of those who call our office that they are being addressed—

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

**Mr. Robert W. Runciman:** The Liberal Party had different standards for ministerial conduct when they were sitting in opposition. Now, clearly, that standard is in the gutter.

I believe the minister deliberately sat on this because it involved a prominent Liberal, and whether or not the Minister of Education—

**The Speaker (Hon. Steve Peters):** I'd just remind the honourable member of imputing motive against the member. Please continue.

**Mr. Robert W. Runciman:** Whether or not the Minister of Education was involved, or the Premier's office, we're not getting any answers today, but if concrete actions were taken to cover up this matter, that raises the spectre of criminality—

**The Speaker (Hon. Steve Peters):** I'd just remind the honourable member and would ask him to withdraw that comment, please.

**Mr. Robert W. Runciman:** I withdraw that.

If there were concrete actions taken to keep this under wraps, that clearly raises the spectre of criminality and suggests, Premier or Minister, to anyone that this cries out for public investigation, and you should be stepping aside while that's conducted.

**Hon. Peter Fonseca:** An opportunity again to refresh the member's memory, from October 29, 1996—here's what he had to say: "I am not about to direct the police with respect to how they conduct an investigation." Again, he was right then.

Here's where his party has been wrong. They pretend to care about the minimum wage, but at least two of their leadership candidates are saying that minimum wage for our most vulnerable workers should be cut. They pretend to care about hours of work, but one of their leadership candidates wants to force people to work 60-hour work-weeks. They pretend to care about labour enforcement officers, but in this particular case, the labour critic has said that our enforcement—

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

#### PROTECTION FOR WORKERS

**Ms. Cheri DiNovo:** My question is to the Minister of Labour. On April 25, Minister Fonseca met with a group of live-in caregivers in the constituency office of Kathleen Wynne. After hearing allegations of flagrant abuse perpetrated by a federal Liberal MP, his only response, as we've heard, was to defer the nannies to a 1-800 number. Yet according to the government's own website, the 1-800 nanny hotline did not begin receiving calls until April 27, 2009—two days later. He didn't even have a 1-800 number to refer them to. This is buck-passing of the most serious order. Why did this minister defer the compelling allegations made by live-in caregivers to a number that wasn't even active?

**Hon. Peter Fonseca:** I thank the member for the question—

*Interjections.*

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

1100

**Hon. Peter Fonseca:** I thank the member for the opportunity to share with this House that in that meeting, at that round table where we met, one of the main initiatives that we were launching was the information that the number, the 1-800 hotline dedicated to live-in caregivers, would be live at 8:30 on Monday morning. That was shared with all the live-in caregivers.

If the member had read the Toronto Star, the Toronto Star was very appreciative that we moved so quickly with that 1-800 number and a dedicated team behind that number to be able to address those concerns and to be able to take claims from any of the live-in caregivers who felt that they were discriminated against. It went online at—

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

**Ms. Cheri DiNovo:** The fact is that even deferring to a 1-800 number is not enough, and the minister knows this, even if it had been operative, which it clearly was not. On February 18, 2009, you stated in this House that, "It is also important that when people are working, they are doing so in environments where employees are treated with dignity and respect." Yet when this minister heard brazen acts of employment standards violations, he did absolutely nothing—worse than nothing; he referred them to a non-existent number.

Given this minister's inability to enforce his own employment standards, will he now do the one honourable thing left and resign?

*Interruption.*

**The Speaker (Hon. Steve Peters):** Stop the clock for a second. I don't appreciate the chuckles from the gallery behind me.

Minister?

**Hon. Peter Fonseca:** I say to the member, you weren't there; I was, and I explained to the live-in caregivers their rights as workers in Ontario. We went through a fact sheet of all their rights and how to be able to immediately access their complaints, any of the claims that they would want to put forward. That's what we're doing by reaching out into the community, by distributing information and by ensuring that we have a dedicated team there to help these vulnerable workers.

I know the member agrees that the Minister of Labour should be impartial and fair and should allow for any complaints, any claims, that want to be made to be made with ministry officials who are impartial and can do their job. I think that member wouldn't want it any other way.

#### INFECTIOUS DISEASE CONTROL

**Mrs. Liz Sandals:** My question is to the Minister of Agriculture, Food and Rural Affairs. The headlines over the past couple of weeks have been dominated by news of the global outbreak of H1N1 influenza. There seem to be constant updates about this virus as new facts and information are being discovered all the time.

During the first week of the outbreak, when this virus was known as swine flu, we were constantly reassured by officials at all levels of government, as well as international organizations, that consuming pork is safe. Now the WHO is issuing words of caution, saying that people should be cautious with the handling of pork products and that pork from sick animals or animals found dead should not be consumed.

My question to the minister: Is pork safe to eat?

**Hon. Leona Dombrowsky:** I thank the honourable member from Guelph. This is a very important question, and I'm sure that all members of this Legislative Assembly would join me in confirming and affirming pork producers in Ontario and in doing all that we can, in our roles as MPPs, in our ridings to say to the people we represent that Ontario pork is safe to eat.

I think it's also important today that I would clarify—I have here, from the World Health Organization, a statement that was issued on May 7. It indicates that "to avoid any misunderstanding," the WHO "would like to reissue their joint statement...." In this statement, they indicate, "Influenza viruses are not known to be transmissible to people through eating processed pork or other food products derived from pigs."

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

**Mrs. Liz Sandals:** Thank you, Minister, on behalf of Ontario's farmers, for making that very clear.

Despite all the assurances that pork is, in fact, safe, many of Canada's trading partners have taken action and banned pork and pork products from North America. These bans on pork have had a negative impact on the market price for hogs, and producers here in Ontario—whom apparently the opposition don't care about—are concerned that demand for their product may be affected. Could the minister please update this House on precautions that have been taken in Ontario to ensure that Ontario pork remains safe?

**Hon. Leona Dombrowsky:** The Ministry of Agriculture, Food and Rural Affairs is working very closely with the Canadian Food Inspection Agency as it monitors signs of illness in the pork herd. Also, OMAFRA distributed on April 27 information to our industry partners, pork producers and veterinarians about the virus and what they should be looking for. We are also working very closely with the Ontario Ministry of Health and Long-Term Care, with the CFIA, as I indicated, and our industry partners. As well, we have alerted the Animal Health Laboratory in Guelph that they should be monitoring the situation.

To encourage testing and help with provincial surveillance, OMAFRA will cover the laboratory costs for any influenza tests from the pork herd. Typically, a fee has been charged for this, but my ministry has waived—

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

#### PROTECTION FOR WORKERS

**Mr. Robert W. Runciman:** Back to the Minister of Labour: This has been a shameful performance on his behalf today, and hopefully we can get some answers.

The Premier was at a press scrum this morning, and he said: "It's the responsibility of women dealing with this incident themselves to take up their cases with the proper authorities." In other words, being in the presence of a minister shouldn't be an expectation that action will be taken. When victims are in front of a minister, they should have no expectation: "Go to the proper authorities if you want action taken." Is that the position your government takes with respect to victims?

**Hon. Peter Fonseca:** Unlike that member's party, we've reached out to vulnerable workers. We've had round tables. We have brought forward legislation in this House to protect vulnerable workers. In all of those

round tables, I shared what their rights were and that we had a dedicated team—

*Interjections.*

**The Speaker (Hon. Steve Peters):** There's one Speaker in this place, but I thank the others for the advice.

Minister.

**Hon. Peter Fonseca:** We have a dedicated team there to help them, to support them with information, to provide access and allow them to make a claim.

I can tell you that the member, if he recalls, back on April 28, 1999, said: "Personnel matters are handled by the senior public service and not by political officials. In this case that course was followed and there was no interference from a political level in those decisions."

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

**Mr. Robert W. Runciman:** This minister had the gall to have a photo op with these victims and then did absolutely nothing to help them. He gave them a 1-800 number and kept the allegations against the Liberal member under wraps.

There's an odour here. Maybe it leads to the Premier's office. We know that the first place the minister ran to yesterday after question period was the Premier's office—right down to the Premier's office before he would appear before the media.

Whatever the response—and we're not getting any meaningful answers from the minister today—the people of Ontario deserve answers. This minister has failed in his responsibilities. He should be stepping aside. Again we ask him to do the right thing, the honourable thing: step down until a full investigation can be conducted.

1110

**Hon. Peter Fonseca:** It's very unfortunate that that member and his party have voted against, time in and time out, legislation to protect Ontario workers when it comes to health and safety, when it comes to vulnerable workers, when it comes to employment standards, when it comes to raising the minimum wage, when it comes to temporary help agencies—over and over, behind the 1-800 line, that dedicated team of officials. The labour critic himself has said, "You have too many officials. You are being too proactive when it comes to protecting workers." He can't have it both ways. He's playing politics with a very, very serious matter.

#### PROTECTION FOR WORKERS

**Mr. Michael Prue:** My question is to the Minister of Labour. Yesterday in the House of Commons, Minister Kenney noted that the allegations against MP Ruby Dhalla violate several sections of the federal immigration laws. My question to him is simply: Was this minister aware that hiring nannies illegally is a violation of the federal Immigration and Refugee Protection Act?

**Hon. Peter Fonseca:** As we've been out in these round tables, consultations with nannies, we have heard many allegations as well as disturbing stories that do

involve federal programs, a live-in caregiver nanny federal program. That's why I—

*Interjections.*

**The Speaker (Hon. Steve Peters):** I'm going to warn the member from Renfrew that if he persists, I will have to proceed with other measures.

**Hon. Peter Fonseca:** In those round tables, what we have been hearing is that many of the accusations stem back to a flawed, broken federal program. I asked, in the meeting that we had on April 25, all of those that were there and some that would be meeting with Mr. Kenney the next day, to please—

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

**Mr. Michael Prue:** It's obvious to me that the minister did know that that was an illegal activity. Part 3, section 126 of the Immigration and Refugee Protection Act states: "Every person who knowingly ... or attempts to counsel, induce, aid or abet any person to directly or indirectly misrepresent or withhold material facts relating to a relevant matter that induces or could induce an error in the administration of this act is guilty of an offence."

That offence is punishable both by way of summary conviction and indictment, and a person can get prison time or a hefty fine. My question to the minister: Knowing this now, will the minister do the honourable thing right now and resign?

**Hon. Peter Fonseca:** Just to finish off where I left, I had called Minister Kenney over a month ago to tell him about the litany of problems that we have with this federal program. Minister Kenney yesterday admitted in the House of Commons that most of the allegations in this case and others do fall under federal jurisdiction, either through Immigration Canada or the Canada Revenue Agency. I also wrote Minister Kenney yesterday to invite him out to round tables, where we don't limit conversation to one caregiver but we open up it to everybody, so that he can hear for himself how broken a federal live-in care program he has. This is a very serious matter. It needs to be fixed. We're doing all we can here to protect vulnerable workers in the province of—

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

#### REMOTE DRUG DISPENSING

**Mr. Jim Brownell:** My question is to the Minister of Health and Long-Term Care. Minister, this morning's Toronto Star had a brief article about a new technological innovation that would make it easier for Ontarians to fill their drug prescriptions. Remote dispensing, which would allow Ontarians to get their prescriptions from a machine, sounds like a promising initiative. At the same time, I am wondering about the safety concerns. How will this machine ensure that drugs are administered safely?

**Hon. David Caplan:** I want to thank the member from Stormont–Dundas–South Glengarry for the question. I think these machines have incredible potential to be used in retirement homes, doctor's clinics or in remote or rural communities right around Ontario. When it comes

to drug dispensing, safety is my number one priority, so I'm pleased to tell the House that these machines are safe, efficient and reliable. In the course at Sunnybrook, not one error was made.

The machines allow Ontarians to speak with a pharmacist via teleconference. The pharmacist can then administer the prescription from the machine. Here's how it works: The patient inputs a prescription from their doctor. The machine connects that patient with a pharmacist at an off-site location via video conferencing. The patient and the pharmacist can speak to each other about the drug's possible side effects. The pharmacist will supervise the machine as it dispenses and labels the appropriate drug.

This will perhaps give greater access and—

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

**Mr. Jim Brownell:** This sounds like a positive initiative, with the potential to make it easier for some patients to get needed prescriptions and medications. I know that many Ontarians, especially elderly Ontarians, can have difficulty getting to pharmacies. Having a remote dispensing machine in a doctor's office or at a retirement home would make it easier for them to access needed medication without having to travel. There are likely other benefits to remote dispensing. I ask the minister: How will allowing remote dispensing benefit Ontarians?

**Hon. David Caplan:** I really want to thank the member, because remote dispensing and this initiative fit well with our other health objective. We want to create a system that makes it easier for Ontarians to access health care and health care providers wherever they are, whenever they need it. If rolled out across the province, these machines have tremendous potential to reduce the time needed to fill prescriptions. They also provide the possibility of 24-hour, seven-day access to drugs for patients.

Allowing remote dispensing also has economic benefits. It may attract new business development to Ontario. It could enable new technological innovations in health care.

**Interjection:** Win-win.

**Hon. David Caplan:** My colleague from Scarborough says "win-win"; he's absolutely right. It could give pharmacists the opportunity to expand their current operating models. Patients, of course, will benefit through easier access, greater convenience and enhanced patient safety. That is the hallmark of the reforms that this government has brought in: greater access—

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

#### PROTECTION FOR WORKERS

**Mrs. Joyce Savoline:** My question is also to the Minister of Labour. Minister, you swore an oath of office to faithfully discharge your duties as a public servant and to observe and comply with the laws of Canada and the laws of Ontario. You violated that oath when, after hearing the disturbing allegations from these nannies, you did not act to support the people who came to you in their

time of need and expected you to uphold the laws of Ontario.

Was this just a photo-op? If it was, come clean. But tell us: Did you contact your deputy minister? What did you and Kathleen Wynne discuss about this issue? Most importantly, did you immediately inform Premier McGuinty?

**Hon. Peter Fonseca:** I'd like to thank the member for the question. Again, I take my position as Minister of Labour very seriously. I understand the responsibility of this position and I do it in an impartial and fair way. The last thing that I would want to do, I say to that member, is jeopardize an investigation and provide any incorrect information. That information should be provided to Ministry of Labour officials. We have a dedicated team there to investigate and to deal with any claims that come forward.

It's important that a minister of a regulatory ministry is not seen to be participating in an investigation. That is the right approach, I say to that member, and I would hope that she respects and understands the position and how the position should deal with these matters. But what I have—

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

**Mrs. Joyce Savoline:** I'm not asking for particulars of the investigation; I'm asking what the minister's actions were immediately after he found out something very wrong had happened.

Minister, you have had a long time to act on this. You have clearly violated your oath of office and you have abandoned the principles that we hold dear in our country. I expect more from you as an MPP, but even more as the Minister of Labour.

Minister, I'm asking again: What did you discuss with Kathleen Wynne after you heard about these allegations, and did you immediately inform Premier McGuinty of what had happened?

**1120**

**Hon. Peter Fonseca:** The real issue here is a flawed, broken federal program. Time after time I've heard from exploited caregivers that they were afraid to make official complaints; they're afraid to make official complaints about their employers. We want those caregivers to be able to come forward to make those complaints and to be able to recover wages that are owed to them, which they have been denied, but we do not want to make that decision for them to come forward without their cooperation. It is up to them.

We provided access—we did that immediately—and we have asked them to come forward, but I need Minister Kenney to address these very, very serious matters that relate back to a broken federal program, because that is what I keep hearing from these—

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

#### PROTECTION FOR WORKERS

**Ms. Cheri DiNovo:** To the Minister of Labour: The minister did nothing to ensure the investigation of these



serious allegations. No one followed up; no one got back to these women. The only thing we do know for sure is that the minister did nothing—nothing—to help these women. The question is: Is this minister arrogant, incompetent or both?

**Hon. Peter Fonseca:** The member is completely wrong. Again, the member was not there. What happened in that very open meeting, where there was a lot of sharing going on by all the caregivers—over 30 caregivers were there sharing information. We took that information, we provided fact sheets, we provided the supports that we have in the Ministry of Labour to help them. There are professionals, dedicated staff, there to help these vulnerable workers.

We will continue to champion, on this side of the House, vulnerable workers. That is what we have done since we formed government in 2003 and that is what we will continue to do. We have a very broken federal program that needs fixing, but we are going to do our part to ensure that those workers—

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

**Ms. Cheri DiNovo:** Again to the Minister of Labour: He knows that he and his staff did nothing to help these vulnerable women who disclosed almost slave-labour conditions in Ontario. The women couldn't leave, they were forced to do work that had nothing to do with their job description and they were working for just over \$1 an hour. But when it comes to enforcing Ontario's labour laws, the Minister of Labour—and I repeat—did nothing to help these women.

The House has no confidence that the Minister of Labour has the moral or ethical standards to protect the workers in this province. The only question remaining is: Why won't he resign immediately?

**Hon. Peter Fonseca:** We take our labour laws in this province very seriously. I say to the member that if she knows anybody who has been unjustly treated—anybody, here at Queen's Park or throughout the province of Ontario—they should contact the Ministry of Labour. They should call the Ministry of Labour, where we have dedicated staff, well-trained professionals able to address those claims and provide information in terms of employee rights so that those investigators can get on and do their work to investigate any of those claims.

#### EMERGENCY PREPAREDNESS

**Mr. Khalil Ramal:** My question is for the Minister of Community Safety and Correctional Services. Minister, this week marks Emergency Preparedness Week for all jurisdictions across Canada, and I think this matter is important for all of us in this place.

We have all seen devastating and disastrous events touch the lives of thousands of people across the world, and we recognize the need to be prepared.

Emergency first responders are well trained and well equipped to handle many situations, from flooding similar to what occurred in Manitoba to the ice storm faced

by residents of eastern Ontario and Quebec more than a decade ago. I think it's important to have people prepared to support our province. But I also know that the focus of Emergency Preparedness Week is on personal response and obligation. Would you tell me what we are doing as Ontarians to prepare for this event?

**Hon. Rick Bartolucci:** First of all, I want to thank the member from London–Fanshawe for his very professional approach to emergency preparedness. He is absolutely right. Our emergency responders will be on the scene when necessary, but we have a responsibility as well, and that's why the theme of Emergency Preparedness Week this year is, "Is your family prepared?" Unfortunately, only 10% of Ontario families have an emergency evacuation plan. Only 12% of Ontario families have an emergency preparedness kit. Both are essential in ensuring our personal safety. So this year we encourage everyone to develop that emergency preparedness plan that can save your loved ones and to put together that emergency preparedness kit.

**Mr. Khalil Ramal:** I will encourage my constituents to visit the Emergency Management Ontario website to ensure that their kit is complete and able to meet their needs in the case of emergency.

I also want to ask the minister: Some people take, as an emergency measure, some personal belongings, like a pet. Sometimes when an emergency hits, they forget behind them many different pets and animals that are dear to them. What happened during Katrina is that so many people and so many pets were left behind. Can you tell us how they can take into consideration emergency measures, especially when 72 hours is not enough to prepare themselves to evacuate and also take their pets with them? Can you inform the House and the people of Ontario what we can do to help those people?

**Hon. Rick Bartolucci:** I want to thank the member again for that question, because it is important. The emergency preparedness kit is a personalized kit. If in fact you have a pet, you have to make sure that you provide for that pet for the first 72 hours of an emergency. Obviously, we want to make sure that the pet has food. If it's a dog, you'd want it to have a leash. You'd want to ensure that it had water. As you put that kit together, you put it together for your family members and for that which you love. In this instance, we're talking about pets. You also have to make sure, in that evacuation plan, that if you're going to a shelter—you have to think this out. You have to find out if that shelter accepts animals. If it doesn't, look on our website, [emergencymanagement-ontario.ca](http://emergencymanagement-ontario.ca), and we will give you the details necessary to prepare properly.

#### HYDRO TRANSMISSION LINE

**Mr. Ted Arnott:** My question is for the Minister of Energy and Infrastructure. Hydro One's Bruce-to-Milton transmission reinforcement project, which is a new 180-kilometre, double-circuit, 500-kilovolt transmission line, is causing grave concern in Wellington-Halton Hills.

Many people whose homes are along the proposed corridor are not being treated fairly when it comes to compensation discussions. Some would say their lives have been put on hold; others would say their lives have been destroyed.

I have attended many meetings, written many letters and spoken to three successive McGuinty Ministers of Energy to represent my constituents on this issue. A few of these constituents are here today: Rob Barlow, Steve and Pat Crouse, Julia Jenkins and Anne Clifford. My question to the minister is very simple: Will the minister meet with my constituents, here today, right after question period, hear their stories and instruct Hydro One to restart fair negotiations on their compensation?

**Hon. George Smitherman:** here we have an honourable member asking a minister of the crown to directly interfere in a process where people specialized in the issue of evaluation of land are doing that work, and he asks me as a minister of the crown, as a politician, to interfere in this process. I don't get that party.

1130

No, I will not take such a meeting. I've told the honourable member that on countless occasions over the last few weeks. The process that Hydro One has initiated is a process that's ongoing, and the issues of evaluation associated with the land have been established, in part, through a working group of the very owners themselves. We're at the point where Hydro One is making voluntary offers of settlement. The EA process is ongoing, and the process should be allowed to continue, notwithstanding that the honourable member has drawn the judgment that his constituents are not being treated fairly. I don't know on what professional basis he has the capacity to make such an evaluation.

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

**Mr. Ted Arnott:** Just now, we saw the face of government arrogance and contempt for the people at its worst, and it wasn't a pleasant sight.

In my 19 years here, it's been routine for ministers to meet concerned constituents after question period. With Bill 150, the minister is seeking extraordinary new powers over Ontario's electricity system. How can he now say that he has no authority to help my constituents and others along the proposed line, Bruce to Milton? They are not getting a fair deal. Why is this minister sidestepping his responsibility? Why is he allowing Hydro One to zap my constituents?

**Hon. George Smitherman:** Again, I say to the honourable member that it is not a meeting that I am opposed to. It is the honourable member's suggestion that a minister of the crown, in the midst of a process on the issue of land evaluation where specialists are involved in a transparent process, should insinuate himself into such a process. I'd be very happy to take a variety of meetings that the honourable member might suggest; I just think the one that he's suggesting at this time is highly inappropriate. Accordingly, no, I will not be available to meet with his constituents, but I do continue to encourage all parties, including Hydro One, to work through the

process that has been established, that is transparent and that has valuation of land based on a process that involves the very affected landowners themselves.

#### PROTECTION FOR WORKERS

**Ms. Cheri DiNovo:** My question is to the Minister of Labour. Exactly two weeks ago today, the minister stood in this House and told a story of when he was a teenager and working in a makeshift call centre set up in a basement. He said, "... what I can tell you is that it was a horrific experience." He said he didn't do anything about it because he didn't know his rights.

He's done nothing for the nannies. He's the Minister of Labour. Does he know the province's labour laws now? That's the question.

**Hon. Peter Fonseca:** The member is quite right that it was a horrific experience, and back in that day I did not have information and access to professionally trained officials to be able to help me with that case. But that's completely different now here in Ontario. What we've been doing is reaching out to those caregivers, and in all those meetings we've been listening carefully. We have been providing that access immediately so that they can get the supports that they need.

I can tell the member that what is happening is, we have a dedicated enforcement unit that is already investigating those complaints. They are doing their job. We are also continuing with our consultations so that, as we move forward with legislation, we can get it right and we can close all those loopholes that are under provincial jurisdiction.

But this stems back—

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

**Ms. Cheri DiNovo:** We're talking about the Minister of Labour here. His mission is "to advance safe, fair and harmonious workplace practices that are essential to the social and economic well-being of the people of Ontario."

After the minister was made aware of these serious allegations, why didn't he ensure that those nannies were working in a fair and safe workplace? They were still at risk. Since the minister failed to act on this scandal, what he should do—we all know it—is resign. Why won't he do that?

**Hon. Peter Fonseca:** As we've been out in these consultations, round tables, listening to these stories—and the stories have been very alarming—I have encouraged these nannies to come forward and to share their stories with our ministry officials. But I can't do that for them. I know that many of them feel very vulnerable because, due to a federal program that is severely broken, they may be deported out of the country. That's what they're saying. They have said to me personally, "Minister, you are doing all the right things for Ontario, but we understand that this is a broken federal program that needs to be fixed and we are very scared of being deported."

So we will—

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

**Mrs. Elizabeth Witmer:** On a point of order, Mr. Speaker: I would like to correct the record of the Minister of Labour just to indicate that we voted—

**The Speaker (Hon. Steve Peters):** I remind the honourable member that that is not a point of order and that one member cannot correct another member's record.

## DEFERRED VOTES

### FAMILY STATUTE LAW AMENDMENT ACT, 2009

#### LOI DE 2009 MODIFIANT DES LOIS EN CE QUI CONCERNE LE DROIT DE LA FAMILLE

Deferred vote on the motion for third reading of Bill 133, An Act to amend various Acts in relation to certain family law matters and to repeal the Domestic Violence Protection Act, 2000 / Projet de loi 133, Loi modifiant diverses lois en ce qui concerne des questions de droit de la famille et abrogeant la Loi de 2000 sur la protection contre la violence familiale.

**The Speaker (Hon. Steve Peters):** Call in the members. This will be a five-minute bell.

*The division bells rang from 1135 to 1140.*

**The Speaker (Hon. Steve Peters):** The members please take their seats.

*Interjections.*

**The Speaker (Hon. Steve Peters):** Order. Some of us might like to have lunch.

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

#### Ayes

Aggelonitis, Sophia	Duncan, Dwight	Naqvi, Yasir
Albanese, Laura	Fonseca, Peter	Pendergast, Leeanna
Arthurs, Wayne	Gerretsen, John	Phillips, Gerry
Balkissoon, Bas	Gravelle, Michael	Ramal, Khalil
Bartolucci, Rick	Hoy, Pat	Rinaldi, Lou
Bentley, Christopher	Jaczek, Helena	Ruprecht, Tony
Berardinetti, Lorenzo	Jeffrey, Linda	Sandals, Liz
Best, Margaret	Johnson, Rick	Sergio, Mario
Bradley, James J.	Kular, Kuldip	Smith, Monique
Broten, Laurel C.	Kwinter, Monte	Smitherman, George
Brown, Michael A.	Lalonde, Jean-Marc	Sousa, Charles
Brownell, Jim	Leal, Jeff	Takhar, Harinder S.
Cansfield, Donna H.	Levac, Dave	Wilkinson, John
Caplan, David	Mangat, Amrit	Wynne, Kathleen O.
Colle, Mike	McMeekin, Ted	Zimmer, David
Dombrowsky, Leona	Meilleur, Madeleine	
Duguid, Brad	Mitchell, Carol	

**The Speaker (Hon. Steve Peters):** All those opposed will please rise and be recorded by the Clerk.

**The Clerk of the Assembly (Ms. Deborah Deller):** The ayes are 49; the nays are 0.

**The Speaker (Hon. Steve Peters):** I declare the motion carried.

*Third reading agreed to.*

**The Speaker (Hon. Steve Peters):** Be it resolved that the bill do now pass and be entitled as in the motion.

There being no further business, this House stands recessed until 1 p.m. this afternoon.

*The House recessed from 1143 to 1300.*

## INTRODUCTION OF VISITORS

**Hon. Kathleen O. Wynne:** I'm very pleased to welcome Patrick Mulhall, a grade 4 student from Canadian Martyrs in Penetang, in the members' gallery. He's an up-and-coming young leader who is very active in his school's government. Welcome, Patrick.

## MEMBERS' STATEMENTS

### WORLD ASTHMA DAY

**Mrs. Elizabeth Witmer:** I'm very pleased to rise in the House today to recognize World Asthma Day, which took place this past Tuesday, May 5.

The purpose of this day is to raise awareness about the effects asthma has on those who suffer from it, and this year to draw attention, in particular, to the theme that there are steps that sufferers and caregivers can take to control the symptoms.

Regrettably, asthma affects more than three million Canadians—almost a third live in Ontario. It is unfortunate, but it's estimated that 10 people die each week from this disease in Canada. Asthma cases are growing and will persist in growing, particularly as air pollution levels worsen and continue to make a normal life harder to achieve for asthma sufferers.

This asthma issue was first addressed by our government in 2000, when we committed \$4 million in annual funding to develop an integrated and comprehensive plan of action. This step by the PC government in 2000 was the first in Ontario's history. Today, we require the same type of coordinated and collaborative action more than ever to deal with the growing incidence of asthma in our province and to assist the sufferers.

### PROFESSIONAL HOCKEY FRANCHISE

**Ms. Sophia Aggelonitis:** As a dedicated hockey fan and a proud Hamiltonian, the latest news is very exciting. Our great city of Hamilton could be the new home of an NHL team.

From Hamilton minor hockey to the Bulldogs, our city has a long and proud history of hockey, and the addition of an NHL franchise would be a central part of this legacy.

I know that southern Ontarians, and especially Hamiltonians, are very enthusiastic about bringing another franchise to Ontario and Canada.

Pick up a copy of today's Hamilton Spectator and you will find that from page A1 to A11 this is the story of the day. The reason for this is no secret: Economically, this would be a major boon for Hamilton and Ontario.

In addition to attracting fans from across southern Ontario, an NHL team would be a strong partner for our businesses, not to mention the benefits of healthy competition for the NHL.

I believe that our city, Hamilton, Ontario, is the right place at the right time. There's no question that Hamiltonians are ready and willing to receive an NHL team, and I'll be with them each step of the way.

#### MILTON DISTRICT HOSPITAL

**Mr. Ted Chudleigh:** I'm not sure Hamilton should get a franchise, because if they got one, Toronto would want one too.

I rise yet again today to ask the Minister of Health to please review and respond to Halton Healthcare Services' proposal for the expansion of Milton District Hospital. The proposal was sent last September, eight months ago. Why is this taking so long?

There are now two community groups working diligently to raise public awareness, lobby the government and work with local governments in fundraising efforts. One of these groups has recently been funded by the town of Milton, while the other is a grassroots volunteer effort. That should demonstrate to the Minister of Health how much the people of Milton care about their health care and how far they are willing to go to receive an expansion.

Thousands have signed petitions. They have written letters, they have phoned my office and the Office of the Premier, and now they have organized. And what has the government said in response? The Minister of Energy and Infrastructure told us to be quiet and show him some money; the Minister of Health told us how proud he was that other hospitals were being built around Ontario. Meanwhile, the people of Milton, the fastest-growing town in Canada, are left precariously without adequate health care.

When will the Minister of Health approve the business plan so Milton can move forward with the sizing study and eventual expansion of the hospital? These unprecedented delays are unacceptable to the people of Milton and should give grave concern to the people of Ontario about the management capacity of this government.

#### CHILD CARE

**Mr. Peter Tabuns:** Speaker, as you are aware and as members of this Legislative Assembly are aware, there is a tremendous amount of concern regarding the stability of early learning and child care funding in Ontario.

The expiry of federal funds and no commitment from the province in the recent provincial budget is a crisis in child care. Failure to address this crisis by the provincial government could lead to cuts of up to 22,000 child care

subsidies and 4,000 lost jobs in the early learning and child care sector.

On May 12, child care activists will be here at the Legislature, meeting with MPPs and pressing their case. The Ontario Coalition for Better Child Care recently proposed a two-year plan to save the threatened child care subsidies, build 7,500 new affordable child care spaces and create 1,500 new jobs in early learning and child care. In addition, they've called on the provincial government to meet pay equity commitments which would raise the wages of underpaid child care staff.

If we're actually going to have a 21st-century economy, if we're actually going to build the kind of society that we want, we need to invest in child care; we need to invest in child care workers. The fact that this government has ignored the actions of the federal government and has not made provisions for funding of child care is going to mean desperation for many families and disruption of their lives. I call on the Liberal government, the McGuinty government, to actually listen to the child care coalition and the child care activists and make the investments we need.

#### CELEBRATE ONTARIO

##### FÊTONS L'ONTARIO

**Mr. Jean-Marc Lalonde:** Mr. Speaker, I'm very pleased to share with you and the members of this House that tourism in Glengarry–Prescott–Russell has just received a \$140,000 boost through the McGuinty government's Celebrate Ontario program.

Through Celebrate Ontario, our government is supporting the growth of four popular events in my riding. These are le festival de Noël de Casselman; le festival de la curd de St-Albert; the Multicultural Festival in the township of North Glengarry; and the Russell Fair. This support will help boost our local economy by attracting new audiences and generating more economic activities in Glengarry–Prescott–Russell.

The Celebrate Ontario 2009 program is providing \$11 million to 224 festivals and events across Ontario, an increase of 150% over last year. Since 2007, Ontario has invested a total of \$25 million for festivals and events through Celebrate Ontario.

Je voudrais offrir mes plus sincères remerciements au ministre du Tourisme pour réunir ma communauté avec ces divers festivals.

#### PORK INDUSTRY

**Mr. Ernie Hardeman:** This morning, the member from Guelph questioned the opposition's concern for pork producers in Ontario, and I would like to correct the record.

In this Legislature, over and over we have raised the difficult situation pork producers have been facing. When we pointed out that the McGuinty government's program missed new and young pork farmers, the member from

Guelph didn't feel it necessary to stand up for them then. When the cheques went to retired farmers instead of the people who were losing money on every pig they shipped, none of the Liberal backbenchers stood up for them then.

We know that as a result of H1N1, pork prices have already dropped. We know the farmers are worried. Many of those farmers are already vulnerable because they were missed under the OCHHP program payments.

We are ready and willing to work with the government to design a program that will help our hog farmers get through this. We will work with you to ensure that this time, a program is in place that works for all hog producers. We will work with you to get the message out that our pork is safe to eat.

Yesterday in Ottawa, the federal Minister of Agriculture held a free lunch to promote Ontario pork. Rather than pointing fingers across the Legislature, I encourage the minister to take us up on our offer and work together. Let's take concrete steps to support our pork farmers.

In the meantime, we will continue to do everything we can to encourage Ontarians to keep on enjoying Ontario pork.

1310

#### CHARITIES

**Mr. Kevin Daniel Flynn:** We all know that the global economic crisis has caused a lot of families and businesses to tighten their belts and to rein in spending. Usually when that happens, one of the first areas to suffer is the spending that takes place in the charitable sector. But I'm proud to share with the House today an example that defies this trend.

In recent years I've been privileged to work with a charity in Kenya, Africa, called the Mully Children's Family Charitable Foundation. It's an organization for abandoned, abused, HIV/AIDS-affected and infected street children and orphans.

Recently, the foundation has benefited tremendously from the generosity of Apotex. It's the largest Canadian-owned pharmaceutical company in the country, and it's headquartered right here in Ontario. Apotex recently donated essential medicines to the family village. This donation is worth over \$150,000, and it's going to provide hundreds of street kids and AIDS orphans with all their pharmaceutical needs, to help them live a healthy life.

This is not the first time that this company, Apotex, has come to the table. Last October, I informed the House when they delivered nearly seven million tablets of HIV/AIDS medication to Rwanda, a decision that would help to save nearly 21,000 lives.

What lessons can we draw from this? What I've learned is that despite the incredible economic challenges we face, time and time again the businesses, families and people of Ontario rise to the occasion and help others to face them as well.

#### CANADIAN TULIP FESTIVAL

**Mr. Yasir Naqvi:** It gives me great pleasure to rise today and share with this House the landmark Canadian Tulip Festival taking place in my great riding of Ottawa Centre. This remarkable festival is in its 57th year and will bring 18 straight days of entertainment and enjoyment to Ottawa's residents and visitors, from May 1 to 18.

I would like to compliment the hard-working team that makes this event world-class year over year, including David Luxton, chairman; Julian Armour, executive director; and Teri Kirk, president—and of course a big thank you to the staff and volunteers who make it happen.

In 1945, the Netherlands presented Ottawa with 100,000 tulip bulbs in appreciation of the safe haven provided in Ottawa to Holland's exiled royal family during the Second World War. After many seasons of enjoyment of these flowers, the tulip festival was formalized in 1953.

Each spring, over 600,000 people from all over North America, Europe and Asia make over a million visits to the Canadian Tulip Festival. Studies show that it has a \$50-million economic impact annually on the Ottawa region.

Highlights this year include musical performances by numerous local, national and international groups; the internationally renowned Nanjing Acrobatic Troupe; and an interactive circus.

The government's Celebrate Ontario program has contributed \$300,000 to the Canadian Tulip Festival in both 2008-09 and 2009-10, and the tourism event marketing partnership program has contributed \$87,000.

I encourage all of Ottawa's residents and visitors to please come and enjoy the tulip festival.

#### PREMIER'S AWARDS FOR TEACHING EXCELLENCE

**Mr. David Zimmer:** It gives me great pleasure to rise in the House today in recognition of the 20 educators and school support staff who recently received the Premier's Awards for Teaching Excellence.

Each day, parents hand over their most precious gift, their children, to teachers. With this gesture of trust comes the challenge of guiding children to becoming effective, empowered and creative adults.

The McGuinty Liberals commend the work that all teachers and school board staff do to help students reach their full potential. The awards are a great way to recognize those individuals who make a difference in education.

It also gives me distinct pleasure to recognize two Toronto recipients: teacher Vernon Kee, who engages students through the use of technology and helps them to explore global outreach opportunities; and educational assistant Vimaladevy Vijeyacumar, who is a champion of math, coaching the school's math league team and giving students the confidence to compete in provincial and

national competitions. These are but two examples of the outstanding work being done in the schools on a daily basis.

These awards signify the McGuinty government's commitment to education, and the understanding that teachers and support staff are its backbone.

I encourage all members in this House, and indeed all Ontarians, to recognize the efforts of Ontario's educators, not just through such awards but throughout the entire year.

#### VISITORS

**The Speaker (Hon. Steve Peters):** Speaker's prerogative: I want to take this opportunity to welcome in the Speaker's gallery Charline Broderick and Sara Pereira, students at St. Joseph's College who are working here as co-op students at the Legislative Assembly. Sara, Charline, welcome to the Legislature today.

#### INTRODUCTION OF BILLS

##### STUDENT ACHIEVEMENT AND SCHOOL BOARD GOVERNANCE ACT, 2009

##### LOI DE 2009 SUR LE RENDEMENT DES ÉLÈVES ET LA GOUVERNANCE DES CONSEILS SCOLAIRES

Ms. Wynne moved first reading of the following bill:

Bill 177, An Act to amend the Education Act with respect to student achievement, school board governance and certain other matters / Projet de loi 177, Loi modifiant la Loi sur l'éducation en ce qui concerne le rendement des élèves, la gouvernance des conseils scolaires et d'autres questions.

**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 for ministerial statements.

##### CONGENITAL HEART DISEASE AWARENESS DAY ACT, 2009

##### LOI DE 2009 SUR LE JOUR DE LA SENSIBILISATION À LA CARDIOPATHIE CONGÉNITALE

Ms. Jaczek moved first reading of the following bill:

Bill 178, An Act to proclaim February 14 in each year as Congenital Heart Disease Awareness Day / Projet de loi 178, Loi proclamant le 14 février de chaque année Jour de la sensibilisation à la cardiopathie congénitale.

**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 member for a short statement.

**Ms. Helena Jaczek:** Congenital heart disease, or CHD, is the most common cause of all birth defects, affecting one in 70 newborns. There are presently 20,000 children and 37,000 adults in the province of Ontario with CHD. Most CHD patients require lifelong specialized medical care in order to survive. CHD Awareness Day aims to highlight to the public the need for enhanced standards of care for CHD patients, as well as increased research funding and assistance to support groups.

I would like to now recognize, in the west members' gallery, many members of the Canadian Congenital Heart Alliance: its founder, John MacEachern, and members of Avi Goldstein's family. Unfortunately, Avi passed away very recently. We have with us his widow, Ericka Goldstein; his brothers, Jay and Dov; his sister, Karla; and his mother, Rookie. Other members of the Canadian Congenital Heart Alliance are Jennifer Graham and Toby Cox. We also have with us, from the adult congenital heart disease clinic of Toronto General Hospital, Dr. Erwin Oeschlin and Jeanine Harrison.

#### STATEMENTS BY THE MINISTRY AND RESPONSES

##### SCHOOL BOARDS CONSEILS SCOLAIRES

**Hon. Kathleen O. Wynne:** For generations, local school boards have been a cornerstone of strong, publicly funded education in Ontario. More than 10 years ago, there were substantial changes that were made to school board governance in Ontario, and since then, several major reports, including the Royal Commission on Learning and Dr. Rozanski's Education Quality Task Force, have called for a governance review to see if the structures in place are operating as effectively as they should. That's why, last year, we assembled the governance review committee to examine how well the current governance structure is serving Ontario's education system.

Je tiens à remercier le comité de son travail acharné et saluer ceux de ses membres qui sont là aujourd'hui : Madeleine Chevalier, Denis Chartrand et Harold Brathwaite. Merci beaucoup.

**1320**

This committee, led by Madame Chevalier, consulted with trustees, school board directors, parents and parent representatives on the best practices in Ontario's publicly funded education system. Just last month we released the committee's report, which found many strengths in the current system, but it also identified some areas for improvement.

Overall, the report recommended that we clarify the mandate and duties of school boards. I just want to be clear that the intention of this exercise was the strengthening of our school boards across the province. We have 72 school boards in the publicly funded education system, and our intention in doing this review was so that we could make changes that would strengthen those boards. Overall, the board recommended that we clarify the mandate and duty of school boards. This includes promoting student achievement and well-being, delivering effective and appropriate programs and ensuring that the board's resources are well managed.

The report also made a number of other recommendations, including clarifying the roles of trustees and directors of education, putting strategic plans into place for student outcomes, as well as recommendations for professional development and other supports for the effective governance of boards.

Today this government is taking action to address many of the committee's recommendations. I'm pleased to stand in the House to introduce amendments to the Education Act. This legislation demonstrates our government's high level of respect for trustees, while strengthening school board governance and improving student achievement, which is our highest priority. If passed, this legislation would clarify the mandate and duties of school boards to emphasize their responsibility for student achievement. It would also clarify the roles of individual trustees, board chairs and directors of education. Finally, it would build on good governance practices, which we know exist, including establishing audit committees and adopting a provincial code of conduct for trustees.

I'd like to recognize some of the ministry staff here today who worked very hard on this legislation: Barry Pervin, Margot Trevelyan, Margaret Correia, Elaine Molgat, Rachel Osborne and Ken Thurston, from my office. Thank you very much for your hard work.

This government is committed to higher levels of student achievement. At the same time, we know that good governance by our trustees and directors of education is necessary to support higher levels of student achievement. This government has a great deal of respect for Ontario's trustees and directors of education. We know that they work hard every day to make the publicly funded education system work. The legislation I'm introducing today is intended to support them in their roles.

En effet, tous les intervenants dans le système ont un rôle important à jouer.

As most of you know, this is Education Week. I have been visiting even more of our schools than usual, and as always when I visit our schools, I am so very proud of what I see, and I know that everyone in this Legislature feels the same way about the schools in their ridings and across the province. You can feel the optimism and see the hard work that everyone is undertaking to create rich learning environments for students and to support each student's achievement.

This week I've seen students competing at the Ontario Technological Skills Competition at the RIM facility in Waterloo in robotics, construction, culinary arts and so many more projects. I've read with the students of Sir Wilfrid Laurier Public School in Brampton in their fabulous library, celebrating their Fairytale Extravaganza event, and I had the privilege of honouring the recipients of the Premier's Awards for Teaching Excellence and hearing the stories of inspiring teachers, principals and support staff from across the province.

I'm thrilled to see the progress that we're making, and I hope the legislation we're introducing today will lead to further progress. This legislation shows that we're staying true to our core commitments: We're working to increase student achievement, close the gap between students who are struggling and those who are not, and continue to build public confidence in our publicly funded education system, because this government is committed to not only building the best education system in the world but building the best education system for the world.

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

**Mrs. Joyce Savoline:** I rise in the House today in response to the Minister of Education's new bill that will amend the Education Act to "make student achievement our top priority."

Minister, I'm surprised and somewhat disappointed to see that you have the nerve to introduce legislation on accountability in our school system when you yourself have demonstrated a surprising lack of accountability as of late.

I'm also shocked to hear your comments that, "Trustees are vital partners in boosting student achievement, and these changes make it clear that we're counting on them"—on them—"to make a difference." While I agree totally that trustees play a very important role in our education system, I find it interesting that you have failed to hold them to account, as evidenced in the TCDSB, for flagrant violations of the Education Act.

At a time when many of the Toronto Catholic District School Board trustees have failed to pay expenses that were deemed illegal by the auditor's report, you have the gall to introduce this legislation. Before you go reallocating responsibility to this one and that one, I suggest you get your own house in order. It is the expectation of this side of the House, and certainly of every taxpayer in Ontario, that before you do anything else with relation to trustee issues, you will recoup the funds rightfully owed to the people of Ontario.

In fact, your legislation does not even include a formal code of conduct for trustees, which was one of the key recommendations of the Hartmann report and your own ministry's school board governance report, which was tabled in April. Here we go again with legislation that has been written on the back of a napkin, and that is supposed to placate us and take the heat off the minister.

I'm here to serve you notice, Minister: I have no intention of taking the heat off you, because there is more here than meets the eye if you can stand in a photo op

with people who are looking to you for help at a time when they needed you, and all you could do is introduce governance legislation. The conflicts of interest that abound among the Toronto Catholic District School Board trustees are flagrant and offensive. Once again I say: If you really, really want to make governance a priority for your ministry, try using some on the home front first.

There's an old British saying: "Start as you mean to go on." You have started off poorly, at best, by refusing to swiftly address the violations of your trustees at the Toronto Catholic District School Board. You have continued to allow that cloud of disrepute to cast a shadow over every hard-working trustee across this province. I'm certain that the majority of trustees who are conscientiously working in the best interests of their students are as eager as I am to have you deal with this issue: deal with it immediately, and once and for all.

The Liberal methodology is to have a meeting that leads to the next meeting and the next meeting and the next meeting. Our way is to analyze the issue and then take decisive action. Instead, the minister has rushed through the bill, which is no more than a show, trying to illustrate that she is doing something. I find that rolling this bill in with student achievement and then talking about a code of conduct demonstrates that the minister is not addressing the serious issue of conflict of interest.

The truth of the matter is that when you are actually doing something, people already know. You shouldn't have to waste the time of this Legislature to prove that something is happening this week. Take action.

"Take action" means addressing the issue in a fulsome way—this bill is merely a motherhood-and-apple-pie statement. If I were a trustee, a board chair or a director of education, I would be wondering, where did the minister get the gall to do this now?

It is your job to give them the tools to do their job. What you have done here instead is once again shift the blame to another group. Until you can clear up the cloud of suspicion swirling around your own office, I suggest you let those who have experience in laying down ground rules of this nature do their job, and then by all means put forward legislation that includes this code of conduct.

I find it appalling that you can sit and laugh at comments when trustees—

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

**Mr. Rosario Marchese:** I look forward to debating this bill when it comes around for full debate, because we don't get a chance to read the bill when it's introduced half an hour or 50 minutes before we hear you.

I want to comment in general about two areas that I find particularly difficult. One is the general overview, which starts, "The Student Achievement and School Board Governance Act introduces amendments to the Education Act that includes measures to promote student achievement in our public education system and to ensure that participants in the education system focus their attention and apply the public resources entrusted to them to the improvement and promotion of student

achievements, thereby enhancing the general well-being of society."

**1330**

As I read this, half of this bill talks about student achievement. It appears to me that it is saying that the participants in the education system are not focusing their attention on the well-being of their students and on the improvement and promotion of student achievement. I wonder why you do that. It appears that you are assigning blame to all of the participants in the education system as not doing their job vis-à-vis student achievement. I'm not quite sure why you do that. You may want to restate your view once you debate the bill.

But I am concerned, because when you talk about focusing the public resources, I have a big complaint with your government—and you, Minister—as it relates to resources or lack of resources as they relate to English-as-a-second-language programs. So many of our schools lack ESL teachers. It's not as if the board has the resources given by you and is not using them. They simply move money around to accommodate all sorts of needs, and ESL is not one of them. We've got special education needs, where 40,000 students are waiting for services, after being identified by the identification, placement and review committee, and they're suspended there without services, including 30% of our schools that are not getting any help whatsoever because they haven't been able to get any IPRCs—so identified by the Auditor General's report, which you are well aware of.

We talk about using their resources. I think to myself: Where are the resources? When parents are fundraising to the tune of \$650 million a year out of their own pockets, does it mean that schools are adequately resourced? Or do we rely on parents to fundraise to the tune of close to \$1 billion yearly to fund essential school needs that are clearly evident in our school system?

We're failing them. We're lacking librarians. We're lacking physical education teachers. We're firing educational assistants. How is it that the board is not using its resources to provide for better educational achievement? I am puzzled by this report.

Then there's section 218, which identifies, as an afterthought—because the minister says that it also brings clarity to the roles and responsibilities of other sectors, such as school boards, trustees and so on, but as an afterthought: "It also."

Look what it says about trustees: "It identifies the fundamental responsibilities of trustees as members of an elected governing body. These include the following obligations: regular attendance at school board meetings"—sure—"consultation with parents, students and supporters of the board and its strategic plans; bringing the concerns of parents, students and supporters to the board's attention; supporting the board's decisions if they have been adopted by resolution"—and so on. She was a trustee, as I was, with the Toronto board. This suggests that trustees who used to work for \$5,000 under Harris, and now anywhere from \$10,000 to \$25,000—that these trustees who have been doing this very thing are being told that they're not doing it.



What an insult, in my view, to elected school trustees, who go through the same electoral process we do to get elected. What an offence it is to those trustees, and the minister stands up and says that they have a “high level of respect for trustees.” I just don’t know how these two things mix up. So what we’ve got is a master-servant relationship: “We are the masters; you are the servants, trustees. Yes, we know you’re elected, but really, you’re not doing your job and we’re going to make sure you’re doing it.”

I look forward to the full debate on this bill in the very, very near future.

## PETITIONS

### PROFESSIONAL HOCKEY FRANCHISE

**Mr. Jeff Leal:** I have a petition today:

“Make It Seven: Support the Move of the Phoenix Coyotes to southern Ontario.

“To the Legislative Assembly of Ontario:

“Whereas Jim Balsillie”—who was born and raised in Peterborough—“of Research in Motion has put in an offer to purchase the Phoenix Coyotes and move them to a location in southern Ontario; and

“Whereas there are a number of outstanding communities that could host this NHL franchise, like Kitchener, Waterloo, Hamilton, Mississauga, the city of Vaughan, Peterborough, Brampton, Brantford and Oakville; and”—

**Mr. Paul Miller:** Hamilton.

**Mr. Jeff Leal:** I already got Hamilton.

“Whereas an NHL franchise in southern Ontario would generate over \$1 billion annually to the GDP of the host community, in everything from arena construction, ticket sales, television and media revenues and team merchandising;

“Whereas an NHL franchise would create thousands of jobs in construction, in the hotel and restaurant industry and in tourism, marketing and promotion; and

“Whereas the hockey fans in southern Ontario are known to be the most loyal, supportive and knowledgeable hockey fans in the world; and

“Whereas the NHL Players’ Association supports more opportunities for their players in this great southern Ontario hockey market; and

“Whereas the existing NHL owners should recognize the incredible contribution made by the citizens of southern Ontario to the success of the NHL over the last 75 years, and would be wise not to ignore these loyal fans and supporters;

“We, the undersigned, call upon the Legislative Assembly of Ontario to fully support bringing the Phoenix Coyotes franchise into a southern Ontario community, and call upon the NHL board of governors not to block the shifting of the franchise to a host community in southern Ontario.”

I agree with this petition and will affix my signature to it and give it to page Alexis.

## AIR QUALITY

**Mr. Charles Sousa:** I have a petition that reads as follows:

“To the Legislative Assembly of Ontario:

“Whereas the Ministry of the Environment (MOE) conducted 22 months of ambient air monitoring and determined that the Clarkson, Mississauga, airshed study area was taxed for respirable particulate matter (PM2.5); and....

“Whereas the study found that emissions of acrolein and acrylonitrile exceeded provincial limits; and....

“Whereas annual average 24-hour nitrogen dioxide concentrations were found to be among the highest when compared to provincial air quality index stations in the greater Toronto and Hamilton areas; and....

“Whereas the MOE stated that it would focus on achieving reductions of the target pollutants from the 57 identified emitters that currently operate in the area; and

“Whereas the Ontario Power Authority is accepting proposals from companies for the operation of a gas-fired power plant in the Clarkson airshed study area that would see a new, very significant source of additional pollution into an airshed already determined as stressed by the MOE;

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

“That no contract be awarded by the Ontario Power Authority for the operation of any gas-fired power plant that would impact the Clarkson airshed study area.”

I will sign the petition and provide it to Grace.

### PROFESSIONAL HOCKEY FRANCHISE

**Mr. Kevin Daniel Flynn:** I’ve got a petition signed by all members of the Petrie family in Hamilton, which says:

“To the Legislative Assembly of Ontario:

“Whereas Maple Leaf Sports and Entertainment has the highest average ticket revenue per game in the National Hockey League; and

“Whereas the Toronto Maple Leafs are ranked the most financially valuable team in the NHL; and

“Whereas many Hamilton and greater Toronto area hockey fans are unable to attend professional hockey games due to a lack of adequate ticket supply; and

“Whereas the Hamilton and greater Toronto area boast the biggest and best market in the world for hockey fans, with Maple Leaf Sports and Entertainment bringing approximately \$2.4 billion to the local economy over 10 years; and

“Whereas a new franchise in the Hamilton and greater Toronto area is valued at \$600 million by some economists; and

“Whereas competition in both business and sports is healthy for both the Hamilton and greater Toronto area economy and sports team performance; and

“Whereas, despite having the most loyal fans in the world, the Toronto Maple Leafs have not won the Stanley Cup in over 40 years; and

“Whereas Hamilton and greater Toronto area fans deserve competitive professional hockey teams;

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

“To request that the government of the province of Ontario express its strong support to the board of governors of the National Hockey League for the relocation or expansion of a second NHL hockey team in the Hamilton and greater Toronto area in order to realize the economic advantages to the taxpayers of the province of Ontario and to provide healthy competition to the existing Toronto NHL franchise.”

I agree with this, and I'll sign it.

#### PENSION PLANS

**Mr. Ted Chudleigh:** A petition to the Legislative Assembly of Ontario:

“Whereas Ontarians are currently denied full discretionary access to their locked-in retirement accounts ... ; and

“Whereas the monies within these locked-in accounts have already been earned as deferred salary, i.e., they are not government handouts or bailouts; and

“Whereas Ontario pensioners have already demonstrated throughout life that they are quite capable of prudent financial management, given that they have raised families, bought and sold homes and automobiles, managed investments, paid their taxes, operated businesses, among other successes; and

“Whereas similar legislation passed in Saskatchewan in 2002 has been successful and has demonstrated the wisdom and prudence of retirees; and

“Whereas a quick and immediate unlocking of pension funds would act as a significant and timely stimulus to the economy during the current recession;

“We, the undersigned, petition the Legislative Assembly of Ontario to support into law the private member's bill recently tabled by Mr. Ted Chudleigh, MPP Halton, allowing all Ontario pensioners, at age 55, full discretionary access to all monies accrued within their locked-in retirement accounts.”

I agree with this petition, I affix my name, and I pass it to my page, Kenzie.

1340

#### PROFESSIONAL HOCKEY FRANCHISE

**Mr. Mike Colle:** This is a petition from the firestorm across southern Ontario called the Make It Seven coalition in support of the move of the Phoenix Coyotes to southern Ontario.

“Whereas Jim Balsillie of Research in Motion has put in an offer to purchase the Phoenix Coyotes and move them to ... southern Ontario; and

“Whereas there are a number of outstanding communities that could host this NHL franchise,” whether it be “Kitchener, Waterloo, Hamilton, Mississauga,” the city of Markham, “the city of Vaughan, Peterborough, Brampton, Brantford and Oakville”—all are great places to host an NHL franchise;

“Whereas” another “NHL franchise in southern Ontario would generate” hundreds of millions of dollars “annually to the GDP of the host community”—and that means jobs—“in everything from arena construction, ticket sales, television and media revenues and team merchandising;

“Whereas the hockey fans in southern Ontario”—especially in Peterborough—“are known to be the most loyal, supportive and knowledgeable hockey fans in the” whole wide “world; and

“Whereas the NHL Players' Association supports more opportunities for their players in this great southern Ontario hockey market; and

“Whereas the existing NHL owners” and Gary Bettman “should recognize the incredible contribution made by the citizens of southern Ontario to the success of the NHL over the last 75 years, and” Gary Bettman “would be wise not to ignore these loyal fans ... ;

“We, the undersigned, call upon the Legislative Assembly of Ontario to fully support bringing the Phoenix Coyotes franchise into a southern Ontario community, and call upon” Gary Bettman and “the NHL board of governors”—

**Mr. Paul Miller:** To resign.

**Mr. Mike Colle:** Not to resign—“not to block the shifting of the franchise to a host community in” the great part of southern Ontario, whether it be Hamilton, Peterborough, Mississauga, Vaughan, Brampton. Bring them here, Mr. Bettman.

**The Speaker (Hon. Steve Peters):** I just remind members, and I understand their interest in trying to—

**Mr. Mike Colle:** If you want me to stop—

*Interjection.*

**The Speaker (Hon. Steve Peters):** Well, I'm not talking about any specific issue. I just remind all members that when they are presenting petitions, they are to read the petitions as written and not be ad-libbing in other things.

#### PENSION PLANS

**Mr. Peter Shurman:** I have here a petition which I will read as it is written.

“To the Legislative Assembly of Ontario:

“Whereas Ontarians are currently denied full discretionary access to their locked-in retirement accounts (LIRAs, LIRFs, LIFs); and

“Whereas the monies within these locked-in accounts have already been earned as deferred salary,” that is, “they are not government handouts or bailouts; and

“Whereas Ontario pensioners have already demonstrated throughout life that they are quite capable of prudent financial management, given that they have

raised families, bought and sold homes and automobiles, managed investments, paid their taxes and operated businesses, among other successes; and

“Whereas similar legislation passed in Saskatchewan in 2002 has been successful and has demonstrated the wisdom and prudence of retirees; and

“Whereas a quick and immediate unlocking of pension funds would act as a significant and timely stimulus to the economy during the current recession;

“We, the undersigned, petition the Legislative Assembly of Ontario to support into law the private member’s bill recently tabled by Mr. Ted Chudleigh, MPP Halton, allowing all Ontario pensioners, at age 55, full discretionary access to all monies accrued within their locked-in retirement accounts.”

I agree with this petition, affix my name and hand it to page Cameron.

## PRIVATE MEMBERS’ PUBLIC BUSINESS

### PROTECTION FOR WORKERS

**Mrs. Carol Mitchell:** I move that, in the opinion of this House, the government of Canada should protect Ontario workers’ severance and termination pay when their employer goes bankrupt by amending the Bankruptcy and Insolvency Act to provide employees with preferred creditor status, so workers’ salaries and compensation rank ahead of banks and insurance companies; and by increasing the maximum employee eligibility amount from the federal wage earner protection program.

**The Speaker (Hon. Steve Peters):** Mrs. Mitchell moves private member’s notice of motion number 83. Pursuant to standing order 98, the member has 12 minutes for her presentation.

**Mrs. Carol Mitchell:** I’d like to start by saying that in my riding of Huron–Bruce, I have seen first hand the need to protect workers who have lost their jobs due to the global economic downturn. Losing a job is never easy, but it’s particularly devastating when the job loss is a result of a bankruptcy that causes an employee to lose the wages that they are owed. The amendments to the federal Bankruptcy and Insolvency Act and the federal wage earner protection program would protect workers in two respects. The first amendment calls for the cap to be removed from the super-priority given to employees under the Bankruptcy and Insolvency Act. Currently, the act gives super-priority status to employees’ claims for unpaid wages and vacation to a limit of \$2,000. While the super priority puts the claims of employees ahead of secured creditors like banks, the cap means that the employees often receive only a fraction of what they are owed in company bankruptcy. In other words, this amendment will fully place employees at the front, rather than the back, of the line when a company’s assets are allocated to the creditors.

The second amendment calls for an increase to the maximum employee eligibility amount for the federal wage earner protection program. This will allow employees to recover a larger portion of their unpaid wages. This change is urgently needed because at the moment workers can only recover a maximum of \$3,000 from the program, even though this sum may only represent a fraction of the wages that they are in fact owed. The need for both of these amendments has been made clear to me by several of my constituents who have faced unfair treatment following the bankruptcy of their employers.

I will never forget the story of the many workers who were brought to my constituency office. The workers were brought to near destitution when a long-term-care home in my riding declared bankruptcy. One of the workers had worked for years at the home and she was very well known and well liked by the residents. This particular young lady, who was the mother of a very young boy, took pride in her work and she was astounded when the long-term-care home went into bankruptcy and she suddenly found herself without a job. This woman had a young mouth to feed and faced the difficult task of finding a new job. As if these challenges were not enough, she also faced an upward battle in recovering the wages that she had earned but had not received. The owners of the home were uncommunicative about whether or not she would receive the unpaid wages and showed a blatant disregard for their former employees. Meanwhile, this woman was in desperate need of these earnings in order to meet everyday necessities: rent, food and transportation, just to name a few. She spent nearly seven months in a difficult struggle to recover the wages that were rightfully hers.

In these uncertain times, there are likely to be many more people who find themselves in situations like I have described. Amending the Bankruptcy and Insolvency Act to give employees complete priority status and increase their eligibility amounts from the federal wage earner protection program would ensure that others do not suffer the same plight as the workers in my riding.

### 1350

These amendments would ensure that workers like those at the long-term-care home could receive the wages owed to them and focus on the task of finding their new job.

What these workers, and many others like them, experience during company bankruptcy is akin to robbery, and it also defies the basic principles of fairness. By voting in favour of this motion, members of this House can place their support behind changes to federal legislation that will prevent others from the injustice of losing or having to fight for the money that they have so rightfully earned. Furthermore, these amendments will allow laid-off workers to direct their full attention to making the transition to a new job.

The federal Wage Earner Protection Program Act, which was introduced in the House of Commons in 2005 and proclaimed in July 2008, represents an initial step in the right direction. The act established the wage earner

protection program and made the important provision that workers can be compensated up to \$3,000 for wages earned but not paid during the six months preceding a company's bankruptcy or receivership.

While this legislation made significant strides towards protecting workers from the pitfalls of the market forces that are certainly beyond their control, clearly there is much more work that needs to be done.

Workers need to be eligible for greater compensation through this program, and they need to have full super-priority status so that they are ranked, and thus paid, ahead of banks and insurance companies in the event of bankruptcy.

In these difficult economic times, it is imperative that we all pull together and work with one another to ease the difficulties that are being felt on a day-to-day basis. Hard-working people have become innocent casualties of the global economic turbulence that is rocking our province to its core and leaving thousands with an uncertain future. In recent weeks, we have seen this government and the federal government put aside their particular interests and partisanship to help find solutions to the challenges we face today, and it is clear that we face unique economic challenges that require new solutions.

Senior economists at some of Canada's largest banks have emphasized the need to rework elements of the federal social safety net, such as the employment insurance system, that were established after the Second World War and are now insufficient to meet the demands of the new and expanded economic challenges that we face today.

In order to confront the economic challenges of today, all levels of government must continue to work together. By supporting this resolution, members of this House can call on the federal government to make amendments to the Bankruptcy and Insolvency Act that would allow workers to receive all the wages they are owed and ensure that stories like those of the long-term-care-home workers do not become commonplace. Indeed, the amendments called for by this resolution would contribute to an expansion of the national social safety net, the strength of which has never been more important than in these difficult times.

I would encourage all members of this House to stand with me in supporting this motion and the thousands of hard-working people who face the injustice of losing wages that are rightfully theirs. I encourage all members of the House to stand for our workers. Every day, they toil diligently at their jobs, and what we can do is to ensure that their wages are met and they are paid. By moving this motion today, this will signal to our federal counterparts that it is time for a change.

So I thank you for allowing me, Mr. Speaker, to speak to such an important motion. I look forward to the debate coming from the members of the House. I'm sure this will create some lively debate, and I look forward to the opportunity to respond.

**The Acting Speaker (Mr. Ted Arnott):** Thank you very much. Further debate?

**Mr. Peter Shurman:** With respect to motion 83 by the member from Huron-Bruce, I hate to disappoint her, but I don't think there's going to be unanimity in the House today. As a matter of fact, I will say that I'll be the only person speaking on this side of the House to this motion, because our party is of the opinion that this is a federal matter and is ill-placed being debated in private members' business in a provincial legislature.

Labour law, as a matter of record, is a provincial jurisdiction. The motion, as it stands, is not ridiculous, because the concept is fine. The concept is to protect Ontario workers, or, for that matter, any workers who are in receipt of or would like to be in receipt of severance and termination pay when their employer goes bankrupt. That's a reasonable concept, but you present a motion on this because you can't pass a bill in the Ontario Legislature, private members' or otherwise, to effect this.

As a matter of fact, this, along with another motion we'll be debating today, is nothing more than passing the buck, not unlike what we heard this morning from the very minister who'd be responsible—the labour minister—on another aspect of provincial operations that he wants to pass to the feds. So I don't understand why we're looking at motions that call on federal jurisdictions to pass laws that have to do with the province of Ontario.

So no, don't expect my support for this motion and don't expect any support from the Progressive Conservative caucus.

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

**Mr. Paul Miller:** I'll start off with our submission, and I'll add a little at the end. The NDP supports the principle and objective that the federal Bankruptcy and Insolvency Act should be changed to provide employees with preferred creditor status so workers' salaries and compensation rank ahead of banks and insurance companies by increasing the maximum employee eligibility amount from the federal wage earner protection program.

What we do not accept is that the primary answer lies in a whole new set of talks between the provinces and the federal government.

Let me be clear. This is not a new phenomenon. I was talking about this five years ago in Ottawa with the United Steelworkers. This is something we've been looking at for years; this is not something that's new.

Laid-off workers simply can't wait for further debate. We believe that the province can act now and can do so by allowing my Bill 6 to proceed to committee and be passed by this Legislature. In one fell swoop, the vacation pay, severance, back pay—laid-off Ontario workers would be protected. The bill establishes a fund that would compensate laid-off workers for any vacation pay, severance and back pay owed to them. It passed second reading, and that happened for it to go to committee, where it died. It shouldn't have died. It should be passed in third reading and go into law.

More generally, we believe that the Ontario government has the primary responsibility—no, an absolute obligation to deal with both the pension crisis and the

shameful treatment of thousands of Ontarians regarding monies legally owed to them.

Basically, we do not accept the premise underlying this motion that the primary responsibility lies with the federal government. These issues are far more the responsibility of the province than the federal government. We will vote for this motion only because it's moving in a direction. It's old news. It's something we've been talking about.

My bill was shot down by that government right across the floor here. They didn't even read Bill 6, and now they're coming up with a genius idea to pass a motion and blame it on the feds. Be reassured, all the political energies of the Ontario New Democratic Party will be put into making sure that Mr. McGuinty's government is accountable for the crisis facing hundreds of thousands of Ontario workers.

Here is the economic context in which this debate takes place. The NDP has always been the party that puts working families first. We believe in a good job for everyone, because a good job is the best way to make sure working women and men share in Ontario's prosperity. In Ontario, manufacturing and forestry jobs are some of our very best. But there's a problem in Ontario's manufacturing and forestry heartlands: a job crisis. Since July 2004, 300,000 Ontarians in this manufacturing sector have lost their jobs. In addition to this, more than 9,000 direct jobs in the forestry products industry and about 35,000 indirect jobs have also been lost. Ontario is now losing an astonishing 35,000 jobs per month—unbelievable.

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Here are just some of the policies that the NDP has been fighting for since I've been here:

- a five-year guarantee of industrial hydro rates so that Ontario manufacturing and resource companies can count on stable, competitive hydro policies at a time when many competing jurisdictions have far lower industrial rates;

- a job protection commissioner to help at-risk companies overcome their financial difficulties and save jobs;

- a buy-Ontario policy that would ensure that streetcars, subways and buses continue to be made right here in Ontario, resulting in the protection of thousands of good-paying jobs;

- tougher plant closure legislation that would ensure that everything is done to prevent profitable plants from closing and going south; and

- pension protection that would make sure that workers get every penny they are owed from their pensions when their company becomes insolvent or goes into bankruptcy.

These people, as the member put it, have earned this. They've worked their whole lifetimes in the plants, and the rug is being pulled out from underneath them in their later years.

Now I'd like to talk specifically about Bill 6, which, I might reiterate, was ignored, not read, in committee, and passed on second reading for show. The purpose of the

bill is to create a fund that would compensate workers for unpaid regular wages, overtime wages, vacation pay and holiday pay, termination pay and severance pay. The fund works as follows: A program administrator would establish and maintain a fund to pay compensation to eligible employees. The act empowers the administrator to charge employers sufficient premiums to maintain the fund. Where employees file a claim for unpaid wages, an employment standards officer will investigate the claim and will issue an order if he or she finds the claim is warranted. The program administrator would determine the amount of premiums that are required to maintain the program fund and is empowered to establish premium rates that will vary with the kind of company and the number of employees. Employers must register with this program administrator and provide various statements relating to total wages that the employer estimates he'll have to pay in a given year. Rates would be worked out accordingly to suit the employer and his payroll so that it doesn't put businesses under like they would like to think it would.

This is a practical, doable proposal. In fact, something very much like it was established by the NDP government in 1991 and was extraordinarily successful in compensating workers for unpaid wages. The fund was killed, unfortunately, by Mike Harris. If this government is serious about protecting severance, back pay and vacation pay, it will pass my Bill 6 immediately.

I would like to clarify this situation. This week, I've been extremely frustrated. Two motions have come forward. It's like they weren't listening, they missed the bus, they missed the train or they're just doing it for show, because this was brought up a year and a half ago, right in front of them. Now when the crisis hits, all of a sudden they've come up with a brainstorm. Gee, I wonder where they got the ideas from? You think they might have had something to do with Bill 6 and picking out what they want?

The audacity of shifting the blame to the feds: We were talking about this five years ago, people. I was in the group that went to Ottawa. This is not new. You're stealing old ideas and trying to get mileage out of them. People don't want mileage. They don't want more discussions. We've got hundreds of documents to support these types of things that are there. I'll be happy to get them from the union for the members. I don't think they've read them, because they sure didn't read my bill. It's extremely frustrating, what's going on here.

I'll tell you, I think I'm up to about 20 bills from the government side that we've supported since I've been here, because we felt that the bills may not have been the way we liked them, but it was a move in the right direction and may have helped the people of Ontario. Not one good NDP bill has that side of the House supported. They don't even read it. What an insult. And I sit here today and watch these members bring forward our ideas, trying to make it look like it is a new phenomenon. These problems have been around for years, but now it's starting to face people right up front and they're scrambling for information.

I'll be more than happy to provide you with all the ammunition and information you need to support your motion, but I also need something made-in-Ontario, because if the feds don't act on it, what happens to the people? You keep blaming them to do something; if they decide not to do something, what is Ontario doing? What I can see is shifting the blame, shifting the responsibility away from them. They don't like being in the limelight. They don't like where they are right now. There's a lot of pressure from people who are losing their jobs.

If they'd sit back and smell the roses and listen to some of the ideas that come from this side of the House that were there over a year ago—and now they're coming forward and hoping we'll support it. Of course we'll support it, but it is a fluff motion. It does nothing. It's not going to bring one cent.

All I can say is that I am continually frustrated in this Legislature by the inaction and the stealing of good ideas by this government. It's a sad day. Democracy is taking a real beating.

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

**Mrs. Laura Albanese:** I am very happy to speak to my colleague the member from Huron–Bruce's motion today, which deals with amending the federal Bankruptcy and Insolvency Act in order to protect workers. This motion also calls on the government of Canada to increase the maximum eligibility amount for employees as it applies to the federal wage earner protection program. These two measures are important, now more than ever, to assist vulnerable workers and make sure they are entitled to what they earn.

This issue is a complex one, which requires the attention of our government, the federal government, major employers and unions. Ultimately, however, it is the federal government that has exclusive jurisdiction over the issue of insolvencies and bankruptcies.

In the midst of the unprecedented global economic challenges we are facing, businesses, governments and employees are under tremendous pressure to continue to offer economic opportunities, remain productive and provide the supports necessary for working families. As many members of this chamber have noted, much restructuring has gone on in recent months in a number of sectors, and the shifts we have seen to date are by no means over. However, we as a government must make sure that the very workers who have built this province are adequately protected.

I have heard from constituents in my riding of York South–Weston who have expressed deep concern over this issue. Just this week, I had the opportunity to participate in a community meeting in the neighbourhood of Mount Dennis, one of Toronto's 13 priority neighbourhoods, as identified by the United Way. Concerned residents gathered to discuss the employment insurance inequalities that exist toward Ontario workers and what can be done as a community. They are looking for ways to push things forward and achieve real change, and they recognize that the responsibility lies with the federal government.

Losing a job is always difficult. In the economic climate we are living in, many workers feel vulnerable and are counting on us to ensure that their decades of hard work are protected by these changes and that banks and other creditors are not placed above workers. This motion calls for precisely that. By compelling companies that go bankrupt to, first and foremost, fulfill their wage and benefits commitments to their employees, the Canadian government will be taking an important step in assisting those who, upon leaving their workplace, deservedly seek economic well-being and security.

In closing, this motion is about fairness, and I applaud the efforts undertaken by my colleague from Huron–Bruce in drafting this motion. I believe it is important that we signal to the federal government that this is important to us and to the workers we have the privilege to represent, and it deserves the attention of the level of government which has jurisdiction over insolvencies and bankruptcies. I therefore throw my full support behind this motion.

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**The Acting Speaker (Mr. Jim Wilson):** Further debate?

**Mr. Khalil Ramal:** I'm privileged and honoured to stand up and speak in support of the motion brought by the member from Huron–Bruce. She is a very great advocate on behalf of the workers of the province of Ontario.

I heard an opposition party member speak to this motion, and he said that it's not our jurisdiction and we shouldn't touch it. It's very important in this place to bring these issues forward and discuss and debate. It's especially important to discuss the issues that concern workers.

I listened to the member from Hamilton East–Stoney Creek speak about this issue. It's not about ownership—who owns the workers, who is the advocate on behalf of workers. All of us were elected to this place to support and be protectors of the workers of this great province of Ontario.

The member from Huron–Bruce brought up a very important topic. Before I came here, before I was elected in 2003, I was in business. I used to deal with a lot of companies and a lot of people. Companies open, they prosper, but for some reason, they may go bankrupt. And when they go bankrupt, what happens? Workers who have been with those companies for many years get nothing. Who comes first? The banks and the creditors. They take all the assets. They take everything and leave nothing for the workers who worked very hard to build those companies.

In my riding of London–Fanshawe, we had a huge company called McCormicks. Many people are familiar with that company. McCormicks was established in London for almost 100 years, making candy and cookies for distribution across the province of Ontario. Many people from my riding worked there all their lives. And then, all of a sudden, McCormicks closed their doors. What happened? Many people were out of a job—no protection. Many people were close to retirement age—60, 63 years

old, 50, 55. We know that not many employers will hire people of that age. Therefore, they were left hanging in the wind, with no protection.

That's why there is an obligation for the federal government, which deals with the Bankruptcy and Insolvency Act, to amend their act in order to protect the workers of the province of Ontario.

To the member from Hamilton East–Stoney Creek: We are speaking about this issue today because it is very important, just as important as it was when you introduced your bill, Bill 6. We're not saying your bill isn't good, or that this motion is better. We're talking about the workers, especially the ones who are facing bankruptcies, who are facing a lot of challenges, especially in many factories. Many factories are closing down. This has raised a lot of questions.

We heard the pensioners who came to Queen's Park not too long ago, talking about their pensions: the GM, Nortel and Chrysler pensioners, and those from many companies across the province of Ontario which, for some reason, are closing the doors. Many people worked for these companies all their lives. They contributed a lot to the companies—and all of a sudden, no protections.

The honourable member from Huron–Bruce brings such an important issue for all of us to consider and urges the federal government to take their responsibility seriously and stand up and say, “Yes, we want to protect the people of Ontario. We want to protect the workers who spent their lives building this beautiful nation.”

We cannot say, “No, it's not our responsibility. It's other people's responsibility.” Yes, it's our responsibility to continue to talk about it. We have an old saying in the Arabic language: If you cannot change it with your hand, do it with your tongue. If you cannot do it with your tongue, at least do it with your heart.

What we are doing today, especially the member from Huron–Bruce, is standing up in our place and speaking up for the people of Ontario, speaking to protect the workers of this province. I hope that the Conservative government will support us in this movement. This issue is not owned only by the NDP. All of us together can stand up for the workers and create some kind of protection. I want to congratulate her for bringing forward this motion.

**The Acting Speaker (Mr. Jim Wilson):** Further debate?

**M. Shafiq Qadri:** C'est un plaisir et un honneur pour moi de soutenir le projet de loi de ma collègue Carol Mitchell, the MPP for Huron–Bruce. Comme mon collègue le député parlementaire de London–Fanshawe a dit, nous devons travailler tous ensemble.

This is a very important piece of legislation, particularly given the global economic crisis that unfortunately Ontario, Toronto and many other borders and jurisdictions are finding themselves in. As my colleague has very rightly pointed out, there are anomalies, and perhaps some weaknesses, in the federal Bankruptcy and Insolvency Act and the federal wage earner protection program. We of course commend the federal government

for having come forward with some initiatives which help to address these particular issues; for example, eventually proclaimed in July 2008 but proposed initially in 2005, the federal Wage Earner Protection Program Act. It does involve some kind of abstruse, complex financial relationships as to which creditors are in line in order of payment, in order of sequence, when a company folds, when a company goes into bankruptcy.

The thing that we do, I think as a Liberal government, as part of the McGuinty tradition, is that we put people first. Of course, we understand that we must work with other organizations, with corporations, with businesses, with non-profits, with charities and so on. But ultimately our responsibility is to the people of Ontario, who have of course elected us in the democratic process—now for the second time and probably for a third; who knows—essentially to help them, especially within this downturn time.

Specifically what I'll speak about is what my honourable colleague from Huron–Bruce, Carol Mitchell, has brought forward. This is the abstruse financial framework, I guess you could say, which this particular bill addresses. First of all, the Bankruptcy and Insolvency Act does allow employees who have worked in an organization, factory or company that has filed for bankruptcy a certain amount of money, and allows them to have what is known as super-priority, meaning precedence, where they go first, beyond other creditors, whether it's another bank, another institution, or some of the suppliers who no doubt may be owed money by that particular organization. There is a limit, however; something in the order of about \$2,000. While that is certainly a step in the right direction, it is probably little consolation and less justice to the individuals who may have worked, for example, in that particular enterprise for years and years. The second amendment also has to do with a similar idea because workers can recover through another program a maximum of \$3,000. Ultimately, as my honourable colleague Carol Mitchell, from Huron–Bruce, points out quite validly, that is but a fraction of the wages they are likely owed over time.

It's incumbent on all of us in the Legislature, and certainly part of the animation or the inspiration for the McGuinty government, that we support Ontario's workers, our people, especially in this challenging economic global crisis.

**The Acting Speaker (Mr. Jim Wilson):** Further debate? Seeing none, the honourable member for Huron–Bruce, you have up to two minutes for your reply.

**Mrs. Carol Mitchell:** I want to thank the speakers from Thornhill, Hamilton East–Stoney Creek, York South–Weston, London–Fanshawe and Etobicoke North.

On the member from Thornhill's comments, I just want to encourage him to read some of the members who are seeking the leadership to see their positions on EI and what they would like to see changed at the federal level as well. I would encourage you to take the time to do that. With regard to the member from Hamilton East–Stoney Creek, I want to thank you for the work you have

done and will continue to do on behalf of all workers in the province of Ontario. To the members for York South–Weston, London–Fanshawe and Etobicoke North, we have the honour and privilege of being in the government and speaking on behalf of the McGuinty government.

Today this motion, for me, recognizes that there has been work done, but we want to ensure that what we put in place is not a duplication, an added burden for the businesses, but is respectful of a worker's ability to collect wages. There isn't a soul in this House who would deny a worker the wages that are owed for a hard day's work. All members in the House understand that that money is owed and it is due, and we must ensure the ability of all Ontarians to receive the money that is owed to them.

**1420**

I look forward to hearing from members from across the way what they have to say in the future about the rights of Ontario workers. I know they believe that workers must be paid. What they're paid is where we can get into some arguments, and what is the right level of pay, then, becomes very partisan, and we will speak on that in many more days to come.

Thank you, Mr. Speaker, for allowing me to bring the motion forward today.

**The Acting Speaker (Mr. Jim Wilson):** We will vote on this ballot item in about 100 minutes.

#### HIGHWAY IMPROVEMENT

**Mr. John Yakabuski:** I move that, in the opinion of this House, the government of Ontario should amend the Public Transportation and Highway Improvement Act to provide that, when requested by a municipality, the Minister of Transportation shall not refuse to enter into an agreement with that municipality to provide a tax rebate under the Gasoline Tax Act to a municipality for the purpose of constructing, maintaining or—I have the wrong—

**The Acting Speaker (Mr. Jim Wilson):** We'll just take a moment, and we'll give you the proper notice. Go ahead.

**Mr. John Yakabuski:** Pardon me, Mr. Speaker.

I move that, in the opinion of this House, the government of Ontario should amend the Public Transportation and Highway Improvement Act to provide that, when requested by a municipality, the Minister of Transportation shall not refuse to enter into an agreement with that municipality to provide a tax rebate under the Gasoline Tax Act to that municipality for a purpose related to public highways under the jurisdiction of that municipality.

**The Acting Speaker (Mr. Jim Wilson):** Mr. Yakabuski moves private member's notice of motion number 89. Pursuant to standing order 98, Mr. Yakabuski, you have up to 12 minutes for your presentation.

**Mr. John Yakabuski:** Thank you very much, Mr. Speaker. I appreciate that opportunity, and I'm glad I caught that motion before I finished reading it.

*Interjection.*

**Mr. John Yakabuski:** Yeah, whatever. Thank you to the member from Halton.

This is very interesting. This is a fundamental issue of fairness, and currently the government of Ontario rebates the provincial portion of the gasoline tax, which is 14.7 cents per litre, to municipalities that have a public transportation system in operation in their community. But they prohibit or leave off the municipalities—they freeze out the municipalities that do not have a public transportation system operating within their borders. So, to me, it's a fundamental issue of fairness.

It's interesting that the member for Huron–Bruce, in her windup, talked about EI. She talked about what the Premier has been going on about. She didn't mention the Premier, but we know the Premier has been waxing on about what he sees as the inequity in the way Ontario is treated—"mistreated," he says—under the Employment Insurance system. He says Ontario is being discriminated against. He wants the federal government to treat Ontario the same as other provinces. He doesn't like discrimination. Those are Dalton McGuinty's paraphrased words.

Well, I don't like discrimination either, but the Premier speaks out of two sides of his mouth on the issue, because on the one hand, he says he stands against discrimination when it comes to the federal EI program, but on the other hand, he is in favour of discrimination when it comes to withholding that gasoline tax from rural municipalities. You can't square the two, I say to the Premier, and I say the same thing to the member for Huron–Bruce. You cannot square those two positions. You either are opposed to discrimination or you support it. You can't have it both ways. And what is happening in Ontario today with respect to gasoline tax for rural municipalities is discrimination, plain and simple—14.7 cents per litre.

The Minister of Natural Resources is here today, and I'm glad to see her. She has been in my riding. She knows something of the scope of it; she knows the size and the distances between communities. I remember making that drive with her from up north to Stonecliffe, back down to Pembroke and wherever you had to go after that. Minister, you know it was a busy day. Do you know how long the travel was? Well, that's what people in my riding have to travel every day. It's not just my riding but every rural member's riding. They all encounter the same issues.

I was talking to the member for Haldimand–Norfolk the other day, and not a single community in his riding gets a single cent of gas tax from the provincial government. That is wrong.

As I said to the Minister of Natural Resources, she knows the distances. In Renfrew–Nipissing–Pembroke and in other rural communities, families sometimes have to have two vehicles, because if they're both working, the chances of them working in the same business or at the same time on the same shift are remote. They need to be able to get to work or they can't support their families.



On this issue of the tax, they pay an inherently disproportionate amount of that tax, because the more miles you drive—and if you're from rural Ontario, you've got to drive miles or kilometres, call them what you want, but you've got to drive a lot of them, and for each of those, you burn fuel. Every time you burn fuel, you've got to fill it up, and every time you fill it up, you've got to pay for it—except we're not getting any of it back, not a fair share of it, and that is fundamentally wrong.

We're not even talking about the 8% that Dalton McGuinty wants to add to the costs of those rural people. For every kilometre they have to drive, every litre of gas they have to buy, another 8% is going to be added on, effective July 1, 2010. That's wrong again. We've got two wrongs. Are they going to try to make a right out of that? It's not going to work. People in rural Ontario won't buy that.

They don't have the option of hopping on the subway, the TTC buses or whatever. They don't have the option. I've got two communities in my riding that receive some gas tax from the province: the city of Pembroke and the town of Renfrew. The city of Pembroke receives from the provincial government the grand sum of \$115,120 and the town of Renfrew receives \$185,237.

They want to talk about the federal government, so let's see what the federal government gives communities in my riding of Renfrew–Nipissing–Pembroke as their share of the gas tax. Let's see. We'll start with Admaston Bromley. The federal government, Mr. Speaker, I will tell you, doubled their contribution this year to those rural communities. They doubled their contribution because they recognize what a challenge it is trying to get municipal infrastructure built and maintained in rural communities.

This government is so citified, it is so city-centric, that it won't help out those rural communities in a fair way. I know that the member for Manitoulin, who has spoken before on this in the past, is going to say that there are other government programs. There can still be other government programs. Don't tell me that you're restricted to this. Here we've got Michael Bryant the other day all of a sudden finding the secret drawer in Dwight Duncan's desk and finding \$2 billion in the secret drawer. If they want money, they can come up with it. For whatever political purpose that suits their gain, they will find the money, but when it's about rural fairness they can't seem to come up with it.

Just the other day, I had to chastise the Minister of Education for coming up with \$15 million for Toronto school boards to support swimming pools. We can't even get our kids to school. They're cutting back \$1 million on bus transportation in my riding. You can't even get kids to school. They're cutting the funding there. Until this minister comes up with a fair funding formula for rural schools, this problem is only going to get worse.

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This is a fundamental issue of fairness. How this government can stand there and continue to do nothing about it while the federal government has at least recognized—

and let me get back to that: Admaston/Bromley, \$91,761; Arnprior, \$233,691; Bonnechere Valley, \$116,683; Brudenell, Lyndoch and Raglan, \$50,000—I'll just round them up; Deep River, \$135,000; Greater Madawaska, \$75,000; Head, Clara and Maria, \$8,000; Horton township, \$83,000; Killaloe, Hagarty and Richards, \$81,000; Laurentian Hills, \$90,000; Laurentian Valley, \$284,000; Madawaska Valley, \$143,000; McNab/Braeside, \$222,000; and North Algona Wilberforce, \$89,000. Pembroke, from the province, \$115,120—they have a small bus system—but from the feds, \$877,000. Petawawa, \$468,000. Renfrew county, from the province, zero; from the federal government, \$2,638,605. The town of Renfrew, \$185,000 from the province; \$258,000 from the feds. One more to come here, and that is Whitewater Region: nothing from the province; \$211,855 from the federal government.

That is how the federal government has addressed the problem of rural funding, and they're not even responsible for transportation. But they take care of rural communities. This government discriminates, without exception. Except where there's a small transportation system, they discriminate against rural communities. As I said earlier this year, they can come up with the money for Toronto swimming pools, but no money for transportation for school boards in Renfrew county.

I know they're going to talk about the MIII. I know they're going to talk about infrastructure programs. There is nothing to stop them from continuing with those, but those are nothing but a crap shoot. Those are a lottery.

*Interjections.*

**Mr. John Yakabuski:** Not everybody gets them, I say to the member from Manitoulin, and you know it. They are not sustainable, and you cannot account for them; you cannot plan for them. But in the case of gas tax funding, which the federal government doubled this year, you can count on it, and rural communities across this province need to be able to have a form of sustainable funding that they know is going to be there. Under this program with the provincial government, they don't know what's going to be there. You've got to put your name in; you've got to do the application. You've got to spend thousands of dollars to do an application, and at the end of the day you might get the letter from the ministry saying, "Too bad, so sad; not this time." That's not good enough. We need sustainable funding in rural communities. I've got rural communities from all across the province supporting this, which was a bill.

I'm going to shift gears for just one second and catch my breath. I'm going to say thank you to the government House leader and I'm going to say thank you to the House leader of the NDP, because I tried to reintroduce this as a bill, like it was introduced in the past, and I was ruled out of order. But I will say thank you to the government House Leader for allowing unanimous consent to allow us even to debate this today. So to some degree I say it was magnanimous of her, and I do appreciate it. We're having the opportunity to debate, and I appreciate that. But the question is, will they support it? Will they

support fairness in gas tax funding for rural communities here in the province of Ontario? Mr. Speaker, that is the question, and I know you'll be putting it to them shortly.

*Interjections.*

**Mr. John Yakabuski:** We're trying to put it to them, but you'll be putting the question to them.

I know that I have other members who are here today to support this. I hope the members on the other side—and I'm not trying to lecture you. You know that. I'm not that type. I'm just trying—I'm frustrated. I'm trying to appeal to your compassion and your sense of fairness today: Do not forget the rural people in this province. They are struggling greatly. When the province struggles, our rural people struggle even more, because they have to spend so much more of their income on essentials. In Renfrew county, take out Atomic Energy of Canada and Base Petawawa and people live on very low incomes. Please give them a hand.

**The Acting Speaker (Mr. Jim Wilson):** Further debate?

**Mr. Peter Tabuns:** Wow. Speaker, how do you follow that, eh? Really, it is very difficult. Even when I disagree with the honourable member, I have to say he has the best set of leather lungs in this Legislature, and you can even, at times—those on television can't see this, but you can see faint vibration of metal and wood around the chamber as he gets into it in full flight.

This motion needs a little bit of decoding for those who think it might be about swimming pools, because swimming pools are an issue. That's another part of what life is dealing with today. My understanding—and I'm sure that, *sotto voce* or full bellow, I will be informed whether I'm right or wrong—is that this would require the Ministry of Transportation to provide a gas tax rebate to municipalities not only for public transit, but also for roads, bridges and highways.

A nodding of the head was seen in the direction of the member who put forward the motion, and I'm going to assume, then, that my interpretation of the motion is correct. I appreciate that.

People need to know that Mr. Yakabuski has been fighting this battle for years and clearly has built up a good head of steam in the course of those battles. Indeed, he introduced a bill to this effect in 2005 and has not stopped since. The point has been put strongly each time it has been raised.

There's an equity dimension—and people heard about the fairness and equity dimension for the last few minutes—to the argument that's made, and not all municipalities have public transit systems; that's true. There's a certain size and density that you need before a transit system will make sense. So the question that's been put on the floor before us is whether it's fair that residents of municipalities without transit systems see their gas tax money going to other municipalities that do have transit systems. I would say, frankly and emphatically, yes, it is fair, just as all other revenue that goes into provincial coffers is distributed according to the needs of the province now—sorry, I should correct that. “According to the

needs of the province” assumes a detached air of accounting that doesn't exist. It's allocated politically, roughly following the political powers of the different communities and interests in the province. I think, however, that it makes sense for this province to continue putting money into municipal transit.

I'll note this again, but I want to note it right up front. Previously, under Conservative, Liberal and NDP administrations, public transit in this province was funded at 50% of operating costs coming from the provincial government. That ended in the late 1990s with one Conservative regime, and what has happened since 2003 is a small return of some of the cash necessary to make those transit systems work. So about a third of transit costs are now covered by the province, not the half that used to be there. You actually need the half to make sure that cities function properly. That's what we need. A suggestion that we would further reduce the amount of money that goes to transit systems in terms of the economy of this province is not a good idea.

One of the purposes of taxation systems is to fund programs that serve the common public good, and that's whether or not every individual or every region in a province utilizes the services that are produced. For instance, air ambulance is something that is needed throughout the north, throughout large areas of the province where you have low density. I have no argument with that at all. You don't need air ambulance in the GTA or in Ottawa; they are served by a large number of hospitals and the distances are much smaller. I think it would be wrong for us not to have that level of service in the north. I don't mind the fact that my taxes go to pay for it. In fact, the travel allowance that is given to northern residents has been outlined to me by people in the north, and it's clearly not adequate for their purposes. There should be more there, and I think people here who are from the north can speak to that far more eloquently than I can.

Different parts of the province have different needs. One of the investments that makes a huge difference to our society as a whole is an investment in public transit. Even if a person never steps on a bus or steps on a subway system, they benefit from the fact that having transit systems in place reduces the volume of car traffic and the level of air pollution that people are subjected to.

**1440**

I have been in Kingston—I have been north of Kingston in midsummer, when people have had to breathe the smog that blankets all of southern Ontario. Some of that is from coal-fired plants; some of that is from natural gas. A big chunk of it is from cars. The more people we get out of cars and onto transit, the less smog. If you're in rural Ontario, you're breathing that junk just as sure as if you are down here in this Legislature. Investment in transit in Ottawa, Hamilton, Windsor, London, Toronto, Kingston—in all those cities—means cleaner air and better health for rural Ontario and urban Ontario.

Air pollution in Ontario causes at least 2,000 premature deaths each year and costs \$10 billion in eco-

conomic costs each year—\$10 billion. That's a cost that is borne by the whole province. So investments to reduce that air pollution, to reduce the mortality and to reduce health costs are of great consequence to every person in this province.

Public transit reduces greenhouse gas emissions. The north is going to be hit much harder by climate change than the south—more forest fires. Farmers—rural areas dependent on regular, predictable rainfall for crops—are going to be hit hard. Rural Ontario has a huge stake in the outcome of real action on climate change, and if you're going to take real action on climate change, you have to have investment in public transit, and that investment has to be at a level that makes it viable and attractive. So we have a question here of making investments in different parts of the province that benefit the whole province.

Getting people out of private vehicles and onto public transit reduces motor vehicle crashes, which kill about 3,000 Canadians a year and cost the Canadian economy about \$1.7 billion a year. Very straightforwardly, we're about 40% of Canada's population. So we're somewhere in the \$800-million or \$900-million-a-year range for health care costs arising from motor vehicle crashes. Again, since we don't say we'll spend less in rural areas for health care than we spend in urban areas—although I know that very often that is the way it's been working out in reality—the principle is not applied the way it needs to be, and it needs to be corrected. And if that motion were on the table, I would be giving a very different speech. The reality, though, is that health care costs are shared across the province, and to the extent that we reduce the number of people who are injured in car crashes, we'll reduce the overall burden of health care costs in this province.

Investing in places where we can get people out of their cars and into transit makes sense for the province as a whole. In smaller communities, transit can play an important role helping local businesses, helping commuters get to work and bringing shoppers to stores.

It was interesting: About a year ago, I was talking to a friend of mine who drives a bus in London. Now, London is a city that doesn't have a very big transit system—it isn't a very frequent service, in my experience, honourable member. Having grown up in Hamilton, I really enjoyed the transit system when I got to Toronto. It was just a lot more frequent. My friend, however, was driving a bus in London, and talked about how they changed his route so he had to stop in a shopping mall. Initially, the business owners in the shopping mall weren't enthused about it, but he found that he was carrying a lot more passengers into that mall and out of that mall. He was increasing the overall traffic, the overall trade, to their advantage, and the people who weren't having to spend money on gasoline and insurance for their cars, and paid much less for transit, were able to spend that money in those stores. There's an advantage to us to have more people with money in their pockets because they can rely on transit rather than having to spend a lot on owning and operating a car.

There are 89 municipal transit systems serving 111 municipalities in Ontario: towns like Elliott Lake, Leamington and Lindsay. For us as a province, there is a tremendous advantage to investment in public transit. It's good for our health, our environment, our quality of life and our communities.

This government, frankly, could do a lot more to support public transit. As I said at the beginning of my speech, the government of Ontario once paid half of transit operating costs and now pays less than a third. In its most recent budget, the McGuinty government once again allocated more money to new highways than it did to public transit. There is an awful lot more to be done to actually re-jig that balance of investment in transportation dollars so that the investments we do make improve our health status, reduce air pollution, reduce greenhouse gas impacts and, in fact, make our cities more livable.

I've listened to the member from Renfrew, who makes a very strong argument. I disagree with him. I think taking money away from transit and putting it into roads, bridges and highways is not the right direction to go. I have to say this, though: Rural Ontario is in deep trouble. I think the speech that's been made by the member shows the extent to which rural Ontario has been dealt a bad hand. That needs to be corrected, because I heard it when we did the Clean Water Act hearings. I disagreed with the arguments people were making but I understood emotionally where they were coming from. They're seeing their way of life being drawn away from them with depopulation and reduction in incomes. Those things have to be addressed in this province because there is a rural anger out there that, if not addressed, will shred the fabric of this province. It needs to be addressed. I disagree with this particular approach, but not with the fundamental argument about the need for a fair deal for rural Ontario. Thank you, member, for bringing this forward.

**The Acting Speaker (Mr. Jim Wilson):** Further debate?

**Mrs. Linda Jeffrey:** I appreciated the rant that the member for Renfrew–Nipissing–Pembroke brought to the table, and his passion, but I think a little context always helps, and I thought I'd bring context from my own community.

By the year 2031, the city of Brampton is expected to reach a population of 680,000 people; a home to more than 290,000 jobs. I think the resolution that we've heard put forward today would jeopardize my community's plans to successfully manage the growth and the transportation needs of such a large city.

In Brampton, to respond to those needs and the growth that we've all heard about, we've prepared a transportation and transit master plan. The plan reinforces the urgent need to implement an accessible, attractive and viable alternative to the private automobile. To this end, the city of Brampton proposed a Brampton Rapid Transit initiative, which we fondly call AcceleRide, to improve transit service in the high-demand corridors, to encourage and increase commuter traffic and use of transit and more

effective use of Brampton Transit to other transit networks across the GTA. The key to all successful implementations of any transit network—and certainly in Brampton—is a meaningful relationship and a partnership with a senior level of government.

In March 2006, our government announced a \$95-million commitment to the city's AcceleRide program as part of our budget. I was thrilled by the announcement. I think on Wednesday we announced it in our budget, and by Friday Mayor Fennell already had the money and it was in the bank. We had already put our third forward in order to successfully implement this AcceleRide program in Brampton. The city committed to putting its one third forward; we're still waiting for the feds to put forward their amount. They've made many announcements but the money hasn't actually been there. The city of Brampton has put \$2.4 million in the bank, including hiring additional staff. The first phase of the AcceleRide program involves some branded and enhanced service on Queen Street and Main Street connecting us to Vaughan.

The reason government provides gas tax to mass transit systems is to get the vehicles off the road, to reduce our emissions and to make sure the infrastructure of mass transit service systems serve all of Ontario. We've made it a priority to invest in public transit. We're back in the business of public transit systems, and that's important. Municipalities have indicated that an ongoing, predictable funding source is a top priority for moving public transit. Providing two cents of gas transit revenues is a key example of our commitment to improving public transit in the GTA and across Ontario.

**1450**

I find this resolution to be problematic because it takes money away from mass transportation systems. The two cents of gas tax applies to all of Ontario, so if you take some of that money away to do other things across Ontario, you're going to reduce the funding to mass transit in the larger cities and larger communities that provide that mass transit.

When I am here in Toronto I hear the need—and certainly in Peel, there are appeals for more money for mass transit so we can reduce emissions, reduce the wear and tear on our roads and get our people moving. So although I appreciate the passion of the member, in my community you need to fund the mass transit. We have almost a million people there and you need to fund those transit priorities.

I think there are unintended consequences of this resolution. Although I appreciate its passion, I am unable to support this resolution.

**The Acting Speaker (Mr. Jim Wilson):** Further debate?

**Mr. Ted Arnott:** I'm glad to have this chance this afternoon to speak in support of my colleague the member for Renfrew–Nipissing–Pembroke and his resolution which he's brought forward today: "That, in the opinion of this House, the government of Ontario should amend the Public Transportation and Highway Improvement Act to provide that, when requested by a municipality, the

Minister of Transportation shall not refuse to enter into an agreement with that municipality to provide a tax rebate under the Gasoline Tax Act to a municipality for the purpose of constructing, maintaining or operating a rapid transit or public transportation system." Translating that—

**Mr. John Yakabuski:** That's the wrong resolution.

**Mr. Ted Arnott:** That's the wrong one?

**Mr. John Yakabuski:** Read it on orders of the day.

**Mr. Ted Arnott:** Well, that's what I've got in front of me.

But essentially what the member is advocating, as I understand it, is to allow the rural municipalities of the province of Ontario to access some of the provincial gasoline tax. Right now, as we know, the provincial government shares a small portion of the 14.7-cents-a-litre gasoline tax that people pay when they buy gasoline with municipalities that operate transit systems. Of course, those tend to be the cities, or perhaps the larger towns in some cases. But as we know, rural Ontario is excluded from this predictable stream of funding, by and large. A vast majority of rural municipalities are excluded from this particular stream of funding, which makes it very difficult for them to plan their infrastructure projects.

I support what the member is saying. I want to suggest that he deserves credit for his persistence on this issue. He has brought it forward on a number of occasions in the House. I've certainly expressed support. In fact, I have presented petitions in this Legislature on this very issue, and I think that people in my riding are very concerned about it and see it as a matter of fundamental unfairness.

Listening to the government members opposite with their explanation of the situation, unfortunately they seem to be willing to pit the cities against the small towns with respect to this debate; to suggest that if the small towns and the rural areas of the province get anything in terms of the gas tax, it's going to be taken away from the big cities such that they won't be able to maintain and operate their transit systems. I don't believe that to be the case. I certainly recognize and understand that our urban communities in Ontario need public transit, and I support that. I support expanded GO Transit service and GO train service to my constituents in Wellington–Halton Hills and have spoken out on that on many occasions. But at the same time, I'm well aware of the infrastructure needs that exist in the communities in Wellington–Halton Hills. I know that each member of this House who represents a rural riding should be aware of the huge infrastructure deficit that exists in their communities.

Just last week, the municipalities in Wellington–Halton Hills and, I believe, across the province had a deadline to submit their applications for the Building Canada fund and the stimulus fund, which is a joint federal and provincial program, those two programs together, in an effort to build infrastructure to kick-start our economy. All of the communities in my riding identified their needs. I could go into it as great length. I know that the county of Wellington wants to build a new Centre

Wellington police operation centre and a new county archives. I've written the Premier to express my strong support for those projects. Certainly, the region of Halton has a significant list of projects as well: the Skyway waste water treatment plant and the southwest treatment plant; key transportation projects, Tremaine Road and Upper Middle Road—I guess that's most likely in Oakville; development of employment lands, the 401-Halton Hills corridor that includes our riding of Wellington-Halton Hills, the Milton business park and Winston Park as well as a number of other projects.

Our local communities have a huge list of projects that they have put forward. Again, this underlines the need for infrastructure funding from the senior levels of government, but I take this opportunity to express my strong support for all of our applications that are coming from Wellington-Halton Hills. I know they've been carefully reviewed. The ideas have been thoroughly vetted by the municipal councils and the staffs, and I have absolute confidence in the local municipal councils and the staffs in my riding. I'm privileged to work with them. I'm privileged to call them colleagues. They do an extraordinarily good job on behalf of their constituents.

Very briefly, I know that the township of Guelph-Eramosa is seeking assistance to reconstruct 7.8 kilometres of Jones Baseline between County Road 124 and 22.

Puslinch township is seeking assistance for a new municipal storage building at the municipal complex. They're also looking for assistance under the Building Canada Intake 2 for the reconstruction and paving of Concession Road 7 in the township.

I know that Centre Wellington is looking at the need for assistance for replacement of the Forfar Street water tower, the reconstruction of Church Street in Elora, and the reconstruction of Sideroad 19, Burnett Court and Victoria Crescent. As well, under the Building Canada program, they have identified the need for a big, expensive project but certainly a well-needed project: the Elora waste water treatment plant upgrades. It's a \$15.6-million project, hopefully split three ways.

**Interjection:** Where is that located?

**Mr. Ted Arnott:** That's in Elora, in Centre Wellington township. We certainly need the support of the provincial government with that one.

I'm pleased to outline the needs in Halton Hills. We have the need for assistance to twin the Acton arena under the communities component of the Building Canada fund. As well, under the stimulus program, there is a need for assistance for the Acton branch library replacement; the Georgetown arterial road reconstruction—Delrex Boulevard and Sinclair Avenue; and the rehabilitation of rural surface treated roads to asphalt.

Those are a number of the projects that I believe need to be funded by the provincial government. I also know that if the government were to listen to the member for Renfrew-Nipissing-Pembroke in this regard and bring forward a program in response to his resolution so as to allow our rural communities to access some of this gas

tax money, they would be able—in my community, certainly—to take a very good stab at this significant list of infrastructure projects that are needed. I know that they could move forward on them more quickly and build more of them. I think it's important to point that out today.

Again, I would suggest to all members of this House, particularly the rural ones—there are a number of rural MPPs who are here on a Thursday afternoon to listen to this debate. I hope that they will support the member for Renfrew-Nipissing-Pembroke. His speech today was excellent. He's a vocal, outspoken and articulate spokesman for rural Ontario, and he deserves enormous credit for bringing forward this resolution. I salute him, and I urge all members of this House to support his resolution this afternoon.

**The Acting Speaker (Mr. Jim Wilson):** Further debate?

**Mrs. Carol Mitchell:** I'm very pleased to enter the debate today. I do want to be up front that I will not be supporting this motion.

**Mr. John Yakabuski:** Oh.

**Mrs. Carol Mitchell:** I know that the member from Renfrew-Nipissing-Pembroke will want to know why. I entered the debate the last time, when you brought it forward as a private member's bill, and today, when it is a motion.

I want to talk specifically about one of the smallest municipalities that I have in my riding. It's called the municipality of South Bruce. They received \$78,000 in gas tax in 2007; in 2008 they received \$98,000; and in 2009, \$197,000. I want to give a sense of where the municipality is at today. They need a new bridge. How many years would it take them to save for that bridge? Ten years? Nine years? They would be saving so long for a bridge, if that was the funding they received for infrastructure, that they would never, ever catch up. They would think that the previous government was back in government again. The municipality of South Bruce just received \$19.5 million for sewage. If they received only gas tax for funding, they would have to save for 100 years to pay for the same work that they're getting.

The members from across the way will tell you that rural Ontario is not getting its fair share of infrastructure dollars. They're simply wrong. My riding, the most beautiful riding in the province of Ontario, Huron-Bruce, received \$56 million in the last fiscal year alone. Do you want me to tell you what happened when the previous government was in? They downloaded \$40 million to the county of Huron alone, and we also had the county of Bruce.

**1500**

I know that we're on a "spend" day today from the members across the way. We're on a "spend" day today; I understand that. Tomorrow we'll be on a "cut" day, but today we're on a "spend" day—and for the member from Wellington-Halton Hills to stand up and give his list of what he wants to see happen, when he sat in the previous government and cut, cut, cut, because those were "cut"

days, but today we're having a "spend" day from the members across the way.

They'll also vote against the budget; I know they will—\$32 billion invested in infrastructure over two years, and then you'll say, "Well, that's the federal government. They're putting all their money in," and they are putting some money in. Of the \$32 billion, they're putting in \$5 billion. That's their contribution. Then in the same breath they'll argue, "You should do what the federal government does now for the rural municipalities." Well, we're doing far more than that. Look at my little municipality of South Bruce—\$19 million. You would subject my community to living with inadequate sewage capacity for another 100 years if your program came forward. I say to the member from Renfrew–Nipissing–Pembroke that that's not good enough for me. That's not good enough for my people. I know that you will vote against \$32 billion and I say that's inappropriate. Roads and bridges funding, MIII, RIII: You guys have never seen the investments and you're all out there for the photo ops, you're all out there to cut your ribbon and you're all out there to bring your list forward, but by the same token you'll vote against that \$32 billion.

I say, come clean, tell us where you're going to cut if you form government again, and then my people will know the story. Thank you for allowing me to enter the debate.

**The Acting Speaker (Mr. Jim Wilson):** Further debate?

**Mr. Ted Chudleigh:** I think this motion is all about fairness. What he talks about here is that, "in the opinion of this House, the government of Ontario should amend the Public Transportation and Highway Improvement Act to provide that, when requested by a municipality, the Minister of Transportation shall not refuse to enter into an agreement with that municipality to provide a tax rebate under the Gasoline Tax Act to that municipality for a purpose related to public highways under the jurisdiction of that municipality." It's a reasonable resolution, a reasonable request.

The member also has a bill before the House that talks to the same issue. But here we have in Ontario two classes of citizens, two classes of municipalities: one that qualifies for a very specific grant dealing with, albeit public transportation, but it deals with the basis of transportation. On the other hand we have a number of municipalities in Ontario that don't have a system of public transportation within their municipalities, and they are excluded from this rebate. People in the excluded municipalities still require transportation. They provide it themselves, and that transportation should have the right to the same access to funds that the municipality with public transportation has in their grasp. So I think this whole resolution, this whole program, is one that looks at the fairness of treating Ontarians on a level playing field.

It isn't just in transportation that this exists. This exists in other parts of our society as well, and I find it particularly interesting and upsetting, perhaps, that it occurs in the town of Milton. Milton, of course, is the fastest-growing town in Ontario. It's growing at a rate that puts

it as—this is interesting—the fastest-growing town of its size in the world. It grew about 15,000 people in the last two years. My riding, which includes Milton, has in excess of 200,000 people in it. Most ridings are in about 100,000; 107,000; 110,000. My riding has well in excess of that. I think it is about 220,000, but it's difficult to keep up because it's growing so quickly.

The province of Ontario funds certain things, certain administrative things, in hospitals, in municipalities, on the basis of census figures. The last census figure for Milton—Milton had census figures, I think, of 29,000 or close to 30,000, and here we are servicing currently 75,000, 80,000 people in Milton. Miltonians are being short-serviced by that amount from the population census, and that makes it very unfair.

The system of funding certain programs and health care in Ontario municipalities based on census population figures works well for perhaps 90% of Ontario, perhaps 85% of Ontario. That program works well; that system works well. But when you get areas of high growth, it is distorted and it doesn't work well, and the gasoline tax and the rebate system add to the distortion of what is fair for all Ontarians.

It's very important that when we're dealing with Ontarians, whether it be in Moosonee, Kenora, Cornwall, downtown Toronto or any of the small towns—whether we're talking about the Teeswaters of Ontario or the medium-sized Guelphs or Chatham-sized towns—I think all of those towns have to be treated in an equal way with respect to their own needs and their own desires, as opposed to being dictated to from a central source at Queen's Park. People in the country, of course, refer to it as Toronto, but it's Queen's Park that is dictating the fact that Ontarians are treated differently in different communities, and I think that's inherently wrong.

I'll be pleased to support this member's motion and—

**The Acting Speaker (Mr. Jim Wilson):** Thank you. Further debate?

**Mr. Michael A. Brown:** Just briefly to the member for Renfrew–Nipissing–Pembroke—and a good friend: He would be wanting to go back to all of those municipalities that he represents in his very fine riding and explaining to them that they can access this money. What they need to do is provide disability transportation within their communities, and they can access the money to do that. He would know that I have a number of communities in my constituency that do not operate mass transit systems and that feel that they have some reason to look after their folks with disabilities and make sure that they can go where they need to go, such as appointments. You can do that through this program if those municipalities choose to do it. So I know he would want to go back to his municipalities and say to them, "If you care about your people with disabilities, you can get the money, and this is how you do it."

**The Acting Speaker (Mr. Jim Wilson):** Further debate?

**Mrs. Liz Sandals:** I will be opposing this motion, so I will be up front about that, just as I opposed Bill 38, which the member previously put forward.

I support the gas tax and I support it going to public transit, because I share our government's commitment to public transit. In fact, we've invested \$17.4 billion in public transit since we came into office in 2003, and what we're seeing as a result of that is increased ridership and improved service, and I'm very proud of that.

We delivered on our commitment to provide two cents per litre of provincial gas tax revenues to municipalities. I am fortunate that Guelph, in fact, is one of the municipalities that receives that money. To date, Guelph has received \$11.3 million from this fund, and it's gone to very good use.

People who have ever used public transit in Guelph will know that, traditionally, it was like a daisy: Everything met in the middle. What we've done with the gas tax money is introduced ring routes around the outside of the petals, and that's meant a huge improvement for people who are trying to get around by bus in Guelph. We've also been able to increase the frequency of the service, and again, that's made a huge difference in Guelph—very much appreciated.

**1510**

But the member from Renfrew has been talking about the fundamental issue of fairness. I think I disagree about what's fair, because the member from Renfrew left a piece of the story out. What the member from Renfrew didn't mention is that this government has a lot of programs for which only rural municipalities qualify.

Guelph is now over 100,000 people. That means we are not rural, and I don't complain about that; we're clearly not rural. But because we're not rural, we can't qualify for COMRIF; the member's municipalities can. We can't qualify for RED, rural economic development; the rural members can. My municipality doesn't get what's called OMPF any more, the Ontario municipal partnership fund. His municipalities can. In fact, if you look at his municipalities, when you look at just the roads and bridges portion of stuff they can qualify for that my municipality can't, they have received \$21 million from this government. That's double what my municipality got from the gas tax.

So I agree that there's a fundamental issue of fairness. It means that urban and rural both have their needs met, but it—

**The Acting Speaker (Mr. Jim Wilson):** Thank you.

The honourable member from Renfrew–Nipissing–Pembroke has up to two minutes for his response.

**Mr. John Yakabuski:** I thank the members from Toronto–Danforth, Huron–Bruce, Wellington–Halton Hills, Brampton–Springdale, Halton, Algoma–Manitoulin and Guelph for their comments. I just want to touch on a couple of the points because I want to clarify something.

To the member from Toronto–Danforth, I want to make one thing perfectly clear: Never once have we ever talked about reducing the funding for public transportation as a result of this. This is about a fair share of gas tax. This is a \$109-billion budget this government is putting out. Michael Bryant can find \$2 billion extra in Dwight Duncan's extra pair of pants, for God's sake; we

can find the money to fund public transportation. And for the members to impute that this is the only funding, then, that rural municipalities would be getting is absolutely preposterous. What the member for Huron–Bruce said—for goodness sake, the federal government gives gas tax. It also participates in infrastructure funding—billions of dollars. For them to make that kind of connection is ridiculous. There is more than one way to do it, as the member for Guelph has said.

What we're saying is, you fairly share the gas tax and we still deal with those issues. But we do not have, then, the totally inequitable situation of giving gas tax that is collected from rural people, taken out of rural people's pockets, and given to people who don't even drive cars. This is something that is absolutely wrong. So for them to try to equate those two things is preposterous at its outset and I'm trying to clarify that. Toronto is not limited to gas tax funding for transportation infrastructure. Toronto gets billions of dollars of funding over and above gas tax from the provincial share.

Their arguments are wrong. This is an issue of fairness. This is an issue of sharing the gas tax equally among those people who pay it, and it's time for them to do something fair in this government.

**The Acting Speaker (Mr. Jim Wilson):** We'll vote on Mr. Yakabuski's ballot item in about 50 minutes.

#### NEWS MEDIA

**Mr. Michael A. Brown:** I move that, in the opinion of this House, local news sources such as radio, television and newspapers are important to maintaining thriving, vibrant communities, and deserve assistance if needed from the government of Canada, and all members of the community, to remain viable through the current global economic situation.

**The Acting Speaker (Mr. Jim Wilson):** Mr. Brown moves private member's notice of motion number 88. Pursuant to standing order 98, the honourable member has up to 12 minutes for his presentation.

**Mr. Michael A. Brown:** I think today this is an important resolution. It calls on not just the government of Canada but all people and all governments at all levels to do what they can to bolster local news media coverage.

When I came here back in 1987, in my constituency, which was much smaller in those days, there were three radio stations operated by Huron Broadcasting. One was in Elliot Lake. There was a fellow by the name of Phil Dunn who was one of the news people; Rocco Frangione was there, and several others. There were people in Blind River at the radio station. There was Jack Reid and Roz Raby, who was on the radio station in Espanola.

Now there is but one of those. The Moose, as it's called, is a chain of radio stations. They do very good work, but they have one reporter in the entire area: Kyle Duggan, who does a great job, but he's on from 6 in the morning until noon. That is it as far as local news goes. On the weekend you get repeats out of the network. You cannot really know what's going on in the community.

We've looked at our television stations. The folks I represent would watch television stations from Sault Ste. Marie, from Sudbury, from Timmins and other parts of the constituency. Back a few years ago, MCTV, the operator, had local anchor desks in each of those communities. It's all been consolidated to one. It all comes out of Sudbury. There are reporters in the other communities, but I would tell you, there is not as much local news through the area as there once was. I would also tell you that they recently eliminated the morning five minutes they would insert into Canada AM every morning, so that's no more.

Our venerable broadcaster, CBC, the public voice of Canadians or whatever they call themselves, has recently reduced their northern services dramatically in the Sudbury area and, I presume, Thunder Bay also and across the province.

What I'm saying, or what I am trying to say, is that we need good local news sources for good, strong, vibrant local communities. We can't rely on CNN or Fox or even Newsworld or Newsnet to make our local communities pull together.

We do have one strong component in my constituency of local news, and that is our weekly newspapers. I want to spend just a minute or two talking about the fine job that people do from Manitowadge through to Manitoulin providing weekly newspapers that are first-rate. Rick McCutcheon of the Manitoulin Expositor and the Manitoulin West Recorder and his editors, Tom Sasvari from the Recorder and Jim Moodie from the Expositor, and all their fine staff produce some of the finest weekly papers in small markets that I know of.

Roz Raby—you probably just heard me speak about her earlier in the radio—now is the editor of the Mid-North Monitor. Kevin McSheffrey and Shannon Quesnel in Elliot Lake do a fine job of their local newspapers, but they're weeklies. Brent Rankin of the North Shore Sentinel and his staff do a wonderful job. We look up to the Chapleau Express, Mario and his gang, Tammy and her gang from the Algoma News, and even Scott and Bunny at the Echo do a great job of bringing local news to local people. But it's once a week. It's once a week, and even they are feeling the difficulties of a relatively difficult advertising market in maintaining it.

Recently, the federal government, as probably all of us know, has been musing about spending around \$150 million in support of these local community media outlets. Now, I just want to encourage that. That seems to me to be a good idea. They're not quite sure how they want to do that, and I'm not quite sure how they do it either. But I think we all need to be supportive of making sure that our local communities have a good local voice.

The second thing I wanted to talk about is what has happened here. In 1987, that press gallery during question period was full.

**Interjection:** Look at it now.

**Mr. Michael A. Brown:** There is not a soul in it today.

*Interjection.*

**Mr. Ted Chudleigh:** They're listening.

**Mr. Michael A. Brown:** I know they are. But there was television then, in the Stone Age, Peter. I think we had a rather exciting day here for question period; I think there were five or six. The press gallery in this place has dropped. There used to be reporters here from the Windsor Star, the London Free Press—a host of local dailies had people here. They weren't just part of a chain; they had their own people here. We just lost Murray Campbell, from the Globe and Mail; one of the best sources of commentary, I think, around this place, Murray was. He's now gone. The Globe and Mail, Canada's newspaper, has but one reporter here at Queen's Park. We don't have that kind of local influence. If a northern member stood up and talked about something from the north, there would be somebody up there that connected directly with it and they knew it was important. They knew it was important that they should cover that, get that information back out to Thunder Bay or Timmins or Gore Bay or Elliot Lake or wherever it needed to be because they understood, they were from there, they were from a market that was interested in those issues. So that was really important.

**1520**

The gallery has now shrunk. The concentration of media means that many people are doing more than one job. They're reporting for radio, they're reporting in a newspaper and they might even be on TV too. That just is not good for our sense of community, for our sense of understanding, for our sense of making sure that our communities pull together, understand the issues as they come from a local perspective. Some would say, "Well, you know, that's the way the world is: concentration of media, big business rules everything and we don't need those local folks." I'm telling you, we do. I think local newspapers, the weeklies, are the best demonstration of that. I have a note here somewhere that tells me how many we have. We have 300 members of the Ontario Community Newspapers Association. They circulate 4.1 million copies of their papers every week, but more than half of them distribute less than 5,000 copies of their paper. So they are small; they are local. Most of them are owned not by big chains but by small business people. Often it's a labour of love as much as a business. They do a good job of informing their communities about the issues that are important to those communities. We need more of that. We need the support.

For example, if you look at the Toronto Star these days, it's not very thick, is it? Why is that? There's not a whole lot of advertising in it; the Globe and Mail—all the big papers are like that. The small papers are having the same problem, and it gets magnified if your margin isn't that big in the first place.

All I'm urging here is for this House to understand the importance of local media to local people, local communities. I think we can do that if we encourage the federal government to move on what they have been musing about. That's a good thing. If we in the province can continue with cutting the taxes of small business so that



the small newspapers have an opportunity to do better in their markets, or at least keep more of their own money in their own pocket, that's also a good thing. There are some things we are doing that are good things. There's probably more, and hopefully we'll hear some suggestions about that. But I just want people to know that we have to focus more. I think as a northern member you realize that the small communities often are feeling totally disenfranchised. I think Mr. Yakubski's motion just before me may have spoken to that a bit. That's because we don't seem included, and we don't seem included because the local news and the news out of Toronto have a disconnect. Part of that is because we don't have the people in the press gallery or the people across the newspaper operations or the electronic operations that are important.

I would say, though, that the advent of e-news or Internet news is kind of an interesting facet. It has even captured the imagination of parts, at least, of Algoma-Manitoulin. We just want to say to Brenda Grundt, who operates Wawa-news.com in the great municipality of Wawa, that she does interesting stuff there. They even have a wonderful radio station up there owned by Rick Labbé, who serves both Wawa and Chapleau. So we have come into this century. We are doing good things. Many newspapers are now publishing e-editions, but we need to do more. I would just ask the House to consider my resolution favourably. I think it is one that is worthy of support.

**The Acting Speaker (Mr. Jim Wilson):** Further debate?

**Mr. Peter Shurman:** This is a really interesting motion. Coming, as most members know that I do, from a background of media, both small market and large, for many, many years I've kind of been waiting to debate this on a number of levels, not least of which is the fact that there are a number of motions that we've discussed—last week one on an unfair law in Afghanistan that I think all members of the House could support; this motion brought by the member from Algoma-Manitoulin; the earlier motion by the member from Huron-Bruce—which are motions of really no force and effect other than, if they are passed, to say that the House feels something should happen, and we kick it upstairs to the government of Canada and hope something happens. It probably doesn't, because these things are out of our province. That's number one.

Number two, listening to the member from Algoma-Manitoulin talking about the small markets and the media the way it used to be and comparing it with how it is now brought back early stages of my career when I knew some of the people he was talking about who operated the three radio stations that have now morphed away and turned into one. I have to reassure the member that that is not particular to small markets. I will talk during the course of the next 10 minutes about the changes in media which I think are pervasive in North America, if not indeed the world, and that are changing the face of everything. So this motion is about protecting private for-

profit media, some of the ones, but not all of the ones, that provide us with our local news.

This member is proposing to protect people from losing their local news sources, and it's at some cost by way of bailouts that would come at the federal level. In short, I've got to say I don't think so. I don't think this is going to happen. When I saw the motion, it occurred to me that if this were 500 years ago, the member or somebody like him might say, "There's Mr. Gutenberg printing his Bibles and it looks like new technology is coming along, so we'd better bail him out and protect him so we can print those Bibles for the next 500 years." But that made way for other forms, so the media of that day made way for the media of today. We couldn't save Gutenberg then and we can't save media as we know media now. But smart people in the media business can save themselves and will save themselves, and there are signs of it everywhere.

I respect private members' ideas, in particular this one, and their wish to achieve good through the private members' process, but I've got to tell you that I have spent my life in media, in middle management roles and in some quite senior management positions—I ran one of the biggest radio broadcasting companies in the country, one that encompassed huge stations like CFRB Toronto and smaller, very small, stations. I worked for the likes of Conrad Black—you might know him, a guest of the American government right now—and the legendary Allan Slaight, now retired here in Toronto. We endured some hard times even in those days. But a bailout? The word didn't even exist. These days, that approach comes up constantly, and I sometimes find myself wondering whether this is some kind of buildup of anti-market forces, some kind of a disease.

Competition makes media better and it forces change, and in tougher times it forces change faster and more radically. Marketing positioning makes, for example, the Toronto Star left, the National Post right, the Sun a tabloid picture paper, and the Globe—well, we're not quite sure what the Globe is, but it's there. Competition makes someone, for example, like Ivan Fecan, the big boss at CTV, a fairly good-time Charlie who, along with his network, has lived very well in great times. He can't seem to make a buck now with CTV, so he wants a fee for carriage to be charged with your cable bill. That means you and I get to pay a tax for receiving commercial television programming on cable or satellite. That doesn't sit well with a lot of people, because we're already watching television programs that are paid for and news that's paid for with commercial advertising, and we're being told, "Well, you know, if you're going to save us, you're going to have to contribute six bucks a household through your cable to get that commercial programming."

**1530**

Mr. Fecan said recently that he couldn't sell some of CTV's television stations for a dollar—for a dollar—Brandon, Windsor and Wingham television stations, so small-to-medium markets.

Along came Jim Shaw, who bought the three of them for a dollar, because he felt that he could do something with those. He already owned small-market television stations, and he managed to find ways to make them make money—not a lot of money, but enough to keep them in business and provide that news that is so valuable.

What was interesting about it was, after he bought them for a dollar, he took out a full-page ad in several national newspapers last week, and he warned of whiny, good-time private enterprisers now looking for something from the public trough. I'd like to quote from Jim Shaw's ad. He says:

"After being turned down twice, Global TV and CTV are back in Ottawa lobbying hard for a bailout of hundreds of millions of dollars. They call this 'fee for carriage.' Without mincing words, this is a tax. It is a direct tax on you and 10 million Canadian families who are cable or satellite TV subscribers.

"These broadcasters are threatening to cut local newscasts, cut jobs and close television stations. They are holding you hostage demanding a tax on subscribers as the ransom. Fee for carriage will result in a \$6-a-month increase in your cable or satellite bill. That's \$72 more per year.

"Because Canadian consumers would get nothing in return and the broadcasters would make no commitments to sustain local programming, the CRTC has twice rightly denied their demand for fee for carriage."

He continues: "To emphasize their point in front of the commission, CTV offered up their local television stations in Windsor, Brandon and Wingham for \$1 each. We believe television has a bright future; Shaw will take them up on their offer and purchase them."

That's what this entrepreneur did, and I bring that up by way of pointing out that we're not just talking about the Moose being the member's sole radio station in his constituency or weekly papers being the only way to hold something in your hand and read it. We're talking about this at the national level, because this is CTV. We're talking about it in media markets like Windsor, Brandon and Wingham that were basically going to go dark unless somebody came along. Here's an entrepreneur who says, "I will think outside the box. I've done this in other markets, and I'll do it here as well."

I want to assure the member and all members that your local news services are not going anywhere, and no bailout is really required. None should even be remotely contemplated, as a matter of fact, much less with an eye towards Ottawa as the money source. This, to me, is an improper use of taxpayer dollars when you're dealing with private enterprise. That's why they call them private radio stations. This is private enterprise—private newspapers, private enterprise. They have to rethink things.

If you follow the cable TV versus broadcaster feud, it's supposed to be about cable companies making money because cable is a commodity and broadcasters hurting because they sell advertising. My response to that is, isn't it a pity? Start rethinking yourself, because the fact is,

cable is a commodity. That's what it is. Like buying electricity or buying phone service, there's one supplier. You can take it, you can go to satellite or you can stick an antenna on your roof. This is the choice you've got, whereas television, radio, electronic distribution of private signals, is a necessarily for-profit business.

The revenues for broadcasters were not always down; they won't always be down. They never sought to share any of the revenues back when Roy Thompson, who himself was a broadcaster, said, "Having a television licence is a licence to print money." I didn't notice the broadcasters who were printing money in those days handing the cable companies a bunch of money as they were incipient in their start-up mode, and I don't see any reason why that should be turned around now.

We are in a state of great change—really great change—in media. It is at all levels, and it is of all market sizes. In about a thousand years, history is going to talk about this period's shift in terms that are not unlike the way we talk about the Renaissance, the Iron Age or the Industrial Revolution. I don't know what they'll call it. They'll probably call it something like the "communications revolution."

You don't stop change by buying a future for ideas and enterprises whose twilight may have arrived. You look for a shakeout, and the good survive because they come up with new ways to do what they do. News has always been there for the taking. I don't care if it came by a jungle drum, an office grapevine, smoke signals, Pony Express, the office memo, the daily newspaper, then radio and then television. Now we're in a state of mutation, but never have there been so many news sources at the same time. I'm going to the opening, this weekend, of a new Chinese television station that will headquarter in Toronto. It's another Chinese television station, digital, that will serve Canada. I'm involved with one of our leadership candidates here in the Progressive Conservative Party, and the candidate I'm involved with had three different interviews in three different languages today, because what's happening is our country is changing and those media are thriving. They're doing really well, linguistic media that serve particular communities.

We grew up, the people of our generation in Toronto, with something like 1050 CHUM, and now that channel is relegated to rebroadcasting the audio of a television-based rotating news service, CP24. How pitiful and unimaginative is that? There are other ways to do these things.

Here's the deal with media: It doesn't matter how the news gets to us; what matters is that the news does get to us, and there are a lot of ways that people are doing it. Smart media is smart business. If an AM radio station signal happens to be outmoded as a transmission vehicle, it doesn't matter as long as what was on the AM signal gets to you somehow. So if we're dealing with people like my friends Bill Carroll and John Moore on CFRB and nobody wants to listen it on AM anymore, maybe they'll be on FM or maybe they'll go on satellite; maybe they'll wind up distributing audio on the web. Maybe

they'll even put pictures on it, because these days a kid with a thousand dollars' worth of computing equipment can have his own radio station, have his own television station and write his own blog.

**Mr. Shafiq Qadri:** They need Shurman back.

**Mr. Peter Shurman:** "They need Shurman back," somebody says. Thank you; I'll take it as a compliment.

But the bottom line on this is that there are more people providing more sources of news in a more imaginative way right now than ever. It's those people who are as smart as we would like to think we were 30 or 40 years ago who are reinventing all of this now. So bailing out the old is not the way to go. Stimulating the new will resolve the problem that the member seeks to address.

**The Acting Speaker (Mr. Jim Wilson):** Further debate?

**Mr. Paul Miller:** Many of us who grew up in the Hamilton-Halton-Niagara region remember watching the six o'clock news after supper. Our families would gather around the television, a pause in our busy days, and watch CHCH TV reporting the happenings in our community and what was going on in the world around us. Back before Canadian Idol or So You Think You Can Dance, families would gather around the TV on Sunday afternoons as CHCH showcased its own kids' talent show, Tiny Talent Time, for 35 years, hosted by everyone's favourite, "Uncle Bill" Lawrence. Children from the region sang, danced and entertained. Any time during the week on CHCH, you could see broadcasts of our young people playing sports: Whether it was hockey or basketball or volleyball, CHCH was there to cover our high school and university athletes. For those of us in the Niagara Peninsula, CHCH is more than just a TV station, it is the voice of our community and our community's voice at Queen's Park.

New Democrat MPPs from Hamilton-Niagara are deeply concerned with Canwest Global's potential closure of CHCH. With a debt of approximately \$3.6 billion, Canwest has decided to cut costs. CHCH, along with four other stations across the country, is on the chopping block. New Democrats believe that the closure of this historic and iconic station would silence the voices of residents in our region and rob future generations of the great potential of local broadcasting.

From Fort Erie to St. Catharines, from Cambridge to Stoney Creek, CHCH had it covered. It was our hometown coverage, a station we could count on to represent our concerns and tell our stories. We always knew we could turn the dial to 11 and get the hometown story.

In 1954, CHCH, also known as "Lucky Channel 11", officially began broadcasting with a two-hour show telling the story of Hamilton. More than half a century later, Canwest is threatening to turn the final page in that story. In the era of big boxes and monocultural media, Canwest threatens to conglomerate even more, this time with the potential closure of Canada's first independent television station.

The lack of commitment on the part of the broadcasting corporations and our federal and provincial gov-

ernments to enforce Canadian content rules is alarming. Ontario lacks proper tax credits, regulations and enforcement of these regulations to ensure local TV stations actually reflect our communities. In a time when local channels are increasingly filling airtime with cheap American syndicated programs, this is yet another in a long list of attacks on homegrown media.

**1540**

If Canwest shuts CHCH, who will tell the stories of communities like Welland, Port Colborne, Burlington, Stoney Creek? We know that many in our home region share our concerns about the potential loss of our local channel. In the event that CHCH is sold, we urge the CRTC and the McGuinty government to fight to ensure that Canadian content regulations are a condition of that sale. We believe that anything else would be a wholesale abandonment of our right to a community voice. We empathize with the local residents because of the potential threat of having their community voice silenced.

New Democrats have a long history of fighting for adequate funding of arts and culture.

I can remember fighting for ACTRA three years ago, in Ottawa. I was fighting along with CTV star Gabrielle Miller, who was on Corner Gas. She was my lobby partner. It turned some heads in Ottawa. We got their attention because of local media.

We have long recognized that the arts and Canadian content and news media are essential building blocks to vibrant and informed communities. This sector contributes to the economic health of Ontario and is projected to be one of the highest-growth sectors in our province.

The member opposite talks about new media challenges. Frankly, I like to hold on to the old media. I support my local TV station. I can honestly say I'm not quite sure that we would get the coverage from, say, Toronto, Montreal or Ottawa if we didn't have our local channel. So I disagree totally with the member's comments.

New Democrats agree with the content of this motion; that in order to support a thriving arts sector and local news sources in all forms, appropriate support must come from both the provincial and federal levels.

There are a number of issues, when it comes to local news media, that New Democrats are concerned about. We are very concerned about the trend of failing to support Canadian-produced content and Canadian media content. Right now, we are troubled about the state of the CBC. Canada's publicly owned broadcaster is being forced to cut staff and cut programming. It would seem that the Harper government is willing to bail out private broadcasters while allowing the public broadcasters' ship to sink. This is inexcusable.

Local public broadcast channels provide a unique voice in communities across this country and across this province. This is an issue about which our federal NDP party has spoken out loudly, many times.

Just over a month ago, New Democrat heritage critic Charlie Angus slammed the heritage minister for failing to take action to save the CBC from deep cuts to staff and

services across our country. CBC plans to lay off 800 more employees and make significant cuts to regional, national and international programming—outrageous.

CBC management had asked Minister Moore for a temporary loan against future years' funding in order to keep itself afloat. Charlie Angus has said that securing the bridge financing would have protected the CBC's public assets and helped protect the integrity of local and regional service, as well as staff.

Mr. Angus said, "The minister had a chance to save 800 jobs, defend programming, and protect the publicly financed assets of the CBC, at no overall cost to the taxpayer. Instead he has let his party's anti-CBC ideological roots prevail by forcing our cherished public broadcaster to eat itself alive."

New Democrats have led the way in calling for reforms at the CBC that would allow them to mitigate years of budget crises like the one they're in now. This includes a 7- to 10-year mandate, with predetermined funding levels and performance objectives, as set out in the February 2008 Standing Committee on Canadian Heritage report on the CBC mandate, entitled *CBC/Radio-Canada: Defining Distinctiveness in the Changing Media Landscape*—as the member said, the changing media landscape.

While New Democrats strongly support the just-mentioned reforms at a federal level, we also want to touch on the need to support our provincial arts and cultural industry. While these sectors, not related to news media, have a different function, they are no less important.

New Democrats are concerned that the McGuinty Liberals have failed to understand the need for comprehensive support for Ontario's artists. Although the McGuinty government made a promise to bring forward status-of-the-artist legislation, the reality of what was introduced in 2007 was an enormous disappointment. The Status of Ontario's Artists Act created a weekend in June to celebrate artists. This is a wholly insignificant response and will do absolutely nothing for the livelihood of our artists.

New Democrats are thrilled that PMB 165, Protection for Artists, recently passed second reading. We are expecting the bill to go to committee in a timely fashion. We are also calling on the McGuinty government to bring forward the other supports that artists need: Implement a collective bargaining process for the arts sector; institute legally binding regulations that can protect child actors. These are important steps forward that the provincial government can take today.

New Democrats support strong local news media and arts and culture sectors. We urge all levels of government to fulfill their promises and support these important industries.

I want to commend the member for bringing forth this motion. It is critical and long overdue to the well-being of the media business in our province.

It's not just rural stations that we have to think about. We have to think about stations in Hamilton, Windsor,

St. Catharines and all the stations that surround the metropolis. These stations are very important to the people of their communities also. CHCH was the first independent station in our province. It appears that unfortunately this government and the federal government, and the media themselves, are putting this station in jeopardy by leaving it hanging without the support it needs.

*Interjections.*

**Mr. Paul Miller:** We need an NHL team in Hamilton. An NHL team will bring new life to CHCH. It will increase interest in the city of Hamilton. We don't need a team in Vaughan. Brantford is a little small. We need a city like Hamilton, which has an arena, to support a team. We are ready for an NHL franchise, and Mr. Gary Bettman is not doing us any favours in Ontario, he's not doing any favours to the NHL and he's not doing any favours to this hockey hotbed. A new team in Hamilton will also give new life to the media in Hamilton.

In closing, we in the NDP will be supporting this motion. I feel it is necessary and long overdue, and I'm happy to lend our support to it.

**The Acting Speaker (Mr. Jim Wilson):** Further debate?

**Ms. Sophia Aggelonitis:** It's my pleasure to speak about the importance of local media in my community. I must congratulate the honourable member from Algoma-Manitoulin for bringing this resolution to this House.

I would like to speak about a great TV station. CHCH began broadcasting in Hamilton 54 years ago. It was the first independent television station in Canada. Since then, it has provided the city's residents with essential information about what is happening in their neighbourhoods. It has kept elected officials accountable and ensured that all three levels of government are working for Hamilton.

For several months, CHCH has struggled through budget cutbacks and layoffs. In fact, the station was put up for sale in February. Though CHCH has managed to stay on the air, it is still in danger of being completely shut down.

Losing Hamilton's only television station would be devastating to our community. As well, approximately 100 people would lose their jobs—positions we can ill afford to lose, especially in these difficult economic times. It would also affect our local identity and destroy a vital part of the fabric of our city.

Preserving the station is an issue that is close to the hearts of many Hamiltonians. Thousands of people have rallied and showed support through fundraisers, petitions and rallies. CHCH's Donna Skelly has been acting as a representative for the station and has been working tirelessly to keep it on the air. She has argued, and I completely support her, that local news is an essential service that must be protected and preserved. The truth is that local media have been in trouble for some time. The current economic situation has only made matters worse for stations like CHCH. Advertising revenues were flat long before the economy began to slide. As far back as 1993, economists and broadcasters were warning that local television stations would be at risk unless measures

were taken to protect them. This is an issue that affects all residents of the province.

**1550**

Local news, current-event shows, sports coverage and lifestyle programs could become a thing of the past. Many local stations like CHCH have had to cut back on their news programming. Serious in-depth news takes a lot of time and a lot of money. Important stories are being passed by in local newsrooms due to a drastic lack of resources. If CHCH goes black, more than a million people in Hamilton, Halton and Niagara will lose their only source of local TV news. We simply cannot let that happen. I would like to stress that local news is not expendable. It is an essential part of any community, especially my community. That is why I will be lending my full support to this resolution.

**The Acting Speaker (Mr. Jim Wilson):** Further debate?

**Mrs. Laura Albanese:** I'm very pleased to rise today in support of ballot item 15, the resolution brought forward by my colleague the member from Algoma-Manitoulin. Some of my colleagues in the House know that I've worked in the television sector for 22 years. My work as co-anchor of the Italian-language newscast and associate producer was at CFMT, now OMNI Television, Canada's first multicultural television station. I was part of a station that broadcast in several languages to communities across Ontario, and I also worked in radio in my early 20s.

Certainly from my own experience I understand the value of television, radio and print media broadcasts that target specific communities, whether they are linguistic or geographic. This type of localized content reaches audiences that otherwise might not have access to the kind of information that directly affects them. It affects their day-to-day lives. By incorporating information relevant to that individual or that community, localized content helps people feel connected, and that promotes integration and engagement. People tune in when information speaks to them, and in this information age we need broadcasters, media, to make this connection with people. Writing for the Hamilton Spectator about the reduction in regional news presence at Queen's Park, journalist Jim Coyle said, "There were reporters stationed here from provincial TV outlets and numerous local radio stations. If a member from, say, Essex county or northern Ontario raised an issue to do with local manufacturing or mining, they could count on attention from several reporters with interest and knowledge on the issues."

The motion put forward today by my colleague from Algoma-Manitoulin refocuses our attention on the issue of local content and the need for stories that emerge from the communities. Yes, the media sector as a whole is facing challenges, just as other industries are experiencing a downturn and the economy as a whole is in a period of transition. But with the knowledge and information industries at the centre of the new economy, we cannot neglect the importance of protecting this vital aspect of the industry. Local news sources are essential to

creating links that will sustain communities. The media's ability to communicate people's stories is a powerful medium which we cannot and should not lose. In an urban setting, networks are also facing economic challenges, and this results in fewer investigative stories and less in-depth reporting, diminishing the possibility of Canadians to hear stories told from a variety of perspectives from which they can form their own opinions.

We heard from the member from Thornhill that competition makes media better. He spoke about the lack of advertising, about selling and buying media outlets, about the need to make money. What I would like to highlight is also the need for seniors, newcomers, the ones who are not Internet-savvy—the residents of Ontario who are losing their right to be informed in this era of change. What matters the most is that the news gets to all of us, that's what I say.

Our government sustains the cultural sector by promoting the creation of Canadian content. We are doing our part. The Ontario Media Development Corp. has a mandate to build the innovation, the capacity and the competitiveness of Ontario's cultural industry. It does this through programs such as the screen-based content initiative. Launched in June 2008, this program supports the creation of original content experienced on a screen-based medium, platform or device. Once the content has been produced, the industry is further supported through access to the OMDC content and marketing funds program.

One good example is Hot Docs, the Canadian International Documentary Festival, which is going on right now here in Toronto. The festival accessed funds from the OMDC to create Doc Shop, a digital on-line documentary marketplace that enhances the capacity for buyers to screen and acquire new Ontario documentaries. OMDC also co-administers, with the Ministry of Finance, tax credit programs to support Ontario's film and television industry.

Ontario needs people working in film, in television, in the media, and the growth of these industries will have a profound impact on the future prosperity of our province and our country. That's also why in January 2008 Ontario increased from 18% to 25% the Ontario production services tax credit. In the 2009 budget, this tax credit is proposed to become permanent in Ontario.

I would like to share a quote from Ontario's Minister of Culture: "Proposing to make these tax credits permanent will help to significantly grow the production sector and create more jobs for Ontarians."

Ontario is clearly making a statement about the importance of supporting the development of Canadian content. This support reinforces the importance of localized content, and in fact encourages the production of more Ontario stories.

As Ontario MPPs, we call on the federal government to do their part. Healthy discussion and a variety of perspectives reflect Ontario in the 21st century. Our media must continue to echo this variety. Strong local media helps to make local communities stronger. This is very

valid in northern Ontario, in rural communities, but also in Hamilton, in Guelph—in all the medium-sized cities of our province—and in cities like Toronto. We need the little local newspaper, the local media story, that can highlight the little neighbourhood stories that otherwise will get lost and will not be reported in the big newspapers. That's very important.

Again, I want to stress for multicultural communities how important it is to have the local newspaper in their language, the radio program in their language, and the television show and the newscasts in their own language. It makes a world of difference in understanding the new country, the new province that they're living in. It is really essential for them to integrate and to understand better even the laws that govern the land.

I will be supporting this motion. I'm very happy that my colleague has brought it forward.

**The Acting Speaker (Mr. Jim Wilson):** Further debate?

**Mr. Khalil Ramal:** I'm speaking in support of my colleague from Algoma–Manitoulin for bringing such an important issue to this House. I want to tell him that I'm passionate about it.

When I started out in life, when I was 20 or 21, I used to own a TV station, a radio station and also a small magazine. I think it's very important to keep it local. The important issues belong to the community. I think it's very important, I'm here to support it and I wish you all the luck and success. I think all the members of the House will support you, because you brought something very important for all of us.

**The Acting Speaker (Mr. Jim Wilson):** Further debate? You'd have to be very quick. Seeing none, the honourable member for Algoma–Manitoulin has up to two minutes for his reply.

**Mr. Michael A. Brown:** I appreciate the comments from the members for Thornhill, Hamilton East–Stoney Creek, Hamilton Mountain, York South–Weston, and the interesting intervention from my friend from London–Fanshawe.

First, I would just like to say to the member from Thornhill that maybe I didn't convey the message in the way that I wished to convey it. What I was really talking about was local reporters in local communities finding ways, and I don't care how, making sure that a local community's news is reported. As my friend from York South–Weston pointed out, there is a difference in the local stories and interests. Often, in this world we live in, we will know more about what is happening in Afghanistan than we will know about what's happening around the corner. In some ways, I don't think that strengthens our neighbourhoods very well.

I appreciate the comments from the member for Hamilton East–Stoney Creek. I understand. Losing a local television station or even having its services dramatically reduced is something that we have seen in this province, and it's unfortunate. Again, we come back to losing a sense of community that I think we need to have

in this day and age. The member from Hamilton Mountain so eloquently championed the same issue.

It's important for all of us that we find ways to support our local community. It's not just about governments; it's about people in general. You need to advertise in your local papers, and you need to read your local papers. You need to provide input to your local radio stations and television. It's something we could all do.

**The Acting Speaker (Mr. Jim Wilson):** Pursuant to standing order 98(e), the House is suspended until the expiry of the allotted two and a half hours for private members' public business. That will be at 4:15.

*The House suspended proceedings from 1602 to 1615.*

**The Acting Speaker (Mr. Jim Wilson):** Order. I just ask members to take their seats, please.

All matters relating to private members' public business having been completed—or, no, that's wrong.

*Laughter.*

**The Acting Speaker (Mr. Jim Wilson):** Oh, well. You can tell I want to get out of here.

The time provided for private members' public business has expired.

#### PROTECTION FOR WORKERS

**The Acting Speaker (Mr. Jim Wilson):** We will first deal with ballot item number 13, standing in the name of Mrs. Mitchell.

Mrs. Mitchell has moved private member's notice of motion number 83. Is it the pleasure of the House that the motion carry? Carried.

*Motion agreed to.*

#### HIGHWAY IMPROVEMENT

**The Acting Speaker (Mr. Jim Wilson):** We will now deal with ballot item number 14.

Mr. Yakabuski has moved private member's notice of motion number 89. Is it the pleasure of the House that the motion carry? I heard some noes.

All those in favour of the motion will please say "aye."

All those opposed will please say "nay."

In my opinion, the nays have it.

We'll vote on this item after we deal with the next ballot item.

#### NEWS MEDIA

**The Acting Speaker (Mr. Jim Wilson):** We will now deal with ballot item number 15.

Mr. Brown has moved private member's notice of motion number 88. Is it the pleasure of the House that the motion carry? Carried.

*Motion agreed to.*

**The Acting Speaker (Mr. Jim Wilson):** We will call in the members. This will be a five-minute bell.

*The division bells rang from 1618 to 1623.*

## HIGHWAY IMPROVEMENT

**The Acting Speaker (Mr. Jim Wilson):** Mr. Yakabuski has moved private member's notice of motion number 89.

All those in favour of the motion will please rise and remain standing until recognized by the Clerk.

## Ayes

Arnott, Ted	Hardeman, Ernie	Yakabuski, John
Bailey, Robert	Shurman, Peter	
Chudleigh, Ted	Sterling, Norman W.	

**The Acting Speaker (Mr. Jim Wilson):** All those opposed to the motion will please rise and remain standing until recognized by the Clerk.

## Nays

Aggelonitis, Sophia	Flynn, Kevin Daniel	Qaadri, Shafiq
Albanese, Laura	Fonseca, Peter	Ramal, Khalil
Arthurs, Wayne	Jaczek, Helena	Rinaldi, Lou
Balkissoon, Bas	Jeffrey, Linda	Ruprecht, Tony
Berardinetti, Lorenzo	Kular, Kuldip	Sandals, Liz
Best, Margaret	Kwinter, Monte	Sousa, Charles
Broten, Laurel C.	Mangat, Amrit	Tabuns, Peter
Brown, Michael A.	Miller, Paul	Takhar, Harinder S.
Colle, Mike	Moridi, Reza	Wynne, Kathleen O.
Dhillon, Vic	Pendergast, Leeanna	Zimmer, David
Duguid, Brad	Phillips, Gerry	

**The Clerk of the Assembly (Ms. Deborah Deller):** The ayes are 7; the nays are 32.

**The Acting Speaker (Mr. Jim Wilson):** I declare the motion lost.

*Motion negatived.*

## ORDERS OF THE DAY

GREATER TORONTO  
AND HAMILTON AREA  
TRANSIT IMPLEMENTATION ACT, 2009  
LOI DE 2009 SUR L'AMÉNAGEMENT  
DU RÉSEAU DE TRANSPORT EN COMMUN  
DE LA RÉGION DU GRAND TORONTO  
ET DE HAMILTON

Mrs. Jeffrey, on behalf of Mr. Bradley, moved third reading of the following bill:

Bill 163, An Act to amend the Greater Toronto Transportation Authority Act, 2006 and to make consequential amendments to another Act / Projet de loi 163, Loi modifiant la Loi de 2006 sur la Régie des transports du grand Toronto et apportant des modifications corrélatives à une autre loi.

**The Acting Speaker (Mr. Jim Wilson):** Debate?

**Mrs. Linda Jeffrey:** I'm pleased to rise in the House today to begin third reading debate on legislation that, if passed, would merge GO Transit and Metrolinx in order to build more public transit faster, ease congestion and create jobs in Ontario.

This is a win-win-win piece of legislation. It is legislation with substantial environmental, economic and social benefits. It's a unique opportunity to streamline government agencies, cut red tape and accelerate the start of key infrastructure projects that will generate shovel-ready jobs now, when we need them most. These will be well-paying jobs for our construction industry. To top it all off, these are going to be green jobs that will benefit the environment as well as our economy.

Ontario can protect the environment by tackling congestion and addressing climate change. Expanding public transit means getting more cars off the road and reducing greenhouse gas emissions, making the air that we breathe cleaner. This new legislation will enable the McGuinty government to get more transit projects built faster and more effectively, and enable it to put the right pieces in place to build a regional transit network for people and businesses.

We cannot wait for the next generation to act, and we won't get there without acting decisively. We recognize the importance of this piece of legislation and the need to get it right. As the greater Toronto and Hamilton area continues to grow, we need to move quickly to build better public transit systems for our commuters. Ontario has an ambitious transit agenda, and we're working hard with all of our partners to make it happen.

In November 2008, Metrolinx released its regional transportation plan to create a seamless, integrated transportation network in the greater Toronto and Hamilton area for the next 25 years. The plan, appropriately named The Big Move, was shaped by municipal leaders in the greater Toronto and Hamilton areas. These municipal officials did excellent work on this plan, and they deserve our thanks and our appreciation.

By consulting widely and working together, the Metrolinx board identified the components of the regional transit network that greater Toronto and Hamilton area residents and businesses need. We're taking the best of the plan and creating winning conditions to implement it. This is not the time to delay, when action is needed now. That is why we are proposing to merge GO Transit and Metrolinx through the proposed Greater Toronto and Hamilton Area Transit Implementation Act, 2009.

We need an organization with the necessary expertise to implement an integrated and multi-modal transit network for the most populated region in Ontario. We need to bring the planning and implementation together to get regional transit projects fast-tracked.

## 1630

The Greater Toronto and Hamilton Area Transit Implementation Act, 2009, would merge Metrolinx and GO Transit and put in place the tools for moving quickly as we take the regional transportation plan off the drawing board and into service. This is our primary objective in bringing forward Bill 163. We are acting decisively and with a sense of urgency to build regional transit projects faster and more effectively.

The new organization will be directly accountable to the provincial government for the delivery of our am-

bitious transit plans. And make no mistake: They must deliver.

The seamless regional transit network we are asking the new Metrolinx to build would generate 430,000 jobs in Ontario over 25 years. It would reduce congestion and greenhouse gas emissions to protect the environment and improve the quality of life for our families and communities.

The visionary work of municipal leaders in shaping the regional transportation plan, which is called The Big Move, is in step with our transit objectives for the most populated region in Ontario. Under Bill 163, the actions and decisions of the new Metrolinx organization will be guided by that plan. Any changes to the plan, including those directed by the minister, would be subject to consultation with municipal and other stakeholders.

To sum up, we want seamless transit, better service, quick commute times and cleaner air. This is something we have heard from all sectors, and we're moving forward to achieve those goals.

This legislation proposes to merge GO Transit and Metrolinx into a single new transit agency named Metrolinx, which can implement the regional transportation plan quickly and efficiently.

The new Metrolinx mandate would include:

- leadership in the planning and implementation of an integrated transportation network across the greater Toronto and Hamilton area;
- implementation of the transit projects recommended in the regional transportation plan;
- operation of GO Transit services;
- providing leadership in joint transit vehicle procurement for Ontario municipalities; and
- in the future, responsibility for overseeing the Presto fare card system.

Metrolinx has ably built the solid foundations for the agency and demonstrated its planning expertise with the development of the regional transportation plan.

At the same time, I want to acknowledge and thank the board members of GO Transit for their wise counsel and service. GO Transit has a strong track record of building large-scale transit projects and running transit operations and services.

We propose to consolidate the expertise of two agencies under one roof. The synergy created by bringing these two organizations together would not only fulfill the original intent of Metrolinx, but it would also help get shovels in the ground faster on new transit projects.

We are moving now to a phase of building and implementation, where people with a broad range of professional and corporate experience will be most helpful. This model is the norm in most international transit jurisdictions around the world. The Metrolinx board will include individuals with experience in a broad range of relevant disciplines, including transportation, planning, construction, finance and labour relations.

To lead the transition phase, Mr. Robert Prichard has been named transition adviser, helping to plan for the merger of the Metrolinx and GO Transit organizations.

The transition adviser is working with a transition advisory board, including Metrolinx chair Rob MacIsaac and GO Transit chair Peter Smith, to prepare Metrolinx and GO Transit to implement the regional transportation plan as fast as possible.

Working with municipalities, the new Metrolinx can build regional transit infrastructure that will promote stronger communities with sustainable urban development and a higher quality of life for everyone.

Our proposed legislation puts in place the tools for taking the regional transportation plan, as I said, off the drawing board and into service. It includes provisions for Metrolinx to own and control GO Transit and designated regional transit projects.

Our proposal will ensure that as Ontario invests taxpayers' money for transit infrastructure in the greater Toronto and Hamilton area, Metrolinx will have the ability to design, build and own these assets which could be financed over their lifetime. These are tools that would allow Metrolinx to build the necessary infrastructure and deliver better service to customers. We have structured our proposal to significantly advance the development of an integrated regional transit network for the greater Toronto and Hamilton areas.

Almost 600 million transit trips occur each year in the greater Toronto and Hamilton area. We need to build a regional network with convenient commute times, easy connections and a renewed focus on customer service. It's now time for Ontario to build. New transit projects will benefit our economy, our communities and our environment and generate thousands of construction jobs over the coming years. This will build a stronger economy for Ontario.

The economic, social and environmental benefits of moving more quickly to implementation will be substantial. Congestion costs the greater Toronto and Hamilton areas an estimated \$6 billion annually. More and better transit infrastructure gives us additional capacity to handle more riders and it means better service. With fewer single-occupant cars on the road and more people using public transit, we will reduce greenhouse gas emissions that harm our environment.

The McGuinty government has made transit one of our top priorities, and we have made significant financial commitments in the process. We have demonstrated our commitment to getting people out of their cars and onto transit, making the largest investment in public transit in a decade. This government's commitment to public transit is clear. Since 2003, the government has invested \$7.4 billion in public transit, including more than \$2.5 billion in GO Transit. Regional transit is finally catching up with regional needs. Since 2003, Ontario has committed more than \$2.9 billion to help the city of Toronto improve and expand transit.

On April 1, 2009, our government announced its plans to move forward on major public transit projects in the greater Toronto area, costing an estimated \$9 billion. This investment will create jobs, help move people and goods, and support future growth in the greater Toronto



area. These projects include more buses, stations and dedicated bus lines and lanes for phase 2 of York Viva bus rapid transit. York Viva bus lane construction will begin this year, with the first segment along Highway 7, from Markham centre to Richmond Hill centre, to be completed in 2011, with all core segments in service by the end of 2013 and all remaining segments in service by 2018.

Upgrading and extending the Scarborough rapid transit line: The Scarborough rapid transit rehabilitation and extension are expected to be completed and in service by 2015. A new rapid transit line on Eglinton Avenue from Kennedy station to Pearson airport: The Eglinton rail line will run 31 kilometres and include a 13-kilometre section built underground; and a new rapid transit line for Finch West, from the Yonge subway line to Highway 27 and Humber College and east to the Don Mills station. Construction is expected to start in 2010, with completion by 2013.

These projects are subject to environmental and other approvals, and detailed per-project costs will be finalized closer to each project's start date. These public transit projects, and others, outlined in our Move Ontario 2020 commitment will help develop a sustainable transportation system that gets people out of their single-occupant cars and onto public transit. This will reduce congestion and support sustainable urban development, stronger communities and a higher quality of life, as well as improving air quality. Once the regional transportation projects are built, it could reduce annual greenhouse gas emissions from passenger transportation by 0.7 tonnes per person in the greater Toronto and Hamilton area.

#### 1640

In June 2007, we announced Move Ontario 2020, a landmark plan to invest \$11.5 billion towards numerous public transit projects in the greater Toronto and Hamilton area, the largest public transit investment in Canadian history. The Move Ontario 2020 commitment forms the foundation investment for transit projects identified by the Metrolinx regional transportation plan. We have asked the federal government to enhance this investment with an additional \$6 billion in federal funds.

The regional transportation plan, or The Big Move, is a public transit strategy that includes many Quick Win projects. In the spring 2008 budget, the province committed more than \$744 million to fund all the Quick Win transit projects recommended by Metrolinx. These Quick Wins included \$136 million for GO Transit service expansion. They also included \$305.9 million for Toronto to improve capacity on the Yonge subway and other projects to provide a worthy head start in planning for the TTC's Transit City light rail plan.

Also included in the announcement was \$105.6 million for phase 2 of York region's Viva bus rapid transit system along the Highway 7 and Yonge Street corridors, and \$26.5 million for the development of a Dundas and Hurontario higher-order transit corridor in Peel. Halton region's Dundas Street rapid transit received \$57.6 million. We invested \$82.3 million in Durham region for

the Highway 2 bus rapid transit spine line, and \$29.8 million for Hamilton to support improvements to the King-Main and James-Upper James rapid transit corridors.

Through the 2007 economic update, the government provided \$300 million to municipalities to address their immediate transit capital state-of-good-repair needs.

In March of this year, our government announced \$321 million in provincial gas tax funding as a continued source of sustainable funding for public transit. Since 2004, the McGuinty government has committed more than \$1.3 billion through the gas tax program to introduce transit service improvements and promote increased ridership to 90 transit systems in 115 communities across Ontario.

GO Transit began in 1967 and carried 2.5 million passengers in the first year of service. Today, GO carries nearly 55 million passengers each year. On a typical weekday, GO runs 183 train trips and more than 2,000 bus trips that carry 215,000 passengers: 180,000 passengers on the trains and about 35,000 by bus.

On February 17, 2009, the governments of Canada and Ontario announced a joint investment of \$500 million for the GO Transit revitalization project, which will improve GO Transit service and reliability. The initial announcement included \$249 million towards a series of parking improvements at GO Transit stations throughout the greater Toronto area. It also provided funds for the Hamilton Junction rail-to-rail grade separation project. We also announced that GO Transit riders would benefit from an additional \$213 million in service improvements.

In addition to maintenance activities across the system, GO will refurbish locomotives and purchase new two-level passenger rail coaches. They will be installing snow-melt systems and building bus shelters using this new federal and provincial funding.

All of these projects help reduce wait times for commuters and get more cars off the road. These investments in public transit give people more time with their families while also creating jobs and making a real difference to the communities that GO Transit serves. With these investments, we're getting people moving and the economy going.

In order to make sure we got this legislation right, we consulted with our stakeholders on how we could better serve the daily transportation needs of the 5.5 million people in the greater Toronto and Hamilton areas with expanded public transit. I'd like to take a minute or two to thank those people who took the time and interest to provide us with their perspectives on Bill 163, starting with those who made presentations to the committee: Natalie Litwin, from Transport 2000 Ontario; Peter Miasek, from the Transportation Regional Action Committee; Brian Zeiler-Kligman, from the Toronto Board of Trade; and Dan Rodrigues, from the Ontario Chamber of Commerce.

Thank you to those who made written submissions: the city of Toronto, the region of Durham, the Ontario

Chamber of Commerce and the Residential and Civil Construction Alliance of Ontario.

The Ontario Chamber of Commerce stated in a letter written on April 23:

“Mounting congestion, gridlock, and border delays have resulted in lost competitiveness and quality of life in the province. This impact is most noticeable in Ontario’s busiest region, the greater Toronto and Hamilton area.... Transport Canada estimates the cost of congestion in Toronto alone is \$1.6 billion annually. By 2021, commute times within” the greater Toronto and Hamilton areas “could increase by more than 50%, increasing the cost of congestion by \$7 billion a year. Gridlock results in lost trade opportunities, jeopardizes employee recruitment/retention, and reduces the province’s overall economic competitiveness.

“Bill 163 is timely as it aims to provide Metrolinx with the tools necessary to more effectively fulfill its mandate of creating and implementing an efficient, integrated, multi-modal transit strategy for the greater Toronto and Hamilton areas.

“The Ontario Chamber of Commerce welcomes this bill as it represents the province’s commitment towards addressing the greater Toronto and Hamilton area’s transportation challenges.”

We also heard from the Toronto Board of Trade. On April 1, 2009, the Toronto Board of Trade issued a press release. They stated that Premier Dalton McGuinty’s \$9-billion transit announcement for the Toronto region is “a crucial leap forward in the implementation of Metrolinx’ \$50-billion plan to improve the safe, efficient and sustainable movement of goods and people.

““In a single day, this government has almost entirely delivered on its promise to spend \$11.5 billion on new transit projects for this region,” said Toronto Board of Trade president and CEO Carol Wilding. ‘It also demonstrates the government’s commitment to a regional vision of transit for Toronto.’

“Today’s announcement, coupled with Monday’s governance reforms for Metrolinx, shows this government is acting on the advice of Toronto’s business community. The Toronto Board of Trade has been a leading advocate of a regional transit vision, and much of today’s funds are destined for projects the board has singled out as its priorities, including:

“—the Finch rapid transit line,

“—the refurbishment and expansion of the Scarborough rapid transit line, and

“—the construction of dedicated bus lanes in York region to enhance the Viva system.

““This region’s economic growth is being constrained, quite literally, by gridlock,’ said Ms. Wilding. ‘Our inability to move people and goods efficiently is a disincentive to business. The projects announced today are an environmentally responsible way to open up our network and give our economy room to grow. That’s why this city’s business community so strongly supports public transit.’

“The board of trade will continue to work with the government to maintain the momentum of this week’s announcements. ‘We need to bridge the funding gap to make sure we can go the distance on a regional transit solution,’ said Ms. Wilding. ‘A strong transit strategy is paramount to keeping people, goods, and our economy moving forward.’”

**1650**

I believe we have ably demonstrated leadership and attached the necessary funding commitments to build more and better transit, not only in the greater Toronto and Hamilton areas but across this province. Investing in infrastructure creates jobs, stimulates economic growth, supports a cleaner environment and enhances the overall quality of life for all Ontarians.

Our transit agenda is ambitious. As I said earlier, we cannot postpone progress, and we can’t wait to act. The proposed legislation includes provisions for Metrolinx to own and control GO Transit and designed regional transit projects. This would provide the new Metrolinx with the tools necessary to expeditiously implement the regional transportation plan.

If passed, this act would consolidate Metrolinx and GO Transit into a single organization named Metrolinx. We will implement transit projects sooner. We will continue to improve GO Transit service. We will lead the way with transit vehicle procurement for Ontario.

We will continue to work and consult with municipalities to build stronger communities with sustainable urban development and a renewed transit infrastructure that will promote a higher quality of life for everyone. They are crucial partners in this effort.

Our proposed legislation is not the only means for merging GO Transit and Metrolinx. It also puts in place the tools for taking the regional transportation plan off the drawing board and into service. The combined result is the creation of a single regional transportation body that is properly equipped to focus on project delivery.

We are moving into a phase of building and implementation, where people with a broad range of professional and corporate experience will be most helpful. This is a model we have seen working to good effect in other large transit agencies around the world. We have put the right people in place to oversee the smooth transition for the consolidation of Metrolinx and GO Transit.

Our transit advisory board experts in planning, finance and development would be able to implement the regional transportation plan as quickly as possible. This proposed merger, which fulfills the original intent of Metrolinx, will help get shovels in the ground faster on new transit projects and, at a time when the economy is challenged, lead to thousands more construction jobs over the coming years, and a stronger economy.

Our proposal will ensure that as Ontario invests taxpayer money for transit infrastructure in the greater Toronto and Hamilton areas, Metrolinx will have the ability to design, build and own these assets that could be amortized over their lifetime. These are tools that will

allow the new Metrolinx to build the necessary infrastructure more quickly, deliver better service to customers through new transit projects and pay off the asset over the longer term.

Our proposed legislation shows how Ontario is moving forward to build more transit and to do it more quickly and more cost-effectively. We have structured our proposal carefully, to significantly advance development of an integrated regional transit network for the greater Toronto and Hamilton areas. As I stated earlier, almost 600 million transit trips occur each day in the greater Toronto and Hamilton areas. We must build, and need to build, a regional network with quick commute times, easy connections and a renewed focus on customer service.

Our proposed legislation is about bringing together two organizations to streamline government agencies and accelerate the start of key infrastructure projects that will generate shovel-ready jobs now, when we need them most. These will be well-paying jobs for Ontario's construction industry, and will be green jobs that benefit the environment as well as the economy. Building better public transit infrastructure means getting more cars off the road, reducing greenhouse gas emissions.

Approving this legislation will help Ontario make the air we breathe cleaner. It will enable us to get more transit projects built better and faster, and put the right pieces in place to build a regional transit network with quicker commute times for people and businesses.

We know that building new transit projects will benefit our economy, our communities, our environment and, more importantly, our province. I would encourage all members in this House to support the bill, and I thank you for listening.

**The Acting Speaker (Mr. Jim Wilson):** Thank you. Further debate? The honourable member from—  
*Interjection.*

**The Acting Speaker (Mr. Jim Wilson):** There are no questions or comments on time-allocated debate. Further debate?

**Mr. Peter Tabuns:** This is one disturbing bill. I was here for the debate on the Greater Toronto Transportation Authority bill, the predecessor. At that time, we talked about the lack of resources and authority for the Greater Toronto Transportation Authority and our concern that in the end, without resources and authority, the entity that was set up, the one that was going to take over GO Transit anyway, would have very little impact on the profound problems that we see in this region: in Toronto, the greater Toronto area and Hamilton. Frankly, in terms of the Greater Toronto Transportation Authority, I think we're probably right: not that there was a failure with the board of directors there—from all that can be told, they in fact functioned well; not that there was a problem with the bureaucracy—in fact, they were given the direction to produce a transportation plan within a set period of time. Apparently they did that.

What we have before us today is another attempt to square a circle of trying to make transportation work in a

city region that is not built for transit, that is built for cars, that in its very foundations presents a profound problem to anyone who wants to plan rationally for transit. What this bill does, notwithstanding the long list of construction projects that was read out by the parliamentary assistant, who has performed ably both in committee and here—I have no criticism of her in those matters. But the construction projects could have gone ahead if the GTTA or Metrolinx never existed. The minister would do what I assume he will do when this act is adopted: He and the Premier will decide what's politically critical and they'll move those things ahead end of story.

What we see with this bill, the child of the GTTA bill, the Greater Toronto Transportation Authority bill, is a process that cuts out input from the local municipalities. Their representatives will be cast off this board in their entirety. What we see is a corporation whose board will be appointed by the government, that will be answerable to the government, that will not have any independent political status and thus, frankly, will serve, and not serve at the pleasure of the government of the day. This will not be a board that will be made up of people who know the political realities and the political complexities of this region. They may know them in a general way, but I have to say that there is nothing like being elected into office and being subjected to the occasional flamethrower to teach you what power is and is not in a governmental situation. I can see from the silent commentary of my colleague across the aisle that she understands that process of education that we all go through.

This bill opens the door to privatization and the development of public-private partnerships for provision of transportation services. I think that's a huge problem. I'll enlarge on that as we go through.

This bill doesn't set up all the construction or all the job creation that was talked about. In fact, as far as I can tell, it probably will not accelerate the process of decision-making and implementation, because this corporation will start to hit some of the reefs that are there just underneath the surface in every region of this country.

We do need to move ahead. We do need to move ahead to an effective, capable, affordable system of regional transportation. No one in this House would argue against that. Will this bill do that? That is another question entirely. What the bill will do is reduce transparency. Meetings that previously were open will no longer be open—a direction that people should consider. Right now in municipal government, if you want to have a closed meeting, you have to have a reason for closing the doors. In this legislation, there's a presumption that a meeting will be closed unless the board wants to open it up.

**1700**

The chief executive officer of this corporation will not be appointed by the board of directors of this corporation; that person will be appointed by the minister. Their ability to be independent, to make commentary, to act in

any way at all that's at odds with government policy or to challenge government policy is gone. The elected officials are gone from the board of directors. The minister can unilaterally amend transit plans that are put forward by this corporation.

So the question that really does come to mind is: Why bother? Why go through all this agony of setting up a board of directors that's meeting regularly if in fact the decisions are going to be made out of the minister's office in the end? Why not just hire some very capable civil servants—and there are a number of people in Ontario who have those skills, those outlooks that allow them to advise well and to administer—and let them get on with the job? Why go through all the agony of setting up an independent corporation? Nonetheless, that's what will be done.

We went through debate on this bill, and one of my concerns was making sure that in the bill itself, it was very clear that the highest priority of the board, of the corporation, was public transit—not cars, not trucks, not highways, but public transit. Because all of the things that the government talks about in terms of efficient movement of people across this region, in terms of dealing with pollution, with greenhouse gas emissions, is based on having a rational urban form with public transit that serves it. If in fact the direction to this corporation is to not make public transit the highest priority, I have to tell you, the pressure will be tremendous to always push it back. There's a lot to be made in building highways, and there's a lot to be made in selling the vehicles that run on those highways. Fair enough. But they should not be the highest priority.

I have to say that, in the course of the clause-by-clause debate, I moved that giving the highest priority to public transit be incorporated in the bill. The reply of the government was, "We recognize the importance of this legislation and the need to get it right. We agree that public transit is our top priority and we're pleased to see that public transit was front and centre in the regional transportation plan adopted by Metrolinx in November." Well, they shouldn't have just been pleased to see it; if they hadn't delivered a plan with it front and centre, they should have been dismissed out of hand. However, "Metrolinx's priorities and decisions are guided by that plan, which reflects the responsibilities of Metrolinx to consider all modes of transportation, including highways, transit, walking and cycling. Tying the hands of Metrolinx is not the best way, we believe, to support our transit objectives. The board needs to be able to find the right balance amongst all modes of transportation. Therefore, we won't be supporting this motion."

This is not a question of fairness; this is a question of setting direction and being clear with the organization that is under your control as to where you want it to go. When I'm driving a car, I'm fairly directive. If I decide I want to go to a particular place, I don't want to be driving on the other side of a four-lane highway with oncoming traffic, and I don't want to drive into the field. I want to stay in my lane and I want to avoid collisions. I set

direction; I have priorities. When we set up a corporation that will be dispensing billions of dollars and be responsible for moving hundreds of thousands—millions—of people, making sure that they can get from their home to their work and back from wherever they are to wherever they want to be, then we, as a public authority, have a responsibility to give an overriding direction, and the overriding direction has to be public transit.

I don't see much in this bill about cycling and walking. In fact, if you're going to have cycling and walking, that's another bill, and that bill is all about urban form. What we're talking about here is transportation systems, and the transportation system you want in this sort of regional authority is one that has public transit not as a key priority—not one among a number of priorities, but the highest priority. To say that the government doesn't want to tie the hands of Metrolinx doesn't make sense. When you write this legislation, you're telling it what it's going to do—not a strong argument, not a good argument, and the wrong argument in terms of what has to happen in Toronto and the greater Toronto area.

There's concern about the relationship now between Metrolinx and the local municipalities. As I have said, the representatives from those municipalities are going to be removed from the board. People will be appointed to this board who are not politicians, explicitly. You know, we do have our failings, we have our weaknesses and our foibles, but it is useful to have someone who has gone through the wringer on a board like this to help look out for the problems that will come. It's useful to have someone on this board who will understand what sort of information municipalities will need to have in order to respond rationally to transportation plans that are put forward by this board, by this ministry. Lacking that, there will be unnecessary misunderstandings—because there will always be some misunderstandings—and unnecessary conflicts. It's a mistake to change that board, and it's a mistake as well to not require this Metrolinx board to inform municipalities that are going to be affected by regional transportation plans of the impact of those plans.

We were told, when I moved that municipalities should be instructed about what is going to happen to them with new transportation plans, that, "Municipalities are crucial partners in achieving our transit and broader transportation goals in the greater Toronto and Hamilton area." I assume they're crucial enough partners that we need to remove their representatives from our board of directors. "We're committed to ensuring the continued and ongoing consultations with municipalities as we move forward with the implementation of the regional transportation plan.

"We feel that municipalities and not Metrolinx are best able to identify the implications of provincial plans and policies for their local transit systems. The motion"—the one I put forward saying that Metrolinx has to inform municipalities about what their plans will mean for those municipalities—"would result in a confusing role for Metrolinx, advising municipalities about their

own local transit systems rather than focusing on implementing the regional transit system in partnership with municipalities.”

One of the things I learned about communication early on was that if you can't explain something to someone, then you may not have clarity in your own thinking. If I, running the Greater Toronto Transit Authority, go to Durham or Mississauga or Brampton and say, “We're doing this, and it's going to have this impact on you,” and either they don't understand or they point out something that's radically different, it may be that my initial thinking was not adequate to the task. So I would say that rejecting this means that Metrolinx's board and its bureaucrats are not going to have to go through the process of actually thinking through the impact of the plans that they bring forward. They are not going to have to go to municipalities to say, “We're doing this. This is what we expect the impact to be.” That's a mistake on the part of the government. Let's set aside the governance for a moment, and the other issues. Simply in terms of operations, it's to your advantage to think it through beforehand and test it that way. It didn't happen.

I tried again in the course of the clause-by-clause to make transit the highest priority of the corporation, and, as I said numerous times in the course of clause-by-clause debate—I've already made that argument, so I won't go through it at any length, other than to say that if you don't have it as the highest priority, you're not going to have it implemented as the highest priority.

Privatization: I moved an amendment that transit systems not be sold to for-profit entities, that in fact we shouldn't transfer transit systems in any form from public to private hands.

**1710**

There are substantial reasons for this. If you go to some Latin American countries where transit is privatized, you have multiple bus companies running along the same routes, with the inefficiencies that result from that. If you look at the history of transit in North America, look at what happened with Los Angeles and its transit system bought up in the 1940s by General Motors and scrapped in order to create a market for the purchase of more automobiles. When you turn over public transit to non-public hands, you open up a society to a vulnerability. If you look at Highway 407 and that being turned over to private hands and the frustration of motorists and governments alike trying to deal with the private control of a central piece of infrastructure in this region, you can understand, again, why we should not be turning public transit over to those hands.

But there's another consideration, and that is that if you look at the record of public-private partnerships, which is the term that was used under the Harris regime, or alternative financing proposals—the wording, the new language, the Newspeak that we use under this regime—you'll see that we have consistently had overruns in the costs of providing hospitals that have been of great consequence to communities like Brampton, like Sarnia, and will be of consequence to other communities.

It was interesting to read in the *Globe and Mail Report on Business* within the last few weeks about the experience of British Columbia, where private companies were getting out of the public-private partnership business because the cost of capital in a time of credit uncertainty was rising to the point where it was no longer something that was useful to them.

If you look at the magazine *The Economist*—not particularly a left-wing publication—talking about the impact of public-private partnerships on the national health system in the UK, there's a negative impact, as they said, causing a hemorrhage of cash in that system.

Why would we do that to our public transit system? I don't see the logic in that.

This bill before us is one that doesn't set transport in common, public transit, as the highest priority. It reduces democratic control, reduces the importance of the partnership with municipalities and opens the door to greater privatization. These are not positive things. I don't think the trade-off is one that most people in this province want, because in fact I don't think it's going to result in faster construction of new transit.

If we look at what's been happening in Toronto with Transit City, the city of Toronto has been very happy to receive the promise of money from the provincial government for building new streetcar lines, light rail transit. They've been working for the past few years in making sure that the environmental assessments, the planning and the engineering are all in place so that when the money comes, they can proceed rapidly. They were smart about what they did. I don't see why that process can't be reproduced consistently without having to set up an act which, at the centre of it, is simply shifting power rather than opening the door to a lot more transit.

Speaker, I know that my time is drawing short because there has been a time allocation on this bill.

I want to mention one other thing about this bill, and that's the proposal that the board will not have to report back before 2013 on its investment strategy. I said in committee, and I'll say it here, I find it extraordinary that the window for decision-making on the investment strategy takes us to four years from now and past the date of the next provincial election. Frankly, if you can't figure it out in a year, then what exactly is the efficiency that comes from this new corporation? Four years from now is an extraordinarily convenient date. I was a city councillor. I had the opportunity to understand the magic of the calendar and the timing of decisions and the timing of announcements. I moved, the NDP moved, in committee that that date be changed so that people would have an opportunity to comment before the next election. That amendment wasn't made. That is a mistake on the part of the government.

It is a shame that such a critical issue, and that's the transit for this whole region, is not being treated with the openness, with the democratic approach, the public approach, that it most profoundly needs.

**The Acting Speaker (Mr. Jim Wilson):** Further debate?

**Hon. Gerry Phillips:** I move adjournment of the debate.

**The Acting Speaker (Mr. Jim Wilson):** Is it the pleasure of the House that the motion carry? Carried.

*Third reading debate adjourned.*

**The Acting Speaker (Mr. Jim Wilson):** Orders of the day.

**Hon. Gerry Phillips:** I move adjournment of the House.

**The Acting Speaker (Mr. Jim Wilson):** Is it the pleasure of the House that the motion carry? Carried.

This House stands adjourned till next Monday at 10:30 a.m.

*The House adjourned at 1716.*

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

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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

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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
Broten, 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	
<b>DiNovo, Cheri (NDP)</b>	Parkdale–High Park	Third Deputy Chair of the Committee of the Whole House / Troisième vice-présidente du Comité plénier de l'Assemblée législative
<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	

Member and Party / Député(e) et parti	Constituency / Circonscription	Other responsibilities / Autres responsabilités
Elliott, Christine (PC)	Whitby–Oshawa	
Flynn, Kevin Daniel (LIB)	Oakville	
<b>Fonseca, Hon. / L'hon. Peter (LIB)</b>	Mississauga East–Cooksville / Mississauga-Est–Cooksville	Minister of Labour / Ministre du Travail
Gélinas, France (NDP)	Nickel Belt	
<b>Gerretsen, Hon. / L'hon. John (LIB)</b>	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)	Kenora–Rainy River	
Hardeman, Ernie (PC)	Oxford	Deputy Opposition House Leader / Leader parlementaire adjoint de l'opposition officielle
Hillier, Randy (PC)	Lanark–Frontenac–Lennox and Addington	
Horwath, Andrea (NDP)	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
Hoy, Pat (LIB)	Chatham–Kent–Essex	
Hudak, Tim (PC)	Niagara West–Glanbrook / Niagara- Ouest–Glanbrook	
Jaczek, Helena (LIB)	Oak Ridges–Markham	
Jeffrey, Linda (LIB)	Brampton–Springdale	
Johnson, Rick (LIB)	Haliburton–Kawartha Lakes–Brock	
Jones, Sylvia (PC)	Dufferin–Caledon	
Klees, Frank (PC)	Newmarket–Aurora	
Kormos, Peter (NDP)	Welland	Third Party House Leader / Leader parlementaire de parti reconnu
Kular, Kuldip (LIB)	Bramalea–Gore–Malton	
Kwinter, Monte (LIB)	York Centre / York-Centre	
Lalonde, Jean-Marc (LIB)	Glengarry–Prescott–Russell	
Leal, Jeff (LIB)	Peterborough	
Levac, Dave (LIB)	Brant	
MacLeod, Lisa (PC)	Nepean–Carleton	
Mangat, Amrit (LIB)	Mississauga–Brampton South / Mississauga–Brampton-Sud	
Marchese, Rosario (NDP)	Trinity–Spadina	
Martiniuk, Gerry (PC)	Cambridge	
<b>Matthews, Hon. / L'hon. Deborah (LIB)</b>	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)	Thunder Bay–Atikokan	
<b>McGuinty, Hon. / L'hon. Dalton (LIB)</b>	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)	Ottawa–Orléans	
<b>Meilleur, Hon. / L'hon. Madeleine (LIB)</b>	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)	Parry Sound–Muskoka	
Miller, Paul (NDP)	Hamilton East–Stoney Creek / Hamilton-Est–Stoney Creek	
<b>Milloy, Hon. / L'hon. John (LIB)</b>	Kitchener Centre / Kitchener-Centre	Minister of Training, Colleges and Universities / Ministre de la Formation et des Collèges et Universités
Mitchell, Carol (LIB)	Huron–Bruce	
Moridi, Reza (LIB)	Richmond Hill	
Munro, Julia (PC)	York–Simcoe	
Murdoch, Bill (PC)	Bruce–Grey–Owen Sound	
Naqvi, Yasir (LIB)	Ottawa Centre / Ottawa-Centre	
O'Toole, John (PC)	Durham	



<b>Member and Party / Député(e) et parti</b>	<b>Constituency / Circonscription</b>	<b>Other responsibilities / Autres responsabilités</b>
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	
<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	Deputy Third Party House Leader / Leader parlementaire adjoint de parti reconnu
<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	

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Norm Miller, Mario Sergio  
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**Standing Committee on Regulations and Private Bills / Comité  
permanent des règlements et des projets de loi d'intérêt privé**

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Rick Johnson, Gerry Martiniuk  
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**Standing Committee on Social Policy / Comité permanent de  
la politique sociale**

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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  
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