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**Official Report
of Debates
(Hansard)**

Thursday 1 June 2000

**Journal
des débats
(Hansard)**

Jeudi 1^{er} juin 2000

Speaker
Honourable Gary Carr

Clerk
Claude L. DesRosiers

Président
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LEGISLATIVE ASSEMBLY
OF ONTARIO

Thursday 1 June 2000

ASSEMBLÉE LÉGISLATIVE
DE L'ONTARIO

Jeudi 1^{er} juin 2000

*The House met at 1000.
Prayers.*

PRIVATE MEMBERS' PUBLIC BUSINESS

OAK RIDGES MORaine
GREEN PLANNING ACT, 2000

LOI DE 2000
SUR L'AMÉNAGEMENT ÉCOLOGIQUE
DE LA MORaine D'OAK RIDGES

Ms Martel moved second reading of the following bill:

Bill 71, An Act to freeze development on the Oak Ridges Moraine and to amend the Planning Act to increase and strengthen the protection of natural areas across Ontario / Projet de loi 71, Loi imposant un moratoire sur les aménagements dans la moraine d'Oak Ridges et modifiant la Loi sur l'aménagement du territoire de manière à accroître et à renforcer la protection des sites naturels partout en Ontario.

Ms Shelley Martel (Nickel Belt): I am pleased today to have the opportunity to move second reading of Bill 71. I note that discussion of this important issue today occurs at a time when, first, the Ontario Municipal Board case involving Richmond Hill and the developers has just begun; second, that members from both the Liberal and Conservative parties have also put forward private members' bills to deal with protection of this very important area, and I think that speaks to a serious concern which now cuts across all party lines; third, that the public concern about clean, safe and healthy drinking water has been enormously heightened by the recent very tragic events in Walkerton. I raise that in light of the moraine since much of its significance also focuses on water. I believe the bill is very relevant to events which are unfolding now and, given the incredible public interest that is occurring with respect to the moraine, it's important that we have that debate in this House.

I'd like to begin by reinforcing the importance of the Oak Ridges moraine and what the bill does to protect the moraine, and second, how through Bill 71 New Democrats would incorporate green planning in other parts of Ontario too.

First the significance of the moraine: The moraine is the largest in Canada. It stretches some 160 kilometres, from the Niagara Escarpment in the west to the Trent River in the east. It stands out as one of the most

significant green corridors in southern Ontario. More than 30 of the rivers that drain into Lake Simcoe and Lake Ontario, including the Humber, the Don, the Rouge and many others, have their headwaters in the moraine.

It holds immense aquifers which provide municipal drinking water for more than 10 communities, including Aurora and Newmarket. It is home to thousands of wetlands, including kettle lakes, kettle bogs, cedar swamps and ponds, large tracts of upland forest, sandy plains, extensive meadows and even tall grass prairie. There are some 130 bird species that breed on the moraine and another 60 migratory species that pass through.

It is a rich natural heritage area, and its importance as a significant and sensitive landform in Ontario has been very publicly recognized—again, most recently on February 1, when some 450 scientists in the fields of earth and life sciences came together to call on the government to implement their six-point action plan to protect the Oak Ridges moraine.

There is no legitimate, reasonable argument which can be made to undermine either the environmental or the ecological significance of the Oak Ridges moraine, but these facts seem to be of little importance to a number of developers who continue to push for tremendous development on the moraine. There are some 20 applications that are now under review. We have the OMB case which is underway, and the case itself clearly shows what happened and what I think will regrettably continue to happen unless we have some consistent, comprehensive planning that emphasizes strong protection policies applied to those parts of the eight regions and counties and the 26 municipalities that lie within the moraine.

This government has a leadership role to play in the protection of the moraine. I can't emphasize that enough. The Minister of Municipal Affairs and Housing cannot continue to pretend that the municipalities have the tools themselves to do the job that is necessary. I think the Richmond Hill OMB hearing demonstrates that. Second, the Minister of Municipal Affairs cannot continue to slough off his responsibility on to those municipalities, the counties and regions which lie within or border on the moraine. Bill 71 would force the government to act, to stop the haphazard development on the moraine and to implement a long-term strategy for land use in this important area.

Bill 71 imposes a development freeze on the Oak Ridges moraine until the government issues a policy statement under the Planning Act which will direct how the moraine will be dealt with in the long term. This

statement could well be based on the Oak Ridges Moraine Area Strategy for the Greater Toronto Area, 1994, since it's clear that so much work was done through that process to provide for an ecological approach to management of the moraine. But since that was also done in 1994, there may well be a reason to update much of that work that was done as well.

The bill defines the moraine as the land which was identified in the 1994 Oak Ridges moraine strategy. It further provides that the Minister of Municipal Affairs may make an order designating other land outside of the greater Toronto area, which is also part of the geological feature known as the Oak Ridges moraine, to be included as well. That would ensure that the policy statement and the controls and protection it affords will also be applied to all of the area which is significant.

Further, Bill 71 amends the Planning Act, section 3, to make it clear that decision-makers and municipal councils, local boards, planning boards, ministries, agencies, boards and commissions of the government, including the Ontario Municipal Board, and cabinet ministers themselves must guarantee the decisions which are made involving planning matters "shall be consistent ... with policy statements issued" by the provincial government.

It will not be good enough any longer for those same decision-makers only to have regard to the policy statements when land use planning decisions are being made. Provincial policy would have to figure prominently in municipal planning decisions and in the decisions made by the Ontario Municipal Board in land use planning appeals. This would effectively end adoption of official plans and amendments which differ from provincial policy; it would strengthen the position of municipal councils trying to protect land in the face of intense development lobbying; and finally, it would give clear direction to the OMB when dealing with appeals.

The bill also establishes an intervener funding program to assist those who wish to participate in the OMB process. Decisions about funding would be made by an independent decision-maker and would be sufficient to pay for research, professional supports and legal expenses.

While Bill 71 provides a solution to the immediate crisis facing the Oak Ridges moraine, in light of the OMB hearing underway and the 20 other development applications which are lined up, the bill goes further in an attempt to head off what has proven to be a very costly, confrontational protection versus urban development battle now in place in the moraine, but which could reoccur very easily elsewhere in Ontario. So the bill implements good greening and good green planning right across the province.

1010

Two schedules which appear in Bill 71 would be added to the Planning Act. The first schedule outlines where and how development would occur in relation to headwaters, aquifers, groundwater recharge areas, natural heritage features, areas of natural and scientific interest etc. The schedule deals with protection of significant fish

and wildlife habitat, natural corridors and links and maintenance of indigenous natural systems.

The second schedule makes it clear that provincially significant wetlands shall be protected, that other wetlands should be protected and that environmental impact studies will be required by proponents who propose to develop near wetlands. The schedule also deals at great length with how intensification or new development will occur in or near municipalities or in rural areas near municipalities. Inclusion of the schedules in the Planning Act would clearly describe how development would occur and would strengthen protection of those same features which are at the heart of the moraine battle in other communities across Ontario as well.

As with the case of the policy statements where decision-makers must make decisions that shall be consistent with provincial policy, the same applies to the requirements of the two schedules. Planning decisions shall be consistent with the two schedules too.

This Legislature has an opportunity to end the current crisis on the Oak Ridges moraine: first, by imposing a development freeze, and second, by having this provincial government provide a leadership role in protecting this sensitive and significant land form, by forcing it to issue a policy statement under the Planning Act, which would guide and control land use planning on the moraine in the future.

I would argue that today not only do we have an opportunity to do this, but frankly, we have a responsibility to do so as well, to protect an area which has already been identified as having provincial significance. Further, to try and avoid a repetition of the crises on the moraine, we need to adopt green planning elsewhere in Ontario to strengthen and protect other significant natural areas, wetlands, fish and wildlife habitats, natural corridors, lake, river, and stream shorelines, ravines, ground water recharge areas, headwaters, aquifers etc.

I ask all MPPs today for their support of Bill 71 so that we can get passage at second reading and we can have it referred to the committee for public hearings. I believe there is tremendous public interest in the Oak Ridges moraine right now. It's time we had some of that interest demonstrated in this House, and the way we can do that is by taking one of the bills that refer to the moraine, getting it into committee and having a full debate about how we protect this very important area.

Mr Steve Gilchrist (Scarborough East): It's indeed my pleasure to rise today to express my very strong support for this bill. I think the member from Nickel Belt was quite correct in her observation that given that members from all three parties have introduced private members' bills on this issue—something that is probably unprecedented in this chamber—there is a clear recognition on both sides of the House that there are problems, that there is a need to find a solution, that the Oak Ridges moraine, as just one element of our natural heritage, must be protected for future generations. There is some overlap in the bills that each of three members has presented,

but Ms Martel's bill does have a number of elements that are unique.

I want to congratulate her for the overall premise behind her bill, with the starting point that there be a freeze on development. It is sophistry at its worst to suggest that we can look at the 1994 strategy, we can look at policy or planning statements, we can look at any number of tools, but only at some point down the road, weeks, months, years down the road. In the meantime, we stand to lose incredibly valuable farmland, incredibly valuable wetland, natural resources that will be irreplaceable if lost to inappropriate development. There is no turning back the clock if we don't stop development now while we apply the collective wisdom in this chamber, the collective wisdom of the scientists, the Ministry of Natural Resources, and every other resource we can bring to bear on this very important issue.

I don't believe it will take years to distill down a policy statement, to come to some conclusion about what should or should not be the long-term future of the moraine. Most of that work has been done. We've seen a map published by the Ministry of Municipal Affairs that already shows the aggregate of the research done by the Ministry of Natural Resources to date, and I think with only a little bit of fine-tuning, we are almost there in terms of having a clear picture of what parts of the moraine must be protected, and where some development may be allowed. No one—at least no one on this side—has ever said “no development anywhere in the greater Toronto area,” but when you recognize that 48% of Richmond Hill, for example, falls on the moraine, clearly we have an obligation in municipalities like that to make a distinction between the moraine lands and lands which may be infinitely more appropriate for development.

We may very well hear in debate that there are specific clauses in Ms Martel's bill which are troublesome. That's to be expected. In the five years I've been here, I don't think I've seen a single statute, whether it's a government bill or a private member's bill, that didn't have some fine tuning, that didn't need corrections when it goes to committee. It is utter fraud to stand here and suggest that a bill should be thrown out because you disagree with one clause, one word, one line, at this stage of the proceedings. The place to make those changes is in committee. It is only when it comes back for third reading that we have to judge the bill as a package.

I stand here right now and offer to the member for Nickel Belt that there are things in her bill I would like to see changed. In some cases I think she brings in issues that are tangential to the moraine. I'm sure they're important to the member, but I think they may open a wedge and take us off the focus of the pure protection of this important element of our natural heritage. On the other hand, I think there are opportunities to more concretely build in elements from the 1994 Oak Ridges moraine strategy and the work done by MNR to beef up the policy statement that she's talking about. So when I talk about the changes that can be made in committee, it

isn't just watering down; it's actually strengthening elements of this bill.

There are tools available to all levels of government in dealing with the moraine. I've raised the issue with members of the Senate, and I'm pleased to say that questions have been posed there to the counterpart, Ms Copps, to make sure the federal government is on notice that if they're prepared to stick their nose into the Red Hill Creek Expressway, a project that is infinitesimal in relation to the 160-kilometre length of the Oak Ridges moraine, why in blazes is Sheila Copps not prepared to take the same steps and protect the Oak Ridges moraine? At the same time, I say categorically to my colleagues on both sides, we cannot let the municipalities off the hook. There are powers under the Development Charges Act to literally price the Oak Ridges moraine land out of touch. There are powers under section 37 of the Planning Act to guarantee that other lands would be infinitely more attractive to developers.

All three levels of government must work together on this project. It transcends partisan politics. It transcends the normal power trip that each level of government might be accused of being on. This must be a collective effort. We have seen extraordinary co-operation among the three parties so far in this Legislature. We have seen a coincidence of ideas.

I believe that Ms Martel's bill is worthy of support. I believe it is appropriate that we freeze development until we put in place a long-term strategy, and I believe it's appropriate for members on both sides of this House to support the bill at second reading. Make the changes you want at committee, if that's appropriate, and then let's get on with the task of saving this important element of our natural heritage for future generations.

Mr Mike Colle (Eglinton-Lawrence): It certainly is very refreshing to hear members on both sides of the House supporting a call for a freeze on development on the moraine, which this bill puts forward. I am urging everybody on this side of the House to support Bill 71, Ms Martel's bill. It makes eminent sense, because almost everybody who lives on the moraine or off the moraine agrees unanimously that the moraine should be protected. There should be a freeze on development immediately. The only people who disagree with the immediate freeze on development are the developers who own land on the moraine—even some developers believe in the freeze—and this government. Those are the only two voices against doing the right thing in the moraine.

1020

What we need here today is to recognize that, ultimately, this moraine relates directly to the drinking water of over 400,000 people who live in the moraine area. Some 465 scientists have categorically said that if you don't step in, if the provincial government doesn't step in and protect the moraine, you're endangering the drinking water of over 400,000 people who directly rely on well water or water from the aquifers in the moraine. As you know, the moraine is a giant rain barrel. As the rain barrel of southern Ontario, it provides drinking water

directly for 400,000 people, and, indirectly, it provides clean water in the 65 rivers and streams that flow north to Lake Simcoe and south to Lake Ontario. Everywhere from the Ganaraska to the Credit to the Humber, the Don, the Rouge, we rely on the moraine to basically act as a filter and regenerate water that goes into these rivers and streams and ends up in Lake Simcoe and Lake Ontario.

So five million people are directly affected, and the 465 scientists, along with the Federation of Ontario Naturalists, categorically put this government on notice in saying that if you don't stop this reckless development on the moraine, you are going to jeopardize the ability of the moraine to regenerate and to filter and clean the water that people depend upon. They've been put on notice by the scientists that came here, right in this Legislature. It's very categorical.

We don't want to be talking about what the Senate should do, what municipalities should do. This is clearly the responsibility of this provincial government, and they can't pass the buck and blame municipalities or the Senate of this country. It is their job under the Planning Act, constitutionally, to step in and plan areas and protect areas through the planning process.

As you know, this government has basically weakened the planning processes to where the developers have received more and more power. As Ms Martel mentioned, as a result of changes made by the Harris government, the Ontario Municipal Board has excessive powers now, where developers don't even have to listen to local councils or ratepayers. They can leapfrog over ratepayers and councils and go directly to the Ontario Municipal Board, where they pay big money and get their decisions approved like a rubber stamp on most occasions.

That's why I go on record again in saying that ultimately we need two things here: We need this government to do its job and put in protective planning. It has neglected to do that. All it relies upon are interim measures going back to 1991 that aren't worth the paper they were written on because they were interim and temporary. Secondly, what the government has got to do by putting in proper planning is take away those powers from the unelected, unaccountable members of the Ontario Municipal Board. As I've said in many meetings in Ballantrae, in Caledon, in Cobourg, I personally favour the abolition of the Ontario Municipal Board. Let people tell me why we shouldn't abolish the Ontario Municipal Board. It is of no value to protecting the moraine. In fact, it is the enemy of the moraine. It is not directly the OMB's fault, but the government, by basically stepping back and refusing to do its job, has said, "Well, let the OMB decide."

It's interesting that this government, through certain proposals—I call them the placebo proposals. As you know, this government knows and the members who represent the moraine know that there's unanimous support for a freeze on development on the moraine, unanimous support to protect the water on the moraine. The members across the aisle who represent the moraine know that, yet they have done nothing to protect it. Now they are trying to pretend they're trying to do something.

A couple of weeks ago they issued a map, saying, "Look at this map," and you saw the newspaper headlines saying "Moraine Protected." That is not true. That map relates to 1% of the moraine in the Yonge Street area. Don't believe that map, because the map doesn't have a ministerial zoning order behind it. It's worthless without the minister intervening and freezing development behind the map, and it's only 1%. The moraine is not just Richmond Hill. The moraine stretches from the Niagara Escarpment all the way to the Northumberland forest, to the plains of Rice Lake and Peterborough. It's 160 to 180 kilometres long, over 200,000 hectares. It is not just that spot on the map. So don't be fooled by those placebo maps that say that this is saved. It is not saved.

This government is going to try and make you think they're saving it. They are not. You know where the truth is? It's in an unprecedented, outrageous letter signed by three ministers of the crown on May 29, just the other day; signed by Minister Clement, Minister Snobelen and Minister Newman, all three of whom have been charged to protect the moraine. As you know, there were environmental groups and citizens who asked these three ministers, through the Environmental Bill of Rights, to review existing legislation and review the need for new and more policies to protect the moraine. This is a request on the Environmental Bill of Rights.

Sadly, the three ministers responded, when they know that it's their duty to protect the moraine—here's their line in this outrageous letter: "We believe the guidelines, policy and legislation comprising the current land use planning system in Ontario provides that protection." Absurd. "Since this sound provincial and municipal framework of policy, guidelines and legislation exists, each of us does not believe that a further review is warranted." Signed by the three ministers charged with protecting the moraine. This was May 29. That's where this government stands. They are totally opposed to doing their job to protect the water, the wildlife, the forests, to protect communities.

Do you what they're doing? They are leaving communities at the mercy of the Ontario Municipal Board, which is a rubber stamp for developers. They are pretending that at the Ontario Municipal Board they are defending the moraine. This government is pretending. We don't need a government that pretends they're doing something. We need a government that does its job.

The people who live in Oak Ridges or the people who live in Goodwood want this government to step in and freeze development on the moraine today. You don't even need legislation. Minister Clement can stand up in this House today and order a ministerial order to freeze development today and get rid of this waste of millions of dollars. About \$15 million is going to be wasted at the Ontario Municipal Board in paying for high-priced Bay Street lawyers and consultants to basically thwart the will of all the people who want to stop development on the moraine.

There's no one who wants development to go on the moraine except the members of this government and the

developers who have a direct personal stake in it. That is outrageous, especially in light of the fact that we know that not only is this going to continue to cost millions and billions of dollars in unmitigated sprawl throughout the 905, through greater Toronto, it is going to endanger the water that people depend upon. That's what they're willing to risk at the OMB. The OMB should not be charged with protecting this precious natural masterpiece. It's disgusting that this government pretends that the OMB is charged with that responsibility. They are not. You, the government, are charged with that responsibility.

This private member's bill is great. We support it. Mr Gilchrist has a private member's bill. We support it. I have had my private member's bill since last November. We support that. But I tell everybody out there, we need more than private members' bills. We need more than placebos, more than 1% maps. We need this government to do its job and freeze development on the moraine, protect the water and listen to the five million people who depend on the moraine for their water, for their future sustainability. We need the government to listen to them and act on their direction, which is to freeze development on the moraine today and bring in a comprehensive plan that will last for centuries, not just leave it to the will of the unelected, unaccountable, disgusting Ontario Municipal Board.

I'll share my time with Mr Bryant from St Paul's.

1030

The Acting Speaker (Mr Michael A. Brown): Further debate?

Mr Michael Bryant (St Paul's): Thank you, Mr Speaker. I'm proud to follow the member—

The Acting Speaker: It goes in rotation, so we'll just see here. Further debate?

The member for St Paul's.

Mr Bryant: I'm proud to follow the member for Eglinton-Lawrence. Mike Colle has been fighting an epic battle to try to save and not pave the moraine. Interestingly, one of my predecessors in St Paul's, in one of its previous incarnations as St Andrew-St Patrick, the member Ron Kanter, in 1991 issued a report which began the strategy that was supposed to do something about saving the moraine. At the time, Mr Kanter entered the report calling on the province to declare a general expression of provincial interest for the Oak Ridges moraine area. It was supposed to be the first step. A strategy from there unfolded and unfortunately neither the NDP government of the day during the 1990s nor this government has done anything to protect the moraine.

In October last year, the official opposition called for an unequivocal freeze on the development of the moraine. Mike Colle introduced Bill 12, the Oak Ridges Moraine Protection and Preservation Act. It would establish a commission, modelled after the Niagara Escarpment Commission, working with local residents and with the municipal leaders to develop and implement a plan for protecting the area.

I cannot emphasize enough how important this issue is for the constituents of St Paul's. We get a tremendous

number of calls into our constituency office from people expressing their outrage over the development of the moraine. They do it first out of a general concern for the environment, but they also do it out of a real, direct concern about what's happening to the water that comes out of their taps. We're all affected here in the GTA, and our province will be affected by what happens to the moraine.

It has been said before that the moraine is like a giant sponge. It literally soaks up the rain and snow and sends them through the underground aquifers, directly to about half a million Ontarians. It's the upstream for I think 20 rivers in the GTA area, so we're all being affected by the moraine.

At this time in which our environment is under siege as a result of omissions and culpable commissions of the government of Ontario, who could argue against freezing the development of the moraine? Who could argue against the bill that is on for debate today? Who could argue against Bill 12, Mike Colle's bill? As was said by the member for Nickel Belt, there is tremendous public interest in this issue and in freezing the moraine.

Here are some of the things that the constituents of St Paul's have said. A professor wrote to Premier Harris:

"Along with many others in Ontario, I continue to be very concerned about development on the Oak Ridges Moraine. I hope that your government will take action in protecting the moraine ... in the first place by putting a brake on development till adequate, careful provincial planning can be done to assess the long-term effect of development." Who could argue against that?

Another fax sent in to me: "I would like to know how it is that politicians feel free to hand over such an important feature like the Oak Ridges moraine to developers.... The moraine must be protected in perpetuity."

I can assure this writer that politicians are not handing over this important feature, the moraine, to developers. The government of Ontario is. They're hiding behind the Ontario Municipal Board, which is unaccountable. They are accountable to the people of Ontario and are responsible for protecting our environment, and it will lie at their feet when the environmental disasters ensue while they are hiding behind the Ontario Municipal Board, doing nothing and permitting the development to take place.

It's a disgrace. We'll support this bill.

Hon Frank Klees (Minister without Portfolio): I am pleased to speak to this bill this morning. I think what's important is that it's very difficult on an issue like this to focus on the facts and separate what is rhetoric and what is perhaps politically expedient and what is the right thing to do, not only in the circumstance of the moraine but also in the interest of how we do planning across this province.

No one feels more strongly about this issue than I. I have the privilege of representing the riding of Oak Ridges, and the two issues that are before the Ontario Municipal Board to date relate to proposed developments in my own riding.

We heard so much this morning in the House about how this government doesn't care about the environment. Although we cannot speak specifically to the issues before the OMB, let me quote from today's newspaper what the lawyer on behalf of the provincial government is saying about the two development applications now. "The development applications, as proposed, do not adequately protect the environmental integrity of the moraine ... (and) environmental protection must be ensured because it is in the public interest." This was said by provincial lawyer Jyoti Zuidema before the board.

She "told the hearing that housing applications before the OMB do not meet the standards set out in provincial policy statements or those contained in 1991 guidelines that lay out a framework for moraine protection.

"That is because the land contains a unique concentration of wildlife, significant headwater zones and provides the confluence for the Rouge, Don, Humber and Holland rivers."

I have been an advocate of moving beyond what we have currently. I've been an advocate publicly for considering the implementation of the 1994 strategy as a further strengthening of provincial policy and I'll continue to do that because I believe it's the right thing to do. I'll advocate that with my caucus colleagues and my cabinet colleagues. But to hear the rhetoric opposite is, I believe, not serving well the people of this province. It's not serving well those who care deeply about the environment to represent that there is no policy, because there is; to represent that our government does not care about the environment, because clearly we do. We wouldn't be before the Ontario Municipal Board today and making representations such as we hear reported, which is very clear. It is unequivocal. It's a very strong statement about the two development applications before the board today.

At some point we have to rely on a planning process in this province. If we don't, I say to you it's a slippery slope to say that every time a decision is made by a quasi-judicial body we want political interference. In fact, it was the previous NDP government—and the member for Nickel Belt, who is bringing this bill forward today, must know this very clearly—that took away the right to appeal a decision that had been rendered by the OMB to the cabinet of this place. Why was that done? It was done because what they didn't want, and I commend them for it, was political interference in a decision that is made by a quasi-judicial body, where there are clear principles already in place and where we rely on a third-party, arm's-length process to do the right thing. I am not going to pre-judge that process today; I'm going to count on it.

If for some reason at the end of this process we feel that the provincial policy statements have not been honoured, the representations that have been made on behalf of the environment in this province, on behalf of the Oak Ridges moraine, then we will deal with that at that time. But I say to you that this government feels strongly that there is a planning process in place, that

there is a role for that planning process. It undermines a great deal of work that has been done over the years to bring guidelines to bring policy statements into place to simply play to the political objectives of the third party and of the official opposition. We won't stand for it. We will stand for the environment. We will stand for the long-term protection of the Oak Ridges moraine.

1040

I do not believe that the bill before us serves the public interest, because I believe it is untenable. I believe that we will and can work within the current framework of policy to achieve the protection of the Oak Ridges moraine. I will not be supporting this bill, because I don't believe that it is well founded and I don't believe it is in the best interests of a planning process that must honour a process that's in place in this province.

The Acting Speaker: Further debate?

Ms Marilyn Churley (Broadview-Greenwood): I just listened with interest to the whip of the Conservative caucus, who has made it clear today that, "Hey, the whip's talking here," that he's been told how to vote on this bill. So we know where this is going. There may be a few independent voices over there—

Interjections.

The Acting Speaker: Order.

Hon Mr Klees: Mr Speaker, on a point of personal privilege: I take my position in this place very clearly. This is private members' hour. I highly resent the implication of the member opposite that I have been told how to speak to this issue. I ask the member to withdraw.

The Acting Speaker: That is not a point of privilege.

Interjections.

Ms Churley: First of all, I would say to the government members to shut their mouths and listen to what I have to say about the Oak Ridges moraine. Before the Tory party whip over there got up and spoke, and talked about third party rhetoric and political posturing, I was quite prepared to give as non-partisan a speech as I could today in this House to get this bill passed, because I believe that the protection of the Oak Ridges moraine goes beyond any party politics in this place. You talk about party politics. You got up there and made it very clear that you've come up with your political posturing as to how you're going to justify voting against this bill. So don't talk to me about political posturing.

Let me say first that I want to thank Ms Martel for bringing forward this bill. As you know, I said some months ago in the House, after I brought a resolution before this House on the Oak Ridges moraine, that I would be bringing forward a bill. Ms Martel had a private member's spot well before mine and agreed to put this bill forward as early as possible. Before everything was dealt with at the OMB, we wanted it on the books, we wanted the debate to happen, and we were hoping that we would have the support of all three parties to get it passed. One of the reasons it's here before us today is to alert the public once again about what is going on under this government's watch in the Oak Ridges moraine. I don't expect the bill to pass today. They've got their

marching orders. But it's a good thing we have the bill before us so that we can remind the public of what is happening here in Ontario under the watch of this government.

I also want to say for the record that Ms Martel's little boy is very sick today. She is at emergency in the hospital. She did come over to open up the debate, and I wish her well, as she has gone running back to the hospital now. But I appreciate the fact that she did come back to speak to her bill this morning. Hopefully, she will make it back for the vote.

I want to say that little did we realize that we would be debating this bill today in the wake of what happened in Walkerton. That is relevant because there are many reasons and many complex issues around the Oak Ridges moraine. But it's primarily about the protection of water. There are a whole lot of other issues that are relevant here, but the protection of water is a main component of it.

I'm going to read, if you will allow me. I won't read for too long; I understand the standing orders. It's not a prop; I'm showing you something I'm going to read from. There's a document called *The Oak Ridges Moraine: Our Water and Green Space at Risk*, and it's put out by STORM, the Save the Oak Ridges Moraine coalition, who have done a wonderful job over many, many years in working to protect the Oak Ridges moraine, as well as the Ontario naturalists who have been very involved in trying to save the moraine.

I want to read you an excerpt from this wonderful explanation of why the Oak Ridges moraine and its protection is so important to all of the people of Ontario:

"The Moraine: Water Under Threat.

"One of the Oak Ridges moraine's most precious features lies hidden below the ground—water.

"The moraine acts like a huge sponge. The sands and gravels of the moraine absorb rain and snow, and deliver this water to aquifers deep below the ground. In turn, these aquifers store, filter and slowly release water to 65 rivers and streams flowing north into Lakes Simcoe and Scugog and south into Lake Ontario. The moraine acts like a public rain barrel that provides fresh, clean water not only to the rivers but also to wells that supply water to over a quarter of a million people.

"Groundwater from the moraine replenishes streams, wetlands, ponds and springs with cool fresh water even during times of drought....

"Urban development changes the way water moves through the natural system. Trees and fields absorb water but roads and parking lots, housing and industrial development compact the soil and prevent water from entering the ground. Instead, laden with urban contaminants such as oil, pesticides, fertilizers, road salt and silt, this waste water is channelled through culverts and pipes into nearby streams and rivers."

In closing in reading from the excerpts from this document:

"Even with expensive technology, developers can't replicate what the moraine does for free—control storm

water runoff and steadily replenish underground aquifers."

I believe that everybody in this House should get a copy of this and read it. There is great concern about the safety of our water if we overdevelop in the Oak Ridges moraine.

What I would say to the government members today, in all sincerity, is that this bill was brought forward because we believe and it's no secret—I don't see it as political posturing—that there should be a freeze on development in the Oak Ridges moraine while we sort out all of those issues.

The New Democratic Party, when it was in government, and everybody knows this, came up with a new Planning Act. Were that Planning Act still the law of the land today, we wouldn't be here today having this debate. We also did a very comprehensive study on the Oak Ridges moraine for, I think, two years and that study came up with recommendations which are still available. It has been shelved by this government but can be incorporated, perhaps with some fine-tuning. What we need in the meantime is a freeze, because what has happened is that the government has pulled out of any responsibility here. It's all up to an unelected body to make a final decision.

Now, when the government whip talked about how our government took away the right to appeal to cabinet, well, that is true. We brought in the first green Planning Act in all of Ontario, a new and tough green Planning Act that primarily focused on protecting environmentally sensitive land.

We took away the right to appeal to cabinet and—I'm going by memory—I believe if you look at governments going back a long time, very few cabinets under any stripe changed decisions made by a particular body. But at the same time, we brought in a very tough Planning Act because we felt that the need for cabinet to make these decisions had become less and a less an issue. The irony in this case is if that right to appeal to a cabinet were still there, what I could imagine happening under this government is that should the OMB decide to actually support the residents of the Oak Ridges moraine area, the developers would be appealing to cabinet, and I wouldn't be surprised if the government would use that appeal to cabinet to help their developer friends.

1050

Mr David Tilson (Dufferin-Peel-Wellington-Grey): That's a bad shot.

Ms Churley: One of the members is concerned about my bad shot.

Mr Tilson: You're talking about a very serious environmental issue and playing politics.

Ms Churley: I certainly am playing politics with you now.

The Acting Speaker: Member for Dufferin-Peel.

Ms Churley: Consider the source over there, Mr Speaker. This is outrageous behaviour. We have a government member, Mr Gilchrist, who's come up with his own bill. We have Mr Colle's bill and we have our bill.

What I would ask of all the members today is to support my bill—I should say Ms Martel's bill, the New Democratic Party bill—support Mr Colle's bill when it comes up, and support Mr Gilchrist's bill when it comes up. Send the whole thing to committee.

It's very clear that what the government members are using today as an excuse as to why they won't support Ms Martel's bill is that it goes too far in trying to bring back components of the Planning Act that we had when we were in government. I would say to the government, we believe that is very important. That's why we didn't just want to bring in a bill to protect the Oak Ridges moraine. This is happening all across the province, and we needed to bring some common sense, dare I say, to the Planning Act, to green the Planning Act again. But let me say to government members, if you don't support that in the bill, which clearly you don't, but you want to protect the Oak Ridges moraine, don't use that as an excuse today. It's a feeble excuse. You can vote for support of this bill today and send it to committee.

I don't know when Mr Gilchrist's bill is going to come forward. We thought an agreement had been made. Our caucus supported an exchange for the bill Mr Mazzilli—did I pronounce that right? Mr Mazzilli has a bill later this morning and we understood that Mr Gilchrist was taking his spot today. We, as a party, did something unprecedented in this House, and I believe the Liberals did as well. We agreed that this issue is so important that, in the spirit of non-partisanship, we made an agreement that Mr Mazzilli could move up. Instead of taking Mr Gilchrist's spot, which is at the very bottom of the private members' list, we agreed, without prejudice of course, that he could move his spot up so that his bill wouldn't be delayed. All of a sudden yesterday Mr Gilchrist came to us and said, "Mr Mazzilli's decided not to do that any more."

I've got to tell you what I think happened: Mr Gilchrist was convinced that he shouldn't have his bill on today and the orders went out that Mr Mazzilli should continue with his bill. Why else, when we made a decision, all three parties, that it would be a good opportunity today to have two bills on the Oak Ridges moraine up for debate and have a good, honest, clear debate about what's in the bills and a discussion about sending it all to committee, along with Mr Colle's bill, and coming up with amendments?

I regret that the government caucus whip got up today and slammed Ms Martel's bill and simply called it "political posturing." I regret that he, the first member to get up after Mr Gilchrist to speak to our bill, decided to get so negative and so political. I thought there was a good opportunity today that we were all going to support this bill, and you still can. You disagree? Send it to committee. As you know, you have an opportunity at committee to make amendments. We want to save the Oak Ridges moraine. Your government should be doing it. We shouldn't have to be bringing forward a private member's bill today. Mr Gilchrist, a member of the government, shouldn't have to be bringing forward a private

member's bill on this. The government should freeze development immediately. They're unwilling to do that. I would say to the members of the government, your environmental record is dismal. The people of the province know it. Show some courage today and support this bill.

Mr Gilchrist: On a point of order, Mr Speaker: I feel I must correct the record. Mr Mazzilli in fact did not retract his offer. I didn't get unanimous—

The Acting Speaker: Order.

The member for Barrie-Simcoe-Bradford.

Mr Joseph N. Tascona (Barrie-Simcoe-Bradford): I certainly want to address some of the comments that were made here today. I think what's important to know about this bill is that it's not a permanent freeze on the Oak Ridges moraine. What it says very clearly is that they want to place a development freeze on the Oak Ridges moraine to continue until a policy statement dealing with the moraine is issued under the Planning Act. It's not a permanent freeze, so let's not mislead the public in terms of the intent here.

Second, I'm very dismayed by comments from the member for Eglinton-Lawrence suggesting that we should abolish the OMB, which is an independent tribunal that was set up to up decide disputes between citizens and municipal governments. What we're talking about here—

Interjection.

Mr Tascona: He says, "A rubber stamp." If you have ever appeared before the Ontario Municipal Board, it's one of the highest levels of advocacy in this province. Well-respected lawyers present there and it's an independent tribunal. To carry this witch hunt even further, why don't we get rid of the Ontario Labour Relations Board and the Environmental Assessment Board whenever the political parties on the other side don't like what they do? So I will say this: To have a witch hunt against the OMB with no foundation—they are an independent tribunal and they have a high degree of integrity.

But let's focus on the bill for what it is. It's not a permanent freeze. It is basically setting up a process in terms of what they want to deal with in terms of what the government should be looking at, and in fact what the OMB should be looking at when they're dealing with any plan of subdivision. The first goal is "to protect the quality and integrity of ecosystems, including air, water, land" etc, and the second goal is "To ensure that wetlands are identified and adequately protected through the land use planning...."

What is different in that from what was put in by the provincial government in 1991 and which declared the Oak Ridges moraine to be an area of provincial interest? The 1991 guidelines had eight key principles that dealt with significant natural areas, maintaining and enhancing ecological integrity, landform conservation, woodlands management, watercourse and lakes, soils and unacceptable impact on our groundwater. Those guidelines were put in place by the municipalities of York, Durham and Peel, which worked together, coordinated a strategy to protect the Oak Ridges moraine and put it in their official

plans, which have to be considered by the Ontario Municipal Board.

So the process is in place, and my friend has already indicated that the provincial government is watching this and will show leadership as to what happens out of the OMB.

Ms Churley: I'd like to ask for unanimous consent for me to do the two-minute summary on behalf of Ms Martel because she's at the hospital with her sick child.

The Acting Speaker: The member has asked for unanimous consent. Agreed? Agreed.

Ms Churley: It's very difficult in such a short time to debate comprehensively a bill like this. I think what the members have to understand this morning, and let me reiterate, is that I have no expectations, should this bill pass, that when it goes to committee the bill is going to come out in exactly the same form as it is in today. I believe, as I said before—and I know that Mr Gilchrist from the Tory caucus and Mr Colle from the Liberal caucus agree with me on this—that we have an opportunity here, as all three parties, with all of our differences about the Planning Act and with all of our differences even in terms of the best way to protect the moraine, because we have members from each caucus putting forward a bill to protect the Oak Ridges moraine.

The idea that's been expressed by all three of us, representing our parties, is that because the government hasn't moved to date to protect the Oak Ridges moraine and because these bills have some elements in common and others not—ours of course goes much further to try to bring back the greening component of the Planning Act. However, at the end of the day the government has a majority on committee, as we well know. They have the votes. It would be a very interesting exercise to bring all three bills forward to a committee and look in a comprehensive way at all the components of each of those bills and come up with the best possible solution. I would ask all members of the House to support this bill today.

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

1100

BODY-RUB PARLOURS

Mr Frank Mazzilli (London-Fanshawe): I move: Be it resolved that the Legislative Assembly of the province of Ontario,

(a) Be committed to establish an all-party committee to investigate and draft legislation that would give municipalities better tools to regulate and control "body-rub parlours";

(b) Believes "body-rub parlours" do not reflect the values of Ontario communities;

(c) Condemns "body-rub parlours" presence in retail districts because they can drive away business patrons; and

(d) Particularly condemns "body-rub parlours" that have insisted on locating across or near schools and churches.

The Acting Speaker (Mr Michael A. Brown): The member has up to 10 minutes to debate his motion.

Mr Mazzilli: This is an issue that has been going on for some time in the city of London and in the province of Ontario, with the opening of what you will call body-rub parlours or massage parlours.

Let me make it very clear that, when I use that terminology, I am in no way talking about professional massage therapists who are regulated and perform services for injured workers, sports injuries and many other services in a professional context. What I am talking about is a new industry that is not regulated in any way. There is no profession for it. It allows patrons to go into these places and receive what one would think would be legal body rubs of some sort.

It is my belief that throughout the province many of these establishments are actually bawdy houses. Rather than coming out with a private member's bill that tried to incorporate, say, the Criminal Code, municipal bylaws and a provincial component, and come up with something that likely would not withstand challenge, without any consultation with municipalities or others, I wanted to come forward with a non-partisan resolution to establish an all-party committee to perhaps hear from municipalities.

In my riding Councillor Bill Armstrong—this was from May 15, the London Free Press—complained that municipalities don't have the power to ban body-rub parlours. In fact, they do not; I think it's very clear. Courts have ruled that you can certainly regulate legitimate businesses but you cannot ban them. Not only in London but in other municipalities they have the authority within the Municipal Act to deal with that. However, one always tends to likely go too far, as happened in London. The bylaw that was put in place was struck down by a court.

The province of Ontario or the provincial Legislature can certainly deal with components of body-rub parlours that are bawdy houses. It's clearly illegal in the Criminal Code to run a bawdy house. I think those are issues that are, yes, labour-intensive for local police communities to go in and do those types of investigations, but necessary. The legislation is in place and should not be duplicated in any way, shape or form by this Legislature.

However, after speaking to members from Niagara, Mr Kormos indicated that he has some concerns about people who work in those types of establishments that are not regulated, who are possibly exploited by a criminal element, are taken advantage of by organized crime. It was not my first intention when I put forward this resolution, but certainly the all-party committee could look into that scope and see what there is of a legal authority that we can do as a province to perhaps assist municipalities in regulating this industry.

I also want to talk about some of the resources in policing that have gone shutting down these establishments. It appears that business licences are reissued shortly after. So again, if an all-party committee could have some hearings on what would be reasonable for

municipalities after a criminal conviction of operating a bawdy house—is that enough to revoke a licence? Do municipalities feel they can revoke a licence and not reissue it after the conviction? This is an issue that city council in London has had frustration with. Councillor Armstrong brought this issue to—I was certainly aware of the issue. My constituency office, and it was my campaign office prior to that, was a body-rub parlour, as Councillor Cheryl Miller quite properly pointed out. She said something to the effect of, “I hope nothing rubs off on him.”

This is an issue that I think it is time for the province to look at to see if there is anything we can do to assist municipalities, without duplicating anything that is in place in the Criminal Code, because my belief is that the vast majority of these locations are used as bawdy houses and are not legal because they are going over the line as to what services they provide in exchange for money. If that is the case, that is a community problem and the police in those communities will have to deal with it, no matter how labour-intensive the problem becomes.

I certainly encourage all-party support. If this resolution is adopted, I look forward to working with committed members on all sides of the House to come up with some meaningful recommendations or legislation.

I'll be sharing my time with three other members: the member for Cambridge, the member for Barrie-Simcoe-Bradford and the member for Halton.

Mr Rick Bartolucci (Sudbury): I stand in support of the resolution because obviously Mr Mazzilli has a problem in his area. I think he's defined that very well this morning.

There is a bigger problem here in Ontario. We remember what Yonge Street once looked like years ago, the plethora of this type of establishment that we had and the problems that were inherent with them. I agree with Mr Mazzilli that some of these are less-than-reputable places and some types of laws need to be in place, and an all-party committee seems to be a reasonable way of approaching it. He said it's non-partisan, and I truly hope that most of the things that happen in private members' hour are non-partisan.

1110

I would suggest to you that we have a bigger problem than body-rub parlours across the province, although I am sympathetic and when it comes time for a vote will be standing up and voting. We have a problem of children being sexually exploited and sexually abused through prostitution. I think that's a bigger problem. I would hope that a committee of this Legislature, the general government committee, would be addressing my bill in a timely way. I would hope that Mr Mazzilli and the whip from the government and the ministers who are across the way would bring the message back that parents and police officers want this addressed in a timely way, for in fact we have a problem here in Ontario, a problem that you could almost link with body-rub parlours. I fear that some of the people who are being exploited in these body-rub parlours may be children: children who have

left home, children who for whatever reason are in need of help and who turn to the wrong element in society to find that help. These pimps force them into places such as body-rub parlours where they are sexually exploited and sexually abused.

I don't believe for a second that the protection of children is a partisan issue at all, and I know Mr Mazzilli doesn't think that the protection of children is a partisan issue. But every once in awhile I get the feeling that because a member on the opposition side has put forward a private member's bill that will protect some segment of society or some group in society, that bill is considered to be partisan and therefore not debated, and once referred to committee is never called at committee and therefore never passed. I fear that's going to happen with Bill 6, An Act to protect Children involved in Prostitution.

I know that Mr Mazzilli, because of his background, knows there are many ways these evil people in society exploit these children, and one of them may very well be their involvement in body-rub parlours. That's why an all-party committee makes sense and that's why I hope that at the end of it there are very strong guidelines. That's why I hope municipalities would buy into the concept that we must protect all aspects of our society through good, meaningful, practical, usable laws. In fact, Bill 6, An Act to protect Children involved in Prostitution, really does that, and it does that rather effectively, because they have a similar law in Alberta that is producing remarkable results. Children are being protected in very proactive, positive ways. The government has an opportunity, if they would only call this bill. Now that they don't have to deal with the tragedy at Walkerton in the general government committee, I believe that committee has almost nothing on its agenda. It would be the perfect opportunity to debate this bill.

I commend Mr Mazzilli for bringing forth a concern that he had in his riding and that is not issue-specific to his riding; we have this problem in other places, and I'm sure in northern Ontario we have some concerns about that. But if we were to weight the concerns, the protection of children is paramount, and we must work diligently to ensure that happens.

We have Bill 6. We also have Bill 32, another act introduced by me, An Act to amend the Highway Traffic Act to require a driver's licence to be suspended if a motor vehicle is used when purchasing sexual services from a child. What I'm calling for is the suspension of the driver's licence of a person who tries to exploit a child while using his or her vehicle, because I believe very strongly that our children—and we are so well-represented with our pages here—are our future. That's not a term I take lightly. I spent 31 years in association with children in the classroom and in extracurricular activities—voluntarily. I made sure that our children always knew that they were important and that they were protected in the laws of the school, in support of their primary educators, who are their parents, which they should be very proud of. I would suggest that both Bill 6

and Bill 32 go a long way towards protecting these children. I would hope this would be called.

Mr Bryant has Bill 67, An Act to protect the public by regulating the sale of replicas of firearms. I would suggest to you that's a very proactive bill. I know that he will be referring to it very shortly.

I want to say in conclusion that I will be supporting the resolution. I'd love to be able to sit on the committee. I would love to be able to be proactive on this issue, as our party is when it comes to any safe community issue and any crime issue. I suggest the government can learn from the opposition and I challenge them to do that.

Mr Joseph N. Tascona (Barrie-Simcoe-Bradford): I'm very pleased to join the debate on the resolution put forth by the member for London-Fanshawe dealing with, in essence, a four-part resolution to deal with the issue of body-rub parlours.

We have a situation where municipalities have significant regulatory powers with respect to adult entertainment parlours and body-rub parlours. The Municipal Act contains provisions granting municipalities broad-ranging regulatory power with respect to body rub and adult entertainment parlours. Among other things, municipalities are authorized to define the area or areas in which a body rub or adult entertainment parlour may or may not operate. In other words, a municipality may prohibit the operation of such establishments in part of a municipality, limit the number of licences granted in respect of such parlours and regulate the nature and character of signs and advertisements associated with them. The Planning Act may also enable municipalities, through the official plan and zoning process, to regulate the location of body rub and adult entertainment parlours.

Changes to legislation affecting body-rub parlours would likely entail changes to the Municipal Act, and the minister responsible for this is the Minister of Municipal Affairs and Housing. Certainly clauses (c) and (d) of the proposed resolution are relevant to the location of body-rub parlours. In this connection, section 224 of the Municipal Act allows municipalities to define the areas where body-rub parlours may or may not operate. These provisions do not expressly allow municipalities to prohibit such establishments altogether, though. However, municipalities are authorized to define the geographic area or areas in which a body-rub parlour or adult entertainment parlour may or may not operate. In other words, the provisions allow a municipality to prohibit the operation of such establishments in part of a municipality. As I said before, there are issues with respect to licences being granted and the nature and character of signs and advertising associated with body-rub parlours.

The resolution of the member for London-Fanshawe is to look at better tools for municipalities to regulate and control body-rub parlours. Certainly, he does not want them to be in retail districts, because they drive away business patrons, and he also believes that their location across from or near schools and churches should not be allowed. I certainly support that measure with respect to those being taken by municipalities. It quite frankly

escapes me why a municipality would allow those things to happen. Municipalities have controls that are in place to regulate the location and the licensing of body parlours. But if this is an issue, and the member for London-Fanshawe has indicated it's obviously an issue in his riding, that would suggest that municipalities need greater tools. I think we should confer with municipalities to discuss this in terms of what other measures could be taken under the Municipal Act or the Planning Act to give them those types of powers, because that is a local decision. It has been made locally for many years in terms of how you plan your community, how you're going to license this type of activity and how you're going to allow them to advertise.

1120

I certainly am not in support of body-rub parlours. That's something I think the member for Sudbury has pointed out can take advantage of our young people. It is certainly not an activity that anyone should be proud is occurring within their municipality.

I support the intent of the resolution. If there are measures that should be taken or could be taken to support municipalities in doing their job, which they've been empowered to do with respect to this type of activity, the province, through the all-party committee that is being suggested by the member, could investigate and look for some resolutions to assist municipalities if they need further tools.

Mr Michael Bryant (St Paul's): We support this resolution from the member for London-Fanshawe. This is an important issue, it's a serious issue and it affects the safety of our streets and our community. I would urge the member for London-Fanshawe not to be afraid to put forth legislation in this area as quickly as possible. It's incumbent upon members of this House, when faced with important issues in their communities, in my respectful view, to bring forth that legislation without fear that it's necessarily going to be stuck down in the courts. We already know a municipal bylaw that tried to address this matter was struck down. Obviously, provincial legislation is necessary, so let's get on with it.

Along those same lines, let's get on with all those bills that are going to keep our streets safer, the Bartolucci bills that will try to tackle and arrest child prostitution. I have a bill, Bill 67, which would regulate the sale and distribution of phony guns.

Just this week in Hamilton, a confrontation took place between the police and somebody who had one of these phony guns, an air gun. It was not a replica gun, which doesn't shoot and is already outlawed under federal legislation. My bill doesn't touch that at all. This is the loophole that has been created that permits people to buy phony guns with no questions asked.

The confrontation takes place, the police see the gun, the police pull their guns and the police would have shot. The police would have fired. Yet again phony guns would have killed, as was the case in St Michael's Hospital on January 1 of this year.

What I'd like to know is, why is it that this bill and this issue of phony guns, which the Premier says is an important issue and he asked the Solicitor General to move on this—I wrote the Premier weeks ago and said: “This is an important issue. People are going to die because phony guns can be purchased like candy from a corner store.” Instead of bringing that bill forward immediately, it sits in line with other private members' business and we are debating a resolution about drafting a bill on an important issue instead of debating the bill itself.

I can assure the member for London-Fanshawe that just as his body-rub parlour bill, when it comes before this House, will have been exhaustively researched by legislative counsel and the fantastic research and legal staff at the Legislative Assembly library to ensure that Bill 67 passes constitutional muster, so will his bill go through that wringer and that exhaustive research, as it should.

We will support this resolution. Let's get on with drafting the bill. Let's get it before this House. Let's provide the attention for this issue that we should. But in the same spirit of non-partisan service to our constituents, we must ensure that the Bartolucci bills pass as soon as possible and go into effect and that the same is true for the phony gun bill.

I'm going to be sharing my time with the member for Toronto Centre-Rosedale.

Mr Ted Chudleigh (Halton): I appreciate having some time to make a few brief comments on this resolution. It's a difficult resolution because it deals with an area that has some ill-defined lines between the legitimate and the illegitimate in the body-rub business. Certainly massage therapy is a very legitimate pursuit and one that should be protected throughout the discussions on this resolution.

I think it's an excellent idea to bring this resolution to an all-party committee because it has a number of nuances to it that need some very careful consideration given over time. All you have to do is look at a daily newspaper in Toronto and see the kinds of ads that are advertising body-rub parlours to understand the range that these places offer, some of them bordering on the legitimate and others, quite frankly, bordering on being brothels. Of course, that would put them into the area of the Criminal Code, which is a federal regulation. So we're dealing with municipal regulations, we're dealing with provincial regulations, and we're dealing with federal regulations. It seems to me that an all-party committee that could work on this and draft some legitimate legislation might give municipalities a better tool to control and to regulate these types of activities within their areas.

The second part of the resolution believes that body-rub parlours “do not reflect the values of Ontario communities.” I think it goes without saying that the seedier side of body-rub parlours definitely does not reflect Ontario's values. At the same time, the committee should be very aware that massage therapists and other areas

should be protected, and again I think that can best be done through putting this into a committee that would have the time and make the effort and perhaps be able to garner the expertise in order to make something that will not be struck down by the courts, as was mentioned earlier.

The third part condemns body-rub parlours' presence in retail districts because they do drive away business patrons. Having been in business, there was a rumour around at one time in my career that the establishment right next door to the office I was in was going to become a body-rub parlour. I can tell you it wasn't long before I'd had a conversation with the landlord that if the body-rub parlour came in, we were going out. It's certainly not a place that you want to do business in. This was in a commercial area, not necessarily a retail area. So I think it's very difficult to find a location. We talk about putting these things in industrial malls. Well, if I were running a business in an industrial mall, I don't think I would want to have a body-rub parlour next door to my legitimate business enterprise. I think it casts a pall on the entire area. Finding a location to put this is a very difficult consideration. You need the time and the consideration of a committee that can draft the kinds of regulations to protect Ontarians and to make sure they don't interfere with legitimate businesses in the same neighbourhood that they may located in.

The fourth part, (d), particularly condemns body-rub parlours that have insisted on locating near schools and churches. I think that reflects again on the third one, where it is probably as far from Ontario's values as you can get. I think Ontarians have very high values when it comes to what happens in their schools. As Mr Bartolucci, the member for Sudbury, talked about in his bill—I had the opportunity to sit on the committee that went to Sudbury and had some hearings on that bill, and I can tell you I was shocked at some of the things we learned in that committee. I think those things don't represent Ontarians' values.

It gives me a great deal of pleasure to be in a position to be able to support this bill and to do what we can to see it gets through the proper process.

1130

Mr George Smitherman (Toronto Centre-Rosedale): It gives me pleasure to have an opportunity to join the debate with respect to the resolution by the member from London. I would echo the comments of my two colleagues in the Liberal caucus, and that is that we are intending to support this resolution.

I would echo the comments by the member from Sudbury, who mentioned that body-rub parlours have, in the case of my community, Toronto Centre-Rosedale, and Yonge Street in particular, caused considerable havoc within that community. Many years ago, an intensive effort to clean up Yonge Street had as part of that a very big focus on ridding the community of the problems caused by body-rub parlours.

I would like to echo some of the comments of my colleagues with respect to the priorities related to crime

and safety in this province and also make a point here, which is that in this House a few weeks ago in private members' hour—last week, I guess—we also debated the notion that municipalities may require greater tools at their disposal to regulate rave parties. Here again, we see a suggestion that legislative committees ought to take a look at whether municipalities have the appropriate tools in their arsenal to regulate body-rub parlours.

There's a very important point of principle here and one that needs to be made. This member from London is acting, some might say, in sharp contrast to another member from London, who heads up the Tory Red Tape Commission. Red tape has been given a rather bad name here in Ontario. But I think the point has been made, both in this case and also in the case, quite frankly, in Walkerton, that there are examples where red tape is there with a very important purpose, and that is to protect our citizens. I think that's at the heart of the matter here.

I had an opportunity to speak to the member from London about this resolution and to find out some of the challenges that are faced by that community related to controlling this activity. One of the points that needs to be made, and I'll do it from a Toronto perspective, is that regulation alone is not the answer. Policing is a very real part of the challenge here.

In my own riding of Toronto Centre-Rosedale, I must say that problems related to body-rub parlours are not the biggest problem we're facing. In my riding, the problem is crack cocaine and guns. Since my election almost one year ago, I'm sad to say that my riding has experienced well over a dozen murders. I have been on the back of the government about the fact that the city of Toronto has fewer police officers on the streets than it did when the Harris government came to office.

I had the opportunity during the member's comments to be reading some correspondence that just came in related to a community action committee safety audit of part of a neighbourhood in my riding. This comes from Jessie's non-profit housing in my riding. I want to read one line, just to put in perspective some of the challenges that we face related to crime and safety in our communities. I'm going to quote from a final report of the joint safety audit from Toronto Women's Housing Co-operative and YWCA Jessie's Non-Profit Housing Community Action Committee: "Unfortunately, in the lane and laneway, during the day and evening, members/tenants, children, and staff have been repeatedly subjected to public sex acts, harassment by 'johns,' stalking, drug ... use, and more recently, a substantial increase in the through traffic."

I want to say to the member opposite, we support his resolution. We on this side of the House believe—and we have identified several bills we recommend to the government for support—that the government has had many opportunities to talk loud on crime, but we're giving them some real opportunities to act on these matters.

In my case, in the riding of Toronto Centre-Rosedale, I'm calling for dedicated drug squads. I'm lobbying the

mayor, the police chief and the chair of the police services board. I say to the government opposite, it's time to stop talking loud on crime and to provide the city of Toronto with adequate police resources so that we can effectively put more police on the streets of Toronto. I repeat, there are fewer police on the streets of Toronto than there were when the Harris government was elected.

Mr Bryant: On a point of order, Mr Speaker: In the west gallery we have a couple of great Canadians: a pioneer in the social work profession, Arlene Abramovitch; a pioneer within the legal profession, Susan Abramovitch—and it is her birthday today. A couple of great Canadians whom we welcome to the Legislature.

The Acting Speaker: As you know, that is not a point of order.

The member for Niagara Falls.

Mr Bart Maves (Niagara Falls): It's a pleasure to rise and speak to the resolution from the member from London. I know he shares my concern with this problem of body-rub parlours in Niagara Falls, as well as, I believe, in Richmond Hill, London, and Windsor. Body-rub parlours are now coming back and it seems the ball is starting to roll again.

I know that several years ago the city of Toronto had a serious problem with body-rub parlours, and they brought in a bylaw which effectively did away with them—I think it was upon the death of a person in a body-rub parlour. Unfortunately, that bylaw got taken to the courts and was thrown out, and body-rub parlours are now coming back in different municipalities all over the province.

To legislate them out of existence is impossible at this level. My understanding is that it's a morality issue, a Criminal Code issue, and it's something the federal government would have to do.

In 1996 we changed the Municipal Act to give more authority, more powers to municipalities to regulate the zoning and licensing of businesses. I know that my municipality, in trying to regulate some body-rub parlour applications in Niagara Falls, has tried to use the new authorities under the Municipal Act and they haven't proven to be effective enough. So I welcome the resolution from the member from London.

I encourage the Legislature to get together in an all-party committee format to try to find some solutions with which to deal with this. Communities don't want these body-rub parlours. It seems that as the law currently exists we don't have much of a choice. We can't completely outlaw them. They have to be assumed to be a legal business that is just supplying a legal service until proven otherwise.

The past history of these is that they quite often do not provide legal services, and so we need to do something. Perhaps we need to give municipalities more authority, or perhaps we can do something through the Ministry of Consumer and Commercial Relations to put some licensing requirements on these businesses. I don't know.

I've had a lot of chats with a lot of people in my community who are very concerned about this. One gentle-

man actually paid for and sent a private investigator into one of these facilities, and even though all the assurances have come forward that it's a legitimate business, the private investigator said came out of there and said, "Guess what's happening inside the body-rub parlour: non-legal activities." There's a great deal of concern in my riding, and I understand that the municipality has attempted to use the tools that we put at their disposal in 1996 and it has been unsuccessful.

I am very solidly behind Mr Mazzilli's resolution to get an all-party committee together to find a solution to this problem once and for all. I would be happy to even sit on that committee to attempt to find something. Some of the people I've talked to have come up with solutions; for instance, licensing the workers in there. Maybe they have to have certain masseuse certificates and so on to be able to work in a body-rub parlour. Questions raised include: "Are they paying employer insurance premiums?" "Are they paying WSIB premiums?"

There are a variety of questions that have been raised that I don't know the answers to, and I think the idea of having an all-party committee is excellent. I endorse it. Hopefully we will be able, as a Legislature working together, all three parties, to find a solution to this problem.

Mr Peter Kormos (Niagara Centre): First, let me indicate I'm going to support the resolution. I spoke with Mr Mazzilli about it a couple of times, most recently this morning. He's been very forthcoming, as I expect of him.

I am a little disappointed that it's restricted to body-rub parlours—b-o-d-y parlours, not b-a-w-d-y—when perhaps it should be the broader scope of what are referred to, in any number of efforts by municipalities to regulate, as adult entertainment parlours. The problems apply not only to so-called massage parlours, the body-rub parlours, but also to strip clubs, problems accentuated—and no disrespect to the Supreme Court—by the ruling which overturned the Quebec Court of Appeal decision where Madame Justice Arbour, as reported in December 1999, again created some ambiguity over the lap dancing issue and suggested that some sexual touching didn't violate community standards. That's my understanding of the ruling.

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As well, in terms of the efforts on the part of municipalities to regulate these things, again Mr Mazzilli is well aware of the ruling of Mr Justice Zuber. I think that dates to 1998, doesn't it, Mr Mazzilli? I'm doing that without notes. Mr Justice Zuber condemned efforts by municipalities that use zoning regulation to in effect prohibit. The court said you can't do that.

We had a problem in Thorold, in particular a part of Thorold that used to be part of my riding of Welland-Thorold and was excluded, to their dismay, from the riding of Niagara Centre, that very east side of Thorold. The city of Thorold went to great lengths and expensive litigation to prohibit the licensing of two strip clubs—yet two more strip clubs. You see, the Niagara Falls strip, up to the Thorold border on Highway 20, had become a

rather intense area of adult entertainment parlours. A few years ago we had a major crisis when a father discovered his not quite 16-year-old daughter working in one of these clubs as a stripper and expressed incredible dismay and frustration at the fact that there weren't any enforced requirements to ensure that young women working in these places have to at least be a certain age and that there wasn't enforceability of that by way of some very strict penalties against the operators of these clubs.

I've spoken with a lot of the women who have worked in this industry, if you want to call it that. I've spoken with other people who operate and work in the strip club/body parlour industry, and I want to add perhaps a little bit because nobody has really talked about the circumstances that women have to work in in these places. If we're going to discuss this, let's discuss that as well. I'm only putting to you what I've been told. It's anecdotal, but I believe that in most instances I've got it from the horse's mouth, so to speak.

I've been told of women who literally have to pay to work in a strip club. In other words, they pay for the privilege of working there and then have to eke out their living by way of tips by table dancing, lap dancing, and of course the pressure is on to compete with other women who are prepared to provide additional services. So you create a scenario where women have to pay for the privilege of working somewhere and then have to submit themselves to effectively prostitution if they're going to be competitive with co-workers.

There's the phenomenon of women having to provide favours for the booking manager of a particular club. There's the inconceivable concept of the old company town where in strip clubs where there are accommodations provided, usually upstairs on the second floor, women working as dancers in these clubs live in those inevitably very sordid and distasteful accommodations and, if they are being paid by the owner of the club, are then charged back not only for their bar bill at the end of a workweek—and I understand why women would want to drink during the course of doing this kind of work—if it's not a cocaine bill—and again, I don't need any letters from owners of strip clubs telling me that their club doesn't participate in this sort of activity. I understand that. I know many of the management of some of these clubs, and I understand they range from perhaps very competent and ethical, if you can say that in this context, to the downright sordid.

But I've talked to dancers who tell me about being charged back for the booze, the cocaine and their room to the point where at the end of the week they owe the boss money. There isn't even any take-home pay.

Of course, we've read about the involvement of organized crime and quasi-organized crime in terms of the management of women and of teams of women who travel throughout the province and throughout the country down into the United States.

We've also been exposed via press reports and any number of recent arrests involving the holding hostage of women, especially women coming to Canada with non-

Canadian passports, who have their passports literally held by the owner of a club or a body parlour, in effect holding them hostage. They can't leave because they're not free to leave the country unless they get their passport back. We're talking about pimping, slavery in a way that should be repugnant, I suspect to every member of this Legislature, but as well to every member of the Ontario public.

Things have come a long way since the old days of the Warwick Hotel down on Dundas Street or the Palace Burlesque over on Spadina—is that the Palace or the Victory? Mr Mazzilli's too young. But things have come a long way. The environment in these adult entertainment parlours, I submit to you, is incredibly exploitive of the workers in those places. I suggest that if we're going to talk about this in committee, we should also be talking about developing some regulation, some requirements, that protect women working in this industry from some of the abuses I've related to you. I'm not about to pretend that we're going to eliminate the world's oldest profession. I'm not about to pretend that we're going to eliminate—

Mr Smitherman: That long?

Mr Kormos: No, lawyers are the world's second oldest profession, Mr Smitherman. When you examine the professionalism and the definition, lawyers, like their counterparts, provide services to anybody who requests, anybody who's prepared to pay, without question of the morality of the matter. I say that with some self-deprecation, of course. I'm entitled to say it, I guess; I'm a lawyer. If a non-lawyer said it, lawyers would be up in arms, and lawyers may still be up in arms.

If we're going to go to committee with this, let's talk about some of the other elements of that industry. The city of Thorold went to great lengths. I spoke with Pastor Rittenhouse of the First Baptist Church. He spoke and represented not only his own congregation, but a huge number of people in the city of Thorold, and I quite frankly supported them and their opposition to these new strip clubs at the very east of what is now Mr Maves's riding, no longer mine.

The city of Thorold was unsuccessful for some of the same considerations that failures have occurred in other communities, like London, with the application of the test by Mr Justice Zuber in terms of the extent to which a municipal bylaw can zone as compared to prohibit. The OMB was prepared to suggest and accept that the locations of these clubs were not inappropriate. I don't know whether there are any instances of adult entertainment parlours, body-rub parlours or strip clubs adjacent to churches or schools, I don't know if that's ever occurred, but it's not rocket science to suggest that there should be some very basic standards about the types of locales.

Niagara Falls finds itself in a unique position. That entry point of Highway 20, that gateway to Niagara Falls, is resplendent with glitzy, neon flashing-light strip clubs, and now body-rub parlours according to the licences that appear to be pending for any number of applicants along

that strip. I suppose that's consistent with casino gambling. The two probably go very much hand-in-hand. It was predicted by those of us who were opponents of the expansion of casino gambling, and who were opponents of even the Windsor location, that casinos were going to attract any number of these types of business enterprises that were going to be less than savoury for family audiences.

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I want to make it very clear that I do not condemn in any way, shape or form the women who work in these industries. These women are there, in many instances, through no genuine choice of their own. They work hard in a trade that most of us would find difficult to tolerate if we were called upon to perform those types of services.

I must say that the member from Niagara Falls, who spoke as he did in opposition to body-rub parlours, didn't address the issue of strip clubs. Mind you, I notice that he was the beneficiary last year of a \$1,000 contribution from one of Niagara Falls' foremost strip clubs, the Sundowner Inn. It was only \$1,000 and it was the Sundowner Inn.

Mr Mike Colle (Eglinton-Lawrence): What's that place like?

Mr Kormos: Mr Rudan is an acknowledged businessman in the Niagara Falls area but runs perhaps one of the leading strip clubs. Again, I have no quarrel. I quite frankly don't know whether Mr Rudan contributed to my campaign. I don't think he did. I know him. I suppose I would accept his contribution as well, but I would be somewhat concerned about how many women had to dance how many lap dances to create that \$1,000 that Mr Rudan contributed to the election campaign of the member for Niagara Falls.

I want consideration, please, Mr Mazzilli, to include that whole scope of adult entertainment. I want it to talk about ways that municipalities can be empowered to effectively zone these so they're in less unsuitable places. I similarly want that committee to consider ways that this government can, as it should, protect women working in that business, in that trade, from the abuses and exploitation they've been subjected to, increasingly and not just historically.

I want it to be done in a way that respects the women who perform these performances, if you will, understands they're there for any number of reasons, most of them extremely valid, and understands that as long as we persist in creating an economy in this province—with this government that reduces wages significantly, that continues to leave women on the sidelines, that promotes a low-wage economy, women are increasingly going to find themselves working in this type of business, not so much through choice but through necessity, through need.

As I say, I think it's important that through the course of this we understand that we have an obligation to protect those workers as well, those women working in the adult entertainment business.

It's been mentioned that the Criminal Code provisions—Mr Mazzilli would know this—regarding common bawdy house etc can be enforced. I want to reiterate that as long as we don't have police officers in sufficient numbers to enforce the Criminal Code, they're not going to be able to enforce it. Perhaps, Mr Mazzilli, as I join with you in your resolution, you would join with New Democrats in calling for adequate staffing of police forces so they can enforce the law and protect our community from predators.

The Acting Speaker: In response, the member for London-Fanshawe.

Mr Mazzilli: I want to thank all the members on all sides of the House who spoke to my resolution.

If I can speak briefly on this, rather than coming out with a private member's bill that somehow tried to take into account federal legislation, provincial jurisdiction and municipal jurisdiction, which would have been very difficult to do in this case, to come up with something that would be meaningful, I'm calling for an all-party committee to have hearings and to see what within provincial jurisdiction we can do in a meaningful way to control body-rub parlours. I just want to repeat that this is in no way about registered massage therapy, which is a regulated profession, and so on. In my belief, the vast majority of these body-rub parlours are bawdy houses. It's well covered under the Criminal Code. In that regard, the enforcement of the Criminal Code needs to occur.

I understand that it is labour-intensive for police departments to go after these organizations because of the months and months of investigation. But I would also urge that it's necessary. One thing we know about crime, especially when there's profit in it and there's no enforcement: Before you know it, in a certain community you may start out with five of these parlours and build up to 30 or 40.

As Mr Kormos said, many women working in that type of environment are exploited because of competition. The next parlour does this, so you have to do that if you want to stay competitive. Many are forced to go beyond what they ever thought they would have to do in an establishment like that.

The Acting Speaker: The time for debate on this ballot item is now expired.

OAK RIDGES MORAINÉ
GREEN PLANNING ACT, 2000
LOI DE 2000
SUR L'AMÉNAGEMENT ÉCOLOGIQUE
DE LA MORAINÉ D'OAK RIDGES

The Acting Speaker (Mr Michael A. Brown): We will now revert to ballot item number 27.

Ms Martel has moved second reading of Bill 71. Is it the pleasure of the House that the motion carry?

All those in favour will say "aye."

All those opposed will say "nay."

In my opinion, the ayes have it.

We will take this division after we deal with ballot item number 28, private member's notice of motion number 17.

BODY-RUB PARLOURS

The Acting Speaker (Mr Michael A. Brown): Mr Mazzilli has moved private member's notice of motion number 17. Is it the pleasure of the House that the motion carry? The motion is carried.

OAK RIDGES MORAINÉ
GREEN PLANNING ACT, 2000

LOI DE 2000
SUR L'AMÉNAGEMENT ÉCOLOGIQUE
DE LA MORAINÉ D'OAK RIDGES

The Acting Speaker (Mr Michael A. Brown): We will now call in the members for ballot item number 27, second reading of Bill 71.

The division bells rang from 1158 to 1203.

The Acting Speaker: All those in favour will rise and remain standing until their name is called.

Ayes

Agostino, Dominic	Crozier, Bruce	Lalonde, Jean-Marc
Bartolucci, Rick	Di Cocco, Caroline	Marchese, Rosario
Boyer, Claudette	Duncan, Dwight	Martel, Shelley
Bradley, James J.	Gerretsen, John	McGuinty, Dalton
Bryant, Michael	Gilchrist, Steve	Patten, Richard
Caplan, David	Gravelle, Michael	Peters, Steve
Christopherson, David	Hampton, Howard	Phillips, Gerry
Chudleigh, Ted	Hoy, Pat	Pupatello, Sandra
Churley, Marilyn	Kennedy, Gerard	Ruprecht, Tony
Cleary, John C.	Kormos, Peter	Sergio, Mario
Colle, Mike	Kwinter, Monte	Smitherman, George
Cordiano, Joseph		

The Acting Speaker: All those opposed will please rise and remain standing until your name is called.

Nays

Arnott, Ted	Hastings, John	Sampson, Rob
Baird, John R.	Hodgson, Chris	Snobelen, John
Clark, Brad	Johns, Helen	Sterling, Norman W.
Clement, Tony	Johnson, Bert	Stewart, R. Gary
Coburn, Brian	Klees, Frank	Tascona, Joseph N.
Elliott, Brenda	Marland, Margaret	Turnbull, David
Flaherty, Jim	Martiniuk, Gerry	Wilson, Jim
Galt, Doug	Maves, Bart	Witmer, Elizabeth
Gill, Raminder	Mazzilli, Frank	Wood, Bob
Guzzo, Garry J.	Munro, Julia	Young, David
Hardeman, Ernie	Mushinski, Marilyn	

Clerk of the House (Mr Claude L. DesRosiers): The ayes are 34; the nays are 32.

The Acting Speaker: I declare the motion carried.

Pursuant to the standing orders, this bill is referred to committee of the whole House.

Ms Shelley Martel (Nickel Belt): On a point of order, Speaker: I'd like it referred to the general government committee.

The Acting Speaker: Is it the pleasure of the House that this bill be referred to the general government committee? Would members please stand to indicate their support.

All those in favour of it going to the general government committee? Those opposed, please stand.

Clerk of the House: The ayes are 33; the nays are 32.

The Acting Speaker: This bill is referred to the standing committee on general government.

All matters now having been dealt with for private members' business, this House stands recessed until 1:30 of the clock.

The House recessed from 1208 to 1330.

MEMBERS' STATEMENTS

LIUNA STATION

Mr Dominic Agostino (Hamilton East): Last Saturday, May 20, I had the pleasure, along with my colleagues David Christopherson, Marie Bountrogianni and Brad Clark, to attend the opening of LIUNA Station on James Street North in Hamilton. It's the restoring of the old CN station, which was built in 1930 at a cost of \$2 million. The station was closed in 1993. It was purchased by the Labourers' International Union of North America, Local 837, and renovated to the tune of \$7 million. They have restored the old glory of the CN station. It is now known as LIUNA Station. Its beautiful stone, brass, bronze and marble have been restored. The station itself has returned to the glory of the past.

A great deal of the tribute for this has to go to the Labourers' International Union, Local 837, and the leadership of Joseph Mancinelli and Enrico Mancinelli, who saw a vision in the old CN station. A station that welcomed thousands of immigrants to the city of Hamilton, a station that saw thousands of Hamiltonians go off to war, a station that has seen its glory days and its tragic days has once again been restored. It is the legacy and the work of Labourers' International Local 837 in Hamilton, and the vision of Joseph and Henry Mancinelli that has contributed to this.

On behalf of my colleagues from the Hamilton area in this House, I want to pay tribute to LIUNA 837 and to Joseph and Henry Mancinelli for their vision, their leadership and their contribution as they continue to make Hamilton and our community and our province a better place to live. I pay tribute to them. I am proud of the work they have done as Hamiltonians and Ontarians.

TODD POTTLE

Mr Doug Galt (Northumberland): I rise today to congratulate Todd Pottle, who is one of Northumberland's many outstanding teachers. Todd is head of the geography department at the Cobourg District Collegiate Institute West and has just been honoured with a very

prestigious award. Last week, the Environmental Systems Research Institute gave Todd a Canada Award of Excellence.

Teacher Pottle was given the award for his pioneering work in the geographic information system computer technology field. He is a recognized leader in the teaching of GIS and is the author of a high school textbook.

The opportunities Todd provides for his students are absolutely extraordinary. A recent project gave his students a chance to determine the ideal location for a convenience store in Cobourg. Students used factors such as population, layout, traffic flow and proximity to other stores to determine the best location for a store that would be near the Terry Fox public school.

Another project Todd has used in his classroom has been to create virtual tours of local walks and trails, including the Historic Cobourg walk, the Cobourg Creek Trail, the Ganaraska Forest Trail and the Northumberland Forest Trail.

Todd's extraordinary lesson plans are providing students with skills and knowledge that will be make them very attractive for post-secondary institutions and for job openings. The people of Northumberland are lucky to have many outstanding teachers, and Todd Pottle certainly represents the best of the best. Todd Pottle cares about his students and clearly puts his students first.

On behalf of the province of Ontario and the people of Northumberland, I would like to offer our congratulations to Todd Pottle for a job well done.

ANNIVERSARY OF ITALIAN REPUBLIC

Mr Mario Sergio (York West): Tomorrow, June 2, Italy celebrates its 54th anniversary of the Italian republic; 54 years ago the democratic state of Italy was born. "La festa della repubblica," as it is called, marks an extremely important recurrence as it holds over half a century of Italian history, signifying the beginning of a new freedom built on a past that had its soil devastated by wars. Thus Italy and Italians everywhere, in every part of the world, will celebrate with pride the accomplishments of the last 54 years.

The Italian community in Ontario will also join in the celebrations. They will celebrate the freedom, the opportunities and the tolerance they have found in their new home. Italians accepted and enriched those values, and built upon that freedom and opportunity. They continue to make their contribution with their hard work, skills and trades, as well as through culture and artistic initiatives. Equally, Italians are proud of this, their new home, for they and their families have embraced this land and all it holds.

On behalf of the leader of the Liberal Party, my caucus colleagues and indeed every member of this House, I would like to extend congratulations to Italy and Italians everywhere.

Aussi, je veux dire en français à l'Italie et à tous les Italiens, félicitations à votre fête.

BASEBALL HALL OF FAME

Mr Bert Johnson (Perth-Middlesex): Today I rise in the Legislature to promote one of Ontario's greatest tourist attractions, the Canadian Baseball Hall of Fame and Museum in St Marys, Ontario.

In 1883, Adam Ford, an early settler of St Mary's, published an account of a game being played in Beachville, Ontario. He later organized a league in St Marys to advance this new game called baseball.

Since 1983, the Canadian Baseball Hall of Fame and Museum has inducted more than 100 people, including great players, builders and key contributors to the game of baseball.

On June 24 this year, the hall of fame will induct former Montreal Expos manager Jim Fanning.

Currently, local volunteers are working to raise over \$1 million towards the establishment of a permanent facility. There are also plans to expand their baseball stadium and establish picnic shelters, play areas and walking trails.

Last week, as part of Tourism Week, the Minister of Tourism presented a cheque to the hall of fame for \$25,000 to help them develop a marketing plan. I want to thank the minister for his support.

I also want to congratulate the many volunteers who have worked tirelessly to bring the field of dreams to life in St Marys. As their slogan goes, "If you build it, they will come."

I'd encourage my colleagues to visit our national shrine for baseball, the Canadian Baseball Hall of Fame and Museum in St Marys, Ontario.

WATER QUALITY

Mrs Marie Bountrogianni (Hamilton Mountain): My statement addresses the heartbreaking events that have taken place in Walkerton over the last two weeks. I share with my colleagues in this assembly the deepest sympathy for the families who have lost loved ones in this unprecedented disaster. It is hollow comfort that the government has finally been shamed into a public inquiry.

I sincerely hope that the terms of reference are broad enough not only to deal with the Walkerton tragedy but to get at the larger questions surrounding the safety of Ontario's water and whether, in the face of this government's slashing of budgets, local communities and indeed the relevant minister can adequately ensure the safety of our water and our citizens.

More specifically, let's make sure we get clear answers to these kinds of questions: Are the testing labs certified? Do they have clear operating guidelines? Are there clear enforceable standards for testing procedures? Is there a clear line of accountability and oversight which ensures proper reporting? Why do we have guidelines for these critical responsibilities and not regulations? Why isn't there better coordination among the agencies involved?

Finally, we are dealing with the sad results of an Americanization of the system, the wholesale privatization and hodgepodge sell-off of public institutions. This government continually abdicates its responsibility to the people of this province. They have left local municipalities with the responsibility for water quality but not with the resources.

Let's make sure our drinking water is safe for all of the citizens of Ontario.

INJURED WORKERS

Mr David Christopherson (Hamilton West): Members of the Legislature will be aware that there were hundreds of injured workers out in front of the Legislature again today on June 1, which of course is Injured Workers Day here in Ontario. The crowds continue to grow. These injured workers are there protesting this government's continuing attack against the benefits and the ability to have a decent standard of living.

I thought it would be important to point out to the Legislature why June 1 was chosen as Injured Workers Day in Ontario. It goes back to 1983. On that day, the standing committee on resources development, under a then-Conservative government, was scheduled to hear a presentation on a white paper on workers' compensation. They'd expected a big crowd: 800 people. In fact, 5,000 people who showed up.

The chair of the committee, a Tory, suggested that everybody just go home. The injured workers were having none of that and insisted that they be heard. And so, for the first time ever in the history of Ontario, there was a committee hearing held on the front lawn of the Ontario Legislature, a formal meeting with Hansard, the full regatta that we put on for committees. It was described this way: "The hearings went on all afternoon. Workers spoke. The crowd roared with approval. Everything that was said after that was recorded in Hansard. The day was extraordinary and the hearing had a surreal mix of protest and formal procedure."

I raise this to let members know that injured workers are not about to back off from that great tradition on June 1, 1983.

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UNITED EMPIRE LOYALISTS' AWARD

Mrs Tina R. Molinari (Thornhill): I'm pleased to rise today to inform the House about an historic event which took place on May 28 in my riding of Thornhill. On that date, it was my honour and privilege to attend ceremonies wherein the United Empire Loyalists' Association of Canada presented the Heintzman House with the first union Loyalist flag in honour of the property's first owner, United Empire Loyalist Anthony Hollingshead, 1734 to 1818.

Anthony Hollingshead was involved in one of the most remarkable battles of the American Revolutionary War, the Battle of Bergen Wood. Hollingshead was one

of 75 Loyalist defenders who, in July 1780, withstood and repelled an attack by a force of 2,000 American rebel soldiers at Bergen Wood, New Jersey, on the banks of the Hudson River.

Greater than the victory of battle is the legacy and tradition that the Loyalists have left for future generations—a belief in the rule of law, social justice and tolerance. Quoting from a letter written in the late 1790s, Anthony Hollingshead optimistically wrote of the new century of 1800:

“ ... in 1800 the remnant of all nations to be of one religion and no more wars amongst men who will forever after be in bonds of friendship, equality and unfeigned love towards God and one another.”

Other properties in the greater Toronto area to receive this recognition from the United Empire Loyalists' Association have been Queen's Park and Fort York, so it was indeed a proud moment for the constituents of Thornhill for Heintzman House to be included in such eminent company and accorded this award.

SEXUAL HARASSMENT

Mr Pat Hoy (Chatham-Kent Essex): Tomorrow is the fourth anniversary of the tragic death of Theresa Vince. Theresa was brutally murdered in Chatham by the workplace supervisor who had sexually harassed her for years. Sexual harassment is a crime and this government's tolerance towards it cannot continue.

I want to pay tribute to Marion Boyd, the former member from London Centre, who first took up this battle for Theresa's family and for all women who experience harassment. On behalf of the Chatham-Kent Sexual Assault Crisis Centre, who work in Theresa's memory, I'm honoured and committed to carry on this fight.

All women should have the right to full, equal and safe participation in the workplace, yet between 40% to 70% of women on the job experience sexual harassment. Since coming to power, Mike Harris has diminished the remedies available to women. He broke his promise to dedicate employment equity monies to the Human Rights Commission that would have assisted women under this duress. This issue transcends all party lines. The Theresa Vince inquest spoke of the need to recognize sexual harassment as a “dangerous circumstance” under the Occupational Health and Safety Act, yet the government refuses to act.

Tomorrow, I will be attending a memorial service for Theresa in Chatham. Theresa's death must not be in vain. That is why I will be presenting a private member's bill that will, among other things, make sexual harassment an offence under the Occupational Health and Safety Act. I also call on the government to designate the first week of June to the prevention of sexual harassment.

SINGLE DADS

Mr R. Gary Stewart (Peterborough): I rise today to speak on behalf of single dads, who as a group are frequently referred to as “deadbeat dads.”

On several occasions I have met with constituents who are single dads. They impress me with their responsible attitude, they care deeply for their children and they make their monthly support payments on time. Regrettably, they are labelled with the few bad examples of dads who don't take their responsibilities seriously.

In many instances, I have been told horror stories by these single dads who have been ordered to make support payments well above what they can afford, often more than half of what they are earning. Recently I was advised of the suicide of a man in British Columbia, a suicide apparently driven by court orders for child and spousal support totalling more than the man's income.

I believe there may be an issue of discrimination faced by single fathers, both in the courts and in our society. I would like to commend the fathers who take their obligations seriously and who only want to be part of their children's lives.

SPEAKER'S RULING

The Speaker (Hon Gary Carr): Earlier today the member for Hamilton West, Mr Christopherson—

Interjection.

The Speaker: I've actually had an opportunity to read it; I have my ruling.

Interjection.

The Speaker: No, I have a ruling on it for him. As you know, under standing order 21(c) he tabled it with me and standing order 21(d) permits me to make a ruling. It is two pages long; it is rather long and I have a ruling on it.

Does the member have a quick comment on that?

Mr David Christopherson (Hamilton West): Mr Speaker, perhaps I might draw your attention to the fact that the member from Renfrew-Nipissing-Pembroke had exactly the same procedure and took quite a length of time. This is a fraction of that. I really would appreciate the opportunity to place it.

The Speaker: I can't permit you to do that. I have a ruling. In the case of that member, it was different. I had it beforehand, had read it and did not have a ruling at that time. This time I do have a ruling and quite frankly it's pretty straightforward. One of the reasons I wish to decide on this matter without hearing directly from the member comes under standing order 21(d), which permits me to do that.

This is not a dismissal of the matter or a reflection on the merits or the seriousness of the issue that the member raises, because I have, under the standing orders, had an opportunity to read through it. However, because the issue the member has raised relates entirely to proceedings that have taken place in a committee of this Legislature, I am not in a position to consider the matter. Our

precedents abound with numerous examples of Speakers declining to become involved in procedural issues arising from committees. This is properly done since the committee itself is the place for the member to raise the issue and for it to be dealt with; indeed this may have already occurred. Alternatively, the committee would have to report to this House on a matter for it to be properly raised in this forum.

I therefore find that the member does not have a point of privilege.

I will say to the member, the reason is very clear. I've had an opportunity to read through it with the standing orders. I thank him for doing that, but it is very clear, and I've read through it. It's about two pages long. That is my ruling. I thank the member for his participation.

Mr Christopherson: On a point of order, Mr Speaker: With great respect, may I ask what would be the point of having you rule in this place instead of just by mail, since nobody knows the context of what you're ruling on?

The Speaker: In some instances I would need to take further study of this issue and I would like to hear from the member. This is a very clear-cut situation and the standing orders permit it. One of the reasons for the notice, of course, is so the Speaker can read through it and decide if there is a point of privilege. I don't want to surmise why the standing orders would be that way, but I can only surmise that the reason the standing orders are like that is because if it was not the case, somebody could get up on a point of privilege, read it out and get into a situation of debate and carry on and there would be no way for the Speaker at that point to know and use the notice of point of privilege to enter into debate.

That's why the notice goes out, so that I have a chance to look at it. I will say this: On most points of privilege, if it is something that I want to hear and if it's a matter that is not that clear-cut, I would hear from the member. This is a very clear ruling on this issue. That is my ruling. I thank the member for that.

Mr Christopherson: May I ask you very briefly about your ruling?

The Speaker: Yes, very briefly.

Mr Christopherson: It troubles me that I don't even have the opportunity as a member to place my concern in front of the Legislature, to be in Hansard, on the record, that this indeed happened. Perhaps I could just serve notice to you and through you to the government House leader that I would like to take this up at the next House leaders' meeting, because I really think there's an element of unfairness here regardless of who raises what issue from any of the parties.

The Speaker: That's fine, and that might be an appropriate place to do that.

REPORTS BY COMMITTEES

STANDING COMMITTEE ON ESTIMATES

Mr Gerard Kennedy (Parkdale-High Park): Pursuant to standing order 59(a), I beg leave to present a report from the standing committee on estimates on the estimates selected and not selected by the standing committee for consideration.

I'd like to mention we have chosen 12 ministries to scrutinize, and on behalf of all members from all parties, we have a commitment to do as much scrutiny as possible and to take as much time as we can, including hopefully summer sittings, to do that.

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

Pursuant to standing order 59, your committee has selected the estimates 2000-01 of the following ministries and offices—

Mr Kennedy: Dispense.

The Speaker (Hon Gary Carr): Dispense.

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

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STANDING COMMITTEE ON GENERAL GOVERNMENT

Mrs Marie Bountrogianni (Hamilton Mountain): I beg leave to present a report from the standing committee on general government and move its adoption.

Clerk at the Table (Mr Todd Decker): Your committee begs to report the following bill, as amended:

Bill 68, An Act, in memory of Brian Smith, to amend the Mental Health Act and the Health Care Consent Act, 1996 / Projet de loi 68, Loi à la mémoire de Brian Smith modifiant la Loi sur la santé mentale et la Loi de 1996 sur le consentement aux soins de santé.

The Speaker (Hon Gary Carr): Shall the report be received and adopted? Agreed.

The bill is therefore ordered for second reading.

INTRODUCTION OF BILLS

AFFORDABLE HOUSING INCENTIVES ACT, 2000

LOI DE 2000 SUR LES STIMULANTS AU LOGEMENT À PRIX ABORDABLE

Mr Caplan moved first reading of the following bill:

Bill 83, An Act to create affordable housing by enabling municipalities to offer incentives for development

and redevelopment of properties / Projet de loi 83, Loi créant des logements à prix abordable en permettant aux municipalités d'offrir des stimulants pour l'aménagement ou le réaménagement de biens-fonds.

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

The member for a short statement.

Mr David Caplan (Don Valley East): The current Municipal Act specifically prohibits a municipal body from offering financial assistance to any enterprise. This bill, if passed, will create an exemption to this rule, enabling municipalities to provide financial assistance to an affordable housing project. The bill also allows municipalities to define what types of affordable housing projects will qualify for assistance. If this bill passes, the city of Toronto, for example, will be able to expand its Let's Build program campaign to the private sector.

I'm gratified that there are municipalities that are willing to show leadership on this issue. Passage of this bill as soon as possible will allow projects to be initiated and housing to be built and redeveloped. Tenants desperate for affordable housing and municipalities prepared to act to bring solutions should not be forced to wait.

I'd like to especially thank the invaluable contribution of Sybil Frenette and Joan Jylanne at the region of Waterloo and Evan Wood and Mark Guslits at the city of Toronto for their initiatives in this regard.

Mr John Gerretsen (Kingston and the Islands): On a point of order, Mr Speaker: I ask for unanimous consent that this bill, because we all know that we're lacking social housing initiatives from the province and the federal government, be given second and third readings.

The Speaker: Is there unanimous consent to proceed? I'm afraid I heard some noes.

Introduction of bills? Motions? Government House leader.

Hon Norman W. Sterling (Minister of Intergovernmental Affairs, Government House Leader): No, Mr Speaker, but somebody over here is calling me Dr No, and I cannot understand that, sir.

VISITORS

Mr Steve Peters (Elgin-Middlesex-London): On a point of order, Mr Speaker: I'd just like to take this opportunity to welcome a former opponent of mine in the last provincial election, David LaPointe, the NDP candidate in the riding of Elgin-Middlesex-London, and his daughter, Kourtney, to the Ontario Legislature today.

The Speaker (Hon Gary Carr): That's not a point of order, but we welcome our guests.

STATEMENTS BY THE MINISTRY AND RESPONSES

SENIORS' MONTH

Hon Helen Johns (Minister of Citizenship, Culture and Recreation, minister responsible for seniors and women): It is a pleasure to rise today to celebrate seniors in the province of Ontario. I have two seniors here today as my special guests. Both were honoured at the International Year of Older Persons Legacy Awards. I ask my colleagues to welcome Lyla Commandant from Bala and Sarah Thompson from Belleville.

Lyla was the first woman chief of the Wahta Mohawk tribe. She has overseen major projects to strengthen cultural awareness of her people. Lyla is also a member of the Round Table for Ontario's Elder Abuse Strategy and we are very lucky to have her on that round table.

Sarah overcame near blindness and partial paralysis after a stroke to become a champion athlete in the games for the physically disabled. She has won the World Cup of powerlifting for the blind nine times, winning her last cup at the age of 80. She is an inspiration to us all.

Today is the first day of Seniors' Month in Ontario. Every year, June gives us the opportunity to acknowledge and to thank our seniors for the contributions they have made to this great province. But recognizing and paying tribute is just one part of the government's commitment to seniors. We are also dedicated to ensuring that they can live their lives in safety and with dignity in their later years.

The government of Ontario believes that it's the right thing to do, and that's why we spent a record \$22 billion this year in health care. Much of this is being focused on seniors to improve their medical supervision in home care settings, and that's why we announced new annual funding of \$6 million to have three new specialized OPP policing teams. This includes a senior assistance squad to help seniors avoid being scammed and to support any who have been victimized in the past. That's why the Office for Victims of Crime will be made permanent. It will include a seniors issue expert on staff to help seniors.

This funding complements programs that the government already provides for seniors in the province of Ontario: programs like the \$68.4-million strategy for Alzheimer's disease and related dementias; programs like the multifaceted strategy to combat elder abuse all across this province; and programs like Actifest, the Ontario Senior Games. Actifest demonstrates to all Ontarians that seniors benefit from a healthy and active lifestyle.

Today I would like to entice and encourage my colleagues to get active this month, to participate in events that include the seniors in their communities. Each week of June has different themes:

Week one is intergenerational week, and this is one of the programs that I feel the most strongly about. It's a week that highlights opportunities for seniors and youth to come together and to help one another.

Week two is caregiver week, a time to show appreciation for those who assist our seniors all across this province with their daily living needs.

The third week highlights ways in which seniors can be helped to live with dignity, and be safe and secure in their own communities.

The final week celebrates the volunteer efforts of seniors and the way in which they enrich the social, cultural and civic lives in each of our communities.

Recognition and respect for our seniors should go way beyond the month of June. We should make it a way of life in this province. After all, when we speak of seniors, we speak about our parents, our grandparents, our co-workers and our friends. This is a stage of life that awaits all of us. We should remember that the next generation will no doubt regard us in the same way that reflects what we have taught them about respect for our elders.

I ask each of us today to remember seniors and to work hard in this month of June to ensure that we recognize them and give them the thanks that they deserve for contributing to this great province of Ontario.

1400

Mr Mario Sergio (York West): I welcome the opportunity to respond, even though briefly, to the announcement by the minister. I also would like to congratulate the two seniors who are joining with us in the House to spearhead the month of June on behalf of our seniors. But I would also like to remind the minister that seniors are a group that is continually forgotten and neglected by the government.

If there is one particular thing that I agree with the minister on today in her statement it is that our seniors in Ontario should be recognized well beyond the month of June. They should be recognized every day, every year, every month. They are the group that gave us what we and our families enjoy today, the freedom and the benefits of their long lives.

While there are many good seniors in our province enjoying the well-being of life, there are far too many living in poverty and well below the poverty line. This is the group that the government continuously fails to come to grips with and to respond to the needs of, including the latest budget of this government. It has failed to address the needs of our seniors in Ontario.

I'm sure every member of this House has to deal on a daily basis with the plight of our seniors. They have to deal with providing for their food and quality of food or shelter or drugs. I don't have to tell you the needs of seniors today. The older they get, we say, the more help they probably have to receive. Long-term care is one issue which must be addressed on a regular basis, and again the government is failing to recognize the needs of those seniors.

If we are really serious about recognizing seniors, and not only every June, I would say to the government, let's make a real effort, let's recognize the seniors for who they really are, what they really need, and do it on a regular basis. Only then we can say that we are doing justice, that we are giving them the dignity they

deserve—because indeed they do deserve it. I urge the government to spend the money to allocate the necessary funds and really give our seniors the dignity they deserve.

Ms Caroline Di Cocco (Sarnia-Lambton): It is my pleasure as well to congratulate Lyla Commandant and Sarah Thompson on the achievement of being honoured with the International Year of Older Persons Legacy Award. My congratulations.

The contributions of our seniors are something that all of us of course want to extol, because they are very well-deserved. We also have a greater responsibility and that responsibility goes across all the various ministries—the ministries of housing, long-term care and health care—because as one gets older one becomes more vulnerable. Unfortunately, this province is failing, for instance, to ensure adequate enforcement of standards for some of our seniors' institutions. The city of Toronto has been frustrated by the province, which has failed to help as required.

The other issue of vulnerability, of course, is that they are among the most vulnerable when it comes to the E coli issue that has taken place. Again, we have this area of our society that is growing in need, because the demographics say we are an aging population. One of the issues has to do with cataract surgeries, that as that need increases, this government decreases the numbers and the funding to assist in providing extra cataract surgery.

In my riding hundreds of seniors have come and spoken to me about the long waiting lists so that they could maintain their quality of life, and cataract and eye surgery do help to maintain the quality of life for people who live an active life today. We live longer, but these needs are also there. We can extol all our accolades of the wonderful contributions such as our veterans from the First World War and the Second World War—that is very well deserved—but the province has a deeper responsibility to meet the needs that our aging population continues to have throughout this century.

Ms Marilyn Churley (Broadview-Greenwood): I will respond on behalf of Frances Lankin, our seniors' issues critic, who is not here today because she's been at her mother's bedside since yesterday, and I think we would all want to tell Frances, everybody in this House, that our prayers are with her mother today.

I appreciate the opportunity to honour seniors in Ontario on this first day in June, Seniors' Month. We join very much in the salute to Lyla Commandant and Sarah Thompson, two seniors who are an inspiration to us all, and not just because they're seniors but as human beings who are accomplishing great things. When we talk about seniors—as probably the most senior member in our caucus and I'm sure the only grandparent, I can speak with authority on this—sometimes we get patronizing. It creeps into our voices a little bit. But seniors are just older people who are out there doing great things and have contributed tremendously to our society. The social safety net that we have today, the fine health care system, the public health care system, are all there because the

seniors worked very, very hard to build that system up over the years.

I know that many seniors are very concerned these days that we are tearing the social safety net out from under us and those institutions they have built are starting to crumble. I would like to take this opportunity to say to the government that I know many seniors advise the minister of these issues—we're all aware of them—and that the government should pay close attention to the advice they give, because they know, they remember, what it was like before we had those social safety nets in place. They remember what it was like before there was universal medicare.

I did hear the minister today try to portray the Conservative government as a friend to seniors, but we have to bear in mind as well, and we cannot sweep this under the ground, that the aging population is a population that is getting deeper and deeper into poverty. I have a press release by the Daily Bread Food Bank entitled *Seniors Losing Ground in Poverty Battle: A Stealth Attack on Seniors*. It says that from 1995 to 2000, "seniors in our society seem to have lost substantive financial ground, a development that has occurred almost unnoticed." It goes on to say that seniors' percentage of food bank users has moved from about 6% in 1995 to 11% in 2000. That is a shameful piece of information that we have to do everything we can to reverse.

The other issue I'd like to raise briefly today is that Frances Lankin, also our health critic, exposed the government's decision to stop annual inspections of nursing homes. The health minister waffled at first. She tried to blame the NDP, then promised a full review, and we haven't heard anything since. I urge the minister today to come forward immediately and tell us what her plans are to aid these most vulnerable people in our society.

Finally, I want to take this opportunity to say to the minister again today that we are still waiting for the Ontarians With Disabilities Act that was promised in a letter written by the Premier before the election in 1995. It is absolutely essential that the government come forward with that bill so we can take it to committee. Let's face it, as we all age here—I'm not that senior to everybody as I look around the Legislature—we're all going to be seniors soon. It's not just seniors, however, who have disabilities. In all walks of our society, there are those who need not just extra help and protection but opportunities built into our society so that we can all participate fully.

1410

ORAL QUESTIONS

WALKERTON TRAGEDY

Mr Dalton McGuinty (Leader of the Opposition): My question is for the Deputy Premier. Minister, we have spent some considerable time this past week, and quite

rightly so, talking about the Walkerton tragedy. We've dwelled on the social and environmental aspects of that. Today I want to touch on another important aspect, and that is the economic aspect of all of this, the fact that the people of that community are experiencing an economic disaster.

People there have been without water for 11 days now, and I understand that yesterday officials informed them that it's going to be at least another 30 days and possibly as many as 42 more days before water will be safe to drink in Walkerton. While these people wait, businesses are suffering badly. Hotels are vacant, restaurants have been closed, tourism is non-existent. Families and the municipality itself are having to meet extraordinary costs. How much longer will the people of Walkerton have to wait for you to provide financial assistance?

Hon Ernie L. Eves (Deputy Premier, Minister of Finance): I believe the leader of the official opposition is aware that the Premier has been quite clear that all of the resources of the province of Ontario are available to the people of Walkerton and we will do whatever it takes to make sure they are assisted in whatever way possible.

Mr McGuinty: I have heard the Premier's utterings and musings on this very important issue, but there has been no firm commitment. I will remind the minister that it was within two weeks of the ice storm that affected eastern Ontario that there was an emergency meeting of the cabinet and a \$50-million fund established. Nothing of that nature, to my knowledge—you can correct me if I'm wrong—has been done to help the people of Walkerton to this point in time.

People there are also very concerned about their personal and household expenses. People have put up members of their family in hotels; they themselves have had to stay in a hotel if they're visiting a loved one at a hospital in the community of London. They're worried about having to pay for having their plumbing flushed, for having pipes replaced, faucets replaced, showerheads replaced, garden hoses replaced, plants thrown out, and many, many other things of that nature.

Again I ask you, why have you not, to this point in time, set some money aside and put in place a compensation plan?

Hon Mr Eves: I don't believe it is necessary to quote an exact dollar amount. The Premier is on record as saying that all of the resources of the province of Ontario are available to the people of Walkerton and that they will be made available to assist them in any way, shape or form. I wouldn't want to limit the amount by prescribing a specific amount in a fund which in fact may turn out to be too little.

Mr McGuinty: I'm not asking you to here and now fix a precise amount for compensation. What I'm asking you to recognize is that this an economic disaster as well as a social and environmental disaster. You have to respond on an emergency basis. You should have had by now an emergency meeting of the cabinet. The cabinet met yesterday; you could have committed some specific amount at that point in time. What I'm telling you, Min-

ister, is that you have not risen to the occasion and put in place a specific compensation plan that begins to let the people Walkerton know that you have a real commitment to helping them address their financial needs. I ask you again, on their behalf, when will you be releasing your compensation plan that's going to help the people of Walkerton overcome their financial challenges?

Hon Mr Eves: To the leader of the official opposition, yes, there was a cabinet meeting yesterday. The cabinet, the government of Ontario, is quite aware of the problems of the people of Walkerton. I don't think, however, that they're going to be served by walking out of a cabinet meeting with a press release saying there are X numbers of dollars available for the people of Walkerton. The Premier has made it quite clear: All the resources of the province of Ontario will be made available to the people of Walkerton.

The Speaker (Hon Gary Carr): New question.

Mr McGuinty: My question is for the Minister of Health. Minister, I want to speak to you about your responsibilities when it comes to the Walkerton tragedy. You will know that rumours are swirling in Walkerton and in the surrounding communities when it comes to the effects of E coli and whether or not it happens to be contagious. There is a complete black hole, a complete void, when it comes to reliable information from you and your ministry. You are missing in action when the people of that community have been faced with the most important medical tragedy in their history. People are wondering whether or not they should in fact be throwing out their shower heads, whether or not they should be replacing their pipes. What do they have to do to their hot water tanks? Are kids from one community contagious if they come into contact with kids from another community?

This is a real concern for the people of Walkerton and people in surrounding communities, and you, Minister, have been missing in action. Why have you not stepped forward and put in place some kind of aggressive information program so that the people of Ontario, but especially people living in that community, can be better informed about E coli?

Hon Elizabeth Witmer (Minister of Health and Long-Term Care): Our chief medical officer of health has been in ongoing communication and has personally visited Walkerton and will be visiting Walkerton again this weekend. He has been supporting the Walkerton medical officer of health. A public advisory, as you know, was issued on a local radio station on Sunday, May 21, to inform residents about the "boil water" order. Specific written advisories have been issued to schools and nursing homes and day nurseries regarding preventive measures. I can assure you that there have been ongoing communication and support provided to the medical officer of health and those who are responsible in that particular community.

Mr McGuinty: You know, it's funny that this minister has five million taxpayer dollars available to run on useless television ads attacking the federal govern-

ment. Where is your equally aggressive information campaign when it comes to informing the people of Walkerton and people living in the surrounding communities? Last night on TV I saw a boy—he must have been about 11 years of age, baseball cap on, chewing bubble gum—telling the reporter that he couldn't play soccer in an adjoining community because the people in that community were afraid of the people of Walkerton. This is a real issue for children and families living in Walkerton.

Where are the video cassettes being distributed to the people of Walkerton? Where are the pamphlets? Where are the radio ads? Where are the TV ads? Where are the newspaper ads? Where's the special page on the Web site? All of those things come within your offices as Minister of Health. I'm asking you, on behalf of those people, why have you not responded with an aggressive information campaign?

Hon Mrs Witmer: As the Leader of the Opposition knows, under the Health Protection and Promotion Act, the lead is with the local medical officer of health, and our chief medical officer of health has done everything possible to ensure that we support the local medical officer of health. In fact, we have indicated that we will assist them with additional financial and human resources, which we have done this week. There is the assistance of another medical officer of health there. We have provided advice in the investigation and management of the outbreak. We have a staff person on the scene. We have established contacts to clinical expertise and regional health services. We have provided laboratory testing of specimens. We have expanded laboratory testing services to respond to the increased demand. We have notified the Laboratory Centre for Disease Control about the outbreak. We have made additional air ambulance services available. We have asked the Ontario Medical Association to provide additional physician support to the area. We have had discussions with the regional hospitals to ensure that they have the appropriate resources, and we have again provided our assistance.

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We have provided an on-site mental health team with on-call services on the weekend and this week. The ministry has provided for the lease of a phone system to support the mental health team operating the Walkerton Hospital. We have contacted the Ministry of Community and Social Services to arrange for any additional services required in the area of children's mental health. We have arranged for additional CCAC supports and on-call numbers to facilitate speedy access for individuals requiring in-home services. The local LTC compliance adviser was on the site at the Brucelea Haven and is also available.

We continue to be in daily contact with the local health department in order to ensure that all the support that is needed is provided.

Mr McGuinty: I want to remind the minister that she is a member of the government that downloaded the responsibility for public health on to our municipalities. This is an extraordinary medical disaster, and you have a

responsibility to upload this issue at a minimum and to take responsibility for it. So far, you are failing to do that.

I will ask you again, where are the funding and the plan for an aggressive communications program to ensure that the people of Walkerton and the people living in the surrounding communities understand as much as possible about the implications of E coli and whether or not it is contagious? You have failed to do that to this point in time. I ask you again on their behalf, why are you not rising to the occasion, stepping into this matter and helping out the people of Walkerton?

Hon Mrs Witmer: I am very disappointed at the Leader of the Opposition's attempts to communicate information that is not accurate. The public health officials have always been under the jurisdiction of local government. It is not helpful for this information to be—

Interjections.

The Speaker: Minister of Health, take a seat.

The member for Kingston and the Islands is yelling and he's not in his seat.

Interjections.

The Speaker: Minister of Labour, come to order as well, and the member for Eglinton-Lawrence, come to order, please. Member for Hamilton East, come to order. Minister of Health.

Hon Mrs Witmer: Again I would remind the Leader of the Opposition—perhaps he is confused, but I don't think he would want to create an impression that's not totally accurate—public health has always been a municipal responsibility.

VISITOR

The Speaker (Hon Gary Carr): In the galleries on the east side is a former member, Ed Philip, from Etobicoke-Rexdale, who was a member during the 32nd, 33rd, 34th and 35th parliaments. Would all members please join in welcoming Mr Philip. I might add that he has some students with him as well.

Sorry for the interruption. New question.

WALKERTON TRAGEDY

Mr Howard Hampton (Kenora-Rainy River): My question is for the Attorney General. I think we're all aware that the commission of inquiry into the safety of Ontario's water supply is a very important event in Ontario's environmental history. If this commission of inquiry is done properly, and we all want it to be done properly, not only should it answer the questions that arise out of Walkerton, but it could make very positive impacts on the health of all Ontarians.

But we have a problem. At the same time that you are saying you believe it should have a broad scope, your Premier is out there saying that as far as he's concerned, the events of Walkerton, Freelon and Shelburne have nothing to do with your government's dramatic cuts to the budget and staffing of the Ministry of the Environment.

What I want from you, Minister, is the assurance, the commitment, that in the search to find out what went wrong and what contributed to the tragic events at Walkerton, and in the search to answer the other questions about the water supply, the issues of your government's cuts to the Ministry of the Environment budget and cuts to the Ministry of the Environment staffing and your downloading of responsibilities from the Ministry of the Environment and your downloading of public health units will both be a specific subject of this commission of inquiry. Will you make that commitment today?

Hon Jim Flaherty (Attorney General, minister responsible for native affairs): This is of course a very serious tragedy that has happened in Walkerton. I invited the leader of the third party yesterday to convey to me his input with respect to what the terms of reference ought to be for the commission to be appointed. I urge him to do that without delay. The Premier has asked me to try to obtain the services of a commissioner and draft the terms of reference within 10 days of yesterday. I look forward to having input from the leader of the third party and other members of this House so we can get the terms of reference drafted.

As indicated yesterday in the House, I was asked by the Premier to draft broad terms of reference, and I would ask the member, if he is going to participate, as I expect he wants to, that he do so without delay.

Mr Hampton: I was hoping the Attorney General would stand on his feet and say, "Yes, of course those issues will be the subject of the inquiry." In fact, I've already sent to the Attorney General a detailed letter outlining what I believe should be some of the specific subjects of the inquiry. The Premier has received a letter, and I've got a copy of it here, from a number of citizens of Walkerton, who say, "We believe it is imperative that the investigation be completely impartial in nature and of the broadest possible scope, probing all factors and events culminating in the Walkerton tragedy." We know that since the tragedy of Walkerton, the towns of Durham, Shelburne and Freelon all have issued "boil water" warnings of their own.

Minister, it's a simple question. We know many of these issues have been raised by the medical officer of health in the Walkerton area. Will you commit now to ensure that your government's cutbacks to the Ministry of the Environment, both in terms of staffing and budget, and your government's downloading of many of the responsibilities of the district health units will be a specific subject of this commission of inquiry? Let us do the right thing. Please stand on your feet today and give us the unequivocal commitment that this is going to happen.

Hon Mr Flaherty: I think the people of Ontario quite rightly expect a full, open, independent, neutral commissioner to conduct an inquiry independently of government: independent of this government, independent of any government, municipal or otherwise. I welcome the input from the leader of the third party.

I've been given a copy of a news release from the New Democratic Party and it has attached to it a letter addressed to me. Although I have not received the letter itself, I have a copy of it here. If these are the concerns that the New Democratic Party wants me to take into consideration in drafting the terms of reference, I'll take them into consideration in doing so. If this is it, thank you. If there is more, I'd like to know. But I think it's premature at this stage, before hearing from the Liberal Party and from other members of the assembly, to say the terms of reference will include this or that. They will be broad, they will encompassing of the issues, and I look forward to further input from the members opposite.

1430

Mr Hampton: I want to take the Attorney General up on the offer. I will provide you with some further input. I want you to know that this letter was faxed to your office at 11:15 today, and our information is that your staff there received it.

One of the other issues the Premier has raised is he has said that a commission of inquiry of this kind will take a long period of time. I want to draw your attention to a commission of inquiry that I established as Attorney General, the commission of inquiry into systemic racism in the justice system. We asked that the commission of inquiry specifically provide an interim report so the most urgent matters that could be dealt with immediately were taken up by the commission of inquiry, and they were able to provide us with a report very soon the next year.

Minister, you can do the same thing here. Some of the issues, such as your government's cuts to the Ministry of the Environment in staffing and budget, your government's downloading of medical officer of health responsibilities and health unit responsibilities, the issue of the possible contamination of water by runoff from so-called factory farms—none of these are likely to be the subject of a criminal investigation, but the medical officer of health has said that he believes they are important matters that must be looked at.

I'm simply asking you, will you make those commitments: Ask for an interim report from the commission of inquiry and ask them immediately to proceed to investigate these matters, which are highly unlikely to be the subject of a criminal prosecution?

Hon Mr Flaherty: I thank the member opposite for the question. I think we need to keep things in order here on behalf of the people of Ontario as we collect the ideas with respect to the terms of reference for the commission that will take place.

First of all, we need to draft the terms of reference, and I thank the member for being involved in that and understand he will send more thoughts and ideas about that.

Secondly, we need to obtain the services of a commissioner, either a judge or a retired judge. In order to do that, I may well have to discuss the proposed terms of reference not only with the intended commissioner, once one is intended—and I can tell you that I don't have anyone in mind right now as I stand here—but also I may

have to discuss them with the Chief Justice of the relevant court if the judge is a sitting member of one of our courts in Ontario.

So I urge the members opposite and the members of my own party to provide their concepts and ideas with respect to terms of reference as soon as possible. I hope to proceed in an orderly way.

WATER QUALITY

Mr Howard Hampton (Kenora-Rainy River): My question is for the Minister of the Environment. I was hoping for a more positive response from the Attorney General. I hope now to get a positive response from the Minister of the Environment.

E coli was detected in Walkerton, then Freelon, then Shelburne. The people of the town of Durham awoke this morning to see that they've received a "boil water" directive because of problems with their water supply. The commission of inquiry is important, but there are other important matters that need to happen right now. People elsewhere in the province need to know that their chlorination systems and their water supplies are working properly. They need to know what kind of reports your ministry has, what kind of audits your ministry has.

Will you today, Minister, order the release of all of your ministry's most recent information on the quality of the drinking water and the reliability of the chlorination systems for every municipality in Ontario? It's a very reasonable request. Let's put other municipalities at ease. If there are problems, we should let them know. Will you make that information available today?

Hon Dan Newman (Minister of the Environment): I believe there is a drinking water report listed on the ministry Web site with respect to the quality of drinking water in this province. I would encourage the leader of the third party to go to that Web site. It does have the information there.

I also want to point out that on Monday, when I announced a regulation that would be coming forward, part of that included that all certificates of approval for all water facilities in this province will be reviewed. So each and every certificate of approval throughout the province will be reviewed. Further to that, I've also indicated that every three years all certificates of approval in Ontario for water facilities will be reviewed. That will be part of the regulation. That will be given the force of law by the very nature of it being a regulation.

Mr Hampton: I can't believe this minister. We have a tragedy. Seven people have died and we know they died as a result of dirty water. The coroner suspects two others may have died as a result of that dirty water. We've got community after community reporting E coli or having "boil water" directives. I ask you to release the reports on the water quality test results, to release any audits showing the reliability of their water treatment plants, particularly the chlorination systems, and you tell people to go to a Web site. Minister, we've gone to that Web site. It is embarrassing how skimpy the information is.

Your response to me is to say, "Oh, well, we're going to do things three, four, five, six months down the road." That's not good enough. Is the real problem this, Minister, that you don't have the audits or that the audits you have are so incomplete they're embarrassing, that you don't have the results of the water quality testing or that the skimpy results you've got are so embarrassing? Is that the real problem, that you cut so much out of the Ministry of the Environment that you can't even provide that information any more? Isn't that the case?

Hon Mr Newman: Nothing could be further from the truth. All I've indicated is that information is there for the public. It's there on a Web site. That's a way people communicate information these days. That information is there for the public to see.

To say this government doesn't take this situation seriously is wrong. That's why on Monday I stepped forward with the four points of my plan that will be in the form of a regulation. The situation is still unfolding. It's been on for about 10 or 11 days right now. On Monday I stepped forward with what I think is a very positive regulation package. I know it's been well received by people across the province, and I would hope the member opposite finds it a worthwhile regulation as well.

MINISTRY OF THE ENVIRONMENT

Mr James J. Bradley (St Catharines): I have a question for the Treasurer. I want to ask a senior member, I think the second-most powerful member in the government, a long-time member of this Legislature, in the context of seven people having died in Walkerton and hundreds of others dreadfully ill.

I point out to the minister that the Ministry of the Environment staff has been cut by over 900, including water and sewage inspectors. They've removed 80% of the water sampling locations in the Great Lakes. They've reduced the number of water monitoring stations by 500. There's a real question about being able to conduct surface water monitoring north of Barrie, Ontario. Ministry of Natural Resources staff has been cut by—what, John?—50%, something like that, millions from the budget, conservation authorities badly damaged. In other words, the government is not in a position to be able to easily respond to these difficult problems that have been created because of very substantial and deep cuts.

My question to the Treasurer is, will you now give an undertaking to this House that the budgets of the Ministry of the Environment and the Ministry of Natural Resources will be restored so that those two ministers are able to carry out their responsibility of protecting the drinking water in this province?

Hon Ernie L. Eves (Deputy Premier, Minister of Finance): I think the Minister of the Environment can respond with respect to the specifics of his particular ministry.

Hon Dan Newman (Minister of the Environment): As you know, and as I indicated in the past, there are several positions that were transferred from the Ministry

of Environment and Energy back in 1995-96 to the Ministry of the Environment. That was, I believe, almost 140 positions. There were other positions that were transferred to Management Board Secretariat in the shared services bureau.

Are there fewer staff in the Ministry of the Environment? The answer is yes. In fact, you can say yes across all of the ministries. Efficiencies were to be found. We were in a province that had an annual deficit of \$11.3 billion. We were spending \$1 million an hour more than we were taking in. Government needed to be reformed. All ministries saw reductions in their budgets, saw reductions in staffing levels, and the Ministry of the Environment was no different.

Mr Bradley: I'm going to go back to the Treasurer. I think he'll find this more in the focus of his responsibilities. They send up the Minister of the Environment. He doesn't have any resources or any staff to do the job with, and he has to give answers in this House. I want to try to get some staff and some resources for his ministry and for natural resources.

1440

Treasurer, I believe this week has been a defining moment for your government in that we have seven people who are dead in Walkerton, others who may be dead as a result of water which is poisoned, we have hundreds of people dreadfully ill, and yet we have huge cuts in the Ministry of the Environment and the Ministry of Natural Resources. The water supply of this province, because of those kinds of cuts, is at much greater risk than it was previous to those particular cuts.

I've listened to what a lot of people have had to say in this province, and that's why I ask the question of you specifically and not of the Minister of the Environment. Mr Treasurer, will you now give an undertaking to relinquish the opportunity for a good public relations gesture of sending out a \$200 cheque to everybody in the province who would be eligible? I realize you made that commitment in the budget, but I think people would understand if you changed that commitment. Will you now utilize that \$200 that you're sending out to people in this province to protect the environment, and specifically the drinking water in Ontario?

Hon Mr Newman: I'll redirect the question to the Minister of Finance.

Hon Mr Eves: First of all, let me deal with a couple of the issues that the honourable member raises. With respect to the \$200 cheque for people, I would like to remind the honourable member it is their money. It is money that they have paid in income tax to the province of Ontario. It is a form of a tax reduction, a very direct tax reduction, to the people of Ontario. We're returning to them their money. It is their money, to do with as they wish. They may redirect it anywhere they want. It's their money, after all. With respect to that issue, that is the answer. The budgetary document of the province outlined specific tax reductions and other measures taken in the budget. That happens to be a specific tax reduction measure.

With respect to the amount of resources that will be available to address the situation in Walkerton, the Premier has made it quite clear, as I said in response to the honourable member's leader in the first question, that all the resources of the province of Ontario will be made available to the people of Walkerton to deal with this particular problem. Whatever it takes, the government will be there to fulfill its duty and its responsibility to the people of Walkerton.

Mr Howard Hampton (Kenora-Rainy River): On a point of order, Mr Speaker: In an earlier answer the Minister of the Environment told me to go to the Web site. I want him to know that the Web site is from 1997. That's how out of date it is.

The Speaker (Hon Gary Carr): That's not a point of order.

PREPULSID

Mr R. Gary Stewart (Peterborough): Today my question is to the Minister of Health and Long-Term Care. This morning I spoke to Mr Terence Young, a former member of this Legislature, who earlier this year had a family tragedy.

Interjections.

The Speaker (Hon Gary Carr): This is a very serious question. Order, please. I'm sorry to interrupt the member for Peterborough.

Mr Stewart: We discussed media reports that there are suspicions that the drug Prepulsid, used for gastrointestinal treatment, may cause serious side effects, even death, for those who take it. We also heard that Prepulsid is being removed from pharmacies. Minister, could you please inform the members of this House of some of the details around this product?

Hon Elizabeth Witmer (Minister of Health and Long-Term Care): The federal government, Health Canada, is responsible for drug safety. They have advised the Ministry of Health—this was received on May 31—that Prepulsid be removed from pharmacies by August 7, 2000, due to the possibility of rare but serious heart complications, including irregular heartbeat rhythms and sudden death. I can tell you that we are now taking immediate action to remove Prepulsid from our formulary. A regulation change has been proposed in keeping with Health Canada's notice. We are developing an action plan in order that we can respond to those who are in need of this particular product.

Mr Stewart: I understand that your ministry could have an active role to play during this situation. Could you tell the members of this House what your ministry is doing to expedite the removal of Prepulsid from the Ontario drug benefit plan and inform health professionals in Ontario?

Hon Mrs Witmer: We have now drafted the regulation change that will become effective immediately. We are working co-operatively with the pharmaceutical association as well as the Ontario Medical Association and the Ontario Hospital Association in order to inform

all of those health professionals of this decision. We have begun to notify all pharmacies. We know that Health Canada has also sent a note to all health professionals informing them of their decision. We are developing, as I say, a plan to respond to the needs of the ODB recipients who are presently taking Prepulsid.

SAFETY-KLEEN SITE

Ms Caroline Di Cocco (Sarnia-Lambton): My question is for the Minister of the Environment. Your ministry fast-tracked an expansion of a hazardous landfill site in 1997 in Moore township, and it has become the largest hazardous toxic waste site in Canada. This site is on an aquifer and, as you know, connected and in close proximity to the Great Lakes. There are also wells that are used in that area.

I've been knocking on your ministry's door for a long time now with concerns about the integrity of the site and the groundwater contamination. What other consequences or tragedy has to happen before you put a full-time inspector and a geotechnical engineer on that site to oversee the complex and serious repairs that are being done there?

Hon Dan Newman (Minister of the Environment): I want to assure the member opposite and, in fact, all the people who live near that landfill site that we're taking every action possible to handle the situation in order that we can safeguard their health and their environment. I think this is very important.

We ordered the closure of the Safety-Kleen landfill on December 14, 1999, because of concerns over methane gas and water seepage in that area. As a result of the closure, the company submitted additional technical information on subcell number 4. The review indicated that the integrity of the cell could be maintained by fortifying the inner seal of that cell.

Ms Di Cocco: You didn't answer my question though because, you see, this is basically a site that's self-monitored. Again, a site of this magnitude is nowhere else in Canada. The aquifer, I'll remind you, is connected to the Great Lakes. All we're asking is that you put a full-time inspector on the site and that those repairs be monitored by a geotechnical engineer from your ministry to oversee the repairs. Safety-Kleen is doing all its own monitoring.

Hon Mr Newman: On December 24, 1999, the ministry revoked the previous orders and Safety-Kleen was permitted to reopen. A subsequent order was issued to ensure that the site was operating in a safe manner. It's important to note that a portion of the site still remains closed pending the ministry's approval of the company's remediation plans. Part of the site remains closed.

It's important to note that there was a six-point plan brought forward by my predecessor dealing with hazardous waste in this province back in September. It's an ambitious plan that's been brought forward. Hazardous waste regulations in this province have been greatly enhanced. Some of the proposed changes have already been

implemented. We're working to ensure that the rest of the plan is put in place for the people of Ontario.

WORKPLACE SAFETY

Mr John O'Toole (Durham): Before I ask my question, with your indulgence, I'd draw your attention to the members' gallery where the real Gerard Kennedy is in attendance.

My question is to the Minister of Labour. I'm sure everyone here has heard about the tragic case involving the death of young David Ellis that occurred just over a year ago. David was only 18 and on his second day on the job. It's come to my attention that a decision in the court case was rendered just this morning. Minister, can you give the House an update on the outcome of that hearing?

Hon Chris Stockwell (Minister of Labour): I thank the member for the question. The Ontario Court of Justice rendered its decision today at 9 o'clock, and 1169711 Ontario Inc, operating as New Sun Cookies, was fined \$62,500, a former supervisor was jailed for 20 days and another supervisor was fined \$7,500. I think this sends a clear message to the employers in this province that they must take their responsibilities towards health and safety in the workplace very, very seriously. We in this government are committed to creating an Ontario where young people are free from workplace injuries and illness. I know our sympathies go out to the family of the worker in this case, and I think if there's any hope for change and control, this kind of decision that was rendered today would go a long way to doing that.

1450

Mr O'Toole: Thank you for that response. It's a very appropriate response on June 1, Injured Workers' Day. I think the outcome of the case clearly demonstrates that employers and supervisors must take their responsibilities for health and safety in the workplace very seriously. At this time of year thousands of young people are entering the workforce, many for the first time. Minister, what is your ministry doing to ensure and prevent accidents like the one David Ellis had from ever happening again?

Hon Mr Stockwell: This is a non-partisan issue, obviously. It's something that I've spoken to many members of this House and this caucus about. I've talked to the member from Peterborough about the pilot project there, and the member up in Thunder Bay, and others. Obviously no one wants to see an unsafe workplace where some young person gets injured or killed at work. Nobody could not want the full hope and force of the government to try and create these safe work places. Our government made this commitment to the young workers in the health and safety regulations.

Statistics show that young workers are at very special risk. It's crucial for them to be armed with the proper information they need to have a safe and healthy workplace. There are a number of excellent programs to teach young workers about health and safety. that are now in

place. Health and safety objectives in the curriculum will be taught in all grades from 9 to 12 by 2002. We've had two young worker health and safety meetings and we expect that a youth health and safety advisory committee will be created.

If any member of this House has any plans, pilot programs, ideas about a safer workplace for the young people in the province, please come and see me. I don't believe anybody in this place believes this to be a parochial or self-serving issue. It's something we all believe in and I would ask that you participate in creating programs that make workplaces safer.

WATER QUALITY

Mr Howard Hampton (Kenora-Rainy River): My question is for the Attorney General. You're wrestling with the issue of the commission of inquiry and the terms of reference. In answer to questions, your colleague the Minister of Agriculture has said that he doesn't know what caused Walkerton's dirty water problem. But then he quickly declares that manure from huge cattle and hog factory farms is a quality product that's never polluted the province's waterways. Quite a stunning conclusion, especially when we learn that a factory farm near Napanee is facing 11 charges for discharging barnyard effluent into Lake Ontario's Bay of Quinte and that a Huron county factory farm operator is being investigated for two raw sewage spills, one in Lake Huron.

I know, Minister, that your government had a task force that looked at farm effluent, farm nutrient management, but you're afraid to release that report. I suspect you're afraid to release it because it probably contradicts some of the things the Minister of Agriculture and the Premier have been saying on the issue of poor water quality and polluted water.

My question for you is this: Would you ensure that this report is released and would you ensure that this report and the matters it deals with are part of the terms of reference of the public inquiry you are now in the process of setting up?

Hon Jim Flaherty (Attorney General, minister responsible for native affairs): I'll refer the question to the Minister of Agriculture.

Hon Ernie Hardeman (Minister of Agriculture, Food and Rural Affairs): To the leader of the third party, I want to say that the safety of water is very important not only to public health but to all our farming community in Ontario.

I just want to quickly mention the issue of manure never having polluted water. I'm not suggesting that someone misquoted it, but if that's the way it came out, I can assure you that was not the intent. Properly applied, the waste from animals does not pollute water. If it's improperly done, as in the cases the member opposite mentioned, obviously the law needs to be enforced. Nobody in this province, including farmers, has a right to pollute our environment or our water courses.

It's also very important to recognize that the issue we were discussing is going to be looked at, and they're looking at the present time. Our ministry and all other ministries are helping with the investigation to make sure we find out where the problem that is in the water came from. We hope to deal with that when it arrives.

The consultation process that the member refers to was conducted for the very purpose the member mentioned. Farming in Ontario has been changing over the last number of years and a lot of concerns were being expressed as to whether we were keeping up with the changes in agriculture and what more could or should be done. Our consultation process has been completed and we are reviewing the report.

Mr Hampton: I'll be sure that I send the minister's comments on to the two trials where the two farmers in question are before the courts, because I think you pretty much definitively said that some are guilty and others are not.

But that's not what I asked you. You've had this task force report for some time. This task force report deals with the issue of effluent and nutrient management from, among other things, these large factory farms. This is a study by Health Canada which links the E coli contamination of water to farm runoff. It also points out that Walkerton is one of the hot spots in Ontario for this. This is very serious stuff, yet you're sitting on a report which I believe could go to the heart of the matter. I asked you and I asked the Attorney General: "Make the report available or make sure that this is a subject of the public inquiry." Are you or are you not interested in getting to the bottom of this issue? If you are, this information should be made available now. We shouldn't have to ask for it day after day.

Minister, will you make that report available now and will you make available any other reports within the Ministry of Agriculture which deal with this issue? Will you commit today that you will speak to the Attorney General, who should have answered this question, and will you assure us that these issues will be the subject of the terms of reference of the commission of inquiry into the safety and the water quality of our province?

Hon Mr Hardeman: I just want to point out, as the leader of the third party mentioned, that we did have the consultation process with the two parliamentary assistants who went around the province. They spoke to some 700 people who attended the meetings to deal with nutrient management and the enforcement of nutrient management planning for the farmers. Some 200 people made presentations; 400 people put their comments forward in a report. We received the report from the parliamentary assistants about mid-April. We are reviewing that report. The recommendations that are made in the report will be addressed through introduction of legislation that will deal with those issues. We can assure the House that in the next number of weeks we will be bringing forward both the report and the ramifications that we will be putting forward to deal with that report. We look forward to presenting that to all the members of the—

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

1500

LOYOLA ARRUPE CENTRE FOR SENIORS

Mr Gerard Kennedy (Parkdale-High Park): We heard earlier how this is Seniors' Month, and we heard the sentiments all around the House on how seniors should be treated. My question is for the Minister of Municipal Affairs and Housing, and it's about his mistreatment of seniors. Particularly, behind me are 39 seniors from the Loyola Arrupe Centre. Those 39 seniors are part of 200 residents you have caused to live in anxiety about their homes because you, and you alone, took the unusual measure of pulling their subsidies on May 1, of taking away the things they're entitled to instead of sitting down and negotiating issues with their board.

I approached you, other people have approached you, 60 businesses have signed forms, 600 people have signed petitions, and for 30 days you had them live in anxiety. Then, two days ago, you let the bank step in and put this non-profit centre into receivership—not because it was badly run, not because it was bankrupt, but because you took the subsidy away.

On the first day of Seniors' Month, will you stand up and tell the seniors of Loyola Arrupe that you will restore their subsidy, that you will let their board get on with the work of making sure that they have a safe, secure and comfortable place now and in the future?

Hon Tony Clement (Minister of Municipal Affairs and Housing): I want to assure the honourable member and anyone else listening in that our number one priority is in fact to protect the seniors, to protect the tenants involved in this unfortunate situation, and I can assure the House on that.

The honourable member has unfortunately left out some important details respecting this particular situation. The Loyola Arrupe housing complex has a total accumulated debt of \$4.115 million that has accumulated over the years. We as a ministry were concerned about this, not only on behalf of the taxpayers but on behalf of the viability of the seniors' complex, because accumulated debts would start to eat into the quality of the existence of the seniors found in those two complexes. We set out a series of conditions—we wanted to work with the board—to get them back on to financial health, and 29 out of the 53 conditions have not been met to this date. Earlier today I extended by 30 days the deadline by which the board can meet those conditions, and I want to work with the board and with the tenants to get to a better situation in this regard so that this complex can provide a high quality of life for the seniors found in the complex.

Mr Kennedy: The minister is not providing the seniors with the security they deserve. He put them into a position of receivership unnecessarily and broke his own operating agreement with this group of seniors. The debt that exists there is because this ministry took a whole

space away that was supposed to be seniors' apartments and left it empty year after year, paying taxes and accumulating all kinds of banking costs.

There are two things that the people in my community want, and they are reasonable, inevitable things if you are going to respect these seniors. They want you to withdraw your letter and your abuse of power in taking away their subsidy. The only way the board of directors can work—they've met 28 of your 30 conditions. We can discuss the numbers outside the House. Let them work to resolve the problems. Then we want you to have an investigation into what your ministry has done to undermine the viability of that centre and of these seniors' futures.

It's Seniors' Month. There has been a month, 30 days, of anxiety where you've refused to act. All kinds of people have approached you and said, "Why are you being this unreasonable?" You know there was a report done about problems associated with this building in the past, perhaps involving your ministry officials. I don't know if you want to cover that up, because you took that report off the table. I don't know if you're downloading social housing and you're trying to do it in a rushed way, but I do know this: We will not let you harm these seniors, take away their elderly persons' centre, take away their low-income meals. We won't let you do that. This is your chance to assure these seniors, to guarantee to them that they will live in the condition they are now and in the future, no matter what the technical problems are, to meet those two reasonable conditions that they are here to ask of you today, and then to meet with them outside the House because they want you to explain what you've done to them.

Hon Mr Clement: I find myself not quite knowing what the honourable member is talking about in some of his allegations. We have been in fact communicating with the seniors, the tenants, in the two complexes. Of course, their health and their security and the viability of the project is uppermost in our minds. I can also tell this House that there have been two independent audits done of the circumstances surrounding the allegations that the honourable member apparently is referring to, and both independent audits indicate that there is no evidence of ministry misinvolvement or untowardness by ministry officials.

So if the honourable member has any other additional evidence, certainly we would take that under advisement, but based on the independent audits, we see no reason to question the ministry officials. Our entire focus is on ensuring that these properties are viable so that the seniors who live in them have a quality of life and some security of tenure, but that requires financial viability. As I mentioned before, the accumulated debt is over \$4 million. We have a responsibility not only to the taxpayers but to those seniors in those buildings to work with the board and work with the tenants to ensure that these projects are financially viable. That is uppermost in our minds, and we will proceed on that basis.

DOMESTIC VIOLENCE COURTS

Mrs Julia Munro (York North): My question is for the Attorney General. This government has a track record of putting victims at the forefront of the justice system. In 1996 it enacted the Victims' Bill of Rights, which established a fund for victims' services. In 1999 it created youth justice committees which actively involved victims in the development of appropriate penalties for young offenders. I ask the Attorney General what this government is doing specifically to support victims of domestic violence.

Hon Jim Flaherty (Attorney General, minister responsible for native affairs): Our government recognizes that domestic violence is a serious crime with serious repercussions for the abused and their families. That is why our government has made and continues to make a real commitment to supporting the victims of domestic violence and holding offenders accountable for their actions.

Since 1996 our government has built the largest domestic violence court program in Canada. Last year, we doubled the number of domestic violence courts from eight to 16. In the recent budget an additional \$5 million was provided for the expansion of domestic violence courts. That will permit the expansion of those courts by eight additional courts, for a total of 24 province-wide. The \$10-million annual investment in community safety fulfills the promise the members on this side of the House made to the people of Ontario during last year's election. It is a major step in our government's plan to support victims of domestic abuse.

Mrs Munro: I was pleased to hear the recent budget announcement of an additional \$5 million for the domestic violence court program. However, I am uncertain how these funds will directly benefit the people of my community. Minister, could you please outline how this \$5 million will be used?

Hon Mr Flaherty: All Ontarians have the right to be safe, to live free of fear, particularly in their own homes. Domestic violence courts have been proven to be an effective way of providing a more coordinated and consistent response to abuse. Victim support is a crucial component in the prosecution of domestic violence cases. Through the expansion of the domestic violence court program, we will be able to provide more support to victims, improve evidence collection, intervene early in abusive domestic situations by referring first-time offenders to an intensive counselling program and therefore prosecute domestic assault cases more effectively and help to end the cycle of violence.

1510

OAK RIDGES MORAINÉ

Mr Mike Colle (Eglinton-Lawrence): My question is to the Minister of Municipal Affairs. I have a letter here that you and the Minister of Natural Resources and the Minister of the Environment signed on May 29. This

letter is a response to an appeal made by citizens' groups under the Environmental Bill of Rights asking your government to put in place tough new rules to protect the Oak Ridges moraine. You and your fellow ministers categorically refused in your response their appeal to bring in new planning rules to protect the moraine. You basically said, "We're going to protect the status quo and do nothing."

Then this morning, in an amazing effort to try and stop another effort by the member for Nickel Belt to protect the moraine in her private member's bill, you and 12 other ministers came into this chamber and voted against a great bill that would have protected the moraine.

Minister, when are you going to stop pretending the moraine is safe? When are you going to stop pretending that your government is interested in the moraine and do what everybody across the GTA, from Caledon to Clarington, wants you to do: stop listening to developers and put an immediate freeze on development in the moraine and put in some tough plans, some tough legislation that protects the water, the wildlife and the communities across the moraine? When are you going to take some action and stop pretending?

Hon Tony Clement (Minister of Municipal Affairs and Housing): Indeed the honourable member is incorrect in his allegations. In fact, we are quite involved, as he knows, in the OMB hearing, taking a position on behalf of the provincial interest. Perhaps the Liberals on the opposing side don't understand this, but the best way to protect that moraine and indeed to protect Ontario is to have the proper balance between the development for our citizenry and the environmental protection that he evidently sees as important. So it is wrong to say that we're doing nothing; we are protecting the position that is the provincial interest.

The honourable member referenced the private member's bill this morning. My personal opinion is that to go back to the John Sewell style of planning process that bill represented is a regressive, retrograde step. It will not advance the principles of balanced development in the province of Ontario. The NDP planning processes are a failure. To go back to those failed processes is something that I cannot countenance, despite the fact that the Liberals want to be just like the NDP.

Mr Dwight Duncan (Windsor-St Clair): On a point of order, Mr Speaker: I rise and seek unanimous consent of the House to insert in today's record of proceedings that Dr Richard Schabas, who had been the chief medical officer of health in the province of Ontario, in fact resigned that position in 1996 because of his concern about provincial downloading of Ministry of Health protections to municipalities. I seek unanimous consent to have the record accurately reflect what my leader said and to accurately reflect—

The Speaker (Hon Gary Carr): Is there unanimous consent? No.

VISITORS

Mr Bruce Crozier (Essex): On a point of order, Mr Speaker: I know that you, along with me, would like to welcome the students and chaperones from Monseigneur Augustin Caron elementary school sitting in the east gallery.

The Speaker (Hon Gary Carr): We welcome our guests.

PETITIONS

EDUCATION LEGISLATION

Mr James J. Bradley (St Catharines): I have a petition that reads as follows:

"To the Legislative Assembly of Ontario:

"Whereas Bill 74 diminishes quality education for students in this province by ensuring teachers will be responsible for more students each day and will therefore have less time for each student;

"Whereas Bill 74 attacks the very heart of local democracy and accountability by creating a system of informers and absolute powers for the Minister of Education;

"Whereas Bill 74 cuts not only the heart out of education but also the spirit by making teachers perform voluntary activities on threat of termination;

"Whereas Bill 74 is an unprecedented attack on the collective bargaining rights of Ontario's teachers;

"Whereas Bill 74 turns over all control over education in this province to one person, the Minister of Education;

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

"We call on the government to hold public hearings on Bill 74 immediately."

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

FARMFARE PROGRAM

Mr Bert Johnson (Perth-Middlesex): I have a petition I'd like to present on behalf of a friend of this Legislature, a friend of democracy, a friend of nearly everybody I talk to in Toronto, the Honourable Chris Stockwell. It's to the Legislative Assembly of Ontario.

"Whereas the government of Ontario introduced farmfare on September 21, 1999, to supplement their workfare program, forcing social assistance recipients to work on farms for their benefits;

"Whereas the Harris government of Ontario has not provided any consultation or hearings regarding this initiative;

"Whereas the Harris government has excluded agricultural workers from protections under the provincial labour code by passing Bill 7;

“Whereas this exclusion is currently being appealed under the Canadian Charter of Rights for infringing on the right of association and equal benefit of law;

“We, the undersigned, petition the Legislative Assembly of Ontario to retract the farmfare program until hearings have been held and to reinstate the right of agricultural workers to allow them basic human rights protection under the labour code of Ontario.”

I will sign this so that it is a properly presented petition.

OAK RIDGES MORAINÉ

Mr Mike Colle (Eglinton-Lawrence): I’ve got thousands of petitions that come in every week trying to protect the Oak Ridges moraine. Here’s one from people from Newmarket, Bradford, King City, beautiful Sutton, beautiful Aurora, Keswick, Ballantrae, Goodwood. It’s a petition to save the Oak Ridges moraine for future generations by passing Bill 12.

“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 beautiful Cobourg to beautiful Caledon; and

“Whereas the Oak Ridges moraine is threatened by uncontrolled, unbridled development that is destroying precious natural wetlands, destroying forests, destroying 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 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 Oak Ridges Moraine Protection and Preservation Act, so that there will be a comprehensive plan to protect and preserve the moraine for future generations for millenniums to come.”

I am more than proud to support the people of Bradford and Goodwood and King City, Sutton and Aurora and Keswick, and I’ll sign this petition.

OCCUPATIONAL HEALTH AND SAFETY

Mr David Christopherson (Hamilton West): Further petitions from the CAW regarding workers contracting cancer.

“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; 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 continue to show support for this petition by adding my name to theirs.

LORD’S PRAYER

Mr Joseph N. Tascona (Barrie-Simcoe-Bradford): I’m very pleased to present a petition to the Legislative Assembly of Ontario today, and it reads as follows:

“Whereas the prayer, Our Father, also called the Lord’s Prayer, has always been used to open the proceedings of municipal chambers and the Ontario Legislative Assembly since the beginning of Upper Canada under Lieutenant Governor John Graves Simcoe in the 18th century;

“Whereas such use of the Lord’s Prayer is part of Ontario’s long-standing heritage and tradition that continues to play a significant role in contemporary Ontario life;

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

“That the Parliament of Ontario maintain the use of the Lord’s Prayer in its proceedings, in accordance with its long-standing established custom.”

I support this petition and I affix my signature.

1520

DEVELOPMENTALLY DISABLED

Mr George Smitherman (Toronto Centre-Rosedale): I have a petition to the Legislative Assembly 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 the 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

“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 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 support this petition and affix my name to it.

EDUCATION LEGISLATION

Mr Bob Wood (London West): I have a petition signed by 76 people. It calls on the government to hold public hearings on Bill 74 immediately.

SMALL CLAIMS COURT

M^{me} Claudette Boyer (Ottawa-Vanier): J’ai une pétition ici de commettants et de commettantes d’Ottawa-Vanier.

“To the Legislative Assembly of Ontario:

“Whereas the oath of office for deputy judge (under the Courts of Justice Act, 1984)

“I ... do solemnly swear that I will faithfully, and to the best of my skill and knowledge, execute the duties of a deputy judge of the Small Claims Court of Ontario. So help me God.”

“Whereas lawyers representing clients are causing an alarming conflict of interest;

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

“1. The oath of office should include the word ‘impartiality.’

“2. Only lay people should represent themselves or be represented by lay people. Lawyers should be prohibited to represent clients at small claims court.”

Alors, voici la pétition que j’ai à vous offrir.

KARLA HOMOLKA

Ms Marilyn Mushinski (Scarborough Centre): I have a petition addressed to the Legislative Assembly of Ontario.

“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”—the federal government

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

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

EDUCATION LEGISLATION

Mr John Gerretsen (Kingston and the Islands): I have a very important petition here that deals with Bill 74, and it reads as follows:

“To the Legislative Assembly of Ontario:

“Whereas Bill 74 diminishes quality education for students in this province by ensuring teachers will be responsible for more students each day and will therefore have less time for each student;

“Whereas Bill 74 attacks the very heart of local democracy and accountability by creating a system of informers and absolute powers for the Minister of Education;

“Whereas Bill 74 cuts not only the heart out of education but also the spirit by making teachers perform voluntary activities on threat of termination;

“Whereas Bill 74 is an unprecedented attack on the collective bargaining rights of Ontario’s teachers; and

“Whereas Bill 74 turns over all control over education in this province to one person, the Minister of Education;

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

“We call on the government to hold public hearings on Bill 74 immediately.”

I'm very pleased to present this. I've signed it. I'm in complete agreement and I hope the government will listen to the action that's requested.

Mr John O'Toole (Durham): Mr Speaker, on a point of order: I'd like to wonder if the petition from the member for Kingston and the Islands only had one signature on it. Is that permissible?

The Deputy Speaker (Mr Bert Johnson): The Chair recognizes the member for Kingston and the Islands on a point of order.

Mr Gerretsen: For the benefit of the member, the petition had at least 20 signatures to it.

OAK RIDGES MORAINÉ

Mr John O'Toole (Durham): I'm pleased to present this on behalf of a constituent I spent an afternoon meeting with, Gwen Meraw, and Cynthia Strike and another group of people from my riding of Durham. This is a petition the Legislative Assembly of Ontario which reads as follows:

"Whereas the Oak Ridges moraine is glacial ridge running across the top of Toronto including Caledon, King, Aurora, East Gwillimbury, Whitchurch Stouffville, Uxbridge, Pickering, Scugog, Whitby, Oshawa and Clarington; and

"Whereas the Oak Ridges moraine is the headwater for about 35 rivers and streams flowing south to Lake Ontario and north to Lake Simcoe; and

"Whereas the drinking water for millions of GTA residents, the wetlands, wildlife and natural areas will suffer irreparable damage if industrial, commercial and/or residential development is permitted without protective planning for preservation,

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

"That the government of Ontario will:

"do everything in its power to ensure the Oak Ridges moraine remains zoned as agricultural and rural;

"work with the Ontario Municipal Board to ensure conservation of the Oak Ridges moraine;

"provide a policy statement to enshrine its position."

I'm pleased to support and sign this petition.

EDUCATION LEGISLATION

Mr Rosario Marchese (Trinity-Spadina): I've got a petition here addressed to the Legislative Assembly of Ontario.

"Whereas Bill 74 diminishes quality education for students in this province by ensuring teachers will be responsible for more students each day and will therefore have less time for each student;

"Whereas Bill 74 attacks the very heart of local democracy and accountability by creating a system of informers and absolute powers for the Minister of Education;

"Whereas Bill 74 cuts not only the heart out of education but also the spirit by making teachers perform voluntary activities on threat of termination;

"Whereas Bill 74 is an unprecedented attack on the collective bargaining rights of Ontario's teachers; and

"Whereas Bill 74 turns over all control over education in this province to one person, the Minister of Education;

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

"We call on the government to hold public hearings on Bill 74 immediately."

I affix my name to this petition.

BUSINESS OF THE HOUSE

Hon Frank Klees (Minister without Portfolio): I have a statement of business for the House for next week.

On Monday afternoon we will have a Liberal opposition day.

On Monday evening we will debate Bill 68, Brian's Law.

On Tuesday afternoon we will continue debate on Bill 68, Brian's Law.

On Tuesday evening we will debate Bill 81, the Safe Schools Act.

On Wednesday afternoon we will continue with Bill 68, Brian's Law.

On Wednesday evening we will continue to debate Bill 81, the Safe Schools Act.

On Thursday morning, during private members' business, we will discuss ballot items numbers 29 and 30.

On Thursday afternoon we expect to do Bill 81, the Safe Schools Act.

ORDERS OF THE DAY

EDUCATION ACCOUNTABILITY ACT, 2000

LOI DE 2000 SUR LA RESPONSABILITÉ EN ÉDUCATION

Resuming the debate adjourned on May 30, 2000, on the motion for second reading of Bill 74, An Act to amend the Education Act to increase education quality, to improve the accountability of school boards to students, parents and taxpayers and to enhance students' school experience / Projet de loi 74, Loi modifiant la Loi sur l'éducation pour rehausser la qualité de l'éducation, accroître la responsabilité des conseils scolaires devant les élèves, les parents et les contribuables et enrichir l'expérience scolaire des élèves.

The Deputy Speaker (Mr Bert Johnson): Pursuant to the order of the House of yesterday, I'm now required to put the question.

On May 16, Mrs Ecker moved second reading of Bill 74. Is it the pleasure of the House that the motion carry?

All those in favour, say "aye."

All those opposed, say "nay."

In my opinion, the “ayes” have it.

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

The division bells rang from 1530 to 1535.

The Deputy Speaker: On May 16, Mrs Ecker moved second reading of Bill 74. All those in favour will please rise one at a time and be recognized by the Clerk.

Ayes

Arnott, Ted	Hastings, John	Ouellette, Jerry J.
Baird, John R.	Hodgson, Chris	Runciman, Robert W.
Barrett, Toby	Hudak, Tim	Sampson, Rob
Chudleigh, Ted	Jackson, Cameron	Snobelen, John
Clark, Brad	Johns, Helen	Spina, Joseph
Clement, Tony	Klees, Frank	Sterling, Norman W.
Dunlop, Garfield	Marland, Margaret	Stewart, R. Gary
Ecker, Janet	Martiniuk, Gerry	Stockwell, Chris
Elliott, Brenda	Maves, Bart	Tascona, Joseph N.
Eves, Ernie L.	Mazzilli, Frank	Tilson, David
Flaherty, Jim	Molinari, Tina R.	Tsubouchi, David H.
Galt, Doug	Munro, Julia	Turnbull, David
Gilchrist, Steve	Mushinski, Marilyn	Wilson, Jim
Gill, Raminder	Newman, Dan	Witmer, Elizabeth
Hardeman, Ernie	O'Toole, John	Young, David

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

Nays

Agostino, Dominic	Cordiano, Joseph	Kwinter, Monte
Bountrogianni, Marie	Crozier, Bruce	Lalonde, Jean-Marc
Boyer, Claudette	Di Cocco, Caroline	Marchese, Rosario
Bradley, James J.	Duncan, Dwight	McGuinty, Dalton
Caplan, David	Gerretsen, John	Peters, Steve
Christopherson, David	Hoy, Pat	Phillips, Gerry
Churley, Marilyn	Kennedy, Gerard	Sergio, Mario
Cleary, John C.	Kormos, Peter	Smitherman, George
Colle, Mike		

Clerk Assistant (Ms Deborah Deller): The ayes are 45; the nays are 25.

The Deputy Speaker: I declare the motion carried.

Pursuant to the order of the House dated yesterday, this bill will be referred to the justice and social policy committee.

Hon Margaret Marland (Minister without Portfolio [Children]): On a point of order, Mr Speaker: I would like to refer to you, through a point of order, the banging of these 107-year-old desks. I think it's perfectly in order for anyone in the House, on either side of the chamber, to use applause for demonstrating thoughts, opinions and feelings, but there is an increasing tendency that I have noticed for banging these desks. These desks will not be here another 107 years from now, and I request that to be investigated.

The Deputy Speaker: That is a point of order, and indeed brings up many other things, and that is the ruckus during votes, which are supposed to be the basis of our democracy. The long-time heritage of the parliamentary system has been the tapping of the desks to indicate approval, but I do agree they are not going to last another 107 years if we continue doing that and I would ask the members' good judgment in these things.

DIRECT DEMOCRACY THROUGH MUNICIPAL REFERENDUMS ACT, 2000 LOI DE 2000 SUR LA DÉMOCRATIE DIRECTE PAR VOIE DE RÉFÉRENDUM MUNICIPAL

Mr Clement moved third 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 Deputy Speaker (Mr Bert Johnson): Maybe I wasn't clear enough before that there was too much noise during the voting and there was too much noise since then. There are visitors here who just don't—I'm just trying to bring this House to order, and I'm going to do my best to keep it that way.

Hon Tony Clement (Minister of Municipal Affairs and Housing): Mr Speaker, I would like to ask for unanimous consent to divide the debate time equally among the three caucuses.

The Deputy Speaker: Is there unanimous consent? It is agreed.

Hon Mr Clement: I would like to ask for unanimous consent to have my remarks immediately followed by the member for Brampton Centre.

The Deputy Speaker: Is it agreed? It is agreed.

Hon Mr Clement: I am pleased to speak today regarding third reading of Bill 62, Direct Democracy Through Municipal Referendums Act, 2000.

The intent of this bill is to give voters a stronger voice in the local democratic process. Indeed, if passed, it would allow municipal councils to ask voters clear, unbiased, binding yes-or-no questions about issues that fall within the municipality's jurisdiction. If at least half of the eligible voters vote on the question and a clear majority votes yes or no, the results indeed would be binding. Council would not be able to ignore the voters' wishes. They will be legally obliged to act on the results. Today, as you probably know, municipalities can ask questions, but they don't have to listen to the answers.

In some cases, they ask questions on issues they simply cannot do anything about. What's the point in asking a question if you cannot act on the answer? It is a waste of time and a waste of taxpayers' money. The Direct Democracy Through Municipal Referendums Act, 2000, would allow municipalities to hold referendums only about issues that fall within their jurisdiction to implement.

The province can now place a question on the municipal ballot, and that authority, of course, would continue in the present bill. Municipalities would not be bound by the results of questions placed on the ballot by

the provincial government. The province would also be able to prohibit questions that concern matters of provincial interest; we would have the ability to defend the provincial interest.

This legislation would make a municipal referendum result binding on a municipality if at least half the eligible voters do vote on the question. In that case, if a simple majority votes yes, council would be obliged to do everything in its power to implement the results in a timely manner. If a bylaw or resolution is required to implement the will of the people, it would have to be presented to council within 180 days after voting day.

If at least half the eligible voters vote and a simple majority votes no, council must abide by that decision for at least three years following voting day.

I have heard concerns about the requirement that at least half the electorate vote in order to make the results binding. I think it's important to understand that a binding referendum effectively takes decision-making authority away from the elected council. This isn't something you do lightly. That's why the legislation sets a reasonable, in my view, voter turnout threshold.

I've also heard the misconception that without a 50% turnout, council cannot act on the issue. Nothing could be further from the truth. If fewer than half the eligible voters vote on an issue, the council would be free to make a decision, as it normally would. It could have regard and give appropriate weight in its deliberations to those referendum results. The number of people who voted would provide an indication of how important this issue is to the voters.

This legislation would also ensure that the public is involved upfront in the process by which a question is put on the ballot. The process would begin at least 180 days before election day, and the bill provides a mechanism for an elector or the provincial government to appeal the wording of the question to the chief elections officer of Ontario. In that regard, it's obviously an unbiased representative and indeed an officer of this Legislature. This could occur, for example, if the elector felt the wording of the question was unclear or if the wording was in some way biased to presuppose a particular answer.

The legislation would then allow for a referendum campaign period, once the question is approved, of at least 60 days. The bill includes provisions to allow time frames to be shortened for this year only. This would ensure that councils this year can, if they wish, ask questions as part of this November's municipal elections.

This Direct Democracy Through Municipal Referendums Act would require full disclosure to voters of the consequences of approving or not approving a question, including an estimate of the costs of implementing a question. That's the way the voters would understand the costs associated with any question they are voting on.

Should this legislation pass, we intend to make sure the campaign finance rules for referendums are fair. The rules would be similar to those that candidates in municipal elections have to follow. That would mean contri-

butions from a person, corporation or trade union to any one campaign would be limited to \$750. Furthermore, the council would not be able to spend public money to promote a particular position on a question.

I'd like to turn now to other parts of the bill that bring us closer to the goal of municipal reform in Haldimand-Norfolk, in Hamilton-Wentworth, in Ottawa-Carleton and in Sudbury. The members will recall that the process began last fall with the Fewer Municipal Politicians Act, 1999.

I'd like to mention some changes we made to this legislation in committee. First, the Direct Democracy Through Municipal Referendums Act carries over certain specific powers from the existing regions to the new municipalities. These include, for example, powers with respect to parks, with respect to waste management and with respect to fluoridation.

The legislation also ensures that rural areas will have a strong voice in the new cities of Hamilton and Ottawa. During the process of approving the legislation for the new cities of Hamilton and Ottawa, concerns were expressed about representation for the rural parts of these cities. I want you to know, Mr Speaker, that I committed, and it is found in the bill, to providing equitable representation for the rural areas. By providing for two extra councillors in Hamilton and one in Ottawa, we will ensure that rural interests have an adequate voice on council.

The legislation also takes care of some housekeeping matters, but there were also some amendments that I would like to bring to the attention of this House.

1550

In the new city of Ottawa, this legislation would change the official French name from "cité d'Ottawa" to "ville d'Ottawa." We did that in response to local requests. Since the bill was introduced, we have had a similar request from the Greater Sudbury transition board, and one of the amendments we made during committee was to change the official French name there from "cité du Grand Sudbury" to "ville du Grand Sudbury."

Another amendment would give the new single-tier municipalities the same authority regional municipalities now have to enter into water servicing agreements with neighbouring municipalities.

This legislation also contains changes for other parts of Ontario. But I wish to assure this House that after due consideration by the committee and by this House I am absolutely convinced that this legislation is in the best interests of providing more direct democracy on the local scene.

It also puts legislative pieces in place to allow the new municipalities created by Bill 25 to come forward. In this sense, it is a very empowering bill, empowering in terms of local direct democracy and empowering in terms of the great new municipalities that were created under Bill 25. I, for one, am pleased to support it at this time.

Mr Joseph Spina (Brampton Centre): I'm pleased to carry on this portion of the debate on behalf of the minister. I want to carry on with some of the elements of

this legislation that will empower things to happen within the municipalities. Generally, things that fall within a municipality's jurisdiction are things that it can do something about by bylaw and resolution.

As the minister indicated, it could include a number of things, for example, the method of council election—at large or by ward—frequency of garbage collection, smoking in public places, snowplowing of sidewalks and various kinds of user fees.

The legislation does allow the province to step in when a proposed question concerns an area of broad provincial interest. That's an important distinction. Municipalities have jurisdiction in some areas that have impacts that spill across their boundaries and affect people in other municipalities. It's important that the province have a mechanism for defending the broader interests of all Ontarians where that is appropriate.

One of the concerns that was raised was about the required 50% turnout to make a referendum result binding. The minister referred to the fact that it was pointed out by some that voter turnouts for municipal elections rarely go over 50%. That's a fair observation. However, the threshold reflects the fact that a binding referendum has the effect of taking decisions out of the hands of locally elected council and gives voters the final say on the issues that meet, of course, the criteria.

In that context, I believe the requirement for a high voter turnout is not only justified but important. If the issue galvanizes the electors, it should draw at least half of them to the polls. If it isn't important enough to bring in more than half the voters to the polls, then the final decision will be up to the council and it will be responsible to the voters for that decision, as it is now. Municipal elections are underappreciated and do deserve more attention. If putting referendum questions on the ballot helps to increase voter turnout, then we know and we appreciate the fact that democracy is better preserved.

Even if the voter turnout were less than the required 50%, council would at least have a strong indication of the voters' views which they can consider during their debate. I, for one, would expect council to take into account both the result and the turnout when making a decision. Even without a binding result, the referendum results could impact on the council's decision.

This government has consistently expressed our commitment to promoting ways in which local government can work effectively for voters and be more responsive to their wishes. This legislation will give more voters more say in local politics.

Much of the bill deals with administrative matters. That brings us closer to the goal of the municipal reforms the minister referred to, particularly the regions of Haldimand-Norfolk, Hamilton-Wentworth, Ottawa-Carleton and Sudbury. For example, this legislation carries over certain specific powers from the existing regions to the new municipalities. That includes the powers to enforce bylaws, including the regulation of parades and other things, as the minister said—parks, waste management and fluoridation.

The interesting thing is that it didn't also just refer to the changing of the names of the municipalities, as he referred to "cité d'Ottawa" to "ville d'Ottawa," but it also talks about the structure of some of those changes. It contains changes to the regional and local councils of Waterloo and the restructured county of Oxford. These changes are being made in response, again, to local requests.

For example, Waterloo's first directly elected regional council would include 16 members, a directly elected chair, mayors of the seven local municipalities, two directly elected councillors from Cambridge, four directly elected councillors from Kitchener and two directly elected councillors from the city of Waterloo. The regional chair and the eight directly elected councillors would not sit on a local council, but rather on the regional.

This change in representation was part of a locally directed reform package put forward last year by the Waterloo regional chair and the local mayors. They said a directly related regional council would improve direct accountability to taxpayers, and of course that is much applauded. We support those renewed efforts to reduce the duplication of effort and cost of municipal government in Waterloo.

This legislation would also reduce, for example, the total number of municipal politicians in Waterloo region from 63 elected in the last municipal election down to 49, including the mayor. Cambridge council would be reduced from 10 to seven, Kitchener council from 11 to seven, the city of Waterloo from nine to six, North Dumfries from seven to five, Wellesley township council from seven to five, Wilmot township council from nine to five and Woolwich township council from nine to five. This legislation would also give Oxford county's new council the legal authority it requires to proceed with its municipal election this coming November.

If this bill is approved, the bylaws setting council sizes passed by Oxford county and its member municipalities will then be deemed to comply with the Municipal Act requirements. As a result, the county would be legally authorized to go ahead with this election.

Bill 25 gives voters the right to elect the Halton regional chair in this November election. A chair was previously chosen by regional council and had a vote only in cases of a tie. Bill 25 does not change the circumstances under which the chair could vote.

In this act, if it's approved, the Halton chair will have a vote on all matters, and that will make the chair more accountable to the public. In fact, I think this was applauded as recently as last evening. I was at a fund-raising dinner with the chair of Halton region, and she was quite pleased with the elements of this.

Something that is a little closer to my heart, and I spoke about it earlier, is that this bill would give the people of Moosonee a direct say in who would represent them. It makes Moosonee a municipality, something it has wanted for a long time. It would allow local people the opportunity to vote for a mayor and councillors. The government is committing to building local autonomy,

accountability and strong local governance through this process. As it is now, the province appoints representatives to the Moosonee Development Area Board. This legislation will create a municipality to replace that board.

That new town of Moosonee will come into being on January 1, 2001. Members of our government should be on hand for that celebration and to cut the ribbon or smash the champagne bottle or whatever is appropriate to celebrate the creation of a new municipal government.

Special arrangements would allow the area's current resources of funding to continue and recognize Moosonee's unique circumstances and geographic location. Making Moosonee a municipality does not change the fact that there is no road access to the community, that unemployment is around 50% and that assessment is very low in relation to the social service costs.

Members will recall that the Savings and Restructuring Act, 1996, created a new reform process for municipalities in counties, separated municipalities and northern municipalities. Bill 25 further modified that process and extended the minister's authority to appoint commissions. That authority was due to sunset at the end of last year.

1600

This legislation follows up on Bill 25's changes in a couple of areas. First, it gives the minister greater discretion when defining the area to be subject to a restructuring commission. Currently, when the minister is asked to establish a commission, he or she could appoint one for an area equal to or greater than the area requested. This legislation allows the minister, where appropriate, to appoint a commission for an even smaller area where deemed necessary. It would also address an issue that sometimes affects the amalgamation of a county and a separated municipality.

The structuring and restructuring of government over the years has been something that all levels of government have taken very seriously, and I think this government, and this particular party, have been probably among the strongest proponents of government restructuring where it benefited the taxpayers and spurred on perhaps the economic development of the region. I refer specifically to the regional municipalities government act that was passed in 1974 for a number of municipalities across Ontario, including my own.

I want to point out Peel region as an excellent example of where regional government combined numerous small communities in Caledon, like Bolton in Caledon East and Wildfield and Mayfield. In Brampton we had Huttonville, Toronto Gore, Chingacousy township. In Mississauga you had Streetsville, Cooksville, Meadowvale, Port Credit and Malton. These were amalgamated. So the region of Peel became not just a regional municipality but it also had the city of Mississauga, the city of Brampton and the town of Caledon—three simple communities that have worked together extremely effectively with the regional municipality of Peel. We hold forth that this region, in its partnership with the three municipalities

under its jurisdiction, has been one of the most effectively functioning municipal tiered governments in the province. That being said, that doesn't mean we can't look at the opportunity I have been a strong proponent of—reducing the number of members on those municipal councils.

Mr John Gerretsen (Kingston and the Islands): I'll be sharing my time with the members for Eglinton-Lawrence and Hamilton East.

The first thing that ought to be noticed once again is that we only have 20 minutes to debate the third reading of this bill. It's once again as a result of an order that was passed by this government unilaterally to basically stifle debate. You know, it's kind of interesting: People are probably wondering, how can the restructuring of four major southern Ontario municipalities be in the same bill that deals with the new town of Moosonee?

If you talk about an omnibus bill that tries to collect everything into one, then this has got to be it. This is a major step forward for the town of Moosonee. I would have thought that the people down there at least would have been given ample opportunity to make representations and that they would have been shown the courtesy by this government to deal with their situation alone. We're all in favour of the town of Moosonee being created, but I hope this isn't some sort of plot by the government to download services on this municipality which, according to the last member who spoke, certainly has major economic problems, with the unemployment there and with the lack of social services and other services as well.

I hope this isn't some sort of an effort by the province to once again download on a new municipality all the problems they've downloaded on so many municipalities elsewhere in the province. As you and I know, there's been absolutely no proof whatsoever, with all the actions this government has taken, that anybody has saved any money at the local level. Taxpayers aren't better off. There are many more services that have to be paid for at the local level and there's been absolutely no proof that all of this restructuring has saved any money whatsoever.

This whole notion—and I know in the last Parliament I talked about this on numerous occasions—that if we just have fewer politicians representing us, whether it's at the provincial level or at the local level, we'll all somehow be better off, denies this whole concept that we live in a representative democracy and that people want representation. The fewer local politicians you have in any municipality, the less contact the general public can have with their local politicians. We all know, those of us who have served at the local level, that there are many issues that arise that are not of a partisan nature at all. Quite often the local politicians have to hear from the people how they feel about a particular issue that a council may be dealing with. The government can take great pride in the fact that it has cut out thousands of local politicians across the province, but people have to realize that the amount of representation they get is going to be less and less and their ability to get to their local

representatives is going to diminish more and more. I don't think that in the long run we are going to be better for it.

Do some amalgamations make sense? Yes, they do. We've had one in the Kingston area, where the urban areas of Kingston and the greater Kingston community were brought together with three municipalities. It made a lot of sense. There has been no tax saving at all, but it made a lot of sense. However, there were also some serious mistakes made. There were vast rural areas in the two surrounding townships of the old city of Kingston included in the new city of Kingston, which make absolutely no sense. Right now they have one representative, on a council of 17 individuals, who clearly speaks for the agricultural interests in the new city of Kingston. You know and I know that no matter how strong that particular voice is going to be, either now or in the future, those interests, those concerns of that one individual are not going to be adequate and the rural issues will be forgotten. That is the main problem with all I've heard about the amalgamations or all the restructurings that have taken place: It is always the rural areas that lose out. Of course, those are the people who usually object the most, because their representation in the new urban municipalities is going to be less and less.

There's so much more I could say about this. For example, we could talk about this sham of a so-called referendum notion that has been brought into this bill. We all know that very few municipal elections take place anywhere in this province where you've got 50% turnout. So to say that for any referendum to be binding a minimum of 50% of the people have to turn out is a sham. It just will not happen. Yet somehow this government likes to leave the impression that it has done something for local democracy. The government is going to basically put the question. They're going to decide what questions can be asked at the local level. They don't even trust the local municipalities to come up with the questions. They're going to be the ultimate deciders as to what the question is going to be.

I would once again urge this government to rethink some of the ideas they've brought forward, when it comes to municipal reform, over the last five years. Many of them in the long run are negative and will lead to a less representative democratic situation in this province.

Mr Dominic Agostino (Hamilton East): I commend my colleague from Kingston and the Islands for that presentation and for his comments, which I think bear out clearly the weaknesses in what this government is doing in this bill.

When you look at the bill, I think it is just sheer hypocrisy from the point of view of what it intends to do and the reality of what this government is doing. They talk about questions; they talk about what is appropriate for the municipal governments to deal with in referendums. This is a government that has spent millions of dollars attacking the federal government on issues, believing that it's OK to interfere in issues of federal

jurisdictions with their Young Offenders Act, with their health care. Whatever issue of federal jurisdiction we're dealing with, this government doesn't shy away from interfering, spending taxpayers' dollars for their political purposes. But now it's going to very strictly control and tell municipalities exactly what kinds of questions they can put on referendums and how they're going to word those questions and in what context those questions will be dealt with.

This is nothing about democracy. It has simply given itself more power to veto municipal referendums. It gives them more power to shove down people's throats their loaded questions and the answers they want. This bill gives the minister more powers than he had before, and we know how dangerous power is in the hands of this government.

1610

I'm disappointed by this bill, not only for what it contains but for what it lacks. We know that the government amended the bill by giving area municipalities outside the city of Hamilton two additional seats. That's a move that certainly I welcome and my caucus welcomes. We'd asked for one additional seat for the city of Hamilton. That was turned down. I'm disappointed the government did not see fit to give the city of Hamilton one additional seat, in view of what they were doing.

Also, as we're on the eve of a constantly-being-called by-election, this government had an opportunity and has refused, through this bill, to deal with the issue of Flamborough. When the amalgamation of Hamilton-Wentworth took place and it became the city of Hamilton, the government gave the people of Flamborough an option of deciding their future. The minister gave them the option of deciding whether to stay as part of Hamilton-Wentworth or whether they can cut some sort of agreement and work out some plan with area regions and municipalities to split up Flamborough. The good people of Flamborough went through that process. The mayor of Flamborough, Ted McMeekin, led that process. They democratically voted, backed up by substantial figures and information, to split Flamborough into various regions in the area. They were given that option. The government of Ontario gave the people of Flamborough that option. They chose that option.

What is shameful is that this government has not had the courage to come forward and tell the people of Flamborough whether or not they're going to agree with what they did. They have stalled, they have delayed, they have bought time. They have now appointed again another mediator to look at this, Milt Farrow, simply in an effort not to make a decision before the impending by-election. Their candidate, Ms de Villiers, doesn't have a stand yet on Flamborough. She doesn't know whether it should be part of Hamilton or whether it should be somewhere else. She's waiting for the government to analyze the policy for her. It is a shameful, disgusting political manoeuvre to delay making a decision. I wish the minister and the government had the guts to come clean and tell the people of Flamborough before they call the by-election

whether they believe that Flamborough should be part of Hamilton or whether they believe Flamborough should choose, as it has, to be part of other regions in the area. But that would be too much to expect. That would be too much integrity and honesty and up-frontness from this government to do that.

This bill lacks tremendously, and I can tell you the people of Flamborough are not going to be used by this government. They've been manipulated before by Harris, they've been lied to before by Mike Harris. They have been led down this path before by this government and by this Premier, and this in Flamborough is another perfect example.

I challenge this government. We in the Liberal caucus believe clearly that once the government gave the people of Flamborough the option to go into a different area and the people of Flamborough democratically chose that, the government has a responsibility to abide by that decision and give them their wish and grant what the people of Flamborough said. Anything short of that is shameful. This act doesn't address that. It's a disgrace. This government is playing politics with the people of Flamborough, and they are going to a heavy price once the by-election is called.

Mr Mike Colle (Eglinton-Lawrence): During the very brief committee hearings we had on this, that we had to literally beg for just to get a couple of deputants—we were lucky to get a couple. We had to make extraordinary efforts. It's ironic: This bill is supposed to be about encouraging direct democracy, yet we sit here today because this government has invoked closure on another bill dealing with direct democracy, which is totally contradictory, as are most of the doublespeak titles of their bills. The bills say one thing; they do something else.

During the deputations, the Police Association of Ontario came and pleaded with the government to not overlook the fact that they've made a big mistake in this bill. The big flaw in this bill, as far as the Police Association of Ontario is concerned, is that they didn't realize that the police services in Ottawa-Carleton are amalgamated and so are the police services in Hamilton-Wentworth, and that they're already regional services. Because of a major flaw in Bill 62, which the government refused to fix because they wouldn't allow any amendments, the police services in Ottawa and in Hamilton won't be able to negotiate freely over the next year, and they were expecting to do so. In fact, they complained that, especially in Ottawa, the police force in Ottawa has to go through a transition team to get approval to hire extra police officers for a certain task force. They asked for them to be removed from this legislation because they are already regional forces, yet the government, in their haste to ram this bill through, has basically jeopardized the ability of the Ottawa and Hamilton police forces to do their jobs without more bureaucracy, and also has limited their rights to negotiate as police officers. That's one major thing.

Interestingly enough, the good people from Moosonee had to fly down here in a mad rush. They came to tell us that this bill could jeopardize their land claim rights. They're undergoing changes in major agreements in terms of land claims. The structure they have for the little town of Moosonee in this bill could jeopardize their ability to have proper land claim adjudication down the road. They came here and pleaded with this government to protect them from that kind of jeopardy.

Again, we have a bill where they're thrown in everything, as they usually do. This is another kitchen-sink bill where they throw the town of Moosonee in with Kitchener-Waterloo and Halton. They throw in items about the Liquor Licence Act, fluorination of water, collective agreements, dealing with Sudbury, the people of Hamilton, the Ottawa act. Everything is thrown into this bill along with the Moosonee situation, which is a very unique situation itself.

That's not to mention that this talks about referendums and this new process of referendums. I think the members from Hamilton East and Kingston and the Islands said that the referendum provisos in this bill are farcical, because right from the beginning the threshold—in other words, for a referendum to work, you have to go through some amazing hoops.

First of all, the minister decides what the wording of the referendum is. He decides whether or not it is a provincial interest and whether they can have the referendum. The minister obviously isn't going to allow referendums, for instance, on the downloading of services on to cities and towns across this province. As we've seen, downloading has knee-capped municipalities from the biggest, Toronto, to the smallest, knee-capped by the downloading and offloading of services by this government. For sure, if King City wanted to have a referendum, let's say, on the Oak Ridges moraine on the ballot—I know some people in King City would like to have a referendum on the Oak Ridges moraine on the ballot—do you think Minister Clement is going to allow a referendum question on the Oak Ridges moraine and whether it should be protected or not? Obviously not. So the minister decides the wording.

Then he's got this other interesting proviso, which again handicaps, knee-caps, the ability of people to have their democratic rights, to have a say on issues. There's a plateau, a 50% crescendo. In other words, unless you get 50% of the voters to vote on a referendum question, the referendum question is invalid.

Fifty per cent: As you know, in local government the average turnout is about 30%; a 30% vote in local municipalities. It's rare to get 50%. Once in a blue moon it does happen. I was doing some research. It happened here in Toronto, ironically, because there was such a battle about the megacity and people were so interested in restructuring their city. That was a rare situation.

Then it happened in a couple of small municipalities. Do you know why they had 50% voter turnout? They had 50% voter turnout because they allowed you to mail in your ballot. Maybe that's what the government is up to.

It's going to allow people in Mississauga to mail in their ballots. I think in Mississauga they had about 25% turnout, or even less. I know in Brampton it was about 25%. When are they going to get 50% turnout in those municipalities for a referendum question, especially, as you know, in those cities they have very popular mayors? Who's going to challenge the great mayors of Brampton and Mississauga? Nobody will challenge them, so there will be very low turnout. The opportunity for people in Mississauga or Brampton to have a question on a ballot is probably pretty academic.

I know Mayor Robertson of Brampton objected to this bill. He thought it wasn't helping him at all. I know that the Association of Municipalities of Ontario didn't like this bill. In fact, we asked them to come and make a deputation on this bill, but the Association of Municipalities of Ontario refused to come and make a deputation because they are quite intimidated by this government. They know if they speak out this government will hammer them even more, so they couldn't come to make a deputation. They represent 90% of the municipalities across this province—AMO it's called. They know this is a bad piece of legislation, but they know they can't criticize this government because this government will not treat them very nicely if they dare criticize, so they didn't come to make a deputation.

1620

The police association had the courage to come. The people from Moosonee came, and I really congratulate them for having the courage to come all this way and state the flaws of this bill.

Again, this bill talks about restructuring municipalities. Municipalities have been restructured at a reckless pace by this government. There has been more so-called restructuring by this government than by all the other governments combined in the history of Ontario.

All local governments have been turned upside down, from Kenora to Cornwall. From Windsor all the way up the Ottawa River, there has been upheaval locally. People in local communities don't know what this government will do to them next, what they will off-load, download, side-load, back-load, unload on them next, because that's what this government's game is. This bill is part of the formula this government has come up with whereby they would off-load, side-load, download, upload their responsibilities on the poor local municipality, and then the poor local municipality can only provide the service by going to the poor property taxpayer. That's all they have, a property tax. A property tax, whether you're in Listowel or London, is regressive. In other words, it doesn't matter how much money you're making; you get hit with that property tax. You could be in a down year but you still have to pay that big property tax. It's the worst form of taxation, yet this government has made local municipalities totally rely on that, because there's no more help for municipalities.

I know in the city of Toronto people are outraged that there wasn't one red cent in a budget where this government had a \$5-billion windfall. They gave \$9 billion

dollars in tax cuts, but they didn't give one red cent for public transit. The people of Toronto know that without public transit this is not a healthy, working city. Every year in Toronto, according to the Toronto medical officer of health, up to 1,000 people die because of smog. You can't get rid of the smog unless you have alternative means of transportation besides the car. This government did not give one cent to GO Transit for the GTA, where we have gridlock all the way from Niagara Falls to Cornwall, almost. Total gridlock.

All this government does is download, side-load on municipalities. So the property taxpayer is basically surrendering and saying: "Take over my city. Here's the keys to my city. Take it." That's what they're saying to me. They can't afford it any more.

The Deputy Speaker: The member's time has expired. Further debate?

Mr Rosario Marchese (Trinity-Spadina): I'll be sharing my time with the member for Hamilton West.

I want to begin by saying to the good people of Ontario—

Interjections.

Mr Marchese: Speaker, there's a debate in this place. I don't know what you want to do about that other debate.

The Deputy Speaker: There will only be one speaking. Order. If you want to visit or talk, please remove yourself or I'll do it for you.

Hon Rob Sampson (Minister of Correctional Services): I want to hear Rosie.

Mr Marchese: I'm sure you do. All bankers want to listen to my speeches. They love me over there on the other side, I know they do, because I treat them well. Don't I?

How do the people of Ontario distinguish between veracity and mendacity? How do they do it? How can they do it? How do you find the skills to be able to distinguish? I want to help the people of Ontario, because they need help, don't they, Joe? I tell you they only had one afternoon of hearings, clause-by-clause, Joe. Are you proud of that? This is your centrepiece. Right? It's a centrepiece for a legislative framework for municipal referenda, something you guys ought to be proud of. I would think you would want to take it out and go all across Ontario with this particular bill. Yet one afternoon, a couple of hours, and it's gone and it's here for third reading so you can just push it out the door. One afternoon. I thought you were proud of telling the folks: "Oh, direct democracy now. You, the good people of Ontario, are able to have direct democracy."

What does it mean? Look at the title. If you look at the title, good people of Ontario—remember, because I'm very fond of exposing them—the title says, "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"—it's hell, right? How is the public to distinguish between veracity and mendacity? I say to them, look at the title and think the opposite. It's

as simple as that, because if it were any different, you'd be taking it out to the public, wouldn't you? Of course you would.

But you don't want the good people of Ontario to know the truth; therefore, you just leave it in committee for a couple of hours and then it's gone. What fortitude you people have. What courage of your convictions. You guys have a lot of courage and fortitude that's right here, or somewhere. But you don't have the strength to be able to take this bill out if you're so proud. I would. Wouldn't you, David, member for Hamilton West? If you were proud of a bill, wouldn't you want to take it out for at least four weeks?

Mr David Christopherson (Hamilton West): All across the province.

Mr Marchese: Four weeks at least, right? One afternoon, a couple of hours and it's gone. You could just go around the province and say: "Good people of Ontario, you've got direct democracy now. You've got referenda. You remember we promised it to you? You've got it." But you don't have it.

Interjection.

Mr Marchese: Joe, you've got to help me out. You've got to be quiet. We've can't have separate discussions, because it won't work. I've got the floor and you have to listen. It's just the way it works. Otherwise, you have to go there, OK?

Mr Spina: OK.

Mr Marchese: All right. What is this initiative? It's a placebo initiative designed to make people feel good. Feel good because what you're getting is a referendum act, a direct democracy kind of act, with all the tools that it entails. Look at all the tools that are in here—hundreds of pages of this referenda act. Most of these pages deal with the incompetencies of so many other acts where they couldn't get their act together in the first place. Every bill that's introduced in this place dealing with municipal stuff is a bill designed to correct the previous inadequacies and incompetencies of the Tories, this fine man and his party members. That's what this bill is about; it's a placebo bill.

It says here that municipalities are the only entities, apart from the minister of course, because ministers are entitled to have absolute power in this place, so quite apart from the minister only municipalities can initiate a referendum question. Now recall that the good citizens of Ontario can't introduce any referenda initiatives. There is no provision for it. You, good people of Ontario, cannot initiate a referendum question even if you want to. It's not in the bill. But they're telling you that you're getting direct democracy. They're telling you you're getting a referenda act. They're telling you you're going to have more power to be able to say what you want or do what you want. But is it? Not if you can't initiate. If only the minister prescribes what question the municipality can ask, it's not an initiative that is directly connected to you, good people of Ontario, is it?

Remember, Big Brother prescribes what will be contained in a municipal question. What could that be? Let's

look at that. Could the municipality deal with the loss of social housing? No, it couldn't. Why? Because the minister says, "I'm sorry, municipalities, that's out of your jurisdiction." Even though they have downloaded housing completely to the municipalities, the municipalities can't deal with a housing question. It's out of their jurisdiction. They've got all of the housing responsibility downloaded, but they can't ask a question dealing with it.

You figure that out, Speaker, because I know you're an intelligent man. I'm sure you'll conclude that we've got a problem here as it relates to direct democracy. I'm sure you'll reach that conclusion. I know you will.

1630

Could they initiate a question as it relates to the loss of daycare? Most recently, \$56 million was downloaded to the municipalities, which could mean a loss of thousands of daycare spaces in Toronto, but could the municipality include a question that deals with the loss of daycare spaces in their cities? They can't, because the province, through the minister, would determine that it would be out of their jurisdiction. Even though you, as a municipality, are incurring a greater debt for daycare, you can't ask such a question.

Could the referendum include the selling of a municipal utility? No, that's out of the question because, if you recall, Bill 26 removed the requirement to hold referendums when granting the company the right to supply such services as public transit, water and electricity. But even in spite of Bill 26, this bill would prohibit the municipalities from dealing with such issues, because the minister would determine that that's beyond the jurisdiction of the municipality.

I'm trying to give you a little sense of it to help you so when you go back to your communities, you can say, "Yes, we've got a problem." Yes, the bill says we've got referenda, but on the other hand, we, Big Brother provincial government, are controlling this to such an extent and prescribing to such a great extent what can and cannot be a ballot question that you're right; maybe it's not as direct a democracy as we might have suggested. That's why I began my discussion with how you distinguish between veracity and mendacity when all you hear is that the Conservative government is giving you direct democracy and giving you referenda.

Poor people of Ontario, I feel bad for you, I do, because you are not given the tools to decipher the enigma that is the Tory government. But in the case of Walkerton, I've got to tell you there, that mystery is being unfolded very, very carefully and very slowly to the extent that we see what it means when the government says: "Tories mean less government. Tories mean government is off your back. Tories mean the non-government government is going to come and fix things." Is this what this non-government government who came to fix things is doing in Walkerton? No siree. We've got a whole lot of tragedies there directly connected to the politics of this government that says: "Less government is more effective. We're going to get off your back." What it means is that people are dead in that community,

and there are a lot more people in danger of that kind of problem.

The minister says, "By the way, yes, we admit we cut people in the Ministry of the Environment," but in no way, the Premier says, diminished the quality of the service that we were providing. I say to you, is a soccer team where you have 11 players as good a team when it plays with eight players? It's a simple question. Maybe you never played soccer, but the math is clear: 11 players on one side, 11 players on the other. This team has 11 players. Mike Harris says, "We have eight players on this team, but in no way does it diminish the strength of that team." Do you get it? Do you understand the incongruity of that argument? He's saying you can do well with less. I'm saying, as an equivalent example, a team where you have three players less than the other, to give you hockey as another example—six players in the rink versus three on the other. I can guarantee that the team with three players is going to lose. There's a loss of quality there. There's a loss of strength there. There's a loss of an ability of people to do their job.

Do you get it, Minister? Speaker, do you get it? Because you're listening to me, and you're a neutral guy. I've seen that. I've seen your neutrality in the chair.

I would add something more before I pass it on to my friend. For a referendum to be binding, the turnout must be at least 50%, and at least 50% plus one must vote in favour. Recall that downloading is not a municipal referendum question; it cannot be. Recall that if Toronto wants to secede, it cannot be a referendum question. Amalgamation is out of the question. Yet there are further amalgamations that we expect in Waterloo and other places. "But don't worry about it; it won't concern them. And by the way, don't you worry your little head about the 905 region, because we ain't going to amalgamate them. No siree, you voted for the right party. We're going to massacre Toronto, other areas, Ottawa, that's OK, but not the 905. Why? Because you voted for us and we're going to leave you alone." But that's another matter, beyond the scope of the comments I want to make.

It says that for the referendum to be binding the turnout must be 50% and that at least 50% plus one must vote in favour. Why in God's name, if you want to give the public greater say, or at least if you want to give municipalities greater say on the questions they ask—historically there are only a few examples where we've had such a high turnout. Even the new city of Toronto had a turnout of 45% in 1997, and that was an election with a hotly contested mayoralty race. Even there, where the race was so hot, we only had about 45%, so what direct democracy are you giving to any municipality? Assuming that you agree that what you're giving—through your control—is an absolute power and that what you prescribe to them—even if you agree with that, how can you have direct democracy when we're never going to be able to get the population out to vote in municipal elections to the extent that you prescribe in your bill?

To pass it on to my buddy from Hamilton West, this is a problem. This bill is a farce; it's a placebo bill. It's got nothing that speaks to what they say. There is no direct democracy in this bill.

Mr Christopherson: I want to thank our municipal affairs critic, my friend from Trinity-Spadina, for his passionate review of this bill. Certainly I think anyone who is watching got your message very clearly.

I want to talk about a couple of other aspects of this bill. Obviously I want to speak to the part of it that directly affects the new city of Hamilton. Let me preface these remarks by acknowledging the comments my friend from Hamilton East made to me in the lobby prior to this debate happening when he said, "How are you going to do this so it doesn't look like you're laying out a speech running for mayor of the new city of Hamilton?"

I said to him, "Fortunately, all the things I've talked about I've already laid down in Hansard long before Terry Cooke made his announcement," which of course tipped the whole electoral process in the next municipal election upside down.

Hon Frank Klees (Minister without Portfolio): Is this your announcement?

Mr Christopherson: No, it's not a premature announcement, but I do want to at least be open about it, maybe to save some of you the heckle of throwing it out, and acknowledge that these are important issues, but they are issues I felt strongly about prior to the possibility of my throwing my hat into that race.

With regard to the two seats that are added for the rural area, I agree with my colleague from Hamilton East that this is a good move. It was disappointing that there wasn't a further seat on the south mountain of Hamilton, the old city of Hamilton. I went a step further, actually, and said at the time—this was quite a while ago now—that I really would have preferred that there was total parity.

I understand that caused a lot of my friends on Hamilton city council some real concern because, of course, their strong feeling was that anything other than rep by pop—representation by population—would not be fair to the old city of Hamilton. But my feeling was then, and still is, that with six new partners in the making up of a new city, and given the feelings and dynamics that exist in the rural communities that make up the current regional municipality of Hamilton-Wentworth, we stood the best chance of building the kind of city and community we are capable of if everyone had a sense that they were equal partners. If we had let two or maybe three terms go by, a little less than a decade, under that system and then reviewed with a goal of going to rep by pop, I think in the long run it would have served us a lot better.

Having said that, it's not often that I compliment the government on anything they do, but the fact that we got at least some relief from the initial denial to the rural areas in Hamilton-Wentworth of an opportunity to have a little better representation is an improvement. In always

trying to be as fair as I can, I would like to acknowledge that that's appreciated and it's a good move.

1640

Two other quick matters, if I may, in the three minutes that I have remaining. First of all, I received correspondence from Doug Allan, who's the administrator of the Hamilton-Wentworth Police Association, wherein he outlines a number of concerns that the police service in Hamilton-Wentworth had with regard to this bill and its freezing of negotiations. The police service in Hamilton has been regionalized from the beginning of our regional government back in 1974, and so therefore to put an arbitrary freeze on negotiations between the police service board and the police association didn't make a lot of sense to Mr Allan and his colleagues. I spoke to the minister prior to this debate. He assured me that he has forwarded correspondence to the association, to the police service board and the transition board that indeed they may begin negotiations and that they need not adhere to, and will not be bound by, the fact that negotiations otherwise would have been frozen.

Further to that, it's my understanding that the issue of the transition board's authority in terms of the police service decisions on a day-to-day basis was not a huge issue to him, and I say that in a fair-minded way. He did not hear back that this was not resolved in any kind of an unsatisfactory way, so his assumption is that it is going to be all right with the association. I wanted to put on the record that that was a concern we had. I think it was fair. There may indeed be labour collective agreements that are affected the same way in other municipalities—the new city of Sudbury or Ottawa—and if that's the case I would hope that they've been given similar relief.

Last, in the minute remaining, let me just talk about the issue of Flamborough. Again, I think anyone who looks at this from the viewpoint of the regional municipality of Hamilton-Wentworth agrees without doubt, Tories included, that the only reason this by-election hasn't been called is that the Tory polling is showing they can't win it. If it did, we would have had that by-election. Holding off on a decision about Flamborough being in or out of the new city of Hamilton is unconscionable. How are the transition board, the candidates and community leaders expected to take a long-term vision of our new city when we don't even know what the boundaries are going to be?

Let me say that I find it interesting, my friend from Hamilton East, in the latest Liberal flip-flop—where before the whole region, in their opinion, should have become the new city, they've found a nice, neat little way to let their candidate out of that binding problem. So they've now said, "We think they ought be let out because they've been given the opportunity." A major flip-flop. At least Jessica Brennan has been consistent from beginning to end, and we all ought to acknowledge that she has been upfront about how she feels about it.

Speaker, I thank you for the opportunity to speak today.

The Deputy Speaker: Pursuant to the order of the House dated May 1, 2000, I'm now required to put the question. Mr Clement has moved third reading of Bill 62. Is it the pleasure of the House the motion carry?

All those in favour, say "aye."

All those opposed, say "nay."

In my opinion, the ayes have it.

Pursuant to standing order 28(h), I'd like to request that the vote on Bill 62 be deferred until Monday, June 5, at deferred votes. It's signed by the chief government whip. We will abide by this request.

YOUNG OFFENDERS

Resuming the debate adjourned on May 15, 2000, on the amendment to the motion by Mr Klees relating to the Young Offenders Act.

Mr David Christopherson (Hamilton West): On a point of order, Mr Speaker: I would seek unanimous consent to allow my colleague from Trinity-Spadina to finish off our lead debate.

The Deputy Speaker (Mr Bert Johnson): The member for Hamilton West has requested that the member for Trinity-Spadina be permitted to fill out the time for the member for Niagara Centre. Is it agreed? It is agreed. The Chair recognizes the member for Trinity-Spadina.

Mr Rosario Marchese (Trinity-Spadina): I want to thank my Liberal colleagues and my Conservative colleagues for giving me a mere 11 minutes to say so much with so little time. Peter Kormos, my friend from Niagara Centre, covered it all pretty well but he didn't have the time to finish. As you know, there was more to say and the question in this place is how to find the time to say it, because these people close debate on everything. We have no time any more. We've got more closure motions than you've ever seen.

On the stuff we want them to take to committee they say, "No, we don't need any more democracy in committee."

Hon Rob Sampson (Minister of Correctional Services): Speak to the young offenders motion.

Mr Marchese: Young offenders motion; my good friend the banker wants me to talk about that. I want to talk about that. Do you think I'm escaping my duty to speak to this bill?

Hon Mr Sampson: You'll never escape.

Mr Marchese: I'm coming there. They're distracting me, Speaker. I've only got 10 minutes.

I believe this resolution is before us for a reason. What is this reason? I've got to tell you, good people of Ontario, the reason is that it's a pre-election ploy to accomplish two things: to simultaneously attack the federal Liberal government in anticipation of an election and help the friend from Wentworth-Burlington who's going to run for them.

It's a law-and-order kind of resolution which accomplishes what they want. That is, we are going to be tough on crime, like the Parental Responsibility Act. Do you recall that bill? I'm finally speaking about that bill

because it does nothing to deal with the issue of a crime that the present law doesn't already have by way of powers. The powers are there in law at the moment to sue somebody for damage to property and damage to the person. But with this government it doesn't matter. Just tell the public what it is that you want and hope to God that they don't read, that they don't follow politics, that they're not listening to our discussions. Just lull them away to sleep at home, because Mike Harris knows what he's doing.

Peter Kormos, the member for Niagara Centre, did a wonderful analysis of this bill and indicated that these people who spoke to the bill had very little knowledge of Bill C-3, federally introduced, and very little knowledge of what is contained therein and whatever they want to talk about. It's quite possible that since then some of you may have read it because Peter Kormos, the member for Niagara Centre, suggested you had better read it because what you said simply didn't jibe with reality. So he covered a lot of that.

He covered as well the fact that the data from Juristat, which is released by Statistics Canada re youth crime, show a 15% reduction in youth crime. But to listen to Tories, crime, my God, is forever escalating and you need to elect these people in order to reduce it. By the way, you need to elect Tom Long because he's the man in Ontario who's going to fix crime committed by young people. If you don't elect Tom Long, we're not going to get the kinds of assaults on young people in order to prevent crime from indeed happening. This is helping Tom Long's campaign in the same way that Ms Mushinski's motion to deal with gathering of statistics re decisions made by judges is designed to give Tom Long a hand in his campaign. It's designed to create the impression that we've got a serious problem out there and only Tom Long can fix it nationally and only Mike Harris can fix the problem of crime. In spite of the fact that youth crime has gone down, to hear Tories, it's just going right up, and I resent that a little bit because it simply is alarmist. It alarms the public unnecessarily, first.

1650

Second, while it is all right to be tough and to sound tough, is that the goal? The goal shouldn't be how tough and mean you can be; the goal should be how effective you can be. The way they present the argument, to be effective you've got to be tough on crime. All the data by academics say that's not the answer. The answer, Frank Mazzilli, is—

Mr Frank Mazzilli (London-Fanshawe): You disagree.

Mr Marchese: I know we disagree in that regard. I've got to tell you that people on this side—Peter Kormos especially—and most of us in this caucus don't simply say that crime is acceptable. No crime is acceptable in this province, committed by anyone, young or old.

The question is: How do we deal with crime, and do we speak of prevention? Tories never speak of prevention. They only speak about being tougher. Is being tougher effective? It's irrelevant as long as people

believe in their stomachs that it is, and that's why I speak often about placebo politics, because that's what these people are engaged in.

As much as they're fond of attacking the federal Liberal government—and I must admit that from time to time I am guilty of it as well—in terms of the lack of transfer payments that come from that level to us, while that is true, you are in charge of corrections and you've got to take some responsibility in that regard. Until you do that, you have no credibility when you attack the federal government. I argue you've got to get control of your legislation, at least what you are responsible for in terms of the corrections part of the ministry that belongs to you and commit the resources you need to take young people who find themselves committing, in some cases, some very serious crimes, and ensuring that they are placed in appropriate facilities with appropriate supervision, treatment, rehabilitation, and after-care once they have been released from those institutions. Unless you do that, you're not doing your job and you have no credibility with respect to it.

Peter Kormos spoke about deterrents and I think he made a brilliant point, "It is common knowledge"—maybe not so common for Tories in spite of the fact that they coined the term "Common Sense Revolution"—"that the single most effective deterrent against crime is the likelihood of detection."

What are you doing with respect to that issue, that if you know you're going to get caught you're likely not to commit the crime? You're doing nothing. You don't talk about it. You don't know anything about it. All you know is, "We've just got to be tough," and you hope to God the people simply listen to that visceral, emotive answer to the question and not bother intellectually to look at the issue.

But if you look at this kind of deterrence, Peter Kormos speaks to some of the things you should be doing. He says that a number of communities used to have youth bureaus—police officers whose sole responsibility was dealing with youth crime. That sounds to me like a good strategy. What it says to me is that you've got to put the resources into community policing, into policing and focus on where the crime is happening as a way of dealing with it; not focusing after the fact, but before it happens. If you're not putting the resources there, it means that crime will happen and repeat itself over and over again, so your response of being tough simply won't help.

If you don't give the police forces adequate resources to develop the specialty and to be able to commit police officers to targeting specific areas of crime, the problem will persist. It makes a lot of good sense. This is where youth bureaus obviously did focus their energies in the past, but there is no longer any money to do that sort of thing.

"The utilization," says Peter, "of seasoned officers who have experience with the community, with the young people in that community, with the schools, with their families"—all of that deals with prevention.

But we've seen this government. In spite of the billions and billions of dollars that have come into the provincial coffers, they're squandered away, like the \$1-billion boondoggle, the one the Minister of Finance referred to today as the \$200 he's giving you back because it's your money. He says: "It belongs to you. You can do anything with it." It's a \$1-billion boondoggle, Joe Tascona, and your community is going to know about it, \$1 billion just thrown out the window, and all you get is \$200 to make you feel good. It's \$1 billion wasted, gone. We won't be able to use that \$1 billion, use a modest amount of that \$1 billion you're squandering away, for policing, for youth bureaus in those police stations, for prevention, for rehabilitation. None of that money that you are squandering away, \$5 billion of it to the corporations, is going to come back to where it's needed: to health, to education, to our water control that affects the quality of our life, that affects life indeed.

You're giving \$700 million to the money managers: those people who earn \$100,000, the people who sit on their desks. Those people don't work. You said up to \$100,000 they don't have to pay any taxes. Take that money back and put it where we need it. That's deterrence. If you use it in the way that we are speaking about, it will have some effect. It's common knowledge that the single most effective deterrent against crime is the likelihood of detection, and if that is so, you need to put the resources there to make prevention a key part of your policy direction. But will you Tories do that? No—just hope that they simply believe you here and not here.

The Deputy Speaker: Further debate?

Mr Mazzilli: One of the biggest concerns for the people of Ontario is youth crime. I've heard people express their concerns and their fears time and time again. As a member of the Crime Control Commission which has travelled throughout the province, I've heard it first-hand. The public's concerns are justified, and the cold statistics tell us that: a 77% increase in violent crime from 1988 to 1998.

Mr Speaker, for the benefit of the member from Trinity-Spadina, from 1962 to 1998, all property crime has gone up 291%. Auto theft has gone up 395% from 1962 to 1998, in one generation. And the experts tell us that one year perhaps it has gone down 2%, after a generation of triple-digit increases. Those are the kinds of statistics the people of Ontario do not want to hear.

The people of Ontario feel a real sense of urgency about this, and our government shares that urgency. For example, two years ago the Crime Control Commission issued a report on youth crime. The report has led to real changes at the provincial level. The Safe Schools Act is being implemented, the Safe Streets Act, the Parental Responsibility Act.

Budget 2000 has committed \$300 million to increase the number of youth justice committee pilot projects from six to 18, in which community members will meet with young offenders charged with minor crimes. These are committees or tribunals of respected members of our communities who will determine the appropriate punish-

ments for, and methods of restitution for victims of, first-time non-violent young offenders who admit their guilt.

The member for Trinity-Spadina talked about resources and detection. There's one thing we actually agree about. It's called targeting, targeting the criminals. It's being tough on crime. In order to prevent crime, you need to target the people who commit it and you actually have to put the resources into it.

Do you know how they targeted crime during their government? Through social contract, allowing police departments to send people home because they could not afford to pay them. That's how they targeted crime: Allowing the court systems to allow officers to go to court on their on-duty time, therefore not targeting crime on the street. That's how they dealt with it. These are the very same people who say today that you need to put resources into it, while they took and took and took.

1700

Our government recognized that you have to detect crime. That's why we came out with a program to hire 1,000 new police officers in the province of Ontario, to help municipalities pay for the realities of policing. That program has been extended permanently in the new budget.

When you talk about crime you also need meaningful legislation. The federal committee refused to hear from the Attorney General and the Solicitor General from the provincial level. The committee also refused to hear from co-chairs of the Crime Control Commission. In denying us a voice, they have denied the people of Ontario a voice. They did not want to hear what we as a province proposed to make this meaningful young offenders legislation. Instead, I understand that a number of amendments to the Youth Criminal Justice Act are being proposed in response to Quebec's concerns. Don't expect these proposed changes to improve the act. As hard as it is to believe, the language in the act may actually soften it.

As it now reads, the federal bill will not increase jail sentences; will not automatically try 16- and 17-year-olds as adults when they commit serious crimes; will not require mandatory jail time for youths convicted of offences involving weapons; will not lower the minimum age for prosecution; will not allow authorities to automatically publicize the names of violent or serious young offenders and all repeat young offenders who have been sentenced under the proposed act; will not change the rules of admissibility of statements so they are the same for young offenders as for adults—and this is a very serious one.

With the guidelines in the Young Offenders Act, in order to obtain a statement from a young offender one must go through a process that is at best unreasonable, for a 16- or 17-year-old, just in order to interview that young person, and this after he or she has perhaps committed a murder, because that young person somehow could not admit in any way to the act they have committed because of the hoops the police have to go through. It will still place the onus on the crown and in

most cases have serious violent offenders sentenced as adults. When you have a 17-year-old who commits a murder, in my view that should automatically go to adult court, as I think it's the view of most Ontarians that this should automatically happen. These are the things the act will not do.

Adult crimes deserve adult time. I say this because I know the 16- and 17-year-olds are quite capable of committing adult crimes, and they're also capable of knowing the consequences of their actions. However, under the proposed act, as under the current law, they will know that they can be convicted of a crime and not feel the full legal consequences of the adult world. As a result, it is a climate with a constant potential for violence with very few deterrents, just as you see our schools.

I know we're limited in this debate, and I would like to go on and on, but on the issue of resources—I certainly think this resolution needs to be passed, but we need to communicate to the federal government that we will not be happy with the Young Offenders Act. I can remember back before the Young Offenders Act, if I can just speak to it momentarily, there was the old the Juvenile Delinquents Act. Of course, it was 16-year-olds at that time, and the Young Offenders Act raised the definition of "youth" to 18, and probably did so with decent intentions, intentions for a young person who had been in trouble for the first or perhaps second time in their lives to be dealt with in a lenient manner. Most of us know that perhaps that is appropriate for a one-time offender, whether they're 16 or 17. I don't think most of us take enormous exception to that. But what about the 17-year-old who's committed their 40th offence? Is it not time that that person not be treated in the lenient manner we treat all young offenders? I don't think it was ever the intention of the Young Offenders Act to do that. It was never the intention of the Young Offenders Act to allow people to steal 20 cars and be treated in a lenient manner, to allow a young person to steal their 40th car, be involved in a police pursuit, kill someone and still be treated in a lenient manner.

The resolution put forward by the Solicitor General should be adopted, and I urge all members of the House to do so.

Mr Gerry Phillips (Scarborough-Agincourt): I'm pleased to join the debate on the amendments proposed by my colleague Mr Bryant, which I think is the focus of our debate.

On the issue of community safety, I represent an area in Scarborough, and probably that along with health care and education, those three issues, dominate people's concerns in the area I represent. Few things are more emotional than the issue of community safety. It happens, by the way, that in the area I represent carjackings have become quite serious. There's no doubt it is a crucial issue that the public wants action on. It is up to us to propose real solutions. It's very easy on this issue, frankly, to play with the public's emotions. With something this sensitive, one can raise emotions very easily.

I think we have to look at real solutions. I carry this document around. This is the government's document on why people should come to Ontario, on why you should locate your business or locate yourself here in Ontario. One of the things they point out in this document—I don't know whether the members across can see it, but this is the homicide rate in Ontario compared to many of the US states: Illinois, California, Texas, Michigan, New York, Wisconsin. It's dramatically lower in Ontario, and robbery rates are dramatically lower in Ontario.

Any robbery is one too many and any homicide clearly is one too many, but surely we owe it to ourselves to understand what has led to crime rates in Ontario being dramatically lower than in our neighbouring jurisdictions in the US. The reason I raise that is that we are moving to adopt US types of solutions to crime at a time when our crime rate is dramatically lower than in the US. It is important for us to understand why our crime rate is lower. If we want to make it lower still, which all of us do, it seems to me we should be doing more of the things that have led to us having a lower crime rate than neighbouring jurisdictions.

I would say, respectfully, that it's several things. I think there are still fewer police officers in Ontario today than there were 10 years ago. Certainly in the area I represent, Toronto, there are 500 fewer police officers today than there were 10 years ago. As this debate has gone on, one of the clear things is that the policing resources are important. I heard the chair of the police services board, Mr Gardner, just a matter of days ago say there are 500 fewer officers in Toronto today than five years ago, and I think than 10 years ago. The population of Ontario's gone up 1.5 million people and there are fewer police officers than there were 10 years ago. So I say to the public, this resolution is one that is designed to, in my opinion, deflect responsibility from this House. I think we should be looking first at the resources that the Ontario government is putting into policing services. As I said, we still have fewer police officers than we had 10 years ago.

1710

The second thing I'd say is that the police chiefs of Ontario have told us that gun control is an important deterrent. The police chiefs of Ontario are supportive of the federal legislation on gun control. They say, "This is an important measure to reduce violent crimes." But what do we have? We have our Ontario government, Premier Harris and the Attorney General, fighting it in court—fighting the gun control law that our police chiefs have said they want. Here is a matter of where are we putting our resources? We are spending Ontario tax money, taxpayers' dollars, for Premier Harris to send our Attorney General to the courts to fight something that our police chiefs have said they want. They believe that gun control is an important matter, but no, we have chosen to fight it, tooth and nail. So I say to people who are watching this debate on how we make our communities safer, violent crime, particularly with weapons, guns, is one of the most feared things in my community, in our community,

yet Premier Harris has chosen to send his Attorney General to court to fight the gun control. Is that an appropriate response to the issue of safe communities?

I think we would be making a mistake if we didn't try to understand the reasons we have had a lower crime rate in Ontario, substantially lower than our neighbouring jurisdictions. I repeat, any crime rate's too high, so what we're looking at is, what are the conditions that led to that? I submit that one of the key things has been that young people in Ontario have felt a better sense of opportunity than young people in neighbouring jurisdictions in the US—the average young person. A young person from a family of modest means who has grown up in Ontario has been able to aspire to almost anything they wanted to be. A university or college education was within their reach. They never saw that this was something they couldn't afford. But we've chosen—the Harris government has chosen—to dramatically increase tuition fees, particularly in law, medicine and pharmacy, in several of those professions that historically many of our bright young people have aspired to. I guarantee you, there are many young people from families of modest means who simply are going to rule that out. There is no question that we have had good community services available for our young people.

Everyone faces a fork in the road in their life, all of us have. Luckily, we've had whatever it was—some encouragement, some mentors, some help—to by and large take the right fork in the road. But if, by raising tuition fees, by cutting social services for our most needy people in the province, we make post-secondary education a preserve of the well to do, in my opinion, we are sowing the seeds to see our crime rate rise, not fall, to match the levels in the US.

I know why the resolution is before us; as my colleague from the NDP pointed out, there's going to be

a by-election. There is no question that safe communities are at the top of many people's minds.

I have a view that says that the real solutions—gun control; police resources; providing an environment where our young people feel that regardless of the circumstances they were born into, we are going to create an opportunity here for all of them to aspire to whatever they can and want to do—I will be supporting my colleague's amendments to the resolution and suggesting to the public that if you're looking for real solutions, this resolution is not the solution.

The Deputy Speaker: On May 15, Mr Bryant moved that the Attorney General's resolution be amended by deleting parts (a), (b), (c), (d), (e) and (f) and substituting the following sections:

“(a) condemns the Harris government for its jurisdictional deflection”—

Interjection.

The Deputy Speaker: Is that the pleasure of the House? I will dispense.

Is it the pleasure of the House that amendment carry?

All those in favour, say “aye.”

All those opposed, say “nay.”

In my opinion, the nays have it.

Call in the members; it will be a 30-minute bell.

Mr Klees has requested that, according to standing order 28(h), this be deferred until Monday, June 5, at deferred votes. So be it.

Hon Mr Klees: I move adjournment of the House.

The Deputy Speaker: Is it the pleasure of the House that that motion carry? It is carried.

This House stands adjourned until 1:30 o'clock next Monday, whatever the date.

The House adjourned at 1718.

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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	Hardeman, Hon / L'hon Ernie (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	Eves, Hon / L'hon Ernie L. (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	Palladini, Hon / L'hon Al (PC) Minister of Economic Development and Trade / ministre du Développement économique et du Commerce
Pickering-Ajax-Uxbridge	Ecker, Hon / L'hon Janet (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	Flaherty, Hon / L'hon Jim (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.

**STANDING AND SELECT COMMITTEES OF THE LEGISLATIVE ASSEMBLY
COMITÉS PERMANENTS ET SPÉCIAUX DE L'ASSEMBLÉE LÉGISLATIVE**

Estimates / Budgets des dépenses

Chair / Président: Gerard Kennedy
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**

Chair / Président: Marcel Beaubien
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

Chair / Président: Steve Gilchrist
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

Chair / Président: James J. Bradley
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

Chair / Présidente: Marilyn Mushinski
Vice-Chair / Vice-Président: Carl DeFaria
Marcel Beaubien, Michael Bryant, Carl DeFaria,
Brenda Elliott, Garry J. Guzzo, Peter Kormos,
Lyn McLeod, Marilyn Mushinski
Clerk / Greffière: Susan Sourial

Legislative Assembly / Assemblée législative

Chair / Président: R. Gary Stewart
Vice-Chair / Vice-Président: Brad Clark
Marilyn Churley, Brad Clark, Caroline Di Cocco,
Jean-Marc Lalonde, Jerry J. Ouellette, R. Gary Stewart, Joseph N.
Tascona, Wayne Wettlaufer
Clerk / Greffière: Donna Bryce

Public accounts / Comptes publics

Chair / Président: John Gerretsen
Vice-Chair / Vice-Président: John C. Cleary
John C. Cleary, John Gerretsen, John Hastings,
Shelley Martel, Bart Maves, Julia Munro,
Marilyn Mushinski, Richard Patten
Clerk / Greffière: Donna Bryce

**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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