



**Legislative Assembly  
of Ontario**

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de l'Ontario**

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**Official Report  
of Debates  
(Hansard)**

**Thursday 13 April 2000**

**Journal  
des débats  
(Hansard)**

**Jeudi 13 avril 2000**

Speaker  
Honourable Gary Carr

Clerk  
Claude L. DesRosiers

Président  
L'honorable Gary Carr

Greffier  
Claude L. DesRosiers

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LEGISLATIVE ASSEMBLY  
OF ONTARIO

Thursday 13 April 2000

ASSEMBLÉE LÉGISLATIVE  
DE L'ONTARIO

Jeudi 13 avril 2000

*The House met at 1000.  
Prayers.*

**PRIVATE MEMBERS' PUBLIC BUSINESS**

ONTARIO REALTY CORPORATION  
CLEAN UP ACT, 2000  
LOI DE 2000  
SUR L'ASSAINISSEMENT  
DE LA SOCIÉTÉ IMMOBILIÈRE  
DE L'ONTARIO

Mr Agostino moved second reading of the following bill:

Bill 56, An Act to amend the Capital Investment Plan Act, 1993 to ensure that the Ontario Realty Corporation awards contracts in a fair and public way / Projet de loi 56, Loi modifiant la Loi de 1993 sur le plan d'investissement pour veiller à ce que la Société immobilière de l'Ontario accorde des contrats de façon équitable et transparente.

**Mr Dominic Agostino (Hamilton East):** Ontario Liberals believe in open, honest and accountable government. That is why we are introducing this bill today. This bill, if passed by this Legislature, would go a long way toward cleaning up the problems, difficulties, and what I believe are scandals that are occurring at the Ontario Realty Corp.

As we know, currently the Ontario Provincial Police are investigating a number of questionable deals made by the Ontario Realty Corp. It is a government agency that controls \$5 billion worth of government real estate and has overseen the sale of more than \$200 million worth of government land and buildings this year.

The facts are clear. In one deal, a developer agreed to put a deposit of \$250,000. After paying \$1.27 million for the industrial land, it was flipped six days after the closure of the deal for almost \$4 million. In another deal, in Mississauga, property was sold last March for \$2 million by the government of Ontario and resold seven months later for more than \$4 million.

We know there is a court action on a warehouse on Eastern Avenue, which was sold for \$5 million, where the property was appraised at \$10 million. We know there is a lawsuit in civil litigation with regard to the Keg Mansion property on Jarvis Street, where clearly the influence of Tory backroom operators has caused a great

deal of difficulty for the Ontario Realty Corp, for the people of Ontario and for the taxpayers.

The minister speaks about open and transparent processes at the Ontario Realty Corp. Maybe he can tell us why there are deals that are signed which have a clause that prohibits, after the signing of a deal—let's just think about this for a second. This is public property, owned by the taxpayers of Ontario, paid for by the taxpayers of Ontario. After one of these deals is signed, the Ontario Realty Corp puts a clause in the contract that does not allow public disclosure of the amount of money paid for that property. Just think about this for a second. What rationale could there be for a clause that would not allow public disclosure on the amount of money paid in a contract for a publicly owned piece of property? I challenge all of you. This is not a private real estate club. This is not the Albany Club operating with the cognac and the cigars. This is the taxpayers' money we're dealing with.

This bill will go a long way toward protecting the taxpayers of Ontario.

Let me just go through some of the items. First of all, currently the Ontario Realty Corp allows lobbyists to be involved in the process. Why would there be lobbyists involved, people paid by developers to be available and allowed to try to influence Ontario Realty Corp decisions? Why should there be lobbyists involved in those deals? It's pretty simple: You put it up for sale and you take the highest bid. It's that simple: the highest bid. Lobbyists don't have a role in this. Lobbyists should not have a role in this. There is absolutely no role for lobbyists in the Ontario Realty Corp. This bill would ban any lobbyist to be involved in any negotiations for sale of property with the Ontario Realty Corp.

This bill would make the process transparent, as well by requiring, within 10 days of sale, the successful bid and also the unsuccessful bids to be posted publicly, as well as two independent appraised values of the property. That makes it very transparent. Everyone can see what the property was appraised for, everyone can see what the property was sold for, and everyone else can see what other bids were there.

*Interjections.*

**Mr Agostino:** I realize my friends are getting testy because this is getting too close to home for many of you across the floor. I understand you are getting a little sensitive because as we continue to develop this story and as we continue to develop the role of Tory friends and developers and fundraisers in all of this, this is start-

ing to fall apart around this government. Clearly, they're not interested in fixing up and cleaning up the ORC. They're just interested to ensure that their friends' pockets continue to get lined. This is what this is all about, and this is what is happening at the Ontario Realty Corp today.

Another clause of the contract is an anti-flip clause. It would prohibit the flipping of property for one year from the day the deal was closed. That type of provision would have avoided many of the situations that are there today. It is important. We have a responsibility to ensure the taxpayers have the best deal. If there's money to be made on a piece of property, that money should go to the taxpayers of Ontario. It is government-owned land. It is owned by the people of this province, and they should benefit from any sale, not the private sector. The 12-month clause would go a long way toward helping that.

We also would ask for two independent appraisals. We have appraisals after the deal had been closed, one appraisal sometimes, an appraisal done eight months or a year before a deal. We would require two appraisals minimum on every property that is up for sale. We would ensure there are checks and balances in the system, and the appraisals would be totally independent of the Ontario Realty Corp. If we really are sincere about ensuring that this is an open and transparent process, I believe the steps outlined in this bill would go a long way toward doing that.

We are talking about a corporation that is right now embroiled in scandals, a corporation that does not have the trust of the people of Ontario, a corporation that has police investigations and has lawsuits everywhere you look. We hear the government say: "We're cleaning this up. We're here to clean it up." The reality is that this government has had five years to clean up the Ontario Realty Corp. They have been in power since 1995. They like to blame previous governments for everything. This is a blame government. It doesn't matter what issue; it's someone else's fault. The reality is, you've had five years to fix up whatever problems may have been at the ORC. We've had a minister who has been there for more than two and a half years. We have a president handpicked by the minister. We know the minister personally fired the previous president because he didn't go along with his agenda at the ORC. We've seen evidence clearly of that. We have seen political interference at the ORC; we have seen lobbyist interference at the ORC.

#### 1010

I think the mandate is simple: to get the best value for taxpayers. It is a very simple mandate. It shouldn't be that complicated, so why do we need lobbyists? Why do we need someone lobbying on behalf of a developer to overturn a decision or to change a decision or to influence a decision when it comes to real estate deals? I wish someone could explain that, but that's allowed today and that is causing some of the difficulties.

We have to restore the confidence of the public. We're talking about a lot of money here. We're talking about a

lot of property. We're talking about up to \$5 billion worth of government real estate. This is not coffee money; this is significant money to the taxpayers of Ontario.

The government today has a choice. They can sit here and pretend everything is fine and there are no problems. They can sit here and say, "We're cleaning it up and it's someone else's problem." The reality is that it is your problem. You're the government of the day. If the government is sincere about sending out a very positive message as to cleaning up the mess at the ORC, I think you would support the legislation that is in front of us. I think you're going to send out a very clear signal today about how sincere you are and how intent you are on cleaning up this mess. Very clearly the public confidence that has eroded must be restored in the ORC. Taxpayers of Ontario must believe that every time a piece of property owned by the taxpayers is put up for sale, they're going to get the best value for that piece of property.

You pride yourself in being great business types in running government: "We're going to run government like a business." But I can tell you, if a business were run the same way here, you'd be demanding their heads if you were running that business. Clearly, you see these deals that went wrong, you've seen these deals that have gone bad, and we've seen nothing. We say to the government: Freeze land sales. Here you've got a police investigation, you've got a massive audit, you've got forensic audits, but it's business as usual at the ORC. The least this government can do is freeze all land sales at the ORC until its investigation is complete, until the audit is complete.

I urge all members to take a close look at the bill. I believe, if we're all interested in the same goal here, and that's cleaning up the Ontario Realty Corp and making sure the taxpayers are well served, this bill would go a tremendous way toward doing that. However, if you believe it's business as usual, if you believe everything is fine, if you believe there are no problems, obviously you'll vote against this bill. So it will be a clear test of this government's sincerity.

My caucus is fully behind this bill. My caucus is going to continue to bring forward the ORC as an issue in this House. I hope this government today takes the opportunity to be part of the solution rather than part of the problem.

**Mr Tony Martin (Sault Ste Marie):** I rise today to support the initiative by the member from Hamilton, who just spoke regarding his resolution, An Act to amend the Capital Investment Plan Act, 1993 to ensure that the Ontario Realty Corporation awards contracts in a fair and public way. I stand as well to raise this issue to a level to go much further than this. I think there's a full and public inquiry required here. This is an arm of government that is totally and completely out of control, driven not by the public interest, not by the common good but by a lust for power, a lust for money, driven by greed and avarice, things we in Ontario don't think should be driving any of the public agenda of this province.

Over the last number of months we've seen movement of personnel in the realty corporation, getting rid of a leader who was taking us down a path that was initiated by our government, which would have established an arm's-length relationship between government and a body that oversees the management and dealings of crown property, in a way that removed any political interference or even the image of political interference in any significant and important way. Following the getting rid of the previous president, we had the stepping away of some board members who obviously saw the writing on the wall and understood what was going on. We see now that the people who were appointed—as we begin to discover who they are, where they come from and what their track record is—are in fact people who are serving their own interests and those of their friends in the development world in the province, which I believe will ultimately come back in some significant, real and direct way to contribute to the good fortune of the present government.

Probably if you look through the list of people who are making decisions here now, overseen by the present Management Board Chair, you'll see that they are all very well connected to this government, each of them doing quite well because of decisions that are made. This goes unchecked because there is no arm's-length, objective body any more overseeing this very difficult piece of business that goes on.

We as a party have for some time now been calling for a fuller, more open public inquiry into the actions of the Ontario Realty Corp, and I stand here today to say that is still necessary and is still required. Even if we pass this resolution here today which calls for the awarding of contracts in a fair and public way, that still needs to be done. That still needs to be the direction that we go, and nothing short of that should be acceptable to us and to the people of Ontario.

I bring to this some very personal concern, in that on the list of properties that have now been put out there to be assessed are a number of very important buildings across this province that deliver public services, that were put in place after some thoughtful deliberations, for various and important reasons, by previous governments. This government is now looking at turning them over to private developers, I would say ostensibly, probably in the end friends of the government who have the influence, who have the inside track to take these over and do very similar to them what they've done in the instance of the Keg Mansion here in Toronto.

The building I'm talking about is the building that Sault Ste Marie very proudly dedicated not more than five or six years ago to the hero that we in Sault Ste Marie and across Canada wanted to recognize at that time, Roberta Bondar, and we called it Roberta Bondar Place. The Lottery Corp was in there in a major way at the time, and that's an issue for another day in this place. But it seems at this point in time that that building, which has so much symbolic relevance and importance to our community, which houses so many of the very important

services that are delivered to not only Sault Ste Marie but also the region of Algoma and all of northern Ontario, is now being looked at by this disreputable, it seems, corporation or organization as to its viability in terms of whether it will be sold off to the private sector or not.

I suggest to you that we need to make sure the common good in this is recognized as well. Alas, I was concerned when it was put on the table just a few months ago. I am even more concerned now as I watch in disbelief the unfolding of the track record of the present Realty Corp, led by the Chair of Management Board, Mr Hodgson.

So I'm concerned. I'm concerned first of all that that building is on the list, and I'm concerned now as to just who it might be turned over to and what they will do with it in terms of the flipping and the flopping that's going on and what that will mean for Sault Ste Marie, what that will mean for the good name of Roberta Bondar and what it will mean to the people of Ontario.

**Mr Bob Wood (London West):** Before speaking to the merits of this bill, I'd like to outline briefly action this government has taken in this area. A new board of directors has been appointed to direct and oversee the activities of the Ontario Realty Corp. All members were appointed with unanimous consent by the opposition parties. The board was given a mandate to put in place a sales process that is more open, accountable and transparent to the people of Ontario. In order to do this effectively, they hired a new senior management team who bring extensive expertise from the real estate industry in the area of sales, leasing, corporate communications and facilities management.

This team began a review of the processes used for past sales to determine their effectiveness. Having discovered some weaknesses in the past practices, they brought their concerns to the board and recommended ways to enhance the existing policies for the sales process. The board took those recommendations and recently turned them into an improved set of policies and procedures that will now govern all real estate transactions by the employees of the ORC. They have put together a set of very detailed guidelines and procedures that will achieve the following objectives: to ensure clear accountability in decision-making; to ensure fair, open and accessible competitive disposition processes; to achieve the maximum value for taxpayers when disposing of assets; to provide the most cost-effective solutions in disposing of real estate; to protect the real estate value and interest of government; to avoid conflict of interest.

#### 1020

From these objectives a sales process involving three phases has been implemented. Three project teams have been established to ensure that all factors are identified and taken into consideration, and that all policies are adhered to during the process. These teams are made up of experienced individuals from planning, sales, facilities management and communications.

The first team is the portfolio planning team. These professionals will review the inventory of government

property to identify properties that are surplus to the government's needs. They'll ask this question: Does owning the building provide the best value for the taxpayers? If the answer is no, it moves on to the next phase.

The second team is the asset review team. They perform all the necessary due diligence on the property, such as getting independent appraisals, surveys, title searches and environmental assessments.

Once the due diligence is completed, a separate marketing team is responsible for interviewing and selecting a real estate broker, determining the marketing strategy and evaluating the offers to purchase. The use of professional real estate brokers in sales means expert local market knowledge and full marketing programs for all transactions. Out of 75 responses to a request for qualifications, a pool of 69 professional real estate brokers has been established for use in the sales process.

All properties with a value greater than \$100,000 will require sales/marketing proposals from a minimum of three brokers from the qualified pool. Brokers will be selected based on their qualifications, experience, recommended marketing strategy, knowledge of the local market, network of contacts and industry affiliations and their ability to promote the maximum value of the property for the taxpayers. This process of having three qualified brokers bid to market each ORC sale is another step in the new process to ensure all sales are done in an open, professional and accountable manner. A management committee is responsible for the evaluation of all offers.

The approvals process has also been made more rigorous. The approval of the offer and the agreement of purchase and sale has been separated from the sales process. All sales are now reported to the board for their review.

Under the NDP government, when the ORC was first formed, the approval of all land under the ORC's jurisdiction did not require approval by the board or the government. ORC employees had authority to approve the sales.

In 1998, the Chair of the Management Board changed that. The title of all government properties under the jurisdiction of the ORC were transferred to the Management Board of Cabinet and now require government approval. These are the requirements for all sales:

Appraisal by an external professional—these professional appraisers must abide by professional standards;

A phase 1 environmental assessment report by a qualified consultant;

Proposals from three pre-qualified brokers for their services when the property value exceeds \$100,000;

A detailed marketing plan;

Open listings of properties through all available means—multiple listing services, newspaper, Internet or through an open tender.

This government inherited a serious problem in the real estate area in 1995. There had been years of inaction

and inattention to getting value for taxpayers' dollars in the area of real estate. We can all remember the one third of a billion dollars thrown away on a Ataratiri by the Liberals. This bill, however, is not a solution. It is legislative red tape. Its restrictions would actually reduce the money we would get from the sale of some properties. The answer is a good plan and process, properly and transparently executed. Some questions have been raised about the execution of this mandate, and those questions are now being addressed. The plan, however, is good and the execution will be proper.

We're proud of getting much better value for the taxpayers' real estate dollars. Never would we apologize for cleaning up the real estate mess that we inherited from the Liberals and the NDP. I would urge members to vote against this very poorly thought out and highly damaging bill.

**Mr Gerry Phillips (Scarborough-Agincourt):** I rise to speak in favour of my colleague's bill. I'd just say that our judgment is there are serious problems at the Ontario Realty Corp, and this bill begins to address them. If you chose to vote against it, that's fine. But I guarantee you, in our opinion, serious problems have occurred at the Ontario Realty Corp. This bill will not solve all of them, but it will address some of what we regard as the most serious problems that have occurred there.

I suspect and believe that over the next 12 months this issue is going to grow. I recall asking the minister in the Legislature—because I certainly heard of concerns in the public about what's going on with the Ontario Realty Corp—on November 3, "Mr Hodgson, over the last year and a half, have there been any allegations to you or your staff of corruption at the Ontario Realty Corp?" His answer was, "There have been no specific ones that I am aware of." Well, I look forward to the events unfolding of when he heard about the problems at the ORC.

In my judgment, the minister, who I gather was responsible for the appointment of the president of the ORC, was responsible for the appointment of the board of directors of the ORC, and was responsible for being the public watchdog on the ORC, surely could not have been unaware of the major concerns about serious problems that have now led to a police investigation. He said he'd heard nothing. Well, you can only draw one of two conclusions: Either he is not watching what is going on at the Ontario Realty Corp or his memory failed him that day.

I would just say that I will continue, and our party will continue, to pursue that statement of early November 1999 that he'd heard nothing. I look forward to the minutes of the Ontario Realty Corp board meetings where these deals had been approved. Concerns have to have been raised, and yet the minister has informed the House that he knew nothing.

My colleague's bill, as I say, will not solve all of the concerns at Ontario Realty Corp, but we, on behalf of the public, find it obscene that people can buy land from the Ontario Realty Corp and literally days later sell it at an enormous profit. Something is wrong. Something is

terribly wrong at the ORC for that to happen, where we find that the police now have had to be called in to investigate inappropriate behaviour at the Ontario Realty Corp. I remind you, the government now have been in office for five years. Under their watch, under their leadership, now we find a police investigation going on.

I was interested to read the latest from the Ontario Realty Corp. I'm not sure whether they think they can make statements that will be accepted as fact when they are beneath the intelligence of the public. What the Ontario Realty Corp now has said is, "We're going to sell off all the government buildings and then lease them back," as if that somehow or other magically reduces the cost for the taxpayers. They say, "That move alone will save more than \$350 million a year on maintenance costs." It is simply basically a way, once again, to borrow money. They will sell the buildings and say, "We're going to lease them right back." Frankly, that was done about five years ago with the GO trains. The government of Ontario sold the GO trains to a Bermuda company and then leased them back. That's what we're going to do here.

I say to the public: "Something smells at the Ontario Realty Corp. Something smells badly." I can virtually guarantee you that over the next 12 months the truth will be peeled back and the government will find serious problems that have occurred while they've been in power. And this bill today, I gather, under orders from somebody, they've decided they're going to reject.

1030

The member for London West said he was going to talk about the content of the bill; he never did. He never said a word about the content of the bill. He simply talked about some benign history, which belies the fact, as I said earlier, that we have serious allegations at the Ontario Realty Corp such that the police are now investigating them.

I challenge us to vote in favour of this bill. It at least begins to put in place some safeguards that land can't be bought by some knowledgeable insider and then flipped, literally days later, at the taxpayers' expense for a huge profit for whomever had that knowledge. As my colleague said, why do we need lobbyists lobbying the Ontario Realty Corp when presumably what should happen is that the Ontario Realty Corp gets an evaluation of the property, which incidentally they haven't been doing—they have not had two evaluations on properties, as this bill calls for—and then simply says, "All right, bidders, who is going to give us the highest price?" It's not who knows whom and who can influence whom, who is the best lobbyist, but who has the best deal for the taxpayers.

Those who watch this realty corporation realize that it has tried to be hidden away. It has \$5 billion of taxpayers' assets. It now has a board completely appointed by the Premier. It has in place a president who, I gather, based on the minister's answers, was his appointee. Yet the government, I gather, is going to stand up today and reject a bill that tries to put some semblance of public control on this huge operation.

I urge all members to reconsider their position. We have an opportunity to begin to put into place some things that protect the taxpayers and not those who benefit from the Ontario Realty Corp.

**Mr Rosario Marchese (Trinity-Spadina):** I rise to support the motion before us from the member for Hamilton East.

**Mr Wayne Wettlaufer (Kitchener Centre):** Oh, Rosario, say it isn't so.

**Mr Marchese:** I'll tell you why, M. Wettlaufer. What we're dealing with here is septic tank politics. That's what it's all about. It smells from the other side. It comes from the other side and it's seeping through the whole House and throughout all of Ontario. That's what we're dealing with here, and that's what this bill attempts to deal with.

I am incredibly surprised to hear the member for London West saying he's fixing the problem and, not only that, he's giving taxpayers value for money. It astounds me that members can abuse their power and their positions to say such odd things. We're dealing with a problem and he's saying, "We're giving taxpayers value for money." What he and his colleagues are doing is greasing the pockets of the few people who've got a few bucks to buy a few buildings. You're helping them out. Those are the taxpayers you're helping. But you're certainly not helping the taxpayers. They are being milked by you and your buddies. That's what's happening. How could you stand here and say such stupidities, that you're fixing the problem, when we on this side are asking you to fix the problem at the Ontario Realty Corp?

I have to tell you that I am one unhappy camper that we New Democrats set this thing up in the first place, which gave you the opportunity to do what you want to do for your friends with the big, thick pockets and the wads of money, whom you want to help. That's not the taxpayer. What we have given you is an opportunity to sell away our land dirt cheap. You give it away for a few bucks, and it's immediately flipped for a couple of million more. What a deal for the taxpayer. How can you defend it? It is so stupid to defend something that is clearly a problem that needs fixing.

There are so many problems connected with this issue. One is close to my riding. But before I get into it, I want to mention that Mr Miele, the head of the Ontario Realty Corp, was appointed president of the ORC a few months after joining the firm as vice-president and is a real estate specialist whose résumé lists four stints as a political operative for both the federal and provincial branches of the Progressive Conservative Party. This is where your problem starts. Recall that most of your appointments—99%, I say—are Conservative buddies of yours. If you can disprove it, please put it down on paper. If you can't, I say to you that 99% of your appointments are Tories—the old Social Credit style, the old Reform style, the now Canadian Alliance, and the names go on and on. You guys fit into that. You guys appointed your friends to these boards, and in my view that's partly where the problem begins.

In my riding there are a number of lawsuits going on. Cityscape is suing Jeffery Lyons, a prominent Conservative party fundraiser, alleging that Mr Lyons lobbied Mr Miele on behalf of Renoir in an attempt to breach the agreement Cityscape had reached to buy the Keg property. Mr Lyons, you will know, is a well-known lawyer connected to M. Lastman and a whole lot of prominent types. He's a very prominent Conservative fellow. It is alleged here that Mr Lyons met with M. Miele on behalf of Renoir to breach an agreement that had already been arrived at with another company, Cityscape. We're talking septic tank politics here; you've got to deal with it.

Member for London West, you cannot be proud of giving away land dirt cheap, to be flipped for millions a couple of months later. You cannot be proud of that. It makes no sense. All I'm asking you to do is stand in your place, stop reading paper and speak from your heart and say: "Yes, we're making some mistakes. We've got to fix them." Say that. Don't just read from the paper that's given to you and pretend you are an active member of this Assembly. You've got to come into this place and hopefully speak from the heart, if some of you have one, and speak clearly on your emotions and feelings about what you think should be done. Don't come here saying, "We're proud, and the taxpayers are proud that we're dealing with our property in a fair way that's good for the taxpayers." It's not good for the taxpayers. We are now selling public land dirt cheap with questionable politics and questionable connections, and that's wrong. This needs to be addressed. This bill attempts to get to it.

You might say this isn't it, but tell me what you think it is. If you say this bill doesn't do it, tell me what will. But to defend what you as a government are doing, what your minister has done, who claims he was—what's the word he used? What did he do?

**Mr Wood:** He cleaned it up, unlike you.

*Interjections.*

**Mr Marchese:** He cleaned it up—

**The Acting Speaker (Mr Michael A. Brown):** Order. I remind members that heckling is not in order, but I also remind the member for Trinity-Spadina that all remarks should be through the Speaker.

**Mr Marchese:** The member for London West says, "He cleaned it up." He's part of the septic tank problem, and he's saying he's cleaning it up. He's the guy who—presumably the minister spilled the beans on this whole issue. It wasn't he; he only spilled the beans after the beans were spilled and he had to come somewhat clean and say, "We're doing an investigation." He's part of it. Those approvals were given by him, and they had to be taken to cabinet. So he and your cabinet knew of these deals. Just say that, and then it wouldn't hurt so much. It wouldn't hurt me as an opposition member seeing you folks covering yourselves up. The way you cover yourselves up is to deny and deny and to simply read scripts that some poor guy you hire, some young person, has to write for you to read. It's embarrassing.

Some of you have good professions. Some of you are lawyers, for God's sake. Get rid of the script and speak

from here and here. If you can't do that, it clearly tells me most of you guys are automatons. After two years you should have an independent mind; after four, God, if you haven't reached there you're in trouble. It seems to me you're in trouble.

**1040**

We need an accountable, transparent process, because we don't have one. We need a process that the public can trust, because you're selling public land. That is in the public interest. Public land should not be sold in the first place. It should be used for public purposes, with objectives to satisfy the will of Ontarians and the overall objectives of things that we need. But this member for London West wants to sell it all to a couple of his buddies—maybe they're not really his buddies—to sell it to people with money and sell it away for a couple of bucks, to be flipped over for millions. That's what you're doing. Say that. Admit it.

Mr Wettlaufer, I want to hear you speak after this, just to see what insights you have into this matter. I support this motion because it will give us some transparency and some accountability, something we do not have.

**Mr Joseph N. Tascona (Barrie-Simcoe-Bradford):** I'm certainly pleased to be here to speak on this bill brought by the member for Hamilton East. I want to go back in time in terms of where we were. The Ontario Realty Corp was first formed under the NDP government of the day. Land under the Ontario Realty Corp's jurisdiction did not require approval by the board or the government. Ontario Realty Corp employees had full authority to approve the sales. So the NDP, with their management ability—which may be an oxymoron, management ability—obviously set up a system which was designed for the bureaucrats to have no control over them.

In 1998, the Chair of Management Board changed that. The title of all government properties under the jurisdiction of the Ontario Realty Corp was transferred to the Management Board of Cabinet and now required government approval. These are the requirements for all sales. Let's be clear about this in terms of the public control, which is the issue here—not because the opposition members think they understand what real estate is and what is a good deal. That's all we're talking about.

**Mr Agostino:** We're not developers, like you.

**Mr Tascona:** You're certainly right, member. The member for Hamilton East is not a developer. You're just a political stunt artist bringing forth a silly bill because you want a little attention.

**The Acting Speaker:** The member for Hamilton East is not in his chair.

**Mr Tascona:** Here's the process, because I don't think my friend understands it. These are the requirements for all sales:

Appraisal by an external professional. These professional appraisers must abide by professional standards;

A phase one environment assessment report by a qualified consultant;

Proposals from three pre-qualified brokers for their services when property value exceeds \$100,000;



A detailed marketing plan;

Open listing of properties through all available means: multiple listing services, newspaper, Internet, or through open tender; and

A complete copy of the new guidelines and procedures for the Ontario Realty Corp can be found on the ORC website, [www.ORB.on.ca](http://www.ORB.on.ca). If we want transparent procedures, if we want public control, they're already in place.

Where we differ with respect to this in terms of why I can't support this bill—I'd just like to ask the member if he's taken any time to consult with the real estate industry or even with the Ontario Realty Corp. Certainly this smells to me of red tape and a boondoggle for lawyers. He's turning the corporation into a legal watchdog.

I'd also like to ask the member if he believes that the taxpayers should remain the largest landowners in the province. This government made a commitment to ensure that taxpayers get the best value for their money. Owning golf courses does not provide value for taxpayers. We recognize this and that's why we made the commitment in the Blueprint to sell things we don't need. The government owns and manages approximately 8,000 occupied or vacant buildings, about 50 million square feet. To put this in perspective, our holdings equal 24 Scotiabank towers, 72 floors each, or a few city blocks. We own and manage more than the combined real estate holdings of Brookfield Lepage and Royal Bank. We can concentrate better on the delivery of programs without tying up our valuable resources in the maintenance, operation and property taxes for all this real estate. Currently the government spends \$350 million a year on the operation and maintenance of government buildings. This doesn't even take into account the upcoming cost of renovating our older buildings. This is money that could be redirected to priority services.

The proposed bill would severely limit the government's ability to compete in the real estate industry. The Ontario Realty Corp has been working to put in place safeguards that will ensure taxpayers' interests are protected.

In this bill there's a statement with respect to a provision in terms of giving disclosure to the public. I'll just read it for a moment: "Within 10 days after awarding a contract of a value over \$10,000 the corporation shall make available to the public on a Web site or by such other means as may be prescribed, details of a successful bid for the contract and details of all unsuccessful bids."

Disclosure with no rights for citizens. What is he trying to accomplish? He accomplishes nothing. This is pure puffery. This is a poorly thought out bill. This is a public stunt because this member has no understanding of what he's talking about. He doesn't even understand the industry. Quite frankly, I think he's a proponent of the government being a big real estate player. I think that's what he's really about.

**Mrs Sandra Pupatello (Windsor West):** I'm very pleased to speak to this bill, in support of Bill 56 that our

member from Hamilton East is forwarding. I want to speak it in the context of the people in my riding who live on Oak Avenue, Marentette Street, Elsmere Avenue, people at home who might be watching or might be hearing and reading about it in the paper who say, "What is all the fuss with the Ontario Realty Corp?"

The understanding is that we, as taxpayers, and all the residents in Windsor West own property through the Ontario government. This government is set on its way to sell off property so that they can try to balance their books by getting rid of property they deem we no longer need. That may sound, on face value, as not a bad idea.

When we start to hear the stories back from people—in fairness, it's people who didn't get the deal who started launching lawsuits against the Ontario Realty Corp to a tune that the Ontario Realty Corp had never seen before. Suddenly the light was shining brightly on the Ontario Realty Corp and an awful lot of scurrying was going on.

We are left with a few questions. One of them is, where did this new CEO come from, all of a sudden, from a fairly low-level bureaucratic position out of Canada Lands to suddenly head up, as our member opposite mentioned, likely the largest real estate company in the nation, controlling Ontario land? Who is this individual, when did he come, and how was he suddenly to take over the CEOship of Ontario Realty Corp? What happened to the other guy, Mr Bell? How was it that he was suddenly shoved out the door, with this relative unknown coming in to take over the organization? It makes us question what the mandate of the organization was. What kind of a hand did the inner cabinet, or "centre" as it's called in most places in Ontario today, want to have on the land deals that were flying out the door of the Ontario government?

These members opposite today tend to claim that they're trying to do what's in the best interests of the taxpayers. If we on Marentette Avenue had our property being sold one day for \$1 million and resold several days later for double that, we would feel like we had been ripped off, and we'd be right. Unfortunately, the rules of the Ontario Realty Corp say there's nothing illegal about that kind of land flip. There's nothing illegal about getting snookered on a deal. One day the sale for \$1 million, several days later—it's not as though it was years with redevelopment or rezoning or applications for zoning or anything to increase the value of that same property—flipped for double its value.

When you live in Windsor West, you would say that money properly belongs in the coffers of the Ontario government so they could, in turn, fund our hospitals in Windsor West. The people in my riding who still as of today do not have adequate hospital services might have used that money far more wisely if in fact that money truly came to the Ontario government.

**1050**

Some one individual out there made a heck of a deal, and they did it under this government's watch. This is the gang who say they're doing it in the best interests of the

taxpayers, who got snookered on a deal. Unfortunately, it was not an illegal deal. Hence the need for a private member's bill today, one that ought to be passed by this House, that says: "You ought to have proper appraisal of value. You ought to have more than one appraisal." The insurance industry often requests more than one appraisal when you get a fender-bender on your car. Why would it be unrealistic to request more than one appraisal for land that's valued at millions of dollars? That is not an unreasonable request.

We find it interesting that there would be a whole slew of lobbyists attached to the Ontario Realty Corp if truly the government's intent is to just sell land, get money in the door and get the best for the taxpayer. If it's all about the money, then when people are bidding on property, it's got nothing to do with who is lobbying whom. But in this case with the Ontario Realty Corp, we have a slew of 26 lobbyists registered to lobby the Ontario Realty Corp, most of whom have some kind of Tory connection.

Gordon Walker is a well-known bagman for the Ontario Tories. Hugh MacKenzie: another well-known Tory. Bill King: not that long ago, communications director for Premier Mike Harris. Steven Pengelly—I knew the name was familiar—was the executive assistant to Ernie Eves. John Matheson: another individual who's now out of the office but was from the Premier Mike Harris office. Why are these people listed to lobby an organization whose sole purpose is to find best value for land when they're selling it? We can expect that the usual slew of suits that sit along the side during question period will eventually become lobbyists to this organization to try to get deals, but not for the interests of the taxpayer.

That's the point of the bill. It's very difficult for you to go back to your constituents and explain that you gave away land in a fire sale. You did not do right by the taxpayers. That funding could much better have come into the coffers of the Ontario government and been better spent in their local hospital.

The members in this House in particular know that their hospitals could well have used that even to pump up their emergency wards. I go back to my home town and I say, "What could we have done with \$2 million?" We could have put it in our hospitals—like the other 50% of Ontario hospitals that are in deficit, and a deficit that's growing—because we can't get adequate health care. Our people are trying now to access American cancer treatment because we don't have appropriate levels of cancer treatment at home in a timely fashion.

But the minister, Chair of Management Board, had the gall last fall to stand in the House and tell us there were no problems with the Ontario Realty Corp. That's what he said. Suddenly today we have the script that all the members of the opposite side have to read from to tell us of all the activity to clean up the act of the Ontario Realty Corp. Unfortunately, this government now has a history. The only time they scramble to come up with an answer is after the light is shining brightly on the Ontario Realty Corp.

**Mr Wettlaufer:** First off, I have to apologize to the members of the opposition. I don't have a script.

The member for Windsor West talked about this lobbyist registration and the names on that and how they're PC buddies. Well, who is Herb Metcalfe? Do you remember him? Seems to me he's a Liberal. And who opened up the lobbyist registration? Wasn't it our government that wanted to make it transparent? What did you people do? You hid it.

This is very interesting. To all the members of the public who are watching this, I want to point out that if I was a Liberal, I would want to bring this bill forward myself. Why? The members from my riding say, "It's quite obvious that the Liberals are trying to deflect from their own lack of leadership in those many areas."

Let's look at health care. We have petitioned the federal government to put more money into the province of Ontario, to put back the 50-50 arrangement, but no, you people voted against it. The people in my riding quite recognize this.

The member for Scarborough-Agincourt, the master of scaremongering, the mother of scaremongerers, wants to talk all the time about how this problem is going to grow, just like he talked two and three and four years ago about the fact that our government wouldn't create new jobs. Well, son of a gun, just recently the figures came out that we have created an environment in which there is a net increase, since we were elected in 1995, of 701,000 new jobs. Well, well, well. That's all you people do, is scare-monger.

This bill is awful. I don't even think the member who introduced it, the member for Hamilton East, bothered to read the policies which are in effect at present in the ORC. What are these new policies? Look at this. We have in place now a resale profit recovery clause. What is that? The agreement of purchase and sale may contain a clause providing for the purchaser to reimburse the government the difference if the purchaser sells the property for a higher price in a specific time frame.

How does that compare to the bill? Let's look at what the bill says. The bill says the buyer may not resell the property within one year for more than the person paid for it unless the Real Estate Council of Ontario determines that the increase in value resulted from substantial development of the real estate.

Now, there's only a little bit of difference here, the difference being we have to be specific on each individual item for sale. If we adopt your proposal in here, we may have a constitutional challenge. I don't think the member for Hamilton East recognizes that.

What else has happened? He's suggesting two appraisals. There were two appraisals in the sale of 145 Eastern. That's a deal that you say is a bad deal. If it's a bad deal, then how come? We have appraisers in this province, we have an appraisal institute, and they are bound by their professional standards. It's not even necessary to have two appraisals. One appraisal is fine.

This is an advent of red tape, and I cannot accept it; I cannot support it. If I was a Liberal, yes, I'd support it too, but I'm not a Liberal.

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

**Mr Agostino:** I thank my colleagues who have joined in the debate.

I'm astonished—I shouldn't be surprised, though. The members from the government side of the House who spoke had their script, had their marching orders from the minister's office, and carried those marching orders and script well, and you'll carry the vote, on the orders you've been given by the Premier, as well on this today.

What is disappointing in all of this is that there was an opportunity here today for the government to sort of help clear some of the stench, the smell over the ORC. Frankly, a government that has had five years now to clean this up becomes the champion of reform after they get exposed. The minister knew nothing in November, knew nothing in December, knew nothing in January, February, March, then called a forensic audit only after some good journalistic work by the Globe and Mail that exposed the ORC. Then the forensic audit was called, only then, when they knew since November or December of the previous year that there were significant difficulties with deals that had been made. There was a cover-up, I believe, at the ORC. There was a cover-up by this government.

You and your government have an opportunity today to send out a clear signal to Ontarians. You're either interested in cleaning up the ORC or you're not. Frankly, responding and calling in police investigations after newspaper articles is not leadership. That's called following an article. Every single step you have taken has been following public exposure of what you have done. You have never taken the initiative on this at all.

Today I believe this government and government members who have spoken have continued the cover-up at the ORC. You can't hide on this. It's too open; it's too much out there right now; there's too much going on. You're going to be exposed on this.

Let me tell you very clearly, today I believe you had an opportunity to send out a clear message that you're interested in getting the best deal for taxpayers. It's obvious that what you're interested in is getting the best deal for your friends. It is a pattern of this government, and the relationship between this government, developers, lobbyists and their friends is going to come back to haunt you.

**The Acting Speaker:** The time for this ballot item has expired.

1100

#### CANADA HEALTH AND SOCIAL TRANSFER

**Mr Ted Arnott (Waterloo-Wellington):** I move that, in the opinion of this House, the government of Canada should take immediate action to fully restore the Canada health and social transfer to 1994-95 levels, and work to establish a fair funding approach which ensures that these cash transfers increase to keep pace with future cost pressures faced by provincial governments in their delivery of health services, post-secondary education, and social services.

**The Acting Speaker (Mr Michael A. Brown):** Mr Arnott moves private member's resolution number 16. The member has up to 10 minutes.

**Mr Arnott:** On behalf of my constituents in Waterloo-Wellington, I am very pleased to initiate debate on my private member's resolution, which is intended to reverse federal cuts to Ontario's health system and secure stable and predictable funding for the future, and ultimately restore fiscal federalism in this country.

I would like at the outset to thank Premier Harris for bringing forward a government motion based in part on the resolution we are now debating today, which we voted on, as you know, yesterday. I appreciate his very strong commitment to this issue and I welcomed his acknowledgement last Monday of the work that I have done on it.

To fully describe the need for this resolution at this point in time, I must outline the events that have brought us to this point, an urgent point in time, whereby we need a renewed commitment for the issue that is top of mind and of highest concern to the people of Ontario. For many months, our Minister of Health has repeatedly stressed that the federal government's share of health care funding, in terms of cash transfers, is down to 11 cents on the dollar. This in itself is a wake-up call in terms of how far federal funding has deteriorated from the 50-50 agreement that came into being when medicare was first established in Canada. A paltry 11% is one thing—a major thing in fact—but in the context of a \$100-billion budget surplus, which the federal government is expected to realize over the next five years and which they are politically committed to spend half of, there is a strong case for immediate action.

In November of last year, I raised this issue with my colleagues at a government caucus meeting. I made a statement to this House on December 1, 1999, calling upon the federal government to fully restore the CHST cash transfers they had cut. I then tabled this resolution in the Legislature on December 13, and brought the initiative up again during question period with our Minister of Finance, Ernie Eves, on December 20. Early in the new year, I sent letters to the federal finance minister, Paul Martin, outlining my resolution and asking that he make health care a priority for the next federal budget. At the same time, I also wrote to the member for Thunder Bay-Atikokan and the member for Beaches-East York in their capacities as health critics for their respective parties, requesting their support for my overall initiative and for this resolution.

The Premiers' conference, which was held in the first week of February, unanimously endorsed the points of this resolution. I expressed optimism at that time, as it appeared that the initiative was gaining sufficient momentum. Unfortunately, my optimism was totally misplaced. The federal budget, which was announced in the last week of February, offered a one-time \$2.5-billion payment for health care, and in my words, it was grossly insufficient. A \$100-billion projected surplus over five years at the federal level: It should have and could have

been a budget which renewed the equal partnership on health funding that was forged in the 1960s, but instead it became a lightning rod for the federal government's inadequate commitment to health care.

This brings us to this day. I want to thank the member for Bruce-Grey and the member for Thornhill for trading their ballot items with me so that my resolution could be debated in a timely manner. Their assistance demonstrates a commitment that we generally share throughout the government, that being that we not only support one another but we also invest our time and energy into endeavours that strengthen health care in this province.

I want to say a few words about our Minister of Health and Long-Term Care, this extraordinary minister whose dedication, competence and integrity never cease to amaze me. While embarking upon the most significant restructuring and revitalization of our health care system in a generation, she has provided superb political leadership and effective management towards the goal of improving our health services so that they meet the needs of every single Ontario resident. Working tirelessly and demonstrating always the perfect mix of a firm resolve to improve the system coupled with the compassion of someone who cares deeply about when the system doesn't respond the way it should, she has emerged as the most important Minister of Health in Canada, without a doubt, and a fine example of public service for all of us in this House.

I am pleased to report that because of her work our investments and reinvestments are providing more health services closer to home for people in Ontario. Since 1995, when we were first elected to government, we have added 29 more kidney dialysis centres across the province, and soon there will be 36 MRI machines operating in the province, three times the number we had when we were first elected five years ago.

Last year we expanded the number of breast cancer screening sites in Ontario to 48, an increase of 12 in just one year. The Healthy Babies, Healthy Children program, which I have helped to highlight, has expanded almost sevenfold, from an annual budget of about \$10 million a few years ago to nearly \$70 million this year, and an additional \$155 million has been invested in cancer care since 1995, to name but a few of the reinvestments of this government.

Ontario is clearly living up to its commitment on health care. We have not only made up the yearly shortfall of \$1.7 billion that the federal government has cut, but we have also increased our health budget by \$3 billion since we first took office. Major health stakeholders whom I've talked to agree that it's high time for the federal government to start living up to their side of the health care bargain.

Dr Ron Wexler, who is the president of the Ontario Medical Association, has written me and said, "The OMA fully supports your resolution." Referring to the federal government, he went on to say that "there is an immediate need to address the issue of long-term, sustainable funding, rather than small, one-time payments which will not meet the needs of Ontarians."

David MacKinnon, who is the president of the Ontario Hospital Association, has written me as well. He says "On behalf of the OHA, I offer our own full support to your resolution." He refers to this year's federal funding for health care as coming "nowhere near to addressing the severity of the funding pressures faced by Ontario's hospitals in the coming years." David MacKinnon listed future funding pressures, including a growing and aging population, new technologies and the effect of globalization on consumers' expectations.

I am very pleased to read from a letter by Doris Grinspun, the executive director of the Registered Nurses' Association of Ontario, who states that "RNAO fully supports this resolution with the condition that funds be utilized only to strengthen the health care system." That, of course, is the same goal as my resolution today.

Louise Leonard, who is the president of the community care access centre of Waterloo region, writes that the board is "fully supportive of your private member's resolution" and "wants to congratulate you on your action to reinstate appropriate funding levels for these vital sectors in our society."

I also heard from the community care access centre of Wellington-Dufferin, which serves another part of my riding so well. Ted Michalos, who is the chair, said: "It's imperative that all levels of government recognize the expanding need for health and social services and support this with appropriate funding. We fully support your resolution and hope the government of Ontario will influence the federal government to restore federal transfers and establish a process to ensure ongoing funding is responsive to the needs of the population."

Dennis Egan, who is the president of the Grand River Hospital in Kitchener, states: "I would like to express my strong support for your proposed resolution related to the Canada health and social transfer payments. The future of medicare as we know it is at stake." He also states: "The people have clearly spoken about their commitment to medicare. It is time for the federal government to respond. As a Canadian, I am very thankful that they currently have the ability to do so."

Carolyn Skimson, who is the executive director of the Groves Community Memorial Hospital in Fergus, writes that her hospital board "has passed a motion of strong support for this resolution."

Sandra Hanmer, executive director of the Victorian Order of Nurses serving Waterloo, Wellington and Dufferin, states that they are also "supportive" of my private member's resolution.

I want to thank all of these leaders, their volunteer boards and front-line workers for supporting my resolution. Their letters indicate a clear understanding of the pressures that the health care system will face down the road, as well as the challenges introduced by the \$10-billion federal funding gap in health care since 1995. They are supporting this resolution and the views expressed by provincial governments across the country because they know the federal government must renew

its commitment in a major way in order to ensure that governments will be able to protect health care in the future.

Demographic changes alone warrant urgent consideration. Consider the fact that 50% of Ontario's health budget today is needed to care for 12.6% of the population. This segment, of course, is our seniors, and their numbers will grow dramatically over the next decade or so as the baby boomer generation approaches this age. We must protect access to health care for our senior citizens.

I want to ask all members of the Legislative Assembly to express their support to help ensure that we will be able to protect Ontario's health care for the future and for all Ontarians. If this resolution receives unanimous support today, I believe we in this Legislature will speak loudly and clearly with one voice which the federal government must acknowledge and heed.

1110

**Mrs Lyn McLeod (Thunder Bay-Atikokan):** I am pleased to have any opportunity to speak on health care in this Legislature, and speak particularly to the very crucial issue of adequate funding for health care, which is something we all support.

The resolution before us might be described as a somewhat modest proposal when it comes to funding support for health care. It is certainly a resolution which is absent of the campaign-style attack, partisan rhetoric that was part of Mr Harris's resolution, which our party voted against yesterday. Because it is absent of that kind of partisan in-fighting attack, we will be happy to support a resolution that calls for adequate funding from the federal government, albeit I would like to see this resolution less one-sided. I will be urging Mr Arnott, at the conclusion of my remarks, to seek support from his own government for adequate levels of funding for health care and for addressing some of the very real, pressing health care issues in this province.

The first part of Mr Arnott's resolution addresses the fact that the Canada health and social transfers should be restored to their 1994-95 levels. I am fairly comfortable with this resolution. I want to recognize the fact, however, that there will be no agreement among parties as to what that means in terms of dollars. I have no need to engage in the ongoing debate about what the actual level of transfers is to the province of Ontario, but I recognize the fact that Mr Arnott's resolution was written and tabled with this Legislature prior to the federal budget having been tabled and that the federal Minister of Finance and the Prime Minister would certainly make the case that, as they see it, the federal transfers for the CHST, for health, for post-secondary education and for social services, have indeed been restored to the 1994-95 levels and in fact beyond that.

The difference is that the Harris government prefers not to recognize the fact that there are tax points which were given to the provinces in order to provide additional funding for health care, post-secondary education and social services. I think it's ironic that this government is

not prepared to recognize that, because it was Frank Miller, a former Premier of this province in a Conservative government, who urged the federal government to provide no cash transfers at all but to give the provinces the flexibility of providing funding for health, post-secondary education and social services exclusively through tax point transfers so that there would be no federal government ties on any of the health care funding. I'm very pleased that the federal government of the day said, "No, we want to maintain some cash transfers to the provinces."

I am concerned when any government cuts health care funding, so I am pleased that the federal government currently is starting to restore the full cash portion of the federal transfers. I regretted the fact when I was in government that it was the Brian Mulroney government, with Michael Wilson as finance minister, that decided to de-index the cash portion of the transfers to the provinces. It was part of the original agreement to have an indexation built in that would ensure that the cash portion continued to increase. With that de-indexation, it was a virtual guarantee that the tax points were going to be more and more a proportion of the funding transfer to the provinces.

Be that as it may, and be it as it may that there will be no agreement on exactly what that means in terms of dollars, I'm comfortable in supporting the resolution because I want to urge both levels of government to increase their funding for health care. That's why I have no hesitation in supporting the second part of the resolution, which I believe is extremely reasonable, that "cash transfers increase to keep pace with future cost pressures faced by provincial governments."

What I would urge, however, is that the Harris government, in presenting this resolution, in supporting this resolution, take equal concern for its willingness to put money into health, post-secondary education and social services, over and above their priority of tax cuts. This is a government that has set the Canadian rule book in terms of giving priority to tax cuts over important programs in health, post-secondary education and social services.

I only have a few moments left because my colleagues are also anxious to debate this issue, but I wish I could set aside my health critic's hat for a few minutes and talk about the cuts the government has made to post-secondary education and social services, all in the name of a tax cut. Mr Arnott's issue speaks not solely to health but to post-secondary education and social services, and I wish we had more time in this House to debate the importance of putting funding support into all of those areas.

When it comes to health care, I would lastly just like to conclude by my absolute insistence, if there is to be an increase in transfer payments from the federal government to the provincial government, particularly to this Harris government, that it come with a very clear understanding, signed in writing, that it will go to additional new programs in health care. We have seen that the

Harris government is prepared to take the transfers that are coming from the federal government now and use those dollars to pay for health care programs that are currently being funded provincially so that the province can take the dollars and put them into new tax cut programs. I don't have time to go over all the details, but I would be most happy to share with the members opposite the details of the dollars their government is not spending from the federal transfers last year, so that they can urge their government to put all the federal dollars directly into new health care programs, with additional funding from their government as well.

**Mr Tony Martin (Sault Ste Marie):** I want to say right off the front that I appreciate the member from Waterloo-Wellington bringing this piece of business forward this morning. I think it's a very important piece of business, it's very timely, and certainly the way he has put his resolution together speaks to some things that are of an essential nature if we're going to continue to provide in this country, and particularly in this province, the kinds of services we obviously can afford. We're a very rich jurisdiction, particularly when you compare Ontario to almost any other jurisdiction, whether it be in Canada, North America or around the world. We can afford the kinds of services we were building up in this country and in this province over a long period of time, until about 1995, when a change occurred, the wind turned and things began to happen.

This member is, in my view, one of the finest members of this House, a member of the government who from time to time has had the intestinal fortitude to stand up and speak his own mind and challenge or even oppose some of the programs and direction of the government in which he serves. He does that in a very intelligent and legitimate and sincere way. He is a good politician. He speaks for his constituents and he speaks the truth as he sees it. He's not one of these folks who has drunk the Kool-Aid, so to speak, who needs to take perhaps a little drug test from time to time to see if it has cleared his system in this place. We know that when Ted stands on an issue, even though I often disagree re his position because he essentially is a Progressive Conservative and I'm a New Democrat, he comes to it sincerely. He presents this resolution here this morning in a very sincere and I think legitimate fashion.

However, having said that, I want to very briefly put on the record that it would make a whole lot more sense if he were attached to a government that showed by their actions and the things they've done over the last five or six years that they actually believe in community programs and social programs and education, and health care that is fully funded and accessible to all who call Ontario home. The fear of the federal government, if I might enter into that water for just a second, is that if they turn over the kind of money that is necessary and that they should be turning over to the province of Ontario by way of transfers, which they have cut over the last five to 10 years to the province, this government will give it away, because that's what they have done. Since they were

elected, they have chosen as their first priority, front and centre, to give tax breaks primarily to those in the province who need them the least. In doing that, they have taken money out of the public purse that could have been spent on social programs, education and health care. If they had taken the tack of paying down the deficit and paying down the debt, everybody would be fine with that, but they didn't. They went out and borrowed money to give tax breaks to the rich and the well-off at the expense of health care, social services and education.

*Interjections.*

**The Acting Speaker:** Order.

1120

**Mr Martin:** Obviously, some members across the way are offended by this kind of telling the truth, but it has to be said. If this government had, from the outset, looked at what they identified as the problem, which from their perspective was the deficit and the debt, and actually spent their time and money addressing that, and then, after they had done that, without tearing the heart out of the social, health and education programs, which they did and blamed it on the federal government, if they had not instead given the money away by way of a tax break to their wealthy friends and benefactors, we might have the money in the Ontario coffers to actually continue to support those programs in the way we expected they would and in a way that would best serve the constituents of Ontario. I have to say to the member this morning that the federal government might be more open to the plea he his making to them, which I will support here in this Legislature. They might be more open to responding to it in a positive way if they didn't think, because of your track record, that you are just going to give that money away.

**Mr David Tilson (Dufferin-Peel-Wellington-Grey):** I'd like to congratulate the member for Waterloo-Wellington for bringing forward this resolution. We have just spent a considerable amount of time in the House debating the same topic, but I hope we on all sides of this House are concerned with the increasing cost of health care in this province and with determining where we're going to find the resources to pay for it. We're concerned about our population getting older and the health problems related to that. We're concerned about the overcrowding of emergency rooms. We're concerned about cancer patients having long waits for treatment. We're concerned about certain of our residents having to go to the United States to get treatment. We're concerned about all kinds of things in our health care system. One of the reasons that is taking place is we don't have any more money.

**Mr Rosario Marchese (Trinity-Spadina):** How come? What's the reason?

**Mr Tilson:** We don't have any more money because the federal Liberals haven't agreed to their original undertaking 40 years ago to pay 50-50 on the cost of health care.

I always enjoy listening to the comments of the member for Trinity-Spadina. I never agree with one word he

says, but I enjoy them. He, of course, commented that we refer to scripts over here. My script is a newspaper. The script I would like to refer to this morning is an editorial from a newspaper in my riding known as the Enterprise. It's a wonderful Caledon biweekly newspaper.

**Mr Marchese:** It has to be if you're reading from it.

**Mr Tilson:** Absolutely. The editorial headlines: "Liberals should listen to Canadians about health. Health care should be the reigning Liberals' Achilles' heel."

This was last week; I think it was April 5.

"Health Minister Allan Rock came to a provincial health ministers' meeting last week in Markham with empty pockets and continued assertions that there's no money to put on the health care negotiation table.

"Despite the Markham meeting's failure to come up with concrete ideas for rescuing our national health system, Prime Minister Jean Chrétien is refusing to call a premiers' meeting to deal with health. He says he wants to wait for a planned report on reforms to provincial health care systems in June, and meet in the fall.

"But Ontarians, like residents of other provinces, have watched health care reforms unfold in recent years that have been so drastic they've turned hospitals and related health services upside down and inside out.

"While Liberals hope Canadians accept their oft-repeated credo that money won't solve the health care system's woes, the opposite is also true: Without money, the health care system will self-destruct."

Finally, it says: "Money may not fix all the health care woes, but it would sustain the system while health professionals and credible politicians—of whatever stripe—work to fix it."

That's the concern of the people of Caledon, at least. It's an unbiased statement. Everyone is concerned about where we're going with health care. It is interesting that at least one member of the Liberal caucus has indicated she is going to support this resolution, which I'm glad to hear. I couldn't understand for the life of me why the Liberals opposed it yesterday, when we voted on a similar resolution. I believe she said it was too partisan.

**Mr James J. Bradley (St Catharines):** That was partisan. This one is not.

**Mr Tilson:** They can take whatever spin they want and make whatever flip they want. Quite frankly, they seem to say there shouldn't be any finger pointing in trying to deal with health care. I hear the words "finger pointing," which seems to be the latest spin coming out of the Liberal caucus. "Don't finger point. Don't say it's anybody's problem."

We're saying there's no more money. You've got the money, the most you gave. You know what the Liberals did? You know what Mr Martin did? He gave one-shot funding in the last budget of, I think it was, \$2.5 billion. That's all, and that's for the entire country. Big deal.

The other point the Liberals say, of course, is, "Oh, well, we haven't spent the transfers we've already got." I think they mentioned \$700 million or \$900 million; I don't know what the figure was. They forget that those transfer monies that were given were spread over three

years. The supplemental was meant to increase provincial funding on health care over the fiscal years 1999-2000, 2000-01, 2001-02. That's what the money's worth. These people want us to spend it all in one year. How irresponsible.

I'm glad the Liberals have changed their mind. Mr Rock—I have no idea where he's coming from. Mr Rock simply says, "We must restructure more." Well, what have we been doing for the last number of years? I'm glad it sounds like this resolution is going to be unanimous and I look forward to receiving that vote.

**Mr Gerry Phillips (Scarborough-Agincourt):** I'm pleased to join the debate on the motion from member from Wellington-Waterloo, just to say that I think the public who watch us in action must often shake their heads at where we are spending our time and not dealing with, in my opinion, the real issue, which is the quality of health care. It is who has the best public relations exercise. I'll give us and the public a couple of examples.

I remember very well, before the 1995 election, what Mike Harris said about the Martin budget. He said, in the wake of that budget, "...the spending cut component, which we publicly endorsed." Mike Harris, before the 1995 election, told the federal government, "We love the cuts; we love them." As a matter of fact, if you go back and check the Hansard, Harris said, "Well, it isn't quite deep enough, but we publicly endorse it." So out of that one side of his mouth, before the 1995 election, he was publicly endorsing it. We on the Liberal side, I might add—you can go back and check the Hansard—had concerns about that. But no, Mike Harris, to get elected, said, "We publicly endorse those cuts." Of course, now Mike sees that the winds have changed and he's changed his tune. He's now arguing the opposite.

The second point I'd make is that Mike Harris and Frank Miller went to the federal government and said to them: "Don't give us any cash. We don't want cash. We want nothing but tax points." Of course, this is what makes the public so cynical, that Mike Harris and Frank Miller went and begged the federal government, "Don't give us cash." Actually, here's what Miller said, "The provinces, led by Ontario and Quebec, simply wanted tax room, but the federal government insisted on a cash component." So out of that side of Mike Harris's mouth then, he was saying "Give us no cash, because we're a tax-rich province. Just give us tax points." And of course the federal government of the day fell for that, bought that line, and said: "OK, we will have a blend. We will cut the federal taxes and we'll transfer to them." Of course now, as the wind is blowing, the tune changes, and Mike Harris says, "Well, I know back then I said I only wanted tax points, but now I see a public relations exercise here where I can say, 'No, no, we don't count those tax points. We only count cash.'"

So the public has a right to be cynical, terribly cynical. Mike Harris, before the 1995 election, said: "Paul Martin, thank you. We appreciate those cuts. We publicly endorse them." Now, five years later, when it's not politically popular to say that, he changes his tune com-

pletely. Back when he was trying to beg the federal government, "Don't give us any cash, give us nothing but tax points"—because Ontario is very tax-rich; that would give us more and give less to the less tax-rich provinces—he said, "Give us no cash." Now, when the federal government went along with that and had a blend of them, Mike says: "We don't count the tax points. That's all nonsense." That's talking out of both sides of our mouth. So as cancer becomes a growing problem, as our hospitals have huge deficits, where do we spend our time? We spend our time trying to blame somebody else.

**1130**

So we will support this motion, but I will do it recognizing that Mike Harris said one thing before the 1995 election—he said, "We publicly endorse these cuts"—and now he has changed his tune completely. He told the federal government, "We want no cash. Please, no cash, just tax points," and now he says, "We don't even count that." So you wonder why the public views us with such cynicism. It is because of the taxpayers' money being spent misleading people on television, instead of dealing with the real health issues.

**Mr Marchese:** I want to say that I'm going to support this resolution, of course, because the member for Waterloo-Wellington is a good guy. But in addition to that, it makes sense as a resolution, and I'll tell you why. I'm also going to tell the public that is hopefully watching that I'm going to be attacking both the federal Liberal government and the provincial Conservative government, and I'll give some reasons.

First of all, I want to say to you, not to the member for Waterloo-Wellington but to the public, that the reason why both governments, provincial and federal, are throwing bombs at each other is because they're both guilty. Each is trying, of course, to defend its innocence, but they are both guilty of the problem and neither one can simply sit back and say, "It's me," or, "It's not me." They have to say, "It's the other guy."

What is happening is that with an economy that is working so well both provincially and federally, both Liberals and Conservatives argue, neither of them seems to find sufficient money for health. So I ask the members opposite, where is this money going? If you tell us this has been the best economy ever because of you, and the Liberals tell us it's the best economy because of them, where is this money going? That is the question the public is asking. David, they need to know. In your comments you can speak to it, at the federal level.

We have seen so many surplus dollars. Why? And at what cost? I would remind the public that 40% of deficit reduction at the federal level was due to the cuts they made in unemployment insurance. They hurt victims of unemployment. When the economy was not working and they were unemployed, who did the federal Liberal government hurt? The unemployed, by restricting eligibility, by restricting who qualifies, by making it take longer for them to qualify. They've shut out so many people.

At the housing level, they were the ones who in 1990 said, in opposition, "We need a national housing program." In government in 1993, it was abandoned. They

have devolved their social responsibility to housing to you folks, and you've devolved it to the municipalities.

Poverty is an issue that the federal Liberal government speaks about all the time. In 1989, Mr Broadbent, our leader of the New Democrats at the time, moved a motion, a commitment to get rid of poverty by the year 2000. It is still in the books. Poverty is greater than ever before. We haven't made a dent under the Tories, then Mulroney, and M. Chrétien, who says: "We have a heart. Harris doesn't, but we do."

A national child care program. Where is it? They promised it. It's not there. A pharmacare program. Where is it? It's not there. They made a commitment to tax cuts and Harris loved it. That was in the last budget. Alexa McDonough of the New Democrats was the only one who said, "We are not spending enough on health care." Then it got onto the national agenda and M. Harris said: "Sounds like a good idea. We got our tax cut. Now better jump on the bandwagon for health care. Makes sense to me." Smart guy, M. Michael H. Harris. He said: "I'm going to throw a few bones on the other side to keep them busy scurrying about. We'll get the money we need."

You remember when Mr Stockwell on the other side was in opposition. David, you were here. Mr Stockwell used to say to Bob Rae: "You don't have a revenue problem; you have a spending problem."

*Interjections.*

**Mr Marchese:** Please, please. Marchese wants to tell you, you don't have a revenue problem; you've got a spending problem. Where is your revenue going? It's going somewhere because I ain't seeing it and half of the population ain't seeing it. That was Stockwell at the time. It's being sucked away by the tax scheme giving the rich people back their money—the taxpayers' money. You don't have a revenue problem; you've got a spending problem, and the spending problem is the tax cut. That's your problemo and you don't know how to deal with it.

I don't support tax cuts. I don't support them in Saskatchewan; I don't support them in Manitoba; I don't support them in British Columbia. I think they're wrong, because when you introduce tax cuts you've got to introduce user fees for everything to get your money back. I think that's fundamentally wrong. But there's a corporate culture in this country where in the 1990s they wanted inflation to be zero; later they wanted deficits to be tamed. They got that and now they want tax cuts. These are the corporate moguls, the ones who've got the money to be able to sell their ideas through the newspapers they own. It's their agenda, and even New Democrats in Saskatchewan are buying into it. It's a shame. But they're buying into it because the culture is so pervasive that everybody wants it. They're not seeing a wage increase so they want a tax cut, because their wages have been frozen for 10 years.

I want to read you some quotations that I'm sure you will remember, Speaker, because you were here at the time. This is what M. Michael H. Harris used to say at the time. This was during the time when Bob Rae was decrying the unilateral changes by Ottawa to Canada's



social programs, which we argued were not compatible with a co-operative federalism. This is what you people used to say. You young ones who weren't here don't know, but Michael D. H. Harris remembers. He used to say this:

"If the Premier," meaning Bob Rae "spent as much time working towards making Ontario great again as he spends at pointing fingers and running down other levels of government, then Ontario would be great again and we would not be having this debate today."

"I'm so doggone mad," Harris said, "that all we're doing in this Legislature is pointing fingers, blaming others, instead of starting to put commonsense solutions to work to restore the hope and the dreams and the aspirations of all Ontarians."

He said, "So it actually is a disgrace when the Premier of the province of Ontario spends his time whining, pointing fingers, blaming others."

"It is commonplace for provincial governments to try to blame the federal government," M. Michael D. H. Harris used to say.

Harris again: "That somehow or other Mr Mulroney or Mr Wilson has brought this policy in to try and control the economic situation to destroy the country, I take great exception to."

Here is Michael Harris again: "The government now of Ontario is reduced to whining and squabbling with other levels of government."

"So we can continue to complain that other levels of government are not pulling their weight. We can blame local levels of government," and he goes on and on.

My good buddy Mr Stockwell said: "I think it's almost shameful that we in this province have been reduced to debating resolutions put forward by the Premier that speak to nothing more than the federal government and asking, begging, whining about the transfer payments."

Mr Stockwell again: "You can have three levels of government, but there is one taxpayer. Whether they take it from the right pocket, the left pocket or the hip pocket, it matters not, because all of them are taking and the taxpayers are fed up."

**1140**

I've got a few other quotes I'll have to introduce at another time, but I want to tell you, here are your cuts that have been given by a non-profit organization created by the country's health ministers. They annually release a report showing how much Canadians and the government spend on health care. This is the Canadian Institute for Health Information:

"Ontario spent \$93 per person less on health care in 1998 than in 1995, according to the February 1999 study. Measured in constant dollars, the Harris government cut \$1.97 billion in real health spending."

The CIHI data shows the Tories cut \$266 million in 1996, \$628 million in 1997 and \$1.1 billion in 1998. Stop throwing the bombs. You people are the ones who are cutting in health. You have the money, unlike ever before. Spend it wisely and stop blaming the other level of government, particularly when the economy is good.

You've got to think about what you're doing. The public is on to you.

**Mrs Tina R. Molinari (Thornhill):** It's a pleasure to speak on this resolution today. I must comment, though, that the member for Trinity-Spadina is a hard act to follow. Although I don't agree with a lot of what he says, he certainly is very entertaining. And I want to correct the member for Trinity-Spadina; it's Premier Michael H. Harris. That's important to point out.

I want to begin by congratulating the member for Waterloo-Wellington for presenting this resolution here today. I want to congratulate him also on being able to get the support of everyone in the House for this resolution. Clearly it's a resolution that everyone believes can be supported.

I spoke on the similar resolution that the Premier put forward, and at that time I talked about a federal member, the MP from Vaughan-King-Aurora, Maurizio Bevilacqua, and what he was doing to promote the 2000 budget. I also talked about the MP from Thornhill, Elinor Caplan, and what she was doing. With this resolution, I'm going to stay away from the partisan part of it and I'm just going to talk about the benefits of this resolution, being sensitive and clear to every member in the House who is in support of this.

I was pleased to hear—

*Interjections.*

**The Acting Speaker:** Order. I am having difficulty hearing the member from Thornhill, and she's obviously having trouble hearing me. If we have private conversations, would we take them outside. I would like to be able to hear the member from Thornhill.

**Mrs Molinari:** This issue is a national issue and all the provinces in the country have indicated that there has been a definite cut to social transfer payments.

I want to focus on some of the comments made by the member for Thunder Bay-Atikokan where she's looking for insurance that the money will be spent on health care. There are a number of areas that the federal government is a partner in. Health care is definitely one of them, but post-secondary education is definitely another one that they should be part of.

I'm going to read the resolution because it hasn't been read for a few minutes.

"That, in the opinion of this House, the government of Canada should take immediate action to fully restore the Canada health and social transfer to 1994-95 levels, and work to establish a fair funding approach which ensures that these cash transfers increase to keep pace with future cost pressures faced by provincial governments in their delivery of health services, post-secondary education and social services."

These are three important areas that the federal government has to take some responsibility for. All of the provinces have indicated that we are to be partners in all of these areas: "a fair funding approach which ensures that these cash transfers increase to keep pace." Fairness is all we're asking for. Fairness is what all the provinces are asking for.

I want to focus on the fact that \$4.2 billion has been cut. All the rhetoric that we're hearing with the advertising doesn't clearly state the fact that it is \$4.2 billion that has been cut from the social transfer payments.

It's important that we recognize that all the members of the House are in support of this. All the provinces are in support of getting those transfer payments back. I appreciate the opportunity to support this bill, and I was pleased to be able to participate with the member, to allow him to present the resolution at this point in time, because it's very timely that it be presented now. I'm pleased to hear that it seems we'll get unanimous support in the House.

**Mr Ernie Parsons (Prince Edward-Hastings):** On a point of order, Mr Speaker: I would like to welcome the students from Sir James Whitney in my wonderful riding of Prince Edward-Hastings.

**The Acting Speaker:** As you know, that is not a point of order, but we welcome them also.

**Mr Bradley:** My good friend Ted Arnott, whose family—his three young children and his wife—was in the gallery just a little while ago, is a person I support on many things, because I remember he was one of the people who was opposed to the tax cuts. I won't ask him to deny it or anything. It's always a bit touchy for members on the government side. But Ted was a person who, when they were putting together the Common Sense Revolution, said, "Look, wait till we balance the budget, then you can have tax cuts."

He's always had a bit of an independent point of view, so when he brings forward a resolution, yes, it suits the purposes of the government, but I think he genuinely believes in this, and what a difference between this resolution, which I consider to be a multi-partisan one that anybody could support, and the nasty piece of work that Guy Giorno prepared for the House yesterday, which was all orchestrated. I think Ted genuinely believes in this. That's why I think this resolution is significantly superior to the one that was presented previously.

I want to say as well that if I were the federal government of many years ago, I would never have given the so-called tax points to the provinces, because what actually happened was, that gave flexibility to the provinces to take the money that was supposedly for post-secondary education, for health and for, I think, some other social programs and squirrel it away in tax cuts or other areas of expenditure. If I were the federal government, no matter which political stripe, I would have designated the money specifically for those areas and not allowed provincial governments to spend it elsewhere or to give it away in tax cuts.

If you look at the first term of this government, what they've done is, they've taken the federal transfer payments, and instead of applying them to the areas for which they were designated, like health care and post-secondary education, they gave it away in tax cuts which benefit the wealthiest people in the province the most.

Mike Harris now has a choice. I heard yesterday on the news that he said, "The next budget is going to have tax cuts in it." I explained to this House in a debate

earlier that I had a perfect plan for the government. Number one, you want to be able to blame the federal government for something, so my plan for you—and there are a few other members perhaps who weren't here the other day—is a good plan. I say forget about more tax cuts that you were going to put in this budget and tell everybody in the world that the reason you can't give the tax cuts is because the federal government won't give you the kind of money you want for health care. You get to bash the feds and you can blame them for no tax cuts.

But it looks like you want the tax cuts. The priority of Mike Harris is tax cuts, not health care, because he has a choice. If I were one of the reporters at that meeting of provincial health ministers, I would have asked each of the health ministers, "Sir"—or ma'am—"is your province having tax cuts in this year's budget?" If they were, of course it weakens their arguments. Mr Tascona is the chief attacker of the federal government on the other side. The Reform Party must just love him up in the Barrie area because he blames the federal government for everything. I know he won't take my time up.

**Mr Joseph N. Tascona (Barrie-Simcoe-Bradford):** Mr Speaker, on a point of order: My friend on the opposite side, as a point of privilege, shouldn't get personal. He shouldn't be naming the member.

**The Acting Speaker:** That's not a point of order.

**Mr Bradley:** Thank you for taking my time up.

I remember, as the NDP does, and Rosario Marchese, the member for Fort York—it's got a new name now; it used to be Fort York—really put forward all of the arguments Mike Harris used to make. I remember him in the House saying to Bob Rae not to whine. I remember my friend Gary Carr saying that; he gave an impassioned speech one day. I remember my friend Mr Stockwell doing the same thing. All of these people were eloquent in telling them, "Don't blame somebody else." Now we have taxpayers picking up a bill for anywhere from \$3 million to \$6 million for government advertising, paid for by tax dollars. Boy, could that money be used much better on health care than it could on self-serving ads.

I say you have an option. I'm for the Ted Arnott option which is, "Forget about the tax cuts and put the money into health care." I'm all for that and I expect to see that in this budget.

**1150**

**Mr David Young (Willowdale):** I rise to support this resolution. I do so in addition to a long list of other members who have spoken this morning, so I will make my remarks relatively brief. I want to say that the member for Waterloo-Wellington has distinguished himself yet again this day. He has in the past demonstrated that he is one of the most hard-working, decent and sincere young members in this Legislature, and I thank him for bringing forward this resolution at this time.

I listened to the comments from the other side of the floor, and I listened intently. It seems as though there are a number of concerns the members opposite have and they relate primarily to tax cuts. I want to quote from an article that appeared in the Ottawa Citizen this week, April 11, 2000. This is an article that quotes a gentlemen

by the name of Robert Brown. I suspect the members opposite, particularly in the Liberal Party, will be familiar with Mr Brown because he is a tax specialist and in fact is a key adviser to the federal Department of Finance, according to this article, and I have no reason to doubt that is the case.

I'm not familiar with Mr Brown personally, but he seems to be a very insightful and intelligent individual. Mr Brown is quoted in this article as saying the following: "Tax reduction and social programs like health care 'aren't enemies of each other,' says Mr Robert Brown, a tax specialist and key adviser to the federal Department of Finance," in Ottawa. He says, "We can maintain reasonable social programs at the same time that we reduce taxes." So it's not a straight either/or, you do this or you do that. You can do both. Mr Brown gets it and the premiers of just about every other province in this country get it. Unfortunately, the members opposite do not.

Let's talk about the facts. Let's talk about what has occurred in this province over the last four and a half years, a period during which we have seen an unprecedented number of tax cuts, 99 in total. We have seen revenues increase, we have seen the provincial coffers fuller than they have ever been before, and we have seen considerably more spending on health care. The provincial government of Mike Harris has not only made up the billions of dollars that have been clawed back from the federal government, has not only made up the money that Mr Chrétien took back, but we have added to that and we're now spending billions more on health care.

Let's talk a little bit about how that money is being spent, because I know my friends opposite have some concerns in this regard, misguided as they may be. Let's talk about the fact that there are three new cardiac centres underway in this province. Let's talk about 25 dialysis centres throughout this province, so that people who require that service no longer have to travel the extensive distances they once did. Let's talk about the fact that we have 36 MRIs on stream in this province. In my riding of Willowdale alone, we have two new MRIs that are being placed in the North York General complex. Let's talk about the fact that we have added more than 1,000 new drugs to the list of drugs that are available under the plans of this province over the past four and a half years.

When the members opposite, and occasionally even the Liberal Party members in Ottawa, have a moment of clarity, they talk about the fact that the direction we must travel is towards community care and home care. We know that. That's part of our strategic plan. That's why we have spent 49% more since 1995 on home care.

We also have, as I'm sure the members opposite and yourself will be interested to know, a telehealth program that is now available to members' ridings in rural areas. We have a plan where we would like to see that extended further.

That's what we've done with the money. I took solace from the fact—I'm very pleased that Mr Arnott has come forward today and has taken the time to canvass members of the medical community and members of this province

who have some considerable relationship to health care. He has provided me with copies of the correspondence that has come back, that has emanated from these bodies. They all support his resolution, as do I.

**The Acting Speaker:** The member for Waterloo-Wellington has two minutes to conclude.

**Mr Arnott:** I first of all want to thank my Queen's Park staff, Andrew Juby and Sheila Wilson, who have helped me prepare for this resolution today. I'd be remiss if I didn't mention my constituency office staff, Mary Heffernan, Judy Brownrigg and Marnie Mainland, who helped me and do such a great job.

I want to thank those who have spoken to this resolution today: the members for Thunder Bay-Atikokan, Sault Ste Marie, Dufferin-Peel-Wellington-Grey, Scarborough-Agincourt, Trinity-Spadina, Thornhill, St Catharines and Willowdale. I appreciate all of your kind comments. I'm sure the ones from the opposition will appear in my campaign literature in three years' time, so just be forewarned. Thank you very much.

Responding to a couple of the points that were made, first of all, the member for Thunder Bay-Atikokan talked about the tax point argument that the federal government has made in response to our point. I think the tax point argument has perhaps some merit, but it's very limited merit. Nobody is arguing that tax points and cash transfers are the same thing. They're not the same thing, clearly. I don't think anybody says that the tax points, which were assigned last in 1977, have any real impact on federal funding today. The people of Ontario haven't been fooled by that response by the federal government. If there is any enhanced federal funding for health care, I agree completely that that money should be assigned to health services. A strong commitment by the government in that respect might help the federal government move in that direction.

The whole issue of tax cuts has come up again. The fact that this government has cut taxes, it has been suggested, has been a problem. But as we know, revenues have increased even as tax cuts have taken place.

Future funding from the provincial government: The provincial government is committed to future funding, a 20% increase over the next five years.

**The Acting Speaker:** The time for this ballot item has expired. We will now deal with ballot item number 15.

ONTARIO REALTY CORPORATION  
CLEAN UP ACT, 2000  
LOI DE 2000  
SUR L'ASSAINISSEMENT  
DE LA SOCIÉTÉ IMMOBILIÈRE  
DE L'ONTARIO

**The Acting Speaker (Mr Michael A. Brown):** Mr Agostino has moved second reading of Bill 56, An Act to amend the Capital Investment Plan Act, 1993 to ensure that the Ontario Realty Corporation awards contracts in a fair and public way / Projet de loi 56, Loi modifiant la Loi de 1993 sur le plan d'investissement pour veiller à ce

que la Société immobilière de l'Ontario accorde des contrats de façon équitable et transparente.

Shall the motion carry?

All those in favour will say "aye."

All those opposed will say "nay."

In my opinion, the nays have it.

We will deal with this after we deal with ballot item number 16.

#### CANADA HEALTH AND SOCIAL TRANSFER

**The Acting Speaker (Mr Michael A. Brown):** Mr Arnott has moved private member's resolution number 16.

Shall the motion carry? Carried.

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

*The division bells rang from 1200 to 1205.*

#### ONTARIO REALTY CORPORATION CLEAN UP ACT, 2000 LOI DE 2000 SUR L'ASSAINISSEMENT DE LA SOCIÉTÉ IMMOBILIÈRE DE L'ONTARIO

**The Acting Speaker (Mr Michael A. Brown):** All those in favour will stand and remain standing until the Clerk calls your name.

##### Ayes

Agostino, Dominic	Cordiano, Joseph	Martin, Tony
Bartolucci, Rick	Di Cocco, Caroline	McLeod, Lyn
Boyer, Claudette	Dombrowsky, Leona	Parsons, Ernie
Bradley, James J.	Duncan, Dwight	Patten, Richard
Bryant, Michael	Gerretsen, John	Peters, Steve
Caplan, David	Kormos, Peter	Phillips, Gerry
Christopherson, David	Kwinter, Monte	Pupatello, Sandra
Churley, Marilyn	Lalonde, Jean-Marc	Ramsay, David
Colle, Mike	Levac, David	Sergio, Mario
Conway, Sean G.	Marchese, Rosario	Smitherman, George

**The Acting Speaker:** All those opposed will stand and remain standing until their name is called.

##### Nays

Arnott, Ted	Guzzo, Garry J.	Ouellette, Jerry J.
Baird, John R.	Hastings, John	Palladini, Al
Barrett, Toby	Hodgson, Chris	Runciman, Robert W.
Chudleigh, Ted	Hudak, Tim	Sampson, Rob
Clark, Brad	Johns, Helen	Sterling, Norman W.
Coburn, Brian	Klees, Frank	Stewart, R. Gary
Cunningham, Dianne	Marland, Margaret	Tascona, Joseph N.
DeFaria, Carl	Martiniuk, Gerry	Tilson, David
Dunlop, Garfield	Mazzilli, Frank	Tsubouchi, David H.
Ecker, Janet	Molinari, Tina R.	Turnbull, David
Elliott, Brenda	Munro, Julia	Wettlaufer, Wayne
Flaherty, Jim	Mushinski, Marilyn	Wilson, Jim
Galt, Doug	Newman, Dan	Wood, Bob
Gilchrist, Steve	O'Toole, John	Young, David

**Clerk of the House (Mr Claude L. DesRosiers):** The ayes are 30; the nays are 42.

**The Acting Speaker:** I declare the motion lost.

It being after 12 of the clock, I adjourn this House until 1:30 of the clock this afternoon.

*The House recessed from 1207 to 1330.*

#### WEARING OF RIBBONS

**Mr Michael Bryant (St Paul's):** On a point of order, Mr Speaker: Behind me are 40 people who have travelled across this province in support of Mothers Against Drunk Driving. Many of them are victims. They are here to send a message to everybody in the Legislature with respect to this important issue. I'm asking for unanimous consent so that all members of the House—I have some ribbons here for the government members—can wear ribbons in honour of these victims and in honour of Mothers Against Drunk Driving.

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

#### MEMBERS' STATEMENTS

##### LOW WATER LEVELS

**Mr Michael A. Brown (Algoma-Manitoulin):** This afternoon I'm rising in the House to ask the Minister of Northern Development and Mines to take immediate action to assist the public and private marina operators in northern Ontario.

Water levels across northern Ontario, and in the Great Lakes especially, have fallen dramatically. Last year, water levels approached the 1964 low-water mark and evidence would suggest that this summer the levels will drop even further. The impact on the boating public will be significant. The impact on the northern economy will be severe.

The constituency of Algoma-Manitoulin is host to boaters from all parts of the Great Lakes. We welcome boaters from New York, Michigan, Ohio, Illinois, Wisconsin and Minnesota, among thousands of Canadians, and with good reason. The constituency borders the north shore of Lake Huron, the St Marys River and much of Lake Superior. In fact, the north shore of Lake Huron is reputed to host the finest fresh water sailing in the world. The low-water levels are making harbours from Killarney through St Joseph Island and Michipicoten difficult, and in some cases impossible, to use.

These marinas need assistance to stay open. They need to be able to dredge. The Minister of Northern Development needs to address this very severe and critical situation immediately.

##### BAISAKHI

**Mr Raminder Gill (Bramalea-Gore-Malton-Springdale):** [Remarks in Punjabi]

Mr Speaker, sat sri akal, today is an important day in the Sikh calendar. Today Sikhs across the world celebrate

Baisakhi. Baisakhi is a seasonal festival popular in Punjab, and now all over the world, which takes place on the first day of the solar month of Baisakh of the Indian calendar.

Traditionally the festival was celebrated as the harbinger of happiness and plenty, being closely connected with harvesting. On the first of the month of Baisakh in the year 1756 of the Bikrami calendar, the significance of this date and celebration changed.

The 10th Sikh guru, Guru Gobind Singh Ji, asked that Sikhs should make their way to the city of Anandpur Sahib in Punjab. At Kesgarh Fort a tent had been erected for the celebration. Before sunrise many thousands of people had arrived and gathered before the guru's tent. The guru appeared before them and asked if there was any among them who would be prepared for the love of their faith to sacrifice their life. Five men came forward and offered themselves to the guru. They were clad in orange robes. The guru introduced them to the large gathering as the Panj Pyare, or five loved ones.

As the first Sikh member of this Legislature, it gives me great pleasure to stand in this House and recognize this important day. Please join with me in wishing all the members of the Sikh community a very happy Baisakhi.

[Remarks in Punjabi]

#### PROPERTY TAXATION

**Mr James J. Bradley (St Catharines):** Social and cultural clubs throughout the province have been hit with a dramatic increase in taxes as a result of the property tax assessment changes imposed by the Conservative government of Mike Harris. Their properties are now classified as strictly commercial rather than residential-commercial, as they were in the past.

The Ukrainian Black Sea Hall and Club Roma in St Catharines, the Croatian National Home in Welland and Club Italia in Niagara Falls are among the many victims of the new assessment rules, and as a result could see their taxes increase by anywhere from 100% to 300%.

These clubs provide a valuable service to our general community through the sharing of their arts, culture and educational services, and the maintenance and sharing of their history, heritage and traditions. The board of directors of these clubs are volunteers who devote countless hours of work to make their organization a positive contributor to the Niagara community by assisting youth, seniors and others.

As a result of the 1998 amendments made to the Assessment Act, many of these important and community-active cultural clubs are faced with this dramatic increase. I call on the Harris government to immediately rescind their vindictive and short-sighted assessment policy and to restore the rules that were in effect prior to the 1998 Assessment Act amendment to ensure that our many cultural organizations can continue to offer the unique and highly valued services that communities across Ontario have come to cherish and enjoy for many years.

#### EPILEPSY ONTARIO

**Mrs Tina R. Molinari (Thornhill):** Recently I had the pleasure to present, at the Thornhill provincial office of Epilepsy Ontario, a cheque representing a grant from the Ministry of Citizenship, Culture and Recreation. The grant money was part of this government's violence against women prevention initiatives and will assist Epilepsy Ontario in the delivery of an interactive CD-ROM on violence prevention education for the benefit of women with epilepsy. The CD-ROM project, under the direction of John Phair, is entitled Breaking the Silence. This CD-ROM will help women with this disability, who face physical communication and attitudinal barriers, to overcome these barriers by providing them with information resources, increasing their access to services and developing support networks. The material is based on the organization's highly successful information kit Towards a New Millennium for Women Living with Epilepsy.

During my visit I also had the pleasure of meeting Nancy Kimura, who is the youth services administration assistant, and co-op student Sammy Ebrahimi from Thornlea Secondary School.

Dianna Findlay, provincial executive director of Epilepsy Ontario, is proud of the organization and its volunteers, who strive to lead in providing effective ways to learn about, understand and accept epilepsy and how to improve the quality of life for all those who are affected by this disorder. Epilepsy Ontario is the first organization of its kind to develop an interactive CD-ROM for a specific client group. I applaud Epilepsy Ontario for taking this bold initiative to make readily available this helpful information to women with epilepsy.

#### ONTARIO WHOLE FARM RELIEF PROGRAM

**Mr Steve Peters (Elgin-Middlesex-London):** I rise in the House today on behalf of the farmers of Ontario and to raise awareness of the total mismanagement of the Ontario whole farm relief program. This program has been a disaster from the outset. Applicants have been repeatedly harassed for additional information, have had incorrect cheques mailed to them, have had their money demanded back, and identical applications have come back with two different outcomes. The list goes on.

In fact, the guidelines for the 1998 fiscal year were not released and not made available until January 21, 2000, five months after the deadline for the applications. Neither the applicant nor the accountant had access to the criteria by which that application was being assessed. After two different sets of guidelines were released, and after the official version of the guidelines was finally published, it was painfully clear that they were written after the fact in an effort to thwart the appeals for review.

The massive confusion that surrounds this program has forced me to request the April 14, 1999 guidelines

and the June 2, 1999 guidelines through freedom of information. But you know what? The Ministry of Agriculture has failed to comply with my request. A well-intentioned \$100-million program is in disarray, to the detriment of the farmers who put the food on our tables. It is time for the minister to come clean and help the farmers of Ontario, not hinder them.

1340

#### DAVID HEAD

**Mr Tony Martin (Sault Ste Marie):** I rise today to remember and give due respect to a very worthy civil servant over a long number of years of this province who passed away on March 31. David Head—

#### *Interjections.*

**The Speaker (Hon Gary Carr):** Order. Member take a seat. Stop the clock, please.

The member is making a very important statement and the members will come to order. Everybody has had an opportunity to make a statement. It's now the member for Sault Ste Marie's turn. I'd appreciate it if the members would be polite so the people can hear his statement.

Sorry to interrupt. Start the clock back from the beginning, if we could.

**Mr Martin:** David Head, who served with the Ministry of Northern Development and Mines, was an exemplary employee and worker who consistently went above and beyond the call of duty.

I first encountered Dave on Manitoulin Island, as he lent support to a committee holding hearings on drug abuse. He was always helpful and pleasant to work with. I travelled with him for a number of weeks getting input on waste management recycling. He set up the meetings, made sure they were successful and finally authored the report. He was always professional, knowledgeable and easy to work with. He was the epitome of a good civil servant.

He also contributed in an important and significant way to the development and quality of life of our community. Whenever there was an event to organize, Dave was there, not for the glory or the recognition, but for the benefit to our community, to get the job done and the fun. Events like the Curling Briar and the Memorial Cup, and organizations like Search and Rescue were all made better by Dave's contribution.

Finally, Dave was a wonderful father and husband and will be missed. He loved his family, and so to Lynda, Ken, Sandi, Cyndy, Kristina and Natalie I offer my deep sorrow and condolences. To Dave, wherever you are, you are missed.

#### VOLUNTEERS

**Mr David Young (Willowdale):** I rise today in honour of volunteer recognition week, which is being celebrated in communities across this country. In particular, I would like to recognize the dedicated volunteers who participate in the programs offered by the North York Seniors Centre in the riding of Willowdale.

This is a special week, when we show our appreciation to the millions of Canadians who volunteer in our communities and make them better places to live, work and raise a family. I believe that volunteering is one of the most fundamental acts of citizenship. It is a generous offering of time, an offering of skills and an offering of energy. Volunteerism is an extension of being a good, compassionate and caring neighbour. Through their efforts, volunteers shape and create communities, making our neighbourhoods more than just a collection of individual households.

For well over 20 years, the North York Seniors Centre has been an integral part of the Willowdale community. By caring and contributing to the community, the volunteers at the North York Seniors Centre are true community leaders who make a positive difference in many lives. Our government is proud to be partners with that institution in many initiatives.

I would like to commend their efforts and those of volunteers across this province and country. Our government recognizes that volunteers are truly our community leaders and a vital component to building a compassionate and caring society.

#### W.F. HERMAN SECONDARY SCHOOL

**Mr Dwight Duncan (Windsor-St Clair):** Earlier this week I had the opportunity to attend W.F. Herman Secondary School in Windsor and serve as principal for a day. Herman is a great school with a great history. I want to thank principal Pat Catton and his staff, the students and parents for inviting me to spend a day at their school.

I met many great teachers and students. Herman has an excellent academic and skills training program. I met a young man named Oshimogho Atogwe. This young man, a new Canadian of African heritage, has won a full athletic scholarship to attend Stanford University this fall and has consistently maintained a 91% average.

I met Dario Rossit, the coordinator of the Ontario youth apprenticeship program at Herman. One of his students, Braydon Uttley, will represent our area at the Canada-wide skills competition in May.

I spent the second period with Bob Lennie's grade 10 Canadian history class. The students demonstrated an outstanding grasp of our province's political institutions and history.

Gerry Strong, the school's VP, shared with me the school's code of conduct and talked to me at length about the various challenges the school faces. Mr Strong reminded me that only a small percentage of students pose difficulties. Absenteeism, as it is here in the House with the Premier, continues to pose a problem for many of these students.

I want to thank the students and staff at Herman for sharing their hospitality and good wishes with me.

#### TAXATION

**Mr R. Gary Stewart (Peterborough):** I would like to point out that over the past few years the socialist

provincial governments of Canada, namely, Saskatchewan and British Columbia, have severely criticized Ontario for its leading initiatives on comprehensive tax relief. In combination with the Ontario Liberals and NDP, the essence of their criticism was that tax reductions of any kind are cruel, irresponsible and uncaring.

The voters of Ontario knew otherwise and now, in the year 2000, we can see the results of lower taxes. Ontario's economy is booming and is being credited by the Calgary Herald for rejuvenating the nation's economy so that Canada is now second only to the US in economic growth among the G7 nations. Lo and behold, the NDP governments in Saskatchewan and British Columbia have suddenly had a change of heart and have embraced the concept of tax relief, albeit small, piddling and inconsequential in its reach and scope.

Ontario should continue to lead the way in overall tax relief in personal and corporate taxes to ensure that all Ontarians have more money in their pockets, access to more jobs and more economic opportunity.

#### VISITORS

**The Speaker (Hon Gary Carr):** I'm pleased to inform the members of the Legislative Assembly that we have with us today members of the provincial legislative public accounts committee from South Africa. Please join me in welcoming our special guests.

#### INTRODUCTION OF BILLS

##### DIRECT DEMOCRACY THROUGH MUNICIPAL REFERENDUMS ACT, 2000

##### LOI DE 2000 SUR LA DÉMOCRATIE DIRECTE PAR VOIE DE RÉFÉRENDUM MUNICIPAL

Mr Clement moved first reading of the following bill:

Bill 62, An Act to enact, amend and repeal various Acts in order to encourage direct democracy through municipal referendums, to provide additional tools to assist restructuring municipalities and to deal with other municipal matters / Projet de loi 62, Loi édictant, modifiant et abrogeant diverses lois en vue d'encourager la démocratie directe au moyen de référendums municipaux, de fournir des outils supplémentaires pour aider les municipalités restructurées et de traiter d'autres questions municipales.

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

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

All those opposed will please say "nay."

In my opinion, the ayes have it.

Does the minister have a statement?

**Hon Tony Clement (Minister of Municipal Affairs and Housing):** I'll confine my remarks to ministers' statements.

#### REDEEMER UNIVERSITY COLLEGE ACT, 2000

Mr Clark moved first reading of the following bill:

Bill Pr19, An Act respecting Redeemer Reformed Christian College.

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

Pursuant to standing order 84, this bill stands referred to the standing committee on regulations and private bills.

#### MOTIONS

##### PRIVATE MEMBERS' PUBLIC BUSINESS

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

**The Speaker (Hon Gary Carr):** Do we have unanimous consent? Agreed.

**Hon Mr Sterling:** I move that notwithstanding standing order 96(d), the following change be made to the ballot list for private members' public business: Mr Bradley and Mr Caplan exchange places in order of precedence such that Mr Bradley assumes ballot item number 39 and Mr Caplan assumes ballot item number 19.

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

**Mr Steve Peters (Elgin-Middlesex-London):** On a point of order, Mr Speaker: I'd just like to take this opportunity to welcome to the House today Duncan McPhail, the warden of the county of Elgin; Joanne Brooks, the mayor of the city of St Thomas; and Mark McDonald, the chief administrative officer for the county of Elgin.

**The Speaker:** That's not a point of order, but we welcome our special guests.

1350

#### STATEMENTS BY THE MINISTRY AND RESPONSES

##### MUNICIPAL REFERENDUMS

**Hon Tony Clement (Minister of Municipal Affairs and Housing):** Today I introduced legislation to give Ontario voters a stronger voice in the local democratic process and increase municipal accountability. If this bill

is passed by the Legislature, the Direct Democracy through Municipal Referendums Act, 2000 would provide a legal framework for voters to have a say in local decisions. If they speak loudly enough, their municipal council will be required to listen.

The legislation would permit municipal councils to ask voters clear, concise yes-or-no questions about issues that fall within the municipality's jurisdiction. If at least 50% of the eligible voters vote on the question, the results will be binding. The council will be legally obliged to act on the result.

That's a big improvement. Currently, municipalities can ask questions, but they are not, by and large, bound in any way to the results. We have also seen in past elections that many municipalities have asked questions about matters over which they have no jurisdiction. That's a waste of taxpayer time and money, and this legislation would put a stop to that.

The provincial government will continue to be able to place a question on the municipal ballot to test local opinion on a local matter. In that case, the province would pick up the cost of meeting public notice requirements.

This legislation contains a number of other provisions. I would like to take a moment to outline some of the highlights for members of this House.

Much of the bill deals with administrative matters that bring us closer to the goal of fewer politicians and lower taxes in the regions of Haldimand-Norfolk, Hamilton-Wentworth, Ottawa-Carleton and Sudbury. The legislation also provides for an additional rural councillor in Ottawa and two more rural councillors in Hamilton. The government believes the rural voice and vote must not be lost in the new cities.

As well, the legislation contains changes to the regional and local councils of Waterloo and the restructured county of Oxford. These changes are being made in response to local requests.

Finally, the legislation would delete two provisions from the Fewer Municipal Politicians Act, 1999. One, as promised, is the provision that gave the Lieutenant Governor in Council the ability to amend any law by regulation, in order to implement the reform of the four regions. The legislation I introduced today takes care of the sort of housekeeping amendments that that provision was intended to address.

The other provision to be deleted is the one in the Municipal Act that now allows 75 electors or 10% of the electors in a municipality to petition for the appointment of a restructuring commission. Municipal councils are elected to make decisions on local matters, including local government reform.

I am very proud to introduce this legislation. Direct democracy has been a consistent priority of this government and an issue that I have taken a personal interest in for a long time. This province has led the fight for participatory democracy and has imposed these types of processes on itself through the Taxpayer Protection Act. It is time—

*Interjections.*

**The Speaker (Hon Gary Carr):** Would the minister take his seat. Stop the clock. Order.

Members of the opposition will have their time to respond. In the standing orders, there is a period for the opposition to respond. I need to hear the minister's statement, and I can't hear it when people are continuing to speak right across the other side. I'd appreciate if people would allow the minister to give the statement, and then the opportunity for the official opposition and the third party will come up and they can speak as forcefully as they like. But we can't have a situation where five or six people are yelling when the minister is making statement.

Minister, sorry for the interruption.

**Hon Mr Clement:** I'm a bit shocked. It appears that the opposition Liberals are against local democracy, but on this side of the House, we do believe it is time for Ontarians to have a greater say on issues that matter to them locally. This bill before this Legislature today is an important step towards greater voter empowerment in the province of Ontario. I am proud to introduce it.

**Mr Mike Colle (Eglinton-Lawrence):** I guess what this bill brings to light is the double standard. This is a government that now talks about being the upholder of participatory democracy. We had an unbelievable experience here in the city of Toronto where 76% of the people of Toronto said emphatically no to your megacity and your government shoved the megacity down their throats. You talk about participatory democracy. Minister, I wonder what you're going to do to the people of Flam-borough, who have voted overwhelmingly to stay out of the Hamilton megacity. Are you going to give them the right to say no to your megacity in Hamilton? We look forward to your response on that.

I liken this bill to Colonel Sanders, the chicken guy, declaring that he's going to give chickens a vote on whether they want to be deep-fried as regular chicken or crispy chicken. That's what you're doing. In this bill you are going to set the criteria. If you don't like the question, you as minister will change the wording of the question. Remember that this government passed a bill in the last Legislature where they even determined what goes on the property tax bill in municipalities. They denied municipalities' putting their own wording on local property tax bills. So they're going to fix this question.

Worse of all, the limit is 50%. The minister, not having served on local council, probably doesn't realize that if you look at the history of municipal turnouts in Ontario over the last 50 years, you'll see that the average voter turnout is in the middle 30% range and sometimes up to 40%. Getting a 50% turnout is really hypothetical. It would rarely happen, and the minister knows that.

I think this bill is a sham. I call it the local censorship act, because the minister will not allow questions on provincial downloading. He won't allow questions on hospital closures. Will he allow, for instance, a question on getting the provincial government to take a role in protecting the Oak Ridges moraine? Would he allow that



question? The minister will basically decide what the questions are. He'll even decide the wording and the criteria.

On top of that, this is really all about more control from Queen's Park. This government has a double standard. It is easy to attack the upper level federally and spend \$3 million attacking them in ads, but this government won't allow the lower level, the municipal governments, to attack them. They say, "We're very good at giving it, but we can't take it." They're going to continue to attack the federal government. But if a small municipality dares attack them, you're going to see that they won't allow the question. They don't want questions about downloading. They want to stifle local government. They want to get rid of local government, as they're doing all over Ontario.

For the minister to stand in his place today and say they are promoting direct democracy is a total expression of the double standard this government has. They are autocratic. They believe their way is the only way. They don't consult; they dictate to local government. And when local government stands up to them, they get rid of local government. This bill should be called the local censorship act, and that's how it should go down in history. It's a double standard.

**Mr George Smitherman (Toronto Centre-Rosedale):** Today the Minister of Municipal Affairs and Housing stands in this House and instead of dealing with all the priorities that he shirks in terms of responsibilities, he offers us a bill that would be better titled the blatant hypocrisy act. This government and this member opposite, in the absence of any courage at all, have disregarded the views of direct democracy as presented by local municipalities. They say that if they speak loudly enough their municipal council will be required to listen. But what we really need to deal with is the selective listening skills of the government opposite and particularly of this minister.

1400

**Mr David Christopherson (Hamilton West):** First of all, let me say that, although the minister's comments are printed on one page, both sides, when you take a look at the material that was sent to me as the NDP House leader, we'll see what the fine print really says, because oftentimes what is said here and what happens in legislation are so far apart that you wonder how they had the nerve to try to connect them.

Let me say secondly that while I remain a consistent supporter of the concept of a new city of Hamilton, like many people in the region of Hamilton-Wentworth, we were disappointed to hear that you haven't yet made a decision on Flamborough. Regardless of what one's opinion is on whether it should be in, out, split one way or three ways, not making a decision is exacerbating the situation. Let me start my escalation of vocal chords by first imploring you to make an early decision. We need that. It's in the best interests of local democracy.

While I applaud your move to add the two rural seats—I was one of those who spoke out about that initially as a Hamilton representative saying there needed

to be more representation from the rural areas to provide a better balance and give us a better start as a new council—you have not given us the other seat that Mayor Morrow and Councillor Jackson were advocating: one more seat for the south mountain. That would've made this even better yet. I'm disappointed you didn't do that.

**Mr Rosario Marchese (Trinity-Spadina):** I want to remind this government and the public that's listening about the hypocrisy of the position this minister is taking with respect to direct democracy. I will remind you that the government, through Bill 26, amended the Public Utilities Act and the Municipal Franchises Act to remove the requirement to hold referenda when granting a company the right to supply such services as public transit, water and electricity. Through that autocratic bill the public doesn't have a say on those issues that, in our view, are very important.

Yet today the minister comes and says, "Oh, by the way, we're going to give you direct democracy once and for all." He makes it appear that they're going to have direct democracy on almost anything in the world, but when pressed by reporters, "Minister, if the issue of amalgamation arises, what is your answer to that?" he says: "It's a hypothetical question. We don't want to speculate on that."

All right, if the city of Toronto wants to secede, what is your response to that? "Well, it's a hypothetical question. I'm not sure we want to respond to that." On the issues of amalgamation, it doesn't apply. It's a jurisdictional issue which says the province will tell you it doesn't apply. You won't have a direct say in that. He was very clear in that regard. When asked by the reporters, "What does this apply to?" he says he doesn't really want to speculate. He didn't have a clue.

Finally, when pressed further, he says, "Well, things such as an arena perhaps might be an issue people could have direct democracy on." An arena is the only example he could provide of a direct democracy that the people could hold a municipal council to. There is a hell of a lot that they've downloaded—housing, child care, so many other issues that are costly and have implications for the municipality—and the city can't put that as a referendum question.

**Interjection:** That's nuts.

**Mr Marchese:** It's nuts. Of course it's nuts, because it's a very important issue that affects an entire municipality. He says, "You can't do that." That's a jurisdictional issue. The province holds that power for itself. What democracy do the city and the public have? The only democracy it has is that the minister says they will have it. Why? "Because we say so."

But in terms of the presentation the minister made today, we don't have a clue because he doesn't have a clue what the city can and can't do. I have got to tell you, it was an embarrassment. The only thing that was clear for me was that Big Brother will decide what the cities can and can't do. Big Brother will decide what direct democracy will constitute and what it won't. They hold the power to tell the cities and the public what democracy means.

I'm looking forward to this debate, as I'm sure the public is, because I think we will expose the fact that there is no real democracy that's been given to the public. We will have that opportunity to say as much.

**Mr Bart Maves (Niagara Falls):** On a point of order, Mr Speaker: I'd like to take the opportunity to welcome to the Legislative Assembly today a group of seniors and churchgoers, from the riding of Niagara Falls, in the east gallery.

## ORAL QUESTIONS

### HIGHWAY 407

**Mrs Sandra Papatello (Windsor West):** My question is for the Minister of Transportation. Minister, I want to ask you about the new Harris Highway 407 tax. We've just learned that drivers who use the 407 are about to get ripped off again. In fact, effective May 1, some of those tolls on the 407 are going to rise by more than 31%. If you factor in the increases drivers have seen since September and add the increases effective May 1, some of those tolls have gone up more than 50%. Minister, those drivers know they're getting ripped off. We'd like to know what you're going to do to stop this.

**Hon David Turnbull (Minister of Transportation):** The 407 has been a huge success. Indeed, we're having up to 300,000 trips a day. People are voting with their wheels. There are three alternatives people can use and people are choosing to use this toll highway. There are certain congestion relief requirements that the 407 must meet and it is now subject to an audit to make sure they are achieving that.

**Mrs Papatello:** My question for the minister is about this rip-off that we know Mike Harris has brought to Ontario with the 407 sale. It's going to cost drivers over \$1,000 more a year. In fact, a commuter who's travelling during off-peak hours, who's going from Highway 403 to Markham on the 407, will pay more than \$1,190 more now than last September. You can't believe that this would be a reasonable thing for a driver of Highway 407 to do. Minister, I ask you again about this Harris Highway 407 tax: Are you prepared to put a stop to these wild increases?

**Hon Mr Turnbull:** As I have explained, there are requirements that congestion relief targets must be met, which means that if the 407 ETR price themselves out of the market, they won't get the volumes, which are required, and they will be in default of their agreement.

The advantage to the taxpayers of the sale is that we're getting the 407 extended to the west out to Burlington, and to the east, may I say, if the feds ever get off their duff and approve the extension, which should help congestion relief. This is a good deal for the taxpayers because it's all being done at no cost to the taxpayers.

**Mrs Papatello:** Minister, the 407 has the highest tolls in North America. Given your responses today, I'm

assuming you agree with increases of 50% or more in the last nine months for those who drive the 407. Let me give you another example of who is particularly hard hit, and that is the truckers who are, in off-peak hours, driving from the 403 to Markham Road. The truckers will pay an additional \$3,570 per year with these new tax increases. The Harris Highway 407 tax is forcing truckers to make a couple of decisions: go back to the 401 or go out of business.

Minister, what do you owe the drivers in the GTA? Again I ask you: What are you prepared to do to stop the Harris Highway 407 tax?

*Interjections.*

**Hon Mr Turnbull:** I'll tell you what we owe the drivers, not just of the GTA but the whole of Ontario, and that is a good, solid infrastructure, something your government failed to deliver and something the NDP failed to deliver.

*Interjections.*

**The Speaker (Hon Gary Carr):** Order. When the member asked the question all the members were quiet, and now when the answer comes they need to be quiet as well. There are a lot of people coming up on the list and if I have to stand up there are going to be some people who aren't going to get their questions answered here today. But if I need to stand up, we will do that and the whole question period will run down. The cabinet ministers can close up their binders and the staff can go back to their office. I'm not going to put up with shouting across when a question is asked to the minister. You might not like the answer; some people don't like the questions. But question period is that we sit quietly while people answer and we ask questions.

I also don't mind a little bit of the short lines, some of the heckling, but when you sit there and constantly yell across at them, we can't put up with that. If you do, I'm going to end up naming you. We can't do this every day, where I have to stand up here—the pages and I are in good shape, but we have to get up every minute, after every question, and we're not going to do it.

I'd appreciate it if the members would be quiet while the Minister of Transportation answers the question.

1410

**Hon Mr Turnbull:** This past year, we've had a record budget for roads in Ontario, at \$936 million. Not only that; when we became the government the roads throughout this province were in poor condition. We have been working away each and every year at improving the roads of this province. We have been investing in road infrastructure, something which demonstrably your government did not do. The people of Ontario who are using the 407 are voting with their wheels at almost 300,000 trips per day.

**The Speaker:** New question, the member for Scarborough-Agincourt.

**Mr Gerry Phillips (Scarborough-Agincourt):** It's incredible that you would justify toll users being ripped off with a 50% increase. But I want to find out who is telling the truth about tolls. When Mike Harris announced the sale of the 407, he said, "We're going to strictly

control tolls.” He said this would mean that tolls would increase by about 3 cents per kilometre over 15 years. We saw 3 cents in the first year. Here’s what the owner of the 407 says, though—completely contradictory: “Provided certain traffic is realized, tolls may be increased without limit.” That’s what the owner said when he was getting people to invest in the road. Somebody’s not telling the truth. Did the 407 owner mislead the investors when he said tolls may be raised without limit?

**Hon Mr Turnbull:** There is a request at this moment for the release of the sale documents of the 407. It’s before the commissioner at this moment, and if the commissioner gives us permission to release the information, we will comply immediately.

I have explained that there is a requirement that there has to be an increase year over year in volume on the road. In order to achieve that, it has to be priced accordingly.

**Mr Phillips:** There is a secret deal, and that will reveal the truth that the tolls can go up without limit. I’ll tell you that the owner of the 407 told investors he would show them that secret deal. They could come to the office and read it. I phoned the owner and said, “I’m coming out to read the deal.” The owner said to me, “You have to be an investor.” He knew who I was. “You have to be prepared to invest \$100,000 before I show it to you.” I said, “Maybe.” Then he said, “Furthermore, you have to sign a confidentiality agreement that you will reveal nothing in this secret deal.”

I say to you, Minister, that the investors, the people who are ripping off the 407 users, have seen it. They’ve read it, and they know all the details of this secret deal. But you won’t let the 407 users see this secret deal. Will you agree today to release that secret deal, which all the investors in the 407 have privileged information when they invest and none of the 407 users have seen, to find out how you’re ripping them off for a 50% increase in nine months?

**Hon Mr Turnbull:** Since apparently you didn’t hear the answer the first time, I will repeat it. There is a request to have the sale document released. The request is before the Information and Privacy Commissioner.

*Interjections.*

**Hon Mr Turnbull:** I hear some heckling from the NDP. These are the people who conducted the whole deal of building the road in secret. We are—

*Interjections.*

**The Speaker:** Minister, take your seat.

Minister of Transportation, continue, please.

**Hon Mr Turnbull:** It is before the Information and Privacy Commissioner and, depending on the commissioner’s decision as to whether the document should be released, we are ready at the ministry to release the details.

**Mr Phillips:** The Bay Street guys who are making all the bucks off the 407 users saw it months ago. They read it over. They know all the details. But you won’t let the users of the 407, the hard-working taxpayers of Ontario, see the secret deal. It is absurd. People are making money

off this deal. People have seen this deal and you won’t release it to the public. I say to you today, the investors have all seen this. They’ve made their big investments. They’re ripping off the 407 users. May 1, the poor users are getting another huge increase—over 30%. Surely to goodness you can release the deal today so the taxpayers can see the same thing the Bay Street guys have got.

**Hon Mr Turnbull:** The question before the Information and Privacy Commissioner is an appeal by a third party. Surely the honourable member is not suggesting we violate the province’s privacy provisions. Furthermore, to the best of my information, in fact none of the investors saw the information that you’re speaking of. At the time you contacted the 407, I believe all the bonds had already been sold.

## NURSING HOMES

**Ms Frances Lankin (Beaches-East York):** My question is to the Minister of Health. Yesterday you told reporters, “In the past 10 years, there has not been a complete annual review done in all of the facilities.” You implied that the NDP had been as neglectful as the Conservatives. You have had your facts wrong quite a few times in the last three days, so we decided it was worth taking a closer look.

We don’t have the resources that you do at your fingertips, so we started alphabetically and we went through all the As and got halfway through the Bs, and here’s what we found: 1990, 100% of the nursing homes had annual reviews; 1991, 100%; 1992, 100%; 1993, 91%; 1994, 100%; 1995, 91%. And that’s not counting numerous follow-up reports. Then in 1996, it drops to 65%; 1997, 60%; 1998, only 52%.

Minister, I’m going to ask you again. How do you account for the fact that under your watch half of the nursing homes in this province have not had annual—

**The Speaker (Hon Gary Carr):** Order. The member will know that props aren’t allowed. I know you can look at the notes, but I would appreciate it if you wouldn’t hold it up.

Minister of Health.

**Hon Elizabeth Witmer (Minister of Health and Long-Term Care):** Our government has certainly demonstrated our commitment to high-quality standards in all long-term-care facilities. When we talk about long-term-care facilities, we are talking about homes for the aged, charitable institutions and nursing homes. I would just ask you, a former health minister, to comment on the Provincial Auditor’s report of 1995, which shows that no annual reviews of homes for the aged were conducted in 1993 and 1994. Why did you not look after those vulnerable citizens?

**Ms Lankin:** Minister, I’m glad you read the reference I raised for you yesterday. Of course, if you continue to read the next part of the sentence in the annual report of the auditor, you’ll see the reason, and it’s spelled out, about the change to looking at service agreements. In fact, the province reverted after that annual report to

doing annual reviews in a sector that's not licensed like the nursing home sector, in a sector where there are not the for-profits, in a sector where there's not the need for as high regulation, but we continued to do it.

You say there hasn't been compliance for 10 years. I have to ask you, how would you know? Under your government, no one has been inspecting on a regular basis to find out if they were compliant or not. Now you're going to say you're going to put in a new policy. You've changed policies as often as you've changed your answers to the questions on this topic. What happens next year if you make more cuts again, and once again you move your compliance officers off to do work on other priorities? Will you change your policy again?

**1420**

I am announcing that I am going to introduce a bill to deal with this issue, to make an amendment to the Nursing Homes Act to require annual inspections. You don't seem to know whether it's required or not. Let's make it clear. You say you now want to do annual inspections. I'm assuming you will support my amendment. Minister, will you support my private member's bill?

**Hon Mrs Witmer:** I am certainly very disappointed to have read in this auditor's report that under their watch there were no annual reviews conducted of the homes for the aged. I guess it was based on the concern that was brought to my attention that there had been no complete compliance since 1992 that I announced yesterday that I have asked my deputy to do a complete review of the past 10 years, because it is not acceptable to me that that has not happened. I have also asked him, and I indicated yesterday, to ensure that when he brings forward the information he will also have developed a plan of action that will ensure that annual reviews do take place.

I would just add, under our government increased nursing and personal care envelopes have increased by \$35 million since 1998-99. Our government has done more for seniors in long-term care facilities than any other previous government.

**Mr Howard Hampton (Kenora-Rainy River):** Minister, for days now, you've changed your tune over and over again. You haven't come up with one straight answer for the thousands of vulnerable seniors and their families. The only thing you're consistent on is that it's never your responsibility. From the failure to move forward on primary health care reform, to clogged emergency rooms, to cancer patient waiting lists, to hospital deficits, you're never responsible.

Are you or are you not the Minister of Health? If you're not prepared to take responsibility for the record you've created, why don't you resign so someone can step forward and take responsibility?

**Hon Mrs Witmer:** I just remind the leader of the third party that our government has increased health care spending and done more to ensure that the needs of the growing and the aging population are taken into consideration than any government in the history of this province.

In fact, it was our government that introduced the primary care pilot. You had a chance; you didn't do it. It was our government that brought 20,000 beds forward to be constructed and that renovated 13,200 others. It was our government that introduced the degree program for nurses yesterday and it was our government that today said to the city of Brampton and the residents, "You have the opportunity to build a new hospital, to have a strengthened health system."

#### PLUTONIUM TRANSPORT

**Mr Howard Hampton (Kenora-Rainy River):** My question is for the acting Premier. We learned today that plutonium from Russian nuclear bombs, five times as much as originally planned, will be shipped up the St Lawrence River this spring to Cornwall and then overland across Ontario to Chalk River. This reckless plan, including an air transport option, is proceeding even though Atomic Energy Canada admits that the Russians don't want Canada to use their plutonium as fuel, the Americans don't want us to use their plutonium as fuel and Ontario Power Generation Corp doesn't want it.

Minister, can you assure us that your government will not be party to a scheme that puts the public and the environment at risk by bringing Russian plutonium to Ontario, and will you demand that Ottawa cancel this misguided and dishonest exercise?

**Hon Chris Hodgson (Chair of the Management Board of Cabinet):** I think the leader of the third party raises some concerns that I've heard expressed before. I know he's fully aware that this is a federal issue and that the federal Liberals should be notified of his concern.

**Mr Hampton:** This government tried that line last fall, and then you participated and you were complicit in a strategy which used frankly illegal containers and an unsafe procedure to fly plutonium from Sault Ste Marie to Chalk River, something that would never be permitted in the United States because it is so unsafe.

Minister, the federal government has tried to say this is about disarmament, but we know now that's completely false. This is about Atomic Energy of Canada trying to market nuclear reactors. This is about Atomic Energy of Canada going to Europe, going to Central America, going to Asia and saying: "Buy our reactor. It'll burn plutonium. It'll burn the stuff they made bombs out of."

Minister, you have a responsibility; your government has a responsibility. This is environmentally unsafe. It is a bad strategy from the beginning. It is dishonest to the people. Stand up and say you won't permit it, and bring forward private member's Bill 34 so that the people of Ontario can have an honest discussion about this and this Legislature can decide. Will you do that?

**Hon Mr Hodgson:** As the Premier has stated before on numerous occasions, you're correct that this is a federal matter. The concerns that you express are concerns we all share for the safety of Ontario residents. I'm not privy to the supposedly inside knowledge that you

have on the motive Atomic Energy has behind this. So I would suggest that you refer your questions to the federal Liberals and they'll be able to tell you whether your premise that it's all generated from Atomic Energy of Canada under some grand conspiracy is true or not. But you would have to ask them.

#### IMPAIRED DRIVERS

**Mr Michael Bryant (St Paul's):** My question is for the Attorney General. Sitting behind me here today are more than 40 people who have travelled across this province in support of Mothers Against Drunk Driving. Many of them are victims. We're wearing their ribbons today in honour of those victims and in honour of this cause. This morning they told their stories. Their stories were about people who were convicted of drunk driving causing injury and death, repeated convictions of drunk driving, and they walked out of that courtroom with a slap on the wrist—a conditional sentence—with the consent of your prosecutors. Your prosecutors are permitting a policy of tolerance with respect to conditional sentences for these very serious, heinous crimes.

Minister, will you confirm for these people and explain to them why you're permitting your provincial prosecutors to let these serious criminals walk free?

**Hon Jim Flaherty (Attorney General, minister responsible for native affairs):** This is certainly a very serious subject, the concern that all of us have for victims of impaired driving offences. Indeed, I've acted in court for victims and their families over the years, before being Attorney General.

I agree with Mothers Against Drunk Driving that conditional sentences are inappropriate in cases involving bodily harm and death, and I can assure them that is the crown policy, as set out in the crown policy manual. The crown prosecutors are instructed to take a hard line when dealing with impaired drivers to protect the community. Specifically, in cases involving impaired driving causing death or impaired driving causing serious bodily harm, the crowns are not only instructed to ask for jail time, they are instructed to ask for penitentiary sentences. As you know, under the Criminal Code, if a penitentiary sentence is imposed, the judge does not have jurisdiction to impose a conditional sentence. Those are the instructions to the crown prosecutors in Ontario. If a penitentiary sentence is not imposed, if the judge imposes a sentence of two years less a day or less than that, the crown routinely—

**The Speaker (Hon Gary Carr):** Order. Unfortunately the Attorney General's time is up. Supplementary.

**Mr Bryant:** Minister, today we heard the story of Steven Wetli. One of your crown prosecutors cut a deal with a defence attorney to agree to a one-year conditional sentence, which the judge reluctantly imposed. This morning we heard more stories such as that.

The crown policy manual that's available to the public does not make it mandatory that custodial sentences are

in fact sought and that they are appealed if the judge orders otherwise.

With the greatest of respect, Minister, for you to suggest that the story of Mr Wetli and the victim involved and the stories heard this morning are somehow not real is, frankly, outrageous. I would ask you to stand up now and indicate that you're going to send a directive to your prosecutors which says, very simply, "We will not tolerate any conditional sentences." Will you stand up now and say that from here on, in Ontario, if you're convicted of a drinking and driving offence involving injury or death, there will be zero tolerance? Are we going to get zero action or more talk? Zero tolerance or zero action? What's it going to be, Minister?

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**Hon Mr Flaherty:** I can't comment, of course, with respect to any specific case. If there are instances of crown prosecutors not complying with the crown policy manual, that will be dealt with, if there are such instances in the province.

I remind the member opposite that sentences are imposed by the courts and not by the crown, but the crown makes submissions with respect to sentences.

You can help, though, if you really want to, with respect to impaired driving in this country. Conditional sentences were created in this country by the federal Liberal government. I have asked the minister not to allow conditional sentences in the case of violent offences and bodily harm offences. I wrote to her about this on February 2. I asked her about it last August. I asked them to introduce an amendment to the Criminal Code in the current House of Commons session. She has failed to do so.

Go talk to the federal Liberals. Let's get rid of conditional sentences for serious crimes.

**Mr Bryant:** On a point of order, Mr Speaker: It has to be contrary to the standing orders for the Attorney General of this province to mislead the people about me—

**The Speaker:** Order. The member will have to withdraw that.

**Mr Bryant:** I withdraw that.

#### APPRENTICESHIP TRAINING

**Mr Doug Galt (Northumberland):** My question is to the Minister of Training, Colleges and Universities. Minister, it's certainly great to hear that we had some 20,000 net new jobs in the month of March. It seems rather strange that the opposition appears to dislike that particular fact. Indeed, Ontarians want to work. But in order to qualify for some of the new jobs that have been created, they have to have proper training. Minister, manufacturers are complaining that there's a lack of skills training for our new workers.

My question is: How are we making sure that Ontario workers are receiving the proper training and developing the proper skills for the jobs that are out there today, particularly in the manufacturing sector?

**Hon Dianne Cunningham (Minister of Training, Colleges and Universities):** This is about training and it's about training for the next century already. We are talking about changes to our apprenticeship training, and we have reformed the apprenticeship system with the Apprenticeship and Certification Act, Bill 55. What does that really mean? It means we have flexibility and can respond very quickly to the training needs of our people.

We've invested \$150 million in ATOP, the access to opportunities program, which is an investment by both the private sector and our universities which will more than double the undergraduates in computer science and high-demand engineering programs where the students are choosing courses. The related college programs will increase by 50%. We have made a \$130-million investment in our strategic skills investment program. This is good news to create training opportunities in fields where we have the greatest demand for labour.

**Mr Galt:** Thank you, Minister, for that response. I'm sure manufacturers would be satisfied with your comments, especially those with positions to fill. It's important for potential employees to develop the necessary skills and to receive the proper education and training to prepare them for new opportunities.

But what about Ontario's youth? Minister, how do we encourage our young people to take an interest in this type of job training once they graduate from our secondary schools?

**Hon Mrs Cunningham:** I'm sort of proud to mention to the member for Northumberland that we have done a lot, but there's more to do. Part of the "more to do" does have to do with our young people. Our young people traditionally have not looked at apprenticeship programs as a future profession, and we want them to do that because we need them.

Therefore, we have introduced a program into our secondary schools; we're not waiting until they graduate from college. It's called the Ontario youth apprenticeship program and this is to recruit young people into the skilled trades even before they graduate.

This year our budget doubled—

*Interjection.*

**Hon Mrs Cunningham:**—some of it going into Kingston, I might add—to \$4 million.

**Mr John Gerretsen (Kingston and the Islands):** It isn't enough.

**Hon Mrs Cunningham:** The member says it isn't enough, this from a member who did nothing. But what can I say about that?

This program allows our high school students a chance to begin apprenticeship training and earn credit in the secondary school system.

We're very proud of it. We have—

**The Speaker (Hon Gary Carr):** I'm afraid the member's time is up.

**Mr Gerretsen:** On a point of order, Speaker: Let the record show that I'm not responsible for the minister's programs.

**The Speaker:** That's not a point of order.

## TRUCKING INDUSTRY

**Mr Sean G. Conway (Renfrew-Nipissing-Pembroke):** My question is to the Minister of Economic Development and Trade and it concerns the economic plight of the independent owner-operator trucker in Ontario today. About 10 days ago I met with a number of these hard-working men and women who are owner-operators in the trucking business in the Ottawa Valley. I'll tell you, Minister, and I'm sure you're aware of this, the picture they painted of their economic world these days was a truly tragic and in some ways scary one: long hours, low pay, pay that's getting lower all the time and, quite frankly, where the public is concerned, a growing number of serious public safety issues on the highways of Ontario.

They have asked me, these hard-working men and women from communities like Pembroke and Cobden and Renfrew, "Conway, you stand in your place and you ask Minister Palladini what he and his Ontario government plan to do to keep us from being pushed over the economic precipice that we're staring at and to better protect the travelling public in Ontario."

**Hon Al Palladini (Minister of Economic Development and Trade):** I want to thank the honourable member for the question, and certainly I agree with the honourable member. Independent truck operators are among the hardest-working people of this province. We also understand how important to our economy the trucking industry is. I believe there are various issues that must be resolved. I couldn't agree with you more.

Minister Hodgson and I had a very good meeting with their representative of the national trucking industry and some issues were brought to the table. Our ministry staff have been facilitating various meetings with groups that are involved in directly affecting independent trucker operators. I can personally assure you that I myself and my ministry will do everything that can be done to resolve not only the fuel issue but other issues that are very important to the truck operators.

**Mr Conway:** I'm sure my constituents and those small independent truckers all across Ontario will appreciate the goodwill, but their situation is desperate and getting more desperate with every passing day.

When I asked the independents, "What could the Ontario government do to help your cause?" they told me that among the things we could do as a Legislature and you could do as a government is to restore the old minimum haul rate that used to be available to them from the Ontario Ministry of Transportation, a haul rate that was taken away from them by the Harris government three years ago. As one small, positive step, Minister, are you and your colleagues in the Harris government prepared to restore the MTO minimum haul rate as one small, positive sign to these increasingly desperate independent owner-operator truckers in Ontario today?

**Hon Mr Palladini:** I understand and I certainly sympathize with some of those issues that you've brought up. Let me just caution the member that we do have a

responsibility to maintain our infrastructure, because it's very costly to keep a safe infrastructure.

I want the honourable member to know that I have written to Minister Manley, because there is a federal element here and there has to be federal involvement. I don't believe this is a problem that's strictly in Ontario. It's a national problem; it's right across Canada. There are some things that should be addressed. I can assure the honourable member that cabotage is another situation they have a problem with. For instance, our truck drivers do not have the same rights as American truck drivers, so there is an immigration problem that also has to be addressed. There are other issues. I want to make that commitment to you that we will do whatever it takes to make sure they get a fair shake.

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#### INVESTMENT IN SIMCOE COUNTY

**Mr Joseph N. Tascona (Barrie-Simcoe-Bradford):** My question is to the Minister of Energy, Science and Technology. Minister, I joined you at Georgian College in the city of Barrie to celebrate the opening of the Centre for Automotive Parts Expertise, better known as CAPE. Could you please tell this House why CAPE will benefit students and the automotive industry.

**Hon Jim Wilson (Minister of Energy, Science and Technology):** On Monday of this week we officially opened CAPE, the Centre for Automotive Parts Expertise at Georgian College. It's a world-leading centre where over 400 students each year will enter that centre and become trained in the highly skilled world of automotive parts design, advanced manufacturing and robotics.

With the tremendous recent news from Cambridge about the expansion of Toyota and the 1,600 additional jobs being created in my riding in the town of Alliston by Honda, there are literally, across this province and this country, thousands of jobs in the automotive parts and manufacturing and assembly factories going unfilled because young people don't have the skills. Georgian College is taking a lead through CAPE and through a \$3.8-million investment from the Ontario government's strategic skills training fund to make sure these young people have the skills they need. There are highly paid jobs available today and they'll be able to fill those jobs.

**Mr Tascona:** Thank you, Minister, for your participation in the event at Georgian College in Barrie. There has been tremendous investment in the automotive institute at Georgian College. CAPE is quite an accomplishment. Are there any other high-tech initiatives and investments your ministry has been involved with recently in Simcoe County?

**Hon Mr Wilson:** I think I mentioned recently in this House that, for the first time, the Ontario government took the initiative to work with telephone companies to bring in a program called the data services improvement program for rural Ontarians. Simcoe County benefited a great deal from that. We are the most connected jurisdiction in North America as of today as a result of the

investments the Ontario government and the private sector have made in our telephone infrastructure and our internet infrastructure in rural areas and small-town Ontario. In fact, we had a delegation not too long ago from China that was looking to us because we are world leaders in connecting our rural areas. That's something we're very proud of.

Recently in Simcoe County we built what we would say is a more advanced generation internet and Simcoe County now is the most connected area in Ontario, or will be when the project is finished—it's called the Simcoe County Access Network—therefore making it the most connected rural area in North America.

#### PROPERTY TAXATION

**Mr Howard Hampton (Kenora-Rainy River):** My question is for the Acting Premier. Two years ago, your government told small businesses and charities that any property tax increases resulting from your tax changes would be capped at 5%. Yet in the Niagara region dozens of ethnically based cultural associations are under threat of closure because of huge property tax hikes.

As just one example, the Croatian National Home, an important community centre in Welland, has been told that their property taxes will increase from \$11,400 in 1999 to \$28,000 this year, nearly a 150% increase. Minister, why are you putting these important community centres out of business with your tax grab?

**Hon Chris Hodgson (Chair of the Management Board of Cabinet):** I know the Minister of Municipal Affairs would like to answer this.

**Hon Tony Clement (Minister of Municipal Affairs and Housing):** As the honourable leader of the third party knows, the Minister of Finance introduced a piece of legislation in this House, which was duly passed by this House, capping the commercial and industrial sector in terms of the phase-in for the new assessment system. That is in the third and final year of that phase-in period now. The Minister of Finance has indicated on several occasions that we as a government are continuing to look at this whole area of phase-in to ensure that these changes, which everyone agrees are reasonable changes to make in terms of tax fairness, are done in a way which does not in some way have an impact on our small business owners, for instance, and others who might be impacted in an unfair manner. So we will take the situation under advisement.

**Mr Hampton:** This is a 150% increase in property taxes, and it has the potential of putting not only this cultural community centre but dozens of others out of business. I think what the minister needs to admit is that after seven property tax bills, you still don't have it right. After seven property tax bills, you are still hiking property taxes in all kinds of unfair ways and in ways that frankly put important institutions in our communities at risk.

The people at this particular community centre—or I could list the Ukrainian Cultural Centre, the Slovak Hall,

the Hungarian Hall of Niagara, the Canadian Polish Society. None of these centres is rich, but they provide an important community service.

I want to ask the minister, since you have still fouled it up and you still can't get it straight, what are you going to do to ensure that this unfair tax grab doesn't fall upon these important community centres? What are you going to do?

**Hon Mr Clement:** I thank the honourable member for his question. It should be put before this House that in fact the municipality has a number of tools within its own jurisdiction to deal with certain situations. They have the ability to create certain tax classes. They have the ability to ensure that phase-ins are done in a fair and appropriate manner. Indeed, as a government, we have committed, through meetings with the persons affected, to match any rebates that the municipalities wish to initiate on the education property tax on our part.

We have gone out of our way to ensure that there is tax fairness on the issues that we can deal with, and certainly it is up to the municipality to do its bit to ensure that tax fairness is part of the tax collection regime that they institute in their particular municipality. Our government has indicated that we are willing to assist in that regard. The honourable member for Niagara Falls and the honourable member for Erie-Lincoln are willing to participate in that, and that will continue as a result of this government's position.

#### MUNICIPAL RESTRUCTURING

**Mr Dominic Agostino (Hamilton East):** My question is to the Minister of Municipal Affairs. After the amalgamation of Hamilton-Wentworth, you gave the people of Flamborough a choice. They could choose to opt in or out of the new city of Hamilton. Under the leadership of Mayor Ted McMeekin and their council, they went through an extensive open process where they voted overwhelmingly to opt out of the city of Hamilton. You promised an answer to them by the middle of March. You then stalled and stalled. We're now in the middle of April, and you said today that you're not quite ready to make a decision yet, and you don't know when you're going to be ready to make a decision.

Provincial Liberals believe that once you gave the people of Flamborough the choice, you then have a responsibility to fulfill their demand and their wish to opt out of the city of Hamilton. I believe you're stalling deliberately. I believe you know that politically you have a problem with this issue, and I believe you're buying time until after the by-election. You think you can skate your way through this. You raised the hopes of the people of Flamborough and now you're going to let them down.

Prove me wrong, Minister. Say that I'm cynical. Stand up in your place now and tell us a specific date by which you're going to have a decision on Flamborough, and commit that you'll have a decision before you call the by-election in Flamborough.

**Hon Tony Clement (Minister of Municipal Affairs and Housing):** I would like to thank the honourable member for apprising this House of the latest twist and turn in the Liberal Party position on this matter, as in all matters. It seems like one has to buy a program to determine what exactly the Liberal position is on these types of issues, but thank you, to the honourable member, for the latest iteration of it. It might be different tomorrow. I don't know.

On this side of the House we take our responsibilities seriously. This is not a matter of rhetoric. This is not a matter of fly-by-night decisions. We have a responsibility to the taxpayers in Flamborough, a responsibility to the taxpayers in Hamilton, a responsibility to the taxpayers of any of the potential host municipalities to get the decision right.

I will stand in my place and I will say to the honourable member that if I have to take an extra couple of days or an extra couple of weeks or an extra couple of months to get the right decision rather than the quick decision—we do not have the luxury on this side of the House of taking rhetorical positions. We have to make the right decision on behalf of the taxpayers of Ontario, and we are proud to have that responsibility.

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**The Speaker (Hon Gary Carr):** The minister's time is up. Supplementary.

**Mr Agostino:** The minister is interesting. He talked about up to a couple of months which, by coincidence, will be after the by-election is over. Minister, at the beginning of the process you were asked by both Mayor McMeekin and Chairman Cooke to become involved, to help with the financial breakdown to make sure the ministry played the honest broker so you wouldn't have the confusion you now have. You refused to come to the table and deal with it. You refused their request. Clearly, you gave the people of Flamborough the hope that you would listen to them. Once again, you have denied that and neglected them.

Before the last election, the regional chairman accused this government of having a secret agenda when it comes to amalgamation. After the election you proved him right that you had a secret plan you didn't want to divulge to the people of Ontario and the people of Flamborough. I believe you have a secret plan in regard to what you're going to do with Flamborough and you're afraid to release that plan before we go to a by-election you caused by Mr Skarica's resignation because you betrayed him and the people of Flamborough.

Minister, I want to ask you very clearly again. We believe you have a responsibility to fulfill the wishes of the people of Flamborough. You gave them the choice, and they made their decision. Your job now is to carry out that decision. Will you do it before—

**The Speaker:** Minister.

**Hon Mr Clement:** The honourable member talks about secret plans—and black helicopters, for all I know—in terms of his paranoia about the intentions of this government. I will say one thing in this House: Our



plan is to protect the taxpayer, to protect the citizenry, from undue, unfair taxation. That is why we were elected by the people of Ontario, and that is why we stand on this side of the House. We understood that government decisions have an impact on the taxpayers of Ontario, and we are sensitive to that.

It is easy to stand on that side of the House and pontificate about rhetorical positions, mentioning potential Liberal candidates' names two and three times. Talk about rhetoric. But on this side of the House we have an obligation to the taxpayer, and it is an obligation we take in a very serious manner. I advise the honourable member to start doing the same thing.

#### AIR QUALITY

**Mr John O'Toole (Durham):** My question is to the Minister of the Environment.

If I may digress for a moment, Mr Speaker, I want to pay a little respect to Mr Newman. As you know, I sat beside him for four years and have the greatest respect for him. I hope to join him in the third row in the next three years, with your support.

Minister, recently I was reading in the Toronto Star about the region of York and, I might add, the region of Durham. I'd like to point out that they're also taking steps to improve air quality in our communities. The municipalities are doing this on their own. I'm sure you would know that. For instance, we're encouraging parents not to leave their cars idling while they drop off children at school. We want to be sure parents know that because children breathe more quickly than adults, they are more sensitive to air pollution. That's why we're asking them to turn off their engines while they wait for their children. That's just one example. I might add that the city of Oshawa had its first organized recycling depot as early as 1976.

I would like you to tell the people today what you and the Ministry of the Environment are doing to protect—

**The Speaker (Hon Gary Carr):** Minister of the Environment.

**Hon Dan Newman (Minister of the Environment):** I want to thank the member for Durham for that excellent question. I'd like to start by saying that I too was pleased that the region of York had taken on this latest initiative. I believe it shows good leadership and good responsible government on their part, and I applaud their efforts and encourage other municipalities to follow this and the other examples around the province. That is one reason why Ontario is leading Canada in the fight for clean air. Let me say that it is incumbent upon all Ontarians to do their fair share to keep our air clean. That means all levels of government, industries and each and every citizen in Ontario.

Every year, my ministry produces Smog Alert: A Municipal Response Guide. This booklet is distributed to municipalities in Ontario and is a helpful guide that illustrates ways everyone can reduce the effects on the air we breathe. Some examples include the use of air conditioners, turning off lights—

**The Speaker:** Order. I'm afraid the minister's time is up. Supplementary.

**Mr O'Toole:** Thank you, Minister, I really do appreciate the candidness you bring to the debate. On behalf of my constituents, though, I would like you to come clean and tell the people of Ontario what you're doing to protect the air we breathe and the environment we all live in and share. Come clean.

**Hon Mr Newman:** I want to thank the member for Durham for that equally tough supplementary question. We've been very active on the issue of clean air. The ministry has undertaken several initiatives. There has been the anti-smog action plan to reduce emissions by 25% in 2005 and by 45% in 2015. We've posted or finalized over 100 air standards on the Environmental Bill of Rights registry, including 18 high-priority air contaminants. There's been the Drive Clean program which will reduce smog and greenhouse gas emissions from cars travelling on roads and highways. As I mentioned last week, our government is also committed to reducing our own greenhouse gas emissions by 40%. The federal government may feel that 20% is fine, but we feel twice as strongly about that.

Ontario is indeed committed to a clean air strategy, and we'll continue to do our work to improve Ontario's environment on all fronts.

#### PUBLIC TRANSPORTATION

**Mr George Smitherman (Toronto Centre-Rosedale):** My question is for the Minister of Transportation. Minister, on Monday of this week your colleague the Minister of Municipal Affairs and Housing said it's time in the greater Toronto area and in Ontario to think big again. It's not that original. I'm not sure where he got that from. He also said it's time to think about re-investments necessary for our public transit.

We know that other important urban municipalities in Canada, Vancouver and Montreal, have recently gained new support from their provincial governments, but here in the GTA, Canada's most important urban area and the engine of the Ontario and Canadian economies, your government has moved at a snail's pace; in fact, a snail's pace may be an improvement. This week a poll shows that transportation issues are the number one issue for 905 residents, yet GO Transit's modest 10-year plan will not even take full advantage of latent demand.

Minister, isn't it true that GTA commuters are grinding to a halt due to your government's neglect to public transit?

**Hon David Turnbull (Minister of Transportation):** As part of our commitment in the Common Sense Revolution to separating levels of government and making sure that people who gather the taxes would be spending it and would be more answerable, we unravelled a lot of the duplication that existed and we provided sufficient tax room for transit to be paid by municipalities.

**Mr James J. Bradley (St Catharines):** Oh, tax points. I see.

**Hon Mr Turnbull:** I hear somebody chortling about tax points. Let's talk about tax points. Tax points are when you take something away and in return you get something back. The federal government gave away tax points in 1977 and then they took it back. They started charging again and taxes at the federal level went up and up.

**The Speaker (Hon Gary Carr):** Order. I'm afraid the minister's time is up. Supplementary.

**Mr Smitherman:** Could I move unanimous consent to give the minister a chance to actually try and answer my question?

**The Speaker:** The member has a chance. He has a supplementary.

**Mr Smitherman:** Minister, maybe this time, with a little bit more thought, you could actually focus on the question, the substance of which had to do with gridlock in the GTA being the number one issue for 905 residents.

No one believes that this issue of public transit can be addressed without the involvement of the senior level of government, the province of Ontario. I stated clearly that in other urban municipalities that are important, their importance is recognized by their provincial jurisdiction. In British Columbia and in Quebec those investments have been made.

I ask the minister again what specific commitments he can make on behalf of his government to help get the streets, roadways and commuters of the greater Toronto area moving again.

**Hon Mr Turnbull:** It would be kind of nice to get the Liberals on the record as to where they stood on any issue. But let's be very clear. We provided tax room for the municipalities. You hear people talking about downloading, but somehow people forget to talk about the uploading, the \$2.5-billion tax room that we gave municipalities. This requires municipal politicians to make the hard decisions as to where the priorities are because we believe they understand the local situation.

The other administrations you mention did not create tax room for municipal transit. Now, let's just look at the federal government for the moment. They've laboured for the last two years, talking about an infrastructure program. They talked about \$5 billion over five years, maybe \$7.5 billion over five years—

**The Speaker:** The minister's time is up.

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#### PENETANGUISHENE CORRECTIONAL FACILITY

**Mr Garfield Dunlop (Simcoe North):** My question today is to the Minister of Correctional Services. Since 1995, our government has made important changes to the province's justice system. It is clear where we stand. We are building new and larger correctional facilities. In fact, there's a new facility in my riding that has offered hope to many families in the community. With Penetanguish-

ene's new jail, there will be job opportunities. My riding has already experienced some of the economic benefit of building the facility; \$85 million has been spent on the construction, and to date a total spinoff of \$16 million has been paid to local suppliers, trades and labourers.

However, some of my constituents have been campaigning and expressing anger that you have announced that the province will seek a private operator. My constituents deserve answers. They would like to know when you will have the time to address their concerns about a private operator at the Penetanguishene facility.

**Hon Rob Sampson (Minister of Correctional Services):** I want to say to the member for Simcoe North that I certainly appreciate his continuing dialogue with our ministry on this subject. He has spoken to me on behalf of the wishes and interests of his constituents on a regular basis, and I certainly appreciate that.

The residents of Penetanguishene have been quite interested in the project that's developing in their backyard. It's a project that was started by this government to renew the correctional infrastructure in this province, to bring it up to scratch, to bring it, frankly, into the century, as it relates to the nature of the correctional facilities that we're running in this province. I did offer to come up to the area to speak to the residents of Penetanguishene about this particular facility and the potential to encourage the private sector to help us do that. In fact, I will be doing that next Tuesday.

**Mr Dunlop:** I'd like to thank the minister for his response. I'm aware that Ontario's correctional system needs to be changed. I fully support you as you review and outline what you are planning to do with the Penetanguishene facility. I'm aware that all residents in Penetanguishene will receive a letter in the mail this very day from you, inviting them to attend. I encourage them to attend to voice their concerns, because I know you'll be there to listen and respond to the information, and provide information to them. What will you say to the people next Tuesday as you counteract the fear of over-privatization?

**Hon Mr Sampson:** I will say to the people of Penetanguishene the same thing I've been saying to the rest of the residents of this province as we've talked about the issue of correctional reform, that we are very seriously interested in making sure we have a correctional system in this province that speaks to the interests of the residents of this province, that speaks to their concern about safety, their concern about security within the institution, their concern about the effectiveness of the correctional facilities that we have in this province, and their concern about the efficiency and how much it's costing us to run these facilities.

I want to speak to the fact that we are now the second-highest-cost correctional system in North America, but we're getting, I would say, warehousing results; we're not getting very effective results. I would say to the people of Penetanguishene the same as I've been saying to the rest of the people in this province: That's unacceptable. It may have been acceptable to the members of the benches across the floor—

**The Speaker (Hon Gary Carr):** Order. I'm afraid the minister's time is up.

#### BOYS' HOME WORKERS

**Ms Marilyn Churley (Broadview-Greenwood):** To the Minister of Community and Social Services: Some 78 youth workers from the boys' home in my riding in Toronto have been on strike since January 14. Their request is simple. All they want is a fair and decent level of pay. These workers, as you know, are on the front lines working every day with high-risk youth. They have been working their hearts out, through years of harsh cutbacks from your government. These workers haven't seen a wage increase in years, and they took a pay cut in 1997, while you were giving tax cuts to the wealthy.

Now your ministry is telling these workers they should go without a wage increase for another three years, even though a new KPMG study says they're already seriously underpaid. Will you please commit today to provide additional funding in the next budget so that these workers, who are doing this very important work in our communities, get the wages they deserve? Please, Minister, give us a positive answer today.

**Hon John R. Baird (Minister of Community and Social Services, minister responsible for francophone affairs):** I share the member opposite's views in terms of the commitment that these individuals provide to young people in our communities and in our province. I share the member opposite's view of the dedication of the staff. For many, it's not a job, it's not employment; it's a vocation that they work with these young people.

I am aware of the situation particularly at the boys' home. I have spoken with some representatives of the employees there and have a genuine understanding of the concerns they are dealing with. I know that the long-standing pressure on wages is an issue. It's certainly one which I'm prepared to take into consideration as the government moves forward with the budget.

#### USE OF QUESTION PERIOD

**Mr Peter Kormos (Niagara Centre):** On a point of order, Mr Speaker: Since we returned, it's obvious that you've been working very hard to try to contain and control interruptions and inappropriate usage of time during the limited one hour of question period. I think all of us applaud that and, believe it or not, are doing our best to comply. I appreciate that you've had to stand from time to time and admonish either the whole assembly or individuals or respective caucuses for their interruption of question period. Again, I have no quarrel with that.

But I put this to you, Speaker—and understand that question period is very important for all of us in the opposition. The New Democrats, as you know, because of the rule changes, have even more limited access to question period than the official opposition party. I'm quite candid when I tell you that makes question period very important to us.

I understand the need for you to have to stand and bring order, the need for you to have to respond, for instance, to points of order which many times are not valid points of order. In fact, they're not valid even on their face.

I'm suggesting to you and I appeal to you in this regard—and I suppose this may well come home; the chickens may well come home to roost. Can I put to you that when it's obvious to you that it's one caucus as compared to another that is causing the disruption that compels you to stand and, in effect, utilize more of our time within question period, there might be a way of ensuring that the responsibility for that is borne by that caucus and that another caucus isn't punished because of someone else's intervention, forcing you to utilize time? It takes time for you to admonish. It takes time for you to bring order from time to time.

Again, I understand that. I don't quarrel with that. However, I'm asking if you would consider a means or a process whereby responsibility for that time could lay at the feet of those who are consuming that time, either with interruptions or with compelling you to stand or with points of order that are clearly not valid points of order and that are disruptive and consume other caucuses' time during the process of question period.

**The Speaker (Hon Gary Carr):** The member makes a very good point. I will say this: On occasion, members of the official opposition are also waiting for questions. Sometimes it may be their members that are creating some of the time period where I have to stand and they lose questions as well.

I must say we do watch very carefully and monitor the number of questions we're getting to. Because we've gone down to a minute—and one of the reasons we decided to go down to a minute was to allow more questions so that we get to the New Democrats. It is my goal each day to get to that question that we have down there. Last week, I think we got there three out of four days. This week we got there some days. Today, we are very close. It seems like we're getting there but we're not getting the supplementary. I think next week, by tightening it a little bit, we can get to that question.

But I assure the members of the third party that it is my goal each day, in terms of question period, to get down to that question. Whatever we can do, whether it's speeding up the questions, we will attempt to do that. But I take his point of order very seriously and will be monitoring it. I thank you for that.

#### PETITIONS

##### DEVELOPMENTALLY DISABLED

**Mr Steve Peters (Elgin-Middlesex-London):** This is a petition to the Legislature of Ontario:

"Whereas Ontarians with a developmental disability are in growing danger of inadequate support because

compensation to staff of not-for-profit agencies is, based on a recent survey, on average, 20% to 25% less than compensation for others doing the same work in provincial institutions or similar work in other settings; and

“Whereas there are hundreds of senior parents in Ontario who saved the Ontario government millions of dollars by keeping their child with a developmental disability at home, and who are still caring for their adult child; and

“Whereas there is no place for most of these adults with a developmental disability to go when the parents are no longer able to provide care; and

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“Whereas these parents live with constant anxiety and despair; and

“Whereas these adult children will end up in Ontario nursing homes and hospitals if there is no appropriate place to provide care;

“We, the undersigned, petition the Legislature of Ontario as follows:

“To significantly increase compensation for workers in not-for-profit agencies so that it is comparable to the compensation of government-funded workers in identical or similar occupations; and

“To provide the resources necessary to give appropriate support to Ontarians with a developmental disability who at present have no place to go when their parents are no longer able to care for them.”

I agree with this petition and affix my signature hereto.

#### AFFORDABLE HOUSING

**Mr David Christopherson (Hamilton West):** I have a petition that reads as follows:

“To the Legislative Assembly of Ontario:

“Whereas the Harris government’s plan to force the sale of subsidized housing in Hamilton-Wentworth will create a crisis for 700 local families; and

“Whereas in addition to these 700 families there are 3,700 other families on waiting lists who will be left without affordable accommodation; and

“Whereas the Harris government’s housing sell-off is mean-spirited and targets the poorest families who are now threatened with possible eviction;

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

“That the Legislative Assembly of Ontario direct the Harris government to save these affordable housing units for low-income families, and support new affordable housing to help the 3,700 families on waiting lists in our community.”

I affix my signature also in support of this petition.

#### MATRIMONIAL HOME

**Mr Garfield Dunlop (Simcoe North):** This petition reads:

“Whereas the Family Law Act is not just when both partners in a marriage have homes, and upon separation the matrimonial home is split; the one partner receives 100% of the value of their home which was not the matrimonial home as well as 50% of the matrimonial home. This leaves one partner with equity from one and a half homes, and the other partner with equity from half of their home.

“We, the undersigned, petition the Parliament of Ontario as follows:

“In situations where both partners of a marriage have homes and one of the homes becomes the matrimonial home, splitting the equity of the matrimonial home accumulated over the duration of cohabitation in the marriage only is the only just way to divide the equity, such that no partner benefits from the separation.”

#### ILLEGAL TIMBER CUTTING

**Mrs Lyn McLeod (Thunder Bay-Atikokan):** I have a petition to the Legislative Assembly of Ontario:

“Whereas timber cutters are trespassing on private and crown land, cutting, removing and selling trees, leaving a financial, environmental, aesthetic and emotional devastation in their wake; and

“Whereas the OPP have no authority to stop a cutter from cutting in the event of a boundary dispute, but may only inform the cutter that a complaint has been lodged; and

“Whereas the mills accept all timber from their contractors whether it is stolen or not; and

“Whereas the practice of the crown attorney’s office to relegate these obvious theft issues to civil court places an unreasonable and prohibitive financial burden on the landowner-victim; and

“Whereas the offending cutters are protected by their numbered companies, lease their equipment and declare bankruptcy rather than pay fines and restitution, and immediately register a new numbered company, the landowner-victim must then pay:

“(1) All court costs and legal fees incurred by the offender as well as their own legal fees;

“(2) The cost of the survey;

“(3) The cost of hiring and posting bond for a bailiff, an appraiser, a salesman and bond for each piece of property and for equipment seized from the convicted cutter at the rate of at least \$2,000 for each of the above-listed;

“(4) The cost of cleanup and reforestation; and

“Whereas traditionally settlements to landowners-victims have amounted to the price of stumpage fees for the stripped area, while the cutter profits from the full price of the timber from the mill; and

“Whereas, because the offending cutter must work quickly to avoid detection, he/she leaves the land devastated, with little or no thought to environmental areas of concern, such as wetlands, reforestation;

“Therefore we, the undersigned citizens of Ontario, petition the Ontario Legislature to acknowledge the

unfairness to landowners-victims in the overwhelming support of illegal cutting of private and crown lands.

"We advocate:

"(1) That the cases be tried as grand theft in a criminal court;

"(2) That in the event of a boundary dispute the party who is to benefit financially (ie, the cutter) be responsible for the cost of a survey by a registered surveyor and not a forester;

"(3) Final judgments should not only include fines, all costs incurred for pursuit of justice and stumpage fees, but the full price of the timber, the cost of cleaning up the clear-cut area and the cost of reforestation and maintenance of the cut area, thus making theft of timber from private and crown lands potentially non-profitable;

"(4) Contracts of convicted cutters should be subject to suspension or termination, just as drunk drivers lose licences."

Once again, there are significant numbers of concerned residents of my community who have signed this petition, and I sign my own signature in agreement with their concerns.

#### HEALTH CARE FUNDING

**Mr David Christopherson (Hamilton West):** A further petition regarding the proposed closing of the Henderson emergency ward:

"To the Legislative Assembly of Ontario:

"Whereas the Harris government has cut \$40 million from the budget of the Hamilton Health Sciences Corp, which has resulted in a health care crisis in Hamilton-Wentworth and left the HHSC with a \$40-million deficit; and

"Whereas the HHSC is now planning to downsize and cut back services at the Henderson General Hospital by converting the hospital to a daycare hospital with urgent care, rather than an emergency department; and

"Whereas this will have a serious impact on emergency services for the 200,000 residents of Hamilton Mountain, upper Stoney Creek, Glanbrook, Ancaster and other communities above the escarpment; and

"Whereas the Mountain population is a rapidly growing community and deserves and needs a full-service hospital; and

"Whereas an ambulatory care centre is not an acceptable replacement for a 24-hour emergency ward; and

"Whereas it does not make sense to spend \$100 million for a new cancer centre rather than half that amount to expand existing facilities at the Henderson hospital; and

"Whereas Mike Harris said in February the Henderson hospital would remain open for acute and cancer care;

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

"That the Legislative Assembly of Ontario direct the Harris government to restore the funding cuts to the HHSC and develop long-term solutions for the maintenance of the appropriate acute care services at the

Henderson hospital to serve the needs of the growing population of Hamilton-Wentworth and central-south Ontario."

I affix my signature in my show of support to these petitioners.

#### OAK RIDGES MORAINÉ

**Mr John Gerretsen (Kingston and the Islands):** I have a petition here which is "To save the Oak Ridges moraine for future generations by passing Bill 12," the Mike Colle bill.

"To the Legislature of Ontario:

"Whereas the Oak Ridges moraine is the rain barrel of southern Ontario and the headwaters for over 65 rivers and streams, from Cobourg to Caledon; and

"Whereas the Oak Ridges moraine is threatened by uncontrolled development that is destroying precious natural wetlands, forests, groundwater and wildlife; and

"Whereas 465 world-renowned scientists, local residents and naturalists all support an immediate development freeze and the implementation of a comprehensive protection plan for the moraine; and

"Whereas the province has the power to coordinate planning over a wide area of nine regions and 26 municipalities and the province must act quickly; and

"Whereas every month new developments are being approved that will destroy the environmental integrity of the moraine;

"We, the undersigned, petition the Legislature of Ontario as follows:

"That the provincial government immediately freeze development on the Oak Ridges moraine and pass Bill 12," the Mike Colle bill, "the Oak Ridges Moraine Protection and Preservation Act, so that there will be a comprehensive plan to protect and preserve the moraine for future generations."

I present this to the Legislature. I have signed it as well, as I am in complete agreement with it.

#### OCCUPATIONAL HEALTH AND SAFETY

**Mr David Christopherson (Hamilton West):** I have a petition that reads as follows:

"To the Legislative Assembly of Ontario:

"Whereas the community of Sarnia is witnessing many women developing mesothelioma and asbestosis as a result of the asbestos brought home on their husbands' work clothing; and

"Whereas similar cases are occurring in other areas of the province;

"We, the undersigned, ask the Legislative Assembly of Ontario to amend the Workplace Safety and Insurance Act to allow compensation for family members who develop occupational illness as a result of workplace toxins inadvertently brought home."

I add my name to this petition also.

## HIGHWAY SAFETY

**Ms Caroline Di Cocco (Sarnia-Lambton):** 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 driving licence fees; and

“Whereas Ontario road users pay 28 cents per litre of tax on gasoline, adding up to \$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 affix my signature to this petition.

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## OCCUPATIONAL HEALTH AND SAFETY

**Mr David Christopherson (Hamilton West):** I’ve introduced many of these. I continue to receive petitions from Cathy Walker of the Canadian Auto Workers on behalf of their tens of thousands of members in Ontario. Their petitions read as follows:

“To the Legislative Assembly of Ontario:

“Whereas this year 130,000 Canadians will contract cancer and there are at minimum 17 funerals every day for Canadian workers who died from cancer caused by workplace exposure to cancer-causing substances known as carcinogens; and

“Whereas the World Health Organization estimates that 80% of all cancers have environmental causes and the International Labour Organization estimates that one million workers globally have cancer because of exposure at work to carcinogens; and

“Whereas most cancers can be beaten if government had the political will to make industry replace toxic substances with non-toxic substances in the workplace; and

“Whereas very few health organizations study the link between occupations and cancer, even though more study of this link is an important step to defeating this dreadful disease;

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

“That it become a legal requirement that occupational history be recorded on a standard form when a patient presents at a physician for diagnosis or treatment of cancer and that the diagnosis and occupational history be forwarded to a central cancer registry for analysis as to the link between cancer and occupation.”

I add my name to this petition also.

## OAK RIDGES MORAINÉ

**Mr Mike Colle (Eglinton-Lawrence):** I have a petition with thousands of names from people all across the GTA who want to protect the Oak Ridges moraine, people from Aurora, Mount Albert, Woodbridge, Stouffville, King City, Markham, Oshawa, Whitby, Ajax. These people are sending these petitions to save the Oak Ridges moraine for future generations by passing Bill 12, my private member’s bill.

“To the Legislature of Ontario:

“Whereas the Oak Ridges moraine is the rain barrel of southern Ontario and the headwaters for over 65 rivers and streams from Cobourg to Caledon; and

“Whereas the Oak Ridges moraine is threatened by uncontrolled development that is destroying precious natural wetlands, forests, groundwater and wildlife; and

“Whereas 465 world-renowned scientists, local residents, and naturalists all support an immediate development freeze and the implementation of a comprehensive protection plan for the moraine; and

“Whereas only the province has the power to coordinate planning over a wide area of nine regions and 26 municipalities, the province must act quickly; and

“Whereas every month new developments are being approved that will destroy the environmental integrity of the moraine;

“We, the undersigned, petition the Legislature of Ontario as follows:

“That the provincial government immediately freeze development on the Oak Ridges moraine and pass Bill 12, the Oak Ridges Moraine Protection Act, so that there will be a comprehensive plan to protect and preserve the moraine for future generations.”

I’m proud to attach my name to this petition and support the people of Ajax, Whitby, Woodbridge, Aurora, Mount Albert and Maple.

## KARLA HOMOLKA

**Ms Marilyn Mushinski (Scarborough Centre):** I have a petition addressed to the Legislative Assembly of Ontario that reads as follows:

“Whereas Karla Homolka and Paul Bernardo were responsible for terrorizing entire communities in southern Ontario; and

“Whereas the Ontario government of the day made a deal with the devil with Karla Homolka resulting in a sentence that does not truly make her pay for her crimes; and

“Whereas our communities have not yet fully recovered from the trauma and sadness caused by Karla Homolka; and

“Whereas Karla Homolka believes that she should be entitled to pass to leave prison with an escort; and

“Whereas the people of Ontario believe that criminals should be forced to serve sentences that reflect the seriousness of their crimes;

“Therefore we, the undersigned, respectfully petition the Legislative Assembly of Ontario as follows:

“That the government of Ontario will:

“Do everything within its power to ensure that Karla Homolka serves her full sentence;

“Continue to reform parole and make it more difficult for serious offenders to return to our streets;

“Fight the federal government’s plan to release up to 1,600 more convicted criminals on to Ontario streets; and

“Ensure that the Ontario government’s sex offender registry is functioning as quickly as possible.”

I’m pleased to affix my signature to this petition.

## ORDERS OF THE DAY

### PARENTAL RESPONSIBILITY ACT, 2000

#### LOI DE 2000 SUR

#### LA RESPONSABILITÉ PARENTALE

Mr Martiniuk, on behalf of Mr Flaherty, moved second reading of the following bill:

Bill 55, An Act to make parents responsible for wrongful acts intentionally committed by their children / *Projet de loi 55, Loi visant à rendre les pères et mères responsables des actes fautifs commis intentionnellement par leurs enfants.*

**Mr Gerry Martiniuk (Cambridge):** I proceed today on behalf of the Attorney General with second reading of Bill 55. I will be sharing my time with my colleagues Marilyn Mushinski, member for Scarborough Centre; Brad Clark, member for Stoney Creek; and Brenda Elliott, member for Guelph-Wellington.

It is with some pride and satisfaction that I rise today to address this bill. This is the implementation of the third recommendation made by the Crime Control Commission in its first report in May 1998. The government is presently implementing three of the recommendations. I know that my pride and satisfaction are shared with the members of the past commission: the Honourable Jim Flaherty, who served with the Crime Control Commission; Bob Wood, member for London West, whose legal expertise was invaluable in this report; my good friend Jim Brown, former member for Scarborough West; and of course my present co-chair, Frank Mazzilli, member for London-Fanshawe.

The government has proceeded to implement three of the four recommendations. The Safe Schools Act is to ensure that not only will our children be safe in their own schools but also the teachers who are teaching. The

government has instituted our second recommendation and has implemented six pilot projects with regard to youth justice committees, a voluntary avenue where young offenders of non-violent, non-intrusive crimes can appear before their peers, their neighbours, for judgment. Thirdly, we are discussing today the Parental Responsibility Act.

I have to report that our fourth recommendation was not to our government; it was in fact to the federal Liberals. In writing our report on youth crime, after numerous discussions in this province—over 70 forums and engagements—we felt it was time to toughen up the Young Offenders Act. Our recommendations were as follows: We wanted to lower the maximum age for prosecution as a young offender to 15 from 17, require automatic transfer of youths 16 or older charged with violent offences to adult court, lower the minimum age for prosecutions to 10, publicize the names of violent and serious young offenders and all repeat young offenders, change the rules governing the admissibility of statements so they are the same for young offenders as adult offenders, and permit access to legal aid only if the young offender’s parents cannot afford to pay for legal services.

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We as a commission wrote to the federal justice minister in December 1999 requesting the opportunity to appear before the federal justice committee that was considering changes to the Young Offenders Act in order to convey our findings as a result of consulting with the people of Ontario. Although we received an acknowledgement to our letter, with the promise of a further letter, we never received it. In fact we received a telephone call refusing our request to appear before that committee, and no reason was given. Unfortunately, not only will our recommendations not be accepted or even considered at this stage, but I am concerned that the new Young Offenders Act proposed by the federal Minister of Justice and the Liberal government will soften, not toughen, that act.

I direct my comments to Bill 55, the Parental Responsibility Act. Why do we need this bill? When the people of Ontario think about safe communities, they think about a number of things. They think about communities where they are free from the fear of violence against themselves, their families and their property. They think about communities where people respect each other and take responsibility for their actions. They think about communities where their homes are private sanctuaries and their property is safe and secure.

In safe communities people should be able to go about their busy and productive lives without coming home to find their house or apartment broken into and their personal belongings stolen or damaged. In safe communities, children shouldn’t arrive at a park to find the equipment damaged. In safe communities, drivers don’t find their cars stolen, windows smashed or the finish scratched, and merchants should not have to bear repeated costs to have graffiti removed from their storefronts and doors. Yet this is what is happening in our province.

Regularly, someone somewhere in Ontario becomes a victim of property crime. Many of those property crimes are committed by minors. The statistics bear this out. In 1998 almost 20,000 cases of property crime were heard in youth court in Ontario. This represents 47% of youth crimes. These are just the incidents that reach our courts. The statistics do not include many other cases where victims deal with their damages and losses in silence. Is this fair to victims?

Each time someone becomes a victim of property crime there is disruption in their daily lives, a violation of their privacy, devastation at the loss of items they treasure and have worked hard for, and of course the cost to repair or replace the property taken. If it is a private individual, that person bears the cost. If it's a municipality that runs the public transit, taxpayers assume that cost. This is money that could be spent on public services instead of repairing or replacing damaged or lost property.

Our government has taken action to create safer communities. We are putting up to 1,000 new front-line police officers on the streets, we have recently hired 59 new crown attorneys, for a total of 596, to prosecute cases, and we have tightened up provincial parole policies. But more needs to be done. We have introduced the Parental Responsibility Act to restore the time-honoured values of respect and responsibility, principles that have helped create a prosperous province whose quality of life is envied around the world. We promised this legislation in our throne speech and in the Blueprint, and we are delivering on that promise.

Parental responsibility legislation already exists in Manitoba and is being considered by at least one other province in Canada.

What does this bill do? If passed, Ontario's Parental Responsibility Act would build on the current law. It would make it easier for victims to hold parents responsible for the intentional loss, damage or destruction of property caused by their children who are under the age of 18. By simplifying the process, the Parental Responsibility Act would make it easier for victims of property damage to obtain compensation in Small Claims Court to a maximum of \$6,000.

This bill is intended to help the ordinary person who has been victimized through loss, destruction or damage of their property to obtain compensation as easily as possible. Some would suggest that property crime is victimless crime, but ask anyone who has been victimized. They tell a different story. People whose property has been damaged or stolen feel that their life and privacy have been invaded. They resent the intrusion into their homes, their personal, private space. They feel violated knowing that someone, without their permission, has rummaged through and taken their belongings, many holding deep personal significance. They are devastated when a business they have established and worked hard to make a reality is vandalized. Some would have you believe that all this is trivial. Well, it is not trivial for victims. It is disturbing. I have heard people say they

have considered selling their home because they have found the experience of having their home broken into so invasive.

All victims of crime deserve justice, and that is exactly what this bill is intended to do: give victims of property crime an easier, more practical way to obtain compensation. Under the current law, much of the onus of proving the case is on the victim. We don't think that is fair. The proposed Parental Responsibility Act would make it easier for victims of property crime to be compensated through Small Claims Court.

I am sensitive to the challenges faced by parents. It is an important job; it is a tough job. Children are influenced by their peers, the movies, television and other distractions. In spite of this, the vast majority of parents do a very good job. They raise law-abiding children who respect themselves and others. That's why the bill recognizes the efforts of parents. That's why parents who exercise reasonable supervision of their children and take steps to prevent their children from causing property damage would not be liable under the act.

I believe this bill would make our communities safer. We have heard from some members of the opposition that property crime is not the issue that concerns people the most. They would have you believe that people don't care about their homes being broken into and their computers, TVs and other valuables stolen; that cottage owners don't care that their windows have been broken; that business owners don't care about the stolen goods and that municipalities and residents of communities don't care about defaced public property, expenses that the taxpayer will have to pay.

#### 1540

We have heard from community crime prevention associations expressing concern about property crime by minors. The Mississauga Crime Prevention Association, for example, sees youth crime as an ongoing concern for residences and businesses in Mississauga. This organization supports the bill as a way to stop property crime in that area. The Ontario Crime Control Commission also found that people really do care about property crime. In 70 different town hall meetings, the commission heard from ordinary people. These people told the commission that they are concerned about property crime. They said they want parents to take a stronger role in shaping the behaviour of their children.

There is universal agreement that parents are responsible for their own children. Yet, as Toronto's deputy Police Chief Reesor said last week, in some cases we are finding that parents are not taking the time to find out what their kids are doing, who their friends are and whom they're hanging out with. The bill gets to the heart of the need for parental supervision and the link to safer communities. There is no doubt that parents have a significant role to play in raising law-abiding children, who in turn will grow up to be productive, contributing citizens. A Parental Responsibility Act would be a very important and fundamental step to help the youth of this province get on and keep on the right track. It is a



fundamental step to remind parents that they are responsible for their own children.

This bill also assists and helps victims. The Parental Responsibility Act would help victims of property crime get the justice they deserve. We have heard from community safety organizations, police and retailers that this legislation is needed. People do not think the existing law is on their side. The Parental Responsibility Act would give victims of property crime the tools to get justice.

How is this act different from existing laws? It would reduce the onus of proof on the part of victims and make it easier for victims to use evidence under the Young Offenders Act to prove their case. This will help victims to go to Small Claims Court and get compensation from the parents of youth who steal, damage or destroy property. Under the current law, parents have a duty to care and to supervise their child, and they may be liable if they are negligent in carrying out that duty. Most victims, however, would have difficulty navigating the law of negligence without the assistance of a lawyer. Once they did file a claim, they would find they are responsible for proving much of the case. Under the current law, victims must show (1) that they suffered damage, (2) that the damage was related to the conduct of the parents, (3) that there is a duty recognized in law to control the child's activities, and (4) that the damage was reasonably foreseeable.

If you have suffered property damage, why should it be so difficult to recover your losses? We want to make it easier for victims to obtain justice. Under the proposed Parental Responsibility Act, the process would be simpler because a victim would only have to prove that the child caused the property damage and establish the amount of the damages. The burden would then shift to the parents to establish why they should not be found liable. The parents could either prove that the youth acted unintentionally or that they exercised reasonable supervision over the child and, further, made reasonable efforts to prevent the child from causing the damage. As a result, the proposed law would be a pragmatic and useful tool to victims.

For property damages under \$6,000, we have improved upon existing legislation and Manitoba's parental responsibility legislation in three ways. First, victims do not need to prove that the young person acted intentionally. It would be presumed that the young person acted intentionally unless the parent could show otherwise. Second, it would be up to the parents to prove that they took reasonable efforts to prevent the damage from occurring. This presumption is not now specifically set out in the Family Law Act. Third, the opportunity for victims to use a YOA disposition to help prove the case: We did this to simplify the process so that victims of crime could obtain compensation more easily.

As I mentioned earlier, Manitoba has a parental responsibility law. All but one American state have laws that address parental responsibility. These laws vary considerably as to the types of acts covered and the financial

limits on the liability. The proposed Parental Responsibility Act is not the same as the Manitoba act. In Manitoba, the victim must prove that the child deliberately took, damaged or destroyed property. This can be a significant burden that can discourage many people and victims from seeking compensation. Our proposed act presumes that the youth deliberately caused the damage and would remove this burden of proof from the victim.

In Manitoba, only property owners can bring an action in Small Claims Court. The proposed Ontario Parental Responsibility Act would also allow renters and lessees to bring an action, allowing a greater number of victims an opportunity to get compensation. Through Small Claims Court, victims could have their cases heard quickly, simply and inexpensively. Small Claims Court is designed as an expedient way to resolve disputes concerning money or property. There are fewer rules in Small Claims Court compared to other branches of the Superior Court of Justice. This makes it easier for people to pursue their cases if they choose not to have a lawyer represent them. There are also preprinted forms and a guidebook to help the public bring a claim in Small Claims Court.

Another major feature of the Parental Responsibility Act would be the ability to use dispositions under the Young Offenders Act to prove that a particular youth had committed the property offence in question. We are using an existing provision of the Young Offenders Act to assist victims in proving their case. The Young Offenders Act permits provinces to specify that a youth record can be released and used for a particular purpose. Under the Parental Responsibility Act, a victim would be permitted to obtain and use the order of disposition only to prove his or her case. This would help many victims with their claims; however, it would not be necessary to be used as evidence. A file containing the Young Offenders Act evidence would be kept confidential and would be sealed once the Small Claims Court case is finalized.

The Parental Responsibility Act is a unique piece of legislation that helps victims of property crime. The government has looked at similar legislation in other jurisdictions and has designed this proposed act with three objectives in mind: to improve community safety, to restore respect for the law and taking responsibility for actions and to assist victims of property crime to obtain compensation for their damages and losses. This bill would give victims of property crime easier access to the justice system to obtain compensation for their losses.

#### 1550

Most parents in Ontario are responsible and do their best to supervise their children properly. It is a difficult job and an important one. When we become a parent, we sign up for life. In fact, our lives change. Children become our first and most important priority, and rightfully so.

Our world today is a much different place than it was generations ago, but no matter how much the world changes, there are some things that never change. This includes the role of parents in teaching their children the

standards of behaviour that are acceptable in an orderly society. The proposed act would reinforce these standards and expectations. Asking parents to be accountable for their children is not unreasonable. When we become parents, we accept this responsibility.

We are realistic about the responsibilities of parents and we are realistic about the challenges parents encounter. There are, of course, parents who face special challenges. They may have children with severe behavioural problems, they may have children who are too young to understand the consequences of their actions or they may have children who continue to misbehave even after receiving counselling or treatment. The Parental Responsibility Act would take these considerations into account.

First of all, the child's actions would have to be intentional. Parents who could prove their children's actions were not intentional would not be held liable. Making determinations about circumstances such as these are not new in a court of law. The law already recognizes that certain people are not capable because of age or capacity of forming the intent to cause harm. The courts would decide these issues on a case-by-case basis. We should also note that the legislation would make parents responsible for proving that they exercised reasonable supervision and that they made reasonable efforts to discourage their children from engaging in the destructive activity.

The act sets out a number of factors that would be considered by the judge when determining parental liability, including the youth's age, the youth's prior conduct, the potential danger of the activity, the youth's mental or physical capacity, any psychological disorders affecting the child, whether the youth was under direct supervision of the parent at the time the damage or loss was caused, whether the parent had made reasonable arrangements for supervision, whether the parent had sought to improve his or her parenting skills, and whether a parent had sought professional assistance for the child.

On a daily basis, in a wide variety of cases, the courts define what is reasonable. This would not change. Every case would be judged individually by the court, based on these practical considerations.

Concern has been expressed about situations which might affect the liability of parents under the proposed act. For example, what about teenage children who have left home? How can a parent be held responsible when he or she is not present to directly supervise the child? The answer again is that the courts would look at the individual circumstances of the situation. The courts would look to the facts and decide what is reasonable under the circumstances. To sum up, parents would not be held to an unfair standard.

Some have suggested that single parents and parents who have a low income would be disadvantaged by this proposed act. On a personal level, I find the inference that parents in these circumstances are somehow lacking to be unfair. I do not believe that there is a distinction between parenting skills based on income.

Most parents are trying to do a good job in supervising their children. Imparting values to our children and teaching them right from wrong does not depend on the amount of money we earn.

This bill recognizes the varying income levels of parents who might be found liable under this act. As a result, if a parent is ordered by the court to pay compensation and he or she doesn't have the means to fully comply, the court would have the authority to order payments by instalments.

Some have said that what is needed is more community service to help children with behavioural problems. This suggests that only children with behavioural problems engage in property crime, and nothing suggests that this is so.

We know that from time to time some parents need help. That is why our government provides access to a range of services designed to assist children and their families. Funded by the Ministry of Community and Social Services, these include community-based programs that assist children with mental health problems, developmental disabilities, children in need of protection and young offenders, through counselling for children and youth and their parents, parental skills training, prevention and early intervention programs, residential programs, clinical supports to children with mental health problems, assessments and crisis intervention programs.

We have also heard claims by the opposition members that this government is not dealing with other crime issues. On the contrary, the Parental Responsibility Act is just one of a series of initiatives of this government to deal with youth crime. Other initiatives include the establishment of youth justice committees, which allow community members to determine the best way for non-violent youth offenders to make amends for their crimes, and Project Turnaround, a strict discipline approach to dealing with serious repeat young offenders. The Ontario government also intends to introduce a code of conduct for students to make schools safer.

This government is committed to tackling youth crime. The Parental Responsibility Act would represent a fundamental step in improving community safety. The purpose of this bill is to improve community safety, to reinforce the values of respect and responsibility and to make it easier for victims to get compensation for their property that was deliberately stolen, damaged or destroyed by other people's children. This bill seeks to encourage people to think seriously about their parental responsibilities to their children. It would benefit children who must learn the rights and responsibilities of living in our society and it would benefit every community in Ontario which would be safer if parents make reasonable efforts to prevent their children from committing property crimes.

I urge all members to support this bill.

**The Acting Speaker (Mr Tony Martin):** Further debate?

**Ms Marilyn Mushinski (Scarborough Centre):** I'll be splitting, in a very non-partisan way, my time with the member for Stoney Creek.

It's my pleasure today to rise in the House to speak in favour of the Parental Responsibility Act introduced by my colleague the member for Whitby-Ajax, the Honourable Jim Flaherty.

As members of the Mike Harris team, we campaigned with a strong law-and-order agenda during the June 1999 election campaign. Our record and commitment for creating a justice system that serves law-abiding citizens rather than criminals struck a chord with the people of Ontario. Nowhere was this more evident than in Scarborough. Of course, health care was a major issue in Ontario, and in my riding it was no different. As I canvassed street by street, poll by poll, neighbourhood by neighbourhood, however, my constituents told me that crime was of equal concern. I must say that I share their concern.

It's been said before in this House that every law-abiding citizen of Ontario should have the right to feel safe on their streets, in their neighbourhoods and, most of all, in their own homes. This isn't just a cliché or a fancy catchphrase or some smooth spin line; it is the truth. It is our duty as elected representatives to do everything we can to protect our communities from the effects of crime.

**1600**

My constituents were strongly supportive of our government's justice efforts in our first four years: more police officers, a new focus on victims' rights, fewer criminals receiving parole and strict discipline facilities. All of these initiatives met with praise, but I was told time and time again that we haven't gone far enough, that there was much more that needed to be done.

Our Blueprint commitments were quite clear. We promised to create Canada's first sex offender registry and we did just that last week with the unanimous passage of Christopher's Law. I will give everyone in this House credit because we passed the legislation with all-party support.

We promised to bring in measures to help police deal with aggressive behaviour, such as aggressive pan-handling, and we did that with the passage of the Safe Streets Act in the fall.

We promised to double the number of domestic violence courts in the province. The Attorney General made good on that with the announcement of the creation of eight new courts and I was particularly pleased to see that Scarborough has been selected as the site of one of these courts.

The Attorney General certainly has been working overtime this session.

Another key Blueprint commitment was parental responsibility. We said: "Respect for the law and the responsibilities of citizenship are something children must be taught, particularly by their parents. We think parents should get the credit when their children are good citizens but also must take some responsibility when their children break the law. We'll bring in legislation making parents financially responsible for property damage and other consequences of their children breaking the law."

The commitment was quite clear and the average Ontarian agreed with us. The Attorney General has made

good on this commitment as well. We have in front of us the Parental Responsibility Act. Yes, we have yet another commitment that we will be fulfilling very shortly.

On Tuesday evening I had the opportunity to hold a public forum in my riding. The meeting was widely advertised and open to anyone wishing to attend and voice their opinions. Over 50 Scarborough residents, community leaders and stakeholders braved our freak April snowstorm—ah, that cruel month—to spend three hours discussing the state of health care, education and justice in Ontario.

We had a very heated discussion. I'd been quite prepared to hear confrontation, anger and hostility over changes to health and education, but that didn't materialize. What did materialize instead was that we enjoyed a lively and productive debate over where we are, where we should be headed and what we need to do to get there.

Then we talked about justice. Voices were raised; tempers actually began to flare. The anger, however, wasn't directed at us. The anger wasn't directed at others in the room. The anger was directed at our federal government. Lenient sentences, the faint hope clause, the discount law, the Young Offenders Act—all of these issues were highlighted as areas of grave concern.

Not surprisingly, the topic of parental responsibility also came up. I was overwhelmed by the level of support and positive feedback that this bill has received. People remember their childhood. People remember a time when you were responsible for yourself and your own actions. They remember a time when children respected their elders, their parents and others around them. They remember a time when parents taught their children discipline and the difference between right and wrong. They remember a time before we were taught to expect the government to be a provider, teacher, parent and role model to all our children. They remember a time before the NDP government's failed attempt at social engineering in Ontario.

The people who attended my meeting were very supportive of this legislation. Individuals who I know have never voted for me spoke up and voiced their support for this legislation. I was shocked when several constituents believed we weren't being tough enough. Some said there should be no limit to the amount that parents should be forced to pay if their child intentionally commits a wrongful act. Some said that a mandatory stay in a strict discipline facility for young criminals should accompany any judgment made under this legislation.

A suggestion was made that insurance companies should be allowed to file suit against the parents to recover the total amount they have to pay out as a result of damage done by children who wilfully and knowingly commit wrongful acts. It was suggested that respect and responsibility be a course taught in school. One woman spoke up and told us that her son has had discipline problems, but she takes her responsibility for her child seriously. She has no time for people who do not believe that raising their children is their duty. She spoke quite passionately and eloquently in support of the proposed legislation before us today.

There were also legitimate concerns over the application of this legislation in cases where parents have honestly done all they can with their problem child. I can sympathize with parents who find themselves in a situation like this. Few things can be more heartbreaking than having to helplessly watch a loved one travel down a path of self-destruction.

We recognize that in some instances parents have done all they can to prevent the harmful behaviour of their child. That is why this legislation takes into account the level of supervision exercised by the parents, prior conduct of the child, age and capacity of the child, and steps taken by the parents to address prior behavioural problems of the child.

Considered in conjunction with strict discipline and future initiatives like the student code of conduct, I believe this legislation will go a long way in showing both children and parents that they are responsible for their actions, not society or the government. As a member of the Mike Harris team, I want to tell you that I'm particularly proud to be able to report to my constituents that we have fulfilled yet another commitment of the Blueprint. I wholeheartedly support this legislation, because I know it is another important step towards ensuring that every Scarborough resident, and indeed every Ontarian, feels safe on their streets, in their neighbourhoods and in their homes.

**Mr Brad Clark (Stoney Creek):** I want to thank the member for Scarborough Centre for sharing her time with me—I really appreciate it—and I want to thank the member for Guelph-Wellington, who is going to sum up everything and culminate it with many words of wisdom.

When I was a young lad, I remember staying at home on Friday and Saturday nights and my parents allowing me to stay up late and watch the late show, and I can recall that around 11 o'clock you'd hear a little bell ring on the television on ABC: "It's 11 o'clock. Do you know where your children are?" Over the years, I have seen it many times. Yet today it would appear that my constituents aren't asking where the children are but where the parents are.

I also had a public round table on April 3, and I actually had the opportunity of having our Attorney General come to the meeting. We had about 50 or 55 people there, and I was stunned by some of the stories we heard from them, the anecdotal stories they were suffering under. These are residents in my community, and the difficulties they have are numerous. We live in a nice suburban community nestled against the Niagara Escarpment and upper Stoney Creek. It's a wonderful area.

1610

**Mr James J. Bradley (St Catharines):** Are you allowing development on the escarpment?

**Mr Clark:** It's typical that every time we start speaking about something, the member for St Catharines will heckle. I'm wondering whether his constituents know how often he heckles in a very disrespectful

manner while another member is speaking for his constituents.

We're talking about respect and responsibility. When you hear the residents in your community complaining because youths are walking behind their property and stealing lawn furniture and throwing it through windows, when you see them actually stealing a lawn mower to throw it over the Niagara Escarpment face to see what would happen to it, bicycles tossed over, hundreds and thousands of dollars of damage done to businesses because concrete castle bins are being destroyed—

**Hon Margaret Marland (Minister without Portfolio [Children]):** What are castle bins?

**Mr Clark:** The member asks, "What are castle bins?" It's those large concrete garbage containers. They smash them to smithereens. They're supposed to be vandal-proof, but they're actually vandalized in that manner.

Then the vandalism escalates. My wife told me not two weeks ago that they had to call the fire department because someone had piled up garbage boxes at the back of the pharmacy right by the gas meter and set them on fire. That's not funny.

**Mr Bradley:** Stupid.

**Mr Clark:** The member for St Catharines says it's stupid. He's right, it was stupid, and very dangerous. I think sometimes the kids don't understand what they're doing or they just think it's funny and they walk away. But the questions my constituents keep asking are: "Where are the parents? Why don't they know where their kids are? Why don't they care what their kids are doing?" The problem is that the acts of vandalism become accelerated into acts of violence.

In that very same meeting, where the Attorney General was, I heard from parents. There was an eight-year-old girl who had been consistently beaten over a six-month period every few days at school, and nothing could be done. There was an 11-year-old girl who was terrorized in her community in lower Hamilton in the same manner by bullies, and nothing could be done. There was a lady who spoke to me afterwards who said she was driving down the street one day and saw a fight, five guys piling on one kid. She pulled over the car. The kids ran away and she helped the gentleman into the car and took him to the high school. His jaw was broken—shameful behaviour. It accelerated to the point where just before the election last year we had the most horrible display of violence, where 25 kids came up out of the Niagara Escarpment wielding machetes and baseball bats with spikes through them and cut a swath through 20 kids, injuring 14.

This is no longer something about which people can say, "It's a non-issue; we don't have to worry about it," or give the argument, "It's a hot-button issue." This is about communities feeling safe; this is about responsibility. It's time that we start putting that responsibility back where it belongs. Statistics tell us that in 1998 over 20,000 cases of property damage were heard in youth court alone, and the kids keep coming back.

To speak to the police chief in Hamilton and hear stories about youths who are stealing cars 11, 12, 16 times, because they don't have to worry about it and to hear that parents don't show up in court with their kids is shocking and disgraceful. They don't know what their children are doing; more important, apparently some parents simply don't care. We have to put the care back in, and if it means putting legislation in that puts more onus on the perpetrators of the crime, that allows the victim to take some control, then I think it's imperative we do that.

I have to tell you that in that public meeting there was only one person who spoke out against this. Everyone in that room agreed with it. As a matter of fact, a number of them—

**Mr Michael Bryant (St Paul's):** It was your riding association.

**Mr Clark:** The member says it was my riding association. I've had 13 public roundtables since I was elected. They're fully advertised, and a lot of people come out who are Liberal and NDP. We don't always agree on policies. But to make some flippant statement that these people's concerns aren't real because they must have been Conservatives is absolutely irresponsible. This is a serious bill, because it's a serious matter.

**Mr Bryant:** You're saying this House is irresponsible?

**Mr Clark:** The member continually interjects. He's learning quickly as a new member. He should actually talk to constituents who have concerns about what's going on in their community, about the vandalism and violence, and help us deal with it.

I support the bill. My colleagues support the bill. I think that if everyone in this House actually did their diligent duty and spoke to constituents in their community, they would find out that the average Ontarian supports the Parental Responsibility Act.

**Mrs Brenda Elliott (Guelph-Wellington):** I'm very pleased to join my colleagues today to speak in support of Bill 55, the Parental Responsibility Act. Obviously, this bill is about parents being required to be held more accountable, being held responsible for property loss or damage and destruction that their children may wreak upon other's properties.

When I look at this bill, I think obviously in terms of the parents. As a mother of four, I think in terms of how this would affect my own children and, hopefully, how they would think when a law like this was passed through the Legislature. I think in terms of victims. I think this is about establishing a law that allows a mechanism for victims who have suffered as a result of youth property crime to obtain compensation through the Small Claims Court.

My colleague speaking just ahead of me, the member for Stoney Creek, remarked on a number of incidents that have occurred in his jurisdiction that speak to him about the reasons why we should be establishing legislation like this. I was thinking about the same thing before my turn came up today. One of the things that was brought to

mind for me was the television show called *The Simpsons*. I'm sure everybody has heard about it. It's a rather belligerent little guy, with a sister and a little baby and, of course, Homer. As a former minister of energy, the part in the cartoon where the radioactive material is hurled here and there, down the drains and so on always gives my heart palpitations when I see that, because it's so serious.

**Mr Bradley:** You're going to tell Dan to stop it.

**Mrs Elliott:** Well, it's a funny show. There is a subtext there that speaks to an irreverence for authority, which I think has permeated through our society. As a mother of four, I see that from time to time, and it does disturb me.

Our communities have changed tremendously over the past few years. I represent the riding of Guelph-Wellington, which is a very safe, very lovely community. Truthfully, when I go to doors and talk to people about issues, and certainly the last election gave me ample opportunity, crime and safety issues aren't top of mind. They want to talk about health care. They want to talk about education. But I noticed some subtle differences in the last year and a half that weren't actually discussed with my constituents.

Recently, my riding changed, and it evolved from the riding just of the city of Guelph to include two townships, Puslinch and Guelph-Eramosa. When I canvassed in those ridings for the first time this past summer, I noticed that in the rural areas almost every farm or house on a small piece of property had fences and had very substantial gates at the front. When you talk to people, they will tell you how they have alarm systems, they will tell you how they have networks established with their neighbours, they will tell you how very careful they are when they leave their properties, because way too many of them have been vandalized, have been broken into while they're away at work. It is a very common activity in our area, and I'm certain it's not just confined to Guelph-Wellington.

Things have really changed. I came from a rural area, and certainly on our farms and all of our neighbours' farms it would never occur to us to have a gate at the front unless we had cows in the lane or something like and you didn't want them out on the road. It was to keep things in, not to keep people out for what they might do to your property. Doors were often never locked. Now, of course, people wouldn't dream about leaving their properties unless they had their doors locked.

Interestingly enough, we had our door locked just a few years ago and someone decided that we had something in our house that they wanted, so they in fact kicked our door to smithereens—it would have been better if it had been unlocked—in order to obtain what they wanted.

**1620**

Times really have changed. I think our government once again is demonstrating leadership in responding to the needs that have evolved as young people—very irresponsibly and sometimes just for a lark in their

misguided way of thinking—believe that this is some sort of perverted form of entertainment, think that damaging someone's property, stealing this or altering that, is a way to pass the time, and that's a very sad thing.

What this legislation does is send a signal not only to the parents that this is entirely inappropriate and that there will be consequences for the parents themselves if they haven't been diligent or haven't shown appropriate care in guiding their children, but it sends a signal to the children—and many of them are indeed children—that somebody is going to be held responsible.

**Mr Bryant:** Not them.

**Mrs Elliott:** My colleague across the way says, "Not them." Well, you know what? Children learn by example, if mum and dad are responsible. They may think they're not, but believe you me, after this legislation hopefully is passed, there will be discussions about what the consequences are for your actions, and I think that's absolutely vital here.

From a victim's point of view, what this legislation will do, hopefully, is allow victims of property crimes that are committed by a minor to follow through the Small Claims Court process. Since this would then be a matter dealt with through civil court, police charges or police reports would not be required to initiate or to prove the case. This is quite a difference and I think will send a very clear signal that it's time for things to alter in Ontario.

As I said when I began, this piece of legislation is primarily directed to parents. The Parental Responsibility Act sends a very clear signal to youth and children who may be considering, or not even necessarily considering, but who somehow find themselves entangled in something of this sort, that there will be consequences.

It primarily speaks, in my view, to how we are assisting victims of incidences of property damage and crime. Parents will now be more responsible. It will be easier for the victims to prove their claims against the parent of a child, and it does shift the onus of proof of certain elements of the action to the parent.

Three things will have to occur: The person named as the defendant is in fact the parent; there would have to be proof that the youth took, damaged or destroyed property; and the amount of the loss suffered would have to be determined.

There could also be consequential damages covered. Those are losses that arise or flow from the damage. For example, if a car was seriously damaged, then loss of wages could be considered, profits from a business, for instance, and car rental costs. All those kinds of things could be added in. The maximum amount that is proposed is \$6,000.

Our government has been very diligent in listening to the concerns of people across Ontario who are concerned about this sort of thing. We've undertaken a number of initiatives in the crime and safety area addressing the needs of victims. We continue to have the Criminal Injuries Compensation Board. This is where damages are awarded for personal injuries, very serious injuries or

even death. That will be continuing. We have passed the Safe Streets Act. We have added 59 prosecutors to support victims and witnesses of crime. We have doubled the number of domestic violence courts. In our schools the Ontario code of conduct will be proposed. There's Project Turnaround. My colleague earlier mentioned the youth justice committees where community members will be challenged to find the best way for non-violent youth offenders to make amends. And we've increased the number of police officers in all of our communities.

There are so many different initiatives that we've undertaken to say that we care. What happens in our communities is very important to us. It speaks to how we interact with our neighbours, it speaks to how we feel about our possessions, about our homes, and it speaks to how we personally view our own personal safety when we're out and about.

I asked my constituency staff to send something down to me today that I've noticed and thought might be of interest. Part of me found it very interesting and the other part of me found it very unsettling. In our local newspaper every week they publish what's called the Guelph crime watch. It's a rough map of the city. It indicates—Guelph has a 100,000 population so it's not like a huge, big Toronto map that would be difficult to read or to mark upon—where the most recent break and enters, deaths from motor vehicles, and stolen motor vehicles are noted. Each week this is published in the local paper to tell people what's been happening in their community.

I find that this is a very concrete example. It proves to me that things have changed in my community. I don't see it in my home every day, thank heavens, but it's obviously happening around me. It's unsettling to our whole community. Every action that our government takes to improve upon this, to make our communities safer, to make everybody more responsible, I am absolutely convinced is the right thing to do.

There was one quote, Speaker—my time is almost up, but this was one of the most important things that strikes me about this bill. I'm proud to be part of a government that supports this kind of legislation and introduces it in the best interests of the people of Ontario, because it supports a principle that I firmly believe in: Respect for others and being responsible for one's actions underpin an orderly society. That's the kind of province I want to live in and I want my children to grow up in.

**The Acting Speaker:** Questions and comments?

**Mr Bryant:** There were a few comments made that I'd like to bring to the House's attention, basically to show that the concerns that have been expressed on the other side of the House, the real fears that are in the communities out there, are in fact not being addressed by this bill.

Let me start with the machete-wielding kids who cause personal injury. Under the previous law, you could bring an action against a parent for something that a child did that caused personal injury. Of course, I ask the question, does this act cover personal injury, the machete-wielding kids who cause personal injury? The answer is

no; it deals solely with property crime. Is property crime irrelevant? Of course not. But let's be clear here. When we're talking about the youth crime, the in-your-face crime that most Ontarians are particularly concerned with, it's property crimes valued above \$6,000, number one, and it's matters involving personal injury. This bill doesn't cover either of those items.

A comment was made that this bill puts more of an onus on the perpetrator of the crime. As the government members know, this in fact deals with parents. It's providing for constructive liability for parents and it's got nothing to do with the onus being on the perpetrator of the crime.

Lastly, the comment was made that this legislation is going to somehow send a message. Presumably the government can send a message in a way other than simply passing legislation that repeats the law as it already exists, if not actually reduces the scope of the existing common law provisions.

**The Speaker (Hon Gary Carr):** Further questions or comments?

**Mr Peter Kormos (Niagara Centre):** Thank you kindly, Speaker. This is my two-minute response. The Liberals are going to be on for an hour and then I'm going to be speaking. There are a whole lot of things I want to say about this legislation, and I'm going to use the full hour. I won't be able to finish up today, but I'm sure as heck going to get started around 5:30, I expect, or 5:45.

Number one: This bill doesn't change anything about the status quo. You have always been able to sue negligent parents for the delinquent or wrongful acts of their children if those parents weren't exercising adequate supervision and control. Back in 1986, during the NDP-Liberal accord government, an amendment was put to the Family Law Act, section 68, that put the onus on the parents to prove that they were exercising reasonable control and supervision. You always could use the Small Claims Court. If the amount was in excess of \$6,000, you'd go up to what used to be called the General Division. Lawyers have told me this.

As well, though, there hasn't been a single reported incident of the utilization of section 68. I've checked every statute citator. I spoke with the author of one of the leading family law/children's law journals. In Manitoba, the experience has been the same.

We do not diminish or treat lightly the sort of crime you're talking about. Any crime is intolerable. It's somehow more repugnant when children commit crimes because children shouldn't be committing crimes. I want to talk about that during this debate. I want to talk about why this government is bringing in this bill and I want to talk about victims' rights and about this government's deplorable history when it comes to defending victims. I want to talk about how the courts of Ontario denounced this government's Victims' Bill of Rights and exposed it as being nothing but words on paper, having no value whatsoever and not protecting victims' interests. We're

prepared to speak for victims. Is this government prepared to listen?

**1630**

**Hon Mrs Marland:** I obviously am drawn into this discussion somewhat, both as a parent and a grandparent of seven—the oldest being six—and also as the minister responsible for children. However, I'm not the minister responsible for parents. But I am the minister responsible for children and I have a real concern for the children of Ontario whose parents feel they're not responsible for their children, and this sometimes happens.

**Mr Kormos:** They always have been.

**Hon Mrs Marland:** The member for—I used to know your riding as Welland—Niagara Centre, he and I have been in this House together for some time now and I'm really interested of course that you would do a two-minute response when you have an hour coming up to speak in the full debate.

I will simply say that for all those wonderful parents in this province who do a superb job of fulfilling that responsibility and indeed are role models for parenting, this piece of legislation is not necessary. However, there are parents for whom this bill is most necessary in order to have equity in terms of who pays when their lack of responsibility to their children causes all kinds of problems.

We're talking about lifelong impact on the lives of those children because the parents simply do not fulfil the responsibility of parenting. That's why we are establishing an early child development and parenting program around this province for those parents, which in the early instances and the early experiences of being parents, we can all benefit from.

**Ms Caroline Di Cocco (Sarnia-Lambton):** In response to this debate, I find it interesting—who doesn't believe in parental responsibility? It's one of those motherhood statements that we all, of course, understand as a fundamental part of our society. We as citizens of this province know that parental responsibility is about taking responsibility for our actions and about teaching responsibility for our children's actions.

To make one responsible is a misnomer, because no one can make someone responsible. It can be part of our societal base. One of the things I find somewhat offensive is this attitude that one can impose this from on high. The complexities of our communities, the complexities of who we are as people, the different cultures we all come from, the whole issue of what makes a good society, are developed from the base up.

Yes, it comes from our families, it comes from the role models that we as parents can project to our children, but to presume that you can make or legislate responsibility or that you can use this what I call a red herring in the sense of the terminology—we're putting in an act that's already there. This government is saying, "We're doing something about parental responsibility," when it's already on the books.

**The Speaker:** Response?

**Mr Martiniuk:** I'd like to thank the member for St Paul's, the member for Niagara Centre, the member for Mississauga South and the member for Sarnia-Lambton for their comments.

To me, this bill can be simplified into two major points: First, due to a criminal act which is intentional, an innocent person has suffered damages, and the only question in my mind is who should bear that cost. I think it is only fair and equitable that the innocent should be protected and compensated by the family of the perpetrator. Second, I think this bill again reinforces what this government has said time and time again: We live in a society of democracy and rights, and those rights are very important. But we must understand that, along with those rights, to safeguard those rights comes responsibility, and this bill epitomizes that.

**The Speaker:** Further debate?

**Mr Bryant:** I rise to speak to this bill on second reading on behalf of the official opposition. I'm going to split my time, 20 minutes each. The member for St Catharines is going to speak for 20 minutes and the member for Sarnia-Lambton is also going to speak for 20 minutes.

I'm going to cover a number of items, but the first one I want to deal with is something that the parliamentary assistant just mentioned. He spoke of rights and responsibilities with respect to this act. As the honourable member knows, there are property rights constitutionally entrenched in the Bill of Rights in the United States. As the former chair of the justice committee wrongly stated, in fact we don't have property rights entrenched in our Constitution. He said that on another day. We don't have any constitutional rights to property. Out of the US constitutional rights to property flowed privacy rights, which increased the focus of the courts in the United States on what's been called by Harvard professor Mary Ann Glendon, who's a Canadian, "rights talk."

The focus on rights led to a debate in the courts and in the public arena whereby people would all clamour to the decision-making table or before the judge with a claim that their right was more important than another right. For instance, in this case there would be an argument that parents' rights ought to be protected and that they are not to be held vicariously liable for what their children did. At the same time, we would talk about the right of society to hold people accountable for their actions, which would mean that youth should not get off the hook. At the same time there has been, as far as I'm concerned, far too much talk, or over-emphasis, if you like, on the rights of the accused, which has become the focus of much of our jurisprudence, at least in the last century. We are starting to turn the corner and focus more on the rights and responsibilities of individuals.

What does this act do in terms of parental responsibilities? How does this fit into this rubric of "rights talk"? Well, it's interesting, because this government, in its first term, in its first administration, had a great focus on rights, and we all know whose rights they were: It was taxpayers' rights. The Premier was the Taxfighter and the emphasis was a neo-conservative agenda. Unapologetic-

ally, the government pursued what Professor Glendon would call a radical individualist agenda. Everybody has the right to do whatever they want, the argument goes, as long as they don't harm others, and that means there should be less government and more tax dollars. That was the gist of the ideology from the Harris government in the first term. Along those lines there was much emphasis on victims' rights and much emphasis on less government and more freedom for individuals. That's the classic neo-conservative, right-wing Republican approach in the United States. The Harris government has pursued that approach here, as has the Klein government and, to some extent, so did Bill Bennett's government in British Columbia in the 1980s.

**1640**

Then something funny happened along the way. When the government was elected in June 1999, the focus suddenly shifted and started sounding more like Roy Romanow than Ronald Reagan. In particular, we started hearing talk about individual responsibilities and state responsibilities. It first manifested itself with respect to the squeegee bill. The squeegee bill is not about a battle of rights. The assumption behind it was that Ontarians were concerned about the civility of their streets. And Ontarians are concerned about the civility of their streets in Toronto. I will debate the member for London-Fanshawe at length as to whether the people of London are really concerned about the squeegee problem or about panhandling, but I'll leave that for another day. We had a good debate on the cameras. I'm speaking now, so I won't say who I think did better. But I think the member had half his riding association calling in and saying how much they loved the squeegee bill.

The squeegee bill was supposed to send a message. The parliamentary secretary spoke very well at one point, and I think he made the only defence that can be made for the squeegee bill: that it sends a message that we need to raise the civility of our streets. The problem is that you don't pass legislation to send a message; you pass legislation to have some effect. It's supposed to do something.

**Ms Mushinski:** It has.

**Mr Bryant:** The honourable member says it has. Show me a single conviction of a squeegee kid.

I'll show you where it has had an effect. It has meant that charities—Shinerama, cystic fibrosis and muscular dystrophy charities, the University of Western Ontario, Ontario Students Against Impaired Driving—have come forward or written to my office, and I'm sure they've written to your office, and indicated in the media and otherwise that they are going to lose \$1 million. I know the government thought, and I've heard it before: "No police officer is going to arrest a Shinerama charity worker." The argument was that they would exercise discretion and it would never happen. But this is what happens when you rush a bill through. This is what happens when you seek a time allocation motion and ram through a bill; you don't do your homework.

What they didn't anticipate—and this is the dirty little secret about the squeegee bill and how it affects



charities—is that municipal councils would have to get a legal opinion before they could give a permit to a charity to go to street corners and put a squeegee to the window, as is done in a number of small urban and rural communities, as well as in London. Chatham-Kent's municipal lawyers came back with the opinion: "Look, these people are walking up to a parked car and soliciting money, not aggressively but just soliciting money. Under the act, that is forbidden." As a result, municipal councils were provided with the opinion that they could not proceed, and so they are not proceeding. Then they went to the Attorney General, because they were outraged. Muscular dystrophy was going to lose at least \$1 million. I'm sorry: Charities were going to lose \$1 million, and muscular dystrophy was going to lose over \$100,000. I would never want to mislead this House.

The Attorney General allegedly wrote a letter—I've never seen it—saying, "Don't worry, be happy, shine away." But here's the problem: The Attorney General's argument, while of course very well respected, is just argument. Only a judge can decide whether a charity is or is not exempt. The only way for the Attorney General to do something to help out those charities is to amend the legislation. We have a private member's bill brought forward by MPP Bruce Crozier, which will be introduced on Monday, which will amend this legislation and ensure that these charities are not persecuted or prosecuted. I'll leave it at that with respect to the squeegee bill for now.

*Interjection.*

**Mr Bryant:** There's another member who will introduce a private member's bill, but I'll let him talk about it.

Now let me turn to this act. We all know it is modelled after the Manitoba act. Presumably, everybody on this side of the House knows about the Manitoba act which deals with parental responsibility. It's got the same name: Parental Responsibility Act. It was passed in 1996. In a moment I'm going to talk about what its effect has been in Manitoba.

With the squeegee bill we could look at it and say, "Look, it's not going to work and here's why," but in the fullness of time that would have to be proven. What we have in Manitoba is a case study. It's perfect. We here in this House can look at what happened in Manitoba, and if changes ought to be made to this legislation, I know the government would make changes to improve the legislation if it wasn't working.

So here's our case study. How do I know that the Manitoba legislation is the precedent for this? On October 22, 1999, in the Ottawa Citizen on page A6 in an article authored by April Lindgren entitled "Ontario's War on Youth Crime includes Crackdown on Parents," the Attorney General of Ontario was quoted as saying as follows: "'(Parents) will have to demonstrate that they have made an effort to control the activities of their children,' Mr Flaherty said. 'It seems to have worked in Manitoba.'"

OK, so it worked in Manitoba. Let's look at how well it worked in Manitoba.

March 16, 1998, a claim was made in Small Claims Court for \$709 against one child and two parents. The judgment on May 15, 1998: "Dismissed against parents. No appeal filed." That was the breakthrough case.

April 7, 1998, a \$5,000 claim was made by a company. Now that you can make a subrogated claim as an insurance company, you're going to have insurers who potentially would be benefiting from this; not victims—insurers. But my point is that even insurers aren't going to benefit from it because nobody is going to bother going to court. Why? Because in Manitoba they didn't. It was simply not worth their while and it certainly didn't do anything about parental responsibility.

**Mr Frank Mazzilli (London-Fanshawe):** Voluntary compliance.

**Mr Bryant:** Let me continue.

The April 7, 1998, claim was dismissed with costs. Oh dear, so that's not helping out the victim at all. They end up having to pay for the costs.

Correct me if I'm wrong: The victim brings a claim to Small Claims Court. Who pays the court filing fees for that? Who pays the court filing fees when a victim goes to Small Claims Court under this bill? The victim does. Does the government help? No. If the victim retains an attorney to assist them in their claim against the parent of the wayward child, who's paying for that? Is it the government? No, it's the victim who has to pick up the cost of that, and here you have a case in which the victim brought the claim and then they got hit with the costs of bringing it against the parent.

**Mr Kormos:** It's \$50 to file; \$100 to set it down to trial.

**Mr Bryant:** It costs \$50 to file and \$100 to set such matters down to trial. When you're talking about \$6,000 claims, it's not going to be worth the while of many people to bring this.

June 11, 1998, a \$5,000 claim was made against an individual. On September 1, 1998, dismissed against the parents.

June 26, 1998, a claim was made against two parents. Discontinued.

July 2, 1998, a \$5,000 claim was made by the insurer. It was adjourned sine die, which means it was adjourned forever. No judgment entered against the parents.

July 23, 1998—this Manitoba act is working really well so far—a claim was made by an individual. The claim was dismissed by the judge on October 1.

I'm just wondering what part of the Manitoba act the minister was referring to when he said it worked well. It wasn't the case on September 11, 1998: \$2,300 brought by the litigation guardian. That one was discontinued in December 1998.

March 25, 1999, a claim was made for \$5,000 by a company. The matter was adjourned in May 1999.

So far, for the two years that it's been operating, the Manitoba legislation hasn't worked. Maybe we're going to get to a big breakthrough.

1650

OK, here we go. Well, to be fair to the government, on September 4, 1998, in the face of eight judgments that were not in favour of victims, a whopping \$625 order was made against one of the parents claimed against. So hear, hear, a moment of justice in Manitoba. The only problem, of course, is they would already have spent hundreds of dollars to bring the case forward into Small Claims Court.

Unfortunately, this did not bring a floodgate of legislation because on September 22, 1998, a \$313 claim was made and it was dismissed without costs. The person ended up almost losing money by going to Small Claims Court.

On October 1, 1999, another moment of justice in Manitoba, the other side didn't even show up. A default judgment was granted for \$5,000. This was a good order. So far, we've got two out of 10.

Mediated dispute discontinued at hearing, January 4, 2000, for a \$650 claim.

Lastly, January 8, 2000, a small-claims appeal was brought and adjourned against a default judgment.

So we have three orders in favour of the victims and all the rest of the orders were made in favour of the parents. This is obviously not a bill that has had any effect or has in any way worked.

I guess the next argument against it—and it was raised, I think in jest, by the parliamentary assistant, the member for London-Fanshawe, that maybe it in fact had a deterrent effect somehow. Yes, maybe there were no claims made and victims didn't recoup in court, but just by calling something parental responsibility there would be a radical change in social behaviour. Well, David Deutscher, a law professor at the University of Manitoba, studied this pretty extensively. This is what he said in article by—oh, look—the National Post on April 5. He said the Ontario law would likely fail to benefit victims if it resembles a law in his own province, Manitoba.

It goes without saying that the Manitoba model was a failure. The Attorney General, by his own admission, in his own words, said that the law was based on the Manitoba law, and he said that the Manitoba law worked well. I don't know what the Attorney General was referring to when he said it worked well, because it had no effect on the social behaviour of Manitobans and it certainly had no benefit to the victims; if anything, it benefited the parents.

Let's turn to the next argument by the government. The honourable member who was speaking first, I think, and I regret if I have this wrong—in any event, the government has been making the argument that there's been an onus reversed from victims on to parents as a result of this law, and therefore it has that positive effect. Where do I get that from? Again I'm reading something from the Attorney General reported in the news on April 5, 2000: "The reverse onus on parents is what sets this bill apart from similar laws in other areas such as Manitoba."

In the course of a very short period of time, somebody advised the Attorney General that he better stop

mentioning the Manitoba law as the model; it didn't work. Then he started to trash the Manitoba law, and that was heard before. He said: "Well, the Manitoba law has been seldom used. This reverse onus will make it user-friendly for parents."

There's a problem with that, and that is that this onus being placed on the parents, not the victims, has been in place for years and years. For maybe 50 years there has been a common law action that could be brought by a victim against a parent for what a child did, for vicarious responsibility. Certainly, since the Family Law Act of 1990 passed an amendment, section 68, it has been crystal clear that the onus is on the parents, because it says so right here. It says explicitly that the onus is on the parents to establish that they exercised reasonable supervision.

There has been no reverse onus and I would never suggest that any members here, or the minister, would be misleading this House in any way. I read the minister's statement very carefully in which I think he said it would move the onus or shift the onus. At one point he said "reverse the onus." I know the minister would never mislead the House, but that said, it would be misleading to say that in fact the onus as it now exists under the common law and the statute has been reversed or shifted from victims to parents, because it has always been so.

Now I turn to the next point of this act that somehow makes a difference, and that is that they're promoting the use of this act by saying you can bring it in Small Claims Court. The argument is that it's cheaper and quicker. Right now, at this moment, if a kid threw a brick through my window—

**Hon Dan Newman (Minister of the Environment):** Small hope.

**Mr Bryant:** I hope I didn't hear wishful thinking over there.

If a kid threw a brick through my window and I wanted to sue the parents for that damage, and the damage was, say, \$500, right now, before this bill is passed, I can go to Small Claims Court and make that claim. The common law action exists. It's confirmed under the Family Law Act, 1990, under section 68. Right now we can do this, so it doesn't make a whit of difference with respect to the use of the Small Claims Court.

What it does do arguably is take the existing common law defences and codify them. That's fine, but that's not benefiting victims. That's helping out parents who are trying to get off the hook. In particular, there is one provision they codified, and the family lawyers and the criminal lawyers I spoke with told me that this is not well established in the common law and will be of benefit to parents who are trying to get out of paying for what their kids did.

I hope the government takes a close look at this provision because it really has no rational connection between parents exercising reasonable supervision over their kids. It's clause 2(3)(h). Here's one of the excuses you can make if you go before Small Claims Court: "the

parent has sought to improve his or her parenting skills by attending parenting courses or otherwise.”

Everybody in this House would encourage anybody who wishes to take a parenting course to do so and anybody who needs assistance and wants assistance should do so. But should you be able to say before a court, “Look, maybe I wasn’t supervising my kids, maybe I had no idea where they were, but I took a parenting course 10 years ago so I should not have to pay for what they did?”

Putting this provision in this act permits this to be an argument they can make. No judge in Ontario accepted this as a well-established defence up until now. So the government that says it’s doing something for victims here is, extremely ironically, helping the defence lawyers make an argument to help their kids get off.

It is the same too with this excuse for parents seeking “professional assistance for the child designed to discourage the activity of the kind that resulted in the loss or damage.” Again, I think this is absolutely something that ought to be done and I think the government should be promoting that by providing assistance to those parents who need and want that help. You put it right in the act, so presumably you think it’s a good thing. Certainly we on this side of the House think it’s a good thing.

But to use it as an excuse, “I took a course and therefore I shouldn’t be held liable for what my child did,” does that promote parental responsibility? No, it’s yet another recourse to rights talk. I have the right to do whatever I want, in this case as long as I take a parenting course.

**1700**

Lastly, if the focus of this government is, as it purports to be in its statements and arguments, that it wants to do something about youth crime, then why on earth would they abandon the principle that individuals have to be responsible for their own actions? Why on earth would they say, in the face of the well-established principle that exists in our criminal law and our civil law that one ought to be responsible for one’s actions and one’s misdeeds, “No, it’s OK, kid, you’re off the hook, because your parents will have to pay for it?”

I have much more to say on this, but I’m going to wrap up.

**Mr Bradley:** No, no, keep going.

*Applause.*

**Mr Bryant:** I got premature applause from the government, and I’m sorry to report to you all that I’m going to continue. I heard the first—well, not the first heckle I have had today—

*Interjection.*

**Mr Bryant:** It is my birthday today, Mr Speaker. As you know, there’s a ruling by Speaker Cass that when it’s one’s birthday, generally speaking, you are not to be the subject of heckling. So I hope you enforce that ruling of Speaker Cass. We’re trying to dig it up and we’ll get it down to you in due course. But thank you for the applause on my birthday.

**Ms Mushinski:** That was a heckle.

**Mr Bryant:** Sorry, that was a heckle. Looks like they’re already out of order.

**Mr Sean G. Conway (Renfrew-Nipissing-Pembroke):** Cass was an interesting Speaker but a far more interesting Attorney General.

**Mr Bryant:** I’ll let that comment stand.

This legislation is part of the general approach that this government has taken to crime, at least since I have been sitting in this chair. Number one, they talk about matters that were in last year’s budget. There was discussion of that: More prosecutors are being hired, domestic courts are being built—the statement was made—and Project Turnaround. That’s from a previous administration.

There was a re-announcement in the courthouse a few months ago by the Attorney General, talk about building the courthouses but nothing being done; all talk, no action. There was talk about hiring more prosecutors, another re-announcement, but nothing done; all talk, no action. Project Turnaround: That’s from a previous administration. If they’re going to continue to privatize jails, then we’d like to have a very long debate about that in this House, because this government has no mandate to do that whatsoever.

What has been its sum contribution? To be fair, a bill that I supported, that was supported by all sides of the House, Christopher’s Law—oh, but wait a minute. That was the subject of throne speeches before this government was elected in June 1999. This bill has been on the books and discussed and re-announced over and over again. Finally, it’s now receiving royal assent.

What else? The squeegee bill. I have spoken to the squeegee bill already. If anybody thinks that in the history of Ontario we will look back and see this as a contribution to our criminal justice system, I think they will be sorely mistaken. As I said, time will tell. Thus far, time has shown that it has only hurt charities and it has had no effect whatsoever on street crime. That was the flagship of the last session, the squeegee bill.

Out came the fancy press conferences. But, unfortunately, everybody figured out pretty quickly that the squeegee bill was just all talk, no action, that it was going to have no effect. I couldn’t believe it. They had this unprecedented press conference with a huge traffic light. I can’t remember if they put a red light against squeegee kids or a green light for traffic. The Attorney General stood in front of it in the courthouse and said, something to the effect of, “Your days are numbered.”

The police who were there at the announcement were asked: “So now that the bill’s in effect, are you going to do a sweep?” “No.” “Are there new police? Is there a division being assigned to enforce the squeegee bill?” “No.”

On day one of the bill’s being passed, everybody was already saying that it wasn’t going to be enforced. Has it been enforced? Have any arrests been made in Windsor? Zero. London? Not that I know of. What’s going to happen in Toronto is the same thing that has happened in

Montreal: The squeegee kids are just going to move from corner to corner, and they'll be back.

The pronouncement and prediction made by the Attorney General in September 1999, as he waved around his squeegee and tossed it into a bucket at that infamous press conference, that you'll be seeing no more squeegee kids in the city of Toronto and the province of Ontario, will turn out to be a moment we will all remember as a huge failure in the history of our criminal justice system and nothing but a step backwards for substantive legislation. That was their flagship in the first session.

Here's their flagship in the second session: the Parental Responsibility Act. The Parental Responsibility Act, like the squeegee bill, is supposed to perform one function and one function only: Put the words out there into the media, hope that there's a public debate, and at the end of pushing that social hot button, hope that the government looks as if they invented the concept of parental responsibility.

The argument was made before: What about machete-wielding kids who injured victims? This is a horrible story. What about the kids last week who practically tore down a school and caused \$100,000 worth of damage? This is a horrible story. Will this bill apply to them? No, because personal injury claims can't be made under this bill and claims above \$6,000 can't be made under this bill. In fact, the only thing the bill is going to do, it looks like, is help out parental defendants in Small Claims Court get off the hook for something they should pay for.

Here's the second prong of this government's criminal justice system approach. It's yet again all talk, no action. It will have no effect. I can pronounce now that it will have no effect because it copies, cuts and pastes, the Manitoba legislation and puts it right into Ontario legislation. As I read at the beginning of my speech, in Manitoba, since it was passed in 1996, it has had no effect in that province whatsoever.

I look forward to the opportunity to introduce amendments to this bill which will give it some teeth, which I will speak to at some other time, but I'm not so sure the government is going to give me that opportunity. I look forward to having that discussion.

**Ms Di Cocco:** I must say that it's wonderful to hear my colleague discuss facts, not fiction, because we've been hearing a lot of fiction with regard to this bill in the last hour and a half or so.

I'm pleased to speak on the Parental Responsibility Act. First of all, what I want to say at the outset is that I agree that parents are ultimately responsible for their children. As good parents, we all attempt to instil in our children that they too are responsible for their actions. Who doesn't support parental responsibility as a fundamental part of parenting and as a basic principle of our society? The Ontario Liberals support parental responsibility, but this bill is just grandstanding.

What I have a fundamental problem with are the games that I see the Harris government play in naming useless bills with motherhood statements, hoping that no one actually takes the time to look at the lack of sub-

stance within the bill. It's obvious to me that this government has no new ideas about how to repair the damages, and some of those damages in our social fabric are the responsibility of this Harris government. They are playing around with these simplistic bills without substance, bills that have been shown in other jurisdictions where they have already been tested to have not worked.

I have said it before: You can't fool all of the people all of the time. My learned colleague has indicated very succinctly and articulated well the lack of substance in the bill that is presented to us. In this discussion, I would like to challenge the Harris neo-Conservative-Canadian Alliance wannabes about the word "responsibility." I say to the government that it is the word "responsibility" they do not understand.

Since I have been elected, I have observed every day how this government has brought to new heights the culture of blame, and I believe there is more than abundant empirical evidence on this fact. The new style of the Harris government is to consistently blame others for crises that they've created. Now they want to appear to instill parental responsibility on this province.

**1710**

During question period today, I heard almost every minister stand up and all they would do in response to questions was either blame the federal government or blame past governments.

**Mr Bradley:** Or municipalities.

**Ms Di Cocco:** Or municipalities. This government would like to have us believe that they have broken new ground on the legal principle of parental responsibility. I say to my honourable colleagues on the other side of the House that in fact there's already a law on the books, since 1990, and that law is actually stronger than the one presented to us today.

Victims of crime have had recourse since 1990 to bring action against young offenders and their parents, and currently the law that's already in place places the onus of proof on parents that they have exercised reasonable supervision over the child. This places a legal responsibility on the parent, and I will say again that this law has been in place since 1990.

This law that is already in place is actually tougher. The 1990 statute has no limit when it comes to recouping money for damages. Under the new Parental Responsibility Act, the recouping of money for damages has a liability limit of only \$6,000. So I ask the government: Which is actually tougher, the old law with no statutory limit or the new law with a limit of \$6,000?

My learned friend the member from St Paul's has spoken to how useless this bill is in substance, but the title of the bill is a big winner, copied from Manitoba: An Act to make parents responsible for wrongful acts intentionally committed by their children. I would like to share that our caucus is attempting to bring forth amendments in a way that's going to make this bill substantive, and if we want to talk about victims' rights or the ability for victims to recoup their losses, the amendments will do that.

I must share with you that a newspaper editor, from Saskatoon by the way, in the Saskatoon Star-Phoenix, has articulated my evaluation of the bill extremely well:

“When it comes to youth crime, the Mike Harris government appears content to leave the impression of justice being seen to be done, but not actually done. Like the squeeze law, which did little more than drive off charity fundraisers from the streets, Minister Flaherty’s latest efforts amount to little more than empty words. Mr Flaherty suggest the new law will succeed when similar legal provisions already on the books in Ontario haven’t done the job and when nearly identical legislation in Manitoba over the last couple of years has had little impact. Allowing victims to sue the parents of young wrongdoers in Small Claims Court for amounts up to \$6,000 sounds like a good idea, until real life gets in the way.”

It is one thing to demand that parents make good on damage unless they can prove that they made reasonable effort to control their offspring. It’s another to deal with social conditions ranging from poverty to fetal alcohol syndrome to the lack of influence parents have on youngsters when their world revolves around their peers.

The beneficiaries of this law will be lawyers and insurance companies for whom the ability now to sue parents in Small Claims Court gives them leverage to make some out-of-court settlements. Too often, however, the parents of young offenders are poor and unable to pay, and too often the victims are not left with much after the legal fees incurred to recover their damages.

The Harris government would have done Ontarians a much better service had it concentrated its efforts on providing families with support programs and developing a truly restorative justice system, which I’m sure my colleague from St Catharines will speak to: a more moral society instead of going down this unproductive path. I guess my comment is: Where has the moral leadership gone in this province?

The last section of this bill says that the bill is going to repeal section 68 of the Family Law Act, a provision dealing with parents’ onus of proof in actions brought otherwise than under the bill. The point I want to make is that there’s a parallel to this provision that’s going to be repealed in this bill. In other words, they’re going to take the section out and then just put it back in with this bill.

I believe my colleague from St Catharines is going to continue the debate.

**Mr Bradley:** Thank you for the opportunity, Mr Speaker, to contribute to this debate this afternoon.

I enjoyed the remarks of our critic, Michael Bryant from, I think, St Paul’s—I have a difficult time with the new names of the ridings. I think he dissected the bill as it should be—in a very knowledgeable way when we’re talking about the law—and exposed it as a bill that has little in substance and much in spin and propaganda. That is typical of many things this government does. There’s much less substance to it than one would anticipate.

No doubt they’ll be there to take credit. This government—particularly the Premier but also other members

of the government—is first in line to take the credit and always last in line to take the responsibility. If they think there’s going to be a good reaction, you can count on a press conference and you can count on the government extolling its own virtues across the province. But if anything goes wrong with this, you can be sure it’ll be the federal government’s fault or the previous government’s fault or the lawyers’ fault or the municipalities’ fault. It’ll be somebody else’s fault; it will never be the fault of anybody in this government.

I look at some other measures that would prevent or at least reduce the possibility of young people becoming involved with the law in a negative way. I know there is a lot of boasting about tax cuts out there, and there is a segment of the population which likes the tax cuts and thinks it’s the best thing that’s ever happened. It’s not a majority of the people, although when you if we’d like a tax cut, all of us would probably say yes, until we look at the consequences.

Let me tell you what has happened. So far I’ve counted 682 user fees that this government has applied in various fields—either increased them or introduced them. I well recall the Premier of this province, Mike Harris, when he was running for the leadership against Dianne Cunningham, now Minister of Training, Colleges and Universities, saying: “A user fee is a tax. Don’t try to pretend that a user fee is not a tax.” I agreed with him then. In fact, I agreed with a lot of things Mike Harris said before he got into government, because they made some common sense. But having achieved the office of Premier, a lot of that common sense has gone by the wayside.

I look at the programs that have been cut. I look at the educational programs—special education. By the way, it was Dr Bette Stephenson, a member of the Davis Conservative administration, who brought in Bill 82 at the insistence of John Sweeney, who was the Liberal member of the day for Kitchener-Wilmot and the critic in the field of education.

**1720**

She brought in a bill that dealt with special education. When I see cuts to various areas, and particularly when I look at the supervision of behavioural problems within the general public system of schools, I know that is going to have a detrimental effect.

There’s probably nothing we can do in terms of passing legislation that can completely eliminate the possibility that people are going to be on the wrong side of the law, but would I hope, as legislators, we do as much as possible to channel people away from those kinds of activities. The more constructive activities we provide for them, the more opportunities we provide for those children, particularly those who are from home situations which are far from perfect, the better it is.

If you talk to people in the social work field, if you talk to teachers who are on the front line, they can tell you about these instances where you can see these young people heading in the wrong direction. Sometimes it was an intervention by someone outside the home, or inside

the home, that put those children in the right direction. I know as a former teacher that when a parent would come up and say that some action you had taken or some advice you had given had a positive effect on the student, that was a very rewarding experience, and people I talk to in the education profession talk about it in those terms.

So there are a lot of preventive actions we can take to ensure we don't get to a situation where young people are committing these kinds of crimes. All the programs in the world will not eliminate all the crimes that are committed or the kind of vandalism that takes place, but they go a long way to doing so. When young people have a constructive, positive activity to be involved with and counsellors or helpers, be they volunteers or paid people, who will channel them in the right direction, it makes a major difference.

I am not a person who is in favour of widespread user fees. If there's something that is perhaps—I guess it's too strong a word to say a "frivolous" service—a service which is not essential that government provides, I can understand the need for user fees. But now, for instance, I look in many communities where hockey is being played. Young people like to play hockey. Today both boys and girls are playing hockey. When I see that parents would have to pay \$350, \$400, \$500 to register their child for a house league, I find that prohibitive for people who don't make a lot of money. That really means that people of privilege or people with the financial wherewithal are able to have their children participate in this constructive activity whereas people at the lower end of the economic echelon do not have that same opportunity. It's all well and good to talk about municipalities having to bring about user fees or increase user fees, but it does have a pronounced effect on the activities of people young and old, but particularly of young people who are innocent and vulnerable.

I looked over this morning and Ted Arnott had his three young children in the gallery. No doubt Ted and his wife are very good parents and will work hard to ensure that those children are brought up in the best way. But it just reminded me how innocent and vulnerable those kids look at that age. And not everybody has that kind of parents. Sometimes when I see somebody out there spending money on something they shouldn't, with two little kids being pulled along, I'd like to say that person shouldn't have any money, but I think of the children. I always have to think of the children, who are the ultimate victims and who are innocent.

I was just on a radio show this afternoon. I'd been called to comment on another situation. I tend not to be very sympathetic, as I don't think many people in this province are, to people who commit welfare fraud. I happen to believe the definition that is there should be geared to having those people who are genuinely in need receive that assistance. I think all people in this House like to see assistance to get people back into the workforce, to get retrained, to have that opportunity out there, and I was mentioning that now the government sees it's got another chance to put the boots to people on

welfare. The concept people have, the stereotype some people have, is of a 25-year-old lazy guy sitting on the front steps drinking beer and having pizza delivered while others have to struggle to work. But when you examine the cases out there, my gosh, there are some really sad cases—and I mentioned to him some of them—like people who have to look after children who are severely disabled and are unable to go to work, particularly when they're single parents. And I talked to a number of people who never thought they would ever have to receive social assistance and are receiving that assistance. I look ultimately to the fact that the children are the ones who suffer.

This particular instance was of putting a lien on someone's house. I could get into a thousand reasons why you would not want to do that. If a person indeed were defrauding welfare and you had to get money back, you would look at options of that kind. But a person is simply down and out, and you want to exercise that option? I think even pretty hard-hearted people on these issues would say, "Now you've gone too far." I found that in dealing with people. You can go so far.

They would say to me, "I wish the Harris government were as tough on the oil barons of the province when they jack the price of gasoline way up." They had it over 70 cents. Now people are saying "Thank you, it's 65 cents." A lot of us can remember when it was 49 cents a litre, not long ago. But when it comes to the oil barons, the giants of industry, the people who attend the Conservative fundraisers, Mike Harris and the crew are pussycats. When it comes to dealing with people who are receiving social assistance, who are at their wit's end in trying to make ends meet, they're prepared to put the boots to them, because they recognize by polling that it's a good group to aim at. That's unfortunate, and I think the final consequence is seen in the children.

I think, with all the kinds of programs you've participated in, Mr Speaker, in the sport of hockey, you know that for a lot of kids who are able to participate in that sport and other sports, it made a difference in their lives, that they had that opportunity to do something constructive, that they had somewhere to go and they were part of a team and they had people cheering for them and boosting them on. That made a major difference. Not many kids who have that opportunity end up on the bad side of the law.

As I mentioned, there are some kids who may have some psychological disorder that has them committing crimes out there, and I understand that. I really feel sorry for people who are the best of parents and end up with kids who are committing crimes, and they are so sorry about it and can do nothing about it.

The government continues to emphasize the punitive end of things. Yes, we do need penalties in our society, no question about it. We need penalties, we need consequences, but I just ask the government to look at the areas where they can be positive and helpful for those kids.

The minister responsible for children is in the House today. She has children and grandchildren and would

know how important it is. She would ensure, as would all members of her family, that those kids had something positive to do, that they had a positive role model to work with and that they would turn out fine. Mrs Marland has people who have excelled in athletics. I think of the sport of rowing and the pride that she had in the last Olympics. But those kids were fortunate because they had Margaret and her husband for parents and they helped them out. They gave them the proper guidance. Not everybody has that opportunity.

Not everybody has a Margaret Marland for a mother in our society. A lot have parents who simply cannot cope, and so society as a whole, the village as a whole, then has a responsibility to those children. As I say, when you speak to people in the school system, they see it. They see the damage which is often done by the time those children get to school.

Early intervention is important. If you'd asked me 23 years ago when I entered this Legislature if early childhood education in the form of junior kindergarten was important, I probably would have dismissed it as not important. Yet I've watched, as I know members have over the years, the evidence that has been brought in. I used to talk about Dr Fraser Mustard and provincial governments who'd hire Dr Mustard and listen to him, and they did. I want to say that was a positive move. When I have seen the evidence of that early intervention having a positive effect on those children, it tells me that governments have to move more in that direction, to have that positive reinforcement, to have that good opportunity for children so we're not into punitive legislation all the time aimed at these children, much as some of them need it. I'm not what you would call a bleeding heart when it comes to issues of law and order, I can assure you of that, but I do understand the conditions which breed the kind of children who are breaking the law in a very serious way.

1730

Our critic, Michael Bryant, has pointed out much better than I could that this legislation is almost redundant, that in 1990 there was legislation that covered this particular issue. He said, in fact, it will help the defence lawyers in many cases to make their case.

As government members always have, I even have a briefing note on this. I often watch the government members get up and read their briefing notes. I should tell you that I have one, and I want to share with you a couple of points in it because I think they're good points.

I hope you accept our amendments. That's what I want to say, because they mentioned our amendments. Too often in this House today amendments aren't accepted. The bill is passed and that's it. Some of us who have been here a while—and Margaret, I think you were here in the minority years of the Legislature. You will remember how you were able to have some effect in committee on legislation, how I was very pleased to have you help me out—though you were helping the citizens of Ontario, not me personally—on some environmental issues by what you were doing in committee. It prompted

changes to be made, because I would go back to the cabinet and say, "You know, Ms Marland has made a very good point in committee about this issue."

**Hon Mrs Marland:** "And I don't want to listen to her again."

**Mr Bradley:** I didn't say I didn't want to listen to you again, but I said, "She's made a good point and I think we should change or amend the legislation to take that into account."

**Mr Conway:** He said nicer things about you than he ever did about Nixon at those meetings.

**Mr Bradley:** The member for Renfrew, as I still call him, intervenes, but I wouldn't want to tell you what my observation was on his view of discipline in the education system, on what he put into the schools and what he took out of the schools.

**Mr Conway:** It's a family show.

**Mr Bradley:** This is a family show. I'll tell you later, Margaret, what I once said of that.

But we have some amendments that will be helping victims by broadening the scope of the bill for victims so they can go to any court to seek the remedy for any amount, not just Small Claims Court as under the Tory bill, and also for personal injury and death, not just property crimes as in the present bill that's before us.

We'll have amendments which will help victims by removing the blueprint for defence counsel under your bill, which gives parents new excuses for getting out of their responsibilities. We'll leave it to the court to determine whether responsibility was genuinely exercised.

One of our amendments will be helping victims by exempting them from having to cover court filing fees and promoting parental responsibility by giving courts the discretion to order that parents found liable by the court complete a parental training or counselling program at the cost of the provincial government, as in a number of US states.

We'll have amendments promoting individual responsibility for young offenders by giving courts the discretion to order that the kids repay their parents for damages however the court sees fit.

Not every case is the same. I'm not a lawyer and I'm never in the court system, but I understand from talking to people who are in the court system that every case is different, that you can't simply have one particular set of circumstances that you absolutely apply in every case.

I was aware that on CJOH in Ottawa, Garry Guzzo, the member for Ottawa West-Nepean, I believe it is now, who is the only person in this House who has been a family court judge, indicated to the interviewer that day that he opposed this legislation in caucus. If he were to tell me this in a private sense, I would not say anything in this House; that's private. But he said it in that program. I can't think of a person who would know better than a person who had been a family court judge some of the pitfalls of legislation of this kind. He's a person, when it comes to judicial matters, to whom I pay considerable attention because of his experience both as a lawyer and

as a judge who sat on the bench, who ultimately had to make decisions to mete out responsibilities and to mete out punishment when it was necessary.

As I look at this bill, I say it will be popular with a good segment of the population, but it's a bill that in many ways weakens the existing tools we have to deal with this problem. In substance, it's not that much of a bill; in image, it will do well. The government will go across the province saying that it's part of a package which is going to enhance the judicial system in Ontario.

I don't know whether everybody in the government benches would agree with that. I don't expect people to be in the House. I would like to hear Mr Guzzo speak in the House. He may have a reason that he may not wish to do so. I don't say that to be mischievous; sometimes we try to be mischievous in this House. I say it genuinely because I would like to hear from somebody who has had that experience in the courts, who has seen the consequences of pieces of legislation of this kind and who knows what those consequences may be. Many of us have to do it from outside the judicial system, by taking the advice of others, by taking some of our personal experience and by listening to the debate that takes place in the House. The member for Niagara Centre, my colleague from the Niagara region who will be following me in this debate, has had experience in the courts and, I'm sure, will be able to share with us some of his observations, which will be quite astute and acute.

**The Speaker:** Questions and comments?

**Mr Kormos:** I have listened carefully to Mr Bryant, Ms Di Cocco and Mr Bradley. This is frankly developing into a far more important debate than I think the Tories even contemplated. The Tories thought this was going to be some sort of slam dunk, that there would be automatic popular applause for what the Tories describe as "get tough on youth crime." The fact is that as this debate unfolds, that is being exposed as being the furthest possible thing from the truth. This bill simply restates the law as it now exists. It doesn't create any new rights for victims nor does it enhance victims' rights—not this much, not that much.

I suspect—I'm still trying to find out, and maybe the government members will help in this regard—that the Manitoba legislation they plagiarized was an effort to emulate our amendments to the Family Law Act of 1986, that section 68 that we've been talking about, where the onus shifted to parents to prove that, under the circumstances, they were exercising reasonable or adequate supervision and control of their delinquent children. Back in 1986, during the NDP-Liberal accord, the standard was set. It appears very much to me that in 1997 the Manitoba Legislature adopted the law as it has been in Ontario since 1986 and invoked their Parental Responsibility Act.

I'm going to be speaking in four or five more minutes, and I'm not going to be able to finish today. People are going to be coming back and I'm sure people are going to keep watching. As this is called over the next few weeks,

this debate is going to become incredibly important and incredibly more revealing than it has been so far.

**Mr Mazzilli:** It's my pleasure to respond to the opposition critic from St Paul's. He put forward a case that really has no merit. The reason it has no merit—he talks about common law and that these things are already being done. If they're already being done, why do we want it to be common law? Why do we not have legislation that clearly states the responsibilities of parents?

Beyond that, we hear criticism of how many times other legislation in other provinces was used. But the one thing we know, and that people know, is that if there is no legislation, then there is generally no voluntary compliance. In Manitoba the legislation can be an enormous success, possibly, because people voluntarily comply with the legislation.

We go back to what we believe in. People have the right to go about their business, walk through their communities free from the fear of violence against themselves, their families and their property. Who in Ontario would disagree with that?

We're keeping a Blueprint commitment by creating this new law that makes parents financially responsible for intentional property damage their children have caused. That's what this act is intended to do. I think certainly at this point in time Ontarians have the right to have legislation that is clear, that is written and that will be followed. And yes, it puts the onus on the parents of a child who has intentionally caused some damage to respond to a claim from the victims. We are protecting victims in Ontario through this legislation.

1740

**Mr Conway:** I want to make some comments. I didn't hear all of the debate this afternoon but I heard a good bit of it, and like other members I was struck by the work that had obviously gone into the submissions. I was saying to my friend Bradley that I was watching television at home on the weekend and I was really struck by the comments of Garry Guzzo on television Saturday night. Garry and I don't agree on everything, but Garry—

**Hon Mrs Marland:** What did he say?

**Mr Conway:** Well, he said on CJOH on Saturday night that he had some real problems with this legislation. The interviewer didn't explore them with him. I hope before the debate's over we hear from Garry, because as Bradley has said, Garry Guzzo spent 20 years as a family court judge.

Let me say clearly there can't be anyone here who is opposed in principle to the doctrine of individual and parental responsibility. That's absolutely a given and we would all want to affirm that. I am concerned, quite frankly, when I hear my friend from St Paul's tell the House what he said this afternoon. Bryant is a man learned in the law. He explained in some detail where this legislation may in fact have unintended consequences that are the reverse of what is being advertised. I won't bore you this afternoon, but I will be talking about this next week.



The Ottawa Citizen editorialized on Monday, a thunderous editorial, "Punishing Parents," and it is a pretty comprehensive denunciation of this legislation, making some of the points Bryant made, but adding to those.

I am going to probably be tougher than most people around this place in holding people to bear the responsibility for what they've done. I don't want to kind of get into the business of the last Parliament, but boy, I was upset when as a Legislature we were going to vote hundreds of thousands of dollars for our friend the former member from Simcoe whatever to absolve him of the responsibility of actions he apparently had taken. I don't want to get into those details, but I support very strongly the notion of parental and individual responsibility. But I have some very real concerns, as do many others, that this legislation may not advance that cause in reality.

**The Speaker:** Further questions and comments? The minister with responsibility for children.

**Hon Mrs Marland:** We're not going to have three Liberals in a row, Mr Caplan.

**Mr David Caplan (Don Valley East):** To be honest, Margaret, it may be so.

**Hon Mrs Marland:** No, I'm sorry.

**Mr Bradley:** You're not accusing Peter of being a Liberal.

**Hon Mrs Marland:** No, not yet.

I think we're going to obviously eagerly anticipate the debate next week, because the former member for Welland-Thorold has now promised us twice this afternoon that he's going to speak for an hour, and of course we're shortly coming to a close this afternoon and I don't think we're extending the sitting hours, Peter, to accommodate you. I don't think you would want us to do that.

The issue of parents and children has to be the greatest responsibility for all of us as legislators. I think this legislation should bring out some very healthy debate around those issues because it's a responsibility we have—in fact I would go as far as saying it's an obligation we have—to the future of our province to ensure that we use our communal wisdom together to ensure that legislation has positive impacts on those young people through their parents. Frankly, I tell quite openly, as the minister responsible for children, that I thought I was a pretty bright, intelligent 23-year-old when we had our first child. But you know what? We all have to learn to be parents, and part of the acquired knowledge of becoming a parent is also assuming the tremendous responsibility of being a parent. Hence the title of this legislation and unfortunately, in some cases, as I said, the necessity for this legislation.

Not by any means are we saying all parents have a problem. The majority of parents are marvellous.

**Mr Bradley:** I thank the members for Niagara Centre, London-Fanshawe, Renfrew-Nipissing and Mississauga South for responding, I think in a positive way, although we have some differences of opinion, to this legislation.

One of the areas I don't see covered—it may be in the bill and I didn't read the bill carefully enough—is what we do with wards of the state. Somebody asked me that last night. I was speaking to the Anglican churchmen, I should say to Margaret, the men of St George's Anglican Church in St Catharines, more than one of whom was a Conservative among that group, I can assure you.

**Mr Conway:** It used to be said the Anglican Church was the Tory party of prayer.

**Mr Bradley:** Be that as it may, as the lawyer said—the only thing I know that lawyers say is, "Be that as it may"—one person asked me at the conclusion of my remarks, as I was going out: "What are they going to do with wards of the children's aid society, for instance? Is the government going to assume that kind of responsibility?" There are a lot of questions that arise.

I think the member for Mississauga South makes a valid point when she says this legislation will engender a debate about parental responsibility, and if that is what it does, it is a valuable piece of legislation from that point of view. However, I am very concerned that many of the provisions of this bill may in fact weaken our ability to deal with what can be a very sticky problem. That's why I hope the government is open to some kind of amendment to this legislation.

Like my colleague from Renfrew-Nipissing, again I emphasize I would like to hear a person who had 20 years on the bench tell us what some of his observations might be, if he gets the chance in the debate.

Mr Kormos, I'm sure, will have an opportunity, as I say, to speak at some length and will help us out with some of the legal details of this legislation.

**Mr Kormos:** I'll join other members in this House who have already indicated that there isn't a person here who diminishes the impact of crime upon households and families, be it property crime or violent crime, which isn't the subject matter of this legislation. Let's acknowledge that. There isn't a single person here who doesn't bemoan the phenomenon of youth crime. As I say, there's something more despicable and deplorable about the fact that kids are committing crimes, and we know that they are. We know kids are committing crimes against property and kids are committing crimes of violence against people, and that is a remarkable thing for a society, a community, to have to endure. Perhaps in some bizarre way we expect that from an adult who may fit some sort of stereotype of a mugger or a robber, but to see kids committing crimes, be they of age for the purpose of the Young Offenders Act or not, should shock us, should offend us and should drive us to respond. I have no hesitation in agreeing with that proposition. I don't think a single person who's involved in this discussion or anybody who watches or observes this discussion is going to dispute that.

But I also put this to you. I'm putting to you, my friends, that the bill is lacklustre in the most exceptional way in that it does not change the status quo in any meaningful way, least of all in the enhancement of victims' rights. All of us, other than a handful, were here

in May of last year when this government's record on victims' rights was indicted by the judgment of Mr Justice Day here in the city of Toronto when two women, with whom this Legislature should be very familiar because Mr Bradley and I raised their cases numerous times over a period of time in this House with the then Attorney General—the litigation by Linda Even and Karen Vanscoy, which sought to have the courts enforce the Victims' Bill of Rights vis-à-vis themselves, resulted in our courts in this province declaring this government's Victims' Bill of Rights to contain no rights and to be unenforceable, not worth the paper it's written on.

**1750**

I, and I suspect other members of the opposition, would far sooner be here debating, with the intention of passing, a meaningful Victims' Bill of Rights, which you people failed to deliver in the first instance, than this lacklustre restatement of the status quo. In fact the Premier promised—after the ruling of Judge Day that your Victims' Bill of Rights contained no rights, consisted of zero, didn't aid victims, gave them no opportunity for redress, didn't protect their interests—that he would rectify it. Did we see any bills rectifying the gross injustice you committed when you imposed your so-called Victims' Bill of Rights? No. We see Bill 55.

I tell you right now that the debate around Bill 55 is going to be far broader than you anticipated, because it's going to entail not just the concept of whether parents should be liable for their kids' wrongdoing and their kids' misdeeds. The bottom line is—you've heard it already and you'll hear it again from witnesses who will appear at the committee hearings. The opposition parties are going to be pushing for broad and extensive committee hearings. I can say this because I have discussed this with my counterpart, Mr Bryant. We'll certainly be calling for broad and extensive hearings. There are a whole lot of people whose interest you have piqued as a result of the fanfare you tried to create around Bill 55.

There is going to be a whole lot of legal expertise available to you, to tell you, as I indicated before, that section 68 of the Family Law Act, the status quo which you've incorporated into this bill and which I believe Manitoba was emulating when they passed their legislation of 1996-97, is surprisingly not the subject matter of a single reported decision here in Ontario. After 14 years, it appears never to have been the subject matter of litigation. I not only had research do it, but I searched for it. I talked to some lawyers who practise in this area, and they searched for it. I called an editor of one of the leading family law annotated services and asked him if he was familiar with any unreported decisions, never mind reported decisions.

Victims could always go to Small Claims Court. There's nothing new here, friends. If their claim exceeded \$6,000, they could go to what we used to call the General Division, the higher level of court. There's nothing new here. As I say, since 1986 the onus has been on parents, who in an action like this are effectively being accused of some type of negligence for the

inadequate supervision or control of their kids. The onus has always been on the parents to prove or establish that they were exercising an appropriate level of supervision and control.

Have there been cases? I'm familiar with cases, as a result of discussions with lawyers, where there have been resolutions. Mr Mazzilli trivialized the comments of Mr Bryant when he referred to the common law, but the fact is the common law is the law. I'm aware, from my contact and conversations with families and lawyers, of scenarios where families have been liable under the common law for the inadequate supervision of their kids when they perform a misdeed.

But I want this Legislature, and especially the committee, to listen carefully to the people who are going to come forward. I have spoken with a number of people since this bill was introduced. One of the people I've spoken with is one Bonnie Buxton. She's a journalist here in the city of Toronto and she's an activist in promoting awareness of fetal alcohol syndrome. She works extensively with families of delinquent kids. She has, I tell you, a whole lot to tell you about the families that you purport to target with this legislation.

I know a little bit about those families too. Any of us in our communities, be it through our constituency offices, as a result of our day-to-day activities, as a result of our association with other families, in any number of contexts, we're all aware of families, even the best of families, as close to Ozzie and Harriet as you're going to get, as close to the Cleavers as you could ever imagine, where a kid goes off track, where a kid goes astray. You know—or you should know, and if you don't know, you're going to find out before this process is over—that those families go through hell and back. Those families remortgage their houses, seeking out psychiatric treatment and residential schools and military-style schools for their kids, inevitably none of which work, or work very well. They go through hell and back dealing with the fear of a community around them, knowing there's a kid who is very much off track and whose conduct is either dangerous to themselves or to their property.

Ms Buxton is one of those people who can speak in their own right about parents of kids who go off track—parents of adoptive kids; parents who have no direct control over what happened to that child when that child was still in the mother's womb. Hence her interest in fetal alcohol syndrome, because that's a prenatal phenomenon. The experience of adoptive parents and the experience of biological parents who do the best they can, oftentimes with less and less resources, but then who suffer the incredibly destructive—destructive to the family, not just to the community and to the people around but destructive to the family. You're going to hear from some of these people about the toll that delinquent kids take on families in terms of the other siblings, the sisters and brothers of that kid, the toll they take on marriages, and the incredible strain they put on the finances of even the most affluent of families.

I heard the parliamentary assistant somehow discuss the proposition that he didn't want to hear about how poverty was a relevant consideration. Well, I'm afraid that you, by opening this debate, have opened the Pandora's box and are going to be subjected to a whole lot of evidence about how poverty is a very distinctive factor in a variety of ways, in far more ways than you ever anticipated or contemplated, the kind of poverty that

you've created that makes it necessary, even when there are two-parent families, for those parents to be working not just one job each but two and three jobs each.

It being close to 6 of the clock—

**The Speaker:** You knew what I was going to say.

It now being almost 6 of the clock, this House stands adjourned until 1:30 of the clock on Monday.

*The House adjourned at 1759.*

**LEGISLATIVE ASSEMBLY OF ONTARIO**  
**ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO**

Lieutenant Governor / Lieutenante-gouverneure: Hon / L'hon Hilary M. Weston  
Speaker / Président: Hon / L'hon Gary Carr  
Clerk / Greffier: Claude L. DesRosiers  
Clerk Assistant / Greffière adjointe: Deborah Deller  
Clerks at the Table / Greffiers parlementaires: Todd Decker, Lisa Freedman  
Sergeant-at-Arms / Sergent d'armes: Dennis Clark

Constituency Circonscription	Member/Party Député(e) / Parti	Constituency Circonscription	Member/Party Député(e) / Parti
Algoma-Manitoulin	Brown, Michael A. (L)	Hamilton Mountain	Bountrogianni, Marie (L)
Barrie-Simcoe-Bradford	Tascona, Joseph N. (PC)	Hamilton West / -Ouest	Christopherson, David (ND)
Beaches-East York	Lankin, Frances (ND)	Hastings-Frontenac- Lennox and Addington	Dombrowsky, Leona (L)
Bramalea-Gore-Malton- Springdale	Gill, Raminder (PC)	Huron-Bruce	<b>Johns, Hon / L'hon Helen</b> (PC) Minister of Citizenship, Culture and Recreation, minister responsible for seniors and women / ministre des Affaires civiques, de la Culture et des Loisirs, ministre déléguee aux Affaires des personnes âgées et à la Condition féminine
Brampton Centre / -Centre	Spina, Joseph (PC)		
Brampton West-Mississauga / Brampton-Ouest-Mississauga	<b>Clement, Hon / L'hon Tony</b> (PC) Minister of Municipal Affairs and Housing / ministre des Affaires municipales et du Logement		
Brant	Levac, Dave (L)	Kenora-Rainy River	Hampton, Howard (ND) Leader of the New Democratic Party / chef du Nouveau Parti démocratique
Broadview-Greenwood	Churley, Marilyn (ND)		
Bruce-Grey	Murdoch, Bill (PC)	Kingston and the Islands / Kingston et les îles	Gerretsen, John (L)
Burlington	<b>Jackson, Hon / L'hon Cameron</b> (PC) Minister of Tourism / ministre du Tourisme	Kitchener Centre / -Centre	Wettlaufer, Wayne (PC)
Cambridge	Martiniuk, Gerry (PC)	Kitchener-Waterloo	<b>Witmer, Hon / L'hon Elizabeth</b> (PC) Minister of Health and Long-Term Care / ministre de la Santé et des Soins de longue durée
Carleton-Gloucester	Coburn, Brian (PC)		
Chatham-Kent Essex	Hoy, Pat (L)	Lambton-Kent-Middlesex	Beaubien, Marcel (PC)
Davenport	Ruprecht, Tony (L)	Lanark-Carleton	<b>Sterling, Hon / L'hon Norman W.</b> (PC) Minister of Intergovernmental Affairs, government House leader / ministre des Affaires intergouvernementales, leader parlementaire du gouvernement
Don Valley East / -Est	Caplan, David (L)		
Don Valley West / -Ouest	<b>Turnbull, Hon / L'hon David</b> (PC) Minister of Transportation / ministre des Transports	Leeds-Grenville	<b>Runciman, Hon / L'hon Robert W.</b> (PC) Minister of Consumer and Com- mercial Relations / ministre de la Consommation et du Commerce
Dufferin-Peel- Wellington-Grey	Tilson, David (PC)		
Durham	O'Toole, John R. (PC)	London North Centre / London-Centre-Nord	<b>Cunningham, Hon / L'hon Dianne</b> (PC) Minister of Training, Colleges and Universities / ministre de la Formation et des Collèges et Universités
Eglinton-Lawrence	Colle, Mike (L)	London West / -Ouest	Wood, Bob (PC)
Elgin-Middlesex-London	Peters, Steve (L)	London-Fanshawe	Mazzilli, Frank (PC)
Erie-Lincoln	<b>Hudak, Hon / L'hon Tim</b> (PC) Minister of Northern Development and Mines / ministre du Développement du Nord et des Mines	Markham	<b>Tsubouchi, Hon / L'hon David H.</b> (PC) Solicitor General / solliciteur général
Essex	Crozier, Bruce (L)	Mississauga Centre / -Centre	<b>Sampson, Hon / L'hon Rob</b> (PC) Minister of Correctional Services / ministre des Services correctionnels
Etobicoke Centre / -Centre	<b>Stockwell, Hon / L'hon Chris</b> (PC) Minister of Labour / ministre du Travail	Mississauga East / -Est	DeFaria, Carl (PC)
Etobicoke North / -Nord	Hastings, John (PC)	Mississauga South / -Sud	<b>Marland, Hon / L'hon Margaret</b> (PC) Minister without Portfolio (Children) / ministre sans portefeuille (Enfance)
Etobicoke-Lakeshore	Kells, Morley (PC)		
Glengarry-Prescott-Russell	Lalonde, Jean-Marc (L)	Mississauga West / -Ouest	<b>Snobelen, Hon / L'hon John</b> (PC) Minister of Natural Resources / ministre des Richesses naturelles
Guelph-Wellington	Elliott, Brenda (PC)		
Haldimand-Norfolk-Brant	Barrett, Toby (PC)		
Haliburton-Victoria-Brock	<b>Hodgson, Hon / L'hon Chris</b> (PC) Chair of the Management Board of Cabinet / président du Conseil de gestion		
Halton	Chudleigh, Ted (PC)		
Hamilton East / -Est	Agostino, Dominic (L)		

Constituency Circonscription	Member/Party Député(e) / Parti	Constituency Circonscription	Member/Party Député(e) / Parti
Nepean-Carleton	<b>Baird, Hon / L'hon John R.</b> (PC) Minister of Community and Social Services, minister responsible for francophone affairs / ministre des Services sociaux et communautaires, ministre délégué aux Affaires francophones	Scarborough Southwest / -Sud-Ouest	<b>Newman, Hon / L'hon Dan</b> (PC) Minister of the Environment / ministre de l'Environnement
Niagara Centre / -Centre	Kormos, Peter (ND)	Scarborough-Agincourt	Phillips, Gerry (L)
Niagara Falls	Maves, Bart (PC)	Scarborough-Rouge River	Curling, Alvin (L)
Nickel Belt	Martel, Shelley (ND)	Simcoe North / -Nord	Dunlop, Garfield (PC)
Nipissing	<b>Harris, Hon / L'hon Michael D.</b> (PC) Premier and President of the Executive Council / premier ministre et président du Conseil exécutif	Simcoe-Grey	<b>Wilson, Hon / L'hon Jim</b> (PC) Minister of Energy, Science and Technology / ministre de l'Énergie, des Sciences et de la Technologie
Northumberland	Galt, Doug (PC)	St Catharines	Bradley, James J. (L)
Oak Ridges	<b>Klees, Hon / L'hon Frank</b> (PC) Minister without Portfolio / ministre sans portefeuille	St Paul's	Bryant, Michael (L)
Oakville	<b>Carr, Hon / L'hon Gary</b> (PC) Speaker / Président	Stoney Creek	Clark, Brad (PC)
Oshawa	Ouellette, Jerry J. (PC)	Stormont-Dundas-Charlottenburgh	Cleary, John C. (L)
Ottawa Centre / -Centre	Patten, Richard (L)	Sudbury	Bartolucci, Rick (L)
Ottawa South / -Sud	McGuinty, Dalton (L) Leader of the Opposition / chef de l'opposition	Thornhill	Molinari, Tina R. (PC)
Ottawa West-Nepean / Ottawa-Ouest-Nepean	Guzzo, Garry J. (PC)	Thunder Bay-Atikokan	McLeod, Lyn (L)
Ottawa-Vanier	Boyer, Claudette (L)	Thunder Bay-Superior North / -Nord	Gravelle, Michael (L)
Oxford	<b>Hardeman, Hon / L'hon Ernie</b> (PC) Minister of Agriculture, Food and Rural Affairs / ministre de l'Agriculture, de l'Alimentation et des Affaires rurales	Timiskaming-Cochrane	Ramsay, David (L)
Parkdale-High Park	Kennedy, Gerard (L)	Timmins-James Bay / Timmins-Baie James	Bisson, Gilles (ND)
Parry Sound-Muskoka	<b>Eves, Hon / L'hon Ernie L.</b> (PC) Deputy Premier, Minister of Finance / vice-premier ministre, ministre des Finances	Toronto Centre-Rosedale / Toronto-Centre-Rosedale	Smitherman, George (L)
Perth-Middlesex	Johnson, Bert (PC)	Trinity-Spadina	Marchese, Rosario (ND)
Peterborough	Stewart, R. Gary (PC)	Vaughan-King-Aurora	<b>Palladini, Hon / L'hon Al</b> (PC) Minister of Economic Development and Trade / ministre du Développement économique et du Commerce
Pickering-Ajax-Uxbridge	<b>Ecker, Hon / L'hon Janet</b> (PC) Minister of Education / ministre de l'Éducation	Waterloo-Wellington	Arnott, Ted (PC)
Prince Edward-Hastings	Parsons, Ernie (L)	Wentworth-Burlington	Vacant
Renfrew-Nipissing-Pembroke	Conway, Sean G. (L)	Whitby-Ajax	<b>Flaherty, Hon / L'hon Jim</b> (PC) Attorney General, minister responsible for native affairs / procureur général, ministre délégué aux Affaires autochtones
Sarnia-Lambton	Di Cocco, Caroline (L)	Willowdale	Young, David (PC)
Sault Ste Marie	Martin, Tony (ND)	Windsor West / -Ouest	Pupatello, Sandra (L)
Scarborough Centre / -Centre	Mushinski, Marilyn (PC)	Windsor-St Clair	Duncan, Dwight (L)
Scarborough East / -Est	Gilchrist, Steve (PC)	York Centre / -Centre	Kwinter, Monte (L)
		York North / -Nord	Munro, Julia (PC)
		York South-Weston / York-Sud-Weston	Cordiano, Joseph (L)
		York West / -Ouest	Sergio, Mario (L)

A list arranged by members' surnames and including all responsibilities of each member appears in the first and last issues of each session and on the first Monday of each month.

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

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COMITÉS PERMANENTS ET SPÉCIAUX DE L'ASSEMBLÉE LÉGISLATIVE**

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Vice-Chair / Vice-Président: Alvin Curling  
Gilles Bisson, Sean G. Conway, Alvin Curling,  
Gerard Kennedy, Frank Mazzilli, John R. O'Toole,  
R. Gary Stewart, Wayne Wettlaufer  
Clerk / Greffière: Anne Stokes

**Finance and economic affairs /  
Finances et affaires économiques**

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Vice-Chair / Vice-Président: Doug Galt  
Ted Arnott, Marcel Beaubien, David Christopherson,  
Doug Galt, Monte Kwinter, Tina R. Molinari,  
Gerry Phillips, David Young  
Clerk / Greffier: Tom Prins

**General government / Affaires gouvernementales**

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Vice-Chair / Vice-Présidente: Julia Munro  
Toby Barrett, Marie Bountrogianni, Ted Chudleigh,  
Garfield Dunlop, Steve Gilchrist, Dave Levac,  
Rosario Marchese, Julia Munro  
Clerk / Greffier: Viktor Kaczkowski

**Government agencies / Organismes gouvernementaux**

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Vice-Chair / Vice-Président: Bruce Crozier  
James J. Bradley, Bruce Crozier, Leona Dombrowsky,  
Bert Johnson, Morley Kells, Tony Martin,  
Joseph Spina, Bob Wood  
Clerk / Greffier: Douglas Arnott

**Justice and Social Policy / Justice et affaires sociales**

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Vice-Chair / Vice-Président: Carl DeFaria  
Marcel Beaubien, Michael Bryant, Carl DeFaria,  
Brenda Elliott, Garry J. Guzzo, Peter Kormos,  
Lyn McLeod, Marilyn Mushinski  
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Vice-Chair / Vice-Président: Brad Clark  
Marilyn Churley, Brad Clark, Caroline Di Cocco,  
Jean-Marc Lalonde, Jerry J. Ouellette, R. Gary Stewart, Joseph N.  
Tasca, Wayne Wettlaufer  
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Shelley Martel, Bart Maves, Julia Munro,  
Marilyn Mushinski, Richard Patten  
Clerk / Greffière: Tonia Grannum

**Regulations and private bills /  
Règlements et projets de loi privés**

Chair / Présidente: Frances Lankin  
Vice-Chair / Vice-Président: Garfield Dunlop  
Gilles Bisson, Claudette Boyer, Brian Coburn,  
Garfield Dunlop, Raminder Gill, Pat Hoy,  
Frances Lankin, Bill Murdoch  
Clerk / Greffière: Anne Stokes

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