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(Hansard)**

**Journal
des débats
(Hansard)**

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Jeudi 4 novembre 1999

Speaker
Honourable Gary Carr

Président
L'honorable Gary Carr

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LEGISLATIVE ASSEMBLY
OF ONTARIO

Thursday 4 November 1999

ASSEMBLÉE LÉGISLATIVE
DE L'ONTARIO

Jeudi 4 novembre 1999

*The House met at 1000.
Prayers.*

PRIVATE MEMBERS' PUBLIC BUSINESS

POLICE RECORDS CHECKS
BY NON-PROFIT AGENCIES ACT, 1999
LOI DE 1999 SUR LES VÉRIFICATIONS
DES DOSSIERS DE POLICE
PAR LES AGENCES SANS BUT LUCRATIF

Mr Kormos moved second reading of the following bill:

Bill 9, An Act respecting the cost of checking the police records of individuals who may work for certain non-profit service agencies / Projet de loi 9, Loi concernant les frais de vérification des dossiers de police à l'égard des particuliers qui pourraient travailler pour certaines agences de services sans but lucratif.

The Acting Speaker (Mr Michael A. Brown): Mr Kormos moves second reading of Bill 9. You have 10 minutes.

Mr Peter Kormos (Niagara Centre): I'll tell you straight off that this was prompted by the government's announcement in, I believe, April of this year of what's called Christopher's Law, and that was the pedophile or sex offender registry. That was one of the recommendations in the verdict of the jury in the inquest into the death of Christopher Stephenson. I think most of us recall it with some great horror. The public wasn't well served at all, when one takes a look at the history of the predator who ultimately murdered Christopher Stephenson back in 1988.

The jury undoubtedly went through an incredibly difficult task merely listening to the history of events, but compiled and put forward an incredibly comprehensive list of recommendations. At the outset, I think all of us have to acknowledge that this government was responsive in terms of proposing its sex offender registry, and we're told that's going to be reintroduced in this new term. Specifically, that was recommendation 44, requiring an offender to register with the police in the jurisdiction where that offender will reside or is residing.

But what of the other recommendations? One of the responses to the sex offender registry proposal alone is that it's not a very comprehensive approach to the problem, is it? It addresses but one recommendation. I understand as well that the government has made a

commitment of some modest funds, as I recall it, to be utilized over the course of three years, basically to help agencies utilizing volunteers to develop programs to screen applicants.

One of the other recommendations in the verdict of that jury was that Canadian police forces be encouraged to co-operate in providing consensual background checks on prospective volunteers to volunteer organizations at a minimal charge. That prompted me to make some inquiries about what kinds of charges were being imposed on volunteer agencies. There were, among other things, some incredible ranges across the province, depending upon where you are. Understand that you're talking about organizations like Big Brothers, the Boy Scouts of Canada, the Girl Guides and minor hockey associations. These are organizations that have scarce funds to begin with.

By virtue of my office canvassing some of these organizations, we learned some information that might be of some value or even some modest interest to people here. Last year, the Boy Scouts of Ontario did 10,000 record checks, according to them. It's an incredible number of record checks. They indicated that 10% of those record checks were done by the OPP, and I give credit to the OPP, because the OPP apparently does not charge anything for record checks. But the vast majority of people applying to volunteer with Boy Scouts are in urban areas where the OPP don't service the municipalities, where they're serviced by a municipal or regional police force. That's where you get into the disparities.

For instance, in Sudbury the charge by the Sudbury police is, fair enough, \$10 for a record check for a volunteer. But the charge goes up to \$16.05 for a prospective employee. Again, these are non-profit organizations. They work on very limited budgets and fundraising has become increasingly difficult for these organizations.

In Niagara region the cost of a background check by Niagara Regional Police for volunteers went up in the last four years, from \$10 to \$15. That's for a volunteer. The charge for an employee is \$45, one of the highest in the province.

In Oshawa, the Boy Scouts of Oshawa paid \$5 for a background check before 1995; after 1995, they paid \$10 for a background check.

In Windsor, volunteers pay nothing for their background checks; however, potential employees for a non-profit organization that works with youngsters or the elderly or other vulnerable people are charged \$35.

One of the interesting comments made by Big Brothers in Niagara region, for instance, was that a large

number of their volunteers come from among the student population. A large number of Niagara College students volunteer as Big Brothers. They have to pay their own fee for the background check, that new \$15 fee up from the \$10 historically.

Some policy changes were made in Niagara Falls as a result of the increasing fees being charged by police forces. Big Brothers tells us that at one point in its history it wanted a background check not just on the actual big brother applicant but on any person over 18 in that big brother's household, assuming that the child who was the little brother was going to be brought into that household. That indeed was an astute thing to do, but that policy has been abandoned because of the cost of record checks. What we've seen is an incredible disparity across the province in what's being charged.

Another thing that was of great concern, and I'm not going to name the organizations: We discovered a huge number of volunteer organizations that don't do record checks. Many volunteer organizations in hospitals and senior citizens' homes don't do record checks of volunteers. Many organizations with volunteers dealing with persons with disabilities don't do record checks. I don't want to accuse them of any sort of negligence in that regard. However, it seems unfortunate that, however sad and tragic it is, there are huge numbers of volunteers out there who aren't undergoing police record checks.

1010

My proposition is simple. I can tell the government members that they can expect, I believe, some incredible co-operation from the opposition. I can't speak for all opposition members, but I suspect it will be the case that there will be little resistance to any proposition of a sex offender registry. There will undoubtedly be criticism about how broad and effective that will be, and the fact that it will be but one piece of a broader plan that's going to protect vulnerable people, but there is going to be little opposition to it.

If we're going to give effect to the verdict of the coroner's jury on Christopher Stephenson, we should be giving effect not just to the sex offender registry proposal; we should also be giving effect to the proposal that there be universal access to police record checks. It seems to me that's the only way to really guarantee it, because the trend is clearly that the fees being charged are increasing. That's the evidence; there's no two ways about it. I could get on to a partisan rant about why that's happening, but I won't because I think it's self-evident.

The fact is that if we clearly stated that no police force shall charge a non-profit organization seeking to screen an employee or a volunteer, you would get uniformity across the province and ensure that there's an incentive rather than a disincentive (1) for volunteers who are called upon to pay their own costs in applying, and (2) for agencies that can accumulate some incredible charges in the event that they have to screen volunteers and whose budgets may actually restrict or prevent them from considering new volunteer applications.

Big Sisters in Niagara region, for instance, has a huge demand right now for volunteers. I would hate to see the day, and I suspect we're close to it, when mere budgetary constraints say that we can't consider any more volunteer applications even though we need the volunteers, because of the fact that they're going to have to pay for each volunteer application by virtue of paying for the police records check.

It is my modest submission that this legislation would so much do the right thing by establishing across the board in Ontario that no volunteer, non-profit agency shall be charged a fee for a police record check. If we're serious about protecting kids or seniors or vulnerable people from predators, let's endorse the Christopher's Law proposal, but let's also make sure there is universal accessibility, at no cost, to police background records of potential employees or volunteers.

The Acting Speaker: Further debate?

Mr Frank Mazzilli (London-Fanshawe): Thank you for the opportunity to respond to the private member's bill introduced by the member for Niagara Centre.

This government recognizes the important role that community organizations play in our society, and we are well aware of the contributions made by volunteers who serve these organizations. There are many programs in place that support both non-profit groups and their volunteers, including a number in the Ministry of the Solicitor General. For example, we support community groups across the province in their efforts to organize grassroots crime prevention programs.

At the same time, this government is committed to making Ontario a better place for all citizens to live, work and raise a family. Everyone has the right to feel safe on our streets, at their places of work and in their homes. We intend to keep our promises to the people of Ontario and to take positive action to ensure they can live free from fear of crime.

In other words, we must balance the very valuable contribution made by our volunteers with the need for a safe and secure society. For the vast majority of volunteers, police checks will be a minor inconvenience. But for the very small number who use the cloak of volunteerism to prey on vulnerable members of our society, the police check is an absolute and effective deterrent.

That leaves the question of whether police should have the right to charge for conducting background checks of volunteers. On that score, we believe it should be up to the local municipalities, the police services, to decide whether to make such charges and, if so, at what level. We object to this bill because it essentially removes the decision-making process from the police services when it comes to requests for police record checks.

Some police services have found it necessary to charge for background checks, while many others in our province are providing them free of charge. The Ontario Provincial Police, I'm very proud to say, has a policy of providing background checks for volunteers free of charge. As we've heard from the member from Niagara,

Windsor does, and my community, London, provides services free of charge.

Our government has faith in our police services and their professionalism. We believe police services should have the discretion of making these decisions at the local level. Municipalities can work with their police services, and it is inappropriate to interfere with that decision-making process by introducing this legislation, which is too prescriptive towards local police services and municipalities.

You might be interested in knowing that a consortium of leading voluntary sector organizations, with support from the Ministry of Citizenship, Culture and Recreation, is now implementing a recently announced strategy: the Ontario screening initiative. This initiative promotes community safety by helping the voluntary sector to understand the importance of screening, train resource people who will help community groups implement screening and make screening material widely available. This screening initiative will help community groups improve the way they select, train, place, supervise, evaluate and monitor both volunteers and paid staff to maximize protection of the public. I am confident that this initiative will go a long way to improving public safety.

The Ontario Association of Chiefs of Police has worked with Volunteer Ontario, a province-wide organization established to advocate for volunteers in non-profit organizations and to help design guidelines to assist these agencies and organizations in maximizing public safety in the hiring of candidates for volunteer or paid positions.

However, the Ontario Association of Chiefs of Police also recognizes the need to charge for background checks for volunteers and for job applicants. The association based its recommendation on a time-and-motion analysis. Their estimates are that the average cost to provide a background check to their department is \$40. But this is not being proposed. Current fees are either non-existent, as we've heard, or extremely nominal. It is unreasonable for municipalities to recover the cost of providing this service on a user-pay basis. If prohibited from charging for police record checks, if prohibited from recovering the cost of staff and time of police services, they will be facing pressures of existing time and cost resources.

Background checks for screening volunteers is one element in protecting the public. However, employers and volunteer organizations recognize the need to employ other measures for screening and ongoing monitoring to fully protect their clients. All of these measures must work together to ensure public safety in this province.

Mr James J. Bradley (St Catharines): I rise to support the bill that has been proposed by the member for Niagara Centre today. I think there's a recognition that the checks are most appropriate for various organizations of a volunteer nature in our communities across the province. The real question is, who shall assume the cost of those checks?

Many organizations struggle to obtain enough funds to carry out their mandate within an area. Many volunteer organizations have to hold their small raffles or perhaps have a bingo or have other ways—a turkey raffle, a ham roll—various ways of raising money for their organization. The demands on the various volunteer organizations today—particularly when governments at all levels appear to be moving out of certain areas of responsibility that they had previously assumed—is onerous, because they're called upon to do more and more and play a more significant role in terms of numbers and of their responsibilities within our society. That's why I become concerned when I feel that there might be a financial penalty being imposed upon them for this particular requirement by the provincial government. I think all of them would agree with the requirement. I think all members of this House agree that that was most appropriate.

1020

Our concern remains in allowing those volunteer organizations to be viable, not to have some of their funds diverted to a cost of this kind that is incurred by checks that are done by the police department.

On the other hand, we don't want to see our police services across this province penalized because they have to have more people on staff and more resources to carry out this responsibility. It seems to me that in the funding formula that is available for policing services in this province, it would be appropriate for the provincial government to take into account that new responsibility that police services might have across Ontario.

I'm sure they could develop an appropriate formula with the various police services boards across Ontario and their representatives meeting with the Solicitor General's department in consultation with the department of treasury—that is the Minister of Finance in this province. As a result a formula could be developed and municipalities might be compensated then for this task which is carried out by the police services.

It's a concern, particularly for many of us who served at the municipal level for a number of years, that more and more responsibilities of a costly nature are being placed on the backs of municipalities.

I know in my own area, for instance, that after the exchange of services between those that were previously provincial and those that today are municipal, our municipal government at the regional level, the regional municipality of Niagara, calculated that the difference was \$18 million. In other words, they had to assume a net \$18-million increase in financial responsibilities.

That, of course, has to be dealt with in a couple of ways. It has to be dealt with, first of all, by even further cuts to municipal services. I think we all know municipalities were among the first to start to make the cuts; because they were on the front line, they had to do so. They don't have the same taxing resources that senior levels of government have, so that's one factor. We saw some of what I would call essential services start to be eroded at the local level.

A second consequence would be that they had to raise taxes, or not lower taxes as much as they might have, because of assuming these new responsibilities from the province, I must say sometimes you had a combination of further cuts that municipalities had to make and some cost increases.

Another aspect of this is seeing user fees increase for various services provided by municipalities. As we know in this House, user fees tend to be most onerous on those who are least able to pay. Those in the lower-income brackets, those who do not have the financial resources, are always impacted more adversely by user fees than others, so I believe this bill tries to address that.

Again, to review, there is a recognition that this is an appropriate measure to go through, that there should be those appropriate checks taking place.

Second, we know that there's going to be a cost incurred and that it can be a cost which is difficult for police services to bear and a cost which is very difficult for volunteer organizations to bear.

The third aspect of it is having our province provide the necessary funding to be able to carry out this new responsibility which has been placed upon the municipalities and the police forces.

I think the bill addresses this particular aspect. The second step is that the province come forward to offer its assistance financially and otherwise in this regard.

Mr Gilles Bisson (Timmins-James Bay): I want to add my voice in support of this particular bill, and I want to do a couple of things. I want to go through what this bill is trying to attempt and some technical parts of the bill and also the reasons why we need such a bill. I think the member from Welland-Thorold—I believe the riding is still called Welland-Thorold? Niagara, whatever. One thing about this new House is that all the ridings are changed, and you've been used to calling somebody the member for Welland-Thorold for all these years. To get to the new title takes a bit of adjustment, even for Speakers, I notice; they tend to still call me the member from Timmins-Cochrane South or something.

What the member is attempting to do is to alleviate some of the financial burden that has been placed on volunteer organizations when they go out and do a criminal check on a potential volunteer who may be working with youngsters of the province or working with seniors. Unfortunately, there are I guess you can call them predators who like to associate themselves—and this is not the majority of people who volunteer, but it does happen—in volunteering with kids or with seniors, sometimes not for all the right reasons, and I'll just leave it at that.

Volunteer organizations want to do the right thing. They want to, first of all, make sure they provide good volunteer services for the communities they serve, and they want to make sure that the people who are doing the volunteering are there for all the right reasons and are going to be there in order to assist the particular organization to advance the goal or to provide the services they are trying to put forward.

What the member, Mr Kormos, is trying to do here is to say it is a financial burden and becoming increasingly so with the financial burdens municipalities find themselves having, with the lack of transfers and the down-loading from both federal and provincial governments; that it is becoming increasingly expensive for them to do business. I have seen that situation. Big Brothers and Big Sisters in my community have mentioned this particular issue to me. I know that other organizations, such as the people who do the Meals on Wheels programs and stuff, have mentioned it to me. They're saying it becomes a bit of a problem after a while. Every time a potential volunteer comes through the door and they've gone through the proper interview process, they've determined this person is a likely candidate to volunteer in the organization and to be given some responsibility, they're having to go out, in some cases, and pay to get criminal checks done on people.

I've got to say, as Mr Kormos has said, the Ontario Provincial Police have actually been quite good on this. That's where I've referred most of my people. I've said, "Go to the province," because the OPP, as far as I know, don't charge for those criminal checks, and I think that is a really good thing.

The problem is that some municipalities, when it comes to their municipal police forces, charge \$5, \$10 or \$15 per criminal check.

Mr Kormos: Or \$35 or \$40.

Mr Bisson: As much as \$35 or \$40, Mr Kormos is telling me. I know it is being charged, and it makes it a little bit more difficult for the member agency to go out and do the kind of screening they've got to do for their volunteers.

What Mr Kormos is trying to do by way of this bill is to say let's basically compare apples with apples and put ourselves in a situation where municipal police forces basically do the same thing as the provincial police force, which is not to charge when it comes to doing these particular checks.

I think this saves us money in the long run. I think the municipality not charging the user fee will encourage the volunteer organization to go out and do proper criminal checks and will free us from potentially having problems further down the road when it comes to an obstruction of justice or when it comes to an actual charge for something the volunteer might have done. We all know that costs money at the end of the day. So that \$5, \$10, \$15 or \$30 user fee that would be waived by way of this bill in the long run could be recuperated by way of dollars we're not going to spend further down the road when it comes to dealing with the victims of the abuse, the victims of the crime that's been perpetrated on them, and also on the part of the province in having to deal with the court aspects, the criminal aspects and the police investigations etc, what it costs to investigate the wrongdoing that might have been done.

I think the official word we were given by, I believe, the parliamentary assistant—the member from London-Fanshawe got up here, as all parliamentary assistants do

on private members' day, he was given a document, you know, "Here's the document." It came down, I believe, not from the minister. I don't believe the minister brought down the document; I think it's the bureaucracy. You guys came to government and, boy, you're going to take control of that bureaucracy. I'm finding out more and more the bureaucracy runs this government, and it really surprises the heck out of me. At least we as a government had some ability to deal with that. Here I see the parliamentary assistant coming in, he gets the official document from the ministry and he has to stand there as the parliamentary assistant and read, word for word, every part of the line he was given by the ministry, which was, "No, we're not going to do this."

Well, I know the Conservative backbenchers and the Conservative ministers of this crown are free individuals, I know that. I look at my good friends, Mr Wettlaufer and Mr Ouellette, and others, free-minded individuals all—

1030

Interjection.

Mr Bisson: I mean that in all sincerity. We may not agree philosophically on where you're trying to take us, unlike the Liberals—they like where you're going, but they don't like how you're going to take them there. They just want the power to do it for themselves. I don't agree with where you guys are going, but you are free individuals, and I believe some of the free individuals in the Tory caucus agree with Mr Kormos and see this as actually a good thing. I believe that because I know my good friend Mr Wettlaufer especially would not stand up in this House and vote in opposition to this bill, because I know he cares about this. I know he, as do all of us in this Legislature, wants to make sure we do the proper thing when it comes to making sure our volunteer agencies have the kinds of volunteers who do the work out there for our communities for free and making sure we know, as much as humanly possible, that those volunteers are not going to utilize their positions for the wrong reasons.

I'm not going to go through all the examples, because they are disgusting. We're all aware of what has happened in minor hockey, and we're aware of what has happened in other organizations. We're also aware of some elder-abuse issues that have happened in regard to seniors. I don't want to go through the examples, because I think enough said; we know that goes on. What we're trying to do by way of this bill is to allow the volunteer organizations to go out there and do the kind of screening that needs to be done to make sure that when volunteers come forward, we, as much as humanly possible, have checked into the ability of that person not utilizing that volunteer position in order to advance some perverted fantasies he or she might have or whatever it is they're up to. We're going to make it easy for the organizations to deal with it.

I want to talk about one technical aspect of the bill. I think it's important to mention, because I know government members are very busy and don't always have the time to come into the House and read the bill in detail. I

don't bemoan that. I was a very busy member when we were in government. You get all these cabinet briefing notes, you sit on parliamentary committees and take all those trips and junkets where you've got to travel around the world at government expense to represent the government. I understand it's a very—

Interjection.

Mr Bisson: Not you, Mr Wettlaufer. I know you're not like that, but I do know how busy it gets.

For those of you who have not had the chance to read this bill, I just want to make one point because I think it is very, very important to make this point, and it is under section 3 of the bill, in case members wonder if this gives the volunteer agency some ability to go out there, willy-nilly, and do criminal checks on anybody they want and to abuse their power in some kind of way. Not at all. The bill deals with that under section 3.

Basically what it says is, "This act does not authorize a police records check that is not otherwise authorized by law." Simply put, it means to say there has to be a waiver that's signed by the volunteer organization. Somebody takes responsibility from within the organization to make sure that this is being done for the right reasons, and the police in the end have the right to say: "Hey, listen, we think you might be abusing your power. We want to investigate this." There are some checks and balances that the member, Mr Kormos, has put into this bill. The fine legal mind that he is, I must say, he has looked on both sides of this, and I think it's very important to say that.

Again, I want to say to my good—I won't say "my good friends in the Conservative caucus"—acquaintances in the Conservative caucus that I don't agree philosophically with most of the places you're going. I think your legislation, by and large, goes in the wrong direction on most aspects, especially when it comes to economic development, but that's for another debate.

But I do know there are free-minded individuals within the Tory caucus. I look at Mr Wettlaufer, Mr Ouellette, Mrs Marland, Mr Tilson, individuals all, honourable members—

The Acting Speaker: The member would know we should refer to other members by their riding and not their proper name.

Mr Bisson: Mr Speaker, I used to know what all their ridings were, but they all got changed. I'm such a busy member, critic for everything in northern Ontario, having to do all my things, I haven't got time to come and read the chart. So, please, if I mentioned your name, it was not meant as an insult, because I think you're all honourable members.

Interjection.

Mr Bisson: It's still Mississauga South? Well, there you go, I do know one of them, as it turns out.

I want to say to the member for Algoma-Manitoulin—see, I got yours right—that these members in the Conservative caucus I think support what Mr Kormos is trying to do. I certainly hope, and I somehow suspect, that a number of Conservative caucus members will

stand in support of this legislation, because they understand what the member from Niagara something—

Interjection.

Mr Bisson: Niagara. There we go, I just learned a second one. They understand that the member from Niagara, Mr Kormos, is not advancing a partisan bill; he is trying to advance a bill that responds to an actual problem that exists in all our communities.

I would say to the members opposite that I look forward and I anticipate that they will stand up and vote in favour.

Je veux seulement dire au membre d'Algonia-Manitoulin, comme on dit en français, que les volontaires de nos communautés jouent un rôle clé. Parfois les volontaires sont la seule réponse dans la communauté capables d'aider et d'assister avec beaucoup des problèmes qu'il y a dans nos communautés et d'offrir beaucoup de services qu'il n'y existent pas.

Je regarde les communautés comme Mattice, Jogues, Moose Factory et autres. Ces communautés-là n'ont pas un gros montant de services provinciaux ou fédéraux à leur disposition pour répondre au besoin de leur communauté—pas comme la grosse ville de Toronto ou la grosse ville d'Ottawa. Les volontaires jouent un rôle qui est clé dans ces communautés-là et c'est ça qui bâtit l'esprit de la communauté.

Ce projet de loi que M. Kormos met en avant est pour dire que si on fait l'ouvrage comme volontaire, ces gens-là ont besoin de s'assurer que les volontaires sont du monde qui ont été vérifiés quand ça vient à des records de la police, pour s'assurer que ces individus sont clairs, n'ont pas de problèmes et ne sont pas là pour les méchantes raisons.

Je veux laisser le restant du temps qu'il y a sur l'horloge pour mon bon ami M. Kormos, le membre de Niagara, pour être capable d'avoir encore une couple minutes à la fin pour finir son débat.

Je vous remercie monsieur le Président, membre d'Algonia-Manitoulin.

The Acting Speaker: Further debate?

Mr Bob Wood (London West): Thank you, Mr Speaker. May I first congratulate you on your election as Deputy Chair. I know you're going to serve the House well.

I would like to speak very briefly in favour of the principle of this bill, which I think is a sound one, but I'd like to raise concerns about a couple of the details.

One detail involves the definition of the organizations that are covered in the bill. I think there's a case to be made that it may be too narrow. I hope, should this bill proceed, that the definition will be looked at with a view to seeing whether it covers all the organizations that might properly be covered under such an initiative.

The second concern I would like to raise is, is it necessary to mandate this for the municipalities? Are they going to do the right thing on their own? I think maybe we should give them a little time to see whether or not they get the clear message that I think does come

from the people of this province as a whole, which is that charities should not be burdened with this kind of cost.

Other than those two reservations, I think the bill heads in the right direction, and I hope the House will give it favourable consideration.

Mr Steve Peters (Elgin-Middlesex-London): I too want to rise in support of the bill that has been put forth by the member for Niagara Centre. As a former member of a police services board, we had to deal with this issue. Police services boards have been treated much like any other department in the city, and with all the downloading that has taken place to municipalities, dating back to the cuts that have occurred since 1995, police services boards have been forced to have to do more with less.

One of the issues we had to deal with as a police services board was this very situation. What we found was that, as a police services board, we were getting a number of inquiries from organizations wanting us to do background checks, whether that was Boy Scouts, Big Brothers, block parents and so on. Because we found that it was taking so much of our time, we had to initiate a fee. That caused a hue and outcry from those organizations because of the cost. They too have been affected by downloading, and they don't have the support they previously had and they have to do more fundraising. It's something that is very important. We need to ensure that the individuals involved with these organizations do have a very clean background; we've got to ensure that's the case.

At the same time, I don't believe we can leave that burden, that financial cost, on the backs of the municipalities. There's been too much downloading, and to just go and say to the municipalities that, "You will do this free of charge," I don't think is fair. It's just another form of downloading. I think it's incumbent on this government and this province that we offer financial support to these municipalities, that we ensure that the individuals do have these good, clean backgrounds.

I want to commend the member for his efforts in bringing this forward, because we all recognize the important role these groups and organizations play in our community. I just wanted to speak in support of that and thank the member for his efforts.

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Mr Joseph N. Tascona (Barrie-Simcoe-Bradford): I'm certainly pleased to join the debate on Bill 9 that's been brought forward by the member from Niagara Centre. I think the act's title speaks to what he's trying to achieve here. It says it's An Act respecting the cost of checking the police records of individuals who may work for certain non-profit service agencies. The non-profit agencies that have been targeted by the member are geared toward youth, also towards seniors and disability groups.

I join with the member from London with respect to the definition of "agency." It may be too narrow, because what we want to deal with and encourage as a principle is for non-profit agencies to make sure that the volunteers who work for them are within the principles of that

organization and are free of any criminal record that would be covered by this particular piece of legislation. It's important that we look at that particular definition with respect to making sure we're covering off the principle of what we're trying to achieve.

I think the other principle that the member from Niagara Centre is trying to accomplish here is encouraging the agencies to have police record checks occur with respect to their volunteers. That's something we shouldn't try to discourage as per the member from St Thomas's diatribe with respect to downloading. This has nothing to do with downloading. This has to do with making sure that non-profit agencies have the wherewithal to make sure that their organization's principles are carried out by the volunteers that decide to join them.

Quite frankly, there is only one taxpayer. We should just basically focus on it with respect to how we're going try to accomplish this. When you deal with other communities—for example, in my area we have OPP in the Simcoe county area and Orillia, New Tecumseth, Springwater and Essa. From what I find out from the member from Niagara Centre, the OPP do police checks for non-profit agencies, but for free. We need to have sort of an equal playing field, and I think that's one of the matters he's trying to accomplish here, with respect to municipalities where there is in fact a fee charged to these agencies.

The cost-saving principle, what we're trying to accomplish here, certainly is designed to encourage these agencies to have their volunteers pass the test that they think is important for them to be able to continue as volunteers.

The cost saving is strictly an issue that we have the one taxpayer, and we want to encourage non-profit agencies to go out and have these police record checks performed and they want to make sure they have the best volunteers there. I don't think this type of fee sits well with respect to accomplishing that purpose. The member from Niagara Centre is trying to accomplish that goal through this particular piece of legislation. Obviously, he has researched it very well, and it is an area that can result in tremendous cost to a particular agency that does rely on a lot of volunteers. We all know those types of agencies that would rely on volunteers: Big Brothers, for example, Big Sisters, associations that deal with the physically disabled, and obviously seniors' groups.

I think this is a good piece of legislation. It may have to be fine-tuned with respect to the definition of "agency" to ensure that the cost-saving principle is adhered to.

I'm pleased to have spoken on this bill. I'll sit down now, but I voice my support for it.

Mr Ernie Parsons (Prince Edward-Hastings): I'm going to speak in support of this bill. I'd like to speak to it from my background as a foster parent and a CAS board member for some 24 years.

There are a lot of people in this province who volunteer but have probably not recognized or are even aware that they're volunteering. At foster parents, we believe very much that we're volunteering and appreciate

the privilege. We receive compensation for it to cover expenses, and no more. That's fair. There are costs associated for new foster parents to get a police check, and I'm supporting this bill that would reduce that cost to people who want to serve the community and want to serve the children in the community.

But I hope the police forces can be a little liberal in their interpretation of who are volunteers. I say that because when children come into our family, some will stay for two or three months, some will stay for 10 years, and some will stay forever with us, but whether they're there for a short time or whether they're there permanently, they in fact become part of our family. For many of these children, they have no other family and they view our parents as their grandparents and our natural children as their brothers and sisters.

But under the current law, if my wife and I were going to be away for a day and we wanted one of our parents to come into our home and stay with the children, they have to get a police check. So they have to spend money to help look after the children that the provincial government has responsibility for. Indeed, if they want to go to a cottage and stay overnight with relatives, they have to have a police check. I guess the ultimate, that we find rather funny as foster parents, is that if one of our natural children who is in their 20s or 30s, who was born and raised in our home with these foster children, moves away and then comes back and wants to look after the children for the night, they have to go down and get a police check and pay for it. Some of our natural children find it rather funny that they have to pay to stay in their own home. I hope there can be recognition that although they're not recognized directly as foster parents or volunteers, there can be accommodation that they not pay.

I could not support police checks more, but I believe this is a step in the right direction to provide the opportunity for more people to be involved, to serve the community, without having to pay for the privilege.

The Acting Speaker: Further debate?

Mr Jerry J. Ouellette (Oshawa): Thank you, Mr Speaker. I also would like to congratulate you on your appointment to the Chair.

I'd like to join with my colleagues the members for London-Fanshawe and Barrie-Simcoe-Bradford in regard to the concerns expressed regarding the definition of organizations and services. However, on this issue, having gone through it just last week—I went through the check for providing a service for my son's hockey team—I found it very appropriate to know that the individuals and the parents who are participating in it had to go through this process.

That's the concern I have, that the process is evolving right now. What happens in future days when there is a change during the period when—say one of the adults helping out with the team has a problem during the time from when the process starts to the end. Where is the requirement for notification of an infraction or something that's taken place? Right now everything's clear with

those individuals, but during the time those individuals or students or kids are exposed to it, there may be a change in the obligations that are put on some service. As I'm saying, the process is evolving.

The member's bill hits it right on when we need to look at some of these aspects of the costs that are incurred by individuals. Locally, I know that the parks association that I'm working through volunteered to cover the cost for that. They have funds for it and they do fundraising for those aspects.

Some of the areas in regard to the bill, though—there are a lot of volunteers and there's a tendency for the same individuals to be providing the same volunteer service. At this time of year it's usually hockey or ringette or, as the case may be, figure skating, where they're helping out. Then in the spring there's soccer and there's baseball, and the same individuals are required possibly to have an expense incurred over and over and over again.

1050

I'm working with an individual, Scott Montpetit, in my riding on this very issue about the cost involved to people within the region of Durham. Apparently there are about 2,500 volunteers who may be subject to this cost, which amounts in the riding of Oshawa or the region of Durham to about \$25,000 to \$50,000. So where does the cost get put and who would have to pick it up and how will it play out are the big questions.

The member has raised a good issue. I think the volunteer organizations, including myself, are very supportive of the issue. I will be voting in favour of the member's bill, to send it for some more review and definition refining on the clubs and organizations that are involved.

As well, the duplication of events: What happens when one volunteer—for example, in the spring, kids' activities get very busy; they have the scouting movements and the soccer and the baseball that take place—may be expected to provide the services a number of times. Possibly looking at cost-effectiveness or one-time fees for an association that is able to cover the cost may help out in that situation. As I said, it is evolving and we expect to see a lot of changes.

Also, the number of participants that are involved: On my son's hockey team, for example, there are five mandatory, but when it comes time to practise on the ice, there are about 10, 12 on the ice. Who is to say how many should be subject to that specific need or cost? I think they were possibly looking at some defining of how many people per organization is a free fee and how many additional ones may be required to pay some costs in there.

Mr John Gerretsen (Kingston and the Islands): I think the last speaker put his finger on it more than anything else I've heard here this morning. The issue is not so much whether or not these checks are necessary. I think we've all agreed on that. It's hard to believe that 15 years ago these checks weren't done except in very unusual situations, but there is general agreement now that these checks ought to be done.

But once you start talking about whether or not one organization can pay and another one can't pay, you're going to get involved in a whole variety of issues about seeing the financial records of organizations and things along that line, which in my opinion is totally unnecessary.

What this bill is really addressing is who is going to pay for these checks. That's what this bill is all about, not that the checks are necessary. They are necessary, but who is going to pay for them?

To have a volunteer organization pay for these checks, in my opinion, doesn't make any sense. Volunteer organizations rely on donations out there, and for them to utilize their money for these kinds of purposes, to my way of thinking, is totally inappropriate.

On the other hand, we also have to be realistic about it. This is a great inconvenience and could potentially be a great cost, particularly to smaller police forces. That's really what the issue is. There are many small police forces that are overloaded with these kinds of requests.

I would suggest that once this bill goes to committee some sort of mechanism would be worked out. Since it's in the provincial interest, not only in the local interest, that these checks be done, since it's in the interests of all of us, there ought to be resources made available by the provincial government to make sure these smaller communities that otherwise couldn't afford to do these checks will be able to do that. I think that's really the essence of what this bill is talking about and I think those kinds of details can be worked out in committee.

The Acting Speaker: Further debate?

Mr Mario Sergio (York West): I'll fill in the time, Mr Speaker.

I'm delighted to hear debate on both sides of the House with respect to the bill presented by Mr Kormos. I also would like to add that there are municipalities where indeed they find difficulties more than others. This is due to the changes that take place in the various communities. I can speak for Metro here, where I feel more at home with some of the issues, and this one as well. We have dealt on a number of occasions with issues such as this one. I think the bill as presented indeed deserves to have a second look, to be looked at in more depth, and indeed have justice, if you will, to the content of the bill as well.

From a municipal point of view, I have to tell you that often municipalities receive complaints from the various organizations which don't have the funding they used to have to do a number of things, provide the services in the local municipality that they normally did and continue to do.

On the other hand, the police have their own problem with funding cuts and stuff like that. If you speak to some of the municipalities—for example, Metro—they will say: "We need more policemen. You're complaining about the services we provide. We need more help. We need more funding." How do they provide those services? Exactly like that, with proper funding.

To add to that I think would be a strain on both the providers, those agencies that normally people in need go

to, and our police forces, which are under stress and strain on a continuous basis.

I think the bill as presented today deserves attention and I congratulate the member.

Mr Kormos: First let me thank the participants for their comments to this bill and their generosity. I guess the parliamentary assistant wasn't as generous as others, but I understand. As my colleague Mr Bisson indicated, I understand you've got a job to do; fair enough.

When we're talking about policing, I also understand that it costs money for police to process record checks. Of course it does. It costs police to attend to your neighbour's home when there's been a B and E too. Everything that police do costs money.

We as taxpayers—and I for one am prepared. I say yes. As a taxpayer—my views are shared by the people from my community and I think most Ontarians—am I prepared to pay for police to do record checks to ensure that, among others, we could protect kids to whatever extent we can so they don't become victims of the incredible atrocities against children that we've witnessed in our province, even in the recent past? I'm prepared to make that sort of investment as a taxpayer. I think that's part of policing should be in a community.

I don't think one should have to pay, with all due respect to you, a user fee for that service, any more than one should have to pay a user fee for the police attending at your house when it's been broken into and entered. In my view, they're parallels. It's the same kind of policing. It's the same kind of service that police should be able to expect from their police forces.

I told you I was mortified, I was just scared out of my boots, by the number of agencies—and for obvious reasons I'm not going to name them, but do some checks in your own communities—that don't do record checks. This is not yet even now a widespread phenomenon. It is in some sectors of volunteer services, but I was frightened when I discovered some very specific areas where there was a trend not to do records checks, where that simply hadn't become part of the process yet. I think that poses great danger and potential risk.

On the scope of the definition of agencies, of course I agree. This is a grossly imperfect effort to get this down here for first reading. I think we should all be in a position where we should be encouraging the access by volunteer and nonprofit agencies to their police forces for the purpose of record checks, and to do that we should be eliminating the fees to ensure that nobody is deterred, that there are no disincentives to utilizing record checks.

You spoke of the problem, of the fact that if you do a record check by virtue of wanting to work with minor hockey, you've got to get a second record check when you want to work with Boy Scouts or with some other agency, or the third one or the fourth one. The reality is that in most of our communities, when you find a volunteer in one service you find him or her in half a dozen other services as well. That's the nature of the beast. That simplify amplifies the problem for either that individual or for that agency.

I repeat again the observation by Big Brothers of Niagara that Niagara College students provided one of their biggest single sources of volunteers, students who were being called upon in this case to pay the fee out of their own pocket. I think we should be doing things to encourage students like Niagara College students to volunteer their time in things like Big Brothers and to not have the imposition of a user fee for the purpose of a criminal record search put upon them.

I hope members join together in this bill. I hope this bill has an opportunity to have some consideration in committee so it can be fine-tuned and have some responses from various organizations, if necessary, but I think if we're going to give effect to things like the coroner's inquest, the verdict of the jury into the death of Christopher Stephenson, this piece of legislation, along with other pieces of legislation, should be passed. I call upon members to do what they think is the right thing in this case.

1100

ANIMAL PROTECTION

Mr Doug Galt (Northumberland): I move the following resolution:

Be it resolved that this House strongly urges federal Justice Minister Anne McLellan to revamp federal animal abuse laws and implement the following recommendations:

(1) That penalties for animal abuse be increased from the current maximum of six months imprisonment to a maximum of five years and that the law allow for a fine much greater than the current \$2,000.

(2) That persons convicted of intentional animal cruelty be subject to a possible lifetime ban on owning animals.

(3) That persons convicted of intentionally injuring an animal be required to repay the cost of care for that animal.

(4) That the Criminal Code be updated, simplified and consolidated, with regard to animal cruelty.

The Acting Speaker (Mr Michael A. Brown): Mr Galt moves private member's resolution number 1. Pursuant to standing order 95(c)(i), the honourable member has 10 minutes for his presentation.

Mr Galt: Thank you very much, Mr Speaker, and congratulations to you, the member for Algoma-Manitoulin, on being appointed Deputy Chair. All the best.

I also welcome in the gallery children who are here today from Grafton public school, interested in this particular resolution.

I'm certainly very pleased to bring forward this resolution to discourage crimes against animals. As a veterinarian I have maintained a lifetime interest in animal welfare. While the vast majority of people love their pets and treat their animals with respect, sometimes animals are treated in the most horrendous fashion. This was certainly brought home recently in an instance that occurred in my riding. Nikita, the one-year-old Rottweiler, was

dragged behind a truck in Bewdley and suffered extensive injuries. While this matter is still before the courts, it underlines the need to stiffen penalties for those who would abuse animals.

Since the Nikita incident, my background has made me a lightning rod for people who want tougher penalties for animal abuse. I have received many letters and petitions from concerned and outraged citizens across the province, all with a common theme. These are the letters and petitions, not few in number by any means.

These people want penalties for animal abuse to be increased from the current maximum of 6 months imprisonment to a maximum of at least five years. They want much greater fines, to an unlimited maximum, levied on animal abusers than the \$2,000 now allowable. They want persons convicted of intentional animal cruelty to be subject to a possible lifetime ban on owning animals. They want persons convicted of intentionally injuring an animal to be required to repay the cost of care for that animal. Finally, they want the Criminal Code of Canada to be updated, simplified and consolidated with regard to animal cruelty.

Mr Speaker, you will recognize that these themes form the basis of the resolution I am putting forward today. Since the summer, I have been going through extensive research into animal cruelty laws, and have found that the general penalty in SPCA acts across Canada—up to three months imprisonment and up to a \$5,000 fine for a first offence, and up to six months in jail and up to a \$10,000 fine for subsequent offences—may not be adequate to discourage people from doing cruel acts to animals.

I have concluded that the most efficient way of accomplishing the goals of greater protection for those who cannot speak for themselves and discouraging that small minority who would abuse animals, is through the existing Criminal Code. I discourage putting penalties into our own SPCA act, because that would duplicate what is already in the Criminal Code, and I see that the answer is in the Criminal Code.

As a result, I wrote to the federal justice minister, Anne McLellan, in September, asking her to follow through on her commitment to improved animal protection laws. I'm disappointed to say that to date I have received no response from the minister. How can average citizens, like the many who have written to me, hope to have their voices heard when the minister will not even respond to an MPP who represents thousands of people?

This resolution, if passed, becomes a formal position of the Ontario Legislature. It is also a way, so to speak, to hold the federal minister's feet to the fire. It raises public awareness that cruelty to animals is indeed a crime that will not be tolerated in a civil society.

I have often said that prevention is certainly far more important than penalizing people for acts. There's no question that the various humane societies in Ontario have been doing an admirable job of making the public aware that cruelty to animals is not acceptable, but more is needed.

A discussion paper was released more than a year ago, back in 1998, looking at the options for increased

penalties for animal abuse. I certainly give the federal government credit for releasing this paper. However, discussion is not enough. The time has come to act. Today I'm calling on Anne McLellan, the federal justice minister, to make good on her promises of tougher animal cruelty laws. In speeches as recent as August, the minister made a commitment to that act. But in a call to her office just yesterday, I confirmed again that no action had been taken. I hope the members of this Legislature, regardless of political affiliation, will join with me to stand in front of those who cannot speak for themselves. They will find themselves in good company.

At this time I would like to recognize the efforts of our local humane society in Northumberland, in particular with regard to the Nikita incident. It will give you some indication of just how strongly people feel about animal abuse. Since the Nikita story received widespread coverage in the media, the Northumberland humane society has raised almost \$60,000 in the Nikita fund. This money has been used to pay for Nikita's care and will be made available to care for any other abandoned animal that has been abused in Northumberland. That is a strong and lasting legacy for a young Rottweiler and for the people who chose to stand in front of her. I'm very proud to call these people my constituents.

I have been in several discussions with the honourable David Tsubouchi, the Solicitor General. He has indicated that he is interested in setting up a task force to consult on the need for changes in our Ontario Society for the Prevention of Cruelty to Animals Act. This task force will be struck in the near future and will be consulting before the end of this year.

In closing, I'd like to point out that animal abuse is a terrible thing. I'm told by constituents that the penalties must be put in proper perspective, that they cannot be in excess of the type we have for spousal abuse or child abuse or elder abuse. I think the type of penalties being proposed for the Criminal Code are in order.

It's also interesting to note that when animal abuse occurs, some signs come up. One is that the perpetrators become desensitized if they're not caught and penalized for it, and further acts are carried out in the future, some that become more extensive than the one at hand. The other is that it can be a symptom of other acts of cruelty that these people are carrying out and that certainly should be checked for. This cruelty ranges from random acts of violence against neighbourhood pets to such atrocities as nailing kittens to the floor, dousing them with gasoline and then setting them on fire.

As a matter of fact, just yesterday another cat was mutilated in Toronto, the eighth in a series of bizarre attacks on domestic animals in this city. These are the offenders we have in mind today. People convicted of such vicious crimes against innocent pets must pay for those actions as a punishment and as a deterrent to others who might consider similar unspeakable acts.

I ask today for the support of my colleagues to ensure that changes are made to the Criminal Code in a timely fashion.

There is no question in my mind, and in those of many of my constituents in Northumberland, that the hallmark of a civil society is a service to others. This is a service we can all perform here today to help protect the loving pets cherished by so many people in our society.

1110

Mr George Smitherman (Toronto Centre-Rosedale): It's a great pleasure for me as the member for Toronto Centre-Rosedale to stand today and join in this debate.

I would like to start by congratulating the member for Northumberland not only for the bill he has before the House today, but also for his luck in having it drawn so early. It is my hope that we can take advantage of that timing by moving forward and putting some pressure on legislators and legislatures to move forward and enact this type of harsher penalty.

I did find one point of some concern that I would like to raise, and that is that the member spent quite a lot of time focusing on what I think he referred to as inaction on the part of the federal government, and yet later in his remarks he mentioned that he had been in contact with his own minister, Mr Tsubouchi, who talked about a task force. We know that in the last House, Bill 153 was presented to us. Your government has a choice, as well, to move forward with initiatives that would strengthen penalties in this area, and I encourage you to keep the heat on within your own caucus and government to move forward in that way.

I represent a riding that is very different from the member for Northumberland's. Mine is an urban riding, while his is principally rural. Yet a huge proportion of the residents of my riding have pets—a lot of cats, where perhaps dogs are more prevalent in his community. I stand with him in support of moving forward and strengthening penalties towards pets, who are of course very important and play important roles within families.

In addition to the case the member mentioned that took place in Northumberland, we have seen so much written here in the city of Toronto about gratuitous violence that has been perpetrated by sick individuals on harmless and defenceless pets, particularly cats. It is my hope that by moving on this issue today, we can help to put pressure again on governments to move forward and strengthen penalties in that area.

The one thing I would like to add by way of comment is that I think we also need to encourage, in this discussion and others surrounding issues like this, the notion of personal responsibility. Too often, harm comes to pets not only from humans but from other pets as well. In the city of Toronto, where we live in a more dense and urban environment, too often cases are brought to my attention where dogs, as an example, are let off their leashes. People are unable to control them, and those dogs are inflicting violence on other dogs. In an untimely case in my riding, a dog, Sandy Bear, was off her leash in Moss Park and was lost by her owners, Chris Pritchard and Tracey Young, to another dog that was not being taken care of in a responsible fashion by its owner. We

also see the whole evolution towards the breeding of dogs as offensive tools, and this is a concern for those of us living in urban areas. So I think we need to be sensitive to the issues of personal responsibility as they affect pets.

Too often, it seems to me, animals are brought into households without proper consideration of the kinds of responsibilities the owners have towards those pets. As we debate this issue, I would like to add those issues so there is consideration of the notion of personal responsibility, that that is indeed brought to bear, and that individuals who bring pets into their households take responsibility for the proper care of their pets, but also that they take responsibility for the actions of those pets when they're let off leashes and into other environments.

In closing, just to recap, I'll certainly be supporting the member opposite and look forward to working to see that this House, and others, move forward and enact tougher penalties so that people can take more responsibility, and when they don't, they can be punished in a proper fashion.

The Acting Speaker: Further debate? The member for Niagara Centre.

Mr Peter Kormos (Niagara Centre): That's right, it is Niagara Centre. Thank you very much.

I, too, rise in support of the resolution. Some people might recall that I used to get people angry in here; a couple of times I got people angry here. One of the occasions was when I talked about Charlie the beagle. Charlie was my beagle. Charlie has been dead now for three years, I think. Quite frankly, I probably wasn't the best animal companion because I was the victim of bouts of anthropomorphism. There were times when I would talk to the dog, and I'm sure there were people who suspected that more than a little bit of my political positioning was based on advice from the dog. Mind you, I probably could have done far worse.

Down in Niagara region, some of you folks may know Bernie Webb, who was the inspector-director of the SPCA down there. Bernie is retired now, but I worked on a lot of matters with Bernie Webb over the course of quite a few years. This just gives me an opportunity to praise him, because Bernie was an incredibly committed advocate for the well-being of animals, and he worked incredibly well with members of the community to assist community members who had animals and ensure the mutual well-being of both.

In fact, the humane society gave me a break more than a few times because Charlie was a beagle. He's the only dog I know that got expelled from dog-training school. I recall asking a dog trainer at one point if he'd help me train my dog and he said, "Sure, I would." I'd been referred to him by another friend who had Labs that did field trials. He said, "What kind of dog have you got?" I said, "It's a beagle." He said, "Does it bark?" I said, "Yes." He said, "It's trained."

The problem is that beagles follow their nose. If Charlie got off his leash or chain outside, he'd be gone two or three miles, four miles away, and I had to bail him

out a few times. But then others have done the same for me. Eventually, it got to the point where somebody would call the humane society and say, "There's this very tired beagle that has been out running for hours lying asleep in my front yard," and the humane society wouldn't bother sending somebody out; they'd just call me and tell me to go get my dog up on Fitch Street or Northland Manor or wherever it was he happened to be.

I share, and I hope we all share, the incredible shock and repugnance at news reports of incredible treatment of animals. Nothing good can be said. These are sick, twisted people.

Hon Margaret Marland (Minister without Portfolio [Children]): Low-lives.

Mr Kormos: That's about as low as you can go.

Mr Galt wants to make sure—and I share with him. We're not trying to trivialize the vicimization of people, for instance. We realize we have horrendous problems in dealing with protecting people from violence and abuse. But I am convinced that the same sort of people who would display violence and horrible indifference to animals' pain would also be inclined to be violent, with great indifference to human pain. I have no doubt about that. I haven't got any psychiatric or psychological studies here, but I don't think you've got to be a rocket scientist to make that kind of connection.

It was because of the resolution that I took a look at the Criminal Code. We really are talking about sections under part XI, cruelty to animals, that are incredibly dated, I suppose in part because they date back to an era when there was a literal sense of property in an animal, that you could do whatever you wanted with it. It was yours to do what you wished. I know it has been incredibly frustrating for many judges in many courts, because the "unnecessary suffering" section is at the end of the day a mere summary conviction offence. That puts an incredible limit on a judge's power to impose penalties.

1120

One of the most important parts here is the lifetime ban on ownership of animals. There is current provision for a ban on owning animals, but the problem is that it's a relatively limited period of time: It's a period not exceeding two years. Sorry, but at the end of the day—again, we don't want to prejudge any cases that are before the courts—if some of the allegations that we've read about in the papers regarding treatment of animals are proven to be true, I don't have any qualms about telling that person that he or she shouldn't be allowed to own any animal ever again. "Sorry, you've crossed the line; you've gone beyond anything that could be tolerated," as you pointed out, "in a civil society."

This is not a difficult exercise; this is a matter of merely rewriting the sections under part XI, putting the bill before Parliament. Their rules are perhaps not quite as restrictive as this government's rules, but their rules are pretty restrictive as well in terms of their capacity to control debate. I quite frankly don't see why any opposition member in the federal Parliament would

engage in any lengthy debate or require any lengthy committee process. The fact is that Mr Galt's proposal, which I suspect is shared by the vast number of Ontarians, if not all of us, could become law in a New York minute. It's simply a matter of political will. I find it incredibly frustrating, as I think a whole lot of people do, that governments can't respond that way. I understand a little bit why they can't. There's all sorts of stuff going on, politicking and machinations, and people's attention diverted.

I don't know if you referred to other provinces, other legislatures that have made similar calls upon the federal government to do this very sort of thing. But I trust that you, Mr Galt, with the assistance of your staff, will ensure that other legislatures, should this resolution pass—and I suspect it will—are advised of that fact so that like-minded people in other provincial parliaments can do the same thing and can, if they wish, do it in relatively short order. That, I suspect—I hope—would be reasonably persuasive with Ms McLellan, the federal justice minister.

This is one of those things where—what more is there to say? I mentioned Bernie Webb and our local humane society, and the incredible work they've done with incredibly limited resources. The municipal support for these people has at the very least been kept stagnant, if not become more restricted. City councillors or regional councillors tend not to understand that animal control, which involves animal protection as well, is very much a public health and safety issue, that it's very much in the interests of the community to have a well-funded, well-supported humane society/SPCA with good staff, staff who work hard. These are the folks who, when you've got that skunk under your front porch, crawl in there and do the unpleasant task that most of us are reluctant to do. That's why we call the humane society, because we don't want to do it; if we were prepared to do it, we wouldn't call the humane society. The fact is we call the humane society.

Beyond that, when you see these incredible incidents of violence to animals, psychotic physical abuse of animals, these are the people who have to, more often than not with very limited resources, engage in investigations and undertake the prosecutions themselves. I don't know what happens in your jurisdiction, but in many jurisdictions it's the humane society itself, the SPCA, that does the actual prosecution. It's only in the more serious cases that the crown attorney's office, for instance, undertakes it. That puts an incredible burden on the resources of the SPCA or local humane society.

So we support the resolution. Again, I encourage Mr Galt to make sure other legislatures know about its passage today, move quickly on it. Obviously amendments to the Criminal Code aren't going to assist courts in dealing with cases that are already before the courts, but some acknowledgement publicly that the price of poker has gone up for people who are going to be violent and abusive and who are going to mistreat animals should have, hopefully, some impact. Again, the one

single goal, if for nothing else, of permitting a court to impose bans on ownership beyond two years clearly would serve the best interests of all our communities.

Mrs Julia Munro (York North): It is an honour to rise in the House this morning to speak in support of the member from Northumberland on his resolution concerning crimes against animals. This is obviously something that everyone should be concerned about. All of us were appalled at the recent media reports indicating that several domestic animals had been killed in the most obscene manner. This summer in Toronto, as referenced earlier, several cats were found mutilated in a senseless, brutal and unprovoked attack on these defenceless animals. Also this summer, there were cases of people severely injuring their dogs by dragging them behind their vehicles.

In a civilized society, this type of behaviour simply cannot and should not be tolerated. As a dog owner and breeder, I have been particularly involved in addressing this issue. Earlier this year, I had the pleasure of interviewing on my local cable program Victoria Earle, who is the chief executive officer of the Ontario Society for the Prevention of Cruelty to Animals. I'd like to pay particular attention to the fact that she, along with members of that organization, is here today joining us. I'm very pleased that they were able to come and hear the kind of support that is here in this House for this resolution. I certainly to take this opportunity to thank this organization for the outstanding work that has been done over many, many years in protecting our animals.

I also had the pleasure on September 20 of this year of opening Violence Prevention Week at the police headquarters here in Toronto. Again, I thank Victoria Earle for this invitation.

I must say how appropriate it is that this resolution is being brought forward this week, during Crime Prevention Week. I would go back to comments made a moment ago by the member from Niagara Centre where he made reference to the fact that intuitively he believes there is a link—I want to assure the member that it is a well-known link—between violent crime against animals and violent crime against humans. Several studies have shown that animal cruelty is associated with increasingly violent behaviour and is an indicator of the potential threat of continuing violence, abuse and criminal activity.

Most important, in a study done by the Ontario SPCA in 1998 with women who have left abusive situations, 61% of these had pets abused or killed by their partners, 43% had pets threatened by their partners and 48% reported that concerns over safety of their pets prevented them from leaving the abusive situation sooner. However, in Canada what is the penalty for such a crime? Under the Criminal Code of Canada, most charges relate to the wrongful infliction of pain and suffering or the wilful neglect of an animal. For this type of crime, as we've already heard, there is a maximum fine of \$2,000, six months imprisonment or both, together with the possibility of being banned from owning animals for two

years. Obviously, by the recent examples, these penalties are not stopping this kind of behaviour.

1130

In the United States there is a recognition of the link between animal cruelty and violent behaviour towards humans. Many American states have addressed this by strengthening their animal cruelty laws. However, this has not been the case in Canada. After years of contemplation, the federal government has promised to introduce amendments. This still has not been done. The member from Northumberland has demonstrated leadership on this issue in presenting this resolution to this House. This resolution sends an unequivocal message to our federal government.

It is a privilege to have a pet. Pets are recognized and accepted as important members of our families. They bring us both joy and comfort to our sometimes hectic lives. They also play very important roles as special-needs dogs, providing pet therapy by visitation and a host of other important social roles. Ontarians believe that animals are to be respected and treated humanely and protected from needless cruelty and harm. I believe the changes outlined in this resolution, if enacted by the federal government, will go a long way to achieving this.

The Criminal Code must be updated, simplified and consolidated. Currently, the code contains many inconsistencies and gaps. There is much unnecessary and confusing language throughout the code. These changes will make it easier to prosecute those accused of such crimes. It is intolerable that such an indignity should happen to animals. We and our pets deserve to live in a society free of violence and intimidation. We believe the changes this resolution urges will function as an effective deterrent to this reprehensible behaviour that threatens not only our pets but also the safety of each human being.

I ask the federal government to join us in saying that violence of any kind will not be tolerated.

Mr Ernie Parsons (Prince Edward-Hastings): My family and I live in a rural area and as such have a lot of involvement and contact with pets and with farm animals, though I'm now convinced that our dog believes she is a human and our cats believe they're God. But in our involvement it has become apparent to us that the cruelty that really is at the forefront is cruelty to pets. We used to live on a provincial highway, then we lived on a county road and now we live on a city street. We haven't moved, but the status of our road has changed. In fact, the municipality is just Velcroing the street signs on its trees now for us.

What I see that I have great trouble believing people can do is take and drop animals off in a rural area. They don't want a pet and they're not prepared to accept the responsibility of that pet. We have a cat that someone literally threw out of a car window without stopping and required a fair amount of veterinary care to fix. That's absolutely abhorrent. I cannot understand people being that uncaring towards animals.

Certainly I am encouraged and pleased to see some action taken. I would like to urge individuals in this

province, though, to get more involved if they are aware of a neighbour or an acquaintance or someone they know being cruel to animals. As we live in a more and more insular society there is a tendency to not get involved. I would urge people to get involved, because of the connection that has been referred to by several other members between cruelty to animals and cruelty to people.

I do find it a little disturbing to think at this very moment somewhere in Ontario there is in all likelihood cruelty happening to an animal, and an animal that's unable to respond. So while I certainly appreciate this initiative, I would urge the government to do all they can as fast as they can.

The member for Toronto Centre-Rosedale referred to the previous bill, Bill 153, that died. I would urge that reconsideration be given to it. That is something substantive that could be done by this government, and done quickly. Every day that passes by produces pain for an animal in this province.

Mr Joseph N. Tascona (Barrie-Simcoe-Bradford): I am pleased to join the debate with respect to the resolution that's been brought forth by the member for Northumberland with respect to discouraging crimes against animals.

For too long now the federal Liberals have ignored any changes to their soft approach on crime, whether it involves animals or humans, for that matter. Maybe, as usual, it will take the efforts of this government to make the federal Liberals see the light with respect to crimes against animals, in the same way that we've made their finance minister say that tax cuts are a good thing.

This resolution to discourage crime against animals is crystal clear: Toughen the penalties so that if you choose to abuse animals, you will face serious consequences and not a slap on the wrist. Mind you, Liberals would rather soften penalties instead of toughening them.

In the discussion paper Crimes Against Animals, Department of Justice Canada, the Liberals talk about animals as being property or possessions. Tell that to the child who finds his best friend, Kitty, horribly mutilated and dead on the front lawn. Tell that to the senior who has her only companion in life, Fido, attacked and killed by unleashed pit bulls. I say the criminal law should protect animals from abuse, regardless of their status as property. We read in here about horrific incidents involving pets each and every day. It's obvious that the punishment doesn't fit the crime.

I hear from my constituents that something must be done about those who commit crimes against animals. When I tell them that the federal Liberals must strengthened the law, they are resigned to seeing absolutely nothing done. What a shame. What an outrage.

This resolution urges the federal Liberals to punish these offenders with up to a maximum of five years in prison, instead of six months, and sets fines much greater than \$2,000. It also asks that the Criminal Code be updated, simplified and consolidated with respect to animal cruelty.

There are too many statistics out there demonstrating that many of those who commit crimes against animals go on to commit crimes against humans. Then there are those who say, "They are only dumb animals. What's the big deal?" Tell that to the young child that loses Kitty. Tell that to the senior who's only companion in the world is killed or mutilated. If we can't take the time to protect those creatures that are totally dependant upon us for their survival and offer unconditional love in return, it's a sad statement indeed.

I urge all members of the House to support the resolution of the honourable member from Northumberland to demand that the federal Liberals make meaningful laws to discourage crimes against animals.

Mr Steve Peters (Elgin-Middlesex-London): I also would like to offer my congratulations to the member from Northumberland.

I too agree that the abuse laws need to be amended. I think we need to look at and consider that pets are our friends. We look at the penalties. If I was to abuse another one of my fellow men the same way that somebody abuses an animal, the offence to me would be very serious and I would be severely penalized for that. Unfortunately, those same penalties don't apply to individuals who hurt and abuse animals.

Unfortunately, we read far too often in the newspapers about these offences taking place. I can relate to an incident just his past week within my own riding where, unfortunately, a barn was being used as a puppy mill. The London Humane Society went and visited that barn and recovered a number of small animals that had been abused. Unfortunately, in that case, they don't know who's responsible for it. If you saw those animals in the news clips, the abuse those animals had almost brought tears to your eyes. It's not right that somebody has the opportunity to do things like that.

I want to commend the efforts of the Ontario SPCA for what they have done in trying to help these defenseless animals. It's not included in this legislation and it's something that I hope we talk about in this House, but I think we've got to take it, at some point, a step further, and that concerns the aspect of owners of animals and the vicious dog attacks that are occurring around this province.

In the past month in my own riding, a gentleman was walking down the street—unprovoked, attacked by a dog. Then somebody went out to his defence and he was attacked. Eighty stitches that gentleman received. You know, if it was a child, that child probably wouldn't be with us today.

I commend the member for what he's doing, but I think we as the Legislature for this province need to take it beyond the abuse of the animals and put the onus on the owners of animals too and the fact of their harming other people. So you have my support, member, for this legislation, and again I commend you for your efforts in bringing this forward.

I appreciate the opportunity to speak in support of this legislation.

1140

Mr David Tilson (Dufferin-Peel-Wellington-Grey):

I too rise in support of the resolution put forth by Dr Galt, the member for Northumberland, who is a veterinarian and has seen many terrible things himself as a result of his profession.

It has been mentioned in the House that the federal government had a discussion paper. Justice Minister Anne McLellan had a discussion paper, I believe, regarding cruelty to animals which came out in the fall of 1998. Hopefully as a result of that she will bring forward changes to the Criminal Code, which remains largely unchanged for over 100 years. My understanding is that most of the provisions in the resolution come from that very report. The member for Toronto Centre-Rosedale mentioned a private member's bill put forward by Isabel Bassett. That bill I believe carried but it never reached with respect to provincial legislation. Although the resolution is directed towards the Criminal Code, there's much that needs to be done from all sides, provincially and federally.

Most of us have had a pet somewhere in our lifetime. Some rural areas, depending on the area, of course, may have more dogs and suburban areas may have more cats. I've got two dogs and a cat.

Mr Gilles Bisson (Timmins-James Bay): I bet the cat rules the house.

Mr Tilson: No. Actually, my dog, a Labrador retriever, rules the house. His name is Crosbie, named after John Crosbie, and that dog does rule the house. I say that because these animals become part of our family; they become very close to us.

We on all sides of this place are shocked when we hear terrible stories in the media, and they seem to come out on a regular basis, such as the one that's coming out now, this strange person who seems to be mutilating cats, in which there's a \$60,000 reward for information leading to the arrest and conviction of that person. I don't think the provisions in the Criminal Code, if that person is apprehended and charged, will adequately deal with such terrible offences.

My riding, which includes the town of Caledon, the county of Dufferin, parts of the county of Wellington and parts of the county of Grey, is typical of many terrible stories that have come out in the last number of years about puppy farms, or puppy mills, I guess they're called, where animals are found in terrible conditions. Those people should be charged very seriously, and the laws that we have provincially and federally are inadequate to deal with the people who are committing those offences.

There are people, particularly in the city, who get pets and they can't look after them any more for whatever reason. They bring them out to the country, to areas like my riding, and they just dump them on the country roads, particularly dogs. They perish, or they join packs of dogs which in turn attack farm animals, sheep and cattle. Those people too, if they are caught, should be apprehended, because that's a terrible offence as well.

I've only got time to talk about one offence which occurred in my riding. It was reported in all the media across the country and has to do with an Irish setter by the name of Holly, outside of Shelburne, in 1996. She was a three-year-old Irish setter and she was dragged behind a car at 30 to 40 kilometres per hour. There was a witness who saw this happen. The dog suffered a broken paw, head injuries, friction burns, long scrapes and deep cuts with bone showing through. It's a terrible story, and I'm sure members can tell similar stories. The owner pled guilty and said she was simply trying to train the dog; she was trying to stop the dog from running out and barking and doing other sorts of things, and she simply dragged the dog. I read the police report, and the witness witnessed the dog flopping on the ground from side to side as this car was pulling the dog, perhaps to its demise. But it did survive and was ultimately returned to the former owner. The lady pled guilty and she is prohibited from owning an animal for two years, which is the maximum sentence. The member from Niagara Centre talked about that, and I agree with his comments.

I encourage all members of the House to support this resolution.

Mr Mario Sergio (York West): My congratulations to you, Mr Speaker, on your election as Deputy Chair.

I rise to compliment the member from Northumberland on his resolution, not as much the resolution, but the content and what it aims to accomplish. This is the type of legislation that I think both sides of the House favour and would like to see move forward very expeditiously.

I would perhaps, in making my comments in this brief time, like to tell the member to look in the provincial jurisdiction area on what can be done to do something quickly without waiting, if you will, for approval from other levels of government. I wouldn't be surprised if somewhere within the provincial jurisdiction we have enough room and power to move quickly on our own. I say that for the benefit of the member who has introduced the legislation and for the public at large. I think it is important to send a strong message that we as a society don't tolerate crimes against or cruelty to animals. We may attach ourselves to the resolution, and we may address more specifically to cats and dogs, family or personal pets.

Someone out there seeing the debate today may say, "Don't these guys have anything better to do or discuss?" Let me say that this is a very serious and very important issue, and I'm pleased to see that there is unanimous support in this House.

To many people—not only youngsters, our kids, but many senior individuals—a pet is not only a companion; in many cases it's the sole companion, the only companion they have, and that means an awful lot to some of those individuals.

This would be a deterrent to some people out there not to cause crime to pets, to animals. I'm not saying that an increase in fines or other penalties, other punishments like jail or what have you, somewhere along the line won't see some of our fellow man cause distress to an

animal, but at least a more severe penalty would be a deterrent in causing crime to animals.

If a particular person no longer wishes to have a pet, there are many ways of disposing of that particular animal in a very humane way. There are other people who may want it. There is the humane society that usually offers wonderful help for people like that. So there is no need to cause harm to an animal because it's no longer appreciated or wanted.

1150

Having municipal experience, if you will, we had a lot of problems with stray cats. There is a lot of help that municipalities offer with respect to animals people no longer want, animals that are abandoned and stuff like that. I would say—and this is the message we have to send to the public—that there is no need to dispose of an animal in a very undignified way or cause harm to an animal. There are agencies, there are institutions, there are many ways of disposing of that pet. Perhaps there are other people who would love to have such a pet and take care of it.

I would like to add a few more things, but I can see we're drawing to a close. Especially at a time when we're dealing with an issue that meets favour from both sides of the House, I would like to add that this is one of those resolutions I'd like to see moving forward.

In concluding my remarks, I hope the members can look deep into the existing legislation we have in our own jurisdictions and see what can be done to accomplish most, if not all, of the intent of the resolution here. Again, I would like to compliment the member for bringing this to the House and hope to see it move forward expeditiously.

Mr Bisson: I want to add my support to this bill. I want to say, first of all, to the member for Northumberland, we know well that the member, prior to coming to this House and serving now in his second term, was in the profession of being a veterinarian, as I understand it, and understands this issue from the perspective not only of a legislator but also, unfortunately, from some of the experiences he might have had when he was in veterinary practice. I commend the member for bringing this bill forward.

I want to say a couple of things on the bill. First of all, I somewhat fear that we put ourselves in a position where possibly an offence like cruelty to animals may be dealt with more severely under the law than, in some cases, cruelty to humans. I'm sure that's not what you intend, and I don't mean to inflame the debate.

I hear what you're trying to do by way of the bill, but I want to put on the record that we've got a long way to go when it comes to dealing with the issues of crime, proper punishment and proper programs for dealing with a person who is convicted. The other thing, quite frankly, is that we also need to deal with how many police we have on the street. That's one of the issues I want to talk about another day.

I want to say, in a bit of a lighter moment, that I listened to the member across the way, Mr Tilson—I

forget the riding—who mentioned he has a couple of dogs. He has one named John Crosbie, which I thought was very interesting. I take it that it had something to do with the leadership convention at the time. But anyway, I want to say I've got a dog and a cat, like most people. We have Casey the dog, who has been around the house now for about 12 years. Up until a couple of years ago, Casey ran the place.

Remember Al Leach had Tory the dog? Al tried to get his dog Tory to obedience school, and the dog would never listen. He had a heck of a time trying to train that dog. I remember I used to kid him about that, because we went through the same thing with our dog. We never were rich enough to bring our dog to obedience school; we tried to reason with the thing. Imagine trying to reason with this dog, a little poodle-terrier who has decided she's going to run the house. Along came Simba the cat. We brought Simba in four years ago, when my daughter first went off to college. As most parents, we ended up with the cat when she came back for the summer. The daughter went back to college, but unfortunately the cat stayed at home.

The funny part is that this cat, Simba the cat, thinks she's a dog. She spends her day terrorizing my dog. She literally will stand behind corners and wait for the dog to come by. When she figures the dog is not paying any attention, she pounces out and gives that poor old dog a heart attack. Member, we need some legislation to deal with this.

My poor dog is being traumatized by my cat. I've tried reasoning with the cat and the dog, both of whom don't understand what the heck I'm talking about. They just look back at me and say: "What is it that you want? I'm a cat. I'm doing cat things." My dog says, "I'm a dog, and I'm doing dog things." I've quit reasoning. So, I'm wondering if there's some way we can incorporate into your bill, once we bring it to committee, how we can stop the terrorizing of dogs on the part of cats in homes such as mine, because my poor old dog is just having a heck of a time with this. She's not as swift, as fast as she used to be, she doesn't see as well, she doesn't hear as well, so she doesn't know that Simba is hiding out to get her. I tell you, we've got to deal with that issue because, like my good friend Al Leach, who was a member in the previous Parliament, we love our dog deeply and we love our cat deeply, they're part of our family, but we need to find a way to get these dogs and cats to get along. If you can put that into your legislation, I think you might have something there.

That was just a lighter moment. I've had an opportunity to speak about my daughters, my wife, my parents, but I've never had a chance to talk about my dog or cat. You gave me the opportunity, and for that, I look forward to it. I'll be clipping this Hansard out and giving it both to Casey and Simba and making sure they know that if Simba doesn't straighten out, I'm going to come back with some legislation to make it illegal for her to scare that poor old dog Casey, who doesn't have a lot of years left.

The Acting Speaker: Further debate? If not, the member for Northumberland in response.

Mr Galt: Thanks to all of the speakers here this morning supporting this particular resolution. I'm certainly very grateful to each and every one of you.

In the member's gallery is Dr Isabel Hetram, who sat on the animal welfare committee of the Canadian Veterinary Medical Association and also represents the College of Veterinarians of Ontario. Thank you very much for being with us this morning.

We also have representatives from the Northumberland Humane Society: Joan Curry, the manager; and also a member of the board of directors, Ms Lori Beatty. Unfortunately, I don't see them here at this point, but I appreciate the fact that they intended to be present.

I was interested in the comments of the member from Toronto Centre-Rosedale, and I empathize with both of the points he was making. Unfortunately, and maybe as a new member, some of these private members' bills, it's a real tough time getting them through. It did get to hearings, it did not get back to the House and it sort of died on the order paper. That's one of the reasons I used a resolution rather than a bill. Also your comment about the Solicitor General, I'm holding his feet to the fire as well, not just the justice minister, Anne McLellan. You're right on. I've certainly had many chats with him, and he's empathetic to the cause, no question there.

The member for Niagara Centre was linking the abuse of animals—and wondering if it really was documented—to spousal abuse, child abuse and so on, and there's no question the member for North York underlined that and did confirm it.

In winding up, I hope this resolution will do one of two things—will do both of them, actually; one is to encourage the federal government to get on with these new penalties, and second, bring more awareness to the public that cruelty to animals is not acceptable in our society.

POLICE RECORDS CHECKS
BY NON-PROFIT AGENCIES ACT, 1999
LOI DE 1999 SUR LES VÉRIFICATIONS
DES DOSSIERS DE POLICE
PAR LES AGENCES SANS BUT LUCRATIF

The Acting Speaker (Mr Michael A. Brown): Mr Kormos has moved second reading of Bill 9, An Act respecting the cost of checking the police records of individuals who may work for certain non-profit service agencies. Is it the pleasure of the House that the motion carry? Carried.

Mr Peter Kormos (Niagara Centre): I move that the bill be referred to the standing committee on justice.

The Acting Speaker: Shall this bill be referred to the standing committee on justice? Agreed.

ANIMAL PROTECTION

The Acting Speaker (Mr Michael A. Brown): Mr Galt has moved private member's resolution number 1. Is it the pleasure of the House that the motion carry? Carried.

All matters relating to private members' public business having been completed, I do now leave the chair, and the House will resume at 1:30 pm.

The House recessed from 1200 to 1330.

MEMBERS' STATEMENTS

AFFORDABLE HOUSING

Mr David Caplan (Don Valley East): Yesterday in this House, government members rose one by one to assure the people of Ontario that there wasn't a housing crisis in our province. I'd like to take this opportunity to draw to the attention of this House the results of two significant studies released this week.

Just today, a former mayor, a former provincial housing minister and a former federal housing minister came to this place to present further evidence which clearly shows there is a real housing crisis in Ontario. Where's Home, Part II, had some startling revelations.

Government members need to know that over 25% of Ontario's tenants are paying half of their income on rent, putting people at serious risk of becoming homeless; many municipalities have serious rental housing shortages, with declining vacancy rates; rents are increasing faster than the rate of inflation; and in 1997 and 1998, only 2% of all housing starts in Ontario were for rental housing. So much for the supposed rental housing boom forecast by former minister Al Leach.

On Tuesday, a study of the eviction prevention program was released. It showed that tenants were not aware when they were being evicted, and that the process was confusing and clearly geared to favour landlords.

The results of these reports are clear: The gutting of real rent controls and the total absence of affordable housing starts has led to unacceptable conditions for tenants in Ontario. The hearing process has failed tenants and diminished in real terms their access to fundamental justice. This week's reports are a wake-up call for action from the Harris government.

DIWALI

Mr Raminder Gill (Bramalea-Gore-Malton-Springdale): November 7 marks the beginning of Diwali for the members of the East Indian community, both in my riding as well as across Ontario. In preparation for Diwali, prayers are offered to Lakshmi, the Goddess of Wealth, and to the Lord Ganesh. Sweets are prepared and shared among family and friends. Diwali, or the festival of lights as it is popularly known, is symbolized by the lighting of innumerable lamps or deeyas in and around

every home. Diwali also commemorates the end of the harvest season and the beginning of the Hindu New Year. For East Indians of every origin, Diwali holds special meaning and symbolism. For Hindus, Diwali is a time to celebrate the victory of good over evil, as embodied in the return of Lord Rama to his kingdom of Ayodhya after 14 years in exile. Among Sikhs, Diwali signifies the return Guru Hargobind Ji to the city of Amritsar after his release from captivity by the Mughal emperor, Jahangir. At the time of his release and in the true spirit of brotherhood, Hargobind Ji played a key role in the release of 52 Hindu kings from captivity.

Diwali is a major festival in many nations around the world such as Guyana, Sri Lanka, Trinidad and Tobago, and Malaysia.

On this most auspicious day, to all members of the South Asian community across Ontario and especially in my own riding, I wish and pray that we all are blessed with harmony, love and positive thoughts.

Happy Diwali to all.

Namaste and Sat Sri Akal.

YOUNG ONTARIANS

Mr Alvin Curling (Scarborough-Rouge River): I rise today to express my disappointment in this government at the cavalier way they regard the youth of today. I have met with young people in my community and across the province who are facing the burdens of affordable housing, high tuition fees and welfare cutbacks.

The youth of today are not the societal problem that this Conservative government paints them all to be. Instead, I find young people who are prepared to study and work hard to build a future for themselves. Yet many find this government unresponsive. The tax cuts for the wealthiest have not trickled down to them. Many face bankruptcy or severe debt at the conclusion of their studies. They are worried that there will be no space for them when they are about to enter university, or will there be jobs when all this policy they have implemented takes effect? That's what grade 8s and grade 9s told me in school.

As well, this government has cut programs for youth. This government has ignored community and non-profit organizations. It is often remarked by Conservative members that their work is important in building a good community and is a task that can only be undertaken by these organizations. In contrast, this Conservative government has denied these organizations the resources required for them to operate and to help youth.

Instead of sending these kids off to boot camp, as they would like to, this government should be assisting our youth and their parents with policies that do not work contrary to the interests of the family and young people.

REMEMBRANCE DAY

Mr Tony Martin (Sault Ste Marie): It is my great privilege and honour to rise today in recognition of the

numbers of people, Canadian men and women, who have given their lives over the years in many of the wars that were fought in the name of freedom, those who have stood up before us and were counted so that we might enjoy some of the opportunities that today we so often take for granted.

Next week, on November 11, we will all participate as much as we can in more formal celebrations and presentations in community centres and arenas across the province, and I certainly will be there to participate in that. However, the fear is being raised by the Royal Canadian Legion, who also need to be recognized, that with the dwindling numbers of veterans in our communities these days, perhaps this need to remember may be forgotten. They have asked that all of us participate in the way we can in our workplaces, in our schools, in our communities, wherever we find ourselves on November 11 at 11 o'clock in the morning, in a two-minute wave of silence.

I don't think it's too much to ask that all of us talk with our families, our co-workers and with people we might be in company with on that day, and remind them at 11 o'clock that across this country, from sea to sea to sea, people will be stopping to give recognition to those who have given of their lives in these wars in this way.

ORANGEVILLE AND DISTRICT CHAMBER OF COMMERCE

Mr David Tilson (Dufferin-Peel-Wellington-Grey): I rise today to congratulate the Orangeville and District Chamber of Commerce on the celebration of its 90th anniversary. Formed in 1909, it was originally known as the Orangeville Board of Trade. This organization continues to be a valuable asset to our community.

On October 26, 1964, the Orangeville Board of Trade became officially incorporated as the Orangeville and District Chamber of Commerce. Ten years later, in 1974, it held its first trade show, known today as Expo Orangeville. I have had the opportunity to attend Expo Orangeville for many of these years, and I am always impressed by the calibre of businesses our area has to offer.

Orangeville and the surrounding area has always been recognized as having a strong agricultural community and, in honour of this, the chamber of commerce created the Farmer of the Year award in 1980. They also started the farmers' market in downtown Orangeville, which is still active today.

In honour of local business men and women, the chamber created a Business of the Year award to honour businesses in the area that have enriched our community.

This organization continues to grow rapidly each year. As younger families move into the area to start up businesses, the chamber of commerce provides valuable contacts and tourism information to these new business owners.

Although the Orangeville and District Chamber of Commerce began 90 years ago, the members still have

the same shared vision, which is to improve all aspects of life in the community and to make the town of Orangeville a prosperous place for businesses and for all its citizens.

CONSTRUCTION INDUSTRY

Mr Jean-Marc Lalonde (Glengarry-Prescott-Russell): My statement is addressed to the Minister of Labour. Last night Ontario construction workers were celebrating, but today I told them to put their champagne away.

Minister, I have told you before: Make sure you have everything in writing from Quebec before you make a statement.

I have here a copy of an article from *Le Droit*, as well as a press release from the Quebec labour minister, stating that your press release of yesterday is just a bunch of lies and that the Quebec minister must tell the real truth.

The Quebec minister also says that nothing has happened in the last few days and that their position has not changed. They will only open up the Hull casino if a global agreement is reached on labour mobility, and under no condition is Quebec ready to open their sites to Ontario contractors at this time.

They seem very surprised by your statement, which states that Quebec agrees to Ontario's demands. Maybe, Minister, you should take me along to these meetings just to translate for you.

We are clearly getting two messages here. Which message should we believe? Which Minister of Labour should I believe? Stop getting the hopes of the workers up with your big statements. Give them the truth: Do you have an agreement in place?

1340

OPP AUXILIARY

Mr Garfield Dunlop (Simcoe North): As mentioned earlier this week, this is Crime Prevention Week.

On Friday, October 29, I attend the graduation ceremony of 52 new recruits joining the Ontario Provincial Police auxiliary. These officers are men and women from all walks of life who live in our province. I witnessed the swearing in of people from the business world, educators, nurses, spouses of police officers, and citizens who work for our civil service. Even newlyweds from the previous weekend were able to attend the auxiliary training.

These new recruits bring to a total of approximately 900 the men and women who are now members of the OPP auxiliary. These men and women are volunteers who are committed to their communities, communities where they expect to raise their families in a safe environment. They work with regular officers on a day-to-day basis, often putting themselves in life-threatening situations. In 1999, these men and women contributed over 174,000 hours of volunteer time to the OPP, representing the equivalent of approximately 120 people.

The OPP auxiliary is the largest auxiliary force in Canada, and the success of the auxiliary is a result of an excellent relationship with the Ontario Provincial Police Association and the office of the Solicitor General.

As we enter a new millennium, it is encouraging to see the level of volunteerism and community spirit that is alive in our police services. The year 2000 represents the 40th anniversary of the OPP auxiliary. I would ask the members of this assembly to acknowledge the dedication of this remarkable group of individuals for their contributions to their communities and to the province of Ontario.

GALLAHER THOROLD PAPER MILL

Mr James J. Bradley (St Catharines): Employees of Gallaher Paper in Thorold are now in the third week of their occupation of the plant in an effort to persuade the receiver that a buyer who wishes to continue to operate the mill should be found.

These are not radical, irresponsible individuals seeking excitement and fame. They are, rather, people whose very livelihood is threatened by the closure of a mill which has provided good jobs for thousands of workers over the years and for hundreds who today hope and pray that a new operator can be found to keep those jobs alive.

They were encouraged by the intervention of the Premier, who contacted the receiver and the Toronto-Dominion Bank, the primary creditor, to express the hope that a way could be found to keep the mill in operation.

The jobs in that plant are of great importance to the employees themselves and their families. They are also important to the entire Niagara region, which benefits immensely from the economic spinoffs of the plant, with workers spending their paycheques in the community, and the mill purchasing goods and services in our part of the province.

I urge the government to work with financial institutions, employees, union representatives and a potential management team to resume operations at the Gallaher Thorold paper mill and save the jobs so precious to those many who have toiled for so many years.

DIWALI

Mr Bob Wood (London West): As members know, 800 million Hindus across Ontario and the world will be celebrating the festival of Diwali on November 7 this year. The public celebration in London will be held on November 13.

Diwali, or Deepawali, the most pan-Indian of all Hindu festivals, is a festival of lights symbolizing the victory of righteousness and the lifting of spiritual darkness. It commemorates Lord Rama's return to his kingdom, Ayodhya, after completing his 14-year exile. Twinkling oil lamps, or deeyas, light up every Hindu home in India, and fireworks displays take place across the country. The goddess Lakshmi, symbol of wealth and prosperity, is also worshipped on this occasion.

The festival marks the start of the Hindu new year. At this time, most Hindu homes worship Lord Ganesha, the symbol of auspiciousness and wisdom. Spring cleaning and decorative designs for homes are the order of the day. Family members come together to offer prayers, distribute sweets and light up their homes.

I know that all members of this House will join with me in wishing Hindus across Ontario and the world a happy new year and a warm "Namaste."

REPORTS BY COMMITTEES

STANDING COMMITTEE ON ESTIMATES

Mr Alvin Curling (Scarborough-Rouge River): Pursuant to standing order 60(a), I beg leave to present a report from the standing committee on estimates, on the estimates selected and not selected by the standing committee for consideration.

Clerk at the Table (Mr Todd Decker): Mr Curling from the standing committee on estimates presents the committee's report as follows:

Pursuant to standing order 59, your committee has selected the estimates 1999-2000 of the following ministries and offices for consideration: Ministry of Municipal Affairs and Housing, 5 hours; Ministry of Education and Training, 10 hours—

The Speaker (Hon Gary Carr): Dispense? Agreed.

Pursuant to standing order 60(b), the report of the committee is deemed to be received and the estimates of the ministries and offices named therein as not being selected for consideration by the committee are deemed to be concurred in.

See Votes and Proceedings.

INTRODUCTION OF BILLS

RED TAPE REDUCTION ACT, 1999

LOI DE 1999 VISANT À RÉDUIRE LES FORMALITÉS ADMINISTRATIVES

Mr Runciman moved first reading of the following bill:

Bill 11, An Act to reduce red tape, to promote good government through better management of Ministries and agencies and to improve customer service by amending or repealing certain Acts and by enacting four new Acts / Projet de loi 11, Loi visant à réduire les formalités administratives, à promouvoir un bon gouvernement par une meilleure gestion des ministères et organismes et à améliorer le service à la clientèle en modifiant ou abrogeant certaines lois et en édictant quatre nouvelles lois.

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

The minister for a short explanation.

Hon Robert W. Runciman (Minister of Consumer and Commercial Relations): Mr Speaker, I'll be making a minister's statement.

OAK RIDGES MORAINÉ PROTECTION AND PRESERVATION ACT, 1999

LOI DE 1999 SUR LA PROTECTION ET LA PRÉSERVATION DE LA MORAINÉ D'OAK RIDGES

Mr Colle moved first reading of the following bill:

Bill 12, An Act to protect and preserve the Oak Ridges Moraine for future generations by creating the Oak Ridges Moraine Commission / Projet de loi 12, Loi visant à protéger et à préserver la moraine d'Oak Ridges pour les générations à venir en constituant la Commission de la moraine d'Oak Ridges.

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

Mr Mike Colle (Eglinton-Lawrence): The bill requires the minister to establish an area of land as the Oak Ridges moraine planning area. The bill creates the Oak Ridges Moraine Commission, which must prepare the Oak Ridges moraine plan after a specified consultation.

MOTIONS

PRIVATE MEMBERS' PUBLIC BUSINESS

Hon Norman W. Sterling (Minister of Intergovernmental Affairs, Government House Leader): I seek unanimous consent of the Legislature to put forward a motion without notice regarding private members' public business.

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

Hon Mr Sterling: I move that, notwithstanding standing order 96(g), the requirement for notice be waived with respect to ballot items 4 and 5.

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

1350

STATEMENTS BY THE MINISTRY AND RESPONSES

RED TAPE REDUCTION

Hon Robert W. Runciman (Minister of Consumer and Commercial Relations): The Mike Harris government was elected and re-elected with a mandate to cut red tape, and we've done just that. We've listened to in-

dustry's concerns and we've responded with the passage of two red tape bills, cutting more than 1,300 regulations.

Earlier I tabled the Red Tape Reduction Act, 1999, our government's third consolidated red tape bill. This bill continues the government's fight against unnecessary rules and regulations that put a burden on business and get in the way of providing better service to the public. As members will recall, the recent speech from the throne reminded us that while much has been accomplished in removing job-killing red tape, much work remains to be done.

This bill represents the latest proposals to cut red tape in more than a dozen ministries and at Management Board Secretariat. If passed, it would make more than 200 changes to more than 90 acts. This bill includes changes designed to improve customer service and streamline government operations for greater efficiency.

The goal of red tape reduction bills is: to streamline administration so business can spend less time jumping through administrative hoops and can instead concentrate on what they do best, fuelling the economy and creating jobs; to smooth the way for business to get started, create jobs and carry on business in Ontario; to make it easier, faster and less expensive for both business and the public when dealing with government; to encourage investment in Ontario by breaking down barriers to conducting and managing business; to simplify processes to reduce overlap with other legislation and improve overall efficiency and customer service; and, finally, to harmonize and modernize legislation among ministries.

This is a very important bill. I urge all members to give it their support.

The Speaker (Hon Gary Carr): Responses?

Mr Mike Colle (Eglinton-Lawrence): Every time one of these so-called red tape reduction bills comes up, we always get a huge pile of blue books. If you're cutting regulation, how come it has to be accompanied by these mountains and mountains of blue books? This happened the last time too. I really think that in many cases, as they say they're cutting tape, they're creating all kinds of new, complex regulations.

I warn the public out there to try and follow what these changes are because some of them are quite subtle and may affect the way they do business or the way they conduct their lives as Ontario citizens. It's very difficult for an ordinary citizen to have time to find out what's in this mess of books. I wonder how the minister is going to communicate what's in this mess of books to ordinary Ontarians. They never did the last time. They do it with special interest groups, but that's not enough. You have to do it with ordinary Ontarians and let them know how their lives are going to change.

I surely hope that while they're cutting red tape they might take a look at how the ordinary citizen gets in touch with their government. Every time you phone up a ministry, you're lost in voice mail hell. You can't get a real person any more. You go around pushing buttons and you're just shunted around from pillar to post and you lose a half-hour. Seniors especially complain about

the inability to get in touch with their government and they can't overcome the obstacle of that voice mail hell which this government said last time they were going to do something about. They haven't. Let's get real people to talk to real Ontarians about their problems. That might reduce a lot of the red tape and confusion.

The other thing, in terms of a government that claims to be paving the way for business and getting business done, is that this is a government that has introduced the most complicated property tax system in the whole world. You talk to a small retailer anywhere in this province about their tax bill. In fact, many people in many municipalities across this province won't get their tax bill till Christmas Eve because the bill is so complicated, so convoluted. Confusion exists between landlords and renters in businesses. There's mass confusion out there because of the changes they made without proper consultation.

These are the things that small business people, not the organized big business organizations, complain about. They say, "We have this property tax system which basically means I'm going to have to sell my building or I'm going to have to get out of the retail business." If you go to small towns across Ontario, if you go to Colborn Street in Brantford, if you go to downtown Toronto, you'll see small retailers closed up because they can't afford to pay the property taxes. You'll see properties that should be selling for \$500,000 or \$600,000 on the market for \$200,000 in Toronto because they can't pay \$20,000 to \$30,000 a year for property taxes imposed by this government. That's what they should be cutting, not giving us all kinds of new complex regulations. They should be doing something to make the property tax system workable and understandable and transparent.

Right now you have a tax system imposed on small business in Ontario that is basically dysfunctional. There's hardly anyone in this province who understands how the property tax system works. In order to understand the property tax system, you have to hire a Bay Street lawyer or a Bay Street lobbyist.

That's what I hoped the minister would concentrate on this term. Sure, this is fine and harmonizing some of the red tape has to be done, but the number one thing I hear from small business is that something has got to be done about that horrible property tax mess. It may be OK on Bay Street, but on Main Street in Ontario, your property tax system is a disgrace that punishes small businesses that own small mom-and-pop stores. Start thinking about them for a change. Forget about the big box stores like Canadian Tire and Home Depot; they're doing fine. Think about the little flower shop in your town, the little shoe store, the little barber shop, the little grocery store. They need your help more than the big box stores.

Mr Tony Martin (Sault Ste Marie): Certainly the minister was right in his comments that this is more of this government's agenda. Nobody should be fooled out there at just what this government's agenda is about. It's about looking after their corporate friends, the very

powerful and the privileged in this province to the detriment of the rest of us.

Anything that they do, anything that they've done over the last four or five years has been about diminishing government, diminishing the opportunity of private citizens to participate and taking away some of those very important rules and regulations that we all participated in putting in place to make sure that our rights are protected and that our workplaces are safe.

For example, if they would spend the same amount of time and energy on some of the really important things in this province that we've been pointing out over the last few weeks that they have on this massive document on red tape, we might be getting somewhere. If they would spend the kind of time reducing the red tape that we see in the Family Responsibility Office or the Ontarians with disabilities office, for example, that we who come from northern Ontario, see every day in our constituencies as we try to get the resources for our people as they apply for northern health travel grants and the time that that takes, if they would spend the kind of time reducing the red tape in those offices, they might get a different response from this side of the House. We might be more co-operative.

The red tape bills that we have in front of us here today; however innocent in appearance, are part of this government's red tape strategy. This camouflages a tax on important rights under the cover of addressing bureaucratic tangles. The government's Red Tape Commission, made up of its most right-wing backbenchers, made a big splash with their report a couple of years ago. They proposed extending Ontario standard workweek to 50 hours. They want people to have to work longer before they get paid overtime. Is this what we mean by red tape?

For example, the recommendations of this government's Red Tape Commission to the Ministry of Environment and Energy included replacing regulations on waste reduction and recycling for industrial, commercial and institutional establishments with voluntary guidelines, relaxing regulations on the storage and disposal of PCBs, scrapping the regulation on refillable containers for soft drinks. This means soft drink producers will no longer be under a requirement to sell a percentage of their products in refillable containers, narrowing corporate liability for cleanup of contaminated property, reducing requirements for posting notices on the Environmental Bill of Rights registry and eliminating service-area restrictions on landfills, allowing solid waste to be shipped from anywhere to a particular landfill. Is this what we mean by red tape? That's red tape as defined by the government's most right-wing backbenchers.

1400

What this government calls red tape is often in fact vital protection of workers, consumers and citizens. The Red Tape Commission process which led to this bill also produced recommendations for longer workweeks and reduced protections for the environment. Repealing the act establishing the P and P committee of cabinet, for

example, simply makes it easier—and the member for St Catharines will be interested in this—for the whiz kids in the Premier's office to tighten their grip on everything that this government does. We've been talking about this for four years. This red tape bill today actually casts that in stone. The government's handling of the first two batches of red tape legislation was a ludicrous display of incompetence eating up valuable House time on minor legislation that ultimately died on the order paper. Are we starting that again?

I remember over the last four years this government, pushing the hot buttons that they have a habit of doing and trying to make political mileage on, bringing forward batches of red tape similar to the pile that's on my desk here today and at the end of the day really not doing anything except making political mileage on that.

As I said a few minutes ago, if this government spent as much time trying to clear the way for ordinary citizens to participate in government to get what they deserve, to be able to get the health care and the education and the social services they need, they might get a different response from this side of the House. If they spent the energy that they have spent on trying to help their corporate friends and powerful allies in terms of, for example, some of the activity where the Ministry of the Environment is concerned, they might get a different response from this side of the House.

We wait to see just exactly what's in here. I suggest it won't be too exciting for most Ontarians.

REMEMBRANCE DAY

Hon Norman W. Sterling (Minister of Intergovernmental Affairs, Government House Leader): I would seek unanimous consent of this House to have one member from each party stand to speak on our Remembrance Day, which is coming next week.

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

Mr Doug Galt (Northumberland): I have the honour of saying a few words in anticipation of Remembrance Day.

I'd like to recount a little story in that regard. On Tuesday morning I was driving in to work and noticed a lone figure at a bus stop. It was a war veteran dressed in his Legion uniform, his chest bedecked with an array of medals. Despite his obvious age, the man had the unmistakable upright bearing of a military background.

It was raining on Tuesday morning and I noticed he wore no overcoat, so I pulled over and asked where he was going. "To the subway," was his reply. In the car, the man told me he was 80 years of age, that he had fought in France and had been captured by the Germans. As I looked at his wrinkled, time-worn face, I was wondering what atrocities he had witnessed some 60 years ago. I wondered how many of his fellow soldiers never returned from the war to enjoy the fruits of their hard-won battles.

The words from In Flanders Fields kept popping into my mind. "We are the dead," the old poem goes:

To you from failing hands we throw
The torch; be yours to hold it high.

Back in the present, he told me proudly that he had distributed three boxes of poppies. "It'll probably be my last year, though," he said. In an instant I felt an affinity for this man I'd never met before. I understood in a flash the depth of emotion that sent an 80-year-old man out on a cold rainy morning to distribute poppies.

What a debt of gratitude we owe that man and hundreds of thousands like him who sacrificed so that you and I can be free today. What a lesson we can learn from the service that he is still rendering and what an inspiration we can take out there in the rain, long after his duty to King and country has been fulfilled.

With those lessons reinforced that morning, my small random act of kindness paid off more for me than it did for him. It made me realize that by remembering our past we create a blueprint for our future. That is what the 11th hour on the 11th day in the 11th month is all about. That is what the Royal Canadian Legion is all about: service and remembrance and the avoidance of war.

My encounter reminded me that as the old guard fades away, the task falls to us:

If ye break faith with us who die
We shall not sleep, though poppies grow
In Flanders fields.

There are many veterans' clubs across Ontario, each doing its part to keep the spirit of remembrance alive. I would like to recognize them all today, but of course the Royal Canadian Legion is the most well known.

While we're on the topic, you may find it interesting to know just a few statistics of this community service club. For instance, with a membership in excess of 170,000, the Royal Canadian Legion is one of the largest service clubs in Ontario. It has an annual payroll of \$22 million, pays property tax of almost \$3 million and employs more than 2,200 full-time and part-time staff. Each year, more than \$4 million is raised through the poppy campaign.

The Royal Canadian Legion provides bursaries, scholarships and many services to seniors and veterans from the money it raises; in fact, it owns \$31 million in supportive housing units for ex-servicemen, seniors and their dependants.

What you may not know is that the Royal Canadian Legion also spends \$2.2 million on youth programs and supports numerous Girl Guide and Boy Scout activities and cadet programs.

I know that every member in this House supports a new program sponsored by the Royal Canadian Legion called the 2 Minute Wave of Silence.

On November 11, we will once again honour those who fought for the freedom that we all enjoy, but in particular we will recognize those who received permanent injuries and those who paid the supreme sacrifice, and their families. In their memory, let us take up the torch and carry on that wonderful tradition of service to country so ably displayed by the man I spoke of earlier.

Let's take up the pledge: We will remember them. We will remember them.

Mr James J. Bradley (St Catharines): Each year at this time, partisan political differences are put aside as members of the Legislative Assembly pause together to remember those Canadians who made the supreme sacrifice, the sacrifice of their lives, in wars fought to defend freedom and democracy.

Over the years, there have been moving tributes paid to those whose memory we honour as a nation on November 11, tributes delivered with eloquence, passion and emotion by those who served in our armed forces in times of war.

Far better than we who did not experience military service on a personal basis, some members of the Legislative Assembly, themselves veterans of conflicts around the world, shared with us and with those who have access to the deliberations of this House the horrors of war and the immense sacrifice made by those who fought in defence of our way of life.

What is often forgotten as we march alongside veterans of the wars is that so many of these men and women were very young when they entered the service of their country in the war effort overseas and that far too many did not return home to their loved ones or have the opportunity to live lives filled with all of the experiences that are available to those of us who are beneficiaries of their sacrifice.

1410

One of the most moving moments at the cenotaphs across our country is the laying of the wreath by the Silver Cross Mother, who has seen her loved one or loved ones depart for wars in foreign lands and not return.

One wonders what memories pass through their minds as they move, often haltingly and almost always with assistance, towards the war memorial in their community to lay this wreath which carries so much significance.

War is all too often glorified and mischaracterized in popular movies. The depiction of events bears little resemblance to the realities of the battlefield, for in reality our veterans will tell us the days were grim, the conflict so very hard and the damage inflicted both on the body and mind often irreparable.

While it is the dead we honour in Remembrance Day services, our thoughts are also with those who returned from action, sometimes scarred both physically and psychologically by the ravages of war.

The tears that appear in the eyes of veterans whose memories recall all too vividly the loss of friends, the destruction of homes and the ugly wounds of conflict, are understood by all of us.

As the lines of marching veterans thin from age, infirmity and death, we who remain must assume a special obligation to remember. In his poem *In Flanders Fields*, John McCrae refers to the passing of the torch to those who succeed our fallen comrades, and most assuredly we must all, young and old, take up the challenge of those who made the supreme sacrifice on our behalf.

While the focus on remembrance and reflection is as it should be on November 11, it is essential that we who enjoy the benefits of democracy for which our veterans fought and died honour them throughout the year. The Royal Canadian Legion and other veterans' organizations across our land need our support more than ever to maintain their efforts to preserve Remembrance Day as an occasion for all Canadians to remember the sacrifices made in the World War I, World War II, the Korean War and other conflicts in which our armed forces have been involved.

They need our support as well to ensure that our veterans are treated with dignity, respect, generosity and compassion in their senior years, as battle scars on the body and mind begin to take their toll on their lives.

It is said that in communities in the Netherlands, France and other countries, where Canadians liberated people from their oppressors, to this very day the children, grandchildren and great-grandchildren of those who had the yoke of occupation lifted by our Canadian forces remember and pay tribute to our fellow Canadians for the sacrifice made so very long ago.

When we see members of the Royal Canadian Legion, when we see those who served so that we might enjoy the democratic freedoms that are ours today, when we see these individuals often shivering in the cold winds of November, poppy box in hand, let us stop to say thank you and let us join in two minutes of silent remembrance on November 11. Those who are no longer with us and those who returned from war should expect no less from all of us.

Ms Frances Lankin (Beaches-East York): I watch as the flag is lowered to half-mast. I listen to the mournful lament of the lone bugler. My eyes drift along the lines—not as straight as they used to be—of uniformed veterans—not as many as there used to be. Their backs are slightly stooped now. Their faces wear lines of history and knowledge, lines of wisdom. Their eyes reflect memories of horrors lived, comrades lost and a love of country and each other that kept them going when naught else could. I bow my head in prayer and, along with others, recite our pledge: “We will remember them. We will remember them.”

It is a ceremony of remembrance but many of us have no memories of our own. We can't really imagine what the shadow flickering across the eyes of the veteran tail gunner, as he listens to taps and reveille, really means. We can't know what they remember or what they feel. All we can do is thank them, and this year, as we approach the millennium, pay tribute and honour to a century of valour.

During the 20th century, Canada's military forces, merchant navy, police forces and other paramilitary and civilian-based organizations have been embroiled in five wars and numerous peacekeeping missions. More than 1.7 million Canadians fought in the major wars alone. Many of them perished; others were disabled for life. All endured tremendous suffering and hardship. With the passage of time, will Canadians forget their courage and

sacrifices? What can we do to ensure that the memory of these Canadian heroes lives on?

The armistice ending the First World War was signed at the 11th hour of the 11th day of the 11th month in the year 1918. Soon after, Canadians began to observe the anniversary with two minutes of silence. Although it became a tradition that lasted for many years, the custom has all but disappeared today. But now, as we come to the end of a century of war, efforts are being made to revive it.

In 1999, the Royal Canadian Legion and Veterans Affairs Canada will launch a two-minute wave of silence across the country. As the clock strikes 11 am, local time, on the 11th of November, Canadians will pause for two minutes in silent tribute to Canada's fallen heroes. Cars and buses will come to a halt, workers will lay down tools, students will stand by their desks, stock exchanges will fall silent and broadcasters will cease speaking for two minutes.

Canada is a vast country. There are six time zones. So, starting in Newfoundland, the wave of silence will roll across each time zone, gaining momentum as Canadians pause to remember. With the participation of Canadian military forces and personnel stationed abroad, the wave will be extended and continued around the world.

During the 20th century, hundreds of thousands of young Canadians died while defending our freedom. As the minutes of this century run out, we are encouraged to take two of them on November 11, 1999, to thank those Canadians and pay silent tribute to their memory.

As we leave this century, we continue to strive for a future without war, a world at peace, an end to injustice and inequality, a sharing of prosperity and democracy with all the peoples of the world. We look to a future where the existence of violence itself is our foe.

So, for me, as we pay tribute, it's most appropriate to remember the words of Lieutenant-Colonel John McCrae:

Take up our quarrel with the foe:
To you from failing hands we throw
the torch; be yours to hold it high.

The Speaker: I thank all the members for their comments and ask that the members and guests rise to observe a moment of silence.

The House observed a moment's silence.

MEMBER'S PRIVILEGE

Ms Shelley Martel (Nickel Belt): Mr Speaker, pursuant to standing order 21, I rise today on a point of privilege, and I filed this information with you earlier. It flows well from the act of remembrance we have just finished.

As you are aware, each year the government of Ontario sponsors the investiture of the Ontario Medal for Police Bravery and the Ontario Medal for Firefighters Bravery. Both of these awards are highly prestigious, and

the recipients deserve both our thanks and support for their exceptional service to our communities.

This year, one of my own constituents is being honoured. He is Provincial Constable David E. Drake, from my riding. He is receiving this award because of his selfless act of bravery when he was the first officer at the scene of a truck explosion in Walden last year. He risked his own life to ensure the safety of the truck driver.

As the MPP for Nickel Belt, I was looking forward to attending the ceremony to acknowledge Constable Drake's service. But I will not be able to attend for two reasons. Firstly, this government waited until Tuesday of this week, one week before this important event, to make members aware of the ceremony and invite them to attend. For an event that is this important, I think that is highly inappropriate. Secondly, the ceremony is next Wednesday evening, November 10, in the middle of constituency week, when most members will be in their ridings to commemorate Remembrance Day.

1420

The government knows full well that the fall constituency week always coincides with Remembrance Day, and this government knows full well that it is virtually impossible for the two northern opposition members who have been invited to attend this prestigious event on Wednesday night to make it home to their ridings for Thursday morning for Remembrance Day services. I think the timing of this event was deliberate, and I regret that it excludes my participation in this event.

Mr Speaker, I know there is probably nothing you can do to change the timing of this event next week, but I do believe that in the future you can help ensure that a breach of a member's privilege like this one will not occur. This year's investiture is being held in the legislative precinct, a building under your jurisdiction. When the government proposes to use the precinct to host special occasions, I would ask you to use your discretion to guarantee the maximum opportunity for members to participate. The government should not be allowed to play politics with the scheduling of important events in the precinct to act as a barrier for members' participation.

The Speaker (Hon Gary Carr): I thank the member for filing that with me, but she will know that is not a point of privilege.

ORAL QUESTIONS

CONFLICT OF INTEREST

Mr Dalton McGuinty (Leader of the Opposition): My question is for the Minister of the Environment. Yesterday we demonstrated in this House why you went to bat for developers on the Oak Ridges moraine in connection with a matter that was already before the Ontario Municipal Board. Yesterday we brought to the public's attention the fact that the Cortellucci and Montemarano group of companies, which have an interest in

the development of the Oak Ridges moraine, gave at least \$378,000 to your party. When we raised these issues yesterday you said, "This is the first I have heard of it." You then added, "I didn't even have knowledge of any of these contributions."

Minister, you now have had 24 hours to reflect on the statements you made yesterday. Do you still maintain today, here and now, that you didn't have knowledge of any of these contributions?

Hon Tony Clement (Minister of the Environment, Minister of Municipal Affairs and Housing): The honourable member knows, like everybody else in this House knows, that every contribution from an individual, a business or an organization is a matter of public record. I suppose they're available on the Internet these days. Certainly they are available at the Ontario Commission on Election Finances. These are all contributions accepted in accordance with the Ontario Election Finances Act. I suppose I know now, since I was at a fundraiser last night, that there are many people from all walks of life in Ontario who are committed to the values and principles that this government represents. They know that Ontario is in boom times, and they are willing to put their money to our success, because our success means that Ontario has success.

Mr McGuinty: As you might expect, we've done some checking on this matter. What we found is a trail of cheques from the companies that lead to the minister's personal re-election campaign. Again I'm talking about companies that gave hundreds of thousands of dollars to your party, that have an ongoing, keen interest in development on the Oak Ridges moraine, companies for which you have gone to bat.

You told us yesterday that it's all news to you, that you don't know these people and you don't know about any such donations.

Interjection.

Mr McGuinty: If Janet will allow me to do so, I will quote from Hansard. You said, "It had no impact on my decision, because this is the first I've ever heard of it." You said, "I didn't even have knowledge of any of these contributions."

Isn't it true, Minister, that the Cortellucci and Montemarano group of companies contributed thousands to your own riding association and your own personal re-election campaign?

Hon Mr Clement: As the honourable member well knows, many members of this Legislature engage in fundraising activities. We leave that to people who are supporters of our party and our values and principles. I don't sit down every day to go over who has donated what and when to whom.

I can tell the honourable member that it is a matter of public record. I make no apology—

Interjections.

The Speaker (Hon Gary Carr): Order.

Hon Mr Clement: I say to the honourable member, if he has any evidence of any wrongdoing by myself or any other member of this government, I encourage him,

indeed, I challenge him, to tender that evidence before this House, to say it outside of this House if he's so convinced he has the right answer, and to give it into the hands of the Integrity Commissioner. I suspect he does not have any evidence. These are craven and baseless allegations. If you have any proof, tender it.

Mr McGuinty: If the minister is not prepared to own up to the truth, then I will provide him with the facts. Here are the facts: The Cortellucci and Montemarano group of companies actually tried to give more to your riding association than they are permitted under Ontario law. They contributed \$8,840 to your riding association in 1998 alone. That was more than \$5,000 over the limit allowed by law. They gave so much to your campaign that your riding association was compelled under the law to return some of the money.

How can you tell us, Minister, that you have never, ever heard of these companies and their very generous donations when they tried to send you so much money that you had to send some of it back to them?

Hon Mr Clement: Let me get this straight. The honourable member—

Interjections.

The Speaker: Order. I cannot hear the questions, and in some cases I cannot hear the answer. It makes it difficult when I need to hear the question to decide what is being said. I need to be able to hear both the question and the answer.

Hon Mr Clement: I just want to understand what the honourable member is saying here, for the benefit of this House. He is saying that I engage in fundraising activities and that my supporters do. He is saying that I've been successful in my fundraising activities. When it came about that there were additional monies that were raised, we sent them back to be in full compliance with the law. He is accusing me of being in full compliance with the law. I am guilty of being in full compliance with the law.

We know that the honourable member is under a lot of stress right now. He's busy stacking delegate meetings in his own party to salvage his own leadership bid.

Interjections.

The Speaker: Order.

Hon Mr Clement: I know the honourable member is quite distracted as he seeks to salvage his position in his own party, but I encourage the honourable member, if he has any evidence, if he has anything other than baseless allegations, to send it to the Integrity Commissioner, which he has not done since this matter was first raised in this House, and I'm sure we can all settle it together. Otherwise, he should put up or shut up.

The Speaker: New question, the leader of the official opposition.

Mr McGuinty: My second question is also for the same Minister of the Environment.

Let's review the record, because this guy is setting a record for the most flips and flops in a two-week period.

Interjections.

The Speaker: Order. Member take his seat. Stop the clock.

Leader of the official opposition.

1430

Mr McGuinty: First the minister tells us that his letter did not interfere with a case before the OMB, because it wasn't before the OMB; when we pointed out that it most certainly was, he changed his tune. Yesterday he said he couldn't recall speaking to anyone from a development company about the moraine. When we read his quote to the contrary in a newspaper, he changed his story saying that, well, in fact he did talk to a development lawyer, somebody by the name of Mr Diamond. When we pointed out that that was news to Mr Diamond, the minister changed his story yet again, scrambling into this Legislature at five minutes before 6 o'clock to correct the record and say, "No, no, it wasn't Mr Diamond, it was a Mr Duffy."

Minister, tell us quite simply, why is it that you can't get your story straight?

Hon Mr Clement: Now the honourable member is saying that in order to get the facts on the table and to correct a record based on an innocent mistake, somehow I'm in breach of some precept or some law or some regulation. I don't know what he's trying to say.

If the honourable member has some evidence of any wrongdoing, if he has any shred of evidence of any connection that is in some way untoward or in some way against the law or in some way against the values and principles that we hold dear, tender it. That is what his obligation is. This week is Waste Reduction Week. I suggest the honourable member put his money where his mouth is, or please do not waste the time of this Legislature on baseless allegations.

Mr McGuinty: In the latest Minister of the Environment's flip-flop, he tells us—I want to quote what he said yesterday, because it is unequivocal. When we raised the matter of \$378,000 in contributions, he said, "I didn't even have knowledge of any of these contributions." That's what he said.

I have before me a copy of the riding association's annual financial statement filed by this member's riding association. In this, it clearly states that he received thousands and thousands of dollars by way of contribution from the same said groups of companies. Now you tell me, Minister, why is it that yesterday you said you've never heard of these companies, you have no idea who they are, they didn't give you any contributions, and you knew nothing about the hundreds and thousands in contributions? Today I point out to you in this Legislature that here's a copy of your return. It says you received thousands of dollars, more than you're allowed to accept, so much that some had to be returned. Tell us what is the truth in this. Tell us exactly why it is that you signed a letter that dealt with a matter that was before the OMB, and admit, was it not the result of the fact—

The Speaker: Member, take your seat. Minister of the Environment.

Hon Mr Clement: The question that was relayed to me yesterday had to do with party contributions. The PC Ontario fund is in charge of that. I'm not in charge of that, nor is any other member of this Legislature, for that

matter. If the honourable member has difficulty understanding that, I'm sorry about that. But the fact of the matter is, all of this is a matter of public record. The reason the member has my records is because it's a matter of public record. We have nothing to hide. We know that we get thousands and thousands of Ontarians who donate to our political party because they agree with the values and principles that we represent: growth, prosperity, jobs, better education for our kids, better health care, tax cuts for everyone. That is what we represent, and—

Interjections.

The Speaker: Order. Order, member for Windsor West.

Interjections.

The Speaker: Order, government whip. Stop the clock.

Minister of the Environment.

Hon Mr Clement: The fact of the matter is that all of this is a matter of public record. We are proud of the fact that we have thousands of Ontarians who are willing to work for us, to canvass for us, to be part of a team that wants a better Ontario for ourselves and our children and our grandchildren. We have nothing to be afraid of on that; in fact, we welcome businesses, individuals and organizations that want to be a part of a better Ontario. If the honourable member has a problem with that, perhaps that's why he's in second place, and perhaps that's why he should spend more time worrying about the end of the month and the Liberal convention than these petty accusations that are baseless in fact and have no place in a place, the Ontario Legislature, that is supposed to be debating the real issues.

Mr McGuinty: The minister talks a great deal about the public record, so let's review the public record one more time. You sent a letter advocating on behalf of a developer in connection with a matter that was before the Ontario Municipal Board. That is clear and unequivocal and true. Yesterday you said you knew nothing about two groups of companies which have contributed \$378,000 to your party. That's what you said yesterday. Today we provided evidence to you that in fact your riding association received thousands of dollars from these same two groups of companies. Those are all matters of public record.

Given the record, the only honourable thing to do in the circumstances, the right thing to do in the circumstances, is to acknowledge that you've made some terrible mistakes and to stand up here and resign.

Hon Mr Clement: I make this pledge to the House: If the honourable member had a shred, a scintilla of evidence—

Interjections.

The Speaker: Order. I say to all the members, I need to hear the answer. I want to be perfectly clear: I'm warning all the members to please come to order.

Minister of the Environment.

Hon Mr Clement: If he has a shred or a scintilla of evidence, I encourage him to place it before this House,

say it outside the House, refer it to the Integrity Commissioner. If he can't do any of those things, he's just not up to the job.

Interjections.

The Speaker: Order. Stop the clock. Start the clock. New question.

POLICE SERVICES

Mr Howard Hampton (Kenora-Rainy River): My question is for the Solicitor General and it's about his government's law enforcement priority. The Solicitor General will know that a poll was released today reporting that 48% of the people living in Toronto feel less safe than they did five years ago; and the lower your income, the more likely you are to be afraid on the streets of this city. It's just another sign of the growing gap in our province.

The poll also tells us that people want to be protected on the streets where they live. They want to see more community policing in their neighbourhoods. But Statistics Canada tells us that there are fewer police now on the streets than in 1995. In fact, there are 283 fewer police on the streets in Ontario, and when you factor in population growth, there are 1,400 fewer police officers now than in 1995.

Could you tell us, Minister, how are you going to deal with the real issues of crime prevention in Ontario when you have 1,400 fewer police officers on the street now than five years ago?

Hon David H. Tsubouchi (Solicitor General): Let me start by saying, first of all, that we strongly believe in community policing. That's number one right off the top.

The real facts of the matter are that in Ontario since 1995 there has been an increase in the number of uniformed personnel in the OPP. We are directly responsible for the OPP.

1440

Secondly, there has been an increase in spending on province-wide policing in the province. We've also embarked upon what I believe is a very important program, which is the community policing program. The program will invest \$150 million into getting 1,000 brand new police officers on the front line directly to address your concern, front-line policing.

Certainly I've seen the signs of other types of really good police initiatives in Hamilton, in Guelph, in areas where they're attempting to increase their own availability on the streets, the city of Toronto as well. You recently saw their initiative to try to get more police officers out on the street. I compliment Chief Boothby and Mayor Lastman on that, because it did work.

We support this. Obviously we've been spending more money in this area. I think \$150 million is significant. I think 1,000 new police officers is significant as well.

Mr Hampton: The minister wants to refer to his announcement. The fact is—and Statistics Canada confirms this—that despite all of your announcements, despite all of your ballyhoo about going out there after squeegee

kids, there are 1,400 less police officers. Your so-called announcements will not even keep up with the natural rate of retirement of existing police officers.

We also know that people out there are very worried about crimes of sexual assault. Go to Scarborough and you'll find out how worried. They're very worried about the number of women who are victims of sexual assault: 2,000 alone in Toronto. They're very worried about hate crimes.

Minister, how are you going to deal with the serious issues of crime out there when you're 1,400 police officers behind where you should be?

Hon Mr Tsubouchi: First of all, I want to reiterate that the police force for which we are directly responsible, the OPP, has increased their numbers from 1995, when there were 4,719 OPP officers, to today, when there are 4,888. That is an increase. We strongly believe—and I could say this again, sincerely—it's important for us to have more front-line policing out there. We understand it's important to the communities. That's why we have initiated getting 1,000 more police officers out there. This is funded by the province, understand that, even though there are municipal forces involved with this. We understand it's important. We're doing something about it.

You alluded before to sexual assault, for example. Let me just say to that that one of the important initiatives we have is adequacy standards across the province. That's to make sure that every community is able to cope with all aspects of crime within their community, including that.

Mr Hampton: Minister, if you take the Statistics Canada numbers and you factor in natural population growth, in two years you're going to be 2,200 police officers short, 2,200 police officers fewer than you should be. That means police officers don't have the time to investigate sexual assault. That means they don't have the time to look after home invasions. It means they don't have the time to look after hate crime. Then you're going to take another 1,000 police officers and you're going to turn them loose on squeegee kids.

Everything you've said here today demonstrates how phony your government's whole strategy is. You come out with a propaganda campaign, but underneath the propaganda campaign, you have less police officers than ever before to deal with serious crime-prevention issues. You're short police officers right now. You're going to be 2,200 short two years from now. How are you going to deal with the real issues of serious crime, never mind the squeegee kids?

Hon Mr Tsubouchi: I think we do have a commitment to policing, and we do have a commitment to front-line policing. We also understand the need to get more police officers out there in the communities. That's why we've doubled the capacity for bringing new recruits through the Ontario Police College. I believe that's very important.

The adequacy standards are very important. Let me just speak about that for a second. Because many communities don't have the ability to deal with some aspects

of crime within their communities—you mentioned sexual assault; that's a very difficult, tough crime—we should have the means—it doesn't matter where you live, the north, the east, the south—we should be able to deal with these things.

I must say to the leader of the third party that I'm quite surprised. Your record, when you were the government, certainly doesn't reflect your new-found interest in policing. If you ask the police community who they believe are supporting their efforts to have better policing in this province, it's not you. It's our government.

SPORTS FACILITY TAXATION

Mr Howard Hampton (Kenora-Rainy River): My next question is for the Acting Premier. We've heard what the government doesn't have money for: They don't have money to put police officers on the street. I want to ask the Acting Premier now about something they do have money for: subsidizing NHL hockey franchises.

I asked yesterday, Minister, if your government would commit to public hearings so that the people of Ontario could have a say in whether or not taxpayers' money should be used to subsidize NHL hockey millionaires. You refused. So I went out and did a little street poll of my own this morning. The member for Sault Ste Marie and I went down to Union Station, where a lot of people from across the greater Toronto area congregate, and we asked people, "What is your opinion?" Not a surprise to me, Minister, that 74 out of the 80 people we talked to said your idea to subsidize NHL hockey franchises is nonsense.

Minister, what are you afraid of? Why don't you hold public hearings and ask the people of Ontario if they favour taxpayer subsidies for NHL hockey millionaires?

Hon Chris Hodgson (Chair of the Management Board of Cabinet): I think the leader of the third party got the answer yesterday. I'm not sure which part he doesn't understand. The policy is to level the playing field between municipally owned arenas and private-sector-owned arenas, and it's up to the municipalities. I don't know what you have against local elected officials who are close to their communities deciding if they'd like to level that playing field in terms of their sports arenas or facilities.

The Speaker (Hon Gary Carr): Final supplementary.

Mr Tony Martin (Sault Ste Marie): We as a party have no difficulty with government playing an active role in building a value-added economy and creating good jobs. However, in putting the casino into Windsor and restructuring Algoma Steel and St Marys Paper, for example, we didn't give tax breaks. The boards of education or the municipalities in those communities did not lose one cent in taxes.

What we don't support, Minister, are tax breaks for NHL hockey millionaires. That's just another way of your government widening the growing gap between the rich and the poor in this province, with the middle class

being ultimately squeezed out. Most people I've talked to agree with us. They just don't see how this government can find money for NHL hockey when the needs are so great for home care, for schools, for child care and for housing that working families can afford.

Minister, why don't you get it? Why don't you understand the difference here?

Hon Mr Hodgson: I think everyone in Ontario gets the difference between the NDP and our party. You are in favour of higher taxes and we're not. We're in favour of prosperity, letting people keep their own money. Under this particular policy, we're levelling the playing field between municipally owned recreation facilities and private-sector-owned recreational facilities, and it's up to the local council to decide, in consultation with the other ratepayers in that class, whether they want to take advantage of that. If they say yes, then the province will be a partner in that.

ONTARIO REALTY CORP

Mr Dominic Agostino (Hamilton East): My question is to the Chair of Management Board. Minister, yesterday we asked you about the Ontario Realty Corp, a government agency responsible for potentially up to \$5 billion of sales of government land and headed up by your good friend Tony Miele.

Yesterday we asked you about allegations of corruption and bid-rigging at the Ontario Realty Corp as outlined and alleged in court documents filed in a lawsuit over the property at Jarvis and Wellesley that the ORC had put for sale. Today we're aware of three other lawsuits in regard to the Ontario Realty Corp, one involving a property on Lake Muskoka in Gravenhurst, and two others that are still outstanding.

In response to a question by my colleague from Scarborough-Agincourt, you said you were not aware of any allegations of corruption and that none of these have been brought to your attention, and you said you would check the records.

Can I ask you, first of all, have you checked those records? Second, when were you made aware of these lawsuits and the allegations they contain that are now in front of the courts?

1450

Hon Chris Hodgson (Chair of the Management Board of Cabinet): Mr Speaker, through you to the member opposite: I have asked legal staff to review some newspaper articles and the allegations in them. Legal staff tell me there are no substantiated allegations of corruption in the transcripts. I caution the member that we're only part way into this legal proceeding. I can't talk about the details, but legal staff do review the transcripts and, through the course of monitoring this situation, they inform me that there are no substantiated allegations of corruption.

With respect to your question of any other allegation, the answer is "no." If you have any evidence that would

suggest otherwise, I ask you to please share it with us and we'll take the proper steps.

Mr Agostino: Documents were filed in court on February 3, 1999, that allege wrongdoing at the Ontario Realty Corp. There was an article on May 29 in the Globe and Mail that spoke of the same allegations.

We understand clearly, in the documents filed in court, that Mr Lyons, your friend and Conservative fundraiser, made some very clear allegations of wrongdoing at the Ontario Realty Corp in his defence. The company Cityscape that was involved in the bid also made some very serious allegations in regard to bid-rigging and corruption at the Ontario Realty Corp. We know that. That is part of the court record; that is part of the public record today.

You're telling us, Minister, that nowhere along the line since these documents were filed were you ever briefed on these lawsuits or made aware of the fact that the Ontario Realty Corp was faced with some very significant allegations, at a time where the agency was undergoing change, at a time when the agency was involved in massive land sales where the credibility of the process and the integrity of the bidding process was absolutely essential.

Minister, again—with what you know, based on the protocol we talked about, that your government spoke about—will you refer this to the Attorney General's office for investigation to determine whether there is any evidence that these allegations are true and if they need to be investigated by the police in this province.

Hon Mr Hodgson: I think I just answered that to the first question. The answer is no, there have been no allegations to that affect. If you have any information like that, please share it with us.

In your preamble, you make all kinds of loose accusations. If you truly believe that, say it outside. You are slandering people's reputations in this chamber with total immunity, knowing you are safe from any legal repercussion.

I don't know if this is the Liberal strategy of the month to try to divert attention from your upcoming leadership review, and all of McGuinty's Muppets are out throwing mud at innocent people.

If you have true evidence or you suspect you do, please share it with this House. Otherwise you are impugning the reputation of a lot of people with your wild accusations.

The Speaker: New question.

ONTARIO'S AIR SERVICE

Mr Joseph N. Tascona (Barrie-Simcoe-Bradford): My question is to the Minister of Natural Resources.

I understand Ontario owns one of the world's oldest air services. Since this air fleet falls under your ministry, could you provide us with information on what the government does to support this service and what important role they play in Ontario?

Hon John Snobelen (Minister of Natural Resources): I thank the member from Barrie-Simcoe-Bradford for the question.

Ontarians have a lot to be proud of with the air service fleet. The fleet, as I'm sure most Ontarians know, has been used for forest fire prevention, for putting out forest fires, for aerial rabies baiting—in which we are a world leader—for wildlife surveys and for a variety of other activities.

But I think the member might be interested in knowing that this fleet started some 75 years ago with 13 surplus World War I airplanes.

They were purchased in 1924 at a cost of \$7,500 apiece. Today's fleet is worth over \$250 million, including some of the most up-to-date firefighting equipment, the CL-415s which this government purchased a year or so ago to make sure we have the most up-to-date fleet in the world. In fact, the Ontario government air service is the oldest continuous-flying, non-scheduled government air service in the world, and we have a lot to be proud of.

Mr Tascona: Thank you very much, Minister, for that valuable information. I'm glad to see that Ontario is active throughout the province and North American in providing valuable services.

I understand that Ontario's air service celebrates its 75th anniversary this year. Could the minister provide us with the highlights on the success of this service for the last 75 years.

Hon Mr Snobelen: As I mentioned before, we have a very up-to-date, modern fleet. But I didn't mention the people who make that fleet operate, our pilots and the ground people who keep that fleet in service, because they are brave, daring and very skilled people who have pioneered aviation in Canada.

They are the world's best, as I said at the aerial rabies baiting. I was proud to be in Texas last year as I watched Ontario export that technology and that expertise. How proud I was of the people who make that service work.

Ontario has been the cradle of bush flying in Canada. In fact, some of the people who were pioneers in Ontario's air service went on to fight for freedom in the Second World War, and we are very proud of their contribution.

Next Friday in Sault Ste Marie, people who have retired from the air service and people who are currently with the air service will gather together to be proud of their 75 years of service. Ontarians can be proud of their courage, their innovation and their leadership.

OAK RIDGES MORaine

Mr Mike Colle (Eglinton-Lawrence): To the Minister of the Environment: I would like you to clear up a very serious contradiction between you and your predecessor, Mr Gilchrist, over the proposed development freeze on the Oak Ridges moraine.

As you well know, a respected member of the community, Mr Glenn De Baeremaeker, has categorically stated that your predecessor in municipal affairs, Steven

Gilchrist, told him that he and his ministry were on the verge of imposing a development freeze on the Oak Ridges moraine, and he said that to him on July 20. You, on the other hand, have stated that there were no plans to impose a development freeze on the moraine and that your ministry had not been considering a freeze.

Why this dramatic change and contradiction from a promised freeze from Mr Gilchrist to your opposition to a freeze and denying that the ministry had even contemplated this?

Hon Tony Clement (Minister of the Environment, Minister of Municipal Affairs and Housing): I have no knowledge of what Mr Gilchrist said or didn't say, or did or didn't do. The matter is under investigation, and I think I'm going to refrain from commenting further on it.

Mr Colle: I take your answer to mean that there were no plans in the ministry for a development freeze.

As you know, a freeze on development in the Oak Ridges moraine could cost developers hundreds of millions of dollars in potential profit from developing the moraine.

My question to you is, why the change in position and the refusal to impose a freeze? Could you tell this House, since you've become Minister of Municipal Affairs, whether you've had any discussions with developers, their agents or representatives, or with members of the Urban Development Institute, about this issue of the development freeze on the Oak Ridges moraine? Have you discussed this freeze issue with those development representatives?

Hon Mr Clement: To say that the honourable member is on a fishing expedition is to be insulting to fishermen, so I'm not going to do that.

I don't know what the honourable member is talking about. If the honourable member has any evidence of anything that is untoward, please table it. I'd be happy to come under any form of accountability that the honourable member wants to propose.

The honourable member is making an allegation or an implication that is simply not supported by the facts. I can tell the honourable member that the only thing that has been done is applying the guidelines that were put in place in 1991 by the NDP. I indicated yesterday that we have sought party status before the OMB, so there will be government of Ontario lawyers at the OMB hearings, and that's the status of—

Interjections.

The Speaker (Hon Gary Carr): Please come to order. New question.

1500

BUSINESS CLIMATE

Mr Doug Galt (Northumberland): My question is directed to the Minister of Labour. The Harris government has created some 571,000 net new jobs over the last four years. As promised, we're on track for some 725,000 net new jobs by June 2000. This is due, of course, to the stimulation of the economy by cutting

taxes, cutting red tape, and the result of the hard work of the Harris government.

However, last week, Mathews Conveyor of Port Hope closed their 75-year-old plant after a bitter two-month strike and moved to the US; 110 employees lost their jobs. I suspect union representatives and management were working on different wavelengths.

Minister, when will you ensure that we have a level playing field between management and labour in Ontario?

Hon Chris Stockwell (Minister of Labour): Thank you very much for the question. Obviously we're very concerned about the announced closure and the impact on the employees and the families in Port Hope. This is not something that we like to see nor are happy to see.

We're not aware of the details, either. These are private negotiations that take place between union and management, and these kinds of negotiations take place outside the purview of the Ministry of Labour.

As far as a level playing field is concerned, I think we've achieved a level playing field. I think it's certainly more level than it has been in a long time. We've had a 96% success rate in settlements without strikes or lock-outs. These unfortunate incidents do occur, and I can only hope that in the future negotiations such as this can reach a fruitful end.

Mr Galt: Thank you, Minister, for the answer. There is no question that the Harris government has made significant steps to level that playing field. However, when major operations in rural Ontario close or relocate, it is indeed a major loss to the respective communities. Therefore, can the people of Ontario be assured that this government is doing something to prevent companies from packing their bags for the US in the future?

Hon Mr Stockwell: Yes, certainly. Our government has created a competitive business climate, lowered taxes, reduced barriers to business, cut red tape, reduced the deficit. Those kinds of things have been done by this government, in fact, to create the climate for prosperity and economic growth.

Another good example would be, for instance, the Quebec-Ontario situation. That's a situation where we've worked very hard, which previous governments didn't do, to get labour mobility for Ontarians in the Quebec jurisdiction, something they haven't had for 30 years.

I'll tell you something. I know the member from across the floor made a statement on this today, but I think the people of this province are in favour of this kind of proactive approach to labour mobility, free access to Quebec, that they weren't getting under previous administrations. I was profoundly disappointed not to have a question put to me on this, because this is the kind of activity, this is the kind of direction, this is the kind of place this government should go for the people.

I see the cackling from the member for Kingston over there, who I'm surprised would heckle this government on their position with Quebec—

The Speaker (Hon Gary Carr): Time. Order. Minister, take your seat.

AFFORDABLE HOUSING

Mr Rosario Marchese (Trinity-Spadina): My question is to the Minister of Housing.

Today the former Minister of Housing at the federal level, Mr Redway, the former provincial Minister of Housing, Mr Sweeney, and former member of Parliament and former mayor of Ottawa, M^{me} Dewar, released this study called *Where's Home? Part II*, which shows, among other things, that across Ontario a stunning 300,000 tenants are at risk of homelessness. The study shows the problem affects not just Toronto but many other communities, from Guelph to Hamilton, from Timmins to Kingston to Peterborough. It's part of the growing gap. The majority of Ontarians are well-housed, but more than 300,000 people pay more than 50% of their income in rent.

Minister, your policy of leaving the construction of housing to the private sector has been a complete failure. Will you start building some affordable rental housing so people are not left in the street?

Hon Tony Clement (Minister of the Environment, Minister of Municipal Affairs and Housing): I thank the honourable member for the question and indeed wish to inform the House that there are 275,000 social housing units and rent-geared-to-income subsidies that are maintained by this government. We've also committed \$45 million this year to fund 1,000 new dedicated supportive housing units, which will provide support and housing to individuals with problems such as mental illness or addiction.

Now we can share the other records of the previous governments under the old Liberal regime. Housing starts declined by 21.4%. The NDP were even worse when his government was in power. They failed to act while rental housing starts plummeted by 74.4%.

The honourable member, if he has some suggestions on how to improve this—we are leading by example. We've eliminated the first \$2,000 PST on new rental unit developments. We've created a new lower tax class for rental properties. We're committing the use of public lands to create a minimum of 500 units for affordable housing. We are acting and we are proud of that record.

Mr Marchese: Minister, sometimes I don't know whether I should cry or laugh when I hear such answers. But I want to show you more graphically what I mean.

The Canada Mortgage and Housing Corp says that we need—

Interjections.

The Speaker (Hon Gary Carr): Order. The member knows that he cannot use props. I ask him to please withdraw it.

Member, continue.

Mr Marchese: The Canada Mortgage and Housing Corp says that we needed 80,000 rental housing units to be built in Ontario between years 1996 and 2001. They don't care who builds them, whether it's the private sector or the public sector, but they say we need 80,000 units. At the current rate, we're only going to get about

6,000 units built by the year 2001. That's 74,000 households that won't get the housing they need.

Minister, your faith in the private sector to bail you out is pure ideological naïveté. It's completely out of step with reality. If the private sector cannot build the housing we need and the public sector, federal and provincial, is unwilling to do so, who do you think is going to build these units that we need?

Hon Mr Clement: It is unusual to be in complete agreement with a member of the Liberal Party, but I want to quote from Phil Dewan, who is the honourable Leader of the Opposition's chief of staff, who said in June of 1998 that there has been a milestone—he uses the term “milestone” deliberately—because our new Tenant Protection Act, which was called into law on June 17, marks the end of the NDP era of punitive legislation which had such a negative impact on the preservation of the rental housing stock in the province.

The honourable Leader of the Opposition's chief of staff is absolutely right. Under a Mike Harris government, between 1995 and 1998, private rental unit starts have more than doubled and total housing starts have increased by 50%. Obviously our plan is working. Do we have more to do? We absolutely do. We have to finish the job that we've started to increase the rental housing stock, to increase the housing stock in Ontario, but we are making miles more gains than were made under his administration when housing stocks were reduced by 74.4%.

TUITION FEES

Mrs Marie Bountrogianni (Hamilton Mountain): My question is for the Minister of Training, Colleges and Universities. On a regular basis, including the recent throne speech, this government has gone on record promising the youth of this province that every qualified and motivated student will have access to a quality post-secondary educational experience.

This promise seems very hollow in light of what is happening to tuition costs and student debt in this province. Tuition increases averaged 9.6% this fall in Ontario, the largest increase in the country, continuing the disturbing trend towards a two-tier system and the imposition of a crippling debt load for our students.

Statistics from your own ministry indicate that since 1995 the tuition cost for an arts or science undergraduate degree has gone up 58% and the cost of a college diploma has risen 52%. This is hardly making the situation more accessible. Students are now bearing 35% of the cost of operating our universities.

Minister, what specific steps are you taking to put a stop to this unacceptable spiral of increasing tuition costs?

1510

Hon Dianne Cunningham (Minister of Training, Colleges and Universities): I'd like to begin by welcoming my colleague from Hamilton Mountain to this great Legislative Assembly and by letting the members

of the House know that I think she's extremely well qualified for this critic portfolio.

I'm also proud to agree with her that we are committed, as governments before us have been committed, to making sure that every qualified and motivated student will indeed have access to post-secondary education in the province of Ontario. I'm proud also to say that at this point in time the accessibility to post-secondary education in Ontario has never been greater. Right now, 35% of young people who want to go on to college and university are in our colleges and universities as we speak. That's a very high number. We're also supporting that commitment by providing the highest level of provincial funding support ever in post-secondary education, which will rise to \$4 billion this year.

Just to conclude, I'd like to say that this year we're also providing the most assistance ever to students in our colleges and universities.

Mrs Bountrogianni: Minister, I believe you have co-authored the document that said students shouldn't subsidize more than 25%. That's 10% lower than they are subsidizing right now. Since 1995, as well, according to your own statistics, the annual Ontario student assistance program expenditures are up 280%. What this means is that students are being forced to take on more and more debt to compensate for this government's underfunding of post-secondary education. Will the minister today ensure the House that the student's share of the cost of his or her quality education will not be increased any further?

Hon Mrs Cunningham: In response, I'd like to remind the House that the Liberal and NDP governments also raised tuition fees. At the same time, we have taken actions that they did not take. It is a fact that the tuition has risen, but in the last two years the colleges and universities have been asked to set aside 30% of those funds to assist those students in colleges and universities who are in need. That's over and above what we're doing at the provincial level to help students in need. We're also providing more assistance, as I stated, than ever before. For the record, that's up 30% in assistance over 1995, to \$535 million.

We are also asking the universities to prepare students for jobs in high-demand areas where there are shortages. Our students are getting those jobs. They are investing fairly in their education—

The Speaker (Hon Gary Carr): Time. Would the minister take her seat.

CORRECTIONAL FACILITY

Mr Ted Chudleigh (Halton): My question is to the Minister of Correctional Services. Recently, as I travelled through my riding, on Highway 25 there was a great deal of construction going on around the Maplehurst Correctional Complex in Milton. I recall that changes are underway within our provincial correctional services and that Maplehurst is one of those facilities that is being

upgraded. I believe it's being upgraded into one of the largest correctional facilities in Canada.

There's a great deal of concern in the community as to first of all when it will be finished, what the progress of the construction is. Second, we also understand that the female inmates from the Vanier Centre, which is being phased out, are going to be transferred to that area, so there would be male and female facilities. We're concerned about security and public safety. I wonder if you could enlighten my constituents on that subject.

Hon Rob Sampson (Minister of Correctional Services): I thank the honourable member for his question. I was actually pleased to visit the Maplehurst site as part of my ongoing tours of correctional facilities in Ontario since I was appointed Minister of Correctional Services. I'm happy to report that the construction at that particular site is moving along quite well. Of course, we're expanding that site from 600 beds to nearly 1,500 beds. I want to thank the staff who are running the correctional facilities now for their patience and co-operation as we go through this transformation project at Maplehurst and frankly across the province, transferring and upgrading the technology and infrastructure that's involved in the correctional business in this province. It's very important that we speak to the words that were spoken to us by the Provincial Auditor in 1993, when he indicated to us that some effort was required on behalf of government to improve the effectiveness and efficiency of institutions such as Maplehurst.

Mr Chudleigh: Thank you, Minister, for that answer. I recall in the throne speech, and I quote, "The government will continue to replace aging jails with more secure facilities." We're well aware in our community of the support that our community has for boot camps and strict discipline procedures holding facilities for youth.

We're concerned that in the Maplehurst experience this money be wisely spent. We're spending a great deal of money because it's a huge expansion. Is that money being well spent, or could it be better spent someplace else?

Hon Mr Sampson: Thank you very much to the member. We're going through this infrastructure renewal project at corrections to indeed ensure that our capital money and our operational money that we spend in corrections, dealing with the inmates in those various institutions, is wisely spent. But we have to make sure at the same time that these institutions are indeed safe not only for those who are working within the institutions themselves but for those who live in and around the communities where the institutions reside.

So I say to the honourable member that public safety is an utmost priority of this government and this minister and certainly this ministry as it relates to the functioning of those particular institutions. We are also mindful of the fact that we must operate these institutions and deal with the inmates who are sent to our custody by the court system in an effective and efficient manner. That is why we are going through this renewal project, so that we can have the infrastructure there that will allow us to meet those two very important criteria.

The Speaker (Hon Gary Carr): New question, the member for Kingston and the Islands.

Hon Norman W. Sterling (Minister of Intergovernmental Affairs, Government House Leader): On a point of order, Mr Speaker: I'd like unanimous consent for Jean-Marc Lalonde to ask a question on the Quebec-Ontario—

The Speaker: Agreed?
Interjections.

DOCTOR SHORTAGE

Mr John Gerretsen (Kingston and the Islands): Well, my question is to the Minister of Health. Minister, we're all aware of the severe shortage of doctors in Ontario. As a matter of fact, in my own riding, the Kingston Academy of Medicine and individual doctors' offices, as well as my own constituency office, get up to 50 to 70 calls per day from people looking for a family physician. As a matter of fact, in your own throne speech you acknowledged the shortage of doctors by accepting the proposal from our own leader, Dalton McGuinty, to do something about cutting the fees to medical school.

In light of all that, can you explain how your colleague and your seatmate, the former Minister of Health, could possibly say in this House last Monday, and I will quote from Hansard: "The Ontario Medical Association is starting their tactics and their stories about foreign-trained doctors and their stories about not enough doctors, that somehow it's a supply problem and not a demand problem. I tell you, we have enough general practitioners and family practitioners" in this province? Who are the people of Ontario to believe, especially those who are looking for a family physician, you or the former Minister of Health? Minister, you're in charge of the health of the people of Ontario. What are you going to do about—

The Speaker (Hon Gary Carr): Will the member take his seat. Minister of Health.

Hon Elizabeth Witmer (Minister of Health and Long-Term Care): As the member opposite well knows, our government has indicated that we are well aware of the facts, that the issue of distribution, when it comes to physicians, is an issue that we are studying. In fact, Dr McKendry is presently having a fact-finding commission. He's taking a look at the scope of the problem, where does it exist, and he's trying to determine, why does it exist? It's very, very important that we determine the scope and also the reasons for this issue of distribution.

His report will be forthcoming shortly. All of the information will be provided to an expert panel, and we will be moving forward to develop strategic directions, both short-term and long-term, to ensure that people throughout this province, no matter where they live, will have access to primary care and specialists.

1520

Mrs Lyn McLeod (Thunder Bay-Atikokan): Minister, how disastrous does the situation have to be, whether it's in Kingston or in Thunder Bay or in Niagara or in Kitchener-Waterloo, before you're prepared to

acknowledge that there is a shortage? This is not just a distribution problem, as your colleague the former Minister of Health suggested in this House this week. It is not just a distribution problem when 25% of the people in this province do not have a family doctor.

You sent Dr McKendry out in order to study whether there is a problem. In the time that you sent him out, there were 87 communities officially underserved for family doctors—

Interjection.

The Speaker: Minister of Energy. Member.

Mrs McLeod: Thank you, Mr Speaker. I was suggesting to the Minister of Health that when Dr McKendry began there were 87 communities officially underserved for family doctors—

Interjection.

The Speaker: I won't warn the Minister of Energy again. I've warned him on two occasions. This is his last warning. Member.

Mrs McLeod: The former Minister of Health is concerned because his community is one of those underserved area communities. Since Dr McKendry set out, there are now 99 communities officially underserved. His report is going to be outdated before it is ever tabled.

Minister, we need you to acknowledge that there is a shortage and we ask you to make a commitment today to deal with this shortage by increasing medical school enrolment by at least 15% and by immediately providing community residency placements for foreign-trained physicians now in Ontario.

The Speaker (Hon Gary Carr): Supplementary.

Hon Mrs Witmer: The member is well aware of the fact that our government has undertaken numerous initiatives to address the issue of distribution and supply. We have also certainly acknowledged in our Blueprint document that we would be supplying and making sure that all those students who were entering medical school or were in medical school at the present time would have their tuition reimbursed if they were prepared to go to underserved areas.

I think if you take a look at all of the initiatives, we have always indicated we are well aware of the fact that there is an issue related to supply, related to distribution, and that is the issue Dr McKendry is addressing. Also, if there are immediate solutions, we will move forward.

It's important to put it in perspective. It is, to a large degree, an issue of distribution as much as it is an issue of supply. We need to make sure we have the right mix.

IMMIGRANT SPONSORSHIP

Ms Marilyn Mushinski (Scarborough Centre): I have a question for the Minister of Community and Social Services. People in Scarborough and throughout the province believe that governments have a responsibility to manage their tax dollars wisely and well. There's a growing concern over news that some immigrant sponsors are not living up to their obligations and that, as a result, Ontario taxpayers are on the hook for over \$100

million. This concern was raised to me a few weeks ago as I was canvassing on Pegasus Trail in my riding.

The federal government establishes the criteria for who can sponsor and they sign off on each sponsor and sponsoring agreement. Sponsors specifically commit that they cannot allow their sponsoree to go on social assistance. How is it that taxpayers in Ontario and the city of Toronto, like my friends on Pegasus Trail, are having to bail out the federal government and sponsors who fail to live up to their obligations?

Hon John R. Baird (Minister of Community and Social Services, minister responsible for francophone affairs): I want to say at the outset that this government and the people of Ontario strongly support immigration. It has contributed a significant amount to our society, particularly to the Ontario economy. We are concerned, however, about the large number of sponsors who are not living up to their obligations and that these obligations are not being enforced by the federal government.

The lack of sponsorship criteria that allows a sponsor to shirk his or her responsibilities is a genuine concern to us. We believe that the federal government must ensure that prospective sponsors have the means to be able to honour a sponsorship obligation that they undertake.

The federal government's unwillingness to get tough with deadbeat sponsors has real and serious consequences for the people of Ontario, for taxpayers at the provincial level in Toronto, in Peel and in Ottawa. It's costing taxpayers more than \$100 million a year in this province to pick up the slack of the federal government.

We're not talking about a few isolated incidents. Today in Ontario, upwards of 17,000 people are on social assistance as a result of the federal government's inaction. It's time that the federal government acted and protected Ontario taxpayers and taxpayers in Toronto, Peel and Ottawa.

VISITOR

Hon Chris Stockwell (Minister of Labour): On a point of order, Mr Speaker: Sitting in the government member's gallery, as I know everyone would like to note, is the Speaker's mother, Mrs Carr. Welcome.

The Speaker (Hon Gary Carr): The member will know that is not a point of order, but I thank him for that.

Mr John Gerretsen (Kingston and the Islands): I am looking for unanimous consent, in light of what the government House leader said earlier, to allow the member for Glengarry-Prescott-Russell to have a question.

The Speaker: Is there unanimous consent for the member? No, I didn't hear any.

Hon Norman W. Sterling (Minister of Intergovernmental Affairs, Government House Leader): On a point of order, Mr Speaker: I would ask for unanimous consent on Monday, November 15, that the leadoff question be given to Jean-Marc Lalonde to ask about the Quebec-Ontario agreement.

The Speaker: Petitions?

PETITIONS

DIALYSIS

Mrs Lyn McLeod (Thunder Bay-Atikokan): I want to present a petition that has been signed by some 89 individuals from the Penetang and Midland area who are concerned about the need for support for a permanent dialysis unit in the Midland and Penetanguishene area. They have been told by the government that this satellite dialysis unit cannot be approved until April 2000. They are concerned about families in their area who have to drive more than 50 kilometres to Orillia three times a week and who need the service closer to their homes, particularly in winter when the driving conditions can often be hazardous. They have asked, through their petition, to have a permanent dialysis unit approved for this fall so those winter driving conditions can be avoided.

I am pleased to sign my own signature in agreement with their concerns.

MARRIAGE

Mr Toni Skarica (Wentworth-Burlington): I have a petition, entitled Defence of Marriage, signed by over 5,000 individuals. It indicates as follows:

“To the Legislature of Ontario:

“Whereas the majority of Canadians believe that fundamental matters of social policy should be decided by elected members of Parliament and the legislatures, and not the unelected judiciary; and

“Whereas the Supreme Court of Canada in the M. and H. case has rejected biology, tradition and societal norms to redefine the term ‘spouse’ to include the non-procreative partnerships of homosexual couples, and has effectively granted these relationships ‘equivalent-to-married’ status; and

“Whereas the court’s decision will devalue the institution of marriage, and it is the duty of the Legislature to ensure that marriage, as it has always been known and understood, be preserved and protected;

“We, the undersigned, petition the Legislature to use all possible legislative and administrative measures, including invoking section 33 of the charter (the ‘notwithstanding clause’), to preserve and protect the commonly understood, exclusive definitions of ‘spouse,’ ‘marriage’ and ‘family’ in all areas of provincial law.”

SCHOOL CLOSURES

Mr Mario Sergio (York West): I have a petition addressed to the Legislative Assembly of Ontario which I would like to read.

“Whereas due to the Harris funding cuts to education, school boards are being forced to consider the closing of schools in the city of Toronto; and

“Whereas parents do not want the schools to close and fear for the chaos and crisis if the Harris government is imposing more cuts on education and this will hurt their children; and

“Whereas there is apprehension and turmoil in the community that due to government rules to determine school capacity hundreds of students will have to find a new school come next September;

“Now, therefore, we the undersigned citizens of Ontario, petition the Legislature of Ontario as follows:

“We call upon the Minister of Education, who has the primary responsibility for providing a quality education for each and every student in Ontario to:

“(1) Listen to the views being expressed by teachers and parents who are concerned by the implications and disruptive effects the school closures will have on their children;

“(2) Recognize the fundamental importance of our local schools to our neighbourhood communities; and

“(3) Live up to its commitment to provide adequate funding for the important and essential components of a good education and not allow the closing of schools.”

It is quite a good message. I’m willing to support it and I will affix my signature to it.

1530

HIGHWAY SAFETY

Mr John Gerretsen (Kingston and the Islands): I have a petition that’s signed by a number of Kingstonians in my riding. It is to the Legislative Assembly of Ontario.

“Whereas 13 people died during the first seven months of 1999 on Highway 401 between London and Windsor; and

“Whereas traffic levels on all sections of Highway 401 continue to increase; and

“Whereas Canada’s number one trade and travel route was designed in the 1950s for fewer vehicles and lighter trucks; and

“Whereas road funding is almost completely paid through vehicle permit and driver licence fees; and

“Whereas Ontario road users pay 28 cents per litre of tax on gasoline, adding up to over \$2.7 billion in provincial gas taxes and over \$2.3 billion in federal gas taxes;

“We, the undersigned members of the Canadian Automobile Association and other residents of Ontario, respectfully request the Legislative Assembly of Ontario to immediately upgrade Highway 401 to at least a six-lane highway with full paved shoulders and rumble strips; and

“We respectfully request that the Legislative Assembly of Ontario place firm pressure on the government to invest its gasoline tax revenue in road safety improvements in Ontario.”

I am in agreement with this petition and I have signed it as such.

HENLEY ROWING COURSE

Mr James J. Bradley (St Catharines): I have a petition addressed to the Legislature of Ontario.

“Whereas the Henley rowing course in St Catharines is an outstanding rowing facility which has for several decades been the site for hundreds of international rowing competitions;

“Whereas the World Rowing Championship has been held in St Catharines in 1970 and 1999 and has been declared an outstanding success on both occasions;

“Whereas the municipal, provincial and federal governments, along with generous private donors, invested several million dollars in the upgrading of the Henley rowing course to enable the 1999 World Rowing Championship to be held in St Catharines and that as a result the Henley is a first-class rowing facility;

“Whereas the organizing committee of the World Rowing Championship, the annual Royal Canadian Henley Regatta and other prestigious regattas, has the proven expertise to operate major, international rowing competitions;

“Whereas all taxpayers in Ontario will be compelled to contribute to any financial assistance provided by the Ontario government for the Olympic bid of the city of Toronto;

“Whereas the creation of a new rowing facility outside of St Catharines for the Toronto Olympic bid would result in the unnecessary expenditures of millions of dollars to duplicate the St Catharines rowing facility;

“Whereas the rowing facility for several, recent Olympic Games has been located outside of the sponsoring and host city;

“We, the undersigned, urge the government of Ontario to persuade the Toronto Olympic bid committee to propose the Henley rowing course in St Catharines as a site of the rowing competition for the 2008 Olympic Games.”

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

PARAMEDICS

Mr David Christopherson (Hamilton West): I have a petition to the Legislative Assembly that reads as follows:

“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; and

“Whereas this amended regulation has resulted in at least one paramedic being fired from employment; and”— again, Speaker, I draw to your attention that’s six paramedics now and at least two from Hamilton—

“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; and

“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; and

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

“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 O. Reg. 501/97, part III, section 6, subsections 8, 9 and 10); and

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

“Therefore, 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.”

I believe today the government is finally caving in and doing the right thing and changing this regulation, thanks very much in part to the work of their union and the support of the NDP caucus in this Legislature.

Mr John Gerretsen (Kingston and the Islands): On a point of order, Mr Speaker: I know the rules of the House have changed with respect to quorum, but I believe that right now we’re well below even the new rules relating to quorum. I wonder if you could check the quorum numbers, please.

The Speaker (Hon Gary Carr): Please check for quorum.

Clerk Assistant (Ms Deborah Deller): A quorum is not present, Speaker.

The Speaker ordered the bells rung.

Clerk Assistant: A quorum is now present, Speaker.

The Speaker: Thank you.

ORDERS OF THE DAY

TAXPAYER PROTECTION
AND BALANCED BUDGET ACT, 1999LOI DE 1999
SUR LA PROTECTION DES
CONTRIBUABLES
ET L’ÉQUILIBRE BUDGÉTAIRE

Resuming the debate adjourned on November 2, 1999, on the motion for second reading of Bill 7, An Act to protect taxpayers against tax increases, to establish a process requiring voter approval for proposed tax increases and to ensure that the Provincial Budget is a

balanced budget / Projet de loi 7, Loi protégeant les contribuables des augmentations d'impôt, établissant un processus d'approbation des projets d'augmentation d'impôt par les électeurs et garantissant l'équilibre du budget provincial.

Mr David Christopherson (Hamilton West): I'm pleased to provide the leadoff debate for the NDP caucus, my first opportunity to do so as the freshly minted finance critic, and look forward to my new role.

Having served as the parliamentary assistant to the Minister of Finance in a previous life, for two years prior to entering into cabinet myself, I've enjoyed seeing staff I worked with before in terms of the briefings and relish the opportunity to talk about arguably the single most important thing that governments do, and that is the setting of budgets and the prioritizing of expenditures and hopefully—I would argue not very much in the case of the current government—during the course of a term of government improving the quality of life.

The first thing I'd like to do is to dispel a couple of myths that I know some of my colleagues from across the way on the government side of the House like to perpetuate. Of course, that is that the NDP can't manage anything and you can't trust them to manage the store and the only ones you can rely on are good, true, hard right-wingers because they're the only ones who can be grown up enough to manage the economy, and all that kind of nonsense. Let's look at a couple of things in that regard before we go any further at all.

In terms of history, this government likes to point to the term of office that we were in power, from 1990-95, and use that to substantiate all their allegations. We all know that the recession we faced during the early 1990s was the deepest and most severe we've had in Canada since the Depression in the 1930s. We also know that recession, arguably a depression, was deeper, started sooner and lasted longer in Canada than in any other country in the world, directly because of the policies of the federal government.

Who was that government? It was Mike Harris's cousins, the Mulroneys. They were the ones who were so bound and determined that wringing inflation out of the economy was more important than anything; more important than people's jobs, more important than community, more important than the ability of provinces to maintain and support a health care system, a social service system that, by the way, was under attack because of the fact that unemployment insurance—

1540

Mr Toni Skarica (Wentworth-Burlington): Point of order, Mr Speaker.

Mr Christopherson: Thanks, Toni.

Mr Skarica: I seek unanimous consent to have the Liberals waive their questions in question period when we come back—

Interjections.

Mr Christopherson: What are you doing?

Interjections.

Mr Christopherson: Oh, come on. And I'll be able to return the favour shortly, Toni. You're down here too.

The Acting Speaker (Mr Tony Martin): Do we have consent?

Mr Christopherson: No. All I want is an opportunity to have my say.

As I was attempting to say, there was an attack on social services in terms of the cutbacks that the Mulroneys government had imposed on unemployment insurance, as it was known then, which pushed a whole lot of people onto social services. And in every other recession that we've had, it was always the federal government that stepped in and was prepared to work with provinces to get them through these difficult times. The Tory government headed up by Brian Mulroneys, for the first time ever in Canadian history, backed right off and said: "No, you're on your own. We're not going to do anything to get you through this."

We also had his free trade agreement kicking in, wherein—as you know, Speaker, from another industrialized city like mine, Sault Ste Marie, very similar to Hamilton—we lost in Ontario hundreds of thousands of good-paying industrial sector jobs, because they flew and migrated south with the implementation of the free trade agreement.

The psychological impact of the GST I would argue probably doubled or quadrupled the underground economy because people felt that it was just so unfair. Mulroneys's got to take direct responsibility for that.

All these things were happening in the early 1990s, and to listen to the Tories you'd swear that Bob Rae was in charge of the only province in the free world that was running deficits and that they were the only ones who were having serious problems in the economy. I can even hear some of the heckles now, their attempt at humour; they still like to pretend that and play it out. But what's the reality? And I hope the member from Bedrock will pay particular attention to this.

Mr John Hastings (Etobicoke North): On a point of order, Mr Speaker: I hate to make this point of order, but the usual decorum in this House, since a lot of members insist on it, is that the member be noted by the geographic district he comes from. Would the member from across the way, the finance critic, start elevating the standards in that regard, please?

The Acting Speaker: It's not a point of order—

Interjection.

Mr Christopherson: Thank you, Mr Speaker. The reality is, if we take a look at other provinces—

Hon Frank Klees (Minister without Portfolio): On a point of order, Mr Speaker: I can't let this pass. I fail to understand how you could say that this is not a point of order. I really do ask you to ask the member to refer to members in this House by their riding, and unless there is something that's changed in the orders, I'd appreciate an explanation for that.

The Speaker: I stand corrected. Members should refer to other members by their ridings.

Mr Christopherson: Absolutely, Speaker. Thank you.

The record is this: In 1990, in the province of PEI, they went from a \$4-million deficit—that doesn't sound like a lot of money, but relative to the size of the province and the size of their economy, their GDP, these are big numbers—to \$78 million in 1993. New Brunswick: from \$20 million in 1990 to \$297 million in 1993. Manitoba: \$142 million in 1990; a \$566-million deficit run in 1993. Nova Scotia: a \$163-million deficit in 1990; \$617 million in 1993. Quebec: \$1.659 billion to \$4.932 billion. Alberta, the Mecca to which all the Tories here turn: 1990, \$2.116 billion; 1993, \$3.773 billion.

My point is this: These are parties of all political stripes—most of these, if not all of them, are either Liberal or Tory—and they ran into the same kind of problem. That's the reality. It happened everywhere in this country, and was more severe in this country than in any other G7 nation because of the policies of your cousins, the Mulroneys.

What happened with Mulroney in terms of his accumulated debt? When he came into office in 1984, the accumulated debt of Canada was \$157 billion. When he left office in 1993, the accumulated debt was \$466 billion: \$157 billion to \$466 billion.

There's nothing magical about being a Tory that makes you a good fiscal manager. Remember the great Zeus of them all, of the right-wingers?

Mr John Gerretsen (Kingston and the Islands): Reagan?

Mr Christopherson: Reagan, absolutely. What were Reagan's numbers? When he came in in 1981, their deficit was \$78.9 billion. When he left, it was \$155 billion. The accumulated federal debt of the United States under Ronald Reagan, Mr Conservative, Mr Fiscal Conservatism, Mr Fiscal Management, the great guru himself—what was the accumulated federal debt under Ronald Reagan? They went, from the year he took office, from \$994 billion to \$2.6 trillion.

However, they have said and they will continue to say that it was us alone that caused all the economic woes in Ontario in the 1990s. None of the facts support that, none whatsoever.

In terms of the bill we're looking at today, Bill 7, you would think, given the fact that the government introduced the bill, they obviously like this, and given the fact that the Liberals are supporting it—some official opposition on a major fiscal issue like this—and they're on-side—

Interjection.

Mr Christopherson: I'm reminded by the minister of corrections that that's today, and he makes a good point. That could very well change tomorrow and be back again by Monday. Who knows? However, today they are in support on a major economic issue, one of the most important ones as far as the government's concerned.

Interjection.

Mr Christopherson: The member for Kingston and the Islands says that it's a nothing bill. If it's a nothing

bill, why not oppose it? Why not perform the function of the official opposition on major issues like this and provide some real opposition? No, it's left to the nine of us to carry the can and provide the argument for those who believe this is wrong-headed. We'll do that, and we'll do it with pride.

1550

You know, we're not alone; it's not just us. The Tories and the Liberals are singing from the same song sheet, which is not surprising. That surprises no one. They often sing from the same song sheet. Oh, the Liberals try their little milder version, the "blue light" stuff of what the Tories offer up, but in many cases it's interchangeable, it doesn't make much difference. Had the roles been reversed, we'd be getting much the same economic arguments as we are from the Tories, because they believe in the same fundamental things.

You would think that we're the only ones opposed? Not so. It must come as a real disappointment to the editorial members of the Toronto Star, who make no bones about the fact that by and large, with few exceptions, they support the Liberals. OK, that's no big shock. I'm not slandering them. That's pretty well known. By and large, the Liberals don't tend to stray too far from what the Toronto Star reflects. But on this one they must be immensely disappointed.

The heading of their editorial is: "Affront to Democracy." This is dated October 28. "The Mike Harris government's Taxpayer Protection and Balanced Budget Act is an affront to democracy." They end by saying, "Harris, blessed only with good times so far, has left Ontario unusually vulnerable to nasty surprises. This bill can only make bad times worse."

Let's put in on the record that when those bad times come and this government decides to take drastic measures to deal with the fiscal realities that they're going to face, the Liberals shouldn't be allowed to squirm out of it and condemn the government. Because this is the moment in time when you stand up and decide where you are on this issue, and they are with the Tories. Make no mistake about it.

I happen to agree with what the Toronto Star thinks is going to happen. I agree there is going to be a time when you're going to hide behind this bill and do even nastier things than you've already done, and the Liberals are going to have to stand there and say, "We're partly to blame." Because they're not offering up the kind of opposition that's expected from the Official Opposition. They're kowtowing to the Tories and they're going with them on this and they are every bit as much to blame when those decisions come down the pipe as Mike Harris is himself.

Is it just the Toronto Star? No. This bill's been introduced before, you recall. It came into the House and when the House rose for the election the bill died on the order paper, and at that time people were making comments when it was first—I think it was the first or second time. Maybe it's the third actually. Anyway, on December 28, 1998, the London Free Press said, in part,

"On examination, it is little more than political smoke and mirrors." They go on to say, "Perhaps the greatest question is what happens if a government does not tax but needs revenue due to a severe economic downturn short of that five per cent mark?" I'll speak to that a little later. "Do programs and services, such as health care and education, deteriorate due to lack of funding? Vital, but unpopular, services may not garner public support during a referendum." They end with five little words, "This law is not needed."

The Liberals, however, agree with the Tories that it is needed.

In December 1998, the Kitchener Waterloo Record said: "The time for taxpayers to say whether taxes should be raised is during the next election campaign when the three parties should honestly lay out their spending plans and programs. No special legislation is needed for that."

Again from the Kitchener-Waterloo Record, there was a report—that was an editorial, this is a report—and these are the comments of Professor Tanguay from Wilfrid Laurier University, a political science professor. In talking about this bill, he said: "It creates a patchwork system where you have some areas doing just fine and other areas in dire straits. You can see that's what will happen—it will further widen the gap between the haves and have-nots."

Anybody who wants to understand more about the gap being referred to should look at *The Growing Gap*, a report issued in October 1998. There will be an update coming, I understand, in another month or so. My colleagues have referred to it. You mentioned it earlier today in response to a ministerial statement. This talks about what's happening in Ontario and across Canada, more so in Ontario because of the policies of the Harris government, where the haves are getting more and the have-nots are getting less, and both of those categories are getting bigger. But it's the middle class, in terms of a larger percentage, that is falling. The majority of them aren't moving into the very wealthy; they're moving into the lower incomes. It's the growing gap and it affects every single person in this province one way or another.

Professor Tanguay goes on to say the legislation is "clever, because who can be opposed to democracy?" and "A simple referendum question should really be a 20-part question" and "It is Machiavellian."

It's only the NDP here in the Legislature that's opposed to it, but across the province there are a lot of other important, influential, credible voices who care about what this could mean in terms of the quality of life to the future of Ontarians who are opposed to this legislation and feel strongly about it.

I want to reflect a bit on probably the best, and certainly the most famous, example that exists in terms of where you can end up, and more than likely will, when you follow this course, this direction with balanced-budget legislation, as this government has drafted it, and the referendum requirements, as attached to it, as this government has done it. I am of course talking about the, in my opinion, infamous California Proposition 13 in

1978. There had been some other referendum issues on the question of referendums and balanced budgets, but this was the most famous and certainly affected the most people.

It was, without going into the details, in a referendum that people voted to impose a balanced-budget type of legislation. Obviously it had some differences, but the direction is the same, the whole notion that governments would be prevented from exercising their fiscal options in terms of increasing revenue in times of need and would have to go to a referendum, to the people. I won't get into all the spin words that Harris is using—they're there on the record to be seen—but that's what Proposition 13 did.

Of course it was hailed by the right-wingers of that day as the Holy Grail. I mean, this was it: If everybody brought in a similar Proposition 13, boy, oh boy, everybody's fiscal problems in terms of municipalities and states and even the federal government would disappear overnight because there would be this discipline in the management of the people's money.

Interjection.

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Mr Christopherson: I hear one of the members across say, "And so it should be." So, you see, some of that lunacy still rings true today. Unfortunately, it happens to come from the side of this House that orders this province around by virtue of their majority government. That's the shame of that kind of thinking.

What happened there? In the 1960s, California was one of the top 10 jurisdictions in terms of education funding. By 1996 the California General Accounting Office reported that 71% of their state schools needed major capital maintenance, and in 1994 they were 41st in terms of funding for education per pupil.

Now take a look at what's happened to Ontario and I believe you'll find that we're somewhere below Arkansas or Tennessee in terms of our per pupil funding. There are a lot of similarities between what happened then and what's happening. It's a real shame it's happening, because we're talking about real people—their families, their lives, their quality of life and their future.

In 1994, as a result of Proposition 13, Orange county, which at the time of the adoption of Proposition 13 was one of the largest and wealthiest municipalities in all of California, with one of the most dynamic local economies, declared bankruptcy. What we have to remember—and this applies now; it's something that's not unknown—is they actually had a referendum on the question of whether they would raise enough taxes to curtail the bankruptcy proceedings, to stave off the bankruptcy, and people voted against it. I can't believe for a minute that the question that was on the ballot was, "Do you believe that we ought to bankrupt our municipality?" I'm sure the wording was along the lines of, "Do you support any taxes being increased?" If it's that straightforward, who among us is going to say yes? Most people will say no; of course they will. Who wants to pay more taxes?

Interjection.

Mr Christopherson: No, I don't. Nobody does. That's more of that myth, that garbage that you like to pass around. The fact of the matter is they did polling at the time that showed that people held two conflicting thoughts, and pollsters now will tell you the same phenomenon exists. They want services at least maintained and perhaps increased in terms of education and health care, but at the same time they also want to cut taxes. That's why the professor mentioned that you need a 20-part question to adequately give people an intelligent option to vote on things.

If you make it a bumper-sticker "Yes or No?" and you frame it around, "Do you want to pay more taxes?" 10 times out of 10 it's going to come out, "No." But when you point out to people what it costs and what it means and who ends up losing the most in terms of it being the working middle class and the poor who end up paying the most at the end of the day, you get an entirely different outcome. That's why there are so many people opposed to this.

The Liberals are on side because it's populist. We all know what a Liberal policy convention is: a wet finger in the air. Find out which way the wind's blowing, and that's Liberal policy. To that degree, the Tories and the NDP have at least had a grudging—dare I use the word "respect"?—at least a grudging recognition that there's a whole ideology there that in most cases is somewhat consistent and we attempt to have some consistency. It's this kind of thing that drives us crazy about the Ontario Liberals in particular, wherein they just go with whatever's popular. Whatever's popular at the moment, that's where they are.

Right now they think Harris has the popular tune to be played out there among the electorate, and they're on side. I want to tell you again, when this government starts making the horrible decisions that are going to affect ordinary working families in this province, the Liberals ought to be told that they should shut up in terms of criticizing. You helped make it the law. This is probably not even going to go out to committee or out across the province, because there are only nine members who are opposed to it. If we had the official opposition on side, we may have been able to say to the government House leader at the House leaders' meetings: "You've got to take this thing out. It's too big; it's too important." We don't have a chance.

Before I leave the issue of Orange county, let me just read into the record what the *Globe and Mail* had to say. By and large, the *Globe and Mail* is supportive of Harris and the Tories. Federally, they seem to like Reform a little better. I don't think there's anybody here who's going to argue that this is a horde of socialists holing up inside the editorial boardroom of the *Globe and Mail*. I'm not hearing anything, so I think we all pretty much agree that that's the reality. What did they say about California, and Orange county in particular, in 1995? "In 1995, California represents direct democracy gone awry. A cautionary tale for voters and legislators everywhere."

In discussing the effects of citizen activity through referenda, which diminishes the power of their representatives, the editorial concludes that:

"Representative government has become automatic government. The more the public distrusts politicians, the more it constrains them, which in turn breeds problems of its own. If California represents the future, it doesn't work."

That's the *Globe and Mail*. I don't know what they said about this specific piece of legislation. But in terms of the whole direction, the mother of this idea of all decisions being made through referenda, this is what they had to say about Orange county just a few short years ago.

What about an example here in Canada. Well, we haven't had a lot of experience yet. We have quite a number of provinces that have balanced budget legislation. This is the only one that has attached a referendum as much as they have. The closest other one I'm aware of is Alberta, and it only requires a referendum should the government want to bring in a sales tax. As we know, Alberta doesn't have a sales tax. As a population, they feel strongly about that and so there's this built-in protection.

But no one has gone anywhere near where Mike Harris and the Tories in Ontario are taking us in terms of connecting the two. Certainly the type of restrictive balanced budget legislation they brought in only mirrors Manitoba. When you look at the rest of the provinces, they are not nearly as restrictive as what this government has done, recognizing that it's very much like what they've done in Manitoba.

Before I speak to some of the actual sections of the bill that give me the greatest concern, I want to draw the attention of members a *Globe and Mail* report of December 14, 1998, not that long ago; Alberta had balanced budget legislation. This is the sort of thing that can happen. This is not pretend, this is not make-believe, this is not fear-mongering. This is what happened.

The article says: "The Alberta government will review more than \$200 million of health care spending in wake of Premier Ralph Klein's warning that sagging oil royalties could create a deficit budget.

"We do have lower oil prices than last year's forecast, and there are other parts of the economy we have to be concerned about such as lower agricultural prices, particularly in the hog industry," said the Health Minister.

My point in raising this is that under balanced budget legislation, particularly when Tories are in power, is the absolute fear, and in their case the lawful inability to deal with something that quite frankly had nothing to do with Ralph Klein's government. It's not that he screwed up in some big way. They had a drop in oil prices. There were concerns with other agricultural prices, particularly in the hog industry. I can't imagine that's Ralph Klein's fault. But the reality is, it meant their revenues were going to be lower. What's the first thing they did when they found they were going to have lower revenue that had nothing to do with the rest of their society or their economy?

Boom, out goes the message: Review health care; cut it if you have to.

Two hundred million dollars of health care money that was recommended by members of that Legislature as necessary to reinvest in the very damaged health care system of Alberta was now at risk because, God forbid, there might be a deficit that year. I'm the first to say again: It had nothing to do with the policies of Ralph Klein. When you're dealing with crude oil, prices are set on the global market. Ralph, as much as he'd like to have a say, doesn't get much. But because they had that balanced budget legislation, boom, down comes the axe.

Let me point out, Speaker, that if you have a lot of money, they could cut the health care system all they want. You can take care of it yourself. If you have the money, the means, you can buy your way out of that kind of problem. You can fly your family members down to the States and pay to have things taken care of.

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But if you're an ordinary, working, middle-class family who live paycheque to paycheque, the thought that the government, because of some balanced budget legislation, is about to massively slash health care, is about to affect your family—you're going to be terrified for your kids. And you know what you can do about it? Nothing.

In Ontario, because of Mike Harris's tax gifts to the very wealthy, they've even got more money to take care of themselves if they're in a jam. How did that get paid for? Take a look at our education system in our communities, take a look at our health care system, take a look at the crisis around home care that's happening because the institutional side of our health care system is closing down.

You think I'm just making this up? Speaker, we haven't even got to the point where the balanced budget legislation is in place and what do we have here in Ontario? October 8, this year, a few weeks ago, *Globe and Mail*, same newspaper:

"As many as half Ontario's hospitals can expect a letter from the Ministry of Health today, instructing them to go back to their drawing board to balance their budgets.

"The letters will tell hospitals whether their operating budgets for this fiscal year have been approved, a spokesman for the Ontario Ministry of Health has confirmed....

"The Ministry of Health however was mum on exactly how many hospital budgets are being rejected this year.

"It's a substantial number....

"They (the hospitals) are supposed to work towards a balanced budget."

The second-largest hospital in Canada, in my community, in my riding, the Hamilton Health Sciences Corp, provides health care, and I know that one of the members sitting across the way likes to blame those local officials. That same member likes to blame the trustees for the problem in our education system. That same member from Wentworth-Burlington likes to blame our

local municipal aldermen and councillors. It's always somebody else's fault; it's always somebody else's mismanagement that's causing all these crises. He seems to believe that across the board. But the reality is that our hospital, this major hospital that has phenomenal support in our community, is facing a deficit.

Why? Because, I say to their credit—and I've met with the board. I know a lot of those people. They aren't New Democrats, I can tell you, but they're good people. I've served with them on other boards in other capacities. They're good people and they care. If there's room for more efficiencies in their system, that's the same as anything. But I'll never believe they just sit there and try and screw the numbers and play with the numbers in order to play games with the provincial government in terms of funding. That's not what's going on. They are close to \$40 million in projected deficit. Why? Because they made sure that the service was there and they were going to worry about the politics of arguing the dollars with this government later. God bless them.

Our local school board did the same thing. When this government started cutting transfer payments to education, our local school board trustees said, "We are not going to see JK die because this government cut back on transfer payments." They had the political courage to pass a modest increase to make sure they had the money to keep JK in place. Why? Because our trustees believed all the studies that unquestionably point to the fact that early childhood education works. Our government even mandated that boards had to have JK for that very reason. This government removed that, cut the funding, said, "Okay, now you can eliminate JK if you want." Our board had the courage.

The politics of it? Contrary to what Liberals might think, Ray Mulholland was the chair of the board at that time and he led that argument. So did Judith Bishop, one of the trustees in my riding. Ray was the chair of the board at the time they raised, modestly, those taxes to keep JK in place. Guess what? Judith Bishop is still a school board trustee and Ray Mulholland is still chair of the board. They went out to the people after they had raised the taxes modestly and defended why they did it, and the people of Hamilton supported them.

Was it because they wanted to pay more taxes? No. But when it was explained and they were given the opportunity to understand during the course of an election that the decision was made because here was the choice: a modest increase or we lose JK—not one little bumper-sticker question that you answer yes or no: "Do you want your education taxes to go up?" If that had been the question, the answer undoubtedly would have overwhelmingly been no. Because it happened during the course of an election debate, people had an opportunity to hear the whole argument, and they re-elected those very same trustees that members of this government went after.

We haven't even got to the balanced budget legislation yet and that's the sort of message that went out, not much

different than the message in Alberta. That's what happens with this sort of thing.

Earlier I was mentioning that I was going to come back to my friend from Wentworth-Burlington. I'm reading from Tuesday's Hansard. Toni was the leadoff for the government. The member for Wentworth-Burlington touched on an issue—and the only reason I'm doing this, by the way, Toni, is because you know the rules of the streets in the area that you and I grew up in. You took the first punch. You went in here and went after the NDP before I even started to put together my comments, and now I need to return the favour.

Interjection.

Mr Christopherson: At least it'll be a fair fight, unlike the fight that you have with people in this province where you tie one hand behind their back and then you pick a fight.

The quote from the member is this, and it's talking about the pay cut. They've got this notion in here, and I'm going to talk about it because it's really important, that by penalizing cabinet ministers money, that's going to prevent them from bringing in a deficit. I'm going to come back to that point in a moment.

The member said, "Perhaps they," meaning NDP cabinet ministers, of which I was one at the time, "would even have called the election a year earlier because if you were a minister in that government, with this legislation," meaning his, "by calling the election a year earlier, if you were re-elected, even though you came back as a regular member, you would have got a pay increase if you were in cabinet."

I have to confess I thought you said something different when I first read it, and I've read it about five times since and now I'm not really sure what you said in there. But it seemed to me you were making the argument that because your great penalties were going to kick in, that even if you came back as a regular member, you'd be getting more money because you'd be reinstated to a full MPP's wages.

I just want to bring to your attention that I would think you would know, as the parliamentary assistant to the Minister of Finance and a lawyer, that all the references inside this legislation—page 18 of the bill, under schedule B, subsection 3(1), talks about "This section applies if the province has a deficit," and then it goes on to talk about the salary of each executive member. The definition of "salary," when you look under subsection (11), says, "'salary' means the salary payable to a member of the executive council under section 3 of the Executive Council Act," and if you check that, they were talking about the extra that cabinet ministers get, not your regular MPP wages.

So you're not saying, as you've done to a whole lot of other public servants in terms of, "Your whole job is on the line and your ability to survive is on the line," which you've done to tens of thousands of people and think you've done something heroic in the process—this is merely the add-on that ministers get.

Anybody who has ever served as a minister will appreciate that by virtue of one phone call, you go from the backbench to the front bench. I happened to be in Sault Ste Marie, your hometown, Speaker, when I received a phone call that I was going into the ministry that Mr Sampson is now the minister of. In a blink I went from the backbench into cabinet.

I want to say to you, Speaker, and I say this to the couple of other ministers here in the House—and there's a certain former Minister of Municipal Affairs you can ask—that in that same blink you go out, sometimes through your own fault, sometimes just through circumstances. But it happens that fast.

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No one would be stupid enough to build their whole quality of life around the increase they've suddenly got as a cabinet minister, knowing that it could be gone in a blink. You'd have to be pretty foolish to do that, given that it could be gone in a blink. So it's used as discretionary income and set aside for things that you can put a halt to if you get one of those bad phone calls.

With that in mind, to use as a threat the idea that you're going to take away a portion of it, to me is not a big deal. But what worries me more than anything is the government's belief that ministers care so much about their extra pay that they would be prepared to cut health care, to cut education, to cut social services for the most vulnerable, rather than see their own pay cut, because that's the psychology here. That really worries me, because I've always believed that a minister, regardless of their political stripe, when they become a cabinet minister, their primary responsibility is the area of people's lives and of our society's lives and our communities' lives. That's what you are responsible for.

I'm going to tell you, I believe that about every cabinet minister until I know differently; that when someone becomes the Minister of Health, the health of the people of Ontario is their most important concern, not whether a decision they make is going to mean they get a \$5,000 or \$10,000 cut in their pay. It terrifies me that you guys, and most of you are guys, that you ministers are so concerned about your pay that you believe that the threat of taking some of it away is going to be enough for you to do what you argue people ought to do in the best interests of the people in terms of managing the people's money. That worries me.

I'm quite serious. That is a real departure from the psychology that most cabinet ministers live in. I think it's just because they think it will apply well and play well in politics—

Hon Mr Klees: Mr Speaker, I have no choice but to rise on this point of order: Under standing order 23, I refer you to items (h) and (i). It states very clearly that it would be improper for a member to "Make allegations against another member," or "Impute false or unavowed motives to another member."

It's very clear from the debate I've been following that the honourable member is suggesting that ministers in this House would in fact take action relative to their

portfolios because they're more interested in their own personal lives, their financial security, than they would be of the people they're serving. I suggest to you that that is imputing false motive to the members here and I would ask that the member withdraw that statement and refrain from that line of debate.

The Acting Speaker: I did not hear the member imputing motive and I don't find anything he is saying out of order.

Mr Christopherson: Thank you, Speaker. Moving on, I want to talk a little bit more about this 5%, because one of the things the government will say is that they've got sort of a fail-safe here, that if revenue year over year falls by 5% or more, then the law doesn't kick in. The difficulty I have with that is that in modern times it only happened one year that we had a year-over-year reduction in revenues by 5% or more. That was in 1992, during one of the deepest parts of the worst recession since the Dirty Thirties. Now, there's also a little bit of a surplus fund that they can generate over a period of time. In the case of our budget if it was, say, a couple of hundred million dollars—and I'm not saying that's small money, but relative to tens of billions—if you've got that money in a stabilization fund, you can use that to offset it so you're not going into this default. Remember, all of this is to prevent those cabinet ministers from having that precious pay cut.

What I worry about is, what happens between, say, 1% and 4.9%? If you follow this the way they say it's going to work, that it guarantees—and if I have enough time, I'm going to make the argument it doesn't do that. But I worry about what happens if they decide to follow the letter of this thing when we hit 4.5% or 4.9%. Again, having had the benefit of sitting in cabinet and being responsible for a budget of \$1.2 billion, over 15,000 employees at the time—it was the largest provincial ministry in Canada—I have a sense of what happens when you have a reduction of your overall revenue by 4.5% and what that means to line ministers. A 4.5% reduction in revenue, year over year, believe me, is like about a 9.8 earthquake on the Richter scale.

According to this government, if they decide to follow the letter of the law, all those billions immediately get chopped from health, education, social services—because those are the big-ticket ministries—corrections. They'll have to chop. And you know what? It doesn't matter if it's a good idea; it doesn't matter if it's going to hurt the health of the people; it doesn't matter if it's going to hurt the education of our kids. None of that matters because, "Oh God, some of my cabinet pay might get cut." That's a lot more important.

"It's a lot more important to protect my pay, or at the very least, it's more important for me to follow the Holy Grail of Mike Harris that says 'Thou shalt not run a deficit, no matter what, unless you get an over 5% reduction.'"

That's the reality, and that's why some of the people and entities that I referred to earlier in my remarks are worried about it; not because this is some kind of wacko,

left-wing perspective on things. You can't make that argument when you look at who else is opposed to it. There's a concern that what it means is indiscriminate cutting and slashing of budgets and programs that benefit, by and large, the middle class—and the poor too, but in terms of raw numbers it's the middle class. They're the ones that get hit the hardest. It doesn't hurt the very, very wealthy, because they can withstand this sort of thing. Besides, they already picked up God knows how many tens or hundreds of thousands of dollars from Mike Harris's tax cut, so they're already laughing. It's everybody else that needs those public services.

Speaker, I know you as an individual and I know how you feel about your children, and I can think of an awful lot of other fathers, myself included, who would be sickened that education would be cut. In Hamilton, there's already not enough money to put all the kids in school who have special needs, because they can't afford to hire enough educational assistants. Those that are in school aren't getting the same supports that they got in the past, so the kids aren't getting the same education.

You tell me that's going to continue or that's going to grow or that some of the pages that are sitting here now today—and I saw some of you with your folks earlier. If your education is going to get cut just because one of these ministers doesn't want to get a pay cut in his special, precious cabinet minister's fee, that is disgusting. Yet that's exactly what's going on.

A couple points more in the last few moments I have.

I have argued that if they decide to follow the letter of the law—I want to point out that at the end of the day there are so many ways to get around this thing. There were studies done in the States by the National Conference of State Legislatures, and the economist was named Irene Rubin. She outlines a whole number of examples, in fact gimmicks, that allow governments to get around this kinds of legislation because of the very dilemma that I've described here today.

1630

What's interesting—and I'm running out of time so I'll only mention a few—is that one of the gimmicks that economist Irene Rubin identifies is off-budget accounting, so we'll be keeping a close eye on the government's ideas of private-public partnerships. I'm not saying that in and of themselves that's a horrible thing, but it's how you do it. It's like everything; it's how you implement it, what your policies are. We'll be watching closely to see how much they may be trying to get some stuff off-book.

Delayed expenditures, changing from modified accrual to cash-basis accounting, internal borrowing and, get this one, using one-time revenue. They've already got their finger caught in the cookie jar once on that. How about Highway 407? Did you see what they did with the money from that? Did they put it back into transportation? No. Did they put it back into public transit? No. Did they put it anywhere else that would definitely benefit people who were benefiting from that highway? No. They put it into general revenue so that the budget numbers they used when they called an election a few

short months later would look better than they otherwise would. That's exactly one of the gimmicks here. Hell, Speaker, that's before they even passed this balanced budget legislation nonsense.

What did they also do? Some of the revenue measures. Again, the National Conference of State Legislatures, in their report: reducing tax allocations to local government. What member here doesn't know the damage that's been done to local government because of the cuts in transfer payments that this government made in order to pay for their tax cut, which they had to borrow, by the way?

I meant to mention earlier, when we talk about balanced budgets, if this government hadn't been so, let's say—I'm not going to say that. I can't say that. You'll rule me out of order. Let's just say that they've been very pigheaded about the idea that their tax cuts are going in no matter what. The reality is that, had we been re-elected—

Interjection.

Mr Christopherson: I know. That's why I started the way I did. But had we been re-elected, the budget would have been balanced by now. Why? Because we didn't give \$6 billion a year in revenue back to the very wealthy of this province, so the balanced budget already would have been in place. When we talk about what this government will do and what lengths they'll go to to make their books look good, go talk to municipal councillors, aldermen and mayors about what decisions they've had to make in terms of raising user fees, in terms of closing access to libraries and recreation centres. That's happening in my community. I believe it's happening everywhere else in Ontario.

I'm following on the list: Authorizing tax amnesty programs, raising or imposing fees. Remember Mike Harris with his famous, "A copayment is a tax," and "A tax is a tax is a tax"? He got into power and he started raising copayments, and when we held him to it he said, "Oh no, that's not a tax." But when he was over here, where we are now, he said, "No, a copayment is a tax." When he became the Premier, a copayment wasn't a tax. So he's already used this strategy.

Increasing excise taxes. You will notice that the tobacco tax is not one of the ones affected by the balanced budget. Why? Because they've already cut a deal with the feds. They're going to be raising the price of cigarettes, so they don't want to handcuff themselves before they even get a chance to follow through the deal they've cut.

Extending temporary taxes to schedule—one to keep an eye on: broadening the basis of major taxes. You just change the definition of an existing tax and what it applies to and suddenly you can create a whole lot of revenue. So we'll be watching that too, because at some point this miracle economic boom—I'm glad it's there, don't get me wrong—that we're in is going to falter, and when it does, this piece of legislation is going to come up and bite you right where you don't want to be bitten. What it means for us in terms of the services we care about is that they are going to be cut.

Very quickly, in the two minutes I have left, this is real cute. I think this is why some people are saying it's smoke and mirrors and why really it doesn't matter, because the reality is—

Mr Gerretsen: Oh, so you agree.

Mr Christopherson: No, I said that if they followed the letter of this thing, all the other things I talked about earlier—I can give you a private tutorial later if you want, John.

Hon Mr Sampson: He needs all the help he can get.

Mr Christopherson: It sounds like it.

Schedule A, subsection 5(1): "A referendum is not required for the purposes of section 2"—that's if you want to raise taxes—and then it lists four reasons. One of them is if "The increase or new tax is not designed to generate a net increase in the total amount of provincial revenues and revenue raised for school purposes under the Education Act."

It talks about "generate a net increase." Again, I'm glad my friend from Wentworth-Burlington is here because he, like myself, remembers very clearly the pinkie swear.

Remember the pinkie swear? That was the one where somebody said, "Premier, in terms of this revenue-neutral deal you're going to work out with the municipalities, you're going to make sure we don't get more services dumped on us than cash in terms of the exchange?" And what was the Premier's answer? The Premier's response was, "Pinkie swear," and he did a little pinkie swear. Well, let me tell you, he sure left the impression that pinkie swears meant a lot, but they don't. Because it wasn't revenue-neutral, and the now parliamentary assistant to the Minister of Finance, to his credit, voted against your legislation because it wasn't revenue-neutral.

So I worry when it starts talking about definitions of revenues and what's a net increase and what isn't when it's going to be your government that decides it.

Then, one of the clauses where you don't have to do a referendum is, "The increase or the new tax is required as a result of the reorganization or restructuring of one or more crown agencies." Lots of that kind of stuff—privatization. We're going to be watching very closely to see what kind of money's getting moved around there, because that's another way for you to get around your own legislation.

But this is probably the one I like the best. This is, "A referendum question must be clear, concise and impartial in its wording and must be capable of being answered in the affirmative or the negative." Then it says, "The wording of a referendum question is not reviewable by any court or tribunal for the purpose of determining whether the question complies with section 6." Guess who gets to make that decision without having any opportunity to have anyone take it to court or a tribunal? The government themselves. What wonderful legislative magic.

Speaker, I thank you for the opportunity to address the Legislature today.

The Acting Speaker: Just before we go to questions and comments, I'd like to tell the members that in the west gallery there's a former member, Anthony Perruzza from Downsview, a member from the 35th Parliament.

Questions and comments?

Mr Hastings: I'd like to respond to the member for Hamilton West and his remarks, some of them rather incisive but really what I'd call a *cri de coeur*, a cry of the heart for the old nostalgic days of spending and taxing. It's based directly on the old model of what you'd call Keynesian economic thinking, which has been characterized through our universities, our education system, our political elites for the last 70 years. Yet here we are as we move into the 21st century and across the way the member for Hamilton West still espouses a system of economic thinking that utterly fails working class people today.

All you have to do is read what is happening in the real world, folks, and that is with regard to Robert Mundell, who is the new economic guru, if you want, the prizewinner of the economic Nobel prize in Sweden on December 10. I want to note one phrase. In an interview recently, in fact last Sunday, October 31, with Michael Enright on CBC Radio, he was quoted as saying: "The issue to me is that if we want to make the pie bigger, the way to do that is to have an efficient tax system. Any tax system, once it gets above the 30%, just involves too many people in avoiding it or evading it illegally and it becomes counterproductive. It inhibits growth and therefore reduces future tax revenues."

That's what this specific piece of legislation is designed to accommodate: greater tax increases for the very things that he's concerned about in health care and education.

Mr Gerretsen: The first thing I would like to say is that we in Kingston are very proud of Robert Mundell, who was raised and brought up in the Kingston area. We're indeed proud of our Nobel prizewinner.

It's always very interesting to listen to the member from Hamilton West, Mr Christopherson, because he always speaks with passion and with commitment and he's always a joy to listen to. But he—

Interjection.

Mr Gerretsen: Actually, it's better now that he's a little bit farther away because my ears can stand it a little bit better than before.

In any event, he himself put his finger right on it when he basically said that this piece of legislation is smoke and mirrors. There are so many exceptions and exemptions to it that you wonder what we've got left here. I believe he said that since the 1930s there has been one year—I believe he said 1992—when in actual fact the revenues of the province dropped by more than 5%. That basically means that for the other—what are we talking about?—60 or 70 years, this legislation never would have been in force or would have been needed or anything like that.

1640

There are a number of other exemptions as well. I know it's smoke and mirrors, I think the general public

knows it's smoke and mirrors, but at the same time, we also have to recognize that the people out there have had it with tax increases. There's no question about it. I agree with that. They have had it with tax increases. My main argument with the government has always been the fact that they were decreasing taxes when we still didn't have a balanced budget, and they're still doing it even today. We're one of the last provinces in Canada, Mr Speaker, as you well know, that still doesn't have a balanced budget.

Ms Frances Lankin (Beaches-East York): I appreciate the opportunity to respond to the member for Hamilton West and to applaud the work he has done in exposing some of the frailties, if I can use that word, of this legislation.

I have to say that the point he made with respect to the fact that there was only one year in modern history in which revenues dropped below 5% means in fact, contrary to what the member for Kingston and the Islands just said, that there would only be one year in which the exemption from this would apply, so it's the exact opposite of the understanding of the member for Kingston and the Islands. Unfortunately, that may be why they're supporting this legislation. I don't know. I heard him say it's smoke and mirrors, and yet they're supporting it.

I want to talk, though, and stress the point the member for Hamilton West made, about the issues of lack of accountability. How odd that in a piece of legislation the government purports to be so democratic, to be going out and having referendums, and yet the referendum, as it's set out, when it's not required—and the member for Hamilton West ably set out those sections—if the minister determines that it's not required, he is then required to file a statement and give the reasons. It says in here that the minister's statement is for all purposes conclusive evidence of the matters addressed in it. The minister's statement is not reviewable by any court or tribunal.

So not only does the government, Lieutenant Governor in Council, the government cabinet, get to decide the question, the government gets to decide if it's clear, and no one can review that in court. The government gets to decide if the terms and conditions of exempting from a referendum apply. The minister's statement is evidence of that; it's not reviewable in court.

For a piece of legislation that purports to be about giving democratic control to the people of Ontario, I have to say the member for Hamilton West is absolutely right: It's a sham; it's smoke and mirrors.

Mr Skarica: I want to congratulate the member for Hamilton West for his usual eloquence and passion. I find it interesting that he criticizes me for blaming overspending on others and not having this government take any of the blame. If that's the case with me, I have to say that if you had to put a phrase on him, he's an apologist for overspending by other governments and other government agencies, both inside of Hamilton and outside.

For example, he indicated that the NDP had massive deficits, and he's right. When they took over, the total debt of the province was about \$40 billion, and they more than doubled it, by \$47 billion. He said, "It's not the NDP's fault; it's because there was a recession." He mentioned a whole bunch of other jurisdictions, except one. Which one didn't he mention? The current BC government, which is an NDP government. It is the only government in Canada right now, in prosperous economic times, that is having a rising deficit, but you don't even know what the deficit is. According to the NDP government, it's going from \$544 million to \$890 million. According to the Liberals, it's \$1 billion to \$3.4 billion but definitely rising.

Let's talk about Hamilton, because he did mention that, the Hamilton Health Sciences Corp. I would have thought he would have joined with me in a press release a year ago when they projected a deficit of \$20 million and it ballooned to \$40 million in three months, but that didn't seem to concern him. I suggested there should be an operational review. He's saying they're spending it all on health care for Hamiltonians. The fact of the matter is that they're not. They have eight vice-presidents making over \$150,000, a budget 10 times as large as Stelco with fewer vice-presidents. If you go to Hamilton, they have a bus with a mural on it paid for by Health Sciences. But that's OK with the member.

The Speaker (Hon Gary Carr): Further questions and comments.

Mr James J. Bradley (St Catharines): I don't usually spend my time being critical of the third party in the House, because I always feel the enemy is on the other side, but I have to take exception. I was watching the member list a number of changes in policy, and I was thinking of the NDP over the years. They were so committed to public auto insurance, and I really thought they were going to bring in public auto insurance. Lo and behold, they abandon it. Then there was the sanctimony, I'll call it, the sacredness, of the collective agreement in labour. They broke that by imposing the social contract. I couldn't believe that. I know they wanted to abolish tuition for colleges and universities but instead increased it. I know there were huge cuts made in ministry budgets over the years with that government in power. I know they were opposed to privatization, and yet Highway 407 was privatized.

The Speaker: Order. I made a mistake in the count. There had already been the members in the rotation.

Interjection.

The Speaker: Yes. There were four, I believe. It did come.

Mr Bradley: Is the member cutting me off because of what I was saying?

The Speaker: No.

Mr Bradley: Mr Speaker, do I have unanimous consent of the House?

The Speaker: Is there unanimous consent? I heard a no.

I will say that I thought that was the order. The member got up with such authority that I thought he was actually right. I should know better. But there was the count.

Response?

Mr Christopherson: To the previous member, I was really sort of looking the other way until I heard what you were saying, and then a quick count showed me—you all want to follow the rules here, you know, Jim.

The member from Etobicoke North talks about getting in the real world. I just remind him that in the real world, in modern-day economics, the reality is that it was the NDP government of Saskatchewan that was the first to balance their budget; it wasn't a Tory government, it wasn't a Liberal government. They, by the way, I would remind you, had a huge mess to clean up from the previous Tories, some of whom, as you know, are still in jail over corruption charges. So that's the real world too, with respect to my colleague.

To the member for Kingston and the Islands, you're right, I do believe that part of this is smoke and mirrors. I'll tell you what I worry about more than anything though is that the government will use the letter of this as a shield to continue or to start the kind of cutting that they'd like to, in the absence of which they would have trouble defending. That's what worries me the most about the kind of wording here, although I agree with him, based on the arguments and comments of my colleague from Beaches-East York, that when you pass a piece of legislation that says, "These are the rules, and oh, by the way, we set those rules, and oh, by the way, you can't take them anywhere to have my rulings questioned," you're not exactly conducting and operating an open government or offering up a fair process, in my humble opinion.

To the member from Wentworth-Burlington: First of all, I would never stand anywhere and say that we didn't make any mistakes. Of course we did, obviously we did. But the fact remains that what we were doing and the situation we were in was not out of step with what was happening in other industrialized segments of the world, and I continue to be disappointed that you don't support our broader community more. We need you on side, and you're not there for us.

The Speaker: Before further debate, pursuant to standing order 37(a), the member for Kenora-Rainy River has given notice of his dissatisfaction with the answer given today by the Minister of Finance to the question concerning hockey arena financing. This matter will be debated today at 6 pm.

Hon Chris Stockwell (Minister of Labour): On a point of order, Mr Speaker: The Minister of Finance wasn't here today.

The Speaker: I'm sorry. It was actually given yesterday and is being debated today. I apologize for that. The member has given notice, and this matter will be debated today at 6 pm.

Further debate?

Mr Brad Clark (Stoney Creek): I wish to inform the House that I will be sharing my time with the Minister of the Environment today.

Mr Speaker, I also offer my congratulations on your election to the Chair. However, based on the reputation of this House for a certain kind of turbulence at times, perhaps I should be offering you my condolences. I am confident, though, that you will have the strength and wisdom to protect the sanctity and decorum of this House throughout your tenure, and I wish you luck in so doing.

1650

This is, of course, my maiden speech to the Legislature. Like my 102 colleagues here in the House, I certainly would not be delivering this address today were it not for the support of so many people in my riding. I want to take this opportunity to thank the thousands of people in my riding who marked a little X on a little slip of paper and dropped it in that little box. Through that simple act, these thousands of people spoke in unison and selected me to be their representative here. I am glad for this chance to thank them and to pledge to them that I will do my very best to validate the trust they have put in me, and in this government for a second time.

I am serious in that promise. I am proud to be the first-ever MPP from the newly created riding of Stoney Creek. My riding includes the municipalities of Glanbrook, Grimsby and Stoney Creek, as well as the eastern-most parts of Hamilton, but my riding also includes many smaller communities that I'm proud to represent: Mount Hope, Glanford, Binbrook, Woodburn, Fruitland, Vine-mount, Grassie, and of course, Winona.

I look forward to building on the legacy of the MPPs who represented these communities before me. In particular, as is traditional in a member's maiden speech, I would be remiss if I did not acknowledge my immediate predecessor in this House, the last ever member for Wentworth East, and that would be a former Speaker of this House, Mr Ed Doyle. As an MPP, Ed was a real statesman, never one to be divisive or antagonistic, and naturally that made him the most popular guy in the House. Ed remains a kind and compassionate person who wanted to do his part to help get Ontario back on the right track, for the sake of our children and that of his own grandchildren, whom I know he loves very dearly. Having accomplished what he set out to do, Ed stood down in the election, allowing me to step forward and take my place here. I'm sure all of us here want to wish Ed the very best in his retirement.

I chose the Taxpayer Protection and Balanced Budget Act as the occasion to deliver my first address to the House because it defines quite succinctly some of the core beliefs espoused in my own campaign and in the platform of my party.

First and foremost, this bill is about accountability. It enshrines in law the fact that the government of Ontario will never again be able to increase taxes on its citizens at will. It enshrines in law the fact that the government of Ontario must first ask the people of Ontario for their assent to increase taxes and provide the justification for

so asking, and it enshrines in law the fact that the government of Ontario will always be required to balance its budget, live within its means and send deficits in Ontario the way of the dodo bird. It's all about accountability.

For many years, the people of Ontario cried foul over spiralling taxes and uncontrolled spending. From 1985 to 1995, in the 10 years known as the lost decade, Liberal and NDP governments hit the taxpayers of Ontario with 65 different provincial tax increases. All of them were implemented without voter approval. Interestingly enough, if you look through the Liberal and NDP platforms at the time, there is not one reference of any intention or consideration to raise taxes, yet during the lost decade, taxes increased exponentially once these parties got their hands on the levers of power.

As one anonymous philosopher once put it, "Death and taxes will always be with us, but at least death doesn't get any worse."

How can it be that a democratically elected government can raise taxes and spend money it doesn't have without answering to the people? How can it be that a government can pretend it doesn't need to justify its actions when it flies in the face of the democratic will? How can it be that a government can choose to do whatever it wants between those constitutionally mandated trips to the ballot box once every four years? This legislation goes a long way to alleviating those concerns. They are concerns that have come about by something that I want to focus on for a moment.

There is a tangible gap between a bare-bones democracy, where citizen participation is stifled, and a flourishing democracy in which input from the community is not only sought out but also expected. This gap increasingly separates elected representatives from the very people who elected them. For many years, I have referred to this gap as the democratic deficit. It's a deficit just as real and as important to address as fiscal deficits.

I believe that the democratic deficit has increased over many years as a direct result of a woefully inadequate system of accountability at all levels of government. Real political accountability has been restricted to those constitutionally mandated elections, whereas elections should be the final accountability test. To achieve a successful, effective and more accountable democratic government, we must recognize the need to develop the means for legitimate public participation in the governing process.

This reminds me of one of the most incredible scenes I have ever witnessed in my community. A few years back, I watched a municipal politician stand up at a public meeting and profess, on a very controversial issue, that he heard and he knew what the people wanted. He could feel it in his heart. He could even taste it. But regardless of that, he was going to turn around and do what he thought was right, and that meant voting against the wishes of the people on the matter. In essence, this politician acknowledged the democratic will of the people and then stated that he had no choice but to vote

against it. Incredibly, he actually expected accolades for his decision to ignore the people and do as he pleased.

The Taxpayer Protection and Balanced Budget Act is the first step in restoring accountability to our political system. It begins to reverse the trend, which has built up under governments of every political stripe in this province, of taking real power away from citizens and leaving them with no recourse until election time.

This act begins the process of empowering citizens, giving them the opportunity on a regular basis to have a real say on issues like taxation. This makes democracy an ongoing process, and not an obligation once every four years, as far too many people see it now. If this legislation can get more people to pay attention to the workings of government by giving them more power to make decisions more often, then I see no reason why it should not pass.

The Taxpayer Protection and Balanced Budget Act will ensure that all future governments will have to seek voter approval if they ever begin to feel the temptation of taxation. Voter approval will have to be obtained through a binding referendum in which the people consent to pay a higher personal income tax, corporate tax, retail sales tax, employer health tax, gas tax, fuel tax or education property tax, among others.

Of course, if you were to ask just about every living person in Ontario today if they wanted to pay higher taxes, the resounding chorus of no's would probably echo from one end of the continent to the other. That's why the referendum is the key here. The referendum allows the government to take its case before the people, just like an election campaign but centred around the one issue of potential tax increases. The government would be compelled to provide justification for its proposed tax hikes, and the people could then decide for themselves if this proposal made any sense. This is what democracy is supposed to be about.

In terms of the budget-making process, this legislation would ensure that future governments will never again run up the kinds of staggering deficits bequeathed to us by the Liberal and NDP governments of the last decade. By enacting this bill, Ontario will have to balance its budget each and every fiscal year. This government's legislation is similar to laws in the provinces of Alberta and Manitoba. However, this legislation will have the highest penalties for budgetary mismanagement. These penalties make Ontario's legislation tougher than any other taxpayer protection legislation in the country.

If the penalties seem harsh, let's not forget that about a century ago public office was a voluntary vocation. At that time, politicians in this province were not paid a salary. Holding public office was considered a calling, a sacrifice that politicians made for the betterment of their constituents. In the present day, docking the pay of politicians who are unable to run a sound and balanced government is entirely fair, and I'm sure the people of Ontario would not disagree.

Before I give my remaining time to the Minister of the Environment, I wish to reiterate something I mentioned

earlier. I was proud and honoured that the voters of Stoney Creek chose me as their representative. I give them my thanks and my pledge of service, and I look forward to working with all members of this House to build a better Ontario.

1700

Hon Tony Clement (Minister of the Environment, Minister of Municipal Affairs and Housing): It's my privilege and pleasure to follow the honourable member for Stoney Creek on his excellent maiden speech. We are all very glad on this side of the House to have him as our colleague and a member of the Legislature.

I also appreciate the opportunity to discuss this important policy issue. This is a safety bill. If the Premier had not introduced it, maybe our Solicitor General or Attorney General would have introduced it. This is a bill that is going to keep Ontarians safe from future tax hikes and from out-of-control government spending. This is a safety bill.

On behalf of the Mike Harris government, I wish to also acknowledge my involvement in the lead-up to this bill on the issue of direct democracy and taxpayer protection. I was at the time the Premier's parliamentary assistant, and I testified before the standing committee on the Legislative Assembly with regard to referendums and whether or not Ontario should join the rest of Canada to move our democracy forward.

I wanted to present a time line to this House on the commitment to taxpayer protection and how this is an important step forward. I would like to remind honourable members that promoting taxpayer protection has been part of Mike Harris's agenda from the very beginning. Our Premier signed the taxpayer protection pledge initially in 1995, and promised a 30% personal income tax cut for all Ontarians. Of course, we delivered on that; we did what we said we would do.

In August 1996, our government released a consultation and discussion paper on the use of referendums in Ontario. It was entitled *Your Ontario, Your Choice*. The goal was to place taxpayers, indeed all Ontarians, back in control of their government. I believe that referendums offer people increased government accountability and they improve public participation, and therefore improve the legitimacy and credibility of the public policy decisions that are made here in Ontario.

In September of that year, the standing committee on the Legislative Assembly held public hearings on our discussion paper. We heard from many experts, including my good friend and a former MP of inestimable character, Patrick Boyer. We heard from the Canadian Taxpayers Federation, we heard from Democracy Watch, and we heard from many others. The committee tabled its report in July 1997. Part of the committee's recommendations was to implement a taxpayer protection and balanced budget act, and of course we're seeing the fruits of that labour here today.

In April 1998, I also began a series of town hall meetings that took me across the province. I travelled to Ottawa, Nepean, Windsor, Chatham, Leamington, Ham-

ilton, Burlington, Kitchener, London, St Catharines, Niagara Falls, Thunder Bay, Sudbury, Elliot Lake, Port Hope, Uxbridge, Oshawa, Vaughan and Kingston. To top off this province-wide consultation tour, I participated in electronic town hall on CityTV, starring Colin Vaughan. We heard from the people of Ontario how important they believe it is to prevent future governments from imperiling their financial situation.

Now we are moving forward with taxpayer protection. We are committed to ensuring that Ontarians are protected from whimsical spending that gave us an \$11-billion deficit and a \$100-billion-plus debt. With this act, I believe and we believe that government accountability for taxes and a balanced budget will be assured.

This is important for another reason as well. Ontario—Mr Speaker, you might be interested to know this—is one of only two provinces with no referendum law at all. For the record, the other province is Nova Scotia. Every other province and territory has some type of referendum legislation in place.

I want to talk about a couple of them, specifically Alberta and Manitoba. They have taxpayer protection acts already in place. Under Alberta's laws, no sales tax can be implemented and no increase in the personal income tax rate could happen without prior public approval in a referendum. Manitoba's rules specify that any increase in certain taxes must be approved in a referendum before being put to the Legislature.

In British Columbia, Newfoundland, New Brunswick and Prince Edward Island, any topic may be put to the public in a referendum. Different rules but the same principles apply in Saskatchewan, the Northwest Territories and Yukon. I don't know about Nunavut; I'll get back to you on that point.

I want to make this point clear: Referendums are part of the history and tradition of Canada. This is not some foreign, alien element to our parliamentary tradition; it is part of the history of Canada. In school we all learned about the referendums relating to conscription. We of course lived through the referendum on the Charlottetown accord in 1992, and we all learned about local referendums on temperance, fluoridation of water, boundaries for municipalities. All those are part of our traditions as members of a public in Canada and Ontario that have seen referendums over many decades.

Of course, we have examples from all over the world. Tony Blair, Prime Minister of Britain—Britain is the cradle of our parliamentary democracy—has initiated three referendums to date, and there are apparently more coming on such issues as the accession to the euro in the future. So this is not something alien to parliamentary tradition.

I wanted to talk a little bit about some of the examples, because the member for Hamilton West was concerned about some of the examples in other jurisdictions in North America, specifically US states. I have some results that occurred in November 1998 in the United States, and I wanted to assure him that basically the people get it right. It doesn't mean that the right-wingers

win every referendum or the left-wingers win every referendum. The people have an internal common sense approach to these issues.

I wanted to tell the honourable member for Hamilton West about some of the results in the United States that recently occurred. I want to tell him that trade unions did especially nicely. In June 1998, in California of all places—he was concerned about California—they pulled off a surprising victory against a Californian measure that would have impeded their freedom to extract political dues from members. Some environmental referendums also occurred in the United States in 1998. Four out of seven initiatives proposed by environmentalists passed, and most interestingly, the animal rights activists scored four out of six protecting horses from butchers in California and bears from baiters in Missouri, as well as ending cockfights in Missouri and Arizona.

Finally, let's get to some of the tax referendums, because the United States has more experience with tax referendums than we have. Very interestingly, the tax referendums were mixed. The tax-cutting wing of the Republican Party suffered some setbacks. Of seven anti-tax referendums, only three passed, two of them in Montana. The only real boost to tax-cutters came in Massachusetts, where a proposal to cut state income tax passed by 82%. So that one I guess was a no-brainer for the citizens of Massachusetts.

I wanted to assure the honourable members that people have an internal gyroscope on these things. It's not automatic that a tax cut will pass; it's not automatic that a tax hike will fail. The people know best what is appropriate in their particular circumstances. That's the experience, not only in Canada but the USA and throughout Europe as well, where referendums are occurring. Of course, we're all watching with great interest what will happen in Australia with their referendum on the future of the monarchy. Referendums are part of a democratic and parliamentary tradition, and they have occurred time and again.

In conclusion, our government knows how important lower taxes are to improving our economy, making Ontario a better place to live, to work, to raise our families. We understand the difference between 66 tax hikes from 1985 to 1995 and our record of 99 tax cuts so far. Our act, the Taxpayer Protection and Balanced Budget Act, will protect Ontarians from capricious governments who seek only to increase their revenue and not to look out for the interests of the people they purport to represent. Our government will continue to cut taxes. We will continue to improve the economy, and at the same time leave a balanced budget for our children. This new law, if passed, will ensure that all future governments leave exactly the same legacy.

The Speaker: Questions and comments.

1710

Mr Monte Kwinter (York Centre): First, I want to congratulate the member for Stoney Creek for his introductory remarks. I wish him well in his tenure as the member representing Stoney Creek.

I just wanted to raise a couple of questions. When Mike Harris was in opposition, he made a statement one day in the House and was critical of the then NDP government because of the huge deficits they had run up. He said in the House at the time, "The Conservative government has never run a deficit, we never will, and you people just don't know what you're doing."

I sat there and thought: "That can't possibly be right. It sounded right, because he said it, but it couldn't possibly be right." So I went back and I checked on it, and I found that the last time there was a balanced budget in Ontario was in 1967.

Interjections.

Mr Kwinter: No, no, just hold on a second. This is a Conservative.

Interjection.

Mr Kwinter: Sorry, 1969.

I went into the library and got all the numbers, and I sent it over to Mike the next day. He said, "I had no idea." It didn't stop him from saying it, but he said he had no idea that was the case. He just assumed there was always a balanced budget under a Conservative government.

The concern I have is that members opposite say things because they've heard it and they accept it as fact—the 10 lost years—the things they supposedly have done, this great economic probity under this government.

Would you take a look at what has happened. You had staggeringly windfall profits in casinos and from the LCBO that have allowed you to do things that you could never have done without them. You have borrowed money, you have sold off government assets. With all of that, even though you're getting close on the deficit—I sit on the economic and finance committee and I have for many years. We had said two years ago that if the government had the will they could have balanced the budget two years ago. They chose not to, because they had very serious needs for money. So what have they done? They're getting close on the deficit, but they certainly have allowed the debt to balloon.

When you take a look at the legislation—and we approve the concept of balanced budgets; it was in our platform in 1995, it's been in our platform in 1999—if you take a look at the wording, as long as you say in the election campaign that you're going to do things, it isn't covered. As long as you do a whole range of other things, these are weasel words. It sounds good, it makes good PR—

The Speaker: Order. Your time is up.

Ms Lankin: May I add my congratulations to the member from Stoney Creek for his introductory comments in this Legislature.

I found one aspect of his remarks particularly interesting, when he talked about, "Let's not only deal with fiscal deficits, but let's talk about"—I think he referred to it as a democracy deficit and accountability as the concept he was raising.

I'd like to interject a third deficit that I believe we as legislators and those who hold responsibility for services

to the public in Ontario should be concerned about, and that's the social deficit that governments can create as well. One of the things that concerns me about the nature of the legislation—I am in favour of moving to and getting to a balanced budget. In fact, if it hadn't been for the government's determination to proceed with income tax cuts in the way they did and to the extent they did, if the budget plans had been followed that were in place before the election of the Mike Harris government, the budget would be balanced by this point in time. We would be in a very different position in terms of decision-making with respect to either expenditure or with respect to debt reduction.

As you talk about fiscal deficits, as you talk about democracy deficits, you all fail to deal with issues of social deficits and environmental deficits that have been created under the term of office of your government.

The Minister of the Environment uses such amazing phrases as "capricious government" and "whimsical spending." I'm sorry—I very much like the member, and I know he has genuine interest in referendum—but the arrogance of those comments. When I sit here, as one of the first ministers of health ever to try to bring into control health spending in this province, to take it from double-digit increases to a point in time where we were reforming the system to make it responsible to the people but also deliver the services—you should have a referendum if you want to go around closing hospitals as well. That would be an appropriate balance.

Mr Skarica: Since the member from York Centre brought up the 10 lost years, I think I'd like to address what the 10 lost years really meant.

I understand the member for York Centre entered the Legislature in 1985, and at that time the total debt of the province of Ontario was \$30 billion. The Conservative government had been in power for 42 years and it was in fact in power for most of that 85 years, and the total debt for 85 years was \$30 billion.

Then the 10 lost years started and the Liberals increased the debt in very good times by \$10 billion, from \$30 billion to approximately \$40 billion. Then the NDP took over and thought, "Ten billion dollars is not very much. We're going to do that basically every year." So they did that, almost an average of \$10 billion a year, and they upped the debt by \$47 billion. So in the 10 lost years, the debt went up by \$57 billion, and if you take that off of the total debt of \$109 billion, you've got \$52 billion left over. So in 90 years, mostly of Conservative governments, there's approximately \$52 billion in debt. In the 10 lost years, you had \$57 billion of debt, for the members opposites.

Frankly, I think the public has to be very careful before relying on any figures from the Liberals. I found it very interesting that Mr Crozier, on November 2, page 313 in Hansard, talks about how the Liberal government, when it was in power, was responsible for \$5 billion. He was out by 100%; it was \$10 billion. Then he said the NDP was responsible for \$12 billion of debt. He was off by \$35 billion. I remember being in the House and

saying, "Well, you people are making a mistake." The member for the Liberals was off by almost \$30 billion or \$40 billion, but when you're a Liberal or an NDP, what's \$30 billion or \$40 billion?

Mr Bradley: I was awaiting the member from the Wentworth-Stoney Creek area to explain what happened at that nomination meeting where he went and voted for Chris Phillips, encouraged Chris Phillips to run for the Liberals, and then he turned around and ran for the Conservatives.

Now, I remember Ed Doyle. I'm glad he mentioned Ed Doyle, because what a wonderful member of Parliament Ed was. Ed was a man of integrity; Ed was a man of principle. I knew he was a Conservative, but I still admired him as a member of this Parliament and the way he conducted himself in that responsibility.

I find it interesting that the Conservatives get up to speak on matters fiscal and the Harris government has never had a AAA rating from the bond rating services. They can't get up to that AAA rating. The last time we had a AAA rating, I remind them, was when we had a Liberal government in Ontario. Now the rating's been way down, and the reason is that they kept borrowing money to give a tax cut. I know some members of this House—I won't mention their names because some of them are in the cabinet now and some may even sit in the Speaker's chair, who knows? But I know there were members of the Conservative caucus who wisely cautioned Mike Harris and the whiz kids not to have a tax cut until such time as the budget was balanced. That way the Conservatives wouldn't have added \$21 billion to the debt.

My friends in the chamber of commerce used to tell me, and the Reform Party people in my area: "You know, the debt is a real problem. We've got to address it." I agree, but this government is giving away more of its revenues now with further tax cuts, and that debt is going to continue to accumulate in this province instead of addressing that particular problem.

I certainly have found interesting the comments of my friends opposite and I hope they can answer that story about the AAA rating and not listening to people who advised them not to cut taxes before balancing the budget.

The Speaker: Response?

The member for Stoney Creek.

Mr Clark: I want to thank the members for Brampton West-Mississauga, York Centre, Beaches-East York, Wentworth-Burlington and St Catharines.

There was another very famous Conservative who had a short brush with insanity. Sir Winston Churchill also became a Liberal once, and he woke up too and came back to the Conservatives.

If you're talking about flip-flopping, I'd like to read this into the record. Advocating referendums on government issues is quite a turnaround for Mr McGuinty:

"There are flip-flops, and there are great thundering mammoth total about-face U-turn 180s that make your

head spin and your socks go up and down. This would be one of those." The Globe and Mail, May 14, 1999.

"Dalton McGuinty, the Liberal leader, jolted the campaign—and his party—with his backwards triple somersault endorsement of a binding referendum on tax increases. Tossing all his previous convictions overboard...." David Frum, the National Post, May 25, 1999.

"By the next election, Liberal Leader Dalton McGuinty, who never supported taxpayer protection laws, stole the idea and promised if elected he'd introduce the laws in the first 100 days of government. What a joke. The Liberals, who along with the NDP hit Ontario taxpayers with 65 new or hiked taxes from 1985 to 1994, including raising personal income taxes 11 times as the deficit climbed to over \$100 billion, were promising taxpayer protection laws." Linda Leatherdale, Toronto Sun.

All independent, third-party people—very clearly the Liberals are the people who can't get their principles straight and they can't deal with the matter in terms of taxpayer protection.

We stand by our proposal and I will support it very forcefully.

1720

Mr Bradley: On a point of order, Speaker: I would like to ask unanimous consent of the House to allow the member for Stoney Creek to explain whether or not he went to the Liberal nomination meeting and voted for Chris Phillips and then double-crossed him and ran against him in the election campaign. I just want to ask that.

The Speaker: Unanimous consent? No.

Further debate?

Mr Gerretsen: I'm sure the people who are watching this today must think the election campaign is still going on. Maybe we should tell everybody in the House that the election is over. It's over, and for the next three and a half years the government and the opposition have to deal with the problems that face the people of Ontario.

I'll be sharing my time with the member for Davenport, the 20 minutes that we have this evening.

I would like to speak about one issue and one issue alone, and that deals with accountability. We've heard some of the other members talk about this as well, about the state of the finances of the province of Ontario. I know I've spoken about this in the previous Parliament, but I just want to speak about it again very shortly. This deals with the whole notion of, where are we in this province as far as our public debt and as far as the amount of money that we spend annually on servicing that public debt. Let's just review the figures.

A lot of figures have been thrown around here, but about these figures there can be no doubt at all. We are currently, according to the budget document itself, in debt in this province to the tune of \$115 billion. When this government took over four years ago it was \$90 billion. Look at your own documents. You've added \$25 billion to the public debt of this province. During the NDP years, as has already been mentioned, \$47 billion

was added to the public debt, and during the Liberal years, the five preceding years, there was \$10 billion. This basically means that during the previous 40 years of Conservative rule in this province, somewhere between \$35 billion and \$38 billion of public debt was racked up.

Just for the record, we've got a situation where over \$60 billion of public debt of this province has been racked up by the Conservatives and \$47 billion has been racked up by the New Democratic Party when they were in power—and they had tough times; I'll grant them that.

What does this really mean? What it really means is that what we are currently spending on the interest payments on the public debt in this province is some \$9.1 billion. Out of the roughly \$50-billion budget or total revenues this province takes in on an annual basis, \$9.1 billion is spent on interest payments, and that is during a period of time when the interest rates are relatively low. Can you imagine, if we still had interest rates to the tune of 10%, 12%, 13%, as we had during most of 1960s and 1970s and 1980s, what our interest payment would be? It would be much higher.

During the term that the Harris government has been in office, the interest cost has gone up from \$7.1 billion to \$9.1 billion annually. The one statistic that always fascinates people I speak to, when you hear that so much money is being expended on much-needed social services in this province by the provincial government, is that in actual fact we are spending a lot more on the interest costs on the public debt, some \$9.1 billion, than we do on all the provincially paid for social services in this province, an amount of \$7.9 billion. Most people find that astonishing, because they hear about all these much-needed support payments that go out to needy groups and needy individuals in our province, and yet that amount is less than we spend on the interest payments annually.

So what does all this mean? Are we in favour of tax cuts? Sure, who wouldn't like to pay less taxes? Everybody would love to pay less taxes. But the problem is that you cannot afford to cut taxes when you are still running a deficit on an annual basis. That's been my major disagreement, that's been our party's major disagreement with the government. If they had gone and balanced the budget and not decreased taxes, then, in effect, as has already been stated, we could have balanced the budget of the province some two years ago. But instead what we're doing is just adding on to the public debt. It is kind of like we haven't quite matched the expenditure side with the revenue side but we decide to lessen the revenue side of things anyway, therefore putting greater pressure on the system and on the services and therefore widening the gap between the rich and the poor out there, between the people who have enough, the people who can get on by themselves, and those who require good government services in order to exist and to live on a day-to-day basis.

It's interesting that there's one other aspect to it as well. This government likes to take so much credit for the fact that they have tried to balance the budget, and we're still not there. I think we're one of the last provinces to

do that. It's kind of interesting how the federal debate is going on right now as to how should they spend the extra amount of money. Should it be expended on tax cuts, should it be expended on paying down the public debt, should it be expended on much-needed programs? We haven't even reached that stage here. It's a rather nice debate to have. I think a balanced approach to that situation is preferable to the people of Ontario. You cannot have tax cuts without starting to pay something back on the public debt in this province and without putting some money back into the much-needed services in this province, because there are many people out there who are hurting.

I'm sure all of us have heard about these kinds of situations in our own constituency offices, of students who are disabled in one way or another, who used to have educational assistance and now, no matter what the minister says here, are cut off unilaterally from those kinds of services. It's happening in town after town and in system after system throughout this entire province.

Yes, when a dramatic situation is brought to the House, the minister can fix that and deal with that situation. But how about all those other people who have been cut off, who no longer have those services available for their disabled students etc, who aren't fortunate enough to get the minister's ear in that particular case? That's totally unfair.

There's been much merriment made today about the fact that the Liberals are supporting this piece of legislation. Quite frankly, one of the reasons we're supporting this is that the legislation is so weak that it's almost like how could anybody be against it. Even an NDP member today admitted that there's only one year in the last 60 or 70 years that the revenues of this province dropped by more than 5%, and that's when this legislation would cut in.

1730

I say to this government, we are getting close to balancing the budget. I guess it won't be next year because you've left yourself a very convenient out to the extent that this act won't go into operation till the year 2001. But once we get there, let's start looking at restoring some of the much-needed services out there for individuals.

I have to believe, and I think the vast majority of Ontarians believe, that good government programs play a role in our lives. They are the great equalizer between people, those who are fortunate to make it on their own and those who, for whatever reason, need a hand up. Before we start talking about tax cuts and all the other things, let's start taking a look at some of the major programs that are out there and see how those programs can be strengthened, with accountability. There may have been accountability problems in the past, no matter which government was in power, no matter which party was in power. There has to be accountability for the public money that's being expended by government. I'm totally in favour of that.

Let's not rush into this tax cut at all costs kind of mentality that we seem to be going towards. With that, I will now turn it over to the member for Davenport, Mr Ruprecht.

Mr Tony Ruprecht (Davenport): I appreciate the comments from the member for Kingston and the Islands. I'm delighted to be able to add my comments to the discussion of Bill 7.

I wanted to remind the members opposite first, is it not true that the Common Sense Revolution document of 1995 promised the people of Ontario a balanced budget in the first mandate? If that is correct, I think that right now we're in the second mandate. If I'm correct in terms of the figures I have in front of me say, this government has added \$23 billion to the province's debt.

First, there's the promise of a balanced budget. That hasn't taken place. My understanding is that we're still short roughly \$2.5 billion, give or take a few hundred thousand, a couple of million. The question really should be asked, why has it not been possible for the government to keep the promise? I'll tell you why it has not been possible, why the government was unable to keep that promise. It's simply because there was another promise made. That was a 30% tax reduction or tax cut.

On this side of the House we know who benefited most from this provincial tax cut. That's why the AAA rating that the member for St Catharines pointed out earlier was not able to be had, simply because of the tax cut. It would seem to me that the first item of business that the Harris government should've done was to reduce and to keep its promise to maintain a balanced budget.

The government further has, as I said earlier, added \$23 billion to the province's debt. Here we have in front of us Bill 7. We have the same government that produces this kind of legislation at the same time giving us a \$23-billion debt. To some minds on this side of the House, and certainly to some Ontarians, it's almost unconscionable that, first, they don't keep their promise and, second, they're sticking us with a \$23-billion debt.

Interjection.

Mr Ruprecht: I can understand why you might get excited about this, because you don't like to be reminded that you don't keep your promises. That's why. I would only hope that having made these promises, having made now a new promise of Bill 7, you might be able to keep this one at least.

Let me point out to you that this government has made a number of promises. This government has made a number of attempts to fix the tax revenue of this province. In fact, there were seven tax bills introduced—because they couldn't get it right the first time—to fix the problems they had created.

Mr Speaker, you may not be from Toronto but you know a lot about Toronto. When you go on our major streets, storeowners on Queen Street, Dufferin Street, some of the stores on Yonge Street, even storeowners from Rexdale were complaining. They were saying to us, "We are going bankrupt under the first attempt of this government in terms of fixing new taxes for the prov-

ince." They wanted to set the record right in terms of taxes for this province, and they would literally have driven thousands of mom-and-pop operators into bankruptcy, and you know that's true. That's why there was such a hue and cry out there, even in some strip malls, and those operators joined us. But along the major streets of Toronto, along St Clair especially, there were hundreds of people complaining and angry as hell because of the havoc the government had wreaked in trying to fix the taxes of this province.

Was this part of an operation that said, "We'll have to listen to the people"? Was this part of an operation that said, "Let democracy speak and let the majority win"? Was this part of a democracy that said, "Let's discuss this with each other. Let's have a few people from the business community sit down with us and work out a tax bill"? No. They rammed it through, and the consequence of ramming through these tax bills was a horrendous backlash by some of the business owners.

It was really terrible to see people on the street, and the only way they had to show they were unhappy, because a lot of them would have gone into bankruptcy, was to demonstrate, because they couldn't get access to the "whiz boys." They couldn't get access to these kids who made up these tax bills without the benefit of asking their own backbenchers in the government what the repercussions of these tax bills would be. There was no discussion of that. There was no reference to you in the back benches. There was no reference to the storeowners who had to pay the consequences of that attempt. No. It was the whiz kids who produced it, and that's why there was backpedalling seven times. If you have a government that backpedals seven times to try to get it right, you've got to ask a question about Bill 7.

Let's look at that very briefly. As I said earlier, our party will support this, because we had our own bill that we were going to introduce in the first 100 days of our first mandate. We would have done that within the first 100 days and not made that promise that it will be done in the first mandate and then go into the second mandate. But what I'm very much afraid of is that the repercussions of this legislation might be that there will be two kinds of health care systems, two tiers, one for the poor and one for the rich who can afford it. Right now, as you know, the province and the Minister of Finance are going through, looking at hospital budgets and, of course, some will be rejected by the ministry.

Secondly, there will also be two tiers in terms of education. I have made it my business to look at some of the tuition fees, not just the tuition fees we talk about—an increase of over 50% in the last five years—but also the tuition fees in private schools. Did you know that in one of the private schools right in Toronto, not very far from here, almost within walking distance, grade 9 would cost your child, if you want to enter that school and stay there, room and board plus education, \$28,000, and the school is full. That doesn't mean we've got a lot of money. It simply means there are a lot of foreign people, meaning foreigners abroad, who send their kids over to

Canada because they've got the money, because half of us wouldn't be able to pay for it. What we're saying is that what would happen here is very simple, that is, there are those who can afford it and there are those who are unable to afford it.

1740

The repercussions are going to be very firm. We already know that poor kids are going to have a very tough time entering university and paying the tuition fees. Simply said, poor kids are going to be unable to enter private schools. That, for sure, is an impossibility, simply because they can't make that \$28,000 and pay for those children's education. That won't be possible.

One more comment, and that is, what about all the repercussions to our environment? Are we going to have enough money to look after our environment? The environment, our rivers, our streams—fish don't speak, but you speak and you have to represent the environment as well. Is there going to be enough money over here? Is there going to be enough money to look after the environment? I say that may be one of the flaws.

My final point is the pay cut. Look at the pay cut. Let me just read this to you, because you might find this of interest. It says right here—Mr Speaker, I see that my time is up, and I thank you very much.

The Speaker: Questions and comments?

Mr Dan Newman (Scarborough Southwest): It's my pleasure to comment on the speeches by the member for Kingston and the Islands and the member for Davenport.

I've got to tell you, I sat here in amazement listening to the member for Kingston and the Islands, because he said he was in favour of tax cuts. I've sat here since 1995. He was here in the 36th Parliament of Ontario and he voted against each and every tax cut. All of a sudden, today, on November 4, 1999, he's in favour of tax cuts. That's quite a flip-flop.

He also talked about the federal government and the massive surplus they have. I would encourage him to ask his federal cousins in Ottawa to cut taxes for hard-working families in Canada and also to reduce the EI premiums for employees and employers across Canada.

In the last Parliament, the Liberals used the word "draconian." That was the word they used last time. The word they learned this time, in this Parliament, is the word "arrogant." But the two words I would really like them to embrace are the words "tax cuts." They still don't seem to be getting it.

The member from Davenport talks about what he would have done in the first 100 days of office. When I think about it, I don't really think they would have done that much. They had a red book. It was soundly rejected by the people of Ontario in 1995, as their plan was in 1999. They would have brought forward a bill, their first bill, that would have protected the vested interests, the special interests in this province. It wouldn't have done anything. The bill would have protected the status quo in Ontario, and it would have been called the status quo protection act.

The Speaker: Further questions and comments?

Mr Mario Sergio (York West): I just compliment the member for Kingston and the Islands and the member for Davenport on their wonderful presentations, an account, truly, of what these two pieces of legislation rolled into one do not do. There is absolutely nothing that increases the accountability of the government or the elected members. It does not increase the democratic process of our Parliament. It does not increase the way the public can participate in the decision-making process. It does not do any of that.

As the two members have said very well, we do not need this type of legislation to deliver good government, and if we were to deliver good government, we wouldn't have to resort to this type of legislation. How often can we pull the wool over the voters' eyes? They know very well how dearly they are paying for the tax cuts they love so much.

The difference between us and them is that we would have done it in a very fair, compassionate way. First, we would have taken care of the children going hungry at school. We would have taken care of the homeless. We would have taken care of our retired people, the senior people. That's how we would have done it.

When the Premier in this House is saying, "We are going to do the same thing," the people are saying: "Hold on a second. We are already below the ground. How far do you want to take us?"

Let me ask the members and the Premier, why didn't you come up with this legislation, as you said, in 1995, after you were elected? They made those promises, but they didn't do it. They had to do all the dirty work, do all the cuts for the rich people and then bring us to where we are. I don't think it is very fair.

Mr Hastings: It's fascinating, as usual, to listen to the member for Kingston and the Islands, the member for Davenport and the member for York West recounting what it would have been like if they had had the opportunity to win in 1995.

Interjection.

Mr Hastings: What if. The "what if" is really that they would never, never, never allow a tax reduction of any type for as long as they lived. The very fundamental nature of the party opposite always is to make sure that whenever they collect dollars from the taxpayer, whether it's through the retail sales tax, through the corporate income tax, through the personal income tax, it's their determination to keep all that money. All you've got to do is look at their federal brethren in Ottawa to see why we need taxpayer protection.

Mr Martin, their finance guy, talks about a surplus. What that indicates clearly is over-taxation on the part of those folks in Ottawa. That's what you'd have here. That's what you had here in 1989-90, when they talk about their great lamented balanced budget in 1989-90. Do you know how they got it? Through 65 tax increases; one of the biggest was the concentration tax on land, a direct invasion of local taxation. But that was acceptable then. In other words, all these tax increases they talk about, the party of the tax increase is stupid and indis-

criminate and it has not helped working-class families for the last 45 years in this province. That's the difference between this government and that party over there of high taxers and big spenders.

Mr Bradley: Our members in the Liberal Party obviously didn't have a chance to mention the 567 tax increases this government has implemented since it has been in power. You say, "How do you get 567?" I have counted all of the user fees that you people have raised on the other side, and there are now 567 user fees which have been increased by this government. So, when they say they haven't increased taxes, well, they've cut taxes for the richest people in the province, but the poorer people, who have a tough time meeting the obligations of those fees that are imposed upon them, they're the ones who've felt the brunt of this government's fiscal policies.

Meanwhile, of course, this government has allowed the debt to accumulate, and I'm telling the chamber of commerce next time I see them, or the next Rotary Club meeting I'm going to, I'm telling them about all the debt that you people have accumulated and how now you don't want to pay it down.

The other thing I thought our members would mention is the lousy hours that banks have in this province. You just try to go to a bank after 4 o'clock in downtown Toronto and do any business with a human being. I know some of the people over there like—what do they call those machines?

Interjection.

Mr Bradley: ATMs. They like those ATMs, because what happens is that nobody has a job any more. You take all those jobs away from people, and the bank president is making more money, the bank executives in the bank making all kinds of money, but the people are losing their jobs. They close the banks too early now; they have lousy hours, and they keep cutting those back. The only thing that keeps them honest are some of the trust companies that they haven't already bought up or the credit unions.

So I would have hoped our members would have had a chance to denounce the hours that banks impose upon the public in this province.

The Speaker: Response?

1750

Mr Gerretsen: Just to continue the argument that was just advanced by the member for St Catharines, what's even more ridiculous is when the banks are open but the tellers are shut. There are many situations like that as well. I always say to my manager in that case, "You stand by the front door and explain to people when they come in that the tellers are shut but the bank is open." Don't have the girls behind the counter do that; I think the manager should do that.

Interjections.

Mr Gerretsen: Most of them are female—I apologize to you for using the words "girls" or "ladies"—and we all know that.

I would just like to respond to what the member from Scarborough Southwest and the member from Etobicoke

North said. We are not against tax cuts. I want you to clearly understand that. What we are against is cutting taxes when you're still running an annual deficit. Can't you get that through your heads?

During your watch, the public debt of this province has escalated from \$90 billion to \$115 billion, which costs more in interest payments, which costs more in taxes that you're collecting from people. You can only talk about tax cuts once you've got the books balanced in any given year, and even then a good argument could be made that perhaps most of the extra money ought to be paid down on the public debt so that you can lower your annual interest payments.

This whole nonsense that Liberals are against tax cuts is something you are promoting which just isn't true. It's a question of when you do it, sir, and you can't do it when you're still running an annual deficit, as we're doing right now.

The Speaker: Further debate?

Mr Hastings: It's interesting to again get an opportunity to reiterate the fundamental difference over time. It's not just in the terms of this government, or the terms of the last regime, but over the last 10 years—even the Davis administration. There was an addiction, there was a currency of thinking back then, especially in the last 10 years, that the only way to solve social problems today is to spend money on them. The more money you raise through taxes on people, whatever form they take—consumer taxes, corporate taxes, personal income taxes, user fees, whatever you want to call them—the point is that when they got the money, especially the NDP—but the Liberals are pretty good at trying to remind us about this public debt. But if they were so concerned about it when they came to power under Premier Peterson in 1985, why did they ever allow the debt to bloom from \$40 billion at that time up to nearly, oh, I would say at least \$80 billion, a doubling.

What fuelled this is a currency of thinking that the more tax increases you have, the more government can do for its citizens that the citizens couldn't do for themselves to start with. This is the whole *raison d'être* today of bringing in a milestone in government legislation, and that is the Taxpayer Protection and Balanced Budget Act. Both elements are essential in turning around a type of thinking that has been so prevalent for the last number of years. That's why this legislation is required in terms of its being an antidote. People are tired, they're fatigued right out with all the tax increases they've had over the years.

That's why they are appalled to a great extent by what is happening in Ottawa today. When you see the federal Liberals talking about a surplus—Gliberals—they're really talking about money that belongs to the taxpayers of Canada, and particularly to the taxpayers of this province of Ontario because we are the largest contributor to equalization funds. We are the largest contributor to the unemployment insurance fund; they can rename it whatever it is, but it's still called the unemployment insurance fund, which is still part of the general treasury. The

whole thing is that is not their money. That money belongs to the people of this country who worked hard to get it. What they ought to be looking at is a strategy of quickly remunerating that money back. Why? Because it's very clear when you look at the newest Nobel prize-winner for economics, Robert Mundell. He has established that when you reduce taxes, whether it be in Canada, the United States or any part of the world, a lower tax regime over time will ensure higher future revenue increases for government purposes. I know that's very hard for the folks across the way to get through their minds.

Why is this so? I would like to quote again from Mr Mundell in an interview by the CBC's Michael Enright last Sunday. It's very clear what he is saying:

"Every country has to decide what proportion of total output of the society it wants the government to organize spending for. In Canada, it might be 50%. In the United States, it might be less than 40%. In Sweden, it goes up to 65%. So there are a lot of people who would like to see the government spending more and those who want to have it less intrusive.

"But my take on this is that the higher the marginal tax rates to support that level of spending, the less efficient economy we'll have and the lower growth will be. The issue to me is that if we want to make the pie bigger, the way to do that is to have an efficient tax system. Any tax rate, once it gets above 30% rate, just involves too many people in avoiding" taxes....

That's why we've also brought in taxpayer protection legislation in parallel with our tax reductions over the last number of years. We want to have future growth so we can have future higher revenues for these services that these people are arguing we require.

We don't disagree on that point. We need high-quality education and health care, but you can't have it under the old, Keynesian system of economic thinking. The 1930s model going into the 21st century is unreal, unheard of and won't work. When are they going to get the message that tax reductions are the way to move into the new century, to create more jobs for people, not fewer.

The Speaker: It being 6 pm, this House stands adjourned until Monday, November 15 at 1:30 pm.

The House adjourned at 1759.

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