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

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

**Official Report  
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(Hansard)**

**Journal  
des débats  
(Hansard)**

**Tuesday 13 December 2005**

**Mardi 13 décembre 2005**

Speaker  
Honourable Michael A. Brown

Président  
L'honorable Michael A. Brown

Clerk  
Claude L. DesRosiers

Greffier  
Claude L. DesRosiers

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**LEGISLATIVE ASSEMBLY  
OF ONTARIO**

Tuesday 13 December 2005

**ASSEMBLÉE LÉGISLATIVE  
DE L'ONTARIO**

Mardi 13 décembre 2005

*The House met at 1330.  
Prayers.*

ESTIMATES

**Hon. Sandra Pupatello (Minister of Community and Social Services, minister responsible for women's issues):** Mr. Speaker, I have a message from the Honourable Lieutenant Governor, signed by his own hand.

**The Speaker (Hon. Michael A. Brown):** The Lieutenant Governor transmits estimates of certain sums required for the services of the province for the year ending March 31, 2006, and recommends them to the assembly.

MEMBERS' STATEMENTS

COMMONWEALTH GAMES

**Mr. Frank Klees (Oak Ridges):** The York 2014 bid committee hosted the delegation from the Canadian Commonwealth Games yesterday and showcased what York region has to offer the world as the site for the 2014 Commonwealth Games.

I want to congratulate bid chair and former games medalist Bill Crothers and the members of the bid committee for their dedication to this undertaking and for an outstanding presentation of York region as the preferred Canadian bid and ultimately the host site for the 2014 Commonwealth Games.

York region has a bid that can win internationally and, if chosen, I am confident that they can succeed in the final competition with Scotland and Nigeria to host the Commonwealth Games in 2014.

The 2014 games are much more than a 10-day competition for York region. In addition to hosting our friends and allies in this prestigious athletic competition, with all the benefits that ensue, they are also a catalyst for a real and better future. In addition to permanent world-class athletic facilities, these games will allow us to move ahead on our non-sports infrastructure projects, which provide long-term benefit for all York region residents and businesses.

I am very proud of the bid being put forward by York region. When successful as the Canadian site, I look forward to the unanimous consent of this Legislature to champion in every aspect the international bid to bring the 2014 Commonwealth Games to Canada and to York region.

BURLINGTON TEEN TOUR BAND

**Mr. Ted McMeekin (Ancaster–Dundas–Flamborough–Aldershot):** Holding fast to the best of our past while moving quickly to embrace the best of our future, I rise to salute the Burlington Teen Tour Band. Under the direction of Sir William Hughes, Her Majesty's personal musician, and Mr. Rob Bennett, the band manager, the band played earlier on the steps of the Legislature.

With the support of the city of Burlington and the Burlington Teen Tour Band Boosters, the band has been marching and performing in countless parades, halftime shows, concerts and movie shoots since their formation in 1947. On two recent occasions, the band traveled to Europe. In June 2004, they stood with our veterans on Juno Beach in celebration of the 60th anniversary of D-Day. Later, in May 2005, they proudly marched with our veterans in Apeldoorn to mark the 60th anniversary of the liberation of the Netherlands. What an inspiration: our veterans and our youth standing side by side, together commemorating a significant part of our history.

Special thanks to Minister Colle for today honouring the historic contributions of the Burlington Teen Tour Band. As the minister said, "The province of Ontario is proud to acknowledge the exceptional service performed by these young Ontarians and the community leaders who support them."

To these young ambassadors, this assembly would say thank you. You have made us very proud. With that, Mr. Speaker, I would like to introduce the finest marching band in Canada, the Burlington Teen Tour Band.

**The Speaker (Hon. Michael A. Brown):** This is probably out of order, but I was billeted with the Teen Tour Band in the late 1960s when I was with another band here in the province.

SERVICES FOR THE  
DEVELOPMENTALLY DISABLED

**Mr. Cameron Jackson (Burlington):** Community Living Ontario and its associations have been the largest deliverer of essential supports and services to children and adults with intellectual disabilities for more than 50 years. The Minister of Community and Social Services, however, continues to refuse to recognize and address the funding crisis being faced by Ontario's community living associations, a funding crisis that threatens to destabilize the province's entire developmental services sector.

The challenges they face are numerous: The salaries paid to community support workers remain about 25%

below those of other workers; staff turnover rates average 22%; and pay equity issues and significant wage disparities within the sector remain unaddressed. As such, college training programs for this sector are being cancelled due to a lack of interest from new recruits. As a result of this funding crisis, the service gap and waiting lists for accommodation services continue to grow.

The minister is mismanaging the deinstitutionalization agenda by destabilizing the very same associations that will be required to provide new and expanded community-based services for these clients. Rhetoric is the only thing she has increased. In fact, she has slowed down the multi-year capital plans from the previous government.

On behalf of Ontario's community living associations, I call on the McGuinty government to make a strong commitment to support community networks of services through a fully funded multi-year plan. Issues facing people with disabilities in Ontario are complex and require a focused, coordinated and fully funded response from the minister. The time for that response is now.

#### BRAMPTON HOSPITAL

**Mrs. Linda Jeffrey (Brampton Centre):** On Friday, December 9, I had the pleasure of attending, alongside colleagues, donors and dedicated hospital staff, a milestone in the construction of the newest hospital in the William Osler Health Centre family: the final concrete pour on the hospital structure at Bovaird Drive and Bramalea Road in Brampton. Under our government's leadership, construction on the state-of-the-art hospital began back in October 2004. It's one of the first green-field hospitals to be built in Canada and is located in one of the most diverse and growing regions in the country.

The new Brampton hospital at Bovaird Drive and Bramalea Road is the country's largest capital health care infrastructure project. It will have 608 beds and will accommodate 90,000 emergency patient visits, 160,000 ambulatory care visits and 110,000 outpatient visits annually. This new hospital will be an ultramodern facility with advanced medical equipment and will offer a comprehensive range of health services, including expanded cardiac and cancer programs, regional dialysis and neonatal care. It will be an open, accessible public hospital.

Construction of this new 1.2-million-square-foot hospital is scheduled for completion in July 2007. It is a signature project in my community and exemplifies our government's dedication to improving health care services and access for all Ontarians.

1340

#### TOBACCO INDUSTRY

**Mr. Toby Barrett (Haldimand-Norfolk-Brant):** Ontario's tobacco farmers have had their backs to the wall for several years; they've now read the writing on

the wall. The farmers, through their marketing board, are now on their knees, and they wish to give up growing tobacco. To that end, the tobacco board is requesting the Ontario government convene a forum of all parties to discuss their future immediately.

Quite simply, in today's environment it's impossible for farmers to continue in business. Stability and profitability are things of the past. Input costs continue to rise, margins continue to fall, and the pressure to lower the price of leaf is only intensifying. In the meantime, farmers realize that, upon exit, their specialized plant and equipment will be worthless.

Many countries around the world have included an adjustment program for tobacco farmers that provides a fair and equitable exit. Australia and the United States come to mind. Last spring, here in Ontario and in Quebec, the federal government put in place the tobacco adjustment assistance program to help a percentage of tobacco farmers leave the industry. At that time, as they do today, the tobacco board advocated that a more comprehensive and proactive solution was required. The solution is a full exit plan for all Ontario tobacco farmers. There is no turning back.

As I did in estimates in September, I ask the Minister of Agriculture to convene a forum allowing discussions to begin, a forum that includes both health and finance representatives. Let's fix this once and for all.

#### HYDRO RATES

**Mr. Gilles Bisson (Timmins-James Bay):** The winter season is upon us. We know that in northern Ontario, this very morning, most of our loved ones woke up to minus-30-degree weather. It reminds us that we're going to have to pay a lot more for energy this winter when it comes to heating our homes with heating oil or buying natural gas or, God behold, having to pay electricity prices. I just say to this government that it's going to be a tough winter when it comes to the ability to pay energy costs.

This government should do something in order to deal with an energy policy that at the end of the day looks at a couple of very basic issues: number one, why is the province of Ontario not looking at electricity in the way that it did for some 90 years, from the perspective of it being one of the economic development tools that helps to drive the economy of Ontario? When paper mills in northern Ontario or residents are able to buy electricity at a rate that is affordable, based on the cost of producing electricity, it means that everybody benefits. The individual who needs to heat their home is able to get the home heated when it's 30 below zero, or even 40 below zero in February, and industries such as pulp and paper, mining and others are able to buy electricity at a rate that makes sense for maintaining jobs and building the economy of Ontario.

When this government gets that through its mind, I think this province is going to be in a much better place. I

just say: minus 30 in northern Ontario this morning. I hope that doesn't mean we're going to see more of that, because people can't afford to pay the energy prices this government policy is driving up.

#### HIGH-OCCUPANCY VEHICLE LANES

**Mr. Dave Levac (Brant):** I'd like to report to the House today another initiative of the McGuinty government. We live in a hectic society, rushing here and there, and many of us have long distances to commute just to earn our livings. This lifestyle may contribute to the increasing number of cases of road rage we hear reported, and the reports of unimaginable, thoughtless driving stories we hear from the OPP on long weekends. This government has taken steps to assist commuters.

Today, the first HOV lanes opened, and I've already received reports about their effectiveness. One report is that up to 10 to 15 minutes were cut off a commute on the 403 from Hamilton to Mississauga. Cutting time and cutting stress must lead to safer roads.

I want to remind all those listening that all you need to do to use these HOV lanes is to have two people in the car, hop in the left lane and hit cruise control. The traffic will move, and no one will be cutting in and out. It's easy to do.

What I cannot understand is why, when the 407 was handed over to a private consortium after our tax dollars built it, there was no thought given to putting in an HOV lane. My understanding was that it was supposed to. I guess the government of the day thought more about trying to remove that deficit and the debt they ran up than making Ontario a better place to live.

I suggest that we investigate even further, and I want to thank the Minister of Transportation for making our lives a lot easier already.

#### AGRICULTURAL TRADE

**Mr. Phil McNeely (Ottawa-Orléans):** Ontario farms produce over 200 commodities and include 3,700 food processing companies. However, Ontario's agriculture sector is under stress, a direct result of the excesses of foreign agriculture subsidies and the resulting downward pressure on world commodity prices.

The massive overproduction promoted by US support programs has a proven negative impact on the world agricultural economy. That is why Ontario is not prepared to sacrifice regulated marketing structures used by dairy, poultry and egg producers. It is not simply that these farmers represent a significant contribution to a healthy rural economy and strong rural communities in Ontario, with 7,100 farms generating \$2.5 billion in farm gate receipts. The point is that these farmers, without receiving direct government subsidies, are able to overcome an uneven playing field and still ensure that Ontario consumers and food manufacturers receive the highest-

quality, safest food in the world at affordable and stable prices.

The Ontario Liberal government and all members of this House have urged the federal government to vigorously defend the interests of those sectors depending on supply management. A successful conclusion to the agricultural negotiations requires real constraints on US and EU support spending, which so brazenly distorts trade in agricultural goods worldwide, and must include sufficient flexibility to accommodate our supply-managed producers. We can settle for no less.

#### ÉQUIPES DE SANTÉ FAMILIALE

##### FAMILY HEALTH TEAMS

**M. Jean-Marc Lalonde (Glengarry-Prescott-Russell):** Vendredi dernier, j'ai eu le grand honneur d'annoncer que le gouvernement McGuinty améliore les soins de santé à Clarence-Rockland grâce à la création d'une nouvelle équipe de santé familiale.

We are changing the way health care is delivered in Clarence-Rockland by making it more responsive to the needs of the residents of Clarence-Rockland. More residents will now have access to a family doctor and a health team.

L'équipe de santé familiale de Clarence-Rockland fait partie des 31 nouvelles équipes de santé familiale qui ont été approuvées par le gouvernement McGuinty. Il y a désormais 100 équipes de santé familiale en Ontario, et notre gouvernement a atteint les deux tiers de son objectif, qui est de créer 150 équipes d'ici 2007-2008.

Family health teams are designed around the needs of each community. They are made up of a team of health providers that provide comprehensive care around the clock, seven days a week.

Ces équipes de santé sont importantes dans toutes les communautés, mais jamais aussi importantes que dans les communautés telles que Clarence-Rockland. Les citoyens de cette communauté, comme bien d'autres communautés rurales, n'ont pas accès à un transport en commun comme les citoyens des grandes villes. Pour eux, avoir une équipe de santé familiale dans leur communauté vient remplir un grand besoin.

#### VISITORS

**The Speaker (Hon. Michael A. Brown):** The member for Davenport.

*Applause.*

**Mr. Tony Ruprecht (Davenport):** Thank you very much. I didn't start this.

We have some very distinguished guests in the east gallery. They are Donald Schultz and Ian McIsaac, the executive director and secretary of the Millwright Regional Council of Ontario.

**The Speaker:** That's not a point of order, but welcome, gentlemen.

## INTRODUCTION OF BILLS

EDUCATION STATUTE LAW  
AMENDMENT ACT  
(LEARNING TO AGE 18), 2005  
LOI DE 2005 MODIFIANT DES LOIS  
EN CE QUI CONCERNE L'ÉDUCATION  
(APPRENTISSAGE JUSQU'À L'ÂGE  
DE 18 ANS)

Mr. Kennedy moved first reading of the following bill:  
Bill 52, An Act to amend the Education Act respecting pupil learning to the age of 18 and equivalent learning and to make complementary amendments to the Highway Traffic Act / Projet de loi 52, Loi modifiant la Loi sur l'éducation concernant l'apprentissage des élèves jusqu'à l'âge de 18 ans et l'apprentissage équivalent et apportant des modifications complémentaires au Code de la route.

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

Does the minister wish to make a statement?

**Hon. Gerard Kennedy (Minister of Education):** I will make a statement during ministerial statements.

## MOTIONS

### PRIVATE MEMBERS' PUBLIC BUSINESS

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

**The Speaker (Hon. Michael A. Brown):** Mr. Bradley has asked for unanimous consent to put forward a motion regarding private members' public business. Agreed? Agreed.

**Hon. Mr. Bradley:** I move that, notwithstanding order 96(g), notice for ballot item 16 be waived.

**The Speaker:** Mr. Bradley has moved that, notwithstanding standing order 96(g), notice for ballot item 16 be waived.

Is it the pleasure of the House that the motion carry? Carried.

### COMMITTEE MEMBERSHIP

**Hon. James J. Bradley (Minister of Tourism, minister responsible for seniors, Government House Leader):** Mr. Speaker, I move that the following amendments be made to the membership of certain committees: On the standing committee on general government, Ms. Horwath replaces Ms. Churley; on the standing committee on government agencies, Mr. Bisson replaces Ms. Horwath; and on the standing committee on regu-

lations and private bills, Ms. Horwath replaces Ms. Churley.

**The Speaker (Hon. Michael A. Brown):** Mr. Bradley has moved that the following amendments be made to the membership of certain committees: On the standing committee on general government, Ms. Horwath replaces Ms. Churley; on the standing committee on government agencies, Mr. Bisson replaces Ms. Horwath; on the standing committee on regulations and private bills, Ms. Horwath replaces Ms. Churley.

Is it the pleasure of the House that the motion carry? Carried.

## COMMITTEE SITTINGS

**Hon. James J. Bradley (Minister of Tourism, minister responsible for seniors, Government House Leader):** Mr. Speaker, I move that the following committees be authorized to meet during the winter adjournment, in accordance with meeting dates as determined by the respective subcommittees, to examine and inquire into the following matters:

The standing committee on finance and economic affairs to consider matters relating to pre-budget consultations, 2006; the standing committee on general government to consider Bill 206, An Act to revise the Ontario Municipal Employees Retirement System Act, upon its referral from the House; the standing committee on justice policy to consider Bill 21, An Act to enact the Energy Conservation Leadership Act, 2005 and to amend the Electricity Act, 1998, the Ontario Energy Board Act, 1998 and the Conservation Authorities Act, upon its referral from the House; and the standing committee on social policy to consider Bill 36, An Act to provide for the integration of the local system for the delivery of health services; and that the committees be authorized to release their reports during the winter adjournment by depositing a copy of any report with the Clerk of the Assembly, and, upon the resumption of meetings of the House, the Chairs of such committees shall bring any reports before the House in accordance with the standing orders.

**The Speaker (Hon. Michael A. Brown):** Mr. Bradley has moved that the following committees be authorized to meet during the winter adjournment.

*Interjection.*

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

## HOUSE SITTINGS

**Hon. James J. Bradley (Minister of Tourism, minister responsible for seniors, Government House Leader):** Mr. Speaker, a very special motion for the House—

**Mr. Peter Kormos (Niagara Centre):** Shame, shame, shame on the government.

**Hon. Mr. Bradley:** The member for Niagara Centre is anticipating, obviously, a motion.

I move that, pursuant to standing order 9(c)(i), the House shall meet from 6:45 p.m. to 9:30 p.m. on Tuesday, December 13, 2005, for the purpose of considering government business.

**The Speaker:** Mr. Bradley has moved government notice of motion 53. Is it the pleasure of the House that the motion carry?

All in favour will say "aye."

All opposed will say "nay."

In my opinion, the ayes have it

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

*The division bells rang from 1354 to 1359.*

**The Speaker:** Order. Members take their seats.

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

#### Ayes

Arnott, Ted	Jeffrey, Linda	Peterson, Tim
Arthurs, Wayne	Kennedy, Gerard	Pupatello, Sandra
Balkissoon, Bas	Klees, Frank	Qaadri, Shafiq
Barrett, Toby	Kular, Kuldip	Racco, Mario G.
Bentley, Christopher	Kwinter, Monte	Ramsay, David
Berardinetti, Lorenzo	Lalonde, Jean-Marc	Rinaldi, Lou
Bradley, James J.	Leal, Jeff	Runciman, Robert W.
Broten, Laurel C.	Levac, Dave	Ruprecht, Tony
Brownell, Jim	Marsales, Judy	Sandals, Liz
Cansfield, Donna H.	Martiniuk, Gerry	Scott, Laurie
Caplan, David	Matthews, Deborah	Sergio, Mario
Chambers, Mary Anne V.	Mauro, Bill	Smith, Monique
Chudleigh, Ted	McMeekin, Ted	Tascona, Joseph N.
Colle, Mike	McNeely, Phil	Tory, John
Craitor, Kim	Meilleur, Madeleine	Van Bommel, Maria
Delaney, Bob	Miller, Norm	Watson, Jim
Dombrowsky, Leona	Milloy, John	Wilkinson, John
Duguid, Brad	Mitchell, Carol	Witmer, Elizabeth
Flynn, Kevin Daniel	Mossop, Jennifer F.	Wong, Tony C.
Gerretsen, John	Munro, Julia	Yakabuski, John
Gravelle, Michael	O'Toole, John	Zimmer, David
Hardeman, Ernie	Ouellette, Jerry J.	
Hoy, Pat	Peters, Steve	

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

#### Nays

Bisson, Gilles	Kormos, Peter	Murdoch, Bill
Horwath, Andrea	Marchese, Rosario	Prue, Michael

**The Clerk of the Assembly (Mr. Claude L. DesRosiers):** The ayes are 67; the nays are 6.

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

#### VISITORS

**Hon. Gerard Kennedy (Minister of Education):** On a point of order, Mr. Speaker, I rise to recognize some distinguished guests: Mrs. Billie Telford and Miss Annette Archibald from Australia, accompanied by Peter Telford, a guest of my office; and Father Edward Kennedy, who is distinguished in his own right, and not more so because he is my uncle.

Welcome.

**The Speaker (Hon. Michael A. Brown):** It's not a point of order, but welcome.

#### STATEMENTS BY THE MINISTRY AND RESPONSES

##### HIGH SCHOOL STUDENTS ÉTUDIANTS DU SECONDAIRE

**Hon. Gerard Kennedy (Minister of Education):** I rise in the House today to talk about the government's commitment to all students in this province.

Through our student success strategy and the \$1.3-billion investment supporting it, we are giving our students the educational advantage they need to stay in school until the age of 18 and build a promising future for themselves and for all of Ontario. The McGuinty government is making up for the ground lost under the last government, which left so many students behind, and is going beyond to help high school students be offered clear and attractive outcomes.

In 2003, when we assumed office, the graduation rate in Ontario stood at an unacceptable 68%. At that time, I wrote as minister to Ontario high school students to inform them that help was not just on the way but underway. That year, we implemented the first phase of the student success strategy and helped our principals, teachers and education workers to raise the graduation rate last year to 71%.

The Premier and I have adopted a target so that Ontario will graduate 85% of its students by 2010. That means 90,000 more graduates in that time period and a reduction in the dropout rate by half. There is more at stake than ever for students to get a high school education that is high quality, meaningful and prepares them for a variety of post-secondary destinations.

With the introduction of the student success strategy's third phase today, Ontario students can keep learning to age 18 or graduation through creative incentives that recognize students' individual potential. In addition, this government will provide unique enforcement to prevent students from dropping out.

Il est plus important que jamais que les élèves suivent des études secondaires qui soient de bonne qualité et intéressantes et qui les préparent à diverses destinations postsecondaires.

Grâce à l'introduction de la troisième phase de la stratégie visant la réussite des élèves, les élèves de la province pourront continuer à apprendre jusqu'à l'âge de 18 ans et/ou jusqu'à l'obtention de leur diplôme, grâce à ces incitatifs créatifs permettant aux élèves de réaliser leur potentiel individuel. Par ailleurs, notre gouvernement introduira des mesures d'exécution uniques pour éviter que les élèves ne décrochent.

Today, I'm pleased to share with my honourable colleagues how our government is helping high school students to succeed.

The McGuinty government respects our students. We believe every student should be able to go as far as his or her potential will take them. To provide a better learning environment for all students, we are customizing high school to give every student an Ontario education advantage.

If passed, the Learning to 18 legislation would mandate that all school boards make the government's comprehensive student success programs available to students. The bill would also increase the school leaving age to 18, or until graduation, by keeping students learning either in classrooms or in approved out-of-school programs, including apprenticeships or co-operative education.

In addition, the proposed legislation would provide enforcement policies with more effective and practical measures tied to students' drivers' licences and would create hard links between high schools and post-secondary destinations to allow external learning to be recognized for high school credits.

The bill would also propose enforcement measures intended as a backstop to important student success programs and to send a strong signal that we are taking responsibility for student achievement.

Drivers under the age of 18 who are unable to prove their regular attendance at school or in a recognized learning program could be denied a driver's licence or, if convicted of habitual absence, may have it suspended.

This proposed Learning to 18 legislation would set the ground rules for the government's student success strategy.

Last Thursday, the Premier and I announced students will be able to acquire a specialist high-skills major as part of a regular high school diploma by completing courses in specific areas such as arts, business, information technology, construction and manufacturing.

Co-operative education choices are being expanded by building partnerships with business and community organizations. New dual credit programs will be available to students so they can earn several credits toward their diplomas through co-operation with colleges, apprenticeships and university courses.

There will be a new coordinated effort and formal links with high school education and post-secondary education to make the transition seamless for students.

These new initiatives reinforce some of the actions already taken by the McGuinty government to help students take back control of their education and their future.

There have been revisions to the grades 9 and 10 applied math curriculum.

Over 300,000 students have benefited from a \$45-million investment in technological education that has helped to start over 200 new courses, including hospitality and health care, and over 500 upgrades to current programs, including robotics and community technology.

There is a student success leader now in every school board, and 1,300 new or designated high school teachers,

including 800 student success teachers, in Ontario schools.

Six nouveaux cours obligatoires, élaborés à l'échelon local, ont été créés pour offrir un plus grand choix aux élèves de 9<sup>e</sup> et de 10<sup>e</sup> année.

It has been 50 years since Ontario updated the high school leaving age requirement. It is time that our 21st century high schools provide the kinds of programs that are relevant to students today and that support parents' ambitions for their children.

In closing, I want to thank the members of our ministry, the education sector and my office who prepared what I believe is a significant step forward to the future for Ontario students and Ontario as a province as a whole.

ENTENTE ADDITIONNELLE  
À L'ANNEXE DE LA CHARTE  
DES GRANDS LACS  
GREAT LAKES  
CHARTER ANNEX AGREEMENT

**L'hon. David Ramsay (ministre des Richesses naturelles, ministre délégué aux Affaires autochtones):** Je suis heureux et fier de prendre la parole dans la Chambre pour informer les députés qu'aujourd'hui le premier ministre McGuinty va signer à Milwaukee une entente historique concernant la protection des eaux du bassin des Grands Lacs et du Saint-Laurent.

I am pleased and proud to stand in the House today to inform the members that today in Milwaukee, Premier McGuinty will be signing an historic agreement with the province of Quebec and the eight Great Lakes states that will strengthen protection for the waters of the Great Lakes and the St. Lawrence River basin. At the same meeting, the eight Great Lakes states will be signing a binding compact among themselves with similar terms.

The two agreements provide a framework for each province and state to pass laws that put in place new safeguards for our shared waters. By setting a high environmental standard across the basin and overseeing water uses, these agreements will help each jurisdiction build a stronger, healthier and more prosperous future for its citizens, its environment and its economy.

**1410**

The negotiations leading to today's signing were challenging and often arduous, and thanks to the hard work of all parties, we have come to an agreement that incorporates the needs of each jurisdiction.

I would like to take this opportunity to acknowledge Ontario's negotiating team for their hard work and dedication to achieving ratification of this agreement. The team include: ADMs Kevin Wilson and David de Launay, Rob Messervey, Leith Hunter, Paula Thompson, Danielle Dumoulin, Emily Chatten, Pearl McKeen and Bill Carr. Many of those who aren't in Milwaukee are

here with us today, and I'd ask them to stand and be known.

Ontario, which already has in place some of the most rigorous regulations to protect the basin waters, fought hard to raise the bar during these sometimes difficult negotiations. Throughout this lengthy process, we listened carefully to our stakeholders, First Nations and the public, and the advice of our annex advisory panel was also instrumental to us in our pursuit of stronger agreements. We did not back down in what we knew was the most important thing to Ontarians.

Nous avons réclamé et obtenu une interdiction presque complète de détourner l'eau.

We insisted on, and achieved, a virtual ban on diversions. We also achieved a stronger commitment to water conservation, an increased role for science in decision-making and a new commitment enabling dialogue and input of First Nations.

As the guardian of Ontario's water, the McGuinty government is acutely aware of the water challenges we face.

Nous sommes fiers que les lois de l'Ontario respectent ou surpassent déjà la plupart des exigences des ententes maintenant en oeuvre, l'annexe de la Charte.

We are proud that Ontario's laws already meet or exceed most of the requirements of the charter annex agreement. We have in place strict laws banning water diversions out of the province's three major water basins: the Great Lakes-St. Lawrence River basin, the Hudson Bay basin and the Nelson River basin. We regulate water withdrawals and have brought in stronger measures to protect natural ecosystems. We will remain diligent in protecting Ontario's interest in the waters of the Great Lakes-St. Lawrence River basin and every water system across this province.

L'entente d'aujourd'hui constitue une prochaine étape importante et force de reconnaître que ce n'est pas fait du jour au lendemain.

Today's agreement is an important next step on what has been a very long journey. This journey does not end with today: Safeguarding the waters of the Great Lakes-St. Lawrence River basin in the face of ever-increasing outside pressures will remain an ongoing challenge for each of our jurisdictions.

With this historic agreement in hand, however, each of the Great Lakes provinces and states will be better prepared to meet that challenge together and to protect our shared interest in the long-term health of these important waters.

#### NATIVE PROGRAMS AND SERVICES

**Hon. Mary Anne V. Chambers (Minister of Children and Youth Services):** I'm pleased to rise in the House today to inform members about a new program our government has established for aboriginal youth in partnership with the Ontario Federation of Indian Friendship Centres.

Yesterday I had the pleasure of visiting the N'Swakamok native friendship centre in Sudbury to announce the new program, along with my colleague David Ramsay, Minister of Natural Resources and minister responsible for native affairs. The program is called Akwe:go. It means "everybody," "all" or "all of us" in Mohawk, and will be delivered by the federation through the N'Swakamok native friendship centre and 26 other Indian friendship centres across the province.

This is part of our government's approach to aboriginal affairs, an approach based on co-operation and mutual respect and the importance of empowering and supporting community-based and community-led solutions. Akwe:go will provide aboriginal children, ages seven to 12, with culturally based programs and services including health resources, one-on-one counselling and after-school programs.

Our government will invest just over \$2 million each year in this new program. By working with the aboriginal community in this way, we will be enabling them to deliver programs that they have said they need to strengthen their communities, and in ways that respect their cultural traditions.

Our goal is to ensure that aboriginal children, and indeed all of Ontario's children, have the support they need in order to be successful.

Aboriginal children and youth represent the fastest-growing segment of Ontario's population, but they face significant and multiple challenges to healthy development. Our government is eager to support the aboriginal community as they work hard to deliver supports and programs that will provide hope for their kids.

With Akwe:go, friendship centres will provide social supports to address self-esteem issues and help prevent unhealthy behaviours; reach out to children in the care of non-native adoptive and foster parents to increase culturally appropriate supports and services; promote healthy development; provide early intervention and alternatives to the youth justice system; and support children suffering from fetal alcohol syndrome disorder, who consequently face additional challenges.

The Akwe:go program is the first of its kind in Ontario since 1995. It seems the government of that day decided such programs were not important. I'm proud that our government has chosen to be a partner in providing that type of support so that together we can address a critical gap in services for aboriginal children.

Yesterday at N'Swakamok Friendship Centre in Sudbury, I met dozens of aboriginal people who are committed to the success of children and the prosperity of their community. It is their dedication and the dedication of countless others like them across the province that brought the Akwe:go program to life.

The word "Akwe:go" embodies the spirit of this new program for aboriginal children and youth; it also embodies the spirit of Ontario's commitment to help improve the lives of all our children and youth.

## ACCESSIBILITY FOR THE DISABLED

ACCESSIBILITÉ POUR  
LES PERSONNES HANDICAPÉES

**Hon. Sandra Pupatello (Minister of Community and Social Services, minister responsible for women's issues):** I rise in the House today to announce a major step forward in the quest to improve accessibility throughout Ontario. Today it's my pleasure to announce the appointment of a provincial advisory body that will move us along our government's agenda to improve accessibility throughout the province.

Our government and every member of this House made a deep commitment to improve accessibility for everyone with a disability in Ontario when we passed the historic accessibility for Ontarians with disabilities legislation this year. The passage of the AODA sent a strong statement to all Ontarians that we're embarking upon a new era of accessibility in Ontario, that we'll work together to improve accessibility for people with disabilities in all walks of life. This legislation will stand as a legacy for all Ontarians, a legacy of accessible opportunity that's open to all of our citizens.

Nous avons l'intention de transformer l'Ontario en une société accessible pour toutes les personnes handicapées, car nous estimons que toutes les Ontariennes et tous les Ontariens devraient avoir l'occasion d'apprendre, de travailler, de se divertir et de participer de toute autre façon à la vie de la société et en réalisant leur plein potentiel.

Notre nouveau Conseil consultatif des normes d'accessibilité symbolise l'esprit de la Loi sur l'accessibilité pour les personnes handicapées de l'Ontario, notre quête vers un Ontario vraiment accessible.

When we first envisioned the Accessibility Standards Advisory Council, we knew that we wanted leaders from the disability community and strong involvement by the private sector. The majority of members of our council are people with disabilities. This is important because we have such a wealth of talent in the disability community, people who stood by us as we developed the law, people who believe in the law and are committed with us to make it real. Together, our council represents a cross-section of business, public sector organizations and people with disabilities from all walks of life. I'm confident that we've selected a strong team of individuals who will help to shape our accessibility efforts in the years to come.

The council has a clear mandate. It will provide strategic advice to help guide Ontario as the province moves to achieve our government's vision of an accessible society over the next 20 years. More specifically, the council will advise me on the development of accessibility standards and on specific sectors and general public education programs to support the effective implementation of the AODA.

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Our government believes that people with disabilities should be able to fully participate in the social and eco-

nomie life of our province, and our Accessibility Standards Advisory Council will help make sure we do it right. I'm confident we've chosen men and women for our council who will work to improve our work environments, our business operations, our buildings and our transportation systems.

Our council will be chaired by none other than David Onley. As many of you know, David is a veteran journalist with Citytv and has a long history of volunteer work and advocacy on behalf of people with disabilities. David was inducted into the Terry Fox Hall of Fame in 1997 for his ongoing contributions to advance the causes of people with physical disabilities. In 1996, Toronto's Clarke Institute presented him with the Courage to Come Back Award, and in 2003 he received an honorary doctorate from the Canadian Christian College.

David will be joined by vice-chair Tracy MacCharles from Pickering. Welcome, Tracy. Tracy was a member of the former Accessibility Advisory Council of Ontario, and has a strong background in employment equity for people with disabilities.

Members of our council include David Borthwick of Oakville—welcome, David—Robert Bailey of Amherstburg, Tyler Campbell of Sudbury, Uzma Khan of Mississauga, Dean LaBute of Windsor, Richard McGee of Kawartha Lakes, Mike Murphy of Kingston, Judith Parisien of Alfred, Jutta Treviranus of Toronto, Jeff Willbond of Ottawa, and Dr. Katherine Woodcock of Toronto.

I ask this House to recognize the members of the Accessibility Standards Advisory Council of Ontario. Welcome.

It's going to take everyone's commitment—people with disabilities, businesses, government—to build a barrier-free society. Our new Accessibility Standards Advisory Council will guide the way, helping us create a more prosperous Ontario for all our citizens, an Ontario that benefits from the contributions of all its citizens. I believe we're well on our way to getting there.

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

## HIGH SCHOOL STUDENTS

**Mr. Frank Klees (Oak Ridges):** Forgive me for being cynical about the education minister's grand announcement today that threatens students under the age of 18 with being stripped of their driver's licence and imposes fines of up to \$1,000 on students and parents for truancy or dropping out of school.

This education minister developing this hare-brained idea, and no doubt he'll find the money to fund a system of enforcing the stripping of driver's licences and fines, is the same education minister who cannot find the resources or the time to provide the necessary supports to autistic children in this province who need to learn, who deserve to have the support network in place, and whose parents want them to have that opportunity. This is the same minister who comes forward to this House with this idea that is so counter-productive, that will never work,

that will never be enforceable, that is absolutely impractical, and he has turned his back on autistic children, refuses to meet their needs, and in fact is challenging a court order that orders him to supply education services to these children. It's a shameful day in this Legislature.

#### GREAT LAKES CHARTER ANNEX AGREEMENT

**Mr. Norm Miller (Parry Sound–Muskoka):** It's my pleasure to respond to the Minister of Natural Resources' announcement of the Great Lakes-St. Lawrence river basin sustainable water resources agreement. This is good news. It builds on the work of the past government, the 2001 Great Lakes Charter Annex agreements. I know the minister recognizes the importance of the water in the Great Lakes. He's out there in his sailboat from time to time. I also note that all the communities around the Great Lakes recognize just how important water is to us.

Here today in the Legislature we have John Beaucage, who is the grand council chief of the Anishinabek Nation, and comes from Wasauksing First Nation, right by Parry Sound. Certainly, he is one who recognizes just how important the water is to all of us.

I'm pleased to see this announcement being made today. It's building on the work that was done by the past government, and we look forward to it being enforced by all those parties involved.

#### ACCESSIBILITY FOR THE DISABLED

**Mr. Gerry Martiniuk (Cambridge):** On behalf of John Tory and the Progressive Conservative caucus, I congratulate David Onley, chair, Tracy MacCharles, vice-chair, and each member of the Accessibility Standards Advisory Council of Ontario. We wish them well in their deliberations on behalf of Ontarians with disabilities.

#### NATIVE PROGRAMS AND SERVICES

**Mrs. Julia Munro (York North):** I'm pleased to respond to the Minister of Children and Youth Services and her announcement today. We recognize, speaking on behalf of John Tory and the Progressive Conservative caucus, that this is good news for urban aboriginal families, but let me clarify the record of our previous government on aboriginal children and youth.

The aboriginal healing and wellness strategy, initiated in 1994-95, created over 250 community-based health and healing programs, including a network of 12 aboriginal health access shelters, 10 healing lodges, nine family shelters and a host of other initiatives that were all designed to support that, including \$7 million toward the Healthy Babies, Healthy Children program. I want to congratulate the minister on today's announcement, but recognize that it falls within a tradition of support.

Finally, I'd like to recognize the many representatives of the aboriginal communities across the province who

are here today for Bill 210. I would certainly just say that it is my hope that their concerns will be met and will be adequately addressed through the public hearing process.

#### ACCESSIBILITY FOR THE DISABLED

**Mr. Rosario Marchese (Trinity–Spadina):** To Minister Papatello: While the accessibility for Ontarians with disabilities bill improves on the former Conservative bill, it's hardly historic. A bill that takes 20 years to implement in my view is hardly historic. And while I wish the new advisory board the best of luck with the implementation of this bill, the provincial advisory body that cannot initiate meetings on its own, except when it's called upon by the minister, is hardly historic. God bless you. I wish you all the best.

#### HIGH SCHOOL STUDENTS

**Mr. Rosario Marchese (Trinity–Spadina):** To the Minister of Education, I want to say that what they have done is an illusion, by way of forcing students to stay in the schools to age 18. It's only an illusion, because in effect it does so little. When you look at other jurisdictions in Canada and the US, the improvements have been marginal at best, and so it proves that this kind of bill doesn't work. Besides, a law like this cannot mandate good programs. It punishes students who for one reason or another cannot stay or do not wish to stay in the school system, so it imposes additional barriers rather than giving opportunities to students.

Boards will now be mandated to provide programs. There was no mention of money. We know that the programs do not exist in the schools, and if they do not exist in the schools, they cannot be bundled. We also know that there are no qualified specialist teachers to provide these kinds of programs. It's a failure, because a program that has no money attached to it cannot succeed. As well, it does not give the boards the supports they need by way of ESL programs, by way of youth workers who can help students stay in the school system, by way of guidance teachers and by way of educational assistants.

This bill is an attempt to convince parents out there that the government is doing something, but wherever it's been implemented, it has failed. There are absolutely no resources—

*Interjections.*

**Mr. Marchese:** You shrug. It has failed, and there are no resources to allow the boards that are going to be forced to do this to provide the programs that will reach any level of success. It's a failure.

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#### NATIVE PROGRAMS AND SERVICES

**Mr. Gilles Bisson (Timmins–James Bay):** To the Minister of Children and Youth Services on her announcement on the Akwe:go initiative: To equate this

program as part of the new approach to aboriginal affairs on the part of the Dalton McGuinty government I think doesn't bode well for First Nations.

I have a letter here from Nishnawbe Aski Nation, signed by Deputy Grand Chief Alvin Fiddler, that talks about Bill 36, the Local Health System Integration Act. I just want to read a small quote: "In spite of the government-to-government relationship that should apply in dealings between First Nations and the province, First Nations were not consulted in the development of the legislation.... Given this history, it is not surprising that Bill 36 all but ignores First Nations."

I have another letter here from another chief, in this case from Grand Council Chief John Beaucage from the Anishinabek Nation, that says the following: "In spite of the so-called 'new relationship' and the promise of a true government-to-government relationship between First Nations and the province, our member First Nations were not consulted in the development of the legislation.... This does not bode well for this so-called 'new relationship'" called on by the Dalton McGuinty government.

From the Metis association, in meeting with the leadership there, they say the same things about this government when it comes to responding to their needs. Nothing is being done and the relationship doesn't mean a lot.

#### GREAT LAKES CHARTER ANNEX AGREEMENT

**Mr. Michael Prue (Beaches—East York):** To Minister Ramsay: I would gladly be persuaded again, except that the regional reviews are non-binding, so if provinces like Ontario and Quebec, alone or together, representing 20 million people, come out and disagree with water diversion and the US states want to, they can go about it unilaterally. That is the problem with the agreement, because we know how the Americans act on softwood lumber, we know how they act on shakes and shingles, we know how they act all the time. This is permission for them to act unilaterally again.

I also want to say that we are very disappointed to see that there is a 10-year implementation time for the United States. Ten years from now, we'll still be talking to them and they still won't have gone along with what they said they were going to do. It should have been tightened; it should have been now or, at the most, next year. Ten years is definitely too long to wait for this to happen. We in Canada know full well what the Americans are capable of.

#### VISITORS

**Ms. Monique M. Smith (Nipissing):** On a point of order, Mr. Speaker: I'd like to invite the members of the Legislature to join me in welcoming Grand Chief John Beaucage of the Anishinabek Nation and the Union of Ontario Indians—

**Mr. Gilles Bisson (Timmings—James Bay):** Oh, he's here.

**Ms. Smith:** He is here, Gilles—as well as Bob Goulais and the health adviser of the Anishinabek Nation.

**The Speaker (Hon. Michael A. Brown):** That is not a point of order, but welcome, gentlemen.

#### DEFERRED VOTES

##### ENERGY CONSERVATION RESPONSIBILITY ACT, 2005

##### LOI DE 2005 SUR LA RESPONSABILITÉ EN MATIÈRE DE CONSERVATION DE L'ÉNERGIE

Deferred vote on the motion for second reading of Bill 21, An Act to enact the Energy Conservation Leadership Act, 2005 and to amend the Electricity Act, 1998, the Ontario Energy Board Act, 1998 and the Conservation Authorities Act / Projet de loi 21, Loi édictant la Loi de 2005 sur le leadership en matière de conservation de l'énergie et apportant des modifications à la Loi de 1998 sur l'électricité, à la Loi de 1998 sur la Commission de l'énergie de l'Ontario et à la Loi sur les offices de protection de la nature.

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

*The division bells rang from 1433 to 1438.*

**The Speaker:** Members take their seats, please.

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

#### Ayes

Arthurs, Wayne	Gerretsen, John	Mossop, Jennifer F.
Balkissoon, Bas	Gravelle, Michael	Patten, Richard
Bartolucci, Rick	Hoy, Pat	Peters, Steve
Bentley, Christopher	Jeffrey, Linda	Phillips, Gerry
Berardinetti, Lorenzo	Kennedy, Gerard	Pupatello, Sandra
Bradley, James J.	Kular, Kuldeep	Racco, Mario G.
Brownell, Jim	Kwinter, Monte	Ramal, Khalil
Bryant, Michael	Lalonde, Jean-Marc	Ramsay, David
Cansfield, Donna H.	Leal, Jeff	Rinaldi, Lou
Caplan, David	Levac, Dave	Ruprecht, Tony
Chambers, Mary Anne V.	Marsales, Judy	Sandals, Liz
Colle, Mike	Matthews, Deborah	Sergio, Mario
Cordiano, Joseph	Mauro, Bill	Smith, Monique
Craitor, Kim	McMeekin, Ted	Takhar, Harinder S.
Delaney, Bob	McNeely, Phil	Van Bommel, Maria
Dombrowsky, Leona	Meilleur, Madeleine	Watson, Jim
Duguid, Brad	Milloy, John	Wilkinson, John
Flynn, Kevin Daniel	Mitchell, Carol	Zimmer, David

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

#### Nays

Arnott, Ted	Kormos, Peter	Runciman, Robert W.
Barrett, Toby	Marchese, Rosario	Scott, Laurie
Bisson, Gilles	Martiniuk, Gerry	Sterling, Norman W.
Chudleigh, Ted	Miller, Norm	Tascona, Joseph N.
Hampton, Howard	Munro, Julia	Tory, John
Hardeman, Ernie	Murdoch, Bill	Witmer, Elizabeth
Horwath, Andrea	O'Toole, John	Yakabuski, John
Jackson, Cameron	Ouellette, Jerry J.	
Klees, Frank	Prue, Michael	

**The Clerk of the Assembly (Mr. Claude L. DesRosiers):** The ayes are 54; the nays are 25.

**The Speaker:** I declare the motion carried.  
Shall the bill be ordered for third reading?

**Hon. Donna H. Cansfield (Minister of Energy):** I request that the bill be referred to the justice policy committee.

**The Speaker:** The bill will be ordered to the justice committee.

#### ELECTION STATUTE LAW AMENDMENT ACT, 2005

#### LOI DE 2005 MODIFIANT DES LOIS EN CE QUI CONCERNE LES ÉLECTIONS

Deferred vote on the motion for third reading of Bill 214, An Act to amend the Election Act, the Election Finances Act and the Legislative Assembly Act, to repeal the Representation Act, 1996 and to enact the Representation Act, 2005 / Projet de loi 214, Loi modifiant la Loi électorale, la Loi sur le financement des élections et la Loi sur l'Assemblée législative, abrogeant la Loi de 1996 sur la représentation électorale et édictant la Loi de 2005 sur la représentation électorale.

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

*The division bells rang from 1443 to 1448.*

**The Speaker:** All those in favour will please rise.

#### Ayes

Arthurs, Wayne	Gravelle, Michael	Mossop, Jennifer F.
Balkissoon, Bas	Hampton, Howard	Patten, Richard
Bartolucci, Rick	Horwath, Andrea	Peters, Steve
Bentley, Christopher	Hoy, Pat	Peterson, Tim
Berardinetti, Lorenzo	Jeffrey, Linda	Phillips, Gerry
Bisson, Gilles	Kennedy, Gerard	Prue, Michael
Bradley, James J.	Kular, Kuldip	Pupatello, Sandra
Brownell, Jim	Kwinter, Monte	Racco, Mario G.
Bryant, Michael	Lalonde, Jean-Marc	Ramal, Khalil
Cansfield, Donna H.	Leal, Jeff	Ramsay, David
Caplan, David	Levac, Dave	Rinaldi, Lou
Chambers, Mary Anne V.	Marchese, Rosario	Ruprecht, Tony
Colle, Mike	Marsales, Judy	Sandals, Liz
Cordiano, Joseph	Matthews, Deborah	Sergio, Mario
Craitor, Kim	Mauro, Bill	Smith, Monique
Delaney, Bob	McMeekin, Ted	Takhar, Harinder S.
Dombrowsky, Leona	McNeely, Phil	Van Bommel, Maria
Duguid, Brad	Meilleur, Madeleine	Watson, Jim
Flynn, Kevin Daniel	Milloy, John	Wilkinson, John
Gerretsen, John	Mitchell, Carol	Zimmer, David

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

#### Nays

Arnott, Ted	Miller, Norm	Sterling, Norman W.
Barrett, Toby	Munro, Julia	Tascona, Joseph N.
Chudleigh, Ted	Murdoch, Bill	Tory, John
Hardeman, Ernie	O'Toole, John	Witmer, Elizabeth
Jackson, Cameron	Ouellette, Jerry J.	Yakabuski, John
Klees, Frank	Runciman, Robert W.	
Martiniuk, Gerry	Scott, Laurie	

**The Clerk of the Assembly (Mr. Claude L. DesRosiers):** The ayes are 60; the nays are 19.

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

Be it resolved that the bill do now pass and be entitled as in the motion.

#### VISITORS

**Mr. Peter Kormos (Niagara Centre):** On a point of order, Mr. Speaker: I want the House to join me in welcoming Agi Mete and his grade 12 law class from Notre Dame school in Welland.

**The Speaker (Hon. Michael A. Brown):** Welcome. That of course is not a point of order.

#### ORAL QUESTIONS

#### CRIME PREVENTION

**Mr. John Tory (Leader of the Opposition):** My question is for the Minister of Community Safety. As you know, we released the Ontario Progressive Conservative Time for Action report yesterday, the end result of over a year of consultation with community leaders, police and victims of crime and their families.

One of the key recommendations of the report calls for the appointment of an Ontario crime reduction commissioner to better coordinate the crime-fighting activities of various police forces, government ministries, different levels of government, people at the border, court administration and others province-wide—a real focal point to fighting crime. Are you willing to take a serious look at this step, which is relatively straightforward to take and which I think could produce very big dividends in the fight against crime?

**Hon. Monte Kwinter (Minister of Community Safety and Correctional Services):** I find it interesting that the leader of the official opposition characterizes this as rather straightforward. If you understand how policing works in Ontario, you should know that there is a joint forces operation. It's manned by the RCMP, the OPP, and the municipal police services of Toronto, Durham, Peel, York, and Halton.

What you're really talking about is that you have no confidence in policing in Ontario. If that's what you're saying, why don't you stand up and say that?

**Mr. Tory:** Of course, I'm saying no such thing. What I'm saying is that we should look at putting someone in who can be a focal point and a rallying point around which the public can see the efforts of groups like this and other groups that need coordination in the fight against crime. But that's fine. You were dismissive of lots of the recommendations in the report yesterday. You said, "These are just things, if you think through them, they just don't make any sense." We heard from a lot of people in the community who said it absolutely does make sense to get badly needed police officers on the street a lot faster than you are doing it under your plan.

The Ontario Police College has seen their enrolment decrease by 19% on your watch. They have 897 intakes for 2005, but full capacity would be 1,400. I'm asking you this question: Are you prepared to make sure that there is nothing holding back full capacity for 2005-06 and that they have all the resources they need to accelerate the training of these officers so they can be on the streets in 2006, not 2007 as you plan, because we need them now?

**Hon. Mr. Kwinter:** Again, the leader of the official opposition has no idea what he's talking about. Let me give you an example of what happens. The capacity at the Ontario Police College is 1,440. It is 1,440—1995, 1996; it doesn't matter what year it is, that is their capacity. The only thing that impacts on the number is the number of recruits that are sent there by police services. Some years they don't hire as many and they don't have to train them; other years they do hire them. It's cyclical. Right now, because of our 1,000 officers program, we are going to be providing, through the next two years, all the recruits we need to fulfill that commitment. It really has nothing to do with their numbers. Those numbers are not the issue of the Ontario Police College. They have the capacity as long as they are sent those officers by municipal police forces in Ontario.

**Mr. Tory:** I'm assuming, therefore, after all those words, that the answer to the question is yes.

Another measure in the report proposes a positive incentive to help kids stay in school: namely, a modest scholarship such as the one used successfully by organizations like Pathways to Education, as opposed to a kind of threat to fine people who don't have any money \$1,000 if they drop out of school.

Will the minister undertake to carefully consider the idea of an expanded scholarship program along the lines of what Pathways to Education uses, jointly funded, as we proposed, by the federal and provincial governments to encourage kids to stay in school through to the end of grade 12? Will you consider that very reasonable and well-established recommendation that has worked elsewhere?

**Hon. Mr. Kwinter:** I have no idea why that question is directed to me. I have nothing to do with the education portfolio. I refer that to the Minister of Education.

**Hon. Gerard Kennedy (Minister of Education):** I don't want this to sound like a series, but again the member opposite hasn't done his research. In fact, we support Pathways to Education. We specifically are supporting it over a multi-year period to expand that program to other sites in Toronto and around the province. We say also that we've put \$18 million this year into special projects just like it to provide for incentives and other means to make sure that things happen. We have put 2,000 new teachers in school, 800 of which are student success teachers focused on creating programs to ensure that both the community and the school at large are doing whatever they can to deal with at-risk students—to notice them, to make sure they get into those kinds of programs—and we will see the benefit of

that. I don't really understand why the member opposite isn't supporting both the bill today and the overall effort, because it has everything in it that he's asking for.

## HEALTH SERVICES

**Mr. John Tory (Leader of the Opposition):** My question is for the Acting Premier. On October 24 of this year, when your government launched the wait times Web site with much fanfare, the Minister of Health said, and I quote, "I had the privilege of being part of a remarkable event: the launch of" our "wait times Web site ... we often hear calls for greater accountability and greater transparency. We often hear calls for reliable, up-to-date information. Well, we've delivered." That's what he said in this House.

When the Web site was launched, your Premier and the minister trumpeted the reliability of the data. Now we have received the next posting of the data, which shows that wait times are going up in every category that is measured, not down, and the Minister of Health says that we should pay no attention to it because the data aren't reliable. Which is it?

**Hon. Leona Dombrowsky (Minister of Agriculture, Food and Rural Affairs):** I think it's very important to focus on the fact that this is the first government that has established any kind of public system where people are able to access a Web site and understand what the wait times are in the province. The information that was most recently posted is in addition to the information that was launched at the time of the Web site.

We believe that this is a very important tool. I would say to the honourable member that the people of Ontario value this as a tool. Up until now, some 400,000 Ontarians have accessed this information. Obviously, they find value in the Web site and they believe that this information is important to them when they make choices about their health care.

**Mr. Tory:** In fact, the real question is, what good is it to those 400,000 people if they're told by your minister, who answered here in the House yesterday, that the data are not reliable? When Premier McGuinty announced the Web site in October, he was asked why only 74 of the province's 159 hospitals were included, and whether that meant the figures were inaccurate or incomplete. His response was, and I quote, "The 74 hospitals are those that have been given special funding dedicated toward the five procedures." The figures received directly from the Ministry of Health yesterday, which represent wait time data for the latest available months, August and September, cover exactly the same 74 hospitals.

My question is this: The Minister of Health left the impression that the reason the numbers are changing is because more hospitals are reporting data. Seventy-four hospitals reported in July and 74 in September. Wait times are going up across the province. Why?

1500

**Hon. Mrs. Dombrowsky:** I think it's important that I correct for the honourable member that there are five

more systems now on-line than when the program was announced. I think that is important for the honourable member to know.

I also want to remind the honourable member that this is the first time in the history of the province that people have been able to access a Web site and get this information. We believe this is very important. We believe we have provided them with a tool that is useful. In terms of the investments we have made to improve access for Ontarians to health care services, we have increased access to MRIs by 42%, we have increased hip and knee surgeries by 28%, cardiac surgeries by 17% and cataract surgeries by 18%.

These are the kinds of figures that Ontarians can access on that Web site. We think it's important information to have, and 400,000 Ontarians believe this as well.

**Mr. Tory:** Why should they believe all those numbers you just gave when you said they can't even believe the numbers on this Web site you talk about? You've put a Web site in front of 400,000 people and then told them that what they're looking at is not reliable data.

When we look at cardiac wait times, they're up 22% since July, and cataract surgeries are up 16% since July, on your watch, despite the fanfare and all the rhetoric.

When the wait times registry you put forward doesn't show what you want it to show, suddenly it's an unreliable instrument. Either we have a wait times registry that people can rely on and trust, or we don't. So I'm asking you this: If it's not reliable, as the minister said yesterday, then we should take it down and stop having people get misled by going there and seeing this information. If it's accurate, then stand up and admit that the wait times in this province are going up on your watch, and all this other stuff that you just said means nothing.

**Hon. Mrs. Dombrowsky:** What I am going to say to the Leader of the Opposition is that over 400,000 Ontarians have made use of this site and made use of the information that's available on it. I would ask the honourable member, who has some question about why it—

*Interjections.*

**The Speaker (Hon. Michael A. Brown):** Quiet, please. I'm having difficulty hearing the minister.

Minister.

**Hon. Mrs. Dombrowsky:** For the first time in Ontario, Ontarians are able to access information on a Web site that was never available to them before. I think they would be very interested to understand from the Leader of the Opposition what impact it is going to have on wait times for the people of Ontario when you cut \$2.4 billion out of health care.

*Interjections.*

**The Speaker:** Order. New question.

#### NUCLEAR ENERGY

**Mr. Howard Hampton (Kenora–Rainy River):** My question, for the Minister of Energy, is about nuclear power and the McGuinty government's lack of respect for the democratic process.

For the past six months, you've been listening to Liberal lobbyists and nuclear insiders in the backroom. The result: You now have a scheme to spend \$40 billion on new nuclear plants. Forty billion dollars for nuclear power means that the average family of four in Ontario will have to shell out \$13,000 for expensive and unreliable nuclear power.

My question is, how can the McGuinty government deny ordinary families across Ontario full public hearings so they can have their say on your expensive and unreliable nuclear scheme?

**Hon. Donna H. Cansfield (Minister of Energy):** I find it interesting that someone who, in their time in government, probably put in the most expensive—just putting in 43 NUGs, the non-operating utilities. Having said that, we have a process that we have put in place. The process is that we have posted on the Environmental Bill of Rights Web site, not for 30 but for 60 days, the opportunity for everybody not only to access a very lengthy report but to have time to respond to it. I've also indicated that my door is open. I am quite prepared to meet with absolutely anyone who would care to come, and I know that it's also true of the Minister of the Environment.

We believe that we do have a process to follow through. The Ontario Power Authority was asked to put forward a mixed fuel supply report. That report is here. We will give it serious and due diligence.

**Mr. Hampton:** Well, Minister, before you let the nuclear industry get their hands back in the pockets of ordinary folks, to the tune of \$13,000 for every family of four, there should be full public hearings. People should have an opportunity to pass judgment on your scheme.

Before the election, Dalton McGuinty agreed with that. He said, "For decades, we have watched our democratic institutions erode. We will mandate consultation." Now that Dalton McGuinty has a backroom scheme to spend \$40 billion on nuclear plants, suddenly your talk about consultation has been shut down.

I ask you again, Minister: Why will you not have full, open, public consultations? When did Dalton McGuinty change his mind?

**Hon. Mrs. Cansfield:** I thank the member for the question.

During Bill 100 readings, we in fact did put in place the process. The process is very clear. We created the Ontario Power Authority so they could do a mixed fuel supply report for the government. That, then, is the basis for the integrated plan that will be put forward in the next phase. Then, after that, it goes through public hearings at the Ontario Energy Board. So there are processes.

I do not recall this member raising any issue about this at any time during Bill 100, but maybe suddenly this is of great interest. We do have a process in place. We will follow through. We're quite prepared to, as I said, meet with whomever. I am quite prepared to receive all submissions, and we will follow through. We will give this serious consideration, but also, it's the first time in 12 years that any government has done anything, and we

need to keep the lights on in Ontario. We will be prudent, but we will be responsible.

**Mr. Hampton:** This is incredible. The McGuinty government that used to believe in full, public, open hearings now says they'll commit to \$40 billion in nuclear spending with no public hearings.

Minister, yesterday and again today, you said, "I'm happy to meet with whomever would like to meet with me on the Ontario Power Authority report." I'm happy to report that New Democrats have set up a "Meet with Donna" Web site so that people can set up their own personal meetings with the energy minister. It is [www.ontariondp.com/meetwithdonna](http://www.ontariondp.com/meetwithdonna), or call her at 416-325-4479, or fax her at 416-325-5316.

I merely want to confirm, Minister, that you'll keep the promise you made yesterday and won't suffer a Dalton McGuinty change of mind. Will you commit to meet with all those people who want to meet with you?

**Hon. Mrs. Cansfield:** I just find this amusing from someone who cancelled virtually every program they ever had, whether it was in conservation—I mean, he just voted against a bill in conservation, for heaven's sake.

**Interjection:** Conawapa.

**Hon. Mrs. Cansfield:** Conawapa, and the whole issue around Manitoba. They cancelled the 25 class EAs for Ontario Hydro. The list is long.

As I indicated, there is a process in place. We will follow through with that process, and we will take this seriously.

You know, at the end of the day, it isn't about the fun and games that are happening with the NDP; it's about keeping the lights on for the people of Ontario. For the first time in 12 years, we have put in place a process to make that happen.

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

**Mr. Hampton:** Minister, this is not fun and games. This has very serious implications for the people of Ontario.

But I didn't hear an answer to my question. So I will give the Web site again. It's [www.ontariondp.com/](http://www.ontariondp.com/)—

**The Speaker:** The question is to whom?

**Mr. Hampton:** The Minister of Energy.

**The Speaker:** Thank you.

**Mr. Hampton:** The reason this is so serious is that we've seen the loss of 52,000 good manufacturing jobs already in this province, much of it due to your policy of driving hydro rates through the roof. Now AMPCO, the association representing large industrial power users, warns that \$40 billion for new nukes is going to send hydro rates even higher and kill more jobs. So a lot rides on hydroelectric decisions.

1510

My question again is—this is such a big decision; it affects the environment; it affects health and safety; it affects jobs and the economy—why do you refuse to hold the full, open, public hearings—

**The Speaker:** The question has been asked.

**Hon. Mrs. Cansfield:** I thank the member for the question. This is the first government that in fact, in just two years, has put more generation into this province than all of North America. Think about that: It's 2,800 megawatts since 2003. We have 10,000 megawatts set in motion. We are moving forward.

This is the same government that actually said—and I think the quote is wonderful. They really don't care about wind. What did they say? "Gee, windmills, solar houses and so on—it makes no economic sense." They said that to their environmental focus supporters. We think it makes sense to put in biomass, wind turbines and to look at the alternatives, because we put an emphasis on renewable. It's an 80-fold increase from what was there before.

Nobody took those decisions. We've made the decisions. We've moved forward. We have a strategy, we have a vision, and we will continue on that path.

**Mr. Hampton:** Because the McGuinty government will not commit to full public hearings on their \$40-billion nuclear scheme, here's the Web site people should go to: [www.ontariondp.com/meetwithdonna](http://www.ontariondp.com/meetwithdonna), although now, suddenly, the minister doesn't seem to want to meet with people.

Minister, this is how serious this is. A new manpower report rates Ontario's job-creating prospects over the next year as follows: construction, minus 26; wholesale/retail, minus 21; manufacturing, minus 12. It concludes that Ontario has the most pessimistic job projections of any province in the country, and your hydro policy is going to make the job crunch worse.

I ask again: Dalton McGuinty promised full, open, public consultation. Why will you not hold full, open, public hearings on your \$40-billion nuclear—

**The Speaker:** Minister?

**Hon. Mrs. Cansfield:** I think we'll put our record against their record any day. We have 215,000 jobs. We've created more energy in this province than you even thought about; you cancelled everything. There is no question: We have brought almost \$3-billion worth of industry into this province that wasn't there before, creating jobs, bringing in new jobs such as DMI, the new wind turbine manufacturer in Fort Erie, because we know that there is a new opportunity here around renewable energy. We know that there are job creations. We know that there is an interest and an appetite in people to look at renewable energy, and we have moved forward on that. We will continue.

We have our vision. We will maximize the existing assets we have in transmission and generation. We will build new capacity, and we have done that. We will create a culture of conservation, and we will continue on our path for that strategy for the future.

**Mr. Hampton:** People are coming to understand that after all the talk, the McGuinty government vision for hydroelectricity is lots of expensive, unreliable and potentially unsafe nuclear power. Before you commit the people of Ontario to borrowing another \$40 billion, before you can give them an answer on where you're

going to store the nuclear waste and look after the health and safety issues, I think you owe the people of Ontario full, open, public hearings.

So let's hear it: Before the election, Dalton McGuinty was all for full, open, public hearings. He was all for more democracy. Why don't we see democracy? Why don't we see full, open, public hearings when it comes to your \$40-billion backroom nuclear deal?

**Hon. Mrs. Cansfield:** Again, if all those programs had not been cancelled by the NDP government, we wouldn't be in the challenge we're in today. There has been no new generation in this province for a long time. You cancelled Conawapa; you cancelled the Beck tunnel; you didn't like wind; you don't like water; you don't like gas. I don't think you like anything. The difference is that we have a vision, Mr. Speaker; they don't. The fact of the matter is their vision was that they cancelled everything.

We're moving forward. We have a process in place. We have posted—we've posted double the time. We're prepared and willing to listen to the comments that have been put forward. We are going to move forward. We are going to analyze this report. We're going to take it seriously. We're going to take that report and the comments we receive, and then we will move forward where we need to, to continue with the vision for energy: to keep the lights on for the people of Ontario.

#### HEALTH SERVICES

**Mr. Frank Klees (Oak Ridges):** To the Acting Premier: Minister, the Minister of Health and you today continue to deny that more people than ever are suffering on waiting lists for essential surgery in this province. How do you explain that 75-year-old Edith Horton of Richmond Hill, who was confined to her bed in unbearable pain for more than 10 weeks, waiting to have a critical back operation, was instructed by her orthopedic surgeon to call her MPP because he, the surgeon, saw no hope of getting her on an operating list? Acting Premier, is having surgeons refer their patients to MPPs part of your new waiting list strategy in this province, and if so, what am I, as the MPP, to do about the patient's circumstances?

**Hon. Leona Dombrowsky (Minister of Agriculture, Food and Rural Affairs):** Our government has implemented a wait list program, where people in Ontario are able to access information around wait times in this province. We believe this is very important information. With respect to the situation you've described to me, I believe it might be helpful for both the family and the physician to access that information. It may be helpful for them to know where they can access more expeditious service. I will say, and the minister made it very clear, that as information becomes available on the wait time registry, that will enable this government to better understand where we need to focus our resources so we can continue to reduce wait times, and increase the number of these procedures that are taking place in our hospitals today.

**Mr. Klees:** I would ask the minister to beam herself down from her virtual health care world and deal with the real issue I'm asking her about. The rhetoric I'm getting isn't helping this patient, and it surely isn't encouraging to Mrs. Lena Lipp, who is 81 years old, also of Richmond Hill, who has waited seven months to see her orthopedic surgeon. When she finally had that meeting last week, guess what he told her? No hope of even getting an operating time for at least a year or more. Minister, Mrs. Lipp was told by her orthopedic surgeon not to go to a Web site. He told her, in practical terms, for more than a year there's not even a hope of getting her needed back surgery. She's in pain. This is a serious problem and I'm asking the minister, what do you expect—by the way, he also told her to call her MPP. What is this referral to an MPP all about? Is that your new strategy for the province of Ontario?

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

**Hon. Mrs. Dombrowsky:** I'm not able to comment on any direction any physician would give to any patient. What I would say to the honourable member, though, is that for eight years, prior to this government coming to office, wait times were not a priority. However, wait times are a priority for this government, and I'm very happy to report that we have invested an additional \$261 million to address the wait time issue. As the honourable member has indicated, many people in Ontario are watching this government and the leadership we're taking on this very important file. I believe that the people of Ontario understand that for eight years this was an area that was sadly neglected, and that it is going to take a good deal of time to crawl out of that hole. But this minister, this government, has directed \$261 million specifically to address—

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

1520

#### SECURITIES INDUSTRY

**Mr. Michael Prue (Beaches–East York):** My question is to the Minister of Government Services. As you know, there is growing evidence that insiders may have profited from advance knowledge of Ralph Goodale's November 23 income trust announcement. When I questioned you yesterday, you declined to take any action, even though you have the authority under section 5.

My question today is different. Do you believe it is important that any investigation into this matter be conducted in a way that is not only impartial but is seen to be impartial?

**Hon. Gerry Phillips (Minister of Government Services):** Again, the Legislature has set up the Ontario Securities Commission to handle these matters. I have complete confidence that their processes will identify if anything untoward has happened. They will conduct their investigation fairly, equitably and responsibly, like they always do.

I would again say that the hint of using political interference to determine when an investigation should or shouldn't take place is inappropriate.

**Mr. Prue:** Minister, W. David Wilson, your new chair of the Ontario Securities Commission, has been silent to date on this matter. One only has to take a quick scan of the Elections Canada Web site to show that Mr. Wilson is an avid financial supporter of the Liberal Party of Canada, the only party to which he donates money. Mr. Wilson has already been forced to recuse himself from investigations into the Royal Group due to a potential conflict. You agreed with that. Today, Judy Wasylycia-Leis, the federal NDP critic, has asked Mr. Wilson to recuse himself again. I am asking you this question: Will you support the effort and will you order Mr. Wilson to recuse himself in this situation?

**Hon. Mr. Phillips:** Let me just say that Mr. Wilson is a man of impeccable integrity. He is someone with a strong reputation for fairness and integrity. I find it very concerning that you would impugn him when he is an individual who, to anybody who knows him, is above reproach. If he determined he should recuse himself, he would.

My advice is, be very careful when you smear someone's integrity and reputation. You would do enormous damage to good people who want to serve the public and then are subjected to this kind of smear campaign. I would just say that he is an individual of impeccable integrity. If he should recuse himself, he will. I have complete confidence in him. I would just suggest to you that you do harm to the province when you go after—

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

#### ONTARIO MUNICIPAL BOARD

**Mr. Kevin Daniel Flynn (Oakville):** My question today is for the Minister of Municipal Affairs and Housing. As you know, Ontario Municipal Board reform has long been a passion of mine and an issue that many of my Oakville constituents would like to see addressed. I've asked you on previous occasions about our government's plans for the Ontario Municipal Board. In fact, on November 24, 2003, I asked you if you would take the recommendations of the GTA task force on OMB reform seriously. You said you would, and yesterday you delivered and kept your promise. Previous governments did nothing to address the problems associated with the OMB.

Minister, can you please tell me how these reforms will empower local citizens and government representatives to make good planning decisions for their community?

**Hon. John Gerretsen (Minister of Municipal Affairs and Housing):** I thank the member for his question. First of all, I would like to congratulate the member for being such an outstanding advocate, not only for his own riding but for planning and OMB reforms. We within the ministry have certainly benefited from his

experience and from the experience of many of my colleagues as well.

As he knows, we want Ontario's municipalities to have more power when it come to making planning decisions, and we want the citizenry to be more engaged. That's why we have adopted the concept of the complete application, so that all the information that is required for a council to make decisions will be made available upfront and will be there for the Ontario Municipal Board to review if they should disagree with the particular decision a council may have made.

We want to make sure that the front end of the planning process is such that it's available for everyone to know exactly what's going on, so that our communities can be developed and built—

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

**Mr. Flynn:** In the past, another criticism of the Ontario Municipal Board has been the cost to municipalities. One glaring example comes right from my own riding of Oakville. The town of Oakville recently estimated it could cost them up to \$13.6 million just to defend its secondary plan for north Oakville. Previous governments appeared to be content to stand by as the OMB continued to eat up millions of dollars from municipalities. You and I both know, Minister, that Ontarians would prefer to see that money going to better use. They'd like to see investments in health care, education and the economy, but they also want to live in well-planned, sustainable communities. Can you tell me how these new reforms that you introduced yesterday will make the OMB more efficient and help municipalities to achieve that balance?

**Hon. Mr. Gerretsen:** Certainly spending less time and money at the OMB means that municipalities will have more money available for the kinds of services this member has talked about.

As a matter of fact, the Toronto Star in an editorial this morning highlighted our government's initiative in this regard. They said that fewer cases going before the tribunal could also mean savings for cities across Ontario, which collectively spent millions and millions of dollars each year in legal fees, fighting cases at the board level.

We have accommodated that by having scoped hearings, so that the kinds of hearings that have been going on, which sometimes go on for a very long period of time, will be scoped to the issues that are critical for the proper development of a municipality. We believe that's the best way to approach it: To look at the Ontario Municipal Board strictly as an appeal body rather than a body of primary decision-making. The reforms we have made will benefit not only the communities, but particularly the citizens who live in those communities.

#### TORNADOES

**Mr. Ted Arnott (Waterloo-Wellington):** My question is for the Minister of Municipal Affairs. On August 19, parts of Waterloo-Wellington were devastated by

two tornadoes which touched down in Centre Wellington and Mapleton.

While initially we were grateful that the Ministers of Community Safety and Municipal Affairs toured the damaged areas, we were extremely disappointed with the provincial government's inadequate offer of financial assistance to our communities—only about \$335,000 in total. This represents only a fraction of our cleanup costs, the balance of which must be borne by the local taxpayers. What's worse, in calculating the provincial support grant, the minister cut our grant by an arbitrary figure amounting to 4% of the municipalities' budgets. That's like making a donation to the Salvation Army at Christmastime and asking for change.

My question is this: How can the minister justify this miserly response to the victims of a natural disaster which occurred in Ontario? And please answer the question; don't just read from a briefing note.

**Hon. John Gerretsen (Minister of Municipal Affairs and Housing):** And a Merry Christmas to you, too.

First of all, let me say that, as the member well knows, this particular situation, which I had an opportunity to view just before Labour Day this year, does not lend itself to an ODRAP application to the extent that, although damage was done to private property, most of the damage, if not all of the damage, was fully insurable and nobody was put out of their own accommodation.

He's quite correct that we did get an application from two individual municipalities—Mapleton and Centre Wellington—for assistance in the cleanup relief. As a matter of fact, under the special assistance grant, we gave a grant of \$182,500 to Centre Wellington and \$152,600 to Mapleton. This is basically to assist those municipalities with the extraordinary costs they were put to as a result of the cleanup that was required.

1530

**Mr. Arnott:** It is not enough. This is the fourth time I've raised this issue in the House. I've met with ministry staff. I discussed it with the Premier on September 9 and again last week. The mayors of Centre Wellington and Mapleton, as well as the Grand River Conservation Authority, have written to the minister to seek reconsideration and an increase in our provincial grants. The county of Wellington is interested as well. My supplementary question to the minister is this: Will he meet with our municipal officials and the GRCA to allow them to make their case, and will he announce a doubling of their provincial grants?

**Hon. Mr. Gerretsen:** I certainly admire the member for bringing this issue consistently to my attention, and also to the attention of the Premier, as he did in the House here a couple of weeks ago. We received a letter from the municipalities just within the last couple of weeks. We are evaluating that to see whether or not there is any further special assistance grant money available for them. We will get back to those municipalities, and to this member as well. However, it should be pointed out that the special assistance grant money that has been

given to both of these municipalities is money they have received, basically and primarily, for the public extra cleanup work they had to do, and for the conservation authority that serves both of these municipalities.

#### CONFIDENTIAL INFORMATION

**Mr. Peter Kormos (Niagara Centre):** I have a question to the Deputy Premier. The Trillium drug plan assists over 81,000 Ontario families who need help to buy vital and often life-saving pharmaceuticals, prescription drugs. The plan requires access to patients' private health and financial information, and this very sensitive information is currently handled with great care in the public health care system by public service workers. A year ago, your Minister of Health said this: "We're working hard ... to build on the capacities of our public health care system. We don't think privatization is the solution." Deputy Premier, if that's the case, why have you and your government decided to privatize the Trillium drug plan?

**Hon. Leona Dombrowsky (Minister of Agriculture, Food and Rural Affairs):** I think it's important at this time to remind the honourable member that this Legislature passed privacy legislation that impacted health care. So it is our expectation that the concerns he has raised would be addressed in that legislation.

**Mr. Kormos:** Deputy Premier, it was just last week that the Auditor General exposed the disgraceful record of Ontario's privatized driver licensing system. In the hands of unaccountable private companies, Ontarians' identifying information was lost or stolen to the tune of 56,000 licence plates and permits over the last four years. Despite this dismal record of privatization when it comes to keeping people's information safe, you're talking about and committed to contracting out, privatizing Ontario's Trillium drug program to for-profit corporations. This move puts the security of financial income tax and confidential health information of families who need that plan very much at risk. In the wake of the auditor's report, and in view of the fact we have scarce health dollars, certainly not enough to provide profit for private companies, why are you persisting with the privatization of this important health service, the Trillium drug plan?

**Hon. Mrs. Dombrowsky:** First of all, again I say to the honourable member that our government has passed legislation to ensure that very sensitive health information of individuals in Ontario is protected. I also want to take this opportunity to remind the people of Ontario that our government has increased funding for Ontario drug benefits by \$570 million, unlike the NDP. When they were in government, they actually cut support for this drug benefit plan by \$30 million. So I think it's very clear to the people of Ontario that our government is acting to protect their privacy interests, and we are also acting to increase access to drug benefit coverage to the tune of \$570 million.

## DOMESTIC VIOLENCE

**Ms. Judy Marsales (Hamilton West):** My question is to the minister responsible for women's issues. Over the past few months, we have heard horrific cases of domestic violence in Ontario. Many of the women we are hearing about have lost their lives at the hands of their partner, boyfriend, common law spouse, or husband. I want to take this opportunity to send my condolences to all grieving families who have experienced a loss from domestic violence. I know my constituents of Hamilton West and every member of this Legislature do not tolerate abuse against women.

Minister, I know that you and our government are constantly striving to prevent these situations before they happen and to help women and children get the support they need when it does happen. Today is the first anniversary of the McGuinty government's domestic violence action plan. Can you please tell this House some of the highlights of this plan and what this government has been able to accomplish in this last year?

**Hon. Sandra Pupatello (Minister of Community and Social Services, minister responsible for women's issues):** Let me start by saying how much I appreciate the support from the member from Hamilton West, who is a staunch supporter of the work the government is doing. On that note, all members of this House have been active participants in changing attitudes around violence against women, and I thank all members of the House for this.

Today is, in fact, the first anniversary of our laying out our domestic violence action plan on the table. One year ago, we laid out a plan that supports four significant areas. The pillars of this plan include supports for community activities that support women and their children, the justice sector, training, as well as public education. Some \$66 million of investment going through for additional community supports is vital so that we can protect women and their children; and \$4.9 million in public education.

For the first time ever, we are getting involved as a government to lead the way in changing attitudes, with a significant focus on young people. We were very surprised to see that attitudes, in fact, are affected at a very young age and we do—

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

**Ms. Marsales:** Minister, your passion for this portfolio is refreshing, and I am proud to be part of a government that has done so much. This plan is more extensive than any other government has ever done before. The McGuinty government is working toward raising awareness for women who have been the victims of domestic violence and directing women to the resources in this community so that they can find help before something more tragic happens to them. I'm also pleased to see this government working so diligently across many ministries, as this truly is a collaborative effort.

Minister, over the next—

*Interjections.*

**The Speaker:** Order. I have not been able to hear the member for Hamilton West. The member for Hamilton West.

**Ms. Marsales:** I'm pleased to continue.

*Interjections.*

**Ms. Marsales:** Minister, over the next year, how will you make sure—this is such a serious issue. Forgive me for smiling, but these people are causing me to laugh. How will you make sure that our front-line workers from various sectors are trained to identify signs of abuse and provide women and children with the appropriate supports? To the members from the opposition, this is not a funny issue.

**Hon. Ms. Pupatello:** Again, I very much appreciate it. We have tremendous support from many members of the House, including the member from Hamilton West. When we organized our expert panel on training front-line workers, it was a significant difference. I believe, of the whole plan, it may be the one element that will have the most serious, dramatic impact on how we respond at the front line when women walk in the door, for example, of an emergency room and they are being identified, finally, as having suffered from domestic violence. All violence against women has to be identified early. We announced education panels for the English school boards as well as the French school boards, and just a couple of weeks ago, we announced these panels specifically for emergency room front-line staff. It will make a world of difference.

It is the first time that we've gotten involved in this, to set a high standard, province-wide, for appropriate training to be rolled out across Ontario. Be proud of the plan and be proud to be participating in raising the standard—

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

1540

## HIGHWAY CONSTRUCTION

**Mr. Gilles Bisson (Timmins–James Bay):** Come on, John. You can top that question.

**Mr. John Tory (Leader of the Opposition):** It's not possible.

My question is to the Minister of Transportation. Minister, tens of thousands of people in Brampton and Caledon and many other communities have a keen interest in the extension of Highway 410. This project has been in the works for years, including two years on your watch. Is the minister prepared to confirm now that he will be proceeding with phases two and three of the extension of Highway 410, confirm when work will begin, and confirm as well that every reasonable step will be taken to mitigate the effects of the extension of Highway 410 on neighbourhoods like Valleywood? Will you confirm those things for us now?

**Hon. Harinder S. Takhar (Minister of Transportation):** Actually, I was expecting this question a long time ago. I thought the Leader of the Opposition would ask me this question, because half of the 410 goes in his riding. Actually, I have not yet understood what his

position is on 410: whether he wants this Highway 10 to go through the Valleywood Park, behind their homes, or he wants us to reconfigure the 410.

But let me tell you what our government is doing. We are absolutely committed to moving ahead with Highway 410. We are actually about to tender the construction contract for phase two of the Highway 10 project. But there's only one hitch: There's one person who has asked for judicial review of his land. As soon as that issue is cleared up, we will go ahead and tender phase two of the 410 contract. I look forward to the supplementary to respond on the next—

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

**Mr. Tory:** The minister will know what my position is, because I asked you about mitigating effects on the neighbourhood, which you didn't answer.

My supplementary is this: Another project, which has been in the works for years, including more than two years on your watch, is the widening of the two-lane stretch of Highway 10 through the village of Caledon. Now, the minister will know that this narrowing of the highway both poses a safety risk and contributes a lot to gridlock for tens of thousands of people in southern Ontario. Will the minister confirm that he's going to put a push on this project and get on with it and get something done on this Highway 10 widening through the village of Caledon?

**Hon. Mr. Takhar:** Let me tell you what I'm prepared to confirm. I'm prepared to confirm that we are going to consult the local community and we're going to hear their views, and then we will do what is absolutely necessary to move ahead with these projects. We understand these projects are important for the Caledon community, they're important for Peel, and that's why we're absolutely committed to moving ahead with these projects, especially the third phase of the 410. It is critical for us to have some congestion relief in those areas.

#### COURT INTERPRETERS

**Mr. Peter Kormos (Niagara Centre):** A question to the Attorney General. Sir, one of Ontario's busiest multicultural courthouses is using court translators, who, in the words of Justice Casey Hill, constitute a critical threat to justice. Judge Hill noted that this year alone in Peel, unaccredited interpreters were used 54 times in court, and unaccredited interpreters who had failed the provincial accreditation test worked in 96 instances, resulting in mistrials and potentially numerous miscarriages of justice. What immediate measures are you and this government taking to ensure that only accredited interpreters are used in Ontario's justice system?

**Hon. Michael Bryant (Attorney General):** The member is asking about a specific case. We are still in the appeal period, so I'm not going to speak to the finding by Justice Hill and whether or not we are going to appeal. I will say that over the last several months, Brampton courts management has undertaken a number

of measures to address the provision of interpreter services, including spot checks of interpreter performance, and ensuring the elimination of unaccredited interpreters, except in urgent cases and only in consultation with the court. I look forward to expanding on this in the supplementary.

**Mr. Kormos:** Sir, this is a very serious matter, incredibly serious, because Judge Hill determined that even interpreters with provincial accreditation are not properly trained to interpret, amongst other things, legal terms and complex legal concepts. He stated that the competency test has been dumbed down in an effort to lower failure rates, to the point that it's almost meaningless. There are interpreters, sir, who can't read or write the language that they're interpreting. This is critical.

When are you going to provide sufficient resources for interpreter training, so Ontarians from all linguistic backgrounds have access to justice in Ontario's court system?

**Hon. Mr. Bryant:** Again, I thank the member for the question. I can't comment on Justice Hill's findings because we are in the appeal period, and I don't mean anything I say to speak to that judgment or otherwise argue that case. We have undertaken a comprehensive review of court interpretation services. We're working to implement new testing and accreditation standards. As well, with the Ministry of Citizenship and Immigration, we're participating in the development of a new province-wide college certificate program for interpreters, and the program will be offered through community colleges beginning in September 2006.

#### AGRICULTURE INDUSTRY

**Mr. Jim Brownell (Stormont-Dundas-Charlottenburgh):** My question is to the Minister of Agriculture. I'd first like to preface my question by saying that I support Ontario farmers, and I encourage every Ontarian to look for produce from the Ontario family farms when they go to buy their groceries.

It is important that we support our farmers and support their way of life. Much like our environmental specialists or youth service coordinators, our farmers are often unsung heroes, whose services we benefit from without often stopping to consider them. It is only when they are gone that we realize what we have lost. It is the role of government to move proactively to ensure that the general populace never needs to face a world without family farms.

Minister, I know that your federal counterpart recently made an announcement for the agricultural community in an attempt to address the need for stability. How will the details of this announcement affect our farmers, and what is the McGuinty government doing to ensure that the future of our farmers is being planned for?

**Hon. Leona Dombrowsky (Minister of Agriculture, Food and Rural Affairs):** It's a very important question, because I know everyone in this Legislature is concerned that we should ensure the viability of our agriculture

industry. The McGuinty government was disappointed, I must say, with the federal announcement. We have been working with the Unified Voice for farmers in the province of Ontario. We are working with them. They would promote a plan that is multi-year, that is flexible, that would enable flexible investments not just in the grains and oilseeds sector but in other sectors that are in need of support.

Like Unified Voice for agriculture, our government recognizes that in the agriculture industry they are not dealing with a level playing field. That is why this government is supporting me in my trip to Hong Kong this week to deal with the World Trade Organization talks. We believe that it's very important that the interests of Ontario agriculture are represented at that forum.

**Mr. Brownell:** First of all, I would like to wish you the best as you travel to Hong Kong and the WTO talks. The rural communities, the farmers of Ontario, know that this government is aware of their concerns and doing everything within its means to address them. I join with rural Ontarians in thanking you for your continued contributions and success.

The last year has been a difficult one for farmers, no doubt about it. Along with many of my colleagues here in the House, I have visited farms in my riding and in other regions of Ontario, such as Lanark county, which I had an opportunity of going back to this summer, to learn more about the specific nature of these difficulties. I grew up on a family farm, and there were difficulties back then. There have been many difficulties in the past 10 years, but certainly, farmers are facing some stress.

As 2005 draws to a close, Minister, could you explain to us what measures this government has taken over the last year to address the needs of Ontario family farms and the farmers?

**Hon. Mrs. Dombrowsky:** As I talk with farmers and agricultural producers in my riding as well, I come to understand that they want access to primary health care. Our government has invested in family health teams across Ontario. That's a positive for rural Ontario.

They also want access to quality education. I was pleased to be with my colleague yesterday in London when we announced our rural education plan. We have established the Canada-Ontario municipal infrastructure program. I can say that many members on the other side of the House have written to my office supporting their municipalities in their bid to access some of those funds.

Specifically, I'm very happy to say that this year alone our government has announced \$520 million in the Ontario ethanol growth fund. We have provided a \$3-million endowment to establish a chair at the agricultural research station at the University of Guelph. We've provided \$23.7 million for nutrient management, \$50 million directly to tobacco producers and tobacco-growing communities, \$174 million to the grains and oilseeds—

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

1550

## HIGHWAY CONSTRUCTION

**Mr. Jerry J. Ouellette (Oshawa):** I have a question for the Minister of Transportation, dealing with infrastructure timelines. Minister, as I'm sure you're well aware, the Stevenson Road interchange in Oshawa is proceeding now. Some of the concerns that are coming forward are the timelines for the completion. It appears that it could be 2008, 2010. The substantial delays in the amount of time it would take to construct that interchange are having a big impact on the other development taking place in that area, along with General Motors, which is very dependent on that with the new approximately \$2 billion worth of infrastructure and the paint plant that's going in there. Minister, can you tell us what the reasons are or what the timelines are going to be for that Stevenson Road interchange?

**Hon. Harinder S. Takhar (Minister of Transportation):** The Durham region is growing, and we understand that this is an important project. The contract for this project was tendered in August 2005. It is a \$61-million contract. This is a complicated project.

Let me just give you a few outlines about this project. It requires a major realignment of Highway 401 northerly by approximately 30 metres, including new storm sewers and illumination. It requires the construction of five new bridges: Stevenson Road bridge, three ramp bridges and a CP Rail bridge. It requires more alignment of the municipal roads adjacent to Highway 401, and also needs major realignment to the CP railway, required in order to build a new bridge. So it is a complicated project. I can provide you details, project by project, if you like, but our hope is that the project will be completed by the 2009-10 time frame.

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

**Mr. Ouellette:** Thank you, Mr. Speaker. We just made it under the wire. I appreciate that.

As I mentioned, Minister, the timelines are very critical for development within the region of Durham as well, not only in Oshawa, with the 407 construction. Some of the concerns there: What's going to take place with the 407, and is it going to proceed all the way to 35/115? Because it will be the largest economic stimulus within the region. Can you give us some updates as to what's taking place or what's going to take place with 407 and advanced construction?

**Hon. Mr. Takhar:** Again, I want to thank the member for asking this question. Highway 407 is another project which is very essential and important for the Durham region. I want to tell you that the EA was approved by the Minister of the Environment in January 2005. We are moving ahead with the environmental assessment. We are not only taking into account the current capacity of the highways, but we are going to look long-term for 30 years' growth and see what needs to be done in that region. So the EA project is going to take two to three

years. After that, we will move ahead with that project as well.

#### NOTICE OF DISSATISFACTION

**The Speaker (Hon. Michael A. Brown):** Pursuant to standing order 37(a), the member for Bruce–Grey–Owen Sound has given notice of his dissatisfaction with the answer to his question given by the Minister of Natural Resources concerning the Neustadt lagoon. The matter will be debated today at 6 p.m.

Pursuant to standing order 37(a), the member for Hamilton East has given notice of her dissatisfaction with the answer to her question given by the Minister of Culture concerning the Royal Botanical Gardens. This matter will also be debated today at 6 p.m.

#### PETITIONS

##### FINANCIAL SERVICES INDUSTRY

**Mr. Joseph N. Tascona (Barrie–Simcoe–Bradford):** I'm very pleased to present a petition to the Legislative Assembly of Ontario, which reads as follows:

"Whereas Bill 213, Justice Statute Law Amendment Act, 2002, enacted the Limitations Act, 2002, which provides for a reduction in the legal limitation period, from six to two years;

"Whereas the two-year limitation period in effect from January 1, 2004, is not long enough for investors seeking restitution after suffering serious financial damages due to the wrongdoing of the financial services industry; and

"Whereas the Attorney General's position is that the plaintiff investor interests do not need further protection;

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

"That the provincial government immediately pass and implement an amendment to the Limitations Act, 2002, to provide an exemption for claim by victims of financial services industry wrongdoing so that no time limitation period applies to such claims."

I support the petition and affix my signature.

##### CANCER TREATMENT

**Mr. Tony Ruprecht (Davenport):** I have a petition signed by over 150 persons. It's addressed to the Parliament of Ontario and it reads as follows:

"Whereas Ontario has an inconsistent policy for access to new cancer treatments while these drugs are under review for funding; and

"Whereas cancer patients taking oral chemotherapy may apply for a section 8 exception under the Ontario drug benefit plan, with no such exception policy in place for intravenous cancer drugs administered in hospital; and

"Whereas this is an inequitable, inconsistent and unfair policy, creating two classes of cancer patients with further inequities on the basis of personal wealth and the willingness of hospitals to risk budgetary deficits to provide new intravenous chemotherapy treatments; and

"Whereas cancer patients have the right to the most effective care recommended by their doctors;

"We, the undersigned, petition the Parliament of Ontario to provide access to Velcade and other intravenous chemotherapy while these new cancer drugs are under review and provide a consistent policy for access to new cancer treatments that enables oncologists to apply for exceptions to meet the needs of patients."

I submit this to you and am happy to provide it to a page.

##### FIREARMS SAFETY

**Mr. Norm Miller (Parry Sound–Muskoka):** I have a petition to the Legislative Assembly of Ontario. It reads:

"Whereas the practical examination for the handling of firearms is a valuable component of the hunter safety course; and

"Whereas hunters and safety instructors have grave concerns about the removal of the practical examination for handling firearms;

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

"That the practical examination of the handling of firearms continues to form part of the hunter education safety course for Ontarians."

I affix my signature to this petition.

##### SERVICES FOR THE DEVELOPMENTALLY DISABLED

**Mr. Tony C. Wong (Markham):** This is a petition to the Legislative Assembly of Ontario.

"Whereas, without appropriate support, people who have an intellectual disability are often unable to participate effectively in community life and are deprived of the benefits of society enjoyed by other citizens; and

"Whereas quality supports are dependent on the ability to attract and retain qualified workers; and

"Whereas the salaries of workers who provide community-based supports and services are up to 25% less than salaries paid to those doing the same work in government-operated services and other sectors;

"We, the undersigned, petition the Legislative Assembly of Ontario to address, as a priority, funding to community agencies in the developmental services sector to address critical underfunding of staff salaries and ensure that people who have an intellectual disability continue to receive quality supports and services that they require in order to live meaningful lives within their community."

I support this petition and affix my signature hereto.

**The Speaker (Hon. Michael A. Brown):** Pursuant to standing order 30(b), it being 4 of the clock, I am now required to call orders of the day.

### ORDERS OF THE DAY

#### ONTARIO MUNICIPAL EMPLOYEES RETIREMENT SYSTEM ACT, 2005

#### LOI DE 2005 SUR LE RÉGIME DE RETRAITE DES EMPLOYÉS MUNICIPAUX DE L'ONTARIO

Resuming the debate adjourned on December 12, 2005, on the motion for second reading of Bill 206, An Act to revise the Ontario Municipal Employees Retirement System Act / Projet de loi 206, Loi révisant la Loi sur le régime de retraite des employés municipaux de l'Ontario.

**The Speaker (Hon. Michael A. Brown):** Questions and comments on the speech by the member for Durham?

**Mr. Lou Rinaldi (Northumberland):** It gives me some pleasure to stand and comment on the comments made by the members of the opposition. Being part of the general government committee that oversaw the presentations after first reading, which is very unusual, as you know, and hearing concerns and bringing forward a number of amendments—I guess fear was bestowed by the members of opposition and some folks were concerned that we were not doing consultations. Well, I was able to report to the folks in my riding who expressed concern. The bill was introduced in June. Ministry staff went and spoke to a number of stakeholders over that time, even before first reading. Then at public hearings, yes, we heard loud and clear. We made numerous amendments to address some of those concerns.

What's it all about? It's about being fair. As you know, Bill 206 deals with the OMERS devolution to the owners and, I guess, the receivers of the pension plan. It was the only pension fund in the province of Ontario that was governed by this government, by the province, and we weren't a partner. We didn't contribute to it. The stakeholders involved needed to have that responsibility and I think that's what this bill does.

This is nothing new. Previous governments touched this. They were afraid to do anything about it. Proponents on both ends of this suggestion came forward a number of times, and no government had the guts to move forward with it. I think it's commendable.

We look forward to second reading, some other public consultation, and we'll get it right.

1600

**Mr. Robert W. Runciman (Leeds–Grenville):** I want to extend my compliments to the member for Durham for his contribution to this debate: as always, thoughtful, provocative, insightful and articulate. There's

no shortage of adjectives we can find to describe the contribution the member makes on an almost daily basis in this Legislature. His constituents have every right to be proud of the representation he provides to them and to so many other Ontarians in terms of raising issues of critical importance.

With respect to this legislation, I don't compliment the Liberal government on too many occasions, but I do want to compliment them with respect to sending this legislation out after first reading. That's an initiative relatively new to this place, I believe brought in by the former government. The government House leader at the time, Mr. Sterling, I believe brought this initiative to the House with respect to the reference of legislation out to public hearings after first reading. I think it's a good tool in terms of comprehensive, complex legislation that gives the government an opportunity to take a fresh look, to hear fresh views and alternative views before making a final decision.

I think we saw something like 100 amendments come forward with respect to this legislation. The fact that we're now going out for hearings after second reading I think is also helpful to the members of this assembly when we have to make that ultimate vote.

In terms of the position of our party, I think we have some concerns. We're very supportive of the police and fire in this province. We have a history of indicating our support for the fine men and women who, in many cases, put their lives on the line for all of us on a daily basis. We'll certainly keep their interests uppermost in our considerations as we move forward.

**Ms. Andrea Horwath (Hamilton East):** Although I wasn't able to be here to hear the comments of the member from Durham, I had a chance to read through them on the Hansard. Unfortunately—it's just my luck—I have two bills that I'm responsible for, in terms of a critic's perspective, going through the process at the same time. So last night, while these comments were being made, I was listening to presenters who were making comments on Bill 210, the Child and Family Services Act amendments, so I was busy doing that. But I recall a number of the issues that were raised by the official opposition in the process of going through not only the hearings but clause-by-clause. The issues that were brought forward in the debate yesterday afternoon pretty much outlined some of the concerns that came up through that process.

I look forward to a few minutes from now when I'll have the opportunity to provide the New Democratic Party's perspective, our caucus's perspective on this bill. I would also like to include my own regard for the process we've had a chance to undertake in terms of going through committee after first reading. Being fairly new to this House, when I saw the complexity of the legislation, I was quite concerned about how difficult it was going to be to deal with it, but I think going through that process was an appropriate thing to do. However, there are stakeholders who would have preferred quite a different process before we even got to the stage of Bill 206.

I have to say that not only do we support, as well, the desire, the need, the requirement of providing for supplementary plans for police, fire and paramedics, but we'd also like to see some fairness there for other plan members who are covered under OMERS.

Thank you for the opportunity, and I'll be able to speak again soon.

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

**Hon. James J. Bradley (Minister of Tourism, minister responsible for seniors, Government House Leader):** This is an exceedingly important piece of legislation that, as my colleagues have pointed out, is a long time coming to fruition. Whenever a bill receives this much scrutiny, particularly in committee, it's a clear indication that it has many facets to it, and certainly this legislation has that.

There have been some concerns that have been expressed by various people, as happens with all pieces of legislation. I think the committee and members of the Legislature have already taken into consideration many of the concerns that have been expressed, but there will be a further opportunity, as we know. It has been the policy of this government to provide as much committee time as possible. I must say that in my discussions with the House leader of the opposition and the House leader of the third party we've been able to accommodate the kind of committee time and effort that we think is necessary to ensure the bill is as it should be. With legislation of this kind—and I must say it works well when we do it. When we have bills which are without complication and can move quickly through the process—this session that has happened. When bills have required more study, it has been acquiesced to by the government to ensure that all views have been canvassed appropriately, and that certainly is the case with this legislation.

You're going to have some divergent points of view, but ultimately I think most people in the province would agree with the heart of the legislation: that it provides a strong degree of fairness to those who have asked that this legislation be passed. I'm sure the ultimate bill that is completed by this assembly will be one which will be acceptable to most people in the province.

**The Acting Speaker:** The member for Durham has two minutes to reply.

**Mr. John O'Toole (Durham):** Thank you very much for the comments made by the government House leader, as well as Mr. Runciman, the member from Leeds-Grenville. Having served as Solicitor General, he would know that the work ongoing with police and fire is important to the John Tory opposition.

But I want to put a couple of points on the record here in our conclusion. As you are aware, the Association of Municipalities of Ontario has received numerous motions from municipalities across Ontario stating their opposition to the devolution of OMERS, and I quote Roger Anderson, president of the Association of Municipalities of Ontario, and Hazel McCallion, the mayor of Mississauga.

Here's what Mayor Hazel McCallion had to say: "All we ask is, please do the homework before the bill proceeds any further. The impact on the municipalities of the many things that have happened, especially in fire and police, is that finally you will bankrupt the municipalities with this downloading."

The second quote is from the AMO president, Roger Anderson: "As this bill takes effect all Ontarians should be adding 3% to their current property tax bills and asking the province what they will get in return for their tax hike. The answer is 'nothing' at a time when communities need more transit and police officers, better roads and bridges and meaningful property tax relief."

Another quote: "While Premier McGuinty and Municipal Affairs Minister John Gerretsen both acknowledge the financial difficulties that Ontario municipalities are facing, Bill 206 will only make matters worse."

So when you're listening in these committees—and I commend the work of the members from Oxford and Erie-Lincoln. What I think is being resolved here, with the work of the House leaders, including Mr. Runciman, is that over the next period of time, in the intersession in January, there will be further hearings, and that relieves me, that they are trying to get this right. But there's a lot of work to be done.

1610

**The Acting Speaker:** Further debate?

**Ms. Horwath:** It's my pleasure to speak on behalf of the New Democratic Party caucus with regard to Bill 206, An Act to revise the Ontario Municipal Employees Retirement System Act, 2005. When I first started looking at this legislation, it came to my mind personally—and I know what OMERS is; I come from the municipal sector—what is OMERS? Who is OMERS? What does OMERS represent in terms of who's paying into that plan, who are the members of that plan and even, on the other side, which employers pay into the plan? I thought it would be interesting to acknowledge the breadth of workers who are members in the OMERS plan. Of course, we've already heard this afternoon about police, fire and paramedics, and certainly they're very important people in our communities, but so are many other people in our communities, important workers that we rely on every day. Ontario municipal employees are the people who work in our cities, in city government, in city service provision, as well as—you might call them—boards, agencies or arm's-length organizations that are the responsibility of municipalities.

Their plan is about \$39 billion. It's a \$39-billion pension plan, and all of that money comes from the contributions of the plan members and the employers. This pot of money, then, becomes the money or the asset that is used to pay pension plans when people retire.

I have to say that I was surprised myself, personally, to see the number of organizations that represent these various stakeholders. In the process of our hearings, we heard from a number of different stakeholders, both on the workers' side or the employees' side and on the employers' side. Many of the employees were represented

by unions, which I wasn't really expecting, to be honest with you. I knew CUPE, of course, having come from the municipal sector. I knew that CUPE, fire and police were the obvious ones, and even ONA, through public health, but also CAW, IBEW and OSSTF. These are other unions that have members who are municipal employees and who had an opportunity to come to speak to the committee in the hearing stage after first reading.

Interestingly enough, in many cases, at least the employee groups had a very similar perspective, first of all, on where the bill came from, how we got to here, how we got to the hearings process, how we got to the committee process, but also why it was important to be there. It was an interesting dichotomy, because the workers all agreed, bar none, that they have been asking for reforms to OMERS. They have been demanding that the government deal with making OMERS autonomous, making OMERS separate from the oversight of government.

In fact, the province of Ontario really has very little to do with OMERS. They're not a direct employer that pays into the plan, but at this point, until this bill or some form of it comes into effect, they do actually have a huge amount of say over the OMERS plan in terms of the OMERS board and the current structure.

All of the employees agreed, but it was interesting that on the other side, all of the employers agreed as well. The municipalities had a certain perspective, but one of the things the municipalities said was that they didn't know where this was coming from. I don't know how many of them said, "Nobody wanted a change to OMERS. This came out of the blue. Nobody was even asking for it." That becomes the crux of the issue when we look at some of the structural decisions that the government has made around how OMERS is going to operate into the future should this bill pass in its current form. I'm going to speak to that a little bit more.

Ultimately, what the OMERS bill, Bill 206, does is allow OMERS to grow up. It allows it to kind of get out of the house, stand on its own two feet, its own two legs, and be managed and overseen by the very people who are funding and paying into that plan. In that regard, in that instance, it's an excellent thing to happen. I would say that many plan members agree it's about time this happened. It's about time the government got OMERS out from under its wing and allowed it to stand on its own two feet. But the issue becomes, how did all that occur? How did that come to pass?

During the hearings, unfortunately, or fortunately, we learned that there was some considerable consternation around how that occurred, about what the process was. In fact, I can recall that when the bill was introduced, I stood up after responses to ministerial statements and indicated that I, at least, was hearing from some stakeholders that it wasn't good enough to rely on some old work that was done back in the year 2000 that many stakeholders weren't supportive of at the end of the day. Yet the minister brings forward Bill 206 and says, "You know what? We built this bill around the consultation in the year 2000." Unfortunately, that foundation was a bit

rocky, and I'm not sure the minister recognized how rocky that foundation was.

We heard about that in the hearings. We heard some significant concern that it was a poor start to the process. What many have called for—I have some direct quotes that I'll share with you in a moment—is that it should have been a separate process, a process whereby all stakeholders get together and kind of hammer out the details. Interestingly enough, at least on the plan members' side, a lot of that work was done.

If you go through the hearings and some of the Hansards on the hearings, you will see many of the employee groups supporting the initiatives and desires of those other groups. I think particularly of the issues around supplementary agreements for police and fire, and some of the details around the caps, for example, that existed initially in the bill, and how the removal of those is important. There's much support from other workers for the principle of removing these kinds of caps on pension contributions.

Unfortunately, the process to get to the bill was one that people were not necessarily supportive of. I wanted to read particularly from the Ontario Nurses' Association submission, because I think their submission was one that really highlights what the problem was with the process. They say the "stakeholders or sponsors of the plans establish their government documents and instructions in this manner," meaning the ones that have already been made separate, that are already standing on their own, ones like HOOPP, OPSEU, and the colleges of applied arts and technology pension plan. These plans have already been separately put together, and it's the sponsors of those plans that put together their own governing documents.

If you're grown up enough to not be under the wing of government, the principle is that you should be grown up enough to have the sponsors sit down and hammer out what their governing documents and structures are going to be. However, the government chose not to do that. ONA is saying, "We urge the Ontario government to require OMERS sponsors to negotiate its design, with appropriate facilitation, if required, and consultation with OMERS staff, to the extent requested by the sponsors. ONA believes employer and plan member representatives should be appointed to the negotiating process by their respective principals. In the case of plan members, these principals would be the unions and any associations representing non-union employees and retirees, former members," and then on the other side would be the municipalities. That would be the other sponsors.

I have to say, that wasn't done. I think one of the stakeholders called it setting a table. Instead of setting a table to have that dialogue, to have that discussion, and use that table as a process by which a bill would be produced, the government decided to rely on this other process that was not necessarily supported by all the stakeholders as a building block to what ends up, as we saw in the process of clause-by-clause, as a very shaky foundation. I call it a shaky foundation because we know

that the people who came to speak at the hearings had some significant concerns.

So while we had a bill itself that we were dealing with in the hearings, Bill 206—I think it's about 40 pages, if I'm not mistaken; it's 30 pages, a 30-page-long bill. We get to public hearings, and then we get to clause-by-clause, which is the time when amendments can be brought forward. Lo and behold, there were 110 pages of amendments.

I know we New Democrats tabled a number of amendments. I think we tabled some 40-odd pages of amendments ourselves, and the government side tabled a significant number of amendments.

**1620**

Now, that's not necessarily a bad thing. I think that when members have been speaking in the House on this particular bill and talking about how appropriate it is that the bill went to committee after first reading, the number of amendments indicates exactly why that was necessary. I read the parliamentary assistant's comments in Hansard, and it's true that it's not easy stuff. It's a very complex issue. There are many, many stakeholders, not always of the same opinion, and pension law is not an easy thing to deal with. But what we ended up doing is spending considerable time in committee dealing with some of the amendments that needed to come forward to try to deal with this very, very complex bill.

What we ended up doing, I think, is acknowledging that although it was a long time coming, it unfortunately still has a long way to go. I'm pleased—my understanding is, anyway—that the government is prepared to go to another set of hearings on this bill. Because although a number of these amendments were passed by the government, there are still stakeholders who have considerable concerns about what remains in the bill.

The first one that I think is a major issue—again, it speaks to the support that all of us in this House have for police, fire and ambulance workers or paramedics, around their opportunities for supplemental benefits and, I think, supplemental plans. I think we would all agree, and as far as I know, all the worker stakeholders agreed, that that was an appropriate thing to do. But the issue in that regard is, to what extent did the government address those very legitimate desires or needs or wants of fire, police and other emergency workers, versus how the government responded to some of the very legitimate concerns or questions coming forward from other employee groups in regard to fairness and justice and the way they're being treated in the act. That is an issue I still can't fathom: why the government has not made any attempt whatsoever to address that imbalance.

The imbalance is described very appropriately in a number of the presentations, but I thought I should actually share with you some of the language that is used. I knew from day one that this was going to be an issue. But when you actually listen to the presenters and how they describe the impact these inequities would have on their opportunity to enhance their pension system, on their opportunity not to retire into poverty, I think

everybody will get a better grasp of exactly what the concern is. Basically, it's a concern around capping the contributions that can be made by certain members of the OMERS plan.

I'm going to quote directly from a letter that I received, and that I know Mr. Duguid, the parliamentary assistant, received as well, because it describes specifically the capping issue. Then I'm going to rely on a few other documents that came up during the hearings. The issue is basically this: All members of OMERS must be treated equally and have the opportunity to enjoy benefits up to the applicable Income Tax Act limits. Unfortunately, Bill 206 doesn't do that. Unfortunately, what 206 does is provide the opportunity for some workers to negotiate improvements to their pension plans up to the Income Tax Act limits, but other workers are not allowed to do that. Obviously, there's an inequity built into the legislation around the ability of workers to negotiate improvements to their plan.

This particular issue was raised by a group of workers who work for the city of Toronto, I believe. They belong to local 79 of the Canadian Union of Public Employees. In their brief, they say, "Most of our members are women. Many of them have difficult, stressful jobs. Some of our members have dangerous jobs. We represent workers at long-term-care facilities who have to deal with SARS epidemics and legionnaires' disease. We represent workers who consult people about infectious diseases. Many of our members work with people in crisis and the poor and the ill.

"The cap would apply to all these workers. It would not apply to the male-dominated occupations—police officers and firefighters. Bill 206"—and this is the technicality of the issue—"allows the maximum accrual rate for police officers and firefighters" to be rate regulated by the Income Tax Act, Canada, which is 2.33%. "Bill 206 does not allow the accrual rate for other jobs to be regulated by pension law, but instead imposes a cap of 1.4%.

"We have a real problem with this," they go on to say. "We support"—this speaks to my point about how other workers were supportive, as are all members of this House from what I can tell, of the improvements to police, fire and emergency workers. But what they say here is, "We support early retirement for police officers and firefighters. We support their right to negotiate good pensions. We do not ... support one set of rules for the guys in uniform and another for women in nursing and other uniforms. It is blatant discrimination to limit these rights to the male-dominated occupations. If the cap is legislated, the gender gap will continue to grow over time, to the detriment of women.

"It is no secret that women continue to earn lower wages than men. In Canadian society, the poorest people are elderly women. This proposed legislation will contribute to that. The government is trying to limit the pensions that our members, mostly women, can receive and it is the wrong way to go."

This is one of those issues that I'm really hoping the government is going to address when we come back for

the second kick at the can in terms of the second reading public hearings, because there is simply no excuse for it. There is no excuse for the inequitable treatment of one group of workers over another. We're not saying, CUPE is not saying, these workers are not saying, "Don't do this for police and fire." They're not even saying, "Do the same for us at a level that's the same as police and fire"—not at all. Everybody acknowledges that the Income Tax Act, the federal legislation, sets out exactly what the parameters are in terms of what you can or can't negotiate. Everyone acknowledges that police, fire and emergency workers play a particularly significant role and have jobs that are very, very difficult and physically challenging, and so we have normal retirement ages of these workers that are different than other workers. Everybody acknowledges that and supports their right and their ability to make sure that those things are acknowledged in their pension system.

Unfortunately, the government, for some reason, is not prepared to allow all of the other workers, all the other plan members, to negotiate what the cap is or what the amount is in the federal Income Tax Act for all other workers, so thereby the government has built in this discriminatory flavour in the legislation that's extremely difficult for many people, first of all, to understand, and second of all, to accept. That's a big problem when it comes to the legislation.

There's one other group that actually raised this issue. Again, I'm going to read from one of the submissions. A lot of this bill is very technical, and so people kind of glaze over and think, "Oh gosh. We're talking about this stuff, and it's really hard to understand." I think it's really important that we understand it, because only through knowing the specifics around what we're trying to get at can we hope that the government will take these issues into consideration. In fact, as we know, as I've already mentioned, my understanding is, at least, that the government is prepared to take another look at this. This doesn't have to be a partisan-type bill. It can be a bill that we all support if we can get the pieces in it that make sure that it's fair and transparent for all of the plan members.

This one is from CUPE Ontario. It says that one of the significant limitations is the cap on benefits improvements contained in section 12 of Bill 206. "That provision prohibits municipalities or local boards from making any contribution to fund a benefit that exceeds ... the following formula"—roughly 1.4% of the "employee's average annual earnings over 60 consecutive months multiplied by the employee's years of pensionable service." A notable exception to this limit applies in favour of public safety occupations, including police officers, firefighters and paramedics, but the benefits cap would apply to the vast majority of OMERS members. Again, not once was there any indication that there wasn't support for the police and fire, only that there needed to be some equity.

**1630**

I could go on about the other public pension plans that exist and what the rules are around them, but I think I've

made the point clear that the government needs to re-look at the cap they're putting on many of the plan members. They need to get rid of that 1.4% cap. They need to make sure that public sector workers are able to negotiate up to the maximum benefits allowed under the Income Tax Act, regardless of which occupation they come from within the municipal sector. I think people are concerned about that.

I know there are municipalities ringing all kinds of alarm bells around what this is going to mean financially, but for every benefit improvement that is made to the plan, it's not just the employers who pay into that; it's the workers as well. So there is an actual natural check and balance, a natural way to make sure the improvements are not going to be absurd or out of this world in terms of cost, because it's not just the employers who are paying into that; it's an equal contribution by employers and employees.

I asked this of the police association representatives and some of the other representatives: Do you think there is any way the system will make sure there is not a crazy, out-of-hand attempt to get huge benefit increases in a short period of time? Of course, the answer was the obvious one, which is, that can't happen because the plan benefit improvements have to be approved by the membership of the unions and the associations. That comes right out of the paycheques of those workers, so those plans have to be negotiated, first of all, within the association or the union, before they take it to the negotiating table.

That's the other point. None of these things is automatic. These plan benefit increases that will lead to contribution increases are not automatic. They get negotiated at the bargaining table with the employer. If you're going into negotiations and your union or association decides, through the process of putting together your demands for the bargaining of a collective agreement, "Instead of asking for a 9% wage increase over four years, we're going to ask for a 5% wage increase and we're going to take that other couple of per cent and ask for it in pension benefit improvements," there's another way that we're going to be able to balance out the effect that any of these changes will have on municipal budgets.

I think that's an important thing, because I don't think anybody would expect people to go to the negotiating table with these new powers and just assume that everything is going to be approved in one shot. I don't think that's the case, but unfortunately that's what some of the municipal representatives are frightening the taxpayers with, and I think that's inappropriate, to say the least.

If there is one big issue in regard to the fairness and equity pieces, it's the cap, and it's the fact that groups of workers are being treated unfairly. The Income Tax Act requirements need to be the ones that oversee or set out what the limitations are in regard to pension benefit changes.

Another big issue came up, and part of it is the extent to which the government dealt with the structure of

OMERS, if you want to call it that. Some people think that the way things have evolved is fine, that the status quo is somewhat OK, at least in the transitional period. Others think the whole ball of wax needs to be redefined. The reason for this, I think, is clear and has come up in several of the presentations. That has to do with, who are the plan members? How are they represented on the various corporations, the administration corporation and the sponsors corporation? How does the makeup of these corporations reflect the membership of the plan, both employer and employee side?

We went through some significant discussions and representations at the hearings and through clause-by-clause. In fact, some of the most onerous amendments to the act were around the structure. Unfortunately, there is still some concern over the structure. One particular plan member mentioned to me that they felt the government had answered some of their concerns by changes to the sponsors corporation but didn't do the same thing in terms of changes to the administration corporation.

The basic principle of representation by population is one of the issues that came up. Although there is some concern that that might negatively affect some large groups of workers one way or another, my understanding is that having a look at some of those figures indicates that a more representative model would be better for the workers whose money it is. That's the bottom line. We're talking about this pension plan like it's some esoteric thing, but this is actually money, the deferred wages of workers, that is put into this pension plan that they should be able to expect to rely on for a decent quality of life after retirement. That's what it's all about.

You can see how people who have a vested interest insofar as the fact that they have large numbers of members in this plan would like to see some ability to have an effect on how the plan is managed and how the plan is invested over time. That's not something that we should belabour; it's a fact that seems to be pretty straightforward. Representation by population is a basic fairness and justice issue; it's an issue that I think can be resolved if the government puts its mind to it.

I wanted to quote from one of the documents that I received in the process: "Representation by population is a basic democratic right within any social arrangement. The government has accepted its application to the composition of the sponsors corporation through the process of public hearings and subsequent amendments. However, this principle has not been applied to the administration corporation, where CUPE members, in fact, remain seriously underrepresented, and this is especially problematic since the administration corporation has the real authority under Bill 206." That's the next place I wanted to go in regard to Bill 206, the issue that came up time and again: How do we make the new OMERS animal responsive and responsible to the people who are paying into it, particularly the people who are going to be relying upon it in retirement?

This is the issue of governance, and I think it's fair to say there was a fundamental disagreement at the public

hearings and then in the process of clause-by-clause between what New Democrats were saying and what other members of committee were saying. We were making a clear point that the way that the government has decided to go, the corporate model that they've decided to undertake for OMERS, is not the one that provides for the greatest responsiveness and the greatest amount of oversight—the most amount of accountability, shall we call it, for the plan members. That is disturbing. It's disturbing because unfortunately many of the presenters, particularly on the plan members' side, spoke to concerns around what's been happening with OMERS over these last couple of years.

There were a couple of presentations that spoke to the accountability of the governance model that the government has decided to put together for OMERS. I wanted to read from them, because the concerns of the people who are going to be most affected by this legislation, the hundreds of people, of workers, who are plan members—I didn't actually name the kinds of workers we're talking about. I might just take a minute to do that. I think I mentioned the different unions that are representing the different workers who are plan members of OMERS whom we've already acknowledged. I see some of the fire and police representatives here tonight. The fire and police: obviously, firefighters and police officers and ambulance workers, but did you know that even some of your municipal councillors are actually plan members with OMERS, and clerks and managers in municipalities? They're people who work in public health, homes for the aged, social services, parks and rec, housing, court services; they're child care workers, ambulance dispatchers, city planners, hospital workers, building inspectors, shelter and hostel staff, public health nurses, water and sewage treatment employees, cleaners who work in numerous locations throughout the cities, including cleaners in places like police stations and fire halls. So there are numbers and numbers of people. In fact, when you're living in a city, probably not a day goes by when one way or another you haven't bumped into a person whom this legislation is going to be directly affecting.

**1640**

On that note, I'll go back to the governance issue, back to the issue of what's been happening with governance. There needs to be some context in terms of what the concerns are around governance. During the public hearings process, there was a sense that what was being asked for by some plan members, by some of the stakeholders, was some inappropriate level of interference by the sponsors corporation in regard to the admin corporation. Again, just to make things a little bit clearer, the sponsors corporation is the policy organization. It sets out the various plans and what they look like and makes recommendations or actually makes decisions around the implementation of supplemental benefits and those kinds of things. The administration corporation, on the other hand, is the implementing body. It does all of the implementation and also makes all the investment

decisions. It provides advice and information and actuarial advice to the sponsors corporation in regard to the health and well-being of the plan and plans.

Unfortunately, the experience around what has happened in recent history with OMERS has not been a positive one, in many ways, from the perspective of plan members. I thought I would take a piece from school board workers. The Ontario school board workers coordinating committee put together a brief, and I thought they had the best kind of description that indicates why there is this problem with, this concern over, the government's decision not to allow for the oversight of the administration corporation by the sponsors corporation. Here's what they say:

"My members look at what is going on with the Borealis fiasco over at OMERS and the current deficit in the plan, and the situation at Stelco, and they are very concerned about the future of their pension plan.

"The administration corporation is not generally accountable to the sponsors corporation, nor does the sponsors corporation have any power to compel the administration corporation to account for its administration of the plan or its management of fund assets. We want to see the mandate of the sponsors corporation significantly enhanced to include oversight of the activities and decisions of the administration corporation, and that the sponsors corporation be given all necessary powers to ensure that such oversight is effective."

If people have a chance to look through the Hansard of the committee debates of the clause-by-clause and the amendments that I tried to bring forward to make that accountability happen, you will see that there was a lot of talk about separately defined rules. They didn't want to have interference between one corporation and the other and it was going to cause confusion. But the whole thrust of this initiative is not to cause confusion at all; it's to do the exact opposite. It's not to interfere but it's to shine a light, if you will, on the activities of the administration corporation, to make sure there is some accountability of the decisions that are being made and even of the assumptions they are using to make the decisions about investment of the planned assets in particular.

Another organization makes the same point around oversight, if you want to call it that, or the accountability, of the administration corporation for the sponsors corporation. This submission comes from the CAW, as a matter of fact:

"First, Bill 206 makes no provision for the administration corporation to account for its administration of the plan or its management of fund assets. The administration corporation is compelled simply to report to the sponsors corporation on decisions which have already been made to provide administrative and technical support. Nor does Bill 206 require the administration corporation to provide full and timely information to the sponsors corporation."

It goes on to quote sections of the act. It says, "In essence, the administration corporation is not generally accountable to the sponsors corporation. This is not conducive to achieving good plan governance. It is also

problematic given that the existing OMERS board becomes the administration corporation for the first year of the act. There is currently an environment of mistrust with the OMERS board relating to ongoing accountability problems over governance issues, investment decisions and information sharing."

So again, there are problems here that the government has not yet addressed that we are hoping will be addressed in their second kick at the can when it comes to hearings after this second reading debate.

"In order to instil confidence that the administration corporation is acting in the best interests of plan members, Bill 206 ought to be revised to clearly state that the fiduciary requirements under the Pension Benefits Act "and common law fiduciary obligations apply to the administration corporation."

In other words, it's not about taking control; it's not about obfuscating whose role is what; it's not about adding confusion. It's exactly the opposite: It's about shining a light on what it is that the administration corporation is doing, what they're basing their decisions on, and ensuring that there are report-back mechanisms so that the sponsors corporation has a good understanding of what the administration corporation is doing, ostensibly, with their money. It's more about accountability and transparency, checks and balances, about shining the light on what's happening at the administration level so that the sponsors corporation is fully aware, in a timely way, of the decisions that are being undertaken on their behalf.

I think I've covered that one off. I have many other comments that people have provided in regard to the governance issue, particularly the issue of oversight, accountability and transparency.

**Mr. Joseph N. Tascona (Barrie-Simcoe-Bradford):** What are we having for dinner tonight?

**Ms. Horwath:** I don't know; what are you having for dinner tonight? It's getting to be that time, isn't it? It's a quarter to five. I'm getting a little bit hungry. I'm getting a little bit thirsty, too.

One of the other things that, I think it's fair to say, shocked—and I don't think that's too strong language—some of the stakeholders was the government's decision to table an amendment that requires a super-majority on the sponsors corporation to approve specified changes. I have to say that it came as an extreme shock. I don't think that, through any of the public hearings, did any of the plan members raise that issue. I certainly know that some of the municipalities did, so maybe this is the government's—

*Interruption.*

**Ms. Horwath:** What do we have going on up there? Have we got some jingle bells or something going on up there? There's some kind of music going on there, eh? It's the song and dance happening up there.

I could tell that people were more interested in the song and dance up there. I was a little bit worried. It's a little bit troubling for the member who happens to have the floor. Nonetheless—

*Interjection.*

**Ms. Horwath:** Oh, you don't want me to start dancing, believe me.

Nonetheless, the issues around the supermajority—it's an interesting thing. Many of the municipalities came in and said they wanted to see a supermajority. What is a supermajority? A super-majority is basically this: Instead of requiring a simple majority of people present at a meeting to make a decision—so if 10 people are present, you have to have six out of 10 to make a decision—the government is requiring a supermajority. Two thirds of the people at the meeting have to vote in favour for any particular decision to pass. This is around specified changes in the plans.

I made the point at committee, and it's a point that I think is instructive, that what the municipalities were saying was that huge decisions are being made in terms of supplemental plans or plan benefit improvements, that because it's such a significant and onerous decision that shouldn't be taken lightly, we should require this supermajority process because it's just too important a system and there are too many people it's going to affect, whether it's municipalities, taxpayers or plan members. It's just too onerous an issue on a planned benefit improvement to have it addressed by a simple majority vote.

Give me a break. Every day of the week some municipal council or some municipal committee is meeting and on a regular, straight majority process is deciding all kinds of onerous decisions, all kinds of serious decisions at the municipal level. To say that a supermajority is required on the sponsors corporation for these kinds of decisions is almost insulting.

**1650**

The bottom line is, and let's acknowledge, who is represented at the table of the sponsors corporation. It's not everybody with the same kind of perspective. I mean, there are employer representatives there and there are employee representatives there. So the likelihood of meeting this supermajority requirement is significant. What it pretty much builds in is the fact that none of these things are even going to be approved, because you're not going to be able to get to that higher level of requirement for a supermajority.

To say that people were shocked that this was brought forward is understating the obvious. It was something that wasn't expected at all. I'm hoping that the government takes the opportunity to withdraw this effort, just like they took the opportunity having mistakenly or accidentally or for whatever reason suggested that perhaps the plans should be able to be moved to defined contribution plans. That was one of the first things that the government did. It took them just until the next meeting of the committee to realize their big faux pas there, that in fact the government of the day doesn't support a movement to defined contribution plans. Thank God for that. I think everybody nearly fell on the floor when they saw the government looking toward allowing for defined contribution plans with OMERS. Of course, that's not in the best interests of workers, it's not in the

best interests of plan members, it's not in the best interests of making sure that people can retire with a decent standard of living. People in this House will know that they're not happy about their own pension plan, a defined contribution plan that doesn't provide for assurances that once you retire you actually do have a defined benefit that you know you're going to be able to obtain upon retirement. That's the difference. With defined contribution, you put your money in the market, and depending on what happens to it through your RRSP, your mutual funds, whatever, at the end of the day, whatever you end up with at retirement is however your investment decisions are reflected after 20, 25, 30 years of being in the market. That's just not the appropriate way to deal with secure pension retirement plans for workers.

Again, similar to that faux pas where the government inadvertently, or for whatever reason—Lord only knows—put that silly amendment in and quickly took it away, hopefully they'll quickly take away this idea of having a requirement for a supermajority on the sponsors corporation in regard to specific changes to the plans.

The need to make sure that we go to public hearings, we go to another cull, if you want to call it that, another look at where we ended up with this legislation, is going to be extremely important. I'm really hopeful that the government will undertake some of the changes that are being suggested here in the debate, but also with the stakeholders. I have to give credit where credit is due, and it's my understanding that the government and the staff are continuing to work with the stakeholders to try to find ways of accommodating their concerns and their issues. I think that's extremely important, because as I said at the beginning of my remarks, it's a matter of acknowledging and recognizing that in fact it's the plan members who are going to be most affected at the end of the day by what the government passes in regard to Bill 206, what kind of system they end up with for their pension system. We want to make sure that we do the right thing by those very dedicated workers, whether they be police officers in our communities, firefighters in our communities, public health nurses in our communities or the people that we see working in the hallways and the council chambers as we participate in our municipal level of government.

There are a number of other issues that are outstanding in regard to the bill. I thought I would raise them in a brief fashion, not to belabour any of them.

There are a number of technical issues. For example, if we have supplementary plans that are going to be negotiated by various groups of workers, how do you ensure that the other plan members are not inadvertently paying for maybe the administration of those plans or other pieces of those plans? Again, I think the government acknowledged an agreement. I think everybody agrees, in fact, that there is a requirement to ensure that there's no cross-subsidization, if you want to call it that, of one group of plan members to another group that is negotiating supplementals. The way that occurs is a

technical issue that I think needs a little bit more work. I'll acknowledge that the government is attempting to come up with ways to address the potential for cross-subsidization of one plan with the supplemental plans. So that's an important piece that's still outstanding.

There are other little issues—not little issues; I don't mean to belittle them at all—other more technical issues around ensuring that paramedics get equal footing in regard to their ability to negotiate their supplemental plans or to negotiate their factor 60. I don't think that has happened yet but I expect that that's going to be coming forward, and I hope it's taken care in the next cull or the next iteration of this bill.

I understand also that the government is acknowledging a need to deal with the solvency requirement issue. My understanding is that the minister has indicated in a written format to some of the stakeholders, at least, that this is something they are looking at. Unfortunately, it's not something that is to be addressed in this particular bill but is going to be required through amendments to another piece of legislation.

Mr. Speaker, I believe I have time left on the clock.

**The Acting Speaker:** I have to inform the House before 5 o'clock that, pursuant to standing order 37(a), in my capacity as member for Waterloo–Wellington I have given notice with respect to my dissatisfaction with the answer to my question given by the Minister of Municipal Affairs concerning the inadequate response of the government to our tornado disaster in Waterloo–Wellington. This matter will be debated today at 6 p.m.

I return to the member for Hamilton East. I'll give you some extra time.

**Ms. Horwath:** Thank you, Mr. Speaker. That's actually not necessary. I didn't realize that was something that needed to be done. I'm certainly glad to give you the opportunity to put on the record a call for a late show with the minister. In fact, I'm going to be doing my first one of those this afternoon as well and I'm quite looking forward to it.

I was starting to say that there are issues around the solvency funding requirement, and my understanding is that the minister has acknowledged that that's something they're going to address or are prepared to address, but it can't be built into this legislation. Apparently, and the parliamentary assistant can correct me if I'm wrong, it is likely to be addressed through another venue. It is my understanding that the more appropriate place for it is through amendments to the Pension Benefits Act. If that's the case, then we'll deal with that when the time comes.

If there's a way to sum up what some of the major issues are with the bill, I think the first thing to say about it is that it has been long awaited. It's going in the right direction. It's certainly something that everyone would agree is the appropriate thing to do, which is to take OMERS out from under the administration, out from under the responsibility of the provincial government and move it to an autonomous place where the plan sponsors are responsible for it.

Unfortunately, there are some concerns about not only how we got to where we are now but what that animal looks like at the end of the day; what Bill 206 started off looking like and what it looks like now, after the amendments that happened in clause-by-clause. Unfortunately there are still a number of issues that need to be resolved if we're going to get to a place where I think we would all prefer to be, which is where the most important stakeholders, those who are members of the plan, those who will rely on these pension benefits when they retire, are largely, in a vast majority way, satisfied with the outcome of the scrutiny that we're giving this bill.

**1700**

I'm going to, in a brief way, recap some of the issues that I raised in my debate tonight, because I think it's important that although it's a complex bill and it's a bill that's got a lot of details in it, there are maybe four or five major pieces that I think we need to acknowledge need work. However, before doing that, I wanted to once again reiterate the support that New Democrats have for, first of all, getting OMERS to be autonomous, but also for making sure that our public safety workers—our police officers, our firefighters and our paramedics—are able to negotiate supplemental plans, are able to negotiate them to the maximum that's allowable under the Income Tax Act now. However that might change in the future, who knows? It's an absolute, fundamental right of workers to be able to negotiate improvements to their pension plan.

In fact, if we ever as a society want to get to a place where we have people retiring not into poverty but into a decent standard of life, where we want to see the eradication of poverty of our seniors, where we want to see that people in retirement don't have to continue to work until they're 75 or 80 years old, then we can only do that through improvements to our pension plans. This is, I think, one step in the right direction to make sure that our emergency services workers are given that opportunity.

Now, having said that, it brings up the issues that I wanted to reiterate, and those are the problems with the bill that still exist and that I am sincerely hopeful—sincerely hopeful—the government is prepared to address. First and foremost is the issue of the extent to which emergency workers are able to obtain their rights to negotiate supplemental agreements. In fact, the actual requirement of supplement agreements to be able to be addressed under this bill has been built into the legislation—again, something I can support without a qualm.

However, unfortunately, there are still large numbers of workers, large numbers of plan members who are not going to be able to negotiate improvements to their pension plans, are not going to be able to negotiate up to the maximum that's allowed under the Income Tax Act. It's a fundamental inequity, a fundamental inequality, a fundamental injustice that the government, for some reason, has chosen to build into this act, and it's simply not acceptable. It's simply not acceptable that a whole bunch of workers—and unfortunately, the statistics will show that they tend to be the lower-paid workers, tend to

be largely women workers who are not going to be able to negotiate up to the maximum that's allowed under the Income Tax Act. It's simply wrong, and the government needs to fix it.

I would reiterate that there are natural human behaviours that would prevent the kinds of wild fluctuations and wild increases that have been suggested in some quarters. That's simply not going to happen, because human nature is going to keep a cap on the pocket-book of plan members. I'm sure anybody who negotiates collective agreements will know that plan members are not going to be just opening their paycheques and saying, "Yes, take another \$300 a month off as my pension contribution increase." It's simply not going to happen in any swift and onerous way.

That's a natural way that's going to prevent from happening the huge increases that are being suggested, because they have to be negotiated not only within the organizations as part of the collective bargaining strategy, but then they have to be negotiated at the bargaining table as well. There's another layer of checks and balances that comes in there, because in fact the likelihood of the compensation package staying the same and being wages at this level, and then on top of it, all the extra, perhaps, pension improvements are not likely to happen. People generally are reasonable. They will generally acknowledge that there's a time frame over which these things are going to happen and so the compensation package—the compensation demand, if you want to call it that—across the bargaining table will likely be adjusted within.

Certainly, there are no guarantees that's going to happen, and I'm not saying there are guarantees that that's going to happen. I have sat at negotiating tables before and I know how the give and take works, particularly around compensation and other improvements to the broader compensation package. So it's not just wages; it's benefits, health benefits and other issues that will all come into the mix. I think that's an extremely important factor that we have to acknowledge. The inequity around the caps is a big issue.

Representation by population: The structure of representation and how the government has decided to address that with the sponsors corporation and, unfortunately, not with the administration corporation, remains a problem and a concern for many plan members, and then subsequent to that, the extent to which the administration corporation is accountable to the sponsors corporation.

I'll reiterate: It's not a matter of the sponsors corporation interfering with the work of the administration corporation. It's a sheer matter of accountability, of building in some accountability and transparency. I say "transparency" because many of amendments I brought forward were ones that specifically addressed timelines for reports and information to be shared. It's not good enough to say you need to share your actuarial information with the sponsors corporation or you need to notify the sponsors corporation after a decision has been taken, but it narrows the time frames so that when the

information is provided, at least it's provided within the context of some kind of time frame that allows for perhaps a request for further information, reconsideration or other kinds of checks and balances that currently don't exist.

Some would say that this causes a blurring of the lines between the admin and the sponsors corporations. Others would say, and I would agree, that it's a matter of shining a light on what the administration corporation is undertaking, because ultimately—and I'll state it because it's obvious, but sometimes we forget—we are talking about the pension benefits, the pension assets of these workers. We're talking about pensions. I come from the city of Hamilton. You can bet the pension issue is a serious one in my community overall. In fact, one of the submissions I quoted from today even acknowledges the Stelco issue and the pension concerns that are facing steelworkers in my community.

In this particular bill, of course, it's public sector workers, but the principle remains the same: It's their pension fund that is being invested, decisions are being made around those investments, and it affects those workers not only today but into the future in regard to the security of their pension funds.

The other issue is around the super-majority and whether or not it's reasonable, whether or not it's appropriate and whether or not it's something that should even be considered: to require a super-majority for decisions to be made. A super-majority at the sponsors corporation, I think, is way out of whack with what other bodies with great responsibilities are required to do, so it's inappropriate to build that in here.

The ongoing technical issues around making sure there's language that appropriately prevents cross-subsidization and that also deals with the paramedics and a normal retirement age of 60—I don't think that's been dealt with yet. Once again, the solvency issue will be dealt with, my understanding is, through different legislation.

But the bottom line is that, yes, Bill 206 needed to come forward, or at least some iteration of getting OMERS out from under government control and into the hands of the plan sponsors was extremely necessary and has been a long time coming. Many people would say that's the case. Unfortunately, New Democrats won't be able to support it and we sorely want to, because we think, in principle, that it's the right thing to do. But we're not going to be able to support it if we can't make sure that the government is prepared to make some of these fundamental changes in regard to equity around the 1.4% cap and issues around ensuring that the transparency and accountability are at least addressed, whether they're addressed in the way that we've put forward so far or addressed in another way, based on some of the ongoing discussions that I know the government is having with some of the stakeholders.

I understand that there's likely another kick at this can some time in January, maybe February, where the government is going to come back to public hearings on

this. I look forward to that, and I look forward to government amendments addressing the concerns that New Democrats are putting on the table, because really, now is the time to move forward with this initiative. It just has to be an initiative that all the plan members can feel comfortable with and supportive of.

1710

**The Acting Speaker (Mr. Joseph N. Tascona):** Questions and comments?

**Mr. Brad Duguid (Scarborough Centre):** Thank you very much, Mr. Chair. I look forward to debating with you later in the evening when you leave the chair.

I want to thank the member from Hamilton East for her comments today. I want to thank her for the good work she's done in committee. We don't agree on all the points, but this has been a difficult issue, a complex issue, and the member has done very well in terms of getting an understanding of it and putting forward some positions taken by those she advocated for at committee. I thank her for her good work and look forward to a couple more days of hearings, likely in the new year, as we move forward to get this done.

I want to thank a few people, a couple of whom are here today: Bruce Miller, CEO of the Police Association of Ontario; Fred LeBlanc—

*Applause.*

**Mr. Duguid:** Go ahead.

Fred LeBlanc is the Ontario Professional Fire Fighters Association president. I see my friend Ed Kennedy is here as well. Ed is with the Toronto Professional Fire Fighters' Association. They have worked for over a decade to get these changes done. I want to thank them for the good work they've done over the years with all levels of government in advocating on behalf of very noble professions: firefighters, police, and indeed our EMS professionals.

As chair of community services and works at the city of Toronto, I had the opportunity to work very closely with our firefighters at the city, and with our police services and our EMS workers. I can tell you that the work they do is incredibly difficult. I've had an opportunity to go out with them on a number of different occasions. It is a very special kind of job that not anybody can do. That is why we make no apologies for giving those professions special consideration when we look to the need to retire at a younger age. I think it's something that was shared by probably all members of this House, so I want to thank them for the good work they do and for their input on this particular legislation.

**Mr. Toby Barrett (Haldimand-Norfolk-Brant):** I followed the presentation by the member from Hamilton East. I watched it on the monitor in my office. She certainly has an all-encompassing grasp of issues relating to pensions. I've certainly received information from municipalities in my riding. I received a letter from the county of Norfolk. They start off by saying, "Municipalities are concerned that the province is rushing to reform one of Canada's most important pension funds without a reasonable understanding of the potential reper-

cussions and without sufficient regard to the best interest of employees, retirees, employers, communities, taxpayers or Ontario's economy."

I'm heartened to hear—I think I heard it said—that the government is considering more hearings and more deliberation on this. I think that is, just given the letters I've received not only from Norfolk county but also Haldimand county and the east side of my riding—a county that I share with MPP Tim Hudak. They've indicated to me in a letter, "On behalf of our shared constituents, our employees and retirees, and with the full support of our municipal peers across Ontario, we ask that you ensure that the government has done its homework before proceeding with the devolution of OMERS. Specifically, we ask that you request actuarial analysis regarding the potential cost of the proposals within Bill 206, that you call for adequate due diligence to protect the long-term financial stability of the OMERS pension plan, and that you ask the Minister of Municipal Affairs and Housing how public interest will be protected in the future if the bill continues to rest on simple majority and mandated and binding arbitration."

I communicate that to this forum.

**Mr. Gilles Bisson (Timmins-James Bay):** I'm going to have a chance to speak to this legislation a little later, and I've got some things I would like to put on the record on behalf of those from northern Ontario and other parts who are members of the OMERS pension plan. I just want to say for the record, to the comments made by our critic, which I thought were well thought out and well reasoned, that there are a couple of really basic problems that I think the government could respond to by way of the amendments that have been put forward. I think that would lend itself well to having this legislation passed for the benefit of everybody.

I don't understand, quite frankly, why the government takes the position that they want to cap what people are able to negotiate at the bargaining table. I understand there's legislation that says you can't go more than 2% federally, except for emergency workers, who are allowed 2.3% or 2.35%—

**Interjection:** It's 2.33%

**Mr. Bisson:** It's 2.33%? OK. But why would the government want to limit workers who are currently not able to get up to 2%? It seems to me that free, democratic bargaining means that you go to the bargaining table. If the bargaining agent, whoever it is, decides they want to try to negotiate a better benefit for retirement as far as the percentage for every year of service they get when they retire, why should we exclude workers from being able to do that? I don't understand.

I support what the federal government did in order to increase the 2% or 2.33% for emergency workers. I would argue, why don't we at least allow in this legislation workers, outside of emergency workers, who are under OMERS to get to at least 2%? I think that would be supported by firefighters and others, who would see it as perfectly reasonable.

The other thing that I think is a bit sad is the whole issue of supplemental plans. Again, why are we limiting

that? It's almost as if the government is saying, "We don't want people to go to the bargaining table and negotiate a fair collective agreement when it comes to benefits for their members." I think that's wrong. We should allow that to happen at the bargaining table. If the employer can pay and the union is successful in negotiating, so be it. I think we should support those amendments.

**Mr. Wayne Arthurs (Pickering–Ajax–Uxbridge):** I too am glad to join in the debate for just a couple of minutes. I'm pleased to hear the degree of concurrence from the member from Hamilton East, with respect to her leadoff speech, and that there's a high degree of consensus, in spite of the fact that obviously there are still some areas where we differ, at least at this point in time, with the New Democratic Party.

I want to speak briefly, in the minute and a half or so, about the maturity of municipalities and community-based organizations that are represented under this legislation. Not so long ago, most municipalities in the province, except Toronto, Ottawa and maybe Windsor, were relatively small. I know that where I come from, it wasn't that long ago that the population was 30,000 people. Now it's almost 100,000. There are lots of municipalities like that. Thus, the municipal sector and the school boards that are represented, and will be represented under this legislation—they're currently represented with OMERS—are mature organizations. It really is time that government took the opportunity, in consultation and through legislation, to move and divest the ownership and responsibility to those who pay into the plan and to those who benefit from the plan. I'm pleased that we're taking the action we are through consultation and the legislative process.

I want to comment, in the last 30 or so seconds, on the emergency workers matter. When there are queries as to why they're getting different treatment or sort of special treatment, you only have to look at the type of work they do. You have to look at the injury potential by virtue of what they do, the 24/7, 365-days-a-year, inclement weather conditions, the heat if it's fire, the exposure to illness from others, the potential to be exposed to abuse and violence. You begin to understand that emergency workers don't necessarily have the capacity to work the same range as others might.

**The Acting Speaker (Mr. Ted Arnott):** I believe that concludes the time for questions and comments. I'll return to the member for Hamilton East, who has two minutes to reply.

**Ms. Horwath:** I want to thank the members for Scarborough Centre, Haldimand–Norfolk–Brant, Timmins–James Bay, and Pickering–Ajax–Uxbridge for their comments.

I want to finish by saying Bill 206 was a baptism by fire for me. I had two bills going at the same time. Bill 206 was one; Bill 210 is the other. To go through the process of a bill that was so complex, that required over 100 pages of amendments and that was very challenging in terms of making sure that all stakeholders had a voice—I have to say that a lot of the stakeholders, at least

from the plan members' side, had done a lot of that work in advance. They had worked together a great deal in advance on how this bill was going to affect them and had come up with positions of solidarity on most of the issues. I have to congratulate all of them for doing that work because I think it was extremely important. It certainly helped me to try to figure out where everybody stood and where the issues of contention still are.

**1720**

The government talks about how important it was to make it autonomous, and it should be autonomous, period. That means it should be divesting OMERS without tying the hands of the plan sponsors in terms of the kinds of policies and changes that they want to see made. That's the bottom line. Unfortunately, the government has decided to tie the hands, and I again want to acknowledge that not only do I agree, particularly with the member from Pickering–Ajax–Uxbridge, around the acknowledgment of emergency workers and firefighters and police in terms of their uniquely difficult and threatening jobs, but I think I also have to put on the record that that work is acknowledged through the federal Income Tax Act, and all we're asking is that that same ability to negotiate up to what the federal income tax allows for happens for all workers, as well as police and fire.

**The Acting Speaker:** Further debate.

**Mr. Frank Klees (Oak Ridges):** I'm pleased to participate in the debate on Bill 206. I want to bring to the floor of the Legislature the perspective of the municipalities and stakeholders that I represent. Of course, I represent not only the municipalities but the individual stakeholders who are advocating for changes that are represented within Bill 206. What I want to do, because I believe it's my responsibility as a member of the Legislature, is to ensure that whatever legislation is passed in this House in fact serves all stakeholders well, and that we ensure that the final legislation that is presented here for third reading debate has received full consideration of all of the implications, be those financial implications to municipalities, to the taxpayers or to the employees who would be beneficiaries under this pension plan.

You know, and it's been mentioned, that we're dealing here with what is the second-largest pension plan in Ontario, overseeing some \$35.7 billion in assets. It's a substantial fund that has also been extremely well managed over time. To the credit of those who have oversight of this pension fund, it has done extremely well for its beneficiaries through some very difficult times. It hasn't been easy, in the Ontario economy, over the number of years to ensure that the beneficiaries are properly served.

I'd like to start off by reading into the record a resolution that was sent to me by the town of Markham. The town clerk, Sheila Birrell, forwarded this to my attention personally and asked that we keep this resolution in mind as we deliberate on this bill. I won't go into all of the details of the resolution, but it does make reference to the fact that "OMERS employer and employee members are facing an increase in OMERS contribution in 2006 of

approximately 9% as a result of a significant deficit in the OMERS fund.” It goes on to say that the bill that is before us, that is being proposed, “includes significant, potentially costly and unnecessary changes to the governance structure of OMERS, including a sponsors corporation structure to be governed by arbitration.

“Whereas the bill would permit the creation of expensive supplementary plans to provide optional enhanced benefits that will impose new collective bargaining obligations on municipalities, the operating costs of which cannot yet be fully assessed; and

“Whereas the province has a responsibility to study the potential impact of the changes it is proposing and to share the results with employers and employee groups; and

“Whereas AMO and others have urged the government to consider the potential implications of Bill 206 and to ensure the proposed policy changes protect the interests of employers, employees and taxpayers....”

The town of Markham’s resolution goes on to make it clear that they do not support Bill 206 and requests the government of Ontario to “reconsider the advisability of proceeding with Bill 206 in its current form.”

I think what’s important here are the final words of this resolution. I don’t believe at all that, in principle, there is concern or debate about whether it’s appropriate that there should be some supplemental plans, that there should be options. There may be those who oppose the principle that workers and employers should control the destiny of their pension plan. I happen to be one who supports that, in principle. I believe it is the employees who make contributions to a pension plan and the employers who are also contributors to the pension plan, and that control of that pension plan should be vested in those participants. I don’t have a problem with that principle. In fact, I have been a supporter of moving the plan into the control of employees and employers for some time.

I think the paternalistic attitude of the provincial government, over time, is unjustified. Far be it for anyone to argue that the province knows best when it comes to managing money. If anything, it is the individual, whom I respect, who I believe has the responsibility and should have the right to make determination of how their pension funds are invested and allocated.

The operative words here in this resolution are “in its current form.” I believe that this bill needs considerably more attention. I believe the government has agreed—I think we’re going to see a motion tomorrow that confirms that we will have additional committee hearings on this bill, following the vote on this bill for second reading. I believe there are still far too many unanswered questions. In the course of debate—whether it be in committee or in debate as I have observed it for second reading—I don’t believe the minister has the answers to many of the questions that are being posed by stakeholders, by municipalities and, quite frankly, some that I have as well.

For that reason, I will be voting against this bill on second reading. I don’t believe it would be appropriate for me to simply give a nod to a piece of legislation about

which I still have significant questions and I believe many stakeholders do. What is appropriate is that we go to committee following the debate of this bill that we’re engaged in now. I trust that there will be sufficient time given to that committee debate so that we can deal with these issues in a substantive way and be able to provide assurances to all of the stakeholders.

I say to members of the pension that I believe we have a responsibility as legislators who now are tasked with the responsibility of determining what the future of this pension fund will be, its oversight, and who, at the end of the day in terms of its governance structure, is going to have the ability to make substantive changes that may come forward in the course of the future deliberations on this.

### 1730

We’re dealing with multi-billions of dollars of pensioners’ money. This is not our money. These are funds that have been contributed into this plan for many years, and individuals within our constituencies are depending on the stability of this fund, on the financial success of this pension fund, on the surety that this fund is not only here today, but is going to serve members of this pension plan for many years to come. So it’s inappropriate for us to simply make a decision to support this legislation because in principle we believe it’s the right thing. The reason we’re here is that we have to go beyond the principle and ensure that the details of the bill support the principle and are in fact sustainable. That’s what this debate is really all about.

I have concern when I read from people such as Roger Anderson, president of the Association of Municipalities of Ontario, someone for whom I have a great deal of respect, someone who has responsibility to make decisions on behalf of taxpayers and someone who has obviously earned the respect of many heads of municipalities across the province because he now serves as president of AMO. I want to read this into the record so that members understand the gravity of the concern that has been expressed, and for my constituents in York region so they perhaps can more fully understand my concern and hesitation at this point in time and why I’m calling on the government to give the needed time for additional committee hearings.

Mr. Anderson states as follows: “AMO,” the Association of Municipalities of Ontario, “maintains that the province of Ontario is needlessly rushing in to reform one of Canada’s most important pension funds. A wholesale restructuring of something as complex and as important as the OMERS plan ought to be carried out by qualified pension experts, who are few and very far between. We can verify that because we had to find them to prepare any credible analysis of this bill. It was AMO, as a matter of fact, that had to ask OMERS to undertake a financial analysis on matters contained in the proposed legislation. No one else seemed interested in this, including the government, and not even the unions....”

“This committee has given a bill that would fundamentally transform the \$36-billion OMERS plan only eight hours of public consultation.”

To the credit of the government, they have agreed to extend that consultation period, and we're pleased that the government has agreed to do that. But the point Mr. Anderson is making is that we can't rush into it. We need the information available to us. Municipalities need it so they can fully understand all the implications and the subsequent costs to them, as do we as members of the Legislature.

Mr. Anderson goes on to say, "If the bill moves forward to third reading, as we anticipate, under these circumstances, without being returned to this committee for meaningful stakeholder consideration and input, this government and this committee may have a great deal to account for. I suggest that the onus is on you to get it right," and he's speaking, of course, to members of the committee and to us. "The costs are staggering for municipalities."

That's a warning from someone who has a fiduciary responsibility in his role as a regional chair and a fiduciary responsibility as well in his role as president of the Association of Municipalities of Ontario.

I want to make it very clear that I'm convinced as well that those who have a responsibility, whether it be individuals in positions of responsibility in unions whose members are members of this plan, take this fiduciary responsibility very seriously too. I'm certain that they, as well, want to ensure that the overall stability of this plan is underpinned and assured, because it's one thing to get what you want today, but if it's not sustainable, they will have to answer to their members, and none of us wants to be in a position, five or 10 years out, of looking back on a decision that was made by this government on this day with regret, saying, "We made a mistake. We didn't take enough consideration and we didn't consider the implications."

To keep the debate focused on my concerns relating to York region, I received some correspondence just yesterday in terms of an analysis that was done. If Bill 206 were to pass in its present form without additional amendments or consideration for some of the financial implications, the costing that was prepared would translate into significant tax increases for ratepayers in York region. The numbers I have here indicate that, per household, the increased taxation would be about \$33 per average resident.

I'm willing to hear whether there are some differences of opinion, and that's why I'm saying we need some more time. That's a lot of money; that's substantive. It may be, as well, that the residents of York region say, "That's fine, and we're willing to pay that additional tax to afford the flexibility this legislation would allow the plan to have," but I don't know that today. That's why we need some additional time, so that we can in fact investigate the implications for the individual municipalities, translate that into implications in the near term and ensure we're making decisions in a fiscally responsible way.

One of the other concerns I have, and I think it's legitimate and I don't believe we have the answer to it

yet in its current form, is the question of governance and oversight. When you have a large plan like this with a number of employee groups, what we can't allow to happen is that any single employee group is held hostage or overridden by a more powerful group of employees. I certainly agree with the principle that employees and employers should have control over their own pension funds. I also want to ensure that every member group within that pension plan has some safeguards built into the governance structure to ensure that the decisions made at the table that may negatively affect them—that there is adequate protection in place for that employee group.

All of these things can be reasoned out. My point is very simply this: I'm hearing municipalities put up significant caution, and I don't believe any one of them is saying anything negative about the membership or individuals who would become qualified employee members, that they don't somehow deserve an enhanced benefit, but it has to be done in a fiscally responsible way. That's the point of my debate. I wanted to make it very clear to my constituents and to the stakeholders with whom I have had discussions on this bill why I feel compelled to vote against this bill on second reading, why I certainly intend to be very engaged in the next process of committee hearings so we can drill down to get specific information and answers, hopefully to the satisfaction of municipalities, of taxpayers and of all stakeholders who have a vested interest in the OMERS pension plan and in this piece of legislation.

1740

**Mr. Bisson:** On a point of order, Mr. Speaker: I believe we have unanimous consent that we take the 15 minutes left on the clock and divide it equally between the Conservative and the NDP caucuses, and at that point, put the question.

**The Acting Speaker:** Is there unanimous consent for what the member for Timmins—James Bay has proposed? Agreed.

**Mr. Bisson:** I want to thank my Conservative colleagues and others for giving us a little bit of time to deal with this. There are a couple of things I want to put on the record. Number one, one of the big issues that I raised in my two-minute response to Ms. Horwath's speech, was that we could support the legislation wholeheartedly, but there are a couple of things that I think the government needs to do. We've gone to first reading, we've seen what the bill is like and we've had an opportunity to bring forward some amendments, but I think there are couple of things we can do here.

One issue for me is that we need to give some fairness for people at the bargaining table to try to negotiate a better benefit. One thing to do is to take off the 1.4% contribution cap and allow unions to negotiate to at least the federal standard, which is 2% for non-emergency workers and 2.3% for emergency workers. That is one thing I would ask for.

The second thing I would ask for is around the whole issue of the administration corporation. We know there

have been bad investment decisions in a number of pension plans over the years. One of things that I think we need to do is make sure the administration corporation is made up in such a way and constituted in such a way that at the end of the day there's some comfort on behalf of not only the employer but the plan members, I would say, because they're the ones who get the benefit in the end. We should make sure that good decisions are made when it comes to where investments should be done vis-à-vis the OMERS pension plan.

We've seen all kinds of tragedies across the pension industry in North America, with people in defined pension plans and defined benefit plans, where some pretty awful decisions have basically affected their whole ability to retire. I represent people in the riding of Timmins-James Bay who have seen their pensions eroded to the point that they're not able to retire and have had to work way past when they wanted to. One reason for that is some of the investment decisions that were made by their pension plan administrators. One of the things we've got to get right in this legislation is to give plan members comfort by making sure that good decisions are made when it comes to their pension investment, so they're not faced with a huge deficit that could affect their particular situation at the time they come up for retirement.

I would argue, in another piece of legislation that we should be debating in this House with regard to amendments to the Pension Benefits Act period, that we should be looking at the issue of insurance. Far too often, we find ourselves in a situation where there's not enough insurance to guarantee what a person is entitled to under benefits of insurance. I think right now there's a maximum of \$1,000 a month. A lot of pensions, if they're good defined benefit plans, could be more than \$1,000 a month, and you could see that gone if there's been a bad investment decision made. So I would argue that.

The other thing that I think we need to deal with is the whole issue around—I'm trying to remember the word, and I hate it when I do that—the amount you're able to negotiate when it comes to supplemental plans. I would argue that the government needs to take a look at that particular issue—I touched on that very quickly—to make sure that people are able to bargain for what is theirs.

There's the whole issue of the corporate versus the trust model. I only have two minutes, so I can't really get into it. But I think we all understand what we're talking about, as members. We've been at committee and have seen what that's all about. The government is proposing a particular model. I would argue that we're probably better off with the other, but it's something we should be able to deal with by way of amendment in the legislation.

The only other issue is the sponsors corporation. We need to be able to deal with that, because at the end of the day it has the responsibility for the plan design and benefit changes. Essentially, the sponsors corporation is responsible for determining the levels and nature of the benefits provided to the plan members, as opposed to

investment policy. I think we need to deal with that issue in such a way that at the end of the day we are able to find some comfort here.

In the last couple of minutes, I'll only say this: This is only part of the puzzle, in my view. This legislation can go a way in dealing with some of the issues around the OMERS pension plan, but we need to look at the larger issue of amendments to Ontario's Pension Benefits Act. Do we want to go down the road of dealing with making it easier for people to get defined benefit pensions from their employers? At this point, I think we should look at the very basic thing of saying that any member who goes into a plan should be vested on day one, and once they're vested, if they move after six months or six years to another plan, that they have total portability. If you work six years in one place, 10 years in another and three months somewhere else, all of that time could be counted up toward an actual pension benefit with which you're able to retire after 30 or 35 years of service. The problem we now have is that many workers in this province, as is the nature of the industrial world today, don't work for one employer for 30 or 35 years and find themselves in the position of not having an adequate pension when they're ready for retirement.

I would argue that one thing we need to do is amend the Pension Benefits Act to provide for complete portability of pensions from one employer to the other; second, make it easier for employers to negotiate their employees' pensions by providing what are called multiple employee plans, or MEPs; and third, to have people vested on day one. If we can do those three things, along with a few others, we can have a system in this province where, no matter where you work, you will be covered by a pension plan that is totally portable, where no matter where you work and how long you work for the employer, you bring your pension credits with you, so that at the end you can retire with some dignity. Far too often, people in this province, as across Canada, are finding themselves in a situation of not having an adequate income on retirement and having to work far longer than they need to.

I would argue that the government would be best served by looking at overall amendments to Ontario's Pension Benefits Act.

**Mr. Norm Miller (Parry Sound-Muskoka):** I'm pleased to have the opportunity to speak for a few minutes to Bill 206, the Ontario Municipal Employees Retirement System Act, 2005. I wanted to have a chance to bring to the attention of the Legislature the resolutions and letters I've been receiving from many municipalities in Parry Sound-Muskoka.

I see the Speaker yawning. I hope it's not my speech that's causing that.

I did want to bring to the attention of the Legislature the concerns I have been receiving from the many municipalities in Parry Sound-Muskoka. I note that the president of AMO, Roger Anderson, has raised concerns particularly about how this bill might affect property taxes, speculating that it could cause a 2% to 3% increase in property taxes.

Because this is second reading, I am also pleased that the bill will be going out for committee after second reading, as I understand that only about 20% of those who wanted to come before the committee in the first session of committee hearings had a chance to. So I think it needs lots of time at committee.

Among other municipalities in Parry Sound–Muskoka I've heard from Armour, Bracebridge, Burk's Falls, Carling, Georgian Bay township, the town of Huntsville, Seguin township and also Strachan. I'm sure there are others but those are some that I heard from.

I just want to highlight a couple of concerns. I won't read all the resolutions and letters, but for example in the letter the reeve of the village of Burk's Falls sent, he said:

"Municipalities are concerned that the province is rushing to reform one of Canada's most important pension funds without a reasonable understanding of the potential repercussions and without sufficient regard to the best interests of employees, retirees, employers, communities, taxpayers or Ontario's economy."

He goes on; I missed a few paragraphs here:

"Given the magnitude and implications of this legislation, due diligence is required to ensure the plan remains viable, that benefits are affordable, and that taxpayers' best interests are protected. As it is written, we believe that Bill 206 could cost employees, employers and taxpayers dearly in the years and decades to come.

"On behalf of our shared constituents, our employees and retirees, and with the full support of our municipal peers across Ontario, I ask that you ensure that the government has done its homework before proceeding with the devolution of OMERS." That's signed by Ron Russell, reeve of the village of Burk's Falls.

**1750**

To get to another one of the many resolutions I've received, I note a resolution from the town Bracebridge. I won't go through whole thing, but part of it, the gist of it, says:

"Whereas Ontario's municipalities and their employees depend on the prudent management of the \$36-billion plan and to ensure that employees and employers are paying for benefits they can afford; and

"Whereas OMERS employer and employee members are facing an increase in OMERS contributions in 2006 of approximately 9% as a result of a significant deficit in the OMERS fund; and

"Whereas the bill includes significant, potentially costly and unnecessary changes to the governance structure of OMERS, including a sponsors corporation structured to be governed by arbitration; and

"Whereas the bill would permit the creation of expensive supplementary plans to provide optional enhanced benefits that will impose new collective bargaining obligations on municipalities, the operating costs of which cannot yet be fully assessed; and

"Whereas the province has a responsibility to study the potential impact of the changes it is proposing and to

share the results with employers and employee groups; and

"Whereas AMO and others have urged the government to consider the potential implications of Bill 206, and to ensure the proposed policy changes protect the interests of employers, employees and taxpayers; and

"Whereas the government is moving in haste with bill, which in its current form raises significant technical, public policy and economic issues;

"Therefore, be it resolved that the corporation of the town of Bracebridge does not support Bill 206, and requests that the government of Ontario reconsider the advisability of proceeding with Bill 206 in its current form;" and furthermore, that it be sent to myself and the Minister of Municipal Affairs and Housing etc.

I wanted to get that on record. I know the member for Renfrew–Nipissing–Pembroke also wants to add to the debate, so I will leave him a bit of time to do so.

**Mr. John Yakabuski (Renfrew–Nipissing–Pembroke):** I don't know if I can get it all in here, but this is a very complicated bill and a very complicated issue. We've heard a lot about the stuff that has been going on in committee. The member for Parry Sound–Muskoka spoke to the fact that there are many more groups and individuals requesting to speak to this committee than were able to get on the agenda, because of the vast number of requests, which would indicate that there is a complexity to the issue here and that there certainly are varied opinions as to where the government should be going on this and whether it should be proceeding with this bill at this time or not.

The submissions I have received from municipalities in my riding—they're the only submissions I have received—are submissions that have grave concerns about the fiscal liabilities they may carry as a result of this bill passing into law. I want to read from my warden, Bob Sweet, who also was the chair of the Eastern Ontario Wardens' Caucus. They have very serious concerns about the cost: "The bill would change the Ontario municipal employees ... pension plan to allow ... pension benefits—and the employers...." I missed that part.

This would mean, according to Warden Bob Sweet, \$260,000 additional cost to the county of Renfrew, so they have very severe concerns about the cost implications of this bill, and I think sending it for more committee is the right thing to do.

**The Acting Speaker:** Pursuant to the agreement of the House, I will now put the question.

Mr. Gerretsen has moved second reading of Bill 206, An Act to revise the Ontario Municipal Employees Retirement System Act.

Is it the pleasure of the House that the motion carry?

All those in favour will please say "aye."

All those opposed will please say "nay."

In my opinion, the ayes have it. Carried.

The bill will be ordered for third reading.

**Hon. Mr. Bradley:** No.

**The Acting Speaker:** I recognize the government House leader.

**Hon. Mr. Bradley:** Bill 206 will be referred to the standing committee on general government.

**The Acting Speaker:** So moved.

## ADJOURNMENT DEBATE

### WATER QUALITY

**The Acting Speaker (Mr. Ted Arnott):** We'll do the late shows now.

Pursuant to standing order 37(a), the member for Bruce-Grey-Owen Sound has given notice of his dissatisfaction with the answer to his question given by the Minister of Natural Resources concerning the Neustadt lagoon. I'm pleased to recognize the member for Bruce-Grey-Owen Sound.

**Mr. Bill Murdoch (Bruce-Grey-Owen Sound):** Thank you, Mr. Speaker, and—

**Hon. James J. Bradley (Minister of Tourism, minister responsible for seniors, Government House Leader):** Got your teeth, Bill?

**Mr. Murdoch:** Yes, I have my teeth in today. This was supposed to happen last Tuesday, and unfortunately I couldn't talk too well. I had an old hockey injury come back to haunt me and we had it for the day.

I'd like to give some history of this so that the Ministry of Natural Resources will understand what's going on here. Back in the 1970s, a sewage lagoon was built for Neustadt to take care of their sewage. At that time, there were some discussions and some engineering reports saying that maybe this lagoon shouldn't go in this exact spot because the Saugeen River wasn't that far way. It was far enough away at the time that people didn't worry about it, but still there was concern that these lagoons shouldn't be built there. But they were built anyway, and the Ministry of the Environment looked after them and owned them. Then, in about 1998, 1999, somewhere around there, the Ministry of the Environment decided to give these lagoons to Neustadt. Neustadt is just a small village of 400-and-some people. At that time also, Neustadt was going through amalgamation. They were joining with Normanby township, Bentinck township and the town of Durham. They formed the municipality of West Grey. At that point, though, the ministry decided that the lagoons were going to become the property of the village of Neustadt, which was the municipality at that time. That happened, and no one is disputing that. No one's arguing the point that West Grey, which is now the municipality, does own the lagoons which handle the sewage in Neustadt. Sometimes we hear the government across the way saying, "Well, it was your government that forced them upon them." Well, whatever happened, whether it was right or wrong, that's a fact: West Grey owns the lagoons.

Back in 2003, we had a meeting there with the Ministry of the Environment, the municipalities and myself. The Ministry of Natural Resources failed to show

up. They didn't deem it to be their problem. But we were looking at the river, and at that point the Ministry of the Environment did say, "Just because we're going to do a study, that doesn't mean it's our problem, but we will do a study on the river, the erosion on the river and the lagoons." Basically, what the study came up with was that there were maybe five to six years left before the river would erode and end up at the lagoons. At that time, we, along with the municipality, lobbied the Ministry of Natural Resources, because I'd always understood that rivers are looked after by the Ministry of Natural Resources. Sometimes they give some of their work to conservation authorities, but mainly fish and the water in the rivers come under the mandate of the Ministry of Natural Resources. We got hold of the Ministry of Natural Resources at that time, and unfortunately the minister wrote back and told us to go to OSTAR, which is the same thing this minister is doing today.

I want to explain to you that that minister is no longer the minister. He sits over here with me on this side of the House. That's what's going to happen to the minister over there if he doesn't help us with our problem. Already the people have proven that we were wrong, and that's why we're over here now. So I think the Liberal minister on that side of the House had better listen to me or he's going to end up sitting over here beside me next time. Or maybe I'll be over there. Who knows? This is what happens when you don't listen to the people and try to help them out.

No one is denying that we got a letter from the previous minister. That happened. Now we have a government that has been in place for at least two years and we're asking for their help. The Minister of Natural Resources said last week, "You know that any sort of crisis is not imminent here.... We have lots of time to plan for this." Well, it seems strange. Then why would the Ministry of the Environment put an order on the municipality? We know they made a mistake. They know they've made a mistake; they just won't admit it. It's unfortunate. When you can't answer for your mistake, blame the other party; blame the last ones who were there. That seems to be what they're trying to do. But the fact is that the Liberals are in government, we have a Minister of Natural Resources, and they're the ones who should be looking after the river. The river is what's moving, not the lagoons. The lagoons are staying where they've always been. There's nothing wrong with them at this point. A river is moving toward them, a river that is normally, most people would think, looked after by the Ministry of Natural Resources, a river, mind you, that is also full of fish.

If this happens, and they wash the lagoons out—this is the Saugeen watershed—you're going to have wells polluted all the way from Hanover and Walkerton right out to Southampton. That whole watershed will be in trouble.

That can't happen, but we have a government that will not look after it. We have a government in place that has a Ministry of Natural Resources that is trying to tell me that water and rivers aren't their problem.

Maybe some other time I'll have more time to speak about this.

1800

**The Acting Speaker:** The Minister of Natural Resources has an opportunity now to reply.

**Hon. David Ramsay (Minister of Natural Resources, minister responsible for aboriginal affairs):** I'm very pleased to be here tonight—you believe that, of course—to be able to respond to the member about an issue that I know is very important to him. I can assure the member that I appreciate the environmental impact of this issue if remedial action is not taken, if the riverbank continues to erode—there is no dispute there—and sewage is released into the river. We have a situation there, for sure. I can also assure you that this need not and will not be allowed to happen. The province has in place the necessary mechanisms to assist the local municipality in remedying this situation. That's what the argument is about, I suppose, when it comes to this. Nobody is going to be here to dispute the need.

First of all, I have advised both the local member and the municipality of West Grey that the Ministry of the Environment has the lead responsibility for sewage treatment and water quality in the province. I know the MOE has determined that the local municipality is responsible for the upkeep of the sewage lagoon, and that includes addressing the instability of the riverbank. The ministry has issued an order to the municipality to submit an erosion control plan.

This isn't just a river and that someplace on the river there is this erosion problem. There is an erosion problem on the river at a critical facility, and it's the responsibility of the municipality to protect their facility from whatever danger might be there. In this case, it happens to be river erosion. When you build a sewage lagoon, you have responsibility, obviously, to protect it, regardless of what it is that is encroaching upon that.

I also advised the member and the municipality that conservation authorities have responsibility for erosion control in that part of the world, and therefore have considerable experience dealing with watercourse erosion problems. I know the Saugeen Valley Conservation Authority will be pleased to continue to work with the municipality in this matter.

As well, I've suggested to both parties that the municipality make an application to the Canada-Ontario municipal rural infrastructure fund for an erosion control project. As you know, we commonly refer to that around here as COMRIF. This fund was put in place to address infrastructure priorities in municipalities, including water and waste water. The criteria for project selection are health and safety, public policy priorities and value for money.

I want to remind the House that this government does not take lightly any situation that threatens the quality of the province's drinking water. I would have to remind the member that when he wrote my predecessor, Jerry Ouellette, he got a very similar answer. In that case, the program you had in place was OSTAR.

We passed on to the municipality that that's the proper thing to do. You know how that works. Right now, we have a one-third grant from the federal government, a one-third grant from the provincial government and, of course, one third from the municipality, so what better opportunity, when there is that funding? What we're saying to you, and because of these criteria we're almost begging you, is to tell your municipality to apply for this. They're only going to be on the hook for one third. We take this pretty seriously. There is a program in place to address this. The municipality, in the end, is only going to be on the hook for one third of the cost. So the program is in place. We appreciate the gravity of the situation. We have some time. The program is there, and that's what we're advising everybody to do.

Two weeks ago, Minister Broten and I announced provincial grants and funding totalling more than \$67 million to conservation authorities and municipalities to help ensure that local communities have the science, knowledge and capability they need to protect their drinking water sources.

Last week our government introduced the Clean Water Act, which would establish Ontario as a leader in safe drinking water. This afternoon in the House, I announced that Premier McGuinty today signed a new international agreement with eight Great Lakes states and the province of Quebec to protect the waters of the Great Lakes and the St. Lawrence River basin.

Water is a priceless resource and we all have a responsibility to protect it. One of the ways we can do that is by keeping pollution from seeping into our streams, our lakes and our rivers. I think we need to look at it from that perspective also. It's not just a matter of river erosion coming into a sewage lagoon, but it's a sewage lagoon that's posing a threat to that river.

I encourage Mr. Murdoch to work with the municipality of West Grey and the Ministry of the Environment to ensure protection for the long-term health of the Saugeen River and the area's water supply.

#### ROYAL BOTANICAL GARDENS

**The Acting Speaker (Mr. Bob Delaney):** Pursuant to standing order 37(a), the member for Hamilton East has given notice of dissatisfaction with the answer to her question given by the Minister of Culture concerning the Royal Botanical Gardens. I recognize the member for Hamilton East.

**Ms. Andrea Horwath (Hamilton East):** I have to say that I was becoming extremely frustrated with the responses I was getting from the minister in regard to the Royal Botanical Gardens. I was asking my caucus colleagues how I should address two things: One is that I'm not getting an answer, and the second is that the minister insisted on putting in her response inaccurate information about my voting record in the city of Hamilton. They advised me that the best way to address these kinds of inaccuracies or troubles with a minister's responses is to simply ask for this kind of little hearing, if

you want to call it that, a late show at the end of the day's business and ask the minister to respond directly. It's unfortunate the minister is unable to be here to respond directly, but I hope there is someone on the government side who is prepared to account for the comments of the minister.

I can accept it if the minister is not up to date on the portfolio. I can accept it if she needs some time to dig out the facts and figure out exactly the detail of the question I'm asking. But I've raised this issue many times since April 2005. Initially, the minister's responses were light-weight, to say the least, in regard to her commitment on following through with funding that had been suggested, recommended, agreed to by the government in their process of reviewing the Royal Botanical Gardens, but then suddenly in these non-responses the minister decided to throw in some accusations around my personal voting record on the city of Hamilton council, at which time, of course, as one of the funding agencies, Hamilton took decisions in regard to how it funds various agencies.

I can recall quite vividly our budget troubles at the city of Hamilton. I can actually share with you that they haven't been solved yet, notwithstanding the fact that the council of the city of Hamilton has been vociferously, annually asking both the previous government and this government to help with our problem in terms of our budget inequalities. Nonetheless, the bottom line is that I have spent much time on that council and much time on many budgets, on budget after budget. I don't recall ever specifically voting against funding for the RBG. In fact, I don't ever recall supporting funding cuts to the RBG, in fact rarely even ever supported budgets for the city of Hamilton, because, frankly, any taxpayer, any resident, any citizen in the city of Hamilton who paid attention to municipal politics would know that I didn't support one of the major capital projects in Hamilton, which was something called the Red Hill Creek Expressway, underway now—water under the bridge or under the road.

The bottom line is that because of that particular expenditure, I found it very difficult to support city budgets, in fact if I'm not incorrect, rarely, if ever, supported a city budget because of the amount of dollars that went into that one project and the ongoing maintenance that is going to be required for that project versus having to cut all kinds of boards and agencies and other community services, including organizations like the RBG.

**1810**

So I would like the minister to account for not only why it is that she refuses to make a commitment about the flowing of funds to the Royal Botanical Gardens, the \$3.8 million that this government successfully managed to squeeze out of the union as concessions during collective bargaining, which I would call bargaining in bad faith, but also why they haven't bothered to come up with the money. We're still seeing problems at the RBG—or adjustments, let's say. I'll tell you, those adjustments would be a lot easier if the minister would simply stand in her place and acknowledge that the

commitment was made, that they're not going to break that promise and that in fact they are going to flow the funding. That's the first thing.

The second thing is, I would like the minister to provide to me and to this House the evidence that indicates any truth whatsoever, any accuracy whatsoever, to her comments regarding my voting record on the RBG and the city of Hamilton budgets, because I've done that work myself. Not only did I live it, but I actually went back and read through the records as far back as I could. There's nothing on the record that indicates my voting in favour of cuts to the RBG or, in fact, any of the budgets that included the cuts to the RBG.

So, yes, I was a member of that council. Does that mean I agreed with every single decision that council made? Absolutely not. I would ask that the minister or her representative on these issues actually be up front with me, particularly, as well as with those who watch both these issues.

**Ms. Jennifer F. Mossop (Stoney Creek):** I'm responding on behalf of the Honourable Madeleine Meilleur, Minister of Culture, regarding the dissatisfaction expressed by the member opposite, the member for Hamilton East, Andrea Horwath. As everybody in this House knows, I am the parliamentary assistant to the Minister of Culture.

Ms. Horwath has taken exception to a reference by the minister to the member's time as a city councillor in Hamilton. She states that the minister has made an erroneous accusation about the member's voting record on city council regarding RBG funding. What the minister was pointing out, I believe, was that between the years 1998 and 2003, when the member was on Hamilton city council, Hamilton's contribution to the RBG was cut every year. During the member's time there, it went from \$900,000 a year to \$575,000, and that is a cut of almost one half. If the member is saying that she spoke against those cuts, and asked to be recorded as opposing those cuts, then I, of course, take the member at her word.

As for the role this government has played in the crisis facing the RBG, I'd like to point out that we have played a leadership role. The gardens experienced provincial funding cuts mainly in the last two years of the previous government's regime. We have not only stabilized that funding, but we provided \$1.87 million in emergency funding, and we sent a few hundred thousand more in end-of-year funding.

More importantly, despite the fact that this government had only two members on a 24-member board, we stepped up to the plate during that crisis with a full audit and review of the gardens' operations. We have an excellent report right here called A Fresh Start for the RBG that was prepared by the former mayor of the city of Hamilton. This report includes many recommendations. One of the recommendations was alluded to by the member opposite, but there are many recommendations, including the one for transitional funding. But that funding was not to be flowed before the transition board presents its business plan.

Now, we have a transition board in place, an excellent one, and I have every confidence that the RBG, under the very capable leadership of the chair, Mr. Terry Yates, will bring that plan forward in due course. In the meantime, Mr. Yates and his board have been tackling a number of difficult issues. The minister has been kept abreast of those developments at the RBG on an almost daily basis, and she is very pleased with the progress that is being made. It is a very capable and very thoughtful team, following the excellent, thoughtful and comprehensive work in this review that was presented.

The last few years, and the last year in particular, have been very difficult for the RBG. As the RBG review committee said, no one should minimize the rebuilding job that lies ahead. The report also made it clear that the RBG must develop a strategy to become increasingly more self-supporting over the next few years. It took several years for the RBG to get into this predicament, and it will not get out of it overnight. The members, the volunteers, the staff and the citizens whom I speak to on a regular basis do not want to see taxpayers' money being thrown down the drain until there is a solid plan in place on solid ground. Nobody wants to see another cent spent until we know where we're headed. For all of us who care about the RBG—

*Interjection.*

**Ms. Mossop:**—as I know the member opposite does, we have to start looking for teamwork, rebuilding and creative solutions and not partisan finger pointing. Even the most legitimate concerns—and I acknowledge the member's concerns—are undermined by a lack of positive contribution and support. The RBG needs more members, it needs more donors, it needs more activity and it needs a business plan, and I'm confident that we will get there if we all work co-operatively on this recovery with Mr. Yates and his board.

You know, I have to say that I'm reminded of the observation by the former leader of the member's party, Bob Rae, in his book: "You can't always go through life leaning on the horn," to which I add my piece: Sometimes you have to put your shoulder to the wheel with the team and get things moving in the right direction. That is exactly what Mr. Yates and his transition board are doing, and we, as a government, are doing that with that board. We congratulate them on their work to date, and look forward to the business plan and to continuing the work with our stakeholders and the other stakeholders, the cities of Hamilton and Halton, who are also funders of the gardens—

**Interjection:** Big supporters.

**Ms. Mossop:** Big supporters. We are working with them on the recommendations presented in this report.

## TORNADOES

**The Acting Speaker (Mr. Bob Delaney):** Pursuant to standing order 37(a), the member for Waterloo–Wellington has given notice of dissatisfaction with an answer to a question given by the Minister of Municipal

Affairs and Housing concerning the response to the August 19 tornadoes.

The Chair recognizes the member for Waterloo–Wellington.

**Mr. Ted Arnott (Waterloo–Wellington):** In the 15 years that I have been privileged to serve in the Legislature, I don't think I have once asked for a late show. If I could just take a moment to explain why we're here: Most of the members who have House duty this afternoon and tonight sit till 6 o'clock and have a 45-minute break for dinner, and there's a 45-minute break for dinner for the staff. Of course, we're eating into that time, so to speak, with these three late shows. I think the fact that we're having three late shows is an indication of the government's unwillingness to answer legitimate questions in the Legislature, and the opposition members have a means and mechanism to express dissatisfaction with those inadequate answers. Certainly, this is why I am bringing this forward today.

Our community was damaged by two devastating tornadoes this past summer on August 19. I was very concerned about how the provincial government might be able to respond to assist our communities. I invited the Minister of Community Safety, the Honourable Monte Kwinter, and the Minister of Municipal Affairs, the Honourable John Gerretsen, to tour the devastated areas. They did come within days and saw the devastation with their own eyes. I hoped that by working with the government, we could then secure adequate provincial financial assistance for the communities that were devastated by the tornadoes.

I was very disappointed when I received copies of the letters sent to the two mayors, Mayor John Green of Mapleton township and Mayor Russ Spicer of the township of Centre Wellington, offering, I would say, a minimal and inadequate amount of financial assistance to help those communities with their cleanup costs. The provincial government was offering about \$335,000.

What upset me most was the fact that the Minister of Municipal Affairs had arbitrarily, I would say, reduced the amount of financial assistance to our two communities by an amount equal to 4% of those municipalities' budgets. As I said in the House today in my question, that to me is like making a donation to the Salvation Army at Christmastime and then asking for change: It's miserly and unacceptable.

In my responsibility as MPP for Waterloo–Wellington, I am speaking on behalf of my communities and bringing these concerns forward. I was quite emotional in my questions today. I was quite angry, because this has been building for some time, and I expressed the views of my constituents directly to the minister. I asked him how he could justify what I called his miserly response to our communities in terms of assistance. I felt that he did not provide an adequate justification in answer to the first question, and the second question, which was, "Will you meet with the municipal officials representing my area to discuss their request for a top-up to the assistance that has been initially offered," he did not answer at all.

This is the same Minister of Municipal Affairs who brought a bill into this House not long ago called the Respect for Municipalities Act. He is the Minister of Municipal Affairs. You would think that if there was a request for a meeting from heads of council in any community across the province to discuss an important financial issue like this one, he would want to make himself available. You would think that in answer to a question like that in the House, he would have said in response, "Yes, I will meet with those municipal officials because I understand they have a concern, and we'll sit down with them and see if we can work it out." That response, had it been forthcoming, would have been satisfactory to me, and I would have gone home at Christmas with that information to my communities, and I'm sure there would have been a sense in our communities that the provincial government was prepared to work with us and see if there was an opportunity to increase the financial support.

**1820**

Again, my request—specific request, I guess—is that this 4% of the municipal budgets deduction that the minister has arbitrarily attached to our grant be removed. If that were the case, our municipalities would receive approximately \$330,000 more. I don't feel I'm asking for the moon. It's a drop in the bucket in comparison to the overall provincial budget, which is some \$80 billion that they spend every day. The government spills this kind of money every single day; we know that. I don't think I'm asking for the moon. I'm asking, certainly, for an additional measure of respect for our municipalities.

Whatever assistance is forthcoming to the communities of Mapleton and Centre Wellington I'm told will be shared by those municipalities with the Grand River Conservation Authority, the county of Wellington and the other adjacent municipalities that helped with the cleanup. I'm confident that a fair sharing of that available money would take place. I would add that the Grand River Conservation Authority estimates that their total losses are in the range—or actually, their cleanup costs, rather, and I guess you would say the total losses—are \$750,000. It's a lot of money for them, and if the assistance from the province isn't forthcoming, that cost will be borne by our local taxpayers.

**The Acting Speaker:** The Chair recognizes the member for Scarborough Centre.

**Mr. Brad Duguid (Scarborough Centre):** I want to begin by extending, on behalf of the minister, once again, all the best of the season and Merry Christmas to the member, which the member may recall the minister extended to him in question period today.

When a member asks for a late show, it's usually as a result of something that wasn't provided, or an answer that wasn't provided by the minister. In this case, I read the transcripts of what the minister had said, and I was here this afternoon and heard the minister's answer to the question and I thought it was extremely thorough. I know there are times in this place, from time to time, when it

becomes question period more than answer period, and that's always been the history of this place, but this is one of those questions where I think the member got a very detailed answer from the minister.

I want to take a look back at some of the things that the minister indicated to the member. The minister recognized the member for the good work that he's done on this particular file and recognized as well his advocacy on the part of this community, which is something that I think all of us try to do on behalf of our communities, and recognized the hard work he's put into this. He has risen on a number of occasions in this House, and he's been in touch with the minister on this issue. In fact, he accompanied the minister to his riding on a visit to take a look at the damages and meet with local officials down there to get a really good handle on exactly the damage that was done on Friday, August 19, in his particular area, and actually, right across a good swath of southern Ontario. I recall that day, in fact. I recall being on my way back from up north and coming back into Scarborough. There was a heck of a lot of damage, even in that part of the province. I saw cars that had water well up over their windows, stuck in pools of water under bridges. Indeed, it was a day where a number of different municipalities incurred severe damage.

The minister did go up and survey the damage in the member's riding and took note of the issues. I'll get into the substance of the minister's response in a minute. The minister also indicated that he has received subsequent letters from the mayors of the area. In those letters they requested more assistance. Indeed, there are special assistance grants going to Centre Wellington for \$182,500 and to Mapleton for \$152,600. The mayors of those areas have written to the minister. We have received their letter, which the minister has seen, asking for further monies to be considered under those programs. The minister indicated today that we're actively reviewing those requests, something that I think is our responsibility: to make sure that as these requests come in, we do review them.

I think what we don't want to do is get into a situation where we're playing politics with these issues; we have a rational decision-making process that we have to go through. I'm not suggesting that the member is doing that, by any means. I'm suggesting, though, that as we go through our process of deciding how much money goes out to municipalities in these disaster relief types of programs or special assistance grant programs, we have to think of each municipality and its circumstances and award those grants accordingly. That's exactly what this government is doing.

I can go through the chronology of events; I don't think I'll have time to go through all of it, but we have looked in detail at the requests that have been brought forward. Centre Wellington has indicated that 47 properties, of which 16 are seasonal cottages, were damaged by the tornado. Of the 47 properties, 44 experienced no uninsured damage. The remaining three properties included some uninsured items such as accessory build-

ings, but these would not normally be covered under the Ontario disaster relief assistance program.

Based on the staff analysis of the information submitted by Centre Wellington, the municipality experienced \$416,562 in extraordinary incremental costs arising from the tornado. Those are their costs. We've looked at this review of their costs, and while they didn't qualify under the disaster relief program, we're looking at the special assistance grant program to assist us. We had similar requests from the township of Mapleton.

I can give the assurance that the minister will look actively at their requests. We'll stay in touch with the member and ensure that we make the appropriate allocation for these municipalities.

**The Acting Speaker:** There being no further matter to debate, I deem the motion to adjourn to be carried. This House is adjourned until 6:45 p.m.

*The House adjourned at 1827.*

*Evening meeting reported in volume B.*

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