



No. 3A

N° 3A

ISSN 1180-2987

Legislative Assembly  
of Ontario

First Session, 37<sup>th</sup> Parliament

Assemblée législative  
de l'Ontario

Première session, 37<sup>e</sup> législature

**Official Report  
of Debates  
(Hansard)**

**Journal  
des débats  
(Hansard)**

**Monday 25 October 1999**

**Lundi 25 octobre 1999**

Speaker  
Honourable Gary Carr

Président  
L'honorable Gary Carr

Clerk  
Claude L. DesRosiers

Greffier  
Claude L. DesRosiers

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LEGISLATIVE ASSEMBLY  
OF ONTARIO

Monday 25 October 1999

ASSEMBLÉE LÉGISLATIVE  
DE L'ONTARIO

Lundi 25 octobre 1999

*The House met at 1330.  
Prayers.*

MOTIONS

PARTY STATUS

**Hon Norman W. Sterling (Minister of Intergovernmental Affairs, Government House Leader):** On a point of order, Mr Speaker: I seek unanimous consent to move a motion without notice regarding the order of rotations of question period and members' statements for today and the party status of the NDP for the purpose of the standing orders.

**The Speaker (Hon Gary Carr):** Is there unanimous consent? Agreed.

**Hon Mr Sterling:** I move that, in response to the agreement of the House leaders dated October 22, 1999, the House recommends that the Speaker conduct the proceedings of the House during the 37th Parliament as follows:

Notwithstanding standing order 36(b) and the recommendation of the House adopted on Monday, 28 April 1986, the Speaker should exercise his discretion to permit questions as follows: official opposition, one question and two supplementary questions; official opposition, one question and two supplementary questions; third party, one question and two supplementary questions, followed by a rotation of: third party, one question and one supplementary question; official opposition, one question and one supplementary question; government, one question and one supplementary question, with the third party participating in every other rotation;

And that notwithstanding standing order 31(b) and 31(c) there shall be four members' statements allotted to both the government and the official opposition and one member's statement allotted to the third party;

And that in exercising his discretion with respect to the practice of rotation on debates pursuant to standing order 24, the House recommends that the Speaker adopt the following rotation: government, official opposition, third party, government, official opposition and then repeat the rotation;

And that the New Democratic members shall be considered a "recognized party" for the purposes of any other standing order that refers to the words "recognized party";

And that this motion shall be superseded by the passage of any motion to amend the standing orders which impacts upon any process set out in this motion.

**The Speaker:** Mr Sterling moves that, in response to the agreement of the House leaders dated October 22, 1999—

**Hon Mr Sterling:** Dispense.

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

**Mr David Christopherson (Hamilton West):** In light of the motion that has just been approved unanimously by the House, I would request that you stand down and set aside the point of order that I raised with you last Wednesday, with my thanks again for your indulgence in allowing me to place it.

**The Speaker:** I thank the member for raising it.

WEARING OF RIBBON

**Mr Peter Kormos (Niagara Centre):** On a point of order, Mr Speaker: I am seeking unanimous consent. This is the 43rd anniversary of the Hungarian revolution. I am wearing a ribbon in the colours of red, white and green, which are of course the colours of the Hungarian flag.

I would ask for permission of the House to wear this ribbon in commemoration and celebration of the heroes of that Hungarian uprising and the struggle for freedom.

**The Speaker (Hon Gary Carr):** The member has asked for unanimous consent. Is there unanimous consent? Agreed.

MEMBERS' STATEMENTS

STUDENTS WITH SPECIAL NEEDS

**Mrs Marie Bountrogianni (Hamilton Mountain):** I wish to make the House aware of a situation in Hamilton that I consider deplorable.

When the Hamilton-Wentworth District School Board opened its doors to thousands of eager and excited students this September, there were a number of empty desks. The empty desks should have been occupied by students with special needs who require the help of an educational assistant on a part- or full-time basis.

The Hamilton board, and in particular its school administrators, were put in the position of having to tell

up to 22 students and their families that they had to stay at home for fear that lack of appropriate assistance and supervision would risk their health and safety or that of other children.

This is a board that will spend \$33 million this year to support special education programming—\$2 million over the province's allocation—money scraped from other parts of an already stretched budget. This is a board with a rich tradition of servicing the needs of special children, and part of a community which attracts a greater number of special-needs families due to the many specialized children's services located in Hamilton.

Ten days ago the board took the extraordinary step of approving an additional expenditure of half a million dollars, money it doesn't have, to have more educational assistants to meet the most severe needs—to get these children into school, where they should be.

The root of this problem is an inflexible funding formula that this government has forced on boards of education and which is creating unacceptable hardships for the neediest of our students. It must be fixed. It must be fixed for the students in Hamilton and the students across the province. It must be fixed now.

#### FOSTER FAMILY WEEK

**Mr Ted Arnott (Waterloo-Wellington):** I am pleased to inform the House that last week was Foster Family Week. Each year during Foster Family Week we have the opportunity to celebrate the important contributions that foster families make in the lives of children.

Foster families open their hearts and homes to children at a particularly vulnerable point in their lives. They provide the protection, safety and nurturing that children need at times when their own families are unable to care for them.

Ontario's 54 children's aid societies are responsible for recruiting, approving and managing foster homes within their geographical areas. Because of the caring spirit of so many foster families, children's aid societies provide over 5,000 homes for approximately 11,000 foster children across the province each year.

I know that in Waterloo region and in the county of Wellington, which includes my riding of Waterloo-Wellington, there are close to 300 foster homes, providing care for about 450 children. I would like to thank each and every one of those foster families for the extraordinary work they do and the important role they play in the lives and the futures of the children in their care.

I would like to encourage more caring people in this province to consider becoming foster parents and giving to the children of their community in this special way. Being a foster parent is a challenge, and I am sure any foster family would tell you that, but it is also a rewarding and heartwarming experience.

I ask my colleagues to join me today in acknowledging the dedication and efforts of foster families across this province.

1340

#### SERVICES DE SANTÉ EN FRANÇAIS

**M<sup>me</sup> Claudette Boyer (Ottawa-Vanier):** Je profite de ma première intervention à l'Assemblée législative afin de rappeler au gouvernement qu'il est essentiel que les francophones de cette province aient accès à des services complets de santé en français et de la formation également en français pour les médecins et les professionnels de la santé que seul l'hôpital Montfort, une institution unique en Ontario, peut offrir.

La communauté franco-ontarienne s'est toujours acquittée honorablement de ses devoirs de citoyens, alors que présentement le gouvernement délaisse ses responsabilités envers elle et se cache derrière une commission de restructuration fantôme et derrière les tribunaux.

De quoi le gouvernement a-t-il peur ? A-t-il tellement peur des francophones qu'il préfère que ceux-ci n'aient accès ni à de la formation, ni à des services de santé dans leur langue ?

La communauté franco-ontarienne est consternée de l'insensibilité et de l'inaction du gouvernement face à la crise de Montfort dont il est le seul responsable. C'est au gouvernement de redonner aux francophones de l'Ontario les moyens indispensables à leur santé et à leur épanouissement. Je demande donc au gouvernement d'agir en gouvernement responsable.

#### FISCAL RESPONSIBILITY

**Mr Dan Newman (Scarborough Southwest):** Four years ago a Progressive Conservative government was elected by the people of Ontario on the promise of restoring fiscal responsibility to our province.

Many sceptics maintained that cutting taxes and deficit reduction were a concurrent impossibility. During the first four years of this government, a 50% reduction in the provincial income tax rate was implemented, benefiting all hard-working taxpayers. At the same time, government spending was brought under control, eliminating waste and bureaucracy and making government more accountable. These common-sense changes triggered greater confidence in our economy, generating investment and business expansion. We have seen over 571,000 net new jobs created, adding new wealth to our people and to our province. Despite what critics said at the time, the deficit has plummeted. Total elimination of the deficit is clearly within striking distance and on target.

My constituents in Scarborough Southwest have told me that the government is indeed on the right track. However, there is still too much waste in government, the debt needs to come down and clearly taxes are still too high. The Mike Harris government has made strides in restoring financial integrity to Ontario, but the job is far from over.

I eagerly look forward to the next four years, during which the government can build on its successes to date

and continue towards the legacy of making Ontario the best possible place to live, work, play and do business.

#### MENTAL HEALTH SERVICES

**Mr Richard Patten (Ottawa Centre):** Today, October 25, is the day recognized by the international community as World Mental Health Day. On this day I want to pay tribute to all the wonderful people, especially families, who work to better the lives of those suffering from the devastating effects of mental illness.

One in five persons in Ontario will experience a mental health problem during his or her lifetime. The symptoms of mental illness are often invisible, persistent, episodic and exacerbated by stress.

I am urging the government to take action to immediately amend the Mental Health Act. I introduced legislation three times during the last term to amend the Mental Health Act. Twice my private member's bill was debated, passed, sent to second reading and referred to committee. Twice the government prorogued the bill. If the government really cared about helping the mentally ill and their families, the government could have supported the bill that I had put forward.

During the recent election, the government took the same ideas that I had proposed in my bill and turned them into an election promise. In the speech from the throne likewise, outlining the government's upcoming agenda, I heard a commitment to "introduce changes to laws." I will be monitoring closely to ensure that the government makes good on these commitments.

As the opposition critic for children's issues, I want to point out the appalling state of the availability of children's mental health services in Ontario: 7,000 children are on the waiting list for treatment from a children's mental health centre. If children fail to achieve their potential for health and productivity, we all lose.

I urge all members of this House to do their utmost to assist the mentally ill not just today, World Mental Health Day, but on every single day as we move along.

#### SPORTS IN DURHAM

**Mr John O'Toole (Durham):** Mr Speaker, I extend my congratulations to you.

I am pleased to rise in the House today to tell my colleagues about some of the many achievements of the young constituents in my new riding of Durham. This summer, five young people were recognized for excellence in sports.

Sommer West, a resident of Bowmanville, was a member of the Canadian women's softball team. At the Pan American Games, Sommer helped her team to capture a silver medal. Sommer is also a member of the national women's hockey team.

I would also like to recognize Rob Snoek, also from Bowmanville. Rob was in the Paralympics track and field. He won a pair of bronze medals at the Paralympics revival competitions in Germany this summer. Rob also

competed in the 1999 Ontario Games for the Physically Disabled and won a gold medal in the long jump competition, as well as silver in both the 100- and 200-metre runs.

There are three other young athletes in Durham whom I would like to honour today:

Jim Shaw from Newcastle should be commended for his achievements as a shot-put, javelin and discus paralympic athlete. He won three gold medals at the 1999 Ontario Games for the Physically Disabled.

Dustin Reid of Orono and Steve Brinkman of Bowmanville also deserve special recognition for their participation in the national men's volleyball team. The team won a bronze medal at the Pan American Games in Winnipeg.

Sommer, Rob, Dustin, Jim and Steve should all be commended for their hard work and dedication to sport.

#### POLICE SERVICES

**Mr Dave Levac (Brant):** Congratulations, Mr Speaker, on your election to the chair.

Media reports indicate that the former Solicitor General advised cash-strapped municipalities to turn to private security firms if their policing dollars couldn't be stretched far enough. How arrogant.

There are very serious concerns from the policing community that private firms are being used in situations that should be done by trained police officers. Ontario Liberals share these concerns and are committed to public safety and public policing. We want the current minister to guarantee all Ontarians that police services will be provided by those trained professionals.

A high-speed chase in Thorold, Ontario, through a town, through stoplights, through stop signs, by a so-called private police force was one example of this situation.

Typical of this government's arrogance, greater Napanee was advised by the former Solicitor General to look into having a private security firm do some of the OPP work when the mayor visited Queen's Park looking for a solution to a financial shortfall.

A tightening of regulations and a commitment from this government is required to ensure that all Ontarians, whether served by the OPP or a municipal police service, receive policing through properly trained police officers.

We cannot afford to go down the road of a two-tier policing system that has been started in other ministries. The policing community needs your commitment today to full publicly supported policing.

#### STUDENTS WITH SPECIAL NEEDS

**Mr David Christopherson (Hamilton West):** Once again I want to rise in this House and praise the Hamilton-Wentworth District School Board, who are again challenging and taking on this government on behalf of the children in our community.

It wasn't that long ago that the Hamilton-Wentworth District School Board was one of the first school boards to challenge this government's policy of closing schools all across our communities, all across Ontario. They stood up and said, "No, that's not good enough for the children in Hamilton," and they're doing it again.

We have special needs that have been recognized by independent reviewers and by people inside the Ministry of Education, as well as our own board trustees and their staff, that go way beyond the funding that you're providing. In fact, when school opened in September, we had about a dozen kids who couldn't go to school because your funding formula deprived our school board and those children of the special needs they need so they could attend school. Now the board has said, "Look, you owe us \$3.5 million." They don't know whether you're going to pay it, but they have decided to spend half a million dollars up front to put those kids in school.

Our board has the right priorities, Minister and Premier. When is this government going to get its priorities right?

#### COMMUNITIES IN BLOOM

**Mrs Brenda Elliott (Guelph-Wellington):** I rise to announce that once again the city of Guelph has been chosen as one of the most beautiful cities in Canada. It has been chosen a 1999 champion in the Community in Bloom competition. Communities from all across Canada were judged based on city beautification initiatives that included residential, commercial, industrial and municipal efforts. Guelph's lovely parks, its urban forestry, riverfront and stunning gardens all helped push the city to the top of the judges' list for the second time in four years.

The judges praised Guelph, noting that it was clean and litter-free. They highlighted the city's arboretum, its conservation of heritage buildings and its wet-dry recycling program that turns much of our city's garbage into compost and, of course, blooms. Guelph scored 901 out of a possible 1,000 points, with compliments to outstanding community participation.

I am very proud of all the efforts put forth by so many to win. I congratulate and thank Guelph's Communities in Bloom chair, Charlie Whittaker, each member of his team and all the other volunteers whose hard work led to this honour. We are appreciative.

Beautiful blooming communities like the city of Guelph are making Ontario a happier and healthier place for all of us here in Ontario to live, work and raise our families.

1350

#### REPORT, INTEGRITY COMMISSIONER

**The Speaker (Hon Gary Carr):** I beg to inform the House that on Friday, May 7, 1999, the report of the Integrity Commissioner regarding the Honourable Elizabeth Witmer, Minister of Health, was tabled.

#### ANNUAL REPORT, INFORMATION AND PRIVACY COMMISSIONER

**The Speaker (Hon Gary Carr):** I also beg to inform the House that on Wednesday, June 9, 1999, the annual report of the Information and Privacy Commissioner for the period January 1, 1998, to December 31, 1998, was tabled.

#### ANNUAL REPORT, OFFICE OF THE OMBUDSMAN

**The Speaker (Hon Gary Carr):** I beg to inform the House that on Wednesday, June 16, 1999, the annual report of the Ombudsman for the period April 1, 1998, to March 31, 1999, was tabled.

#### PRELIMINARY REPORT, CHIEF ELECTION OFFICER

**The Speaker (Hon Gary Carr):** I beg to inform the House that on Friday, June 25, 1999, the preliminary report of the Chief Election Officer concerning the late opening of polls and related matters for the Ontario provincial election on Thursday, June 3, 1999, was tabled.

#### ANNUAL REPORT, OFFICE OF THE INTEGRITY COMMISSIONER

**The Speaker (Hon Gary Carr):** I beg to inform the House that on Tuesday, October 12, 1999, the annual report of the Integrity Commissioner for the period April 1, 1998, to March 31, 1999, was tabled.

#### BOARD OF INTERNAL ECONOMY

**The Speaker (Hon Gary Carr):** I beg to inform the House that I have today laid upon the table a copy of the order in council appointing the following members as commissioners to the Board of Internal Economy:

The Speaker, who will be chair;

The Honourable Norman W. Sterling, appointed by the Lieutenant Governor in Council from among the members of the executive council;

The Honourable Chris Hodgson, appointed by the Lieutenant Governor in Council from among the members of the executive council;

The Honourable Frank Klees, appointed by the Lieutenant Governor in Council from among the members of the executive council;

Doug Galt, MPP, appointed by the caucus of the government;

Dominic Agostino, MPP, appointed by the caucus of the official opposition; and

David Christopherson, MPP, appointed by the caucus of the New Democratic Party.

## LEGISLATIVE PAGES

**The Speaker (Hon Gary Carr):** I would ask all members to join me today in welcoming the first group of legislative pages for the 37th Parliament. They are:

Brennan Ballantyne, from Elgin-Middlesex-London; Tara Bielak, from Mississauga East; Timothy Bryant, from Scarborough-Rouge River; Jonathan Chan, from Sarnia-Lambton; Natalie Desimini, from Etobicoke North; Peter Haight, from London West; Cassandra Hartoon, from Chatham-Kent-Essex; Drew Henry, from Guelph-Wellington; Natalie Hetmanczuk, from Oakville; Paul Huff, from Brant; Colleen Kieffer, from Bruce-Grey; Lachlan McVie, from Mississauga South; Shilan Mistry, from Thornhill; Olivia Murnaghan, from Willowdale; Lydia Parafianowicz, from St Catharines; Katherine Reidel, from Waterloo-Wellington; Abigail Simpson, from Huron-Bruce; Michael Smith, from Parry Sound-Muskoka; Laura Steele, from Perth-Middlesex; and Justin Tisi, from Niagara Centre.

These are the pages for this Parliament.

## PRIVATE MEMBERS' PUBLIC BUSINESS

**The Speaker (Hon Gary Carr):** Also, all members who are eligible for the ballot draw for private members' public business will find on their desk a form that they must return to the table when the House is sitting, or to room 104, no later than October 27, 1999.

## INTRODUCTION OF BILLS

## MEDICINE AMENDMENT ACT, 1999

LOI DE 1999 MODIFIANT LA LOI  
SUR LES MÉDECINS

Mr Kwinter moved first reading of the following bill:

Bill 2, An Act to amend the Medicine Act, 1991 /  
Projet de loi 2, Loi modifiant la Loi de 1991 sur les  
médecins.

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

**Mr Monte Kwinter (York Centre):** The bill ensures that physicians who provide non-traditional therapies or alternative forms of medicine are not found guilty of professional misconduct or incompetence unless there is evidence to prove that the therapy poses a greater risk to a patient's health than the traditional or prevailing practice.

## TRUTH ABOUT IPPERWASH ACT, 1999

LOI DE 1999 CONCERNANT  
LA VÉRITÉ SUR IPPERWASH

Mr Phillips moved first reading of the following bill:

Bill 3, An Act to provide for a public inquiry to discover the truth about events at Ipperwash Provincial

Park leading to the death of Dudley George / Projet de loi 3, Loi prévoyant une enquête publique pour découvrir la vérité sur les événements qui se sont produits au parc provincial Ipperwash et qui ont conduit au décès de Dudley George.

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

**Mr Gerry Phillips (Scarborough-Agincourt):** The purpose of my bill is to compel the Premier to establish a commission of inquiry to get to the bottom of what really happened at Ipperwash four years ago that led to the death of Dudley George.

The Truth About Ipperwash Act will allow the commission to defer beginning the inquiry, if necessary, to avoid prejudice to any person who is a party to court proceedings concerning matters which may be the subject of the inquiry. The essential purpose of it is to find out what really happened that led to the death of Dudley George four years ago at Ipperwash Provincial Park.

LEGISLATIVE ASSEMBLY STATUTE LAW  
AMENDMENT ACT, 1999LOI DE 1999 MODIFIANT DES LOIS  
EN CE QUI A TRAIT  
À L'ASSEMBLÉE LÉGISLATIVE

Mr Sterling moved first reading of the following bill:

Bill 4, An Act respecting the Legislative Assembly and its officers / Projet de loi 4, Loi concernant l'Assemblée législative et ses fonctionnaires.

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

**Hon Norman W. Sterling (Minister of Intergovernmental Affairs, Government House Leader):** This bill contains various amendments to the Legislative Assembly Act which are the result of the recent agreement reached between myself and the House leaders of the opposition caucuses. Among other amendments, the bill will grant the NDP party status for the purposes of the act and will allow our quorum to be adjusted to reflect the fact that this House has been reduced by 27 members. This bill also makes minor amendments to a handful of other statutes governing the committees and officers of this assembly.

1400

AMENDMENTS BECAUSE OF THE  
SUPREME COURT OF CANADA DECISION  
IN M. v. H. ACT, 1999LOI DE 1999 MODIFIANT DES LOIS  
EN RAISON DE LA DÉCISION  
DE LA COUR SUPRÊME DU CANADA  
DANS L'ARRÊT M. c. H.

Mr Flaherty moved first reading of the following bill:

Bill 5, An Act to amend certain statutes because of the Supreme Court of Canada decision in M. v. H.

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

**Hon Jim Flaherty (Attorney General, minister responsible for native affairs):** The government is introducing this bill because the Supreme Court of Canada decision in M and H makes it necessary for the province to amend these statutes to ensure their constitutionality.

The bill responds to the Supreme Court of Canada ruling while preserving the traditional values of the family by protecting the definition of “spouse” in Ontario law.

This government respects the Constitution. That is why we are introducing this legislation.

**Mr Dwight Duncan (Windsor-St Clair):** On a point of order, Mr Speaker: One would have thought the government would want to take responsibility for this legislation, do a member’s statement and allow the opposition—

**The Speaker:** Would the member take his seat. I will remind the member that when the Speaker rises, you will take your seat.

That is not a point of order.

**Mr Howard Hampton (Kenora-Rainy River):** On a point of order, Mr Speaker: The usual practice here when very important legislation is introduced is for the minister to make a statement. Today we are seeing a truly historic bill being introduced. If passed, it will create, for same-sex couples all across Ontario, justice.

I would think that we would have a statement. I am asking for unanimous consent for the minister to stand in his place and to give a statement regarding the historic nature of this bill. I think this is the kind of bill that is so historic that it should be marked by a statement from the minister so that we can all put our positions forward.

**The Speaker:** That is not a point of order, as you know. The government is not required—

**Mr Hampton:** Point of order, Speaker: I’m asking for unanimous consent.

*Interjections.*

**The Speaker:** There is no unanimous consent.

**Mr Peter Kormos (Niagara Centre):** On a point of order, Mr Speaker: Once again, on this occasion of the 43rd anniversary of the Hungarian revolution, I would seek unanimous consent for all parties to address the issue of that courageous uprising in October 1956.

**The Speaker:** Is there unanimous consent? There is no unanimous consent.

## MOTIONS

### HOUSE SITTINGS

**Hon Norman W. Sterling (Minister of Intergovernmental Affairs, Government House Leader):** I move that, pursuant to standing order 9(c), the House shall meet from 6:30 pm to 9:30 pm on October 25, 26 and 27, 1999, for the purpose of considering government business.

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

**Mr Dwight Duncan (Windsor-St Clair):** The official opposition would like to offer that if the government is prepared to do an extra question period for each of the House sittings, we would be prepared to support the motion under those circumstances.

**The Speaker:** That is not a point of order.

### APPOINTMENT OF HOUSE OFFICERS

**Hon Norman W. Sterling (Minister of Intergovernmental Affairs, Government House Leader):** I believe we have unanimous consent to move a motion without notice respecting the legislative officers in this House.

**The Speaker (Hon Gary Carr):** Is there unanimous consent? Agreed.

**Hon Mr Sterling:** I move that Bert Johnson, member for the electoral district of Perth-Middlesex, be appointed Deputy Speaker and Chair of the committee of the whole House; that Mike Brown, member for the electoral district of Algoma-Manitoulin, be appointed First Deputy Chair of the committee of the whole House; and that Tony Martin, member for the electoral district of Sault Ste Marie, be appointed Second Deputy Chair of the committee of the whole House.

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

### PRIVATE MEMBERS’ PUBLIC BUSINESS

**Hon Norman W. Sterling (Minister of Intergovernmental Affairs, Government House Leader):** Mr Speaker, I believe again I have unanimous consent to move the following motion without notice regarding private members’ public business.

**The Speaker (Hon Gary Carr):** Unanimous consent? Agreed.

**Hon Mr Sterling:** I move that notwithstanding standing order 95(a), the House will not meet to consider private members’ public business on Thursday morning, October 28, 1999.

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

### APPOINTMENT OF OMBUDSMAN

**Hon Norman W. Sterling (Minister of Intergovernmental Affairs, Government House Leader):** Mr Speaker, I believe I have unanimous consent to move the following motion without notice regarding an interim appointment of the Ontario Ombudsman and that the House leader from each caucus shall be permitted to speak on that motion for three minutes.

**The Speaker (Hon Gary Carr):** Is there unanimous consent? Agreed.

**Hon Mr Sterling:** I move that an humble address be presented to the Lieutenant Governor in Council as follows:



"We, Her Majesty's most dutiful and loyal subjects, the Legislative Assembly of Ontario, now assembled, request the appointment of Ms Fiona Crean as Ombudsman of Ontario as provided in section 7 of the Ombudsman Act, RSO 1990, chapter 0.6, to hold the office for three months under the terms and conditions of the said act, commencing November 1, 1999."

**The Speaker:** Debate on that? Government House leader.

**Hon Mr Sterling:** Mr Speaker, things were moving along so very well, I thought we would just keep them going.

Ms Fiona Crean is currently the executive director of the office of the Ontario Ombudsman. She has agreed to accept a three-month interim appointment to the position of Ombudsman as the assembly completes its search for a new Ombudsman. Outgoing commissioner Roberta Jamieson has assured me that Ms Crean will do an excellent job keeping the Ombudsman's office running in this interim period.

The new Ombudsman will be selected from among applicants by an all-party committee. This will hopefully be completed before the end of this calendar year.

We wish Ms Crean well in her appointment. We know that she is capable of doing the job and that she will do a good job over the next three months.

I would also like to thank Roberta Jamieson for her 10 years of service as Ontario's Ombudsman and wish her all the best in her future endeavours.

**Mr Dwight Duncan (Windsor-St Clair):** We too welcome the opportunity to debate in public committee the hiring of a new Ombudsman. We think it's important for a number of reasons. I'd like to remind the House and the public listening about what our current Ombudsman had to say in her last report.

Roberta Jamieson released her report on June 17, 1999. Of course the House wasn't sitting at that time. Let's hear what she had to say:

"We have an ineffective Human Rights Commission which has lost credibility in the public's mind." She accused the commission of being tardy in investigating complaints and of sloppy record-keeping.

Here's one the Attorney General will be interested in, "the continuing failure of the Family Responsibility Office," which collects and distributes court-ordered child support payments. Jamieson received more than 1,500 complaints about that office in the last year. Every member of this Legislature knows how important that case volume has become in our own offices and what a farce the government's whole initiative in that area is.

"Seven-year delays for information from the adoptions disclosure registry." That is an incredible indictment of this government's arrogance, incompetence and managerial inefficiency.

1410

"An average wait of 400 days for cases to be heard at the Workers' Compensation Appeals Tribunal." Members in the House will recall that the WCAT was set

up to give injured workers an independent appeal in a timely process.

What did she have to say about all of these things? She said that Ontario's public service is in a state of crisis, and bureaucrats work in a climate of fear because the government is so bent on downsizing and cost cutting. She expressed the concern that the problem will only get worse in the coming years, and I quote: "In my view, it would not be an overstatement to say that public service administration in Ontario is in a state of crisis."

It is in a state of crisis because this government doesn't take responsibility. It wants to pretend it's not the government. It wants to pretend that somehow it's not here to manage the people's business. We say it is. That kind of arrogance and complacency simply won't do, and we're not going to sit back and wait for the appointment of another Ombudsman to raise these problems of managerial inefficiency and incompetence on the part of this government. It's a shameful record and one that we're going to help correct in the coming years.

**Mr David Christopherson (Hamilton West):** Let me add the compliments of our caucus to Ms Roberta Jamieson in terms of the job she has done on behalf of the people of the province and the members of the Legislature.

In the few moments we have I just want to express our disappointment with the change in direction. At the very first meeting of the House leaders to talk about the issue of any rule changes here, the government House leader asked us if we would consider removing ourselves from the process that's now on the floor of the Legislature and look at something new. That "new" was the idea that each party would put forward one representative and that indeed this committee would not only look at the replacing of the Ombudsman but also at the hiring of the new Environmental Commissioner.

We thought, and I said to the media at the time, that maybe there's some hope here for a different approach by this government in their second mandate because that looked like a good idea. The purpose of it, according to the government House leader, was that they didn't want to do exactly what they're doing today, which is to have to appoint an interim. They wanted to do this quickly.

We facilitated that, and ultimately there was advertising put out that put deadlines on there that we had agreed to. All of that happened because the opposition parties agreed that this was a good idea.

Then, all of a sudden late last week, we were notified that that's gone: "We're not doing that. Even though the advertising is out there and we appreciate all the work you did to try to hurry this along and meet with your caucus and talk to your critics and do all the things the opposition has to do before they come to agreement with the government, nonetheless we're going to change it. We're going to do what we told you we didn't want to do in the beginning."

I just wanted to put on the record on behalf of our caucus our extreme disappointment, that we've gone from the idea of one member of each party trying to

expedite a process that's in the interests of all the people of Ontario to a process that is going to slow things down, but which, more important, puts every decision of this process in the hands of the government by virtue of their majority control on the committee this is going to.

That is a world of difference from the original concept, which was all the members of this House, through our representatives, sitting down as the committee to see if we could agree, each having equal weight on that committee. It is a shame that for a government which says they want to do things differently, the first real evidence we have is that it's the same old Tories, the same old way—

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

### QUESTION PERIOD

**The Speaker (Hon Gary Carr):** Just before we begin the process of oral question period, I beg the indulgence of the House to allow me to indicate how I intend to proceed in question period.

In order to ensure an equitable question period, and one which will permit a maximum number of participants, I will be looking for concise questions and concise answers, and in doing so, I am going to allow approximately one minute for each of the questions. At approximately 50 seconds, I will yell "Question" or "Answer" and you'll have 10 seconds, at which time I will rise and the question will be put. I am hopeful this will ensure that more members get questions on.

### ORAL QUESTIONS

#### RESIGNATION OF MINISTER

**Mr Dalton McGuinty (Leader of the Opposition):** My first question is for the Premier. For close to four painfully long weeks, you allowed your minister Steven Gilchrist to swing in the wind, and because you refused to accept your responsibility as the ultimate arbiter of your government's standards, this Saturday past Steven Gilchrist cut himself down. You tell us today, why did you allow this to go on for nearly four weeks? Why did you wait four weeks before your minister did the right thing and stepped aside?

**Hon Michael D. Harris (Premier):** Mr Speaker, first of all, let me offer my congratulations to you. I don't know if this counts in my minute of response. I didn't hear on response. Do we have five minutes to respond?

We wish you well in your deliberations. I personally, and our caucus, pledge our support to you in your endeavour to run this House efficiently.

I also want to congratulate the leader of Her Majesty's official opposition. It will not surprise you that in doing

so, I am pleased that he's where he is, but I do offer my congratulations there.

Let me say, in response to the question, I think it's a matter of public record that there was a phone call that came in by way of voice mail to my office. It was a matter my staff treated seriously. It has been unsubstantiated to date. I indicated very clearly that until there was substantiation, I did not feel it was my place to seek the resignation of the minister, temporary or otherwise, nor did he feel that he should proffer it.

Clearly this weekend—the investigation into verifying the allegation is going to take considerably longer, and he felt that it was an appropriate thing to do and I reluctantly accepted.

**Mr McGuinty:** I am not trying to get at what Steven Gilchrist happened to have felt on Saturday. You put out a release responding to his resignation and it reads in part as follows:

"I believe that no minister should have to step down until such time as there is something more than an unsubstantiated complaint against him or her. However, I respect and understand Mr Gilchrist's personal position on this matter."

I want to know today about your personal position on this matter. Do you think it is appropriate for a minister in these circumstances to have stayed on? Do you think it's appropriate for a minister against whom a very serious allegation has been made of influence-peddling to stay on as a minister of the crown? I want to know about your standards. We already know about Gilchrist's—he resigned. What are your standards?

1420

**Hon Mr Harris:** Maybe the Leader of the Opposition, in the confines of this Legislature, knows more than I do. Nothing has been substantiated in the way of any allegation. That's why my staff took, and I concur, the appropriate step to refer the matter to the Attorney General, who referred the matter to the OPP to determine if in fact an allegation of the nature the member speaks of was made. Perhaps you know more than I do, in which case you should tell us all.

**Mr McGuinty:** Isn't that what you're telling us now, that there was no need whatsoever for Steve Gilchrist to come forward Saturday last and tender his resignation? That's effectively what you're telling us. It was with tremendous regret that you accepted the resignation. But if we are to apply your standards to these circumstances, there was no need for your minister to step down. Would you please stand up now and confirm that from your perspective as Premier, there was no need whatsoever for Steve Gilchrist to step aside.

**Hon Mr Harris:** I've been very clear that the allegation, if true and if made and if substantiated, is a very serious one, and I indicated that if I received any information to that effect I would ask for the minister's resignation pending a resolution. I think that's the appropriate step to take, and that's the step I took.

**Mr McGuinty:** Premier, I've got to hand it to you. Normally, it takes a long time and a considerable amount

of energy and resources to develop the impression of arrogance, but you have done that in very, very short order. You hung on to this minister for four weeks. You kept him swinging in the wind. In the end, he had to cut himself down because you wouldn't accept your responsibility and do the right thing.

Now, this is the seventh question period this year. We're only going to sit for eight days before you put us all on another week-long vacation. You talked about accountability in your throne speech. Stand up, Premier, and justify to the people of Ontario today your decision to allow us to sit for so few days during this year.

**Hon Mr Harris:** I am surprised that the member would think that Remembrance Day and honouring those veterans and those war dead who saved this country—ensuring that all members have an opportunity to be in their constituencies and pay those respects; that is the timing of that week. There has not been brought to my attention, until under the lights and the cameras of question period, any suggestion from you or your House leader or any member of your caucus that we ought to alter that week. That, perhaps, is the height of arrogance: when one says one thing in private and another in public for the cameras.

**Mr McGuinty:** We asked you, Premier. You will recall that we asked you as early as July and August that this House resume sitting. You chose to delay the return of this House.

Let's further flesh out this arrogance here, and let's talk specifically about Al McLean, former Speaker of this House; a man who left this House under a big, black cloud; a man for whom the taxpayers of this province, under your direction, paid \$400,000 in connection with a lawsuit filed against him. What you did then, Premier—a man who was sent away to an ignominious retirement—you resurrected Al McLean. You put him on the public payroll. Stand up today, Premier, and justify to the taxpayers of Ontario your resurrecting Al McLean and putting him back on the public payroll.

**Hon Mr Harris:** I think the member is aware that Mr McLean voluntarily retired from politics after many, many years of long service both in municipal politics as a warden and here, returned time after time by his constituents, and earned the respect of those constituents to the extent that the NDP candidate in the last election said this: "It's probably appropriate for his years of experience. He served the community well in all those years," obviously very supportive of the appointment, as I assume she was of Bernard Grandmaître, of Bob Rae, of Floyd Laughren, of Julie Davis, of David Cooke, of all those appointments we have made to bring their experience back to the benefit of government.

**Mr McGuinty:** I will keep going with this, Premier. Let's get this on the record here so that the public truly understands how busily you've been working during the past several months when this House has not been sitting.

You increased the size of your cabinet—and remember, we've dropped from 130 to 103 seats in this Legislature; you doubled the size of your office; you

authorized pay hikes for your political staff to the tune of 30%; you tell Ontarians they've got to tighten their belts—but apparently there's all kinds of room to loosen yours; you hang on to Steve Gilchrist for four weeks and leave him swinging in the wind; and you appoint Al McLean to the public payroll. If that doesn't add up to arrogance writ large, I'm not sure what does, Premier. Stand up right now and once again justify to Ontarians all of those actions you have taken to date which have nothing to do with the greater public interest and everything to do with the interests of Mike Harris.

**Hon Mr Harris:** I think you and the public would know that the cabinet, the office staff and the political staff are far less than under previous administrations, before we took office. Secondly, I think the member is very much aware of the importance we attach to the portfolios, and I would invite the member to stand up and say what area of Ontario the member thinks is not so important as to have a cabinet minister or a ministry. This is the member, as I recall, when he's campaigning, who promises all kinds of ministries and all kinds of ministers.

I would say, though, that the member is right: There is a difference between the Liberals and ourselves. I can tell you that the difference is translated into policies: One hikes taxes 32 times, another cuts them 99 times; one increases welfare rates and the number of people in dependency and the other reduces it; one says one thing one time and another thing another time. That, to me, is the height of arrogance: to campaign on one—

**The Speaker (Hon Gary Carr):** Question, leader of the third party.

#### ONTARIO DISABILITY SUPPORT PROGRAM

**Mr Howard Hampton (Kenora-Rainy River):** Congratulations, Speaker.

It will come as no surprise to you that I have a question for the Premier. It concerns the sorry state of the Ontario disability support program that your government has created: such chaos that when disabled people try to call the disability office, they can't get through—after they've called repeatedly and finally do get through, they find that their file has been lost or misplaced; such a sorry state that you're now cutting the transportation allowance for these people, 3,000 of the poorest, the most vulnerable, the most isolated people in the province. You're taking their transportation allowance away from them even when a physician says the transportation allowance is essential.

The Ontario disability office is telling 3,000 of the poorest, most vulnerable, most isolated disabled people in this province that they don't matter. Their file doesn't matter. Their transportation to a clinic doesn't matter. Premier, why is your government beating up on 3,000 of the poorest, most vulnerable people in the province?

**Hon Michael D. Harris (Premier):** Let me also congratulate the member on his re-election and on his

significant, important status as leader of the third recognized party within this Legislature.

The member raises an issue about the ODSP, the Ontario program that we set up. I think the member for Beaches-East York indicated that taking these recipients off the welfare rolls and giving them their own status was a tremendously good thing that we had finally done and finally recognized, and I want to make sure that gets on the record as well.

What we have done is significantly increase the number of people eligible for transportation, because there was a hodgepodge across the province. We inherited a program where there was more service in some municipalities than in others. Now many municipalities across the province will have a dramatic increase in service.

1430

**The Speaker (Hon Gary Carr):** Supplementary.

**Ms Frances Lankin (Beaches-East York):** I said at the time that the devil would be in the details and in the implementation. I'm here to tell you, as someone who stood and said it could be a good idea, that the ODSP office is under-resourced and understaffed, and that disabled people are being denied the dignity you promised them.

Jody Buckingham is a 26-year-old man living with spina bifida. He is a recipient of ODSP. Since May, he's been having problems getting both his entitled and much-needed support for ostomy and catheter supplies. The letter from his doctor, that was required, went to the office in May. You have changed office procedures, you have changed legislation, you have reorganized the staff. Calls have gone unanswered, faxes have been lost and Jody has been dropped through the cracks of your system.

He requires catheters, but because of the way your office has messed up his file and his support, he can't get them and he has to reuse them. As a result of that, he has been hospitalized twice for infections.

That is a problem of your system. What are you going to do to fix it?

**Hon Mr Harris:** For the record, I think all members will want to know that when we took office in 1995, disabled people were sometimes forced to wait two years to get a cheque under family benefits assistance. We have substantially speeded that up.

I think the member would want to know and would want the public to know that not only have we increased the number of people eligible; we have increased the amount of money since we took office, in spite of the massive deficit we inherited.

Before the province took over administration of the program—it was something we took over to coordinate—only the disabled in the larger southern cities had any of these generous supports. Smaller towns like Sudbury, Thunder Bay and Sault Ste Marie had no supports. That's why we substantially increased the amount of money, why we have broadened the program, and why we now pay for all medically necessary transportation.

**The Speaker:** Final supplementary.

**Ms Shelley Martel (Nickel Belt):** Premier, you should rename the ODSP the Family Responsibility Office II, because it's just as disorganized and just as chaotic as your FRO.

Mr Stead from our constituency applied to the adjudication unit for benefits in mid-May. His pending file from Sudbury was never referred to Toronto. He should have received ODSP benefits automatically because he was on CPP. It wasn't until our office brought that to the attention of your government that he received benefits last week.

Denis Rodrigue applied for benefits in mid-May. Nothing happened. He reapplied in September. He has been told it will be many more weeks before a decision is made. The unit is now dealing with cases from mid-July.

Mr Vantha Chik applied for benefits in March. He was approved in August. He will not get disability benefits until November, because the adjudication unit took two months to provide an approval code to the Sudbury office so they could cut a cheque for him.

Premier, I am telling you that our offices are being flooded with cases from the disabled who cannot get onto the ODSP. What are you going to do to make sure the disabled in this province get some justice?

**Hon Mr Harris:** Let me say that as unacceptable as two months is, it's 10 times better than the response rate when your party was in power. But I agree with you: It still is not good enough.

You will know that the first response is handled by the municipalities, but we have put in place a 1-800 number so that if there are any concerns we can intervene and try to speed up the process.

*Interjections.*

**The Speaker:** Order. I should clear up right at the beginning that when I cannot hear a question, I will have to rise and call order. Obviously there are going to be some situations when there are circumstances. But it is difficult to hear, and when I am not able to hear I will have to rise and call order.

Sorry to interrupt, Premier.

**Hon Mr Harris:** Is the system perfect? No. No system is ever perfect, but we do have a far better system in place to deal with any who may fall through the cracks or if there are delays. If you have any of these individual concerns, if you would bring them to my attention or the minister's attention, we'd be happy to look into them.

#### RESIGNATION OF MINISTER

**Mr Howard Hampton (Kenora-Rainy River):** My next question is also for the Premier. Premier, let me say that you showed terrible judgment in your handling of the Steve Gilchrist matter. It is incredible that a minister could be under investigation by the Ontario Provincial Police and still is allowed to be a member of your cabinet. But the problem doesn't end there, because in appointing Mr Clement to be the Acting Minister of Municipal Affairs and Housing, you've created another

conflict. One of the jobs of the Minister of the Environment is to keep an eye on what Municipal Affairs is doing in terms of environmentally sensitive areas. Don't you understand that in putting the Minister of the Environment into a position where he's now wearing two hats, two contradictory hats, you've created the circumstances for another conflict of interest?

**Hon Michael D. Harris (Premier):** I think the leader of the New Democratic Party would know that the established practice his government had was that one of the alternatives for the Minister of Municipal Affairs and Housing was the Minister of the Environment. He thought that would be good enough when he was in government, and so do we.

**Mr Hampton:** Premier, you've already got an example today of the conflict. As you know, there is a controversial development proposal to put 2,500 housing units on the Oak Ridges moraine in Uxbridge, despite the Uxbridge council's unanimous opposition. What did Tony Clement, your Minister of the Environment, do—the minister who is supposed to be protecting the environment? He wrote to the council and he said, "You know, you can always change the environmental assessment." That's his idea, I guess, of protecting the environment.

Here you have the Ministry of Municipal Affairs that is prepared now, as this whole matter goes to the Ontario Municipal Board — the minister, Tony Clement, is going to be in charge of this. On the one hand he's supposed to be protecting the environment; on the other hand he's supposed to be looking after development. Premier, you've created another conflict of interest. Doesn't this matter to your government? Is that the real issue, that these matters really don't concern your government?

**Hon Mr Harris:** Actually, the file and the matter will be determined by the Ontario Municipal Board, not by the minister.

#### SENIORS' HEALTH SERVICES

**Mrs Lyn McLeod (Thunder Bay-Atikokan):** My question is for the Minister of Health. Minister, the Toronto Star on Saturday told the story of an 81-year-old man who was allegedly abused while living in a retirement home. Complaints about the care being provided in this home were brought to your ministry's attention in February 1998, but nothing was done. No action was taken until police stepped in to investigate evidence of physical abuse.

Minister, this was an 81-year-old man who needed care, the same kind of care that your ministry would have provided if he had been in his own home, the same kind of care that he would have received if he had been in a nursing home. Why are you not prepared to take responsibility for the care of people who live in retirement homes?

**Hon Elizabeth Witmer (Minister of Health and Long-Term Care):** Mr Speaker, I'm going to refer that to the minister with responsibility for seniors.

**Hon Helen Johns (Minister of Citizenship, Culture and Recreation, minister responsible for seniors and women):** With respect to seniors, let me tell you that the number one priority of this government is the safety of our seniors in this province. Let me say that the government has done a number of things to guarantee safety for its seniors. In fact, since I've been minister with responsibility for seniors, we've entered into an elder abuse round table, where we have the co-chair, Dr Elizabeth Podnieks, working with me to talk about things we can do to ensure that seniors in our province are safe. We've also entered into an Alzheimer's strategy, where we talk about safety for people with Alzheimer's. We've met with ORCA, which is the residential care association, to talk about self-regulation and a framework, and we've also worked with the municipalities to help them enforce bylaws within their communities.

I might say the premise of the question I would disagree with, because the safety of our seniors in this province is a very important priority for this government.

1440

**Mrs McLeod:** My question was about access to health care for an 81-year-old man who needed health care. With all due respect to the minister for seniors, she cannot provide the health care that this man needed. That's why the question was to the Minister of Health. This is a huge gap in the health care system. It is not just about housing. This is about the need for health care. There is a real person here.

Let me give you another story, Minister. Last Monday, a 105-year-old woman was sent to a hospital in London from a retirement home that said she needed more care than they could provide. The hospital tried to discharge her back to the home; the home would not take her back. She is 105 years old. She was evicted from what had been her home for 12 years. She had no place to go.

My question, truly, is still for the Minister of Health. A 105-year-old woman needing health care: Why is her need for health care not the responsibility of this government, this government's Minister of Health, whether this woman is in her own home, in a nursing home, in a hospital or in a retirement home?

**Hon Mrs Johns:** Let me just comment on the whole situation with respect to long-term care, community and facility services. Members opposite would know that in the last government the Minister of Health recognized that there was a need for an expansion of long-term care services, and that at that point the government agreed to spend \$1.2 billion and to put 20,000 new beds into the province of Ontario.

That need was not new, of course, and we might ask the same question of the opposition: How many beds did they put into homes in the years they were in power, whether from 1990 to 1995 or previously?

The thing that's very important here is that seniors have to be protected in their homes. We need to have more beds for seniors. We need to ensure that every senior has the right level of care in the place where they

are, and that's what we're doing by creating new beds in the province.

#### POLICE SERVICES

**Mr Jerry J. Ouellette (Oshawa):** Mr speaker, I'd like to extend my congratulations to you on your recent election and new uniform. I look forward to your ably dealing with, and blocking and deflecting, those shots that you are so well known for doing.

My question is to the Solicitor General. Minister, constituents in my riding of Oshawa take the issue of community safety very seriously, as I am sure they do throughout the province. The people I talk to regularly mention how they would like to see more police on the streets. I'm sure these are the concerns of the majority of people in the province of Ontario. Minister, can you tell us what our government is doing to address community safety and make sure there are more officers on the street?

**The Speaker (Hon Gary Carr):** Solicitor General.

**Hon David H. Tsubouchi (Solicitor General):** Thank you, Mr Speaker. First of all, I'd like to say that your job will now require you to be a judge—not a goal judge, I guess. I think it's going to be a lot more difficult.

I would also like to congratulate the member for Oshawa on his victory in the last election, and to thank him for raising the question. I know the member for Oshawa is very concerned about community safety. I have listened to a number of people across the province who are also concerned about safety within their own communities.

I am very pleased to say that this government believes frontline police officers are a very important initiative. In fact, that's what the community policing partnership program is about. It's an investment of about \$150 million to increase the number of frontline police officers to around 1,000 across the province. For the member for Oshawa this means another 42 frontline police officers in his community.

We believe the people in Ontario not only deserve to have communities that are safe but also have the right to feel safe within those communities.

**The Speaker:** Supplementary.

**Mr Ouellette:** I'd like to thank you Minister, for working with the policing community develop and implement real and effective community safety programs. You mentioned in your answer that funding is available for new police officers. Can you explain how this program ensures that officers hired through the community policing partnership program are additional officers and not just a replacement of retiring officers?

**Hon Mr Tsubouchi:** The member is quite right: The program requires the policing to be an increase over the complement of frontline officers within those communities. So it will result in a net increase within those communities.

As of today, we've already added 534 new front-line police officers in the province. This is going to increase

the community policing and visibility through programs such as community patrols, enhanced traffic enforcement and drug and street crime enforcement.

Very recently I was at the OPP awards for bravery, where they recognized the perfect co-operation between the police and the communities. I think that is what this is all about: communities and police working together to make our communities safer for all.

#### IPPERWASH PROVINCIAL PARK

**Mr Gerry Phillips (Scarborough-Agincourt):** My question is to the Premier. For four years now we have been trying to get at the truth about what happened at Ipperwash. You've even refused to commit to holding a public inquiry.

The family of the deceased, Mr Dudley George, has launched a court action against you, and in a significant victory they were able to get the court to order you to appear for an examination for discovery on December 8 and 9.

My question to you is this: Can you confirm that you will, as ordered by the courts, appear for this examination of discovery on December 8 and 9?

**Hon Michael D. Harris (Premier):** I can confirm that I and the former Attorney General and all the ministers of the crown will comply. I have not been ordered by the court to appear then. I have been asked to appear, and lawyers will work a convenient date. That will be the same for Mr Harnick, that will be the same for the Solicitor General, should they still wish to talk with him, and it will be the same for me. Of course we'll cooperate.

**Mr Phillips:** Four weeks before the election was called this is what the papers said: "Premier Mike Harris says he will testify in December about the decision to use force against native protesters at Ipperwash Provincial Park in 1995." That was before the election. You promised the people of Ontario that you would appear.

The George family is one of extremely limited resources; you have the taxpayers behind you. The George family has spent four years trying to get the truth out of you; for four years you have stonewalled this issue. Four weeks before the election, you said you would testify; now you are saying, I think, that you are not going to accept that responsibility.

Premier, if you have nothing to hide, what possible reason do you have for not appearing at this court-ordered examination-for-discovery hearing on December 8 and 9?

**Hon Mr Harris:** You hear funny things, I have to say to the member. If you would listen to what I say, I said four years ago I would comply, I said before the election I would comply and I said today in response to your question I would comply.

Here are the facts: No dates have been set for discovery. Any dates we have heard about to date have been arbitrarily set by the plaintiffs' counsel. Our counsel will

be happy to comply and we will comply with all of the dates as appropriate.

That's what I've said before, that's what I've said now and that's what I say in the future.

#### TEACHER TESTING

**Mr Wayne Wettlaufer (Kitchener Centre):** I also want to add my congratulations to you, Mr Speaker, on ascending to the throne, if you will.

My question is for the Minister of Education. I have an article here from the Kitchener-Waterloo Record. It discusses the issue of teacher testing. It says that tests for teachers make sense, but it also goes on to say that the key for the province is to devise a test that truly determines how effective a teacher is in a classroom.

The paper questions our government's ability to set out an effective test that will show us exactly how our teachers are doing. Can you assure me and my constituents that this government will be able to have an effective teacher testing program?

**Hon Janet Ecker (Minister of Education):** Mr Speaker, my congratulations to you on what is probably the toughest position in this chamber.

I'd also like to thank the honourable member for Kitchener Centre for the question. I know that quality education is certainly a high-priority issue with him, as it is with this government, and our goal is to give our children the best education possible. One way we ensure that we're doing that is to ask the tough questions of ourselves: Are we meeting the quality standard?

1450

Testing programs are one way that we do that. We test students to make sure that they are learning what they need to learn, we test schools and school boards to ensure that they're doing what needs to be done, and the next logical step will also be to extend a teacher testing program to teachers to ensure that we have the best teachers we can have.

**Mr Wettlaufer:** I thank the minister for her commitment to the quality of education here in Ontario, but my constituents have told me that many of the schools and many of the boards across the province already have programs that assess teachers. I would like to be able to assure my constituents that any teacher testing program that this government carries out is going to be effective in evaluating the abilities of teachers. Can the minister assure my constituents that this will be the case?

**Hon Mrs Ecker:** I think every parent knows the difference that an excellent teacher can make to that child's school year. We all know and have met and have experienced many excellent teachers in the province out there, and we know we have many excellent teachers. But we also know that we need to do more to make sure that that standard of excellence can be maintained and that the teachers have the most up-to-date knowledge, skills and abilities to serve our children, and a teacher testing program is how we are going to accomplish this.

We are working with our education partners to get the best advice we can on how we can have a consistent, good-quality program across the province that not only provides support for teachers, because many of them may require that as well, but also makes sure that every teacher who is standing in front of a classroom is as good as they can be.

I've been very pleased with the discussions we've had to date. I look forward to meeting with all of the very important groups in the education sector to achieve another important aspect of our quality agenda.

#### SENIORS' HEALTH SERVICES

**Ms Frances Lankin (Beaches-East York):** To the Minister of Health about this weekend's reports on retirement homes: My question is not just about the inadequacy in many retirement homes, it's about the need for adequate home care, more nursing home beds, the need for subacute and convalescent hospital beds. Seniors who could live at home with adequate community supports and home care are being forced into retirement homes because they have no options. Meanwhile, retirement homes are accepting patients who would really be better off with increased medical attention in either nursing homes, where there are no beds available, or in hospitals, where there are no convalescent beds.

I've sent you an open letter with six proposals—this is directly within your ministry—for example, funding to open new subacute and convalescent beds in hospitals; organizing a joint review of hospital discharge standards and practices, you and the OHA and other interested parties; expanding home care budgets, because the quicker, sicker discharges are taking up what should be going to support long-term-care patients; and fast-tracking nursing bed creations, perhaps by conversion.

These all fall within your ministry, Minister. Would you give consideration to the proposals I've put forward to try and end this crisis of inappropriate care in retirement homes?

**Hon Elizabeth Witmer (Minister of Health and Long-Term Care):** As the member knows, our government in the past few years since we were elected has indicated our concern for the safety and the welfare of seniors in this province. In fact, our Premier identified that we needed to have a minister with special responsibility for seniors. At the same time, we recognize that previous governments had not made any commitment to construct any new long-term beds for about 10 years. Again, our government exhibited leadership, and we indicated that we would build 20,000 additional beds for seniors in this province.

We also indicated that we were going to be expanding community services for nursing and therapy, Meals on Wheels. As you know, we have increased funding for community services by 43% in order that we can provide the compassionate care necessary.

**Ms Lankin:** Minister, we can have a long debate back and forth about what you have done, but right now there

are many seniors without options who are being forced into inadequate care in the private retirement home sector, and I'm asking you to join with us to try to do something about that.

I've put forward six proposals. Let me give you two others. Make funding available to immediately operate and publicize a telephone hotline for complaints and advocacy and have that number posted in the retirement homes and have it given to families.

Minister, how about we work together and we pass regulations on standards of care? Hospitals are now discharging people into these retirement homes because care isn't available in the senior's own home. That is the only option available to hospital dischargers. We need standards-of-care regulation. It is not good enough for your colleague to say, "We'll look at self-regulation by the industry." This is a vulnerable population. They are in great need. That makes it ripe for exploitation. You must step in and save this situation.

**Hon Mrs Witmer:** I will refer that to the minister with responsibility for seniors.

**Hon Helen Johns (Minister of Citizenship, Culture and Recreation, minister responsible for seniors and women):** I would like to comment that there are a number of things we are prepared to work with, and I would be happy to work with the critic for seniors if she would like to work with me. We certainly are working with the Ontario Residential Care Association right now to look at self-regulation within the industry. We believe that's very important.

I also think it's very important to recognize that within the laws that are in place at this particular point, whether it be the Tenant Protection Act, the Health Protection and Promotion Act, the Ontario building code, the Ontario fire code, the Regulated Health Professions Act, there are laws out there that enable municipalities to monitor and regulate this.

What one of the articles said in the Star this morning, which I think is important to bring to everyone's attention, was that the seniors secretariat was going out today to look at problems such as poor food and overcrowding. They asked the gentleman who is the manager of Toronto public health if he needed any permission to do this, and he said: "We don't need permission. We can go right into these homes. We have the ability to do that."

#### SUPREME COURT OF CANADA

**The Speaker (Hon Gary Carr):** New question, the member for Guelph-Wellington.

**Mrs Brenda Elliott (Guelph-Wellington):** Thank you, Speaker.

**The Speaker:** That was my mistake. I apologize. I looked that way, but I was a little bit premature and then moved over there. That was my fault. The member for Windsor-St Clair. I guess we're both a little bit slow. The member for St Paul's.

**Mr Michael Bryant (St Paul's):** My question is for the Minister of Intergovernmental Affairs, who I believe

is coming on down, in regard to the minister's letter to the federal Minister of Justice decrying judicial activism.

It is time for this government to take responsibility for this new-found court bashing. It is time for you to rise in this House and take responsibility for that letter by naming those decisions which this government takes issue with in its letter to the federal justice minister. What exactly does this minister say with respect to the Supreme Court of Canada decision that it takes issue with?

**Hon Norman W. Sterling (Minister of Intergovernmental Affairs, Government House Leader):** I would like to congratulate the member on his election to this Legislature first.

When we're talking about a serious issue, as I have written to the federal minister on, it requires a little bit of understanding. Our leaders, when trying to resolve our constitutional differences in the Meech Lake case and in the Charlottetown accord, agreed at that time there was a problem with the appointment of our judiciary. Since that time there have been many, many decisions that have been decided by the judiciary at different levels, and we believe that many of these decisions lead to social and policy implications. What we want to do is have a public forum to discuss this matter, to come to some resolutions, because this is a long-standing problem that we must address.

**Mr Bryant:** Minister, I never got an answer to my question, but perhaps you might have spoken with the Honourable Attorney General first before sending your letter, because right now the province of Ontario is challenging, for example, the gun control legislation.

#### 1500

Let me get this straight. There is the good kind of judicial activism, where it's consistent with the neo-conservative principles of this government, and then there is the bad kind of judicial activism, where it's inconsistent with the principles of this government.

Would the minister please rise and explain the difference between good and bad judicial activism?

**Hon Mr Sterling:** There are many people who acknowledge that there is presently a situation where the lines between legislators and the judiciary are becoming muddled. We have an obligation to try to improve the institutions in this country and in this province. Therefore, I thought the opposition would have embraced the idea of clarifying the roles of what we should do as legislators and what judges should do as judges, and that would be welcome. I would have thought we would have had a co-operative spirit by all members of this Legislature to try to improve our system.

Right now we are dealing with a number of situations where the role is becoming muddled. The Supreme Court judges have expressed their displeasure with the present system, and I think there is some displeasure by the public at large.



## ASSISTANCE TO FARMERS

**Mrs Brenda Elliott (Guelph-Wellington):** My question today is for the Minister of Agriculture, Food and Rural Affairs. Our government promised in the Blueprint to ensure that Ontario farmers get their fair share of federal dollars. My question is very simple: Can you tell this House if Ottawa has been listening? Can you tell us if Ontario farmers are getting their fair share of safety-net dollars from the federal Liberal government?

**Hon Ernie Hardeman (Minister of Agriculture, Food and Rural Affairs):** Thank you to the member for Guelph-Wellington for the wonderful question. The member from Guelph-Wellington raises a very important issue, and it is also the number one issue for Ontario farmers.

On July 26, I wrote to the federal Minister of Agriculture expressing Ontario's concern over unilateral changes to the safety net program. Let me quote from our throne speech:

"Ontario's farmers work hard to succeed, and deserve fair treatment. Last year, Ontario farmers supplied 23% of Canada's agricultural production, but received only 16% of federal government...safety-net expenditures."

Ontario is being short-changed by \$20 million a year. Farmers in Guelph-Wellington deserve to be treated the same as farmers in Saskatchewan. You can't rob Peter to pay Paul. Ontario deserves its fair share of federal funding.

**Mrs Elliott:** I quite agree that our farmers deserve their fair share.

In the federal throne speech, very little was said about agriculture, and many view this as a slap in the face of Ontario farmers.

You mentioned in your letter that unilateral changes were discussed. I would like to ask you, Minister, if you have received assurances from Minister Vanclief to give any comfort to Ontario farmers.

**Hon Mr Hardeman:** We have received a reply but we did not receive an answer.

As promised in our government's Blueprint, we will continue to press the federal government to base its programs on the size of the farm sector in Ontario, and by living up to our commitment to meet the 40% share, which we have already accomplished. Our government believes that the federal government's undermining of crop insurance programs and tinkering with long-standing safety-net arrangements to provide a quick fix for one region is not the answer to the other.

The status quo for Ontario farmers is not acceptable. I would encourage members of the official opposition to ask their counterparts in Ottawa to ensure that the federal government stands up for Ontario's farmers.

## JUSTICE SYSTEM

**Mr Dominic Agostino (Hamilton East):** My question is to the Premier. Last week, a five-week inquest was completed into the death of Zachary Antidormi, a two-

and-a-half-year-old Hamilton boy who was murdered at the hands of a mentally ill neighbour as he was riding his wagon near his home.

This inquest came out with 60 recommendations. The two most important, and the two that you have the power to immediately implement, involve the sharing of information. A change in legislation will compel doctors to warn police about mentally ill patients if they believe they're a threat to themselves or to others, and a change that would give police officers the power to share with doctors information on criminal records, information on violent acts or threats that they believe that individual would be to themselves or to others.

These two very simple changes to our legislation would go a long way in protecting people across this province and ensuring that a death like Zachary's does not occur again to another Ontario boy or to anyone else. Can you commit today to immediately bringing in these two changes to legislation to protect Ontarians?

**Hon Michael D. Harris (Premier):** I think the Solicitor General could respond.

**Hon David H. Tsubouchi (Solicitor General):** First of all, the recommendations were just issued on Friday. The ministry is reviewing them, but I will tell you this: One of the directions the government has taken is trying to create an integrated justice system where this type of information passes through. We've learned through some of the previous inquiries that it's very necessary to have information passing to the courts, to the police and also providers within the community, whether they're shelters or otherwise. These are ways that we can somehow support victims and really improve the justice system.

Once again, we are reviewing the recommendations of the inquiry right now, along with other ministries that have had recommendations through that inquiry as well. We think it's very important for us to have this integrated justice system, where we have this information passing through so we can truly protect victims.

**Mr Agostino:** The Premier, in the throne speech last week, said you're not government. The reality is you are government. You are responsible to act. There have been recommendations in the past in similar situations which have not been corrected, and therefore tragedy has occurred again. You, Minister, have the power today to change those two pieces of legislation, and if you do that, this type of tragedy could be prevented. In speaking to Lori and Tony Antidormi, the parents of Zachary, this morning, they believe very much that had those two changes been in place, this tragedy could have been avoided. They believe the system has let them down. They believe the system obviously has let down a two-and-a-half-year-old boy.

We believe these changes can make a difference. There have been similar recommendations in the past. We don't need studies. We don't need reviews. We don't need task forces. All we need is for you today to commit to immediately changing these two pieces of legislation. As his mother said, "Let's do Zachary's memory justice and implement these recommendations."

Minister, will you today change those two pieces of the freedom of information act to allow the sharing of information and prevent similar tragedies in the future?

**Hon Mr Tsubouchi:** First of all, I'd like to convey condolences to the family. These are very tragic situations. I think we can get some good out of tragic situations if we can somehow make things change.

I will tell the member this: As I spoke about the integrated justice project right now, it is currently being implemented. We also believe that this information-passing, again—that's been a problem in the past where we've had some decisions or some information on bail hearings, on people getting out of prison, that hasn't been conveyed to the police and we can't prevent some tragic situations. That's why we believe—not only in our ministry but in the Attorney General's ministry, as well as in corrections—in working all together to have this integrated system, because information is somehow a very good defence that we can have to aid victims of crime, and we believe that's very important.

#### EARLY CHILDHOOD EDUCATION

**Mrs Julia Munro (York North):** May I, before I begin, add my personal congratulations on your recent election to Speaker.

My question is to the minister responsible for children. York region is proud to have been chosen as one of the five areas named as the demonstration project sites to test different approaches to supporting early child development and parenting. This program will provide services to parents and children from age zero to three. I understand other communities can become involved through the \$30-million challenge fund announced in the April 1999 budget. Can you explain more about this fund and how communities can become involved?

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**Hon Margaret Marland (Minister without Portfolio [Children]):** I thank this member for her question. The great news about the early years challenge fund is that it's part of the recommendations of the earlier study, which our government received in April of this year from Dr Fraser Mustard and the Hon Margaret McCain.

The early years challenge fund itself is \$30 million and it's going to be available to communities throughout the province, in terms of them developing at their local community level early child development and parenting centres. The marvellous thing is that this is going to be as designed, for those communities to bring forward what they need, what's identified as an ideal program within their local community, rather than what has always been done previously, which is that Toronto develops a cookie-cutter design for these centres and they make the decisions for the whole province. This is locally driven.

We're very proud of the fact that we are implementing one of the most important recommendations of Dr Fraser Mustard and the Hon Margaret McCain and I take this opportunity to thank them and their reference group for

the tremendous amount of work they did on the Early Years Study.

**Mrs Munro:** Minister, you promised to appoint a task group to advise the government on the early years initiative. When are you planning to follow through on your commitment?

**Mrs Sandra Pupatello (Windsor West):** It's nice to hear you answering questions this time, Margaret.

**Hon Mrs Marland:** It's nice to hear the deputy leader for the Liberal Party, now on the front bench, is still taking part in question period.

I say with sincerity that the membership of the early years task group will be announced very shortly. We recently announced the demonstration sites throughout the province, and the role of the early years task group is equally important to the announcement of those demonstration sites.

The early years task group is going to look at these five sites all over the province. This initiative will result in a framework being developed not by the government, I emphasize, but by the advice of the task group, which will look throughout the province at what the basic essentials for that framework should be for an early child development and parenting centre in the local community. Again it's locally driven, but there will be an overall framework and a core program standard.

#### STUDENTS WITH SPECIAL NEEDS

**Mr David Christopherson (Hamilton West):** My question is for the Minister of Education. On October 8, I, along with two of your area Tory members, met with the Hamilton-Wentworth District School Board trustees and the chair of the board, Ray Mulholland, for the purpose of talking about the fact that there's not enough funding for educational assistance to allow all the children who need that assistance, because of the special needs they have, to attend school. It was pointed out to us at the meeting that the freeze you currently have on the ISA 2 plus 3 allocations is extremely detrimental to Hamilton. In fact, it's unfair to Hamilton-Wentworth in terms of the numbers and what that means.

As I mentioned in my member's statement, our board to their credit, in my opinion, has gone ahead and authorized the hiring of enough educational assistants to at least put the students back in school. However, it doesn't go anywhere near meeting all the needs; and just because the kids are actually in school, that doesn't mean they're getting the assistance they need to fully participate.

Will you agree today to thaw the freeze and ensure that our Hamilton-Wentworth District School Board receives the \$3.5 million for special-needs kids that they deserve to get?

**Hon Janet Ecker (Minister of Education):** I have heard about this situation in Hamilton from my caucus colleague from Stoney Creek, who has been pushing very hard for the school boards to exercise their responsi-

bilities for special education funding and to meet the needs of those children.

We've all heard from parents who have a special-needs child who perhaps were told the child would never be capable of learning. Yet we know that with the right support those children can do a great deal, and many are, as we speak, across the province. That's why we listened so carefully to the advice we were given about how to give boards more money for special education, which we have done. We were also told we needed to protect that money, to make sure that a board would not spend less, but we made sure that boards had the flexibility to spend more if they felt that was required for their community, and this board is indeed doing precisely that.

**Mr Christopherson:** That is far from an acceptable answer. First of all, you need to know it's not just Hamilton, it's virtually every single community all across Ontario. You were told when you changed the funding formula this was going to happen. It's not something new. Secondly, don't talk to me about what the member from Stoney Creek did. He held a news conference before that meeting and he had the audacity to say that there needs to be some kind of audit before anything at all is done that would put those kids in the classroom.

*Applause.*

**Mr Christopherson:** Why are you applauding? So what I'm hearing is that it's OK to leave disabled kids at home while you bring in an auditor—

*Interjections.*

**The Speaker (Hon Gary Carr):** Order. Will the member take his seat. We were doing very well until the very end. Unfortunately, I cannot hear. There are only a few seconds left. If the member will put the question, I will allow him to continue.

**Mr Christopherson:** I am shocked that there are members of the government who are laughing while this is going on and applauding the fact that one of their own members was trying to throw a red herring out there and prevent these kids from going back in the classroom. That's disgusting. It also points to the nature of the problem. Minister, our board needs this money. You have frozen the funding.

**The Speaker:** Will the member take his seat. The time for oral questions has ended.

**Mr Dwight Duncan (Windsor-St Clair):** I rise on a point of privilege pursuant to standing orders 21(a), (b) and (c).

**Mr Christopherson:** On a point of order, Speaker: It appears to me that the minister wasn't given the opportunity that in the past—and certainly if you're changing the way the House operates, that is your right, sir, but in the past as long as there was a question placed, there was an obligation or opportunity for the minister to respond. Would you please afford the minister that?

**The Speaker:** You are correct. I will allow that. There was a point of privilege. I apologize to the member. My attention was diverted on a point of privilege that was coming up, and as a result of being diverted I actually

lost the time as well as the answer, so with indulgence I will allow the Minister of Education to respond.

**Hon Mrs Ecker:** Thank you very much, Mr Speaker, because this is indeed a very important question, not only for the parents in Hamilton but across the province.

I know that the honourable member raises this question because he cares about the situation, as does my colleague from Stoney Creek. They have both been at those meetings. They are both pushing very hard to make sure there is a resolution to this issue. We know this board is getting even more money than they had before to help support the needs of children who have special needs. We know that we need to take a look at perhaps supporting boards in a different way, perhaps changing some rules. Flexibility is one of the issues.

There are some other recommendations that boards and groups that represent those with special needs have made to the government. We are looking at those, but it still remains the board's responsibility to take the increased resources they have received and meet the needs of children in their community.

#### GOVERNMENT EXPENDITURES

**Mr Dwight Duncan (Windsor-St Clair):** Mr Speaker, I rise on a point of privilege pursuant to standing orders 21(a), (b) and (c). In accordance with standing order 21(b), a copy of this point of privilege was provided to your office and the Clerk's office more than an hour ago.

The point of privilege relates to order in council 626/99, which was attached to the letter I forwarded to you. The OIC purports to grant legal sanction to the government's spending estimates for fiscal year 1998-99. The schedule appended to the OIC is identical to the schedule of Bill 96, the Supply Act, 1998, which did not receive third reading before the second session of the 36th Parliament was prorogued on December 18, 1998. Bill 96 was not reintroduced for debate in the third and final session of the 36th Parliament. Thus the House has yet to pass a Supply Act sanctioning the government's expenditures for the fiscal year 1998-99.

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The OIC was issued pursuant to section 14 of the Ministry of Treasury and Economics Act, RSO 1990, c.m. 37, section 14, which reads as follows: "Despite anything in this act, whenever the assembly has concurred in the report of the committee of supply recommending the passing of any estimates, the Lieutenant Governor in Council may authorize the payment of items of expenditure so concurred in."

This section of the act was introduced in 1972, when the Legislature's standing orders provided for a committee of supply. However, the committee of supply was abolished when the Legislature approved a package of amendments to the standing orders on July 25, 1989. The committee of supply, which was a committee of the whole House, was replaced with the standing committee on estimates. Because the committee of supply no longer

exists, section 14 of the Ministry of Treasury and Economics Act is inoperative. Therefore, the OIC has no legal validity. Under section 14, the cabinet may authorize the payment of expenditures. However, if there is no committee of supply, then it follows that the Legislature cannot concur in its report. The statutory trigger leading to the promulgation of the OIC no longer exists. The passage of the Supply Act is no longer a pro forma exercise in the Ontario Legislature but has become an occasion for meaningful debate on the supply business of the crown. Indeed, tonight we will be debating supply.

Therefore, it can be argued that the promulgation of order in council 626/99 before passage of the Supply Act, now that the House has agreed to make debate on the act a meaningful step in the legislative process, raises the question of the crown's accountability to the House for its stewardship of the public purse. Neither section 14 of the Ministry of Treasury and Economics Act nor order in council 626/99 will render debate on that Supply Act meaningful, since the government, by means of the order in council, will have already obtained legal authority for its spending.

In this context, it is important to note Speaker Stockwell's ruling in the Legislature on January 22, 1997, in the matter of a pamphlet issued in the name of Al Leach, the former Minister of Municipal Affairs and Housing. The pamphlet discussed the government's plans for the amalgamation of the six municipalities then constituting Metropolitan Toronto in terms which implied that the proposed amalgamation was a *fait accompli* even though legislation implementing amalgamation had not yet been approved by the House. After quoting from the pamphlet, the Speaker ruled:

"In my opinion, they"—that is, quoted passages from the pamphlet—"convey the impression that the passage of the requisite legislation was not necessary or was a foregone conclusion, or that the assembly and the Legislature had a pro forma, tangential, even inferior role in the legislative and lawmaking process, and in doing so, they appear to diminish the respect that is due to this House."

That's excerpted from Hansard. Speaker Stockwell then ruled that Mr Leach had committed a *prima facie* case of contempt against the Legislature.

We argue that OIC 626/99, even if it is legal, similarly falls into the category of executive actions which convey the impression that passage of the requisite legislation, in this case the Supply Act, was unnecessary or a foregone conclusion or that the Legislature has an inferior role in the law-making process. We ask you to rule on this, Mr Speaker, because it is fundamental to parliamentary democracy that before legislation, particularly something as significant as supply, is passed, it ought to be debated in the Legislature. Attempts to stifle that debate are no more than an attempt to stifle the opposition's ability to hold accountable a government that doesn't want to be responsible, a government that shows its arrogance and contempt for this House by attempting to pass supply without any meaningful debate in the last year of this

House. We ask for your ruling on that point of privilege, Mr Speaker.

**The Speaker (Hon Gary Carr):** I want to thank the member for providing the documents in advance, and to indicate to the member that I will reserve a ruling.

**Hon Norman W. Sterling (Minister of Intergovernmental Affairs, Government House Leader):** Mr Speaker, in spite of the fact that I was given no notice of the point of privilege, I must say that before we took the actions which we did last year, we of course had significant debate after the estimates were reported to this House on concurrence. We had several days of debate when the opposition members were given free rein to criticize and talk about any particular topic that they might want.

I might also point out in terms of the Supply Act that the parliamentary tradition in the past has been that the Supply Act would be called, there would be no debate, it would be called for a vote and it would be voted upon, and then we would proceed on with other matters. Recently, and last year, there was an attempt to use the Supply Act as a method of forestalling the ending of the session. We obtained legal opinion from our finance department who told us that our actions with regard to the special award were legal and they were in fact within our legal ability.

I believe, as Speaker Turner believed, that this is a matter for legal or judicial interpretation and that if a citizen or a member of the opposition wants to go to the court and deal with it there, then it is their privilege to do that. In fact, Speaker Turner said on a matter which was very similar to this that he was "not competent to rule on whether it does or does not constitute a matter of privilege." That ruling stands today and I hope that will be your ruling in the future.

**The Speaker:** Again, I would like to thank the member for supplying the documents and providing them in advance. I would like to indicate to the House that I will reserve ruling on this matter.

## PETITIONS

### NORTHERN HEALTH TRAVEL GRANT

**Mr Michael Gravelle (Thunder Bay-Superior North):** The people of northwestern Ontario are very frustrated by the inadequacy of the northern health travel grant. My colleague from Thunder Bay-Atikokan and I have launched a campaign and many petitions are coming in.

"To the Legislative Assembly of Ontario:

"Whereas the northern health travel grant was introduced in 1987 in recognition of the fact that northern Ontario residents are often forced to receive treatment outside their own communities because of the lack of available services; and

“Whereas the Ontario government acknowledged that the costs associated with that travel should not be fully borne by those residents and therefore that financial support should be provided by the Ontario government through the travel grant program; and

“Whereas travel, accommodation and other costs have escalated sharply since the program was first put in place, particularly in the area of air travel; and

“Whereas the Ontario government has provided funds so that southern Ontario patients needing care at the Northwestern Ontario Cancer Centre have all their expenses paid while receiving treatment in the north which creates a double standard for health care delivery in the province; and

“Whereas northern Ontario residents should not receive a different level of health care nor be discriminated against because of their geographic locations;

“Therefore, we, the undersigned citizens of Ontario, petition the Ontario Legislature to acknowledge the unfairness and inadequacy of the northern health travel grant program and commit to a review of the program with a goal of providing 100% funding of the travel costs for residents needing care outside their communities until such time as that care is available in our communities.”

I'm very pleased to sign that petition.

#### PARAMEDICS

**Mr David Christopherson (Hamilton West):** I'm pleased to present petitions signed by over 1,000 ambulance paramedics. This is on behalf of myself and the member for Beaches-East York. The petition reads as follows:

“To the Honourable Lieutenant Governor and Legislative Assembly of Ontario:

“Whereas the Ontario Ministry of Health this past spring amended Ontario regulation 501/97 under the Ambulance Act so that paramedics are considered no longer qualified to do their job if they accumulate a minimum of six demerit points on their driving record;

“Whereas this amended regulation has resulted in at least one paramedic being fired from employment;

“Whereas the Ministry of Health regulation is far more punitive and harsh than the Ministry of Transportation, which monitors and enforces traffic safety through the Highway Traffic Act;

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“Whereas the Ministry of Transportation mails out a notice to drivers at six to nine demerit points and suspends a person's driver's licence at 15 points for a 30-day period;

“Whereas none of the other emergency services in Ontario, e.g. fire and police services, are held to the same standard or punished so harshly;

“Whereas this amended regulation is not needed since other sections of the Ambulance Act protect the public against unsafe driving and/or criminal behaviour by paramedics (specifically)—that's almost the fourth incident, Sergeant at Arms, of people falling off that step; you've

got to do something, sir—“O. Reg. 501/97, part III, section 6, subsections 8, 9 and 10);

“Whereas the Ministry of Health actions are blatantly unjust and punitive, and they discriminate against paramedics,

“We, the undersigned citizens of Ontario, beg leave to petition the Legislative Assembly of Ontario as follows:

“To immediately eliminate any references to the accumulation of demerit points during employment from O. Reg. 501/97 under the Ambulance Act (specifically, part III, section 6, subsection 7), thereby allowing the Highway Traffic Act to apply to paramedics; and

“To order the immediate reinstatement of paramedics who have been fired under the regulation.”

Might I say that there are employer groups that agree with this change and I proudly add my name to these petitioners on behalf of the Ontario New Democratic caucus.

#### TOBACCO CONTROL ACT

**Mr Bert Johnson (Perth-Middlesex):** I have a petition signed by many ratepayers in my riding.

“To the Legislative Assembly of Ontario:

“Whereas the Tobacco Control Act attempts to limit smoking by young people; and

“Whereas secondary students are not permitted to smoke on school grounds; and

“Whereas secondary school students are thus forced into situations whereby they are placed in immediate physical danger,

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

“To review and revise the Tobacco Control Act as necessary to carry out the intent of the act in such ways as not to place citizens in physical danger and to consult both smoking and non-smoking citizens during the review process.”

I sign this on behalf of the people who have presented it.

#### NORTHERN HEALTH TRAVEL GRANT

**Mrs Lyn McLeod (Thunder Bay-Atikokan):** Like my colleague the member for Thunder Bay-Superior North, I too have a number of petitions signed by my constituents who are concerned about the lack of support for those who have to travel out of their home communities in order to receive health care. In some cases, individuals are having to reach into their own pockets for thousands of dollars in order to get medically necessary care. I won't repeat all the “whereases” that my colleague has already read into the record, but just the “therefore”:

“We, the undersigned citizens of Ontario, petition the Ontario Legislature to: acknowledge the unfairness and inadequacy of the northern health travel grant program and commit to a review of the program with a goal of providing 100% funding of the travel costs for residents

needing care outside their communities until such time as that care is available in our communities.”

I have signatures at this point of some 253 concerned residents of northwestern Ontario, and I affix my own signature in full accord.

#### PARAMEDICS

**Mr Gilles Bisson (Timmins-James Bay):** I have a petition here with around 800 signatures with regard to the following:

“To the Honourable Lieutenant Governor and Legislative Assembly of Ontario:

“Whereas the Ontario Ministry of Health this past spring amended O. Reg. 501/97 under the Ambulance Act so that paramedics are considered no longer qualified to do their job if they accumulate a minimum of six demerit points on their driving record;

“Whereas this amended regulation has resulted in at least one paramedic being fired from employment;

“Whereas the Ministry of Health’s regulation is far more punitive and harsh than the Ministry of Transportation, which monitors and enforces traffic safety through the Highway Traffic Act;

“Whereas the Ministry of Transportation mails out a notice to drivers at six to nine demerit points and suspends a person’s driver’s licence at 15 points for a 30-day period;

“Whereas none of the other emergency services in Ontario, e.g. fire and police services, are held to the same standard or punished so harshly;

“Whereas this amended regulation is not needed since other sections of the Ambulance Act protect the public against unsafe driving and/or criminal behaviour by paramedics (specifically,” and it’s listed;

“Whereas the Ministry of Health actions are blatantly unjust and punitive, and they discriminate against paramedics,

“We, the undersigned citizens of Ontario, beg leave to petition the Legislative Assembly of Ontario as follows:

“To immediately eliminate any reference to the accumulation of demerit points during employment from O. Reg. 501/97 under the Ambulance Act (specifically, part III, section 6, subsection 7), thereby allowing the Highway Traffic Act to apply to paramedics; and

“To order the immediate reinstatement of paramedics who have been fired under the regulation.”

I sign that on behalf of the NDP Caucus.

#### PALLIATIVE CARE

**Mr Bob Wood (London West):** Mr Speaker, may I first congratulate you on your election as Speaker. I know you will serve the House well.

I have a petition signed by 90 people, which reads as follows:

“Whereas most Ontario residents require adequate access to effective hospice palliative care in time of need;

“Whereas meeting the needs of Ontarians of all ages for relief of preventable pain and suffering as well as the provision of emotional and spiritual support needs to be a priority in our health care system;

“Whereas the Legislative Assembly of Ontario unanimously passed a resolution supporting the right to hospice and palliative care on October 15, 1998, as presented by Bob Wood, MPP, which called for a task force to be appointed to fully implement an effective hospice palliative care bill of rights;

“We, the undersigned, petition the government of Ontario to fulfill the resolution, as approved by the Legislative Assembly of Ontario, by appointing the hospice palliative task force and giving it a suitable mandate to fulfill the requirements of the resolution.

“Hospice palliative care is care which aims to relieve suffering and improve the quality of life of people who are living with or dying from advanced illness, or those who are bereaved.”

#### PARAMEDICS

**Mr Dominic Agostino (Hamilton East):** This petition is for justice for ambulance paramedics.

“To the Honourable Lieutenant Governor and the Legislative Assembly of Ontario:

“Whereas the Ontario Minister of Health this past spring amended O. Reg. 501/97 under the Ambulance Act so that paramedics are considered no longer qualified to do their job if they accumulate a minimum of six demerit points on their driving record;

“Whereas the amended regulation has resulted in at least one paramedic being fired from employment;

“Whereas the Ministry of Health’s regulation is far more punitive and harsh than the Ministry of Transportation’s, which monitors and enforces traffic safety through the Highway Traffic Act;

“Whereas the Ministry of Transportation mails out a notice to drivers at six to nine demerit points and suspends a person’s driver’s licence at 15 points for a 30-day period;

“Whereas none of the other emergency services in Ontario, e.g. fire and police services, are held to the same standard or punished so harshly;

“Whereas this amended regulation is not needed since the other sections of the Ambulance Act protect the public against unsafe driving and/or criminal behaviour by paramedics (specifically O. Reg. 501/97, part III, section 6, subsections 8, 9 and 10);

“Whereas the Ministry of Health actions are blatantly unjust and punitive, and they discriminate against paramedics;

“We, the undersigned citizens of Ontario, beg leave to petition the Legislative Assembly of Ontario as follows:

“To immediately eliminate any references to the accumulation of demerit points during employment from O. Reg. 501/97 under the Ambulance Act (specifically, part III, section 6, subsection 7), therefore allowing the Highway Traffic Act to apply to paramedics; and

"To order the immediate reinstatement of paramedics who have been fired under the regulation."

I add my signature to the petition.

#### CHILD PROSTITUTION

**Mr Rick Bartolucci (Sudbury):** This petition is to the Legislative Assembly of Ontario.

"Whereas it is vital that protection for children involved in prostitution be implemented in the province of Ontario immediately; and

"Whereas in the 36th Parliament of Ontario, a private member's bill was introduced on two occasions to allow for this protection;

"Therefore we, the undersigned, petition the Legislative Assembly to pass meaningful legislation regarding protection for these children."

I affix my signature to this petition.

#### HOSPITAL FUNDING

**Mr James J. Bradley (St Catharines):** I have a petition on a very important issue, which reads as follows:

"Whereas the hospitals in the Niagara region that have incurred deficits as a result of underfunding by the Harris government are being forced to cut services to patients even more than in the past few years;

"Whereas services for patients in our hospitals have already been cut as a result of budget slashing by the Conservative government of Mike Harris;

"Whereas Niagara hospitals may be compelled to impose user fees and increase user fees already in effect;

"Therefore, be it resolved that the Harris government provide significantly increased funding to Niagara hospitals' operating budgets to avoid further cuts to patient services and to restore services that have been eliminated in the past."

I affix my signature as I am in complete agreement with this petition.

**Hon Frank Klees (Minister without Portfolio):** Mr Speaker, I too would like to add my congratulations on your election and to wish you all the best in this House.

1540

#### ORDERS OF THE DAY

##### THRONE SPEECH DEBATE

Consideration of the speech of Her Honour the Lieutenant Governor at the opening of the session.

**The Speaker (Hon Gary Carr):** The member for Scarborough Centre.

**Ms Marilyn Mushinski (Scarborough Centre):** Thank you, Mr Speaker, and let me start off by extending my congratulations on your election.

I move, seconded by Mr Tilson, that a humble address be presented to Her Honour the Lieutenant Governor as follows:

To the Honourable Hilary M. Weston, Lieutenant Governor of Ontario:

We, Her Majesty's most dutiful and loyal subjects, the Legislative Assembly of the province of Ontario, now assembled, beg leave to thank Your Honour for the gracious speech Your Honour has addressed to us.

Before I begin, I'd like to indicate that I'll be sharing my time for remarks with the member for Dufferin-Peel-Wellington-Grey.

On behalf of the people I represent in the riding of Scarborough Centre, it's my privilege and it'd my honour to move today the adoption of the speech from the throne from the government led by Premier Harris.

I was heartened to hear the reference to the late Frank Faubert at the beginning of the throne speech. Frank made his mark in this place as the member for Scarborough-Ellesmere, the riding that I came here to represent in 1995. I've spent nearly 20 years of my life fighting to make my community a better place to live, and I spent a great deal of that time working with and, yes, occasionally against Frank. Indeed, we even ran against each other at one time for the mayoralty of Scarborough.

Frank was a hard-working politician. He was a wonderful family man and a great Scarborough friend. He's sadly missed, and I extend my deepest sympathies to his wife, Marilyn, and to his family.

In my remarks today I will be referring not only to the throne speech of last Thursday but also to our very first throne speech in September 1995. I would like to do so not only because I am now, as I was then, a member of a government recently elected with a full agenda ahead of us, but because Ontario today is a province with many accomplishments behind it, many of which were hoped for and predicted in that throne speech just four years ago.

Yet, while we are indeed a better province today, there are still greater things ahead of us and much work needs to be done to achieve them. That is why the revolutionary spirit of our first term is continuing into our second.

The first change I would like to remark upon is that this throne speech was delivered by Her Honour Hilary M. Weston, who succeeded the Honourable Henry N.R. Jackman. Her Honour has discharged her duties with a freshness that has been tempered by her quiet grace and dignity. It's comforting to know that we need never worry that Her Honour would ever do otherwise. She is a credit to the monarchy and an asset to us all.

The next change I would like to comment on is the one that is visible to us right here in this chamber—and I don't mean the carpeting. There are fewer of us members here today than there were for the last throne speech in April. That's because of the implementation of the Fewer Politicians Act, which reduced the number of seats in the Legislature from 130 to 103. The legislation and the promise to reduce the number of MPPs were based on this principle espoused in the Common Sense Revolution: "It's time for government to make the same types of

changes all of us have had to make in our own families and in our jobs.”

In the throne speech we debate today, our continuing commitment to do better for less is reflected in these words:

“Your government, however, acknowledges that the job of controlling the size and cost of government never ends. To ensure that the budget stays balanced, it will introduce a Balanced Budget Act that would penalize politicians who run deficits.”

“All branches of government must treat people fairly and with respect. To that end, your government will introduce a Declaration of Taxpayer Rights that protects individuals and businesses in all their dealings with government agencies.”

Businesses not long ago realized that customer service is a key component of whatever product or service they provide. It is time for government to do the same thing. Prompt, courteous service is just a small part of what Ontarians expect and deserve from government, for we have never felt, as some do, that people don't expect much from government. In fact, they expect quite a lot. They want jobs for themselves and their children and their grandchildren. They want value for their tax dollars and for none of those tax dollars to be wasted. They want safe communities. They want a sound health care system and they want schools to teach their children well.

In 1994 Premier Mike Harris put forward a bold notion to the people of Ontario. He put forward the idea that tax cuts, especially to income taxes and payroll taxes, would actually create jobs. This was a relatively new idea in Canada and quite revolutionary in Ontario, which had only seen taxes go up for some 20 years. For years families had been working harder and harder, but high taxes meant they were taking home less and less in real terms. They struggled to make ends meet and balance their budgets, and the 65 tax increases imposed by the two previous two governments made things worse.

We chose to defy the conventional wisdom that taxes go only one way, which is up. We chose to defy the conventional wisdom that only massive government spending could create jobs. We chose to have the confidence that if we let Ontarians keep more of their own hard-earned dollars, they would spend, save, invest or pay down debt, all of which would boost the economy and create jobs. We cut the provincial income rate by 30% in our first term, putting about \$1,385 a year back into the budget of a typical Ontario family. That's enough to buy two quality appliances.

Putting more money into people's pockets was just part of the job creation formula, however. Making sure that businesses could create jobs was another one. So we cut the workers' compensation payroll tax, we froze Hydro rates and eliminated the employer health tax on payrolls of \$400,000 or less. As Minister of Citizenship, Culture and Recreation, I led the repeal of the job-killing hiring quota law. We promised in our 1995 throne speech that “these measures will stimulate job creation across Ontario and bring renewal and growth to all regions of

the province.” Guess what. They did just that. Since that throne speech, 571,000 new jobs have been created in Ontario. We've gone from an unemployment rate of 8.7% to a rate of 6.4%.

In our first term, we cut taxes 69 times. When we first proposed these tax cuts, many professors and pundits scoffed at us. Now, after seeing Ontario's success lead Canada out of the recession and to stay competitive, other provinces and states are cutting taxes too.

Middle-class families, however, need to remain confident that we are in their corner, making sure that they get to keep more of their dollars to spend on what's important to them. We must do all we can to help the economy to continually create jobs and opportunities for the future.

#### 1550

That is why we're cutting income taxes and property taxes again, to put \$4 billion back into the economy and create 825,000 new jobs. For a typical Ontario family these cuts will put \$805 a year back into their pockets.

Our property tax cuts are, I believe, a fitting finale to our long-overdue reforms of property taxes. Under the Liberals and NDP, the average household in Ontario saw its property taxes increase by 32%, even after factoring out inflation. And this was on top of an outdated system of assessment that penalized suburban homeowners, indeed many in my own riding. Another punishing aspect was the education portion of the property tax, which saw massive increases with no corresponding rise in education quality.

Now that we have reformed assessment and given municipalities the tools they need to recognize special circumstances, it's time to give homeowners and renters a break. It's interesting to note that over 75% of homeowners in Scarborough have seen their property tax bills go down with the new assessment. We will be working to bring those taxes down even further by cutting the education portion of residential property taxes by 20% and have already implemented half of that.

As promised in last May's budget, we will continue to cut the corporate income tax rate for small business until it is 4.75%, the lowest in Canada.

Some say we cannot afford tax cuts. The fact is, with the current unwillingness of our federal counterparts to provide meaningful tax relief, we can't afford not to cut taxes. Tax cuts keep our economy competitive and working families feeling secure and positive about the future.

Our 1995 throne speech summed up Ontario's truly dire welfare situation: “Previous governments spent billions of taxed and borrowed dollars on these programs and sank deeper into debt, while jobs disappeared and the economy dragged. Ontarians know this is wrong. They want a welfare system that doesn't create dependency, but ends it.”

That is why we proceeded almost immediately to lower welfare rates for able-bodied recipients. Seniors and the disabled were removed from the welfare rolls—where they should never have been in the first place—



into a distinct program suited to their needs. We implemented a work-for-welfare program that has enjoyed success while we're working towards greater success for the future.

The numbers speak to the effectiveness of our reforms. In 1995, 1.3 million Ontarians depended on welfare to survive. Since then, 437,000 people have left welfare dependency behind.

Then, as now, our particular concern is for children on welfare or in poverty. In 1995, our throne speech pointed to the poignancy of their situation and promised action: "To ensure a brighter future, your government will establish programs, including a school nutrition initiative, to provide children the support and encouragement they need."

We have indeed implemented a school nutrition program which, with support from the private sector, is providing meals to tens of thousands of school children every day.

Another initiative to benefit our youngest citizens is our Healthy Babies, Healthy Children program. Within 48 hours of discharge from the hospital, new mothers are contacted by a public health nurse who assesses the child and links the family with any needed services. More than 150,000 babies born each year are benefiting from this program.

We have put a new face on Ontario's welfare system and seen many improvements, but there's much more to do. We are determined to break the cycle of welfare dependency and, as we all know, the best social program in the world is a job. However, people can't get off welfare and hold a job if they're addicted to drugs. As a society we cannot turn our backs on drug abuse and the havoc it creates in a person's life. We will provide drug treatment to welfare recipients who use drugs to help them get back on their feet and back into the workforce.

In addition to treating people for drug abuse, our next welfare reforms will provide remedial reading, writing and math training for welfare recipients who can't pass a basic language or math test; expand mandatory work for welfare even further, including opening roads and parks maintenance programs for welfare recipients; and create a zero tolerance policy for welfare fraud. Anyone convicted of welfare fraud will be permanently banned from receiving welfare in Ontario. We will continue to work to turn welfare into a system that gets lives back on track.

As I went from door to door in this last election, people were telling me that health care was the number one provincial issue. When I asked them what they felt was important locally, the overwhelming response was community safety. In our 1995 throne speech, we pledged that the new government is committed to shifting the justice system's focus away from concern only for the criminal to include concern for the victim.

I believe that our first four years in government show that such a shift is well underway. We passed the Victims' Bill of Rights. To build on that achievement, we will introduce legislation to permanently establish the

Office for Victims of Crime to ensure that the principles of the Victims' Bill of Rights are respected.

More funding and training have put 534 new front-line cops on our streets. There will be a thousand more in total by next year. Parole is no longer a right as it was under previous governments but is a privilege to be earned. Under our tougher standards, 66% of offenders are now denied parole compared to just 41% five years ago. We piloted a strict discipline program which has produced a lower recidivism rate than other facilities for young offenders. We have pressed, and will continue to press, the federal government for real change to the Young Offenders Act. Tinkering simply isn't good enough.

Although there are those who say crime is no longer a serious problem, we think that when people do not feel safe in their own schools, streets and neighbourhoods, it is a problem. Just ask the residents of the north Scarborough neighbourhood recently terrorized by the bedroom rapist. There is no such thing as an acceptable level of crime. We will give police the tools and the support they need to crack down on drug dealers, squeegee people and aggressive panhandling to make our streets safer for law-abiding citizens. We will propose legislation that, if passed, will make it a provincial offence to threaten or harass through acts such as blocking people on sidewalks.

Some would have you believe that all squeegee people are poverty-stricken and/or homeless. For those who are, workfare and other programs are available. But I thought members might be interested in this item that appeared in the National Post on October 16:

"The pre-teen kids of some very upscale residents in the vicinity of Roxborough Drive West [ie Rosedale] ... are finding it fun—and profitable—to offer their services as polite, efficient window cleaners to motorists coming up the ramp from Mount Pleasant Road. A couple of days ago one of these well-mannered kids offered to clean my mud-splattered windshield.

"Had he come to Rosedale from somewhere else? 'No, I live here. It's neat to be a squeegee kid. I make good money.'"

**1600**

Whether you live in the city or are just visiting, you have the right to walk down the street or to go to public places without being harassed or intimidated by aggressive panhandlers. As a mother of two daughters in their early 20s, I must do all that I can to ensure their safety.

We will continue to toughen the parole system by revoking parole from ex-convicts who test positive for illegal drug use and fight the federal government's attempts to loosen parole standards that would set more criminals loose on our streets.

People should feel secure in their own homes, on their own streets and in their own communities. We will help to restore that feeling.

**Mr John Gerretsen (Kingston and the Islands):** On a point of order, Mr Speaker: Is it proper in this House to be speaking about subject matters which are exclusively

the jurisdiction of the federal government, as the member has been doing over the last—

**The Deputy Speaker (Mr Bert Johnson):** Question period was over quite some time ago, and a question isn't a point of order, sorry.

**Mr Gerretsen:** But I'm asking for an interpretation.

**The Deputy Speaker:** The Chair recognizes the speaker.

**Ms Mushinski:** Health care will always be an issue of concern to Ontarians and their government. That is why in 1995 we ran on a promise to spend at least \$17.4 billion annually on health care. But we acknowledged that, given changes in technology and our population, we could not continue to spend those dollars in the same way that we had before.

As we said in our throne speech in 1995: "Within the health care budget are the potential for savings and opportunities for reinvestment. We will continue to redirect savings in ways that maximize outcomes and provide the greatest benefit to people."

In our first term, we laid out a plan to restructure and renew our hospital system. That restructuring is still underway and will result in better, more modern hospitals delivering better services to our communities.

We also laid out an ambitious plan to create the first new long-term-care beds in a decade, update existing facilities and increase community care. These plans are also being implemented.

In my riding, the new Scarborough Hospital, Scarborough General division, has received reinvestments for renal dialysis, an MRI unit and substantial capital to upgrade its birthing centre and critical care wing.

We did all of this while having to endure a \$2.8-billion cut in federal support for health care. We not only made up for that cut out of our own budget but added \$1.5 billion in additional funding to health care, bringing health care spending to its highest level in Ontario history.

As promised, we will increase the health care budget by a further 20%, to \$22.7 billion in the year 2004, and we will continue to ensure that those dollars are spent in ways that provide the most modern and effective services possible to Ontarians.

In 1995, we began to address a widespread desire among parents and the wider public for more rigour and accountability in our education system. These parents were paying higher and higher education property taxes at the same time that they were disappointed in what their children were learning and how they were learning. We promised in our 1995 throne speech to "ensure a demanding core curriculum, regular testing of students and standardized report cards." As members will know, these proposals are now reality in Ontario schools, to the satisfaction of many parents, including the leader of the official opposition, who, as recently as the election campaign, stated: "Province-wide testing is a good development. I like that. I've got four kids of my own, three of them in high school. I like the new report card;

they're easier to understand. I like a good, solid core curriculum as a parent."

**Hon Margaret Marland (Minister without Portfolio [Children]):** Who said that?

**Ms Marilyn Mushinski:** Dalton McGuinty, National Post, June 2, 1999.

The next step in our plans to achieve excellence in our schools will be to implement regular competency testing of teachers. We cannot take credit for coming up with this idea. It dates back to the previous government's Royal Commission on Education, which was endorsed by both the government of the day and the official opposition.

The idea at the root of teacher testing is to assure parents that the time and effort teachers spend refreshing and upgrading their skills will make a difference in the classroom. Continuous professional development for teachers is vital.

To give our children, and my kindergarten-aged grandson, a higher quality education, we need to set standards, then measure progress. The only way to measure progress is to test.

In addition to mandatory teacher recertification, student testing on core subjects will be developed for each grade. Schools that do not meet the minimum standards will be required to develop and implement turnaround plans.

I've enjoyed a very busy summer here at Queen's Park and in my riding of Scarborough Centre. I know the gardeners and the tourists who tend and appreciate our beautiful grounds have welcomed it. But I am sure that we all remember the various, shall I say, impromptu picnics that occurred here and elsewhere, featuring colourful flags and signs.

While we do respect and take into account the views of individuals who feel strongly enough to take their case directly to us at Queen's Park and elsewhere, I always remember that it is not only on their behalf that we serve.

My caucus colleagues and I also work on behalf of the people who, by and large, don't attend protests. That's because it is they who pay the price when we shrink from carrying out our commitments.

These are the people who work a full day, pay their taxes, respect our laws, and pull their weight in our communities. They are our communities. In Scarborough Centre, they're the residents of North Bendale, Maryvale, Wexford, and dozens of neighbourhoods like them.

Today, I rededicate myself to them and, as we did in our throne speech in 1995, to the restoration of hope and prosperity in Ontario—to the Common Sense Revolution. I also rededicate myself to those goals which I believe all Ontarians share, though we may differ in how we achieve them: excellent education, dependable health care, the dignity that comes from a job, safe communities, a decent standard of living and hope and opportunity for all.

1610

**Mr David Tilson (Dufferin-Peel-Wellington-Grey):** It's a pleasure for me to rise today to second the motion in response to the speech from the throne. I of course

echo the comments from the member from Scarborough Centre with respect to her comments this week.

I would like to commence today by thanking the voters of Ontario, the voters who placed their confidence in this government for a second mandate, who support our policies, our plans for the future, which is exactly, of course, what the throne speech is all about: a plan for the future.

The throne speech essentially repeats exactly what was put forward in our platform during the election, and we're going to do as we said we were, exactly as we did in 1995. We will continue our efforts to restore jobs, hope and opportunity and growth to Ontario. We will work to make Ontario the best place to work in North America and to raise a family in North America.

I want to thank specifically the people who elected me in my riding of Dufferin-Peel-Wellington-Grey. This is the third time that the people of that area have placed their trust in me and I'm certainly grateful and humbled by the support they have given to me. I want to let them know that they can count on me to continue to represent them and their interests here in this place to the best of my ability.

I want to also congratulate all the new members who have been elected to this place on all sides of the House. I can tell you, this is a great place to work. It's a great place to express your views.

**Mr David Christopherson (Hamilton West):** Speak for yourself.

**Mr Tilson:** The member over here has asked me to speak for myself. We'll let him explain that to his constituents. I, quite frankly, enjoy this place. I enjoy doing the work here. I enjoy working with my constituents.

I welcome all those new members here and I know that they will serve the people of their respective ridings and the people of Ontario with honour and distinction.

I also want to congratulate those members of the 36th Parliament of Ontario who either did not run or were defeated in the last election, again from all sides of this House. For me, it was a pleasure to work with them and I'm hopeful that our paths will cross again.

With respect to my remarks on the throne speech, I want to build on the comments made by my colleague the member for Scarborough Centre. She has made a great case for this government's agenda, and I heartily second not only her motion but her words today.

The speech from the throne proved, as many of my Conservative colleagues will no doubt say, that the revolutionary spirit that inspired this government in its first term is alive today in our second term. We're going to continue doing what we did in 1995. We're going to continue putting this province back in the place that it should be and is, in fact, now.

I was proud to be elected to implement the changes of the Common Sense Revolution. I'm proud we did the things that we said we would do. Person after person, whatever their political stripe, has said one thing about this government, one thing about the Premier of Ontario:

We have said and done exactly as we said we would do. We said it and we did it.

However, there's still much more to be done to help Ontarians better their lives. The throne speech outlines some of the measures that we plan to continue this work. Our work in these areas is no way complete. We have more work to do. The member for Scarborough Centre has made very good points in her speech. She has offered many good reasons for members to support this speech.

In my remarks I want to anticipate some of the things that we will likely hear from the Leader of the Opposition and some of his caucus colleagues over the course of the debate on the speech from the throne. I'm sure my colleagues and I will soon hear from this leader and his caucus about health care, about education and about tax cuts. It will be interesting to hear what their alternative is to the plan this government has put forward in this throne speech and whether his plan has changed, if he indeed had a plan during the election campaign.

We have nothing to be ashamed about when it comes to these issues and I'm proud today to talk about these issues in light of the throne speech.

With respect to health care, I know that the Leader of the Opposition and his colleagues will want to talk about health care. Health care is important. In my riding, and I know all ridings across this great province, of all the issues that people are concerned with, health care is certainly at the top of that list. It is vital to the well-being of Ontarians. Ontarians look to their provincial government to make sure that the health care services are in place when and where people need them. We agree with the people. We believe that health care is important. We believe health care is so important that we're spending more on health care than any other provincial government in the history of Ontario. We believe that health care is so important that we're working with all of our partners in health care—the professions, hospitals, everyone—to make sure the vital services are in place where and when people need them.

Her Honour, in the speech from the throne, reported to us several measures that the government plans to take in order to improve health care. Coming from my riding of Wellington-Dufferin—my riding of Dufferin-Peel-Wellington-Grey—it's hard to change the name, Mr Speaker. I've got two more names on it and it's hard to get on to that.

Coming from a riding that has a mix of small urban and rural communities, I know the challenges that face many Ontarians, especially outside of Toronto, when it comes to getting a local family doctor. That's why the government promised a new initiative to offer medical students free tuition for medical school if they commit to relocating and practising in an underserved area for five years after graduation. That's a pretty generous offer. Students are concerned about where they're going to get funds to be educated. We're prepared to do that. All they have to do is make a commitment to work in an underserved area in this great province.

We will make a real difference to the lives of Ontarians. This is an idea most Ontarians can get behind. As a relatively recent father myself—I have a young daughter who is now 16 months—

*Applause.*

**Mr Tilson:** Thank you very much. It was my pleasure and continues to be my pleasure.

I know first-hand the particular importance of obstetric care and so does this government. That's why we're implementing a plan that will ensure that new mothers have a guaranteed 60-hour stay in hospital after birth.

This government's health policy is always focused beyond the dollars in the system. Health care funding is important, but there is more to health care than that. We have worked to improve services and to use health care funds more wisely because we want to see health care dollars spent where they are needed most, and that's on patient care. With this in mind, the speech from the throne promises a Patients' Bill of Rights that protects patients' rights to access health services and to complete information about their health, to respect for their privacy, personal dignity and safety. This is part of an important and ongoing effort to make health care more accountable and focused on the needs of some of the patients.

I would like to make a few comments with respect to my riding of Dufferin-Peel-Wellington-Grey—I think I finally got it. Our community believed in the benefits of health care restructuring. It actually started back when the New Democratic government was in office, and we have restructured our hospitals in their reign. We were one of the first areas to restructure under their guidance.

**Ms Marilyn Churley (Broadview-Greenwood):** You must feel there's a problem if you're giving us credit.

**Mr Tilson:** We did exactly as we said, and it has proven to be a wonderful thing in our community.

**Mr Christopherson:** Come and make that speech in Hamilton.

**Mr Tilson:** The member says, "Come and make that speech in Hamilton." I'm telling you, when he was in government, he had no problem telling the people in my riding to restructure our hospitals, and we did exactly that and it has proven to be an efficient system and one of the best in Ontario.

As a result of that restructuring, Headwaters Health Care Centre opened in 1995, a brand new hospital in Orangeville, while the two institutions it replaced became long-term-care and chronic care facilities. The old hospital in Orangeville, the Dufferin Area Hospital, was taken over by the Lord Dufferin Centre, which recently celebrated its first year in operation. It has transferred the aging Orangeville hospital into a retirement village, completely renovated the place, and it's now a wonderful facility, which I would recommend all of you come to if you want to see what to do with that type of facility when it's no longer of use. The lower level also houses a medical clinic, a pharmacy and a retail gift outlet for the tenants and citizens of Orangeville.

**1620**

This new hospital, the Headwaters Health Care Centre, is state of the art, complete with new dialysis facilities. Our citizens no longer have to go to Toronto, to Brampton, to Mississauga to receive dialysis.

We received approval from the Ministry of Health in May of 1999 to purchase a CAT scanner, which is a computerized axial tomography scanner, and the community is currently rallying around the hospital to raise the funds they need for the purchase of this equipment. This hospital is constantly developing new ways to work with other hospitals and to discover the best and more efficient ways to serve the community. More important, this hospital has managed to achieve all of this while also balancing its books this year.

I challenge all of you who are criticizing our government for the way restructuring has taken place to look at the facilities in our riding, because we've proven it can work, that restructuring can work and you can still have a top-flight hospital in your community.

I would like to refer to a few comments with respect to education. Our schools have been the subject of many debates in the last few years, and it has always been the commitment of our Premier and our caucus that education must meet the needs of our young people and prepare for the challenges of the 21st century.

The speech from the throne helps move towards this goal in several important ways. One of the goals of this government's education policy, indeed for all our policies, is to increase accountability. Accountability is especially important in education. Taxpayers need to know where their tax dollars are going and that they are being spent wisely. All Ontarians need to know that education resources are focused where they're needed: in the classroom. Our parents need to know how well our schools are educating our children. More information in the hands of parents will allow them to make decisions about their children's education. That's why the new, easily understandable report card is so important and, might I add, so popular with parents. That's why this government is determined to ensure that we have an effective system of testing the abilities of our teachers on a regular and ongoing basis.

In this House, we are alone in our belief. The Leader of the Opposition has indulged in all sorts of elegant statements to cloud where he stands on this issue. The people of Ontario should make no mistake: The Leader of the Opposition—that's Mr McGuinty—opposes teacher testing, and he has said so many times. But this hasn't always been the case, and I'd like to just talk about some of the flip-flopping ideas of the Leader of the Opposition with respect to this topic of teacher testing.

In February of 1995—he wasn't yet leader then—when the NDP's Royal Commission on Learning proposed mandatory teacher recertification, he told a community paper from his riding, "I am generally pleased with the report from the Royal Commission on Learning in that it recognizes the need to return to a core curriculum, standardized testing, enhanced teacher edu-

cation”—that is, mandatory recertification—“and more community involvement in local schools.”

That's what he said five years ago. Those were the words of the member for Ottawa South. In fact, when his colleague the member for Fort William, who was then leader of her party, set forth the Liberal position for the 1995 election, you know what she said about teacher testing? This is what she said—allow me to quote the Ontario Liberal plan. Many of us know this of course as the red book. That was the party's plan back in those days. This is what it says, in case you haven't read it over there: “As part of our plan for reforming elementary, secondary and post-secondary education, we will ... strengthen teacher education by doubling the length of the preparation program to two years and requiring teachers to upgrade their certification during their careers.” Those were the words of the Liberals back in 1995, and that came from their notorious red book.

**Interjection:** “Testing.”

**Mr Tilson:** It didn't say “testing.” Give me a break.

What's the old saying? “Consistency is the hobgoblin of narrow minds.” If that's the case the leader, the member for Ottawa South, is extremely broad-minded. In 1999 he started singing yet a different tune, a different philosophy. In his “20/20” platform from April of this year, Mr McGuinty had this to say about teacher testing: “All new teachers will be required to pass certification exams that test their knowledge of teaching techniques, ability to identify learning difficulties, and computer and science literacy.” Already we're starting to see some changes in the leader of the Liberal Party.

He goes further. This is after the election. He changed his tune yet again, if you can believe it. He said, “Testing teachers does little to improve the quality of education.” He said this to the London Free Press on September 23, 1999.

On September 4 this year—that's fairly recently—the National Post had this to report: “Dalton McGuinty, the province's Liberal leader, denounced the idea by saying, ‘It's discriminatory and it has much more to do with hammering away at Mike Harris's’—

**Mr Mario Sergio (York West):** On a point of order, Mr Speaker: With your indulgence, today I thought we were discussing the response to the speech from the throne and not debating or discussing the contents that are or are not in The 20/20 Plan. We have seen for the last 10 minutes the member reading from The 20/20 Plan instead of discussing exactly what we were intended to discuss in the House today, and that is the speech from the throne.

With your indulgence, Mr Speaker, I think the member should confine himself to debating in the House the contents of the speech from the throne, which have nothing at all to do with The 20/20 Plan, and I would like you to rule on that.

**The Deputy Speaker:** I was listening very carefully to the member who had the floor and was speaking. I found that he was addressing the issues as nearly

perfectly as anyone could. I think he was staying within the framework of the—

*Interjections.*

**The Deputy Speaker:** I'm not in a position to debate it. I just made my ruling. The Speaker recognizes the member for Dufferin-Peel-Wellington-Grey.

**Mr Tilson:** I regret if it's getting the Liberals a little excited, but these are facts as to where their leader is going.

It's quite clear that the parents of Ontario can't count on the Leader of the Opposition to bring in much-needed teacher testing. The parents of Ontario can, however, count on this government to do so. We said we're going to do it and we're going to do it. All parents, all taxpayers can count on this government to make our schools more effective and accountable.

I would like to comment on my riding. I'm quite proud of some of the things that have been happening in my riding. We've had a new elementary public school of Laurelwoods, which was constructed last year in the township of Amaranth in my riding, which is a beautiful facility. There's a new secondary public school called St Benedict, of which I had the honour of attending the blessing just last week. It too is a beautiful facility which the students are enjoying. Next month I will be attending the official opening of a new public secondary school in the town of Orangeville as well.

I will say that the funding that is going on with respect to education in my riding is working and I believe that will be the same across this great province.

**1630**

I would now like to talk about the Liberals' favourite, tax cuts. That's the one they love the most. Certainly one of the hallmarks of the Mike Harris government has been tax cuts. We did what we said we were going to in 1995, and we're going to do what we said we would do this year in the election in June 1999.

For all of you Liberals who don't want to cut taxes, you're just like your federal cousins. You don't want to cut taxes. I'm looking forward to hearing the alternative from the Liberal government when they start talking about all the wonderful programs they're going to implement. Where in the world are they going to get the money?

I assume that what they're going to do if they get into office is raise taxes. In her remarks my colleague the member for Scarborough Centre was quite right to point out that the mere idea of tax cuts was revolutionary when we introduced the Common Sense Revolution. I remember the members of the New Democratic Party when they were in government, and the Liberal Party, just scoffed at that. They said it couldn't be done.

We did it and the people of Ontario liked what they saw. They re-elected us and they want more of what has happened, and that's what we're going to do.

As a result of these tax cuts, over 500,000 new jobs have been created in Ontario since our first throne speech in 1995. The Blueprint from the last election offered more tax cuts to Ontario. In the speech from the throne,

Her Honour made it clear that the government plans a further 20% reduction in personal income tax. The government will also implement a 20% cut to the provincial portion of residential property taxes. We have already implemented 10% of that.

These are important measures for the success of the economy of this province to create jobs and a better environment for all of us in Ontario.

Hard-working Ontarians should be able to keep more of their own hard-earned money to spend, save and invest as they see fit. This is a proposition that this government and the Conservative caucus are dedicated to. If only the federal Liberal government would see the light—of course we don't know where their cousins here stand on these issues—and cut federal taxes as well.

The concern is that we are still one of the highest-taxed jurisdictions in the world—

*Interjection.*

**Mr Tilson:** Oh, give me a break. That's absolute nonsense.

Like many Ontarians, I wish that our federal Liberal government would get the message that tax cuts are needed.

As we discuss the throne speech commitment to tax cuts, again I'd like to talk about what the Leader of the Opposition has said with respect to tax cuts, because I'm sure we're going to hear him talk about it in the days ahead. I am quite sure that the Liberal leader and some of his colleagues will rise and speak on this issue with respect to the throne speech.

When Mr McGuinty was running for the leadership of his party, the member for Ottawa South said, "No, I am not in favour of a tax break." That's what he said, and this is in the Kitchener-Waterloo Liberal leadership debate on September 22, 1996. A year later, on May 6, 1997, he told a news conference: "Wouldn't have a tax cut. Couldn't afford a tax cut." That's what he said in 1997.

Then, in the North Bay Nugget, he said, "I wouldn't give you a tax cut." That's what he said on July 29, 1997. Then, on Focus Ontario on August 15, 1998, he said, "I'm not the tax cut guy." That's what he said.

What are his true thoughts on tax cuts, you may ask. He said: "Tax cuts are a cheap political fix.... There's more to life than tax cuts." He said that just recently—October 19, 1999.

As we've seen on other issues, the leader of the Liberal Party is not as consistent in his message. Now, time will tell.

This is another quote from him. He said on April 14, 1999, "Time will tell if we will supply a tax cut in the second year of our mandate." That's what he told the Liberals at his own nomination meeting in Ottawa South on April 14, 1999.

He then told the Hamilton radio host Roy Green, "We'll be able to provide significant tax relief in the second year of our mandate." So he's now getting into another theory: It's the second year of our mandate. Do

you know when that is? If he ever gets elected, that's gone away.

**Interjection:** It's 20/20.

**Mr Tilson:** It's 20/20.

Speaking at London's Labatt Park in the midst of the election campaign, Mr McGuinty said, "Well, we're talking about, according to the government's economic projections, we're talking about a tax cut available in the third year." It's getting longer; it's in the third year. "So in our third year we'll have to put forward the money and talk about what we're going to do at that point in time."

I have no idea what that means, and my guess is his colleagues have no idea what it means. He's out of control.

Overall, I would say that the record I put forward today does not offer many encouraging signs from the Leader of the Opposition, Mr McGuinty. I would urge his colleagues, his fellow Liberals, to take a long and hard look at his positions, and frankly, where he stands with the people of Ontario.

I know it will not have escaped the notice of the members here that the latest survey from the pollster Angus Reid, released this morning, I believe, shows Mr McGuinty to be trailing his party in popular support. Too bad, I guess.

I also noted with interest, and I'm sure this will be of interest to the Liberal members, too, that the member for Ottawa South enjoys the least support of any leader in this place.

**Mr Sergio:** On a point of order, Mr Speaker: I believe that we are here to inform the people of what the government does or doesn't do. We are here today to speak on the speech from the throne delivered in this House, not to read polls. I am quite surprised that the member is taking considerable time to read from some polling done on behalf of the Conservative Party instead of addressing the values and the merits of the speech from the throne. I have to say that the reason they are resorting to that is they have an empty speech from the throne and they have nothing to tell the people of Ontario.

**The Acting Speaker (Mr Tony Martin):** That's not a point of order, so the member can continue.

**Mr Tilson:** Some 48% of Ontarians disagree with their leader. That's the fact.

If I can borrow a phrase from the election campaign, Ontarians have taken a cold, hard look at the Leader of the Opposition and found that he is simply not up to the job.

Mr Speaker, in conclusion, I must note that the speech from the throne is—

*Interjection.*

**Mr Tilson:** I'd talk longer, but I'm not allowed to; it's almost over.

This speech from the throne is clearly infused with the spirit of revolutionary change that marked our first mandate. We're going to continue to do what we have been doing. It offers a clear vision to lead Ontario to a brighter future with greater prosperity for all.

As I have noted today, the speech delivers needed changes in important areas. As I have contended here today, the opposition will have little to offer Ontarians in important areas such as health care, education and tax cuts. It remains to be seen, but I don't think you're going to hear anything from the opposition with respect to those three very important areas.

Only the strong, principled leadership of Mike Harris will lead Ontario into a new century. I believe the speech from the throne has demonstrated such leadership. I'm pleased to have had this opportunity to address the Legislature today and express my support and second the speech from the throne.

**Mr Dominic Agostino (Hamilton East):** I move adjournment of the debate.

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

Orders of the day.

**Hon David H. Tsubouchi (Solicitor General):** Mr Speaker, pursuant to the order of the House passed earlier today, I move we adjourn the House until 6:30 this evening.

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

The House stands adjourned until 6:30 of the clock this evening.

*The House adjourned at 1642.*

*Evening meeting reported in volume B.*

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Une liste alphabétique des noms des députés, comprenant toutes les responsabilités de chaque député, figure dans les premier et dernier numéros de chaque session et le premier lundi de chaque mois.



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