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of Ontario**

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**Official Report
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(Hansard)**

**Journal
des débats
(Hansard)**

Thursday 12 October 2000

Jeudi 12 octobre 2000

Speaker
Honourable Gary Carr

Président
L'honorable Gary Carr

Clerk
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Claude L. DesRosiers

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LEGISLATIVE ASSEMBLY
OF ONTARIO

Thursday 12 October 2000

ASSEMBLÉE LÉGISLATIVE
DE L'ONTARIO

Jeudi 12 octobre 2000

*The House met at 1000.
Prayers.*

PRIVATE MEMBERS' PUBLIC BUSINESS

INQUIRY INTO POLICE INVESTIGATIONS
OF SEXUAL ABUSE AGAINST MINORS
IN THE CORNWALL AREA ACT, 2000
LOI DE 2000 PRÉVOYANT UNE ENQUÊTE
SUR LES ENQUÊTES POLICIÈRES
SUR LES PLAINTES DE MAUVAIS
TRAITEMENTS D'ORDRE SEXUEL
INFLIGÉS À DES MINEURS
DANS LA RÉGION DE CORNWALL

Mr Guzzo moved second reading of the following bill:

Bill 103, An Act to establish a commission of inquiry to inquire into the investigations by police forces into sexual abuse against minors in the Cornwall area / Projet de loi 103, Loi visant à créer une commission chargée d'enquêter sur les enquêtes menées par des corps de police sur les plaintes de mauvais traitements d'ordre sexuel infligés à des mineurs dans la région de Cornwall.

The Acting Speaker (Mr Michael A. Brown): The member for Ottawa West-Nepean has up to 10 minutes to make his presentation.

Mr Garry J. Guzzo (Ottawa West-Nepean): We live in a great country and we live in a most cherished section of that country, for which we should all be grateful. But what makes this country so desirable and great—the rule of law, the security of all citizens and the guarantees of equality—must surely be protected. They're merely verbiage if our police forces are not independent and are not willing to protect our citizens, thereby sacrificing their public trust.

The bill I introduced this morning addresses a problem in the city of Cornwall, which no one has yet denied. This bill speaks to a breakdown in our justice system, which no one has denied. This bill attempts to shed light on the operation of a pedophile ring which has operated for years in that city, which no one has yet denied and which continues to operate today as we stand here and speak.

If no one denies the foregoing, why would there be so much politicking and opposition to my bill? Why has there been continued opposition to the fact that I have raised these matters in a very professional and dignified

manner and on a confidential basis? Why is this bill even necessary?

Three and a half years ago, I began by asking questions of those in authority—my Premier, my Attorney General and my Solicitor General—after I had uncovered information that I myself had difficulty believing.

In 1992, the Cornwall Police Service conducted an internal investigation and concluded there was nothing amiss and no charges to be laid with regard to allegations of a pedophile ring. In 1994, the Ontario Provincial Police did an investigation of the Cornwall force and made the same finding. On Christmas Eve 1994, at a press conference, the provincial police stated that they had left no stone unturned and could find no persons to charge and no evidence of any wrongdoing on the part of the Cornwall police.

But in 1995 and 1996, the Cornwall citizens committee, using their own funds and doing the work of the Ontario Provincial Police, turned up evidence to the contrary. On April 8, 1997, this committee served on the Attorney General of this province and the Ontario Civilian Commission on Police Services, after the Solicitor General had refused to accept service, four boxes of evidence, which included affidavits, statements and documentation which apparently had been totally overlooked in not one but two previous investigations.

The Ontario Provincial Police then quietly embarked upon Project Truth. The same two individuals who headed the initial investigation for the OPP in 1993 and 1994 were assigned to head Project Truth. As a result of Project Truth, as of October 1, 2000, 115 charges have been laid, and 112 of those, by my examination, took place long before Christmas Eve 1994. The evidence of all those 112 charges was clearly available when the two investigations by the Cornwall police and the Ontario Provincial Police took place.

Some 67 weeks after April 8, 1997, on July 31, 1998, the Cornwall citizens committee served on the lead investigator of the Ontario Provincial Police Project Truth copies of the documentation contained in those four boxes that had been left 15 and a half months earlier with the two agencies of the Ontario government, and the lead investigator, Inspector Hall, signed a letter on July 31, 1998, acknowledging receipt of those four boxes of evidence and stating he had not seen this evidence prior thereto.

He had heard comments on an Ottawa radio station, CFRA, from the sister of one of the members of the Cornwall citizens committee, and he stopped the brother

on the street and said, "What is your sister talking about?" and he told him. As a result of that, four days later those documents were served on Mr Hall, and he signed that letter. A very experienced police officer signed the letter: "I've never seen this before."

Twenty-three months after April 8, 1997, after the serving of this documentation on two government departments, on March 8, 1999, I received a call at my home in Florida from a person who stated he was the number one person in the Ontario Provincial Police with regard to criminal investigation. He identified himself as Deputy Commissioner Frechette. He said quite clearly that he did not know of what I was speaking in my letter of February 23, 1999, to the Premier. A copy of this letter had recently come to his attention through the Solicitor General's department. At that point, he did not have my initial letter of September 18, 1998.

I make it clear that I believed Deputy Commissioner Frechette, and I arranged to have my file turned over to him upon my return to Toronto. But two weeks later, when I contacted the deputy commissioner, he advised me that he no longer needed to see me and no longer needed to see my file. He had now seen this evidence. He admitted, "I have it now. I'm the number one man for criminal investigation, but I didn't see it for 23 months."

The issues here are clear and easily stated, but they're difficult to understand. How is it possible that the Ontario Provincial Police went from zero charges on Christmas Eve 1994 to 115 charges on October 1 this year? How is it possible that for 67 weeks after the delivery of this documentation, on not one but two departments of the Ontario government, lead investigators on Project Truth had not been aware of the documentation? How is it possible that 23 months after the service on the Ontario government, the number one man responsible for criminal investigation in Ontario did not know of the documentation and, in particular, did not know of the affidavit of one individual which, in my opinion, was an inculpatory statement? That man had not been interviewed by the police at that point in time.

1010

We have here the makings of a very significant problem. Either the first two investigations were totally incompetent, or there has been a massive cover-up. There is no other possible answer. Why would there be a cover-up in a matter such as this? For what purpose? For whose benefit? I have received no answer to my questions in my confidential letters of September 1998 and February 1999 to the Premier. I do not wish to proceed in this manner, but six months after that first letter, I was advised by the chief of staff of the Premier that he had not shown my letters to the Premier, and I have to ask why. It's as strange an admission as holding a press conference on Christmas Eve.

In addition, I have written to the Attorney General and the Solicitor General individually, as lawyer to lawyer, for some assurance that our government, of which I am a part—admittedly an insignificant part—could not be held

responsible for what was clearly occurring in Cornwall, and to date I have received no such assurances.

I have interviewed some 45 to 50 alleged victims. All of them approached me or were referred to me by their legal advisers. I have not accepted everything that each has said, but I have, however, no problem in believing a large portion of many of their statements. Some I have questioned on two or three occasions and they have held up well under cross-examination.

Some of these men have turned to a life of crime. Nobody should be surprised at that. Some of them have done exceedingly well, putting these issues behind them. Some of them have gone public and some of them haven't told their spouses or their children, and in one case, his aged mother. Some have vivid recollections and to some it's just a blur. I've had experienced lawyers and police officers with me on occasion when I've interviewed them, and one police officer, a veteran, was sick to his stomach after having to listen to one description of what had taken place.

In my life as a city councillor, a lawyer, my time as a judge, I have a record of dealing with children. I have dedicated some of my life to working with children and I've never witnessed anything as tragic and as questionable as this situation.

The Acting Speaker: Further debate?

Mr John C. Cleary (Stormont-Dundas-Charlottenburgh): I am pleased to rise today in support of Bill 103. This has gone on far too long and I have run into the same stumbling blocks as the former speaker. I know that many of the people in my community are very supportive of what's being done here today and I know there are many innocent people on the list of names that is out there who have to be given time to heal.

Since last June 21 when this bill was introduced, many things have happened. This bill called for a public inquiry undertaken by the police forces that are investigating sexual abuse against minors in the Cornwall area.

No matter where I go in Ontario, I get this issue thrown in my face.

If the bill passes, a commission of inquiry will look at investigations undertaken both by police forces and private individuals. No matter what the fearmongers in the community say, we have a good legal opinion that the two investigations could go on side by side. The commission will inquire into the following: whether the police force investigating complaints of sexual abuse after 1989 failed to conduct an investigation with enough diligence, why no charges were laid at this time and whether or not evidence was concealed.

The bill will also look into why private individuals decided to take on an investigation on their own and if these private investigations led to charges being laid by police forces.

In the early 1990s, an investigation into sexual abuse against minors began in the Cornwall area after the police services board received a number of inquiries. On that police services board are provincial appointees and municipally elected people. The Cornwall police looked

into these complaints but claimed there was no evidence supporting the claims.

In 1994, the Ontario Provincial Police came in to review the investigation that the Cornwall police had undertaken into the sexual abuse allegations. In December they announced there was no evidence of any wrongdoing.

Between December 1994 and 1997, private citizens in Cornwall decided to investigate on their own and finally it prompted the OPP to come back into Cornwall and launch Project Truth. As a result of Project Truth, 115 charges were laid against 15 individuals.

I know we've run into many stone walls on this issue, the same as the previous speaker, and after the bill was introduced in the House last June 21, many of my constituents came into the office and wanted to know what they could do to support me and who was going to get to the bottom of this issue.

Some of the same correspondence and material that came to my office also came to Mr Guzzo's office. I spoke to Mr Guzzo in the Legislature last June and he told me that his number was coming up and he was going to introduce a private member's bill and try to get to the bottom of the issue that way. I told him I was very supportive at that time. That was on June 21, and before I could get back to Cornwall, the local press were calling every half-hour to try to get my reaction. I told them that my goal was to support the Guzzo bill and get it to an all-party committee.

Many of my constituents came to my office—very experienced people in law, education, public health, and I could go on and on—and wanted to know what they could do to support this issue. I said, "The best thing I can tell you is that we can have a meeting in my constituency office. I can bring you all together and you can decide. You know this community as well as I do and anything you could do to help, I would be very supportive of that."

So they did form an organization and they had one meeting in my constituency office. No matter what anyone back home tries to tell you, there was one meeting there. They found their own meeting rooms after that.

They brought back to me a petition signed by over 11,000 people supporting the bill. Opposition to that bill has had a hard time to muster 100. They wrote letters and they gathered information. They have worked very hard and they are the salt of the earth. I owe them a great debt for what they have tried to do to bring justice on this issue.

As an elected person for some 28 years, I never saw anything that divided the community like this has.

Our local press didn't help much on this issue. They've fanned the flames. They haven't shown a leadership role. There are things they could have done to try to solve some of these problems but they did not. We heard all kinds of issues from them. In other words, they fanned the flames.

The bill is before us and I am very proud to support the bill. I am very interested to hear what others may

have to say. It's an issue that is not going to go away, and it cannot be swept under the rug any longer.

1020

The Acting Speaker: Further debate?

Mr Peter Kormos (Niagara Centre): First, let me indicate quite clearly that the New Democrats will be supporting this bill. As well, let me applaud Mr Guzzo for his tenacity in pursuing this matter. This is an extremely troubling thing, not just because of what the various reports indicate may have happened, but because of what happened after Mr Guzzo began his efforts to bring some light to this matter.

As troubling as the prospect of a flawed or failed or corrupt police investigation is, it's equally troubling that not just one Attorney General but two Attorneys General would rebuff quite frankly any member of this Legislative Assembly who would bring such a serious matter to his attention, but in this instance one of his own colleagues, Mr Guzzo, a man whom I trust. Although the Attorney General and I don't agree on very many things, I trust the Attorney General agrees with me in terms of my assessment of Mr Guzzo as a person who's extremely familiar with the areas of the law and as a person whose integrity, certainly in this matter, is beyond reproach. I trust him. That's one thing the Attorney General and I can agree on.

Is the matter of a corrupted police investigation beyond the scope of reality? Is the prospect of even political interference beyond the scope of possibility? This seems outlandish in this post-Watergate era, but I've read and re-read the Hansard transcripts of Donald MacDonald here in this Legislature when he rose in this assembly and confronted the Tory government of its day about the incredible litany of abuses that were taking place in training schools.

Please, refer to those Hansards. The response was one of laughter and derision. Donald MacDonald and the New Democrats were mocked for daring to suggest that the august leadership in any number of training schools would have had any role in sexual abuse of children and sexual assault—some of the most heinous sexual assaults, sexual assaults that resulted in pregnancies by teenage women who were placed into the custody of the state for so-called safekeeping, if you will. I read the Hansards, and I remember as a young person the phenomenon.

The New Democrats, as I say, were rebuffed by the government, some very senior members of the government—again, I appreciate that things have changed—who had direct involvement in the appointments of any number of the people to their positions of power and leadership in these various institutions.

So I submit it's not beyond the scope of possibilities that there can have been, in Cornwall, an inappropriate use of power, influence or control to suppress an appropriate investigation.

Let's be very clear, because I don't think there's any member of this Legislative Assembly who's going to in any way prejudge the guilt of those persons who have

been charged as a result of a renewal of the investigation—by no stretch of the imagination. There's no intent here to prejudge the guilt of any of those people charged, or quite frankly any of the suspects who may have been named, and no interest in prejudging the outcome of the inquiry being proposed by Mr Guzzo. But that's exactly the point. We're dealing here with the most heinous crimes that can be committed.

There are two things, I suppose, that all Ontarians—I mean fair-minded or civilized persons—would find repugnant. One is that it's repugnant that a person who commits these crimes against these children should not be identified, prosecuted and dealt with. It's equally repugnant that anyone should have to live under a cloud of suspicion without being adequately cleared.

I'm familiar with small-town Ontario. The city of Welland is very much like the city of Cornwall. It's small-town Ontario, where people live pretty intimately, where people share what goes on in that community.

So, as I say, the cloud of suspicion over an innocent person is repugnant, but very repugnant is the prospect that guilty people could remain unapprehended and free of prosecution and justice, not only from the point of view of the community but from the point of view of any number of victims. There's no doubt, I suspect, in a whole lot of people's minds that there have been victims.

I read the reports of the role of Perry Dunlop. While I want to be very careful about prejudging or suggesting what facts may or may not be put forward to an inquiry, here's one about which I have little doubt, and that is that Perry Dunlop, as a police officer, had the audacity to suggest that in the instance—again, I don't think there's any doubt about it—of a deal struck by the employers of one of the perpetrators and the victim—a settlement, cash, to suppress the matter—one that was struck on the condition that there be no discussion or disclosure of the terms of the settlement. Perry Dunlop said, "Fine and fair," although that sort of deal has been criticized subsequent to that, and then suggested that at the same time there's an obligation for the acknowledged or admitted perpetrators by virtue of the settlement to be reported to family and children's services for their registry of offenders. He not only was rebuffed; he was told to keep his nose out of it, as far as I read, and was told words to the effect of "the matter's done and over with; the case is closed."

Certainly there can't be any doubt about the fact that citizens felt compelled to initiate private investigations. What in God's name, in this kind of country, is going on when citizens can't rely upon their police force to adequately investigate a matter, to adequately investigate a crime, where they have to go and hire private investigators?

The courts had an opportunity to deal with that recently. You'll recall the recent fraud trial here in the city of Toronto. The victims of the fraud—the perpetrator was convicted—were compelled to, because in that instance the police were so understaffed that they said simply said, "No, we can't prioritize a fraud. We haven't

got officers to work on it," and so they retained Brian Patterson, whom I quite frankly know well as a very accomplished forensic auditor and investigator. They paid a huge amount of money for the work that was done—a whole lot of work and effective work, because it resulted in a prosecution—but the judge very, very clearly criticized the utilization of private-sector investigators for Criminal Code offences. He deplored it, as I understand the comments, as something that was "very dangerous" in terms of the whole criminal justice system, in terms of the integrity of the criminal justice system. I'm inclined to agree with him.

1030

So if only for paragraph 5 in the proposals in the bill in terms of the terms of reference of the inquiry, if only for that—and that is the question whether private investigators contributed to laying the charges—and its predecessor, paragraph 4, the circumstances that led to the commencement of private investigations, I urge all fair-minded members of this assembly to support this legislation, and quite frankly to go one step further and to spare it the hypocrisy of sending it off into legislative orbit once it is passed so that it never sees a committee room.

It's imperative that this matter be resolved promptly. I reject any suggestion that this inquiry cannot take place while criminal charges are being laid and/or prosecuted because this is entirely separate and remote and distinguishable from that process. It's imperative that this be dealt with, dealt with promptly, dealt with in committee promptly and that an appropriate inquiry be established immediately.

Hon Jim Flaherty (Attorney General, minister responsible for native affairs): May I begin by thanking the honourable member for Ottawa West-Nepean for permitting me to speak for a moment or two about his private member's bill during private members' business.

We have a responsibility to do everything we can to protect society's most vulnerable members from the harm of sexual exploitation. This responsibility includes ensuring that, as a government, we do not engage in activities or other inquiries that would put investigations and prosecutions at risk.

The matters that the member for Ottawa West-Nepean is bringing before the House through his private member's bill are of great concern and should be taken very seriously.

As the Attorney General of Ontario and the chief law officer of the crown, I am obliged to inform all honourable members of the status of relevant criminal matters. There are currently outstanding criminal matters before the courts. Specifically, there are 12 matters, nine of which are scheduled for trial and three of which will be proceeding shortly. Holding a public inquiry at this time could interfere with these legal proceedings.

In the interests of justice and to ensure that we do not hinder these cases as they proceed, holding a public inquiry now could jeopardize these cases. In addition, criminal investigations and analysis are underway. The

police have worked very hard and continue through Project Truth to invest their time, energy and skills to ensure that all matters are carefully and thoroughly examined. Holding a public inquiry at this time could jeopardize these investigations. I emphasize the words "at this time." This bill is, of course, at second reading stage and therefore not at the stage at which it would become law through third reading and receiving royal assent.

It is, however, my duty as Attorney General to provide honourable members with the information which I have provided to the House.

May I once again thank the honourable member for Ottawa West-Nepean for graciously permitting me to speak to his private member's bill as Attorney General.

Mr Richard Patten (Ottawa Centre): First of all, let me applaud my colleague from Ottawa West-Nepean. We have many encounters and joint endeavours throughout time. I know that given his background as a family court judge this bill was not done lightly. Any of you who have read the background material that's been sent out, any of you who have seen the reports on television, who have received the letters or e-mails or phone calls that I have received in my own riding, will know that this is something that is pervasive throughout.

I applaud the member. It has taken great courage and some risk at a time in which I know he went through a bit of a downturn in his personal health. Mr Guzzo, I applaud you for that.

I also know that my colleague from Stormont-Dundas-Charlottenburgh has received calls and has had, frankly, some pressure put on him to turn aside and not engage in supporting this bill.

I think this bill is an indictment, frankly, of the whole process of justice and investigative law officers, and obviously implicates people in powerful positions throughout many institutions, including the church. When we look, as was referred to, at the police officer who stood up and performed his duties, as one should, and then had to leave the community because of threats to his life and his worry about his wife and children, it's a sad commentary. So we must persist.

I am not a lawyer, so I am not sure about the legalities or the inhibiting factors of an inquiry into this matter. I hear some people say no, it can be done, with certain parameters. The Attorney General is here today, and given the facts of what is before us, I think he should call an inquiry. We should pass second and third reading of this particular bill immediately.

At the end of the day, what are we talking about? We are talking about children and young people who are being sexually abused. I'm sure all members have instances and know of personal situations from people in their own ridings of what happens when youngsters go through that, and the psychological and emotional trauma, where people have scars for the rest of their lives. That's what we're talking about.

I want to applaud the citizens' committee that did this, the good people in Cornwall who stood up and provided

some information and helped provide Mr Guzzo with the information to continue to pursue this venture.

I will close on these comments: this is beyond partisanship. This is, first of all, a private member's bill, but it is an indictment of all of us. It is an indictment of the established order. It is an indictment of our system of justice and our law enforcement. We must get to the bottom of this. Who knows what is happening as we speak? This is not just confined to Cornwall. This is something that goes on even between Cornwall and other cities, and the United States of America, into Florida.

I support this. My colleagues support it. We would like to see this moved as quickly as possible so this can be addressed.

Mr Marcel Beaubien (Lambton-Kent-Middlesex): It certainly is a pleasure for me to rise this morning to speak on this issue, namely, Bill 103. I do not have a legal background, so consequently my comments are going to be somewhat different than those of my colleague from Ottawa West-Nepean.

Ayant servi pendant neuf années comme maire de notre communauté, ayant servi pendant neuf années comme membre de la commission policière à Petrolia—we call it the police services board today—quatre ans comme Président de la commission, c'est avec cette formation que je veux discuter le projet de loi 103 ce matin.

Vraiment, la situation à Cornwall se présente d'une façon différente de celle dans la région de Lambton-Kent-Middlesex. Mais ma principale raison pour adresser ce sujet, c'est qu'il faut que nous fassions reconnaître à ces personnes qui veulent prendre avantage de la position qu'ils occupent dans notre société aujourd'hui qu'il n'était pas acceptable dans la passé, qu'il n'est pas acceptable aujourd'hui, et qu'il ne sera pas acceptable dans le futur de se comporter de cette façon.

I am not a social worker and I have no experience in social work, but it is my understanding, and we have to realize, that when young people are abused they are scarred for a lifetime. That is not acceptable. That is a social cost we cannot afford. We must put an end to this type of abuse because we are short-changing and, more importantly, impairing these individuals from forging their own life destiny. It is a terrible legacy we are leaving, as they have to live with this on a daily basis for the rest of their lives.

1040

I quote from an article that appeared in a newspaper in Cornwall recently. I'm not going to quote names, but this individual was charged with sexually abusing a boy under his supervision. The judge, calling it an isolated event, sentenced him to four months in jail and 18 months on probation.

We all realize that we have roles to play in society. We all have responsibilities to assume. Surely, as we enter this millennium, we must send a strong message. We must take a firm position that we must put an end to the abuse of young, vulnerable individuals.

Mr Brad Clark (Stoney Creek): I'm going to ask the members of the House and the people who are listening to imagine for a moment what a child who has been sexually assaulted has to go through to come to their parents and advise them that they have been molested. Imagine the courage and the strength and the faith and the trust that that child needs in their parents, because pedophiles abuse the children not only physically but mentally. They put a tremendous amount of guilt and fear upon them so that they are afraid to come forward. But at the end of the day, they come forward to their parents because they know their parents can make it right. They know their parents can make it better. Their parents embrace them lovingly and they reach out for help from the authorities.

Imagine, if you will, the parents now in the same position that the child was just in. They now need the strength and the courage and the trust and the faith in the authorities to step forward and ask for help. They know they can't protect their child alone. They have to appear before the police and ask for help from the people who serve and protect. Put yourself in the shoes of the parents when they step forward and the police come back after an investigation and state that there's no substance to the allegations. Put yourself in the shoes of the child, who has stepped forward with great courage, and they've been told that there is no substance to the allegations. The parents reach out again and, through public outcry, another police body is brought in and again the answer comes back: they have left no stone unturned and there is no substance to the allegations.

Then the parents have to do something very unusual. They have to reach out into their community and do a covert investigation to prove that what their children were telling them was true and that something had gone dreadfully wrong in our justice system and had failed these children, had failed to protect them, had failed to bring the perpetrators of this heinous crime to justice.

What kind of message does it send to the community when the justice system fails our people? The police are the great defenders, the great equalizers. They are the guardians of the public interest. They are the guardians of law and order. When it fails children, we have a major problem that needs to be looked into.

I'm not going to ask members in this House to vote one way or the other on the bill. I'm going to ask you to ask yourselves one simple question: have we done everything we can do to ensure that justice prevails for the citizens in Cornwall? If you can come into this House and can answer honestly in your conscience "Yes," then you know how to vote. But if you come into this House and you answer honestly in your conscience "No," or "I don't know," then you also know how you must vote.

Mr John Gerretsen (Kingston and the Islands): Let me start off by congratulating the member who brought this private member's bill forward. It isn't very often that we do this sort of thing in the House by members of other political stripes etc, but I can tell you, when I read his brief yesterday, it literally sent shivers up and down my

back. The seven-page letter, in which he details his own involvement since he heard about this situation, how he tried to deal with it and what the people of Cornwall have gone through over the last 20 or 25 years, calls into question not just whether a public inquiry should take place here but calls into question the reputation of all our institutions. For a member of the government to take the courageous step to bring this bill forward so it can get a public airing, so we can collectively do the right thing, I think is not only courageous but he ought to be complimented for that.

Time will not allow me to go through each of the seven issues he outlined in his letter, but each issue on its own merits would require an inquiry to take place. I know the Attorney General is saying, "We can't have a public inquiry at this time because of the criminal charges that are still outstanding." I say that is absolute nonsense. That is just another way in which we can once again take this situation, which in some cases has gone on for 25 and 30 years, and push it aside a little further, hoping that people will forget, that people will die off and that this mystery surrounding what may or may not have been happening in Cornwall over the last 25 or 30 years will just continue.

Every now and then it takes courage in this House for any particular member to do something that may not be all that popular. I realize there are people on both sides of the issue in the city of Cornwall itself, those who want a full inquiry and those who don't want a full inquiry. It's a very contentious situation. I can well understand that. But to do the right thing and say to the people of Ontario that what these people have gone through and the cover-up—that's the only word I have for it—that has taken place within the Cornwall police department and perhaps by the Ontario Provincial Police as well—we have to get to the bottom of this.

I would urge each and every member of this Legislative Assembly to put our partisan differences aside, do the right thing and vote for this bill. Let's have an inquiry. There may be certain aspects that the inquiry may not be able to deal with because of the criminal charges, and that can be left aside until the criminal charges are dealt with, but the vast majority of the issues he has raised in his letter can be dealt with right now. The fact that there are criminal charges outstanding right now has absolutely nothing to do with whether or not an inquiry can take place at this point in time.

I urge each and every member of this assembly to do the right thing. Government is about transparency, and surely to goodness, with the kind of situation that has occurred there for the last 25 to 30 years, a public inquiry is demanded. The people want it and I congratulate the member for bringing this issue forward.

Mr David Christopherson (Hamilton West): At the outset, I wish to add my voice to those who have already complimented the member from Ottawa West-Nepean for bringing this forward. It's not the smartest politics in the world in terms of what happens within the caucus of the government, but I think it has shown to this House

that this member, who in a former life was a judge, felt strongly enough to take the action he is taking. It doesn't happen very often.

If people are unsure whether or not there should be an inquiry, if you need no other evidence, then look at the fact that it's a government member, a former judge, who is bringing this forward. It's been supported by the Liberal member for the area involved. Our justice critic in the NDP caucus, the member for Niagara Centre, has lent his voice on behalf of our caucus to this cause, and for what it's worth, I want to add my voice, not just as a member now but as a former Solicitor General, in fact a former Solicitor General whose time was in the early part of this encompassing part of what's happening. In fact, the initial investigation that took place was during my tenure as Solicitor General.

1050

People will know that the Solicitor General in the province of Ontario has ultimate responsibility for all police because he or she is accountable for the legislation that provides the foundation for all policing. In fact, the Solicitor General is the de facto police services board for the OPP. The direct accountability back to private citizens, to the public, for the OPP is through the Solicitor General. The issues raised here are so important because they deal with not just the activities of local police but the provincial police. The OPP has a special place in our configuration of policing, and they're very unique.

It also gets into the area of public and political accountability in terms of Solicitors General and Attorneys General sitting at that time and now, and whether or not there are reasons why Solicitors General and Attorneys General haven't taken action before now—huge implications.

I have one minute left. Let me say very emphatically that I do not believe it is mutually exclusive that you can hold the greatest respect for the police and the work they do and still believe strongly that there has to be public accountability, because without public accountability, civilian oversight, the answerability to elected people, we don't have the standards that ensure we have the kind of policing that we have.

And let me say we have the finest policing in the world, but nothing is perfect. People aren't perfect; systems aren't perfect. If the citizens of Cornwall have not been able to find justice, in their opinion, through the existing procedures, then their last hope is this place, and if they don't find justice in this place, where are they going to find it? For the Attorney General to say that we can't do this because there's an ongoing investigation, let him make that submission to the inquiry. This inquiry needs to happen for the basis of democracy—

The Acting Speaker: Thank you. Further debate?

The member for Ottawa West-Nepean.

Mr Guzzo: I wish to express my thanks to the members opposite and my colleagues who have spoken on behalf of the proposed legislation.

I have to make a couple of comments. I have to interject with regard to the comments of my colleague the

Attorney General. There are examples in this province and in this country where criminal charges have proceeded along with an inquiry of this nature, without disruption. Having said that, I also have to comment that if the OPP is looking at laying additional charges at this time, I don't think that's a legitimate excuse. I don't think we can sit back and wait. They have had since 1993, and the evidence in the most recent charges was available years before Christmas Eve of 1994.

I also want to draw to your attention that the Ontario Provincial Police have announced the windup of Project Truth on four occasions. Four times they have said to the press, "We'll be out of there at the end of the month." The most recent was May. They said, "We'll be finished by June." We're now told they're looking at additional charges. Every time they made that announcement, additional charges flowed.

I don't know and I can't explain and I would be speculating as to why I have been stonewalled on this and what the hesitation is in proceeding forward. I know the explanation of what happened in the 1950s. As a youngster growing up in the Glebe section of Ottawa, I played in Lansdowne Park. I saw youngsters released from the Alfred training school and on the run from the Alfred training school come into the playground bruised from their hips to their earlobes, welts the size of footballs on their backs. They told us, and I listened intently, like every other kid, you know, about the physical abuse and the sexual abuse that was going on there. People knew. The late Bill Bestwick, sports editor of the now defunct Ottawa Journal, had children in the area. He took the issue to his publisher, the late Senator Grattan O'Leary, who interceded—a powerful man in government, a powerful man in the church—but to no avail.

I remember two neighbours of mine taking the matter up, two local members of the governing party—absolutely no action. I walk by the pictures of those two members every day as I walk from my office and come into this House, and it never ceases to amaze me. I never cease to ask the question, what possibly could have happened? How powerful were the forces? Quite frankly, I am at a loss to explain the forces that are taking place at the present time.

I've had calls and I've had pressure. It's been disruptive, I can tell you, both for me and my family. It's come from Cornwall, it's come from Ottawa and it's come from Toronto and elsewhere. It's come from my profession, it's come from my party and it's come from my church. But the pressure I have experienced, quite frankly, is nothing compared to the pressure that the member who lives in the Cornwall area, from Stormont-Dundas, has experienced. He lives with it every day. He set a standard in this House on this bill that has to be recognized and has to be appreciated. It's something that each and every one of us should try and emulate. I thank him for that on behalf of the very vulnerable constituents in his riding that he so capably represents by taking that steadfast position and showing the strength of character that he has demonstrated.

If this were not on family-time television, if it wasn't possible for youngsters to be looking in, and if I was of a mind to try and inflame this situation, I would read to you extracts from some of the statements and some of the affidavits that were served on the Attorney General and OCCPS, every bit as tragic and every bit as brutal in description of what happened as the statements that were used in the tragedy that was the training school allegations, which resulted in our Attorney General, Jim Flaherty, standing in this House and offering that apology a few months ago.

I want to sum up and say to the people of Cornwall that I appreciate the support and strength they have shown by coming forward and offering support for this bill, offering support to their member and the other members of the House. It's not an easy issue. It does divide the community. There are two sides to the story. How far do you want to go back?

When Mr Flaherty stood in this House a few months ago and apologized three years after the payments to the victims of the training school, he said, "I apologize on behalf of every citizen, past and present, of this province." Is some Attorney General going to stand here in the year 2050 and apologize to the victims of the Cornwall situation and their families on behalf of us? I know how I remember the members whose pictures I walk by on a daily basis. It's not a positive feeling. Do we want to be remembered that way, and if so, why? Who is benefiting from what is happening?

In criminal law, when you get involved in situations, you know you can always follow the money. Follow the money and you get to the guilty parties. But in situations like this, there is no paper trail, there is money trail. Who is benefiting, and for what possible reason? Are we benefiting the victims? Are we benefiting the families of the victims? Are we really here to try to protect a pedophile group? Is that what this country is all about? Is that what the party whose government I represent is all about? I sincerely hope not.

The Acting Speaker: This completes the time allotted for this ballot item. The question will be put at 12 noon.

1100

CHILD AND FAMILY SERVICES
AMENDMENT ACT, 2000

LOI DE 2000 MODIFIANT LA LOI
SUR LES SERVICES À L'ENFANCE
ET À LA FAMILLE

Mr Martin moved second reading of the following bill:

Bill 118, An Act to amend the Child and Family Services Act / Projet de loi 118, Loi modifiant la Loi sur les services à l'enfance et à la famille.

The Acting Speaker (Mr Michael A. Brown): The member for Sault Ste Marie has 10 minutes.

Mr Tony Martin (Sault Ste Marie): Before I start, I want to thank some people who helped me prepare for today and put together the information I was able to share

with members around the Legislature and to put forward this bill. My legislative assistant, Susan Walters; a person in research for us in the NDP caucus, Trish Hennessy; the Algoma Children's Aid Society and the executive director, Hugh Nicholson; and the Ontario Association of Children's Aid Societies and the encouragement I got from Sandy Moshenko there.

Over the last 15 years, the media has brought to our attention many situations in which children were physically and sexually abused by caregivers other than their parents. Many of these caregivers were trusted professionals such as clergy, teachers and residential supervisors. Some of the more dramatic cases in Ontario include staff from Sir James Whitney School for the deaf, the Sault Ste Marie Roman Catholic district separate school board, St Ann's Residential School, St Joseph's Training School, Grandview school for girls, St John's School for Boys, Pelican Lake Residential School, and the list goes on.

The Law Commission of Canada report prepared by Goldie M. Shea in October 1999 reports over 200 charges of abuse involving 47 caregivers in the 1990s alone. The Children's Aid Society of Algoma told me this number represents the tip of the iceberg. Many other cases are confirmed by them but never prosecuted in the criminal courts. In most of these situations, the abuse went on undetected for years. When victims came forward, they often were not believed and, in some cases, punished for identifying the problem.

We all want to believe these were isolated incidents and that this could never happen again, but history has proven us wrong. We can't ignore the fact that abuse by institutional caregivers is an ongoing reality. The current case in Cornwall is an example of this. There are some serious flaws in the system that allow these cases to go on undetected for so long. Unless we take a careful look at the system and address the problems that allow this to happen, our children remain at risk.

The criminal investigation and prosecution of the perpetrators is often the first point of public awareness. This, however, is far too late, as the abuse has already happened and the lives of far too many children have been destroyed. What Ontario requires is a strong prevention and early warning system. This system must have the power to investigate risk to children and the authority to take appropriate action to eliminate or reduce the risk.

Under section 15 of the Ontario Child and Family Services Act, children's aid societies are responsible for protecting children and preventing abuse. The Child and Family Services Act outlines specific measures a children's aid society can take in investigating and protecting children at risk in their home. While the act also expects the children's aid society to protect children under the care of institutional caregivers, it fails to include any measure to support their role.

Considering the weakness of the Child and Family Services Act, it is easy to see why the detection and early warning systems have failed. The system will continue to

fail these children unless the legislation is changed. Immediate action is required, because the longer it takes to make the changes, the greater the number of victims.

The Children's Aid Society of Algoma, in their response to the Honourable Sydney L. Robins report, *Protecting our Students: A Review to Identify and Prevent Sexual Misconduct in Ontario Schools*, identified the action that is required. In that report they said children's aid societies need (a) a clear definition of their role and authority with respect to investigating and preventing abuse by institutional caregivers, (b) the power to take action to prevent further abuse when children are at risk and (c) the authority to report the results of investigations of institutional caregivers to the people in charge of the institutions.

In addition, the current duty to report children at risk needs to be clarified. The six-month statute of limitations in the Provincial Offences Act should come into effect only when the child is no longer at risk. This would increase the incentive of other people working in the institutions to report abuse, because the responsibility cannot be avoided through delaying.

The Children's Aid Society of Algoma has made a number of recommendations for changes to the Child and Family Services Act. In June this year, the Ontario Association of Children's Aid Societies' provincial board of directors supported the legislative changes recommended in the report of the Children's Aid Society of Algoma and, in August, sent a report to the Honourable James M. Flaherty, Attorney General of Ontario, recommending those legislative changes. To date, there has been no response by the Attorney General.

Bill 118 proposes amendments to the Child and Family Services Act that would make the change proposed by the Ontario Association of Children's Aid Societies while at the same time protecting the rights of the caregiver. With these amendments, families and children in Ontario can feel safe, because they know the province has taken steps to ensure the safety of children when they are under the care and supervision of others.

This bill will provide better protection for children against sexual abuse within schools and caregiving institutions. This bill would put children's aid societies in a better position to ensure children under the supervision of caregiving institutions are protected. The bill ensures that child protection workers have the authority to investigate allegations of physical abuse and sexual molestation of children by teachers and other caregivers.

It also allows child protection workers the authority to apply for appropriate court orders. It authorizes child protection workers to disclose the results of an investigation and information in the child abuse register. It places duty to report child abuse on persons performing professional or official duties with respect to children, a duty that remains in place until the risk of abuse ends.

Mount Cashel, Grandview high school—formerly Galt—residential school abuses: until the late 1980s, the systemic sexual abuse of our children within formal institutional settings such as schools and churches has

remained cloaked under the darkness of secrecy. As a society, we were in deep denial. We simply refused to believe sexual abuse could happen. We refused to believe that people entrusted with the authority of teaching or caregiving would abuse their positions of trust by sexually abusing our children. Sexual abuse of our children simply wasn't talked about, it wasn't something we thought about and it certainly wasn't something we acted on.

As the reality of child abuse rears its ugly head, years and even decades after the origin of the abuse, it is becoming painfully obvious that we as a society have failed to protect our children from the very people who were employed or who volunteered to help them. The result is that many children suffered the indignities of abuse, and the system failed to protect them.

In Sault Ste Marie, my home community, layer upon layer of school and community officials covered up the abuses of a sexual predator for three decades before teacher Kenneth Deluca was finally brought to court and convicted of 14 separate sexual offences involving 13 victims. The crimes took place from 1972 to 1993. Each was committed while Deluca was a teacher with the former Sault Ste Marie Roman Catholic separate school board. All his victims were females. All but one were students. Their ages ranged from 10 to 18.

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The Honourable Sydney Robins reviewed the Deluca case in specific and the situation of sexual misconduct in Ontario's schools in general. About Deluca, Mr Robins writes, "Deluca's crimes represent the ultimate breach of the trust reposed in a teacher. He was every parent's nightmare—a teacher who sexually preys on students. His conduct severely damaged his victims' physical and emotional wellbeing and, in some cases, has had devastating impact on their lives."

As early as 1973 complaints surfaced about Deluca's sexually abusive conduct. Students, girls as young as 10 years old, were cornered in supply rooms, were verbally harassed, were touched in sexually inappropriate ways, and worse. Dozens of students registered complaints. They were survivors. They told their parents. They told their teachers. They told their principal. They told school board members. They told the police. For three entire decades no one did anything to stop the abuse.

I am here today to ask my colleagues to now do the right thing. We have the power here today to take a move that will give the children's aid society the authority they need to investigate these abuses when they happen.

The Acting Speaker: Further debate?

Mr Bart Maves (Niagara Falls): It's a pleasure for me to rise today to speak to the member for Sault Ste Marie's Bill 118, An Act to amend the Child and Family Services Act. I want to commend the member for this initiative. As he's mentioned, I think this stems out of a terrible situation in his riding where a former teacher with the Sault Ste Marie Roman Catholic separate school board was convicted on April 19 of 14 counts of sexual assault of 13 female students over 20 years.

The Honourable Sydney Robins was appointed by order in council to review the incidents and report back to the Attorney General. When Justice Robins went in and looked at that particular situation, he thought that it needed a broader look and indeed broadened the terms of his investigation and his report. From it came the Robins report on abuse by teachers of kids in schools. The report is an important one and perhaps has not been given enough attention by all of the adults in our systems: in our teaching system, in this House and elsewhere.

There have been very many recommendations made by that report that pertain particularly to a ministry that I am the parliamentary assistant for, the Ministry of Community and Social Services, and we've actually implemented many of those recommendations. Clearly, all members on this side of the House can understand why he would bring such a bill to try to react to Mr Robins's report and to tighten up the Child and Family Services Act in the manner in which he's proposing. In my look at the bill, a lot of what is proposed in his bill is actually already covered in our legislation, the Child and Family Services Act, which we amended in 1999. We did a huge revamping, in actual fact. I can give some examples.

Bill 118, the member for Sault Ste Marie's bill, proposes to add that we should "investigate allegations or evidence that children in a caregiving institution who are under the age of 16 years may be in need of protection." The present section 15 is actually broader than that. Children in caregiving institutions are already included.

There's the desire in the bill to actually list teachers and other caregivers who should be included under this. There's a danger there—and I believe some of the other members are going to talk about that—in starting to list people in legislation and missing some caregivers. The way the legislation reads now is that it's very broad with regard to "caregiver" and some argue that's a better way to have an act read than to get too definite on who is covered.

Bill 118 proposes that the duty to report under subsection (1) continues each day until the risk to the child ends, which means we've put an obligation on a caregiver of the duty to report child abuse—professionals, teachers and others. This moves that that duty should continue until the risk ends. If you look at the Child and Family Services Act, the intention in that amendment is already covered in existing subsection 72(2), where it says, "A person who has additional reasonable grounds to suspect one of the matters set out in subsection (1) shall make a further report under subsection (1) even if he or she has made previous reports with respect to the same child."

That's just a quick glimpse at some of the sections of the bill that I think are already covered in the Child and Family Services Act. I think some of the proposals in the bill might in fact be detrimental to what's already in the Child and Family Services Act. But I definitely think it's appropriate that we discuss further what the member has put forward, because in some instances some of the clauses he has put forward may indeed enhance the

protection for kids. It may indeed be an improvement to the Child and Family Services Act.

So I intend today to vote in favour of the bill. I encourage all my colleagues to do the same. I think we need to spend more time discussing the contents of the bill. As I said, I think a lot of it is already covered in the Child and Family Services Act. I think some of the content of the bill might actually weaken some of the provisions of the Child and Family Services Act, but I'm certainly open to a broader discussion of not only Mr Robins's report and the problem of child abuse in the province but any modifications we might need to make to tighten up the Child and Family Services Act.

Mr Michael Gravelle (Thunder Bay-Superior North): It's a privilege today to speak in the House on this important bill by the member for Sault Ste Marie. I want to certainly commend him on Bill 118. I think it's a very important bill. I know it's an issue that's very important to him in terms of the circumstances in Sault Ste Marie, but I do think it's fair to say that all members of the House should treat it with seriousness, regardless of the precise situation that brought this about for the member for Sault Ste Marie. It's important that we all support this, and certainly I'm looking forward to having that opportunity.

I want to just simply let the members of the House know that recently I was appointed by my leader, Dalton McGuinty, as my party's critic for community and social services. This is an enormous responsibility and I'm honoured to take it on. I look forward to the opportunity to speak very often on a number of issues related to community and social services.

I do believe that we as legislators are not speaking often enough and not taking enough opportunities to speak about social issues in this House, issues that affect the welfare of children, the poor and disadvantaged members of our community. I intend, through my work as critic, to raise many of those issues at every opportunity that I can.

Today we are here discussing specifically Bill 118, a private member's bill that proposes changes to the Child and Family Services Act—important changes, I believe. You will recall that we had unanimous consent in the House to pass the Child and Family Services Act a couple of years ago, but I think there were some missing parts to it and I believe that the member for Sault Ste Marie has addressed them with this private member's bill today.

It's an important bill because it goes even further than the provisions of the Child and Family Services Act. It's a bill that provides much needed legislative clarification so that the role and ability of Ontario's children's aid societies to investigate allegations of abuse by employees in a caregiver role is absolutely clear. I think that's what's so terribly important. It's a bill that I believe is ultimately intended to ensure that no child in Ontario endures the horrific breach of trust by a trusted caregiver that has been felt by too many children in this province's history.

We're not simply referring to incidents from the distant past either. Today's earlier resolution by the member for Ottawa West-Nepean spoke of the shameful situation in Cornwall, and certainly it was a timely resolution when you consider the daily news reports of the pain and suffering that continues to haunt the victims of abuse from that community.

The member for Sault Ste Marie has already spoken about how this bill is meant to address the kind of horrific incidents that took place in his home community. The member also spoke of how the system failed to protect children in his community from the indignities of abuse by continuing to shelter the actions of a repeat offender. We as a society know there is nothing more tragic than the loss of innocence of a child. Therefore, I believe that we as legislators must do everything we can to ensure the protection and well-being of all Ontario children.

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It is for those reasons that I am supporting Bill 118. As you know, Speaker, this bill has been supported by the Ontario Association of Children's Aid Societies. Indeed, the association wrote to the Attorney General this past July, urging his government to bring forward legislation such as the legislation being brought forward by the member for Sault Ste Marie. They've also asked the minister to consider other legislative changes as recommended in the Robins report, and I can only hope that the minister will be doing so.

Bill 118 gives children's aid societies the clarification and the authority they need to protect our children. Without these changes, the CAS's role with respect to investigating child abuse by institutional caregivers is simply ambiguous. We can't have that. The children's aid societies' ability to conduct and communicate the results of an investigation is limited. Children's aid societies will have no authority to follow up to ensure that children are safer in these settings.

These are important issues, and I encourage all members of the House to support this bill today. The truth is, we are here to fight for and to protect Ontario's children. If I may say so, that means beginning to also address some of the issues and social realities that are continually faced by some of Ontario's most disadvantaged people.

Certainly we have the fact of the study by the Caledon Institute of Social Policy, which reported that many of Ontario's families are not better off despite the booming economy. We have the pure fact that one in five Ontario children continues to live in poverty, which is a shameful thing none of us should accept. There is the fact that government policies towards persons receiving social assistance are mean-spirited and without compassion at many times. This includes policies that rip the national child benefit out of the hands of those who could benefit most from it; policies that require persons needing assistance to apply for it on the phone when they often can't get through on the phones; policies that place liens

on homes and threaten the education funds of children of low-income families.

We have unbelievable and inexcusable delays in having cases heard at the Social Assistance Benefits Tribunal, and persons with disabilities having to wait a year and a half for assistance through the severely underfunded home and vehicle modification program.

The list goes on and on. There's a chronic underfunding of almost all of our social service agency partners, and their ongoing difficulties with pay equity.

These are all issues that we as legislators should be and need to be talking about more, and doing something about. As the member for Sault Ste Marie put it, Bill 118 is not the final word on what we, as legislators, can do for Ontario's children, but certainly it is a beginning.

The Acting Speaker: Further debate?

Mr Rosario Marchese (Trinity-Spadina): I want to take this opportunity to congratulate my colleague from Sault Ste Marie in introducing this bill and take the opportunity as well to thank the member for Ottawa West-Nepean for the bill that he introduced, because they're very similar. That bill was called Inquiry into Police Investigations of Sexual Abuse Against Minors in the Cornwall Area Act, 2000. He introduced it in the spirit of a member who is genuinely affected by what he sees as a cover-up and what he believes does no justice to the people who have been abused, and wonders who it is that we are protecting in that instance.

I'm on his side. I felt the emotion of Mr Guzzo's words and felt the fortitude that this individual has to be able to bring it forth in the context of a caucus that may not be supportive or only partially supportive. I admire that, to the same extent that I admire my colleague for bringing Bill 118 forward as a way of dealing with the ongoing issue of child abuse and sexual abuse, something that I'm reminded isn't a thing of the past but forever in our minds and forever in our lives.

One would like to believe that it was something that only happened in the past, but it happens over and over again. The perpetrators probably have become much more sophisticated because public attitudes have changed, as a result of which many know that they can't get away with these heinous crimes as they once might have, and still are, it seems, in the case of Cornwall. They know that their crimes have to be well hidden in order to be able to escape what they do. But it's just a question of time until society catches up to those crimes and deals with them effectively.

In my mind, sexual abuse is the worst violation of a human being that could be levied upon that person. It's the worst violation. It is an unspoken trust that people in official capacities have with having the care of young children, an unspoken, solemn agreement that they have between each other. The people who breach that agreement, in my view, are scum. They're slime. They're the lowest order of human life, in my mind. It is inconceivable that such crimes exist, that there could be people out there who could commit such acts against young people who are so vulnerable, so defenceless in those

early years. That there could be men that could take advantage of a young child, a young person, like that is to me unfathomable.

I know most members feel the same way. How could you not? How could you not, as a normal human being, see such acts or hear of such acts and not be so utterly disgusted? We know that when such things happen, they affect the being of that individual forever. It isn't just such a simple act of an abuse that can simply go away in a moment. It may be a moment of ugliness that is committed against a young person, but against that young person, that action is on his or her mind for a whole lifetime. It alters the human being. It alters the psychology of that human being. It alters the physiology of that being. It affects his entire life in a way that some of us can't understand. But I understand that if it should happen to me, I could never, never forget it and could never leave it. That's why I say it's the worst violation against a young person that we could all be experiencing. So it's a duty on our part, as politicians, to make sure that we pass laws that protect the most vulnerable.

If the member from Niagara Falls says there may be things in this bill that might do more harm than good, let's investigate it in committee. I don't know how such a bill could do more harm than good—or might make it worse. I'm paraphrasing his language.

"The bill ensures that child protection workers have the authority to investigate allegations of physical abuse and sexual molestation of children by teachers and caregivers." I think that's an easy thing to understand.

"It also allows child protection workers the authority to apply for appropriate court orders." That's simple to me; I don't know how that could hurt more than it does good.

"It places a duty to report child abuse on persons performing professional or official duties with respect to children, a duty that remains in place until the risk of abuse ends."

I'm a reasonable-minded person and I think these are reasonable-minded proposals that my colleague puts forth. But if the member from Niagara Falls feels, on the basis of advice that he's gotten from ministry staff, that maybe there's something here we should look at, let's send it to committee and we can discuss that. I've got no problem with that. Our problem often is that such bills are sent to committees and they tend not to get dealt with. That's my only problem.

But I see this bill as a non-partisan bill. We're not protecting political parties. We don't have to protect anyone in this chamber—the government or opposition members or anyone. There's nobody that needs to be protected in this place more than the children that this bill attempts to do. So I see it as a very non-partisan issue.

If the government, at the end of the day, feels that somehow this is a good bill, it can appropriate it, put a different number to the bill, present it by their Minister of Community and Social Services, and it's done. We have no problem with that. In the end, if you believe this is a good bill, appropriate it and make it yours. No problem,

because what comes, in my mind, first is the protection of our children.

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On the other hand, if we're going to support this bill, children's aid workers are going to be needing help. Children's aid societies are going to be needing help because they're underfunded as it is and we have to make sure that if we support such bills there is appropriate financial support that comes with it so they can do the job appropriately. The job has to be done by human beings, and when they're understaffed and underfunded it can't be done very effectively. So if we do send it to committee and eventually it gets supported, we will hopefully see the government put some money into the bill as well.

But with respect to whether this bill is an appropriate one or not, I want to make reference to the fact that the Honourable Sydney L. Robins, whom my colleague from Sault Ste Marie made reference to, in his report *Protecting Our Students: A Review to Identify and Prevent Sexual Misconduct in Ontario Schools*, makes a number of recommendations that clearly point to the inadequacy of the Child and Family Services Act at the moment. That is why the member from Sault Ste Marie has proposed these changes. It is on that basis. It wasn't something that he invented on his own, but rather someone with a great deal of expertise, having studied the matter, said, "We need to make changes."

So if the member from Niagara Falls feels, on the advice of staff I guess, that maybe there's something else we should look at, we'd be more than happy to review that. But children's aid societies and this judge obviously have identified some problems and they are here in the form of Bill 118 as a way to correct some of those deficiencies or inadequacies of the Child and Family Services Act. So even if in my mind there is some doubt that what we are proposing might have merit, we hope that—

Interjections.

Mr Marchese: Tony's bill.

If you have doubt about the merits of this bill, even if there's the slightest doubt that somehow he might be right, I just hope the other members, the few that are here or the few that might be coming, will support the bill and, in doing so, send it to committee and, in doing so, hopefully deal with it and have all the appropriate amendments that need to be made. Have a full public discussion where we invite people like Judge Robins, invite children's aid societies and others who have an interest in this so that they can make appropriate recommendations or other suggestions they might want to make.

I congratulate the member for having introduced the bill. I think it's a good one. I think it moves in the direction of protecting our young people in the way that young people ought to be protected. I am convinced the members of the government will support it and we can move on to do what we need to do as legislators.

The Acting Speaker: Further debate?

Mr Joseph N. Tascona (Barrie-Simcoe-Bradford): I'm certainly pleased to join in the debate with respect to

the member for Sault Ste Marie's bill. From what I understand, the bill's intention is to ensure that child protection workers have the authority to investigate allegations of physical abuse and sexual molestation of children by teachers and other caregivers and to apply for appropriate court orders. In addition, I understand the bill seeks to require that the duty to report continue until the risk to the child ends and to permit disclosure of information in the child abuse register to caregiving institutions and to employers of caregivers.

Certainly this is a very serious issue. The protection of a child is something that is entrusted, especially when you're involved in the school system, to our teachers.

The situation that arose out of this that the member from Sault Ste Marie refers to is a very serious situation involving a former teacher who was convicted in 1996 of 14 counts of sexual assault of 13 female students over 20 years. Arising out of that was the Honourable Sydney Robins's report, of which all the members are aware, and certainly I'm aware of it in my role as parliamentary assistant to the Minister of Education.

The Robins report goes a bit further in terms of the protection of a child to also deal with the College of Teachers and the school board's role with respect to that particular situation. I have experienced within my riding a situation that was fairly high-profile recently in Simcoe county with respect to a teacher who was involved in conduct of a sexual nature towards a young male in terms of passing on notes, 64 in total from what I understand. That matter initially, from my information, was handled by the children's aid society under their powers to investigate. I think to bring this debate into context, the power of a children's aid society to investigate when a child is or may be in need of protection is provided by statute and regulation.

Subsection 15(3) of the Child and Family Services Act states that the functions of a children's aid society are to "(a) investigate allegations or evidence that children who are under the age of 16 or are in the society's care or under its supervision may be in need of protection." The new regulation which was introduced on March 23, 2000, made under the Child And Family Services Act, entitled Procedures, Practices and Standards of Service for Child Protection Cases, states in section 2 that "within 24 hours after receiving information that a child is or may be in need of protection, a society shall decide, in accordance with the Risk Assessment Model, whether or not a full child protection investigation should be initiated with respect to the child or any other child in the same family." So the act and the regulation taken together provide the mandate and set out the power of the children's aid society to conduct investigations.

Section 37 of the Child and Family Services Act, in clauses (c) and (d), makes reference to a person having charge of a child committing the abuse or failing to prevent the abuse. It uses this language to indicate that actions or failures to act of all caregivers—that is, all persons having charge of a child—are grounds to find a child in need of protection.

Teachers and other personnel in educational settings are clearly persons in charge of children during the periods of time when the children are in school or in some other setting in which they are responsible for the care and supervision of the child. I would say that the ministry has always taken the position that teachers and volunteers are in a position of trust and authority vis-à-vis the children in their care, and widespread practice in the field and in the courts clearly supports this position. That's in fact what happened in the particular case that occurred in Simcoe county.

I think where the member is trying to address this situation, he has to be lauded for it. We want to make sure that we investigate all courses of action to make sure that a child's protection is mandated through law. I would say that certainly in the case in Simcoe county that in fact happened. When we look at all the circumstances of the case and you review the Robins report, the protection of the child has to be paramount in the calculation and the determination that's made by the group involved. When we're dealing with teachers and caregivers who are dealing with the child, that covers the situation where the College of Teachers and also the school board put the primacy of the child's protection first, because I'm quite confident that in the situation in my riding, the children's aid society did their duty with respect to investigation and put the child's interest first.

So in line with the statements of the member from Niagara Falls, I think his comments are well taken and I'll support in principle what he has stated.

Mr Ernie Parsons (Prince Edward-Hastings): I am pleased also to rise and support this bill from the member for Sault Ste Marie. I quite frankly am surprised that there's a need for the bill. I did not realize that these requirements were not in the act. Given that the act was just revised back in 1999, I'm surprised it wasn't inserted at that time.

I'm aware that this is a very difficult issue, and I say that because I think every caregiver fears that there will be a malicious allegation. There certainly are some. In my years as school board trustee and in my years on a CAS board, I know that there have been allegations against staff members and against teachers that have proven to be unfounded, which has assured me that the justice system works. On the other hand, I believe that there are probably more incidents than we are aware of, so I absolutely concur that we need to give powers to have the investigation take place.

1140

I am now in my 24th year as a CAS board member, and my family and I have fostered for 14 years. A majority of the children we have fostered have had sexual abuse in their lives—not all, but substantial numbers. Sexual abuse profoundly alters that child's life path. It is something that will never be forgotten and just completely changes the fabric of who they are and where they're going. It absolutely robs them of their childhood; it is gone forever. The worst thing that can happen for a child who has been abused is to make a report, make a

disclosure, and have nothing happen. It causes several things that come out of that: one is that they will probably never disclose again if no action is taken the first time, and they probably have talked with classmates or other children in the institution who will get the message out of the lack of action, that there's no point in them reporting either.

We have foster children who have reported and the assailant has not been convicted. Then another family member is disclosed and the child has said, "I'm not going to report again. I'm not going to be involved. Nothing happened last time, other than I was punished by my caregiver. I'm not going to have that happen again."

In my own area, and I'm a board member of the Hastings Children's Aid Society, but I know also for the Prince Edward County Children's Aid Society and for the school boards and the police in our community, we established a protocol that caused this to happen. Even without the legislation, locally it was put in place to ensure that the schools and the institutions work with the children's aid, because for someone who's accused, the best thing that can happen to them is to have an investigation. Better that than there being rumours or a whisper campaign.

It is best for the one who is accused to have the investigation. It is paramount for the child that we listen to them. I have to wonder why it wasn't already in the act for it to take place. I mentioned earlier that, naturally, there is concern about malicious allegations, but I believe the number of children who have been abused is probably far greater than we have a handle on. We simply don't comprehend how difficult it is for a child to make a disclosure. The words they have to use are embarrassing; the acts they have to describe are demeaning. It is a tremendous responsibility on our part as a Legislature to empower them to make a disclosure and to ensure that there is a reaction to it involving a complete and full investigation.

I don't think there is anything better we can do in our lives than to protect our children. As other members have mentioned, sexual abuse against a child simply lingers in their mind forever and affects future relationships with so many other people that we simply must pass this amendment to ensure we protect the children who are in the care of institutions we are ultimately responsible for. I applaud the member from Sault Ste Marie for bringing this forward and I am most pleased to support it.

Mr David Christopherson (Hamilton West): Right at the outset I want to compliment my colleague Tony Martin, the member for Sault Ste Marie, for Bill 118. Anyone who knows Tony would not in any way be surprised that this is the sort of private member's bill he would bring forward.

There may be those who don't know that prior to coming to this place, Tony was the director of a food bank, well known and well respected in the city of Sault Ste Marie. As I have come to know him over the years, it's been clear to me that the reason he's here is because

he sees public office as an extension of what he did before.

He has a vision of what Ontario should look like and his community of Sault Ste Marie within that. He believes that if the right kind of changes were made—where only the authority lies to do it, which is this place—then maybe food banks wouldn't be needed. For those of us who have got to know Tony over the last 10 years, everything he has done has been for the advancement of a better Ontario, and it's always, always, people-related. Having said that, let me also say that I think Bill 118 is exactly the culmination of what this place is about and what local elected office is all about.

You had a situation, and other colleagues have referenced it, that took place not that long ago, in fact from 1972 to 1993, and 1993 is not very long ago. It's still happening today. He took a local situation, realized that there were gaps in the law, that there were improvements that could be made, and took it upon himself to use one of the few opportunities an opposition member has to present a piece of legislation, to do something positive, progressive, something that actually takes things forward rather than just the role of being a critic and opposing the government. In doing so he has brought to light, I think—and certainly from hearing from the parliamentary assistant—areas where there could and should legitimately be improvement.

The member from Sault Ste Marie has pointed out that for three decades a situation was allowed to continue that, if known by proper authorities, one believes would not have happened or would have been brought to a halt. But it didn't. There was a systemic problem and there was the fact that the board saw it as their initial responsibility to decide whether there really was merit to the allegations that were being made—a very difficult situation to put any organization in.

The bill we have here in large part says that where there are allegations, you not only have an opportunity but a responsibility, an obligation under law, to report those to the children's aid society, and the children's aid society would then take responsibility for determining through investigation whether crimes against children were being committed, and then provide steps so that adequate authorities can be brought in and that there is accountability.

To colleagues in this House, this is exactly what this place is all about. It's about being a local member, taking a local issue that matters to you and to your community, identifying why something happened and what can be done to prevent it in the future, and then using your opportunity here as an elected member, the honour we all have to be a member of this place, to rise in your place and present a bill that says, "Based on the experience in my home town"—in this case, Sault Ste Marie—"here's a bill that will make Ontario a better place."

To end my remarks where I began, that's exactly why Tony Martin is here. That's why the member from Sault Ste Marie is such an excellent representative, and I believe why he continues to get elected over and over,

because he's here for the right reasons. Bill 118 is all about doing the right thing and I hope he will get unanimous support when we call for the vote.

Mr Garfield Dunlop (Simcoe North): I'm proud to be here today to speak in support of Mr Martin's Bill 118. I'd like to start off by applauding him for bringing it forth. I worked on Bill 35, the Franchise Disclosure Act, with Mr Martin and although I didn't always agree with everything he said, I certainly know how sincere he was in his understanding of that bill.

We all know why we're here today. We're here to discuss the protection of children, and the gravity of this issue cannot be overestimated.

The Sault Ste Marie former separate school board teacher Kenneth Deluca was convicted on April 9, 1996, of 14 counts of sexual assault of 13 female students over a period of 20 years.

The Honourable Sydney Robins was appointed by order in council to review the incidents and report to the Attorney General. That report was released last April. The report contained several recommendations concerning changes to the duty to report that a child is or may be in need of protection under the Child and Family Services Act. That is why our government took action to address the recommendations. The CFSA amendment act was proclaimed on March 31, 2000. Through this legislation we have strengthened the duty to report that a child is or may be in need of protection.

There are a few problems with Mr Martin's Bill 118. I think we all agree that the intent of the bill is good, namely, to better protect children; however, there are some problems with it as well. The notion of creating lists certainly opens a whole can of worms. Our current Child and Family Services Act defines caregiver in a very broad fashion. If you create lists, as this bill asks, you might, by definition, leave people off. This could create real problems afterwards. For example, what would happen if we forgot to put soccer coaches on the list and there was an incident of abuse between a coach and his or her player? Would they then be exempt?

1150

I believe it is critical that the act remain as it is. The act is correct in broadly defining caregiver. Clearly, anyone looking after a child is its caregiver. The law couldn't be more simple than it is right now. It would be dangerous to go down the road of creating lists saying this person is on and that institution is off. We are only going to create problems down the road.

I'm confident our child welfare reforms, including our amended CFSA, are providing the greatest protection for the children of this province. I congratulate the member opposite for bringing forward this bill. Clearly his heart is in the right place: child protection should be the number one priority of everyone in this house. While I am very proud of the work our government has done in this area—the CFSA amendments and the ongoing child welfare reforms—I still support the spirit of this bill: to better protect children. It is worthwhile for this bill to go

to committee. If there are good ideas contained in it, they should be carefully considered.

In conclusion, I'd like once again to thank the member for Sault Ste Marie for his private member's bill. However, I really believe our government has already implemented most of the recommendations contained in the Robins report. I still think, though, that if there's anything at all that's untouched in the Robins report, we should take a serious look at it through Bill 118. I look forward to seeing it go to committee and to supporting it here in a few minutes.

Mr Rick Bartolucci (Sudbury): I stand today in support of Bill 118, and compliment the member from Sault Ste Marie for bringing it forward. In many ways, the member from Sault Ste Marie is a voice for victims. I read with interest the 71 recommendations the Office of Victims of Crime made and then listened to the member from Sault Ste Marie, and I say he gets the message. It's important that we become the voice for victims.

That's what Bill 118 is all about. It's a very proactive way of ensuring that what has happened in the past won't happen in the future. Our children are our treasures. They are the community of the future, which will reflect and define the values of the present, especially our values, because we are charged with the wonderful task of promoting and passing legislation. Bill 118 sends a very positive message to the children in our society of Ontario. It says, "We care enough about you to make sure the tools are in place to protect you in many different environments."

I was blessed in my former job, spending 30 years teaching and associating with children. It is indeed horrific when you have to deal with a child who has been sexually exploited or sexually abused. Certainly, the emotional damage that is done is real, and the damage that child lives with for the rest of his life manifests itself in many different ways. Bill 118 ensures that another safeguard is put in place to make sure children fulfill their expectations in a caring, protective way, and that they reach their potential because of the positive reinforcement they've received. The member from Sault Ste Marie indeed deserves a lot of credit.

Let me offer at this time a challenge to the government to pass this legislation. But don't bury it in committee of the whole. Don't do that. Send it to the appropriate committee and deal with it. I am concerned with regard to my own Bill 6, An Act to protect Children involved in Prostitution. It passed first reading on October 26, 1999, it passed second reading on May 11, 2000, and was referred to general government committee. I thought the government was committed to ensuring that children weren't sexually exploited or abused through pimps and johns. Yet it hasn't gone to committee yet. I challenge the government to pass Bill 118, send it to committee and bring it forth in committee. But I also challenge you to ensure that Bill 6, An Act protecting Children involved in Prostitution, is brought to the general government committee, so that people from the Office for Victims of Crime, police forces, children's aid societies—every-

one—can come together, debate and ensure we have a strong agenda to protect children.

A bill like Bill 6 is a strong bill which protects children. Bill 118 is a strong bill which protects children. There is nothing wrong with the government members learning from this side of the House how best to ensure that children are protected. At the end of the day, the people of Ontario only care about one thing: that there will be proper laws in place. They don't care who takes responsibility or who institutes them. They want laws in place that will protect children.

Today is a day when we've heard several people who are voices for victims. In a very short time, the government as well as the opposition parties will have an opportunity not only to talk the talk but walk the walk.

The Acting Speaker: The member from Sault Ste Marie has two minutes to respond.

Mr Martin: I want to thank the members for Niagara Falls, Sudbury, Trinity-Spadina, Barrie-Simcoe-Bradford, Prince Edward-Hastings, Hamilton West and Simcoe North for participating in this very important debate this morning. I also want to thank, because I didn't at the beginning, all those wonderful people in the office of the legislative counsel, and particularly Catherine McNaughton, for the excellent work they've done in preparing this bill and having it ready for today's debate.

I agree with the member from Niagara Falls that this bill is not perfect, that it needs further discussion and that it needs, in fact, the full review that the process of this place lends to. I hope they will support the bill's going to committee, if it indeed passes here this morning. It sounds like all caucuses are supportive of the initiative.

Today, in the bright light of the new millennium, we as a society have come of age. We know now that sexual abuse is a systemic problem that is often upheld and maintained through the closed systems of our institutional structures. We know now that people in power may abuse that power. We know now that disbelief and denial are often the knee-jerk responses to allegations of abuse. We know now that we need to change the system if we are truly to protect our children.

Bill 118 enables simple changes to the law that could dramatically change how our schools and caregiving institutions handle allegations of sexual abuse. Too many children have suffered unnecessarily because of the inability of officials to do the right thing when sexual abuse was suspected. It sends a clear signal that sexual abuse of our children will not be tolerated, and it adds a layer of protection for our children so they will be a little less vulnerable within institutions designed to help and not hurt them.

As I said before, Bill 118 is not the final word on what we as a government can do to protect our children from sexual abuse. But it is a beginning. I appreciate the support of the folks around this room this morning.

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

INQUIRY INTO POLICE INVESTIGATIONS
OF SEXUAL ABUSE AGAINST MINORS
IN THE CORNWALL AREA ACT, 2000

LOI DE 2000 PRÉVOYANT UNE ENQUÊTE
SUR LES ENQUÊTES POLICIÈRES
SUR LES PLAINTES DE MAUVAIS
TRAITEMENTS D'ORDRE SEXUEL
INFLIGÉS À DES MINEURS
DANS LA RÉGION DE CORNWALL

The Acting Speaker (Mr Michael A. Brown): We will now deal with ballot item number 39. Mr Guzzo has moved second reading Bill 103, An Act to establish a commission of inquiry to inquire into the investigations by police forces into sexual abuse against minors in the Cornwall area.

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

All in favour will say "aye."

All opposed will say "nay."

In my opinion, the ayes have it.

We will take this division after I deal with the next ballot item.

CHILD AND FAMILY SERVICES
AMENDMENT ACT, 2000

LOI DE 2000 MODIFIANT LA LOI
SUR LES SERVICES À L'ENFANCE
ET À LA FAMILLE

The Acting Speaker (Mr Michael A. Brown): Ballot item number 40: Mr Martin has moved second reading of Bill 118, An Act to amend the Child and Family Services Act.

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

All in favour will say "aye."

All opposed will say "nay."

In my opinion, the ayes have it.

We'll take this division following the division on ballot item number 39.

INQUIRY INTO POLICE INVESTIGATIONS
OF SEXUAL ABUSE AGAINST MINORS
IN THE CORNWALL AREA ACT, 2000

LOI DE 2000 PRÉVOYANT UNE ENQUÊTE
SUR LES ENQUÊTES POLICIÈRES
SUR LES PLAINTES DE MAUVAIS
TRAITEMENTS D'ORDRE SEXUEL
INFLIGÉS À DES MINEURS
DANS LA RÉGION DE CORNWALL

The Acting Speaker (Mr Michael A. Brown): We will now deal with second reading of Bill 103. Call in the members. This will be a five-minute bell.

The division bells rang from 1200 to 1205.

The Acting Speaker: Mr Guzzo has moved second reading of Bill 103. All in favour will please stand and remain standing until their name is called.

Ayes

| | | |
|-----------------------|--------------------|---------------------|
| Agostino, Dominic | DeFaria, Carl | Lalonde, Jean-Marc |
| Bartolucci, Rick | Di Cocco, Caroline | Levac, David |
| Beaubien, Marcel | Dombrowsky, Leona | Marchese, Rosario |
| Bisson, Gilles | Duncan, Dwight | Martel, Shelley |
| Bountrogianni, Marie | Dunlop, Garfield | Martin, Tony |
| Boyer, Claudette | Galt, Doug | McGuinty, Dalton |
| Bradley, James J. | Gerretsen, John | McLeod, Lyn |
| Bryant, Michael | Gilchrist, Steve | McMeekin, Ted |
| Christopherson, David | Gravelle, Michael | Parsons, Ernie |
| Chudleigh, Ted | Guzzo, Garry J. | Patten, Richard |
| Churley, Marilyn | Hastings, John | Peters, Steve |
| Clark, Brad | Johnson, Bert | Sergio, Mario |
| Cleary, John C. | Kells, Morley | Stewart, R. Gary |
| Coburn, Brian | Kennedy, Gerard | Tascaona, Joseph N. |
| Colle, Mike | Kormos, Peter | Wood, Bob |
| Conway, Sean G. | Kwinter, Monte | |

The Acting Speaker: Those opposed will please stand and remain standing until your name is called.

Nays

| | | |
|--------------------|--------------|-------------------|
| Cunningham, Dianne | Ecker, Janet | Wettlaufer, Wayne |
|--------------------|--------------|-------------------|

Clerk of the House (Mr Claude L. DesRosiers): Their ayes are 47; the nays are 3.

The Acting Speaker: I declare the motion carried.

Pursuant to standing order 96, this matter will be referred to the committee of the whole House.

Mr Garry J. Guzzo (Ottawa West-Nepean): Mr Speaker, I'd ask that the matter be referred to the justice and social policy committee.

The Acting Speaker: Mr Guzzo has asked that the matter be referred to the standing committee on justice and social policy. Agreed? No.

All in favour, please stand to be counted. Those opposed, please stand. The majority of the House is in favour of having this matter referred to the standing committee on justice and social policy.

We will now open the doors for 30 seconds and then deal with the next ballot item.

CHILD AND FAMILY SERVICES
AMENDMENT ACT, 2000

LOI DE 2000 MODIFIANT LA LOI
SUR LES SERVICES À L'ENFANCE
ET À LA FAMILLE

Bill 118, An Act to amend the Child and Family Services Act / Projet de loi 118, Loi modifiant la Loi sur les services à l'enfance et à la famille.

The Acting Speaker: Mr Martin has moved second reading of Bill 118. Those in favour will please stand and remain standing until their name is called.

Ayes

| | | |
|----------------------|--------------------|-------------------|
| Agostino, Dominic | Di Cocco, Caroline | Marchese, Rosario |
| Bartolucci, Rick | Dombrowsky, Leona | Martel, Shelley |
| Beaubien, Marcel | Duncan, Dwight | Martin, Tony |
| Bisson, Gilles | Dunlop, Garfield | Maves, Bart |
| Bountrogianni, Marie | Ecker, Janet | McGuinty, Dalton |
| Boyer, Claudette | Galt, Doug | McLeod, Lyn |
| Bradley, James J. | Gerretsen, John | McMeekin, Ted |

| | | |
|-----------------------|--------------------|---------------------|
| Bryant, Michael | Gilchrist, Steve | Newman, Dan |
| Christopherson, David | Gravelle, Michael | Palladini, Al |
| Chudleigh, Ted | Guzzo, Garry J. | Parsons, Ernie |
| Churley, Marilyn | Hastings, John | Patten, Richard |
| Clark, Brad | Jackson, Cameron | Peters, Steve |
| Cleary, John C. | Johnson, Bert | Sergio, Mario |
| Coburn, Brian | Kennedy, Gerard | Snobelen, John |
| Colle, Mike | Kormos, Peter | Stewart, R. Gary |
| Conway, Sean G. | Kwinter, Monte | Tascaona, Joseph N. |
| Cunningham, Dianne | Lalonde, Jean-Marc | Wettlaufer, Wayne |
| DeFaria, Carl | Levac, David | Wood, Bob |

The Acting Speaker: Those opposed, will you please stand and remain standing.

Clerk of the House (Mr Claude L. DesRosiers): The ayes are 54; the nays are 0.

The Acting Speaker: I declare the motion carried.

Mr Tony Martin (Sault Ste Marie): I would ask that this piece of public business be referred to the standing committee on justice and social policy.

The Acting Speaker: Agreed? Agreed.

All matters being completed for private members' public business, this House stands adjourned until 1:30 of the clock.

The House recessed from 1212 to 1330.

MEMBERS' STATEMENTS**COMMUNITY CARE ACCESS CENTRES**

Mr James J. Bradley (St Catharines): While the Conservative government of Mike Harris appears to have millions of dollars to squander on clearly partisan, blatantly self-serving government advertising on television, radio, newspapers and pamphlets mailed to every home in the province, our community care access centre is in a financial crisis, unable to provide the kind of home care to which the people of Niagara are entitled.

Regulations imposed by the provincial government prevent community health care workers from delivering many services which patients and their families seek and expect. Inadequate funding from the Harris government, which is experiencing a huge and growing surplus, makes it impossible for our community care access centre to meet the real and genuine needs of often seriously ill patients outside of the hospital setting, while new provincial rules force those hospitals to discharge patients often before the patients themselves and their families believe it is advisable.

With severely restricted budgets, the CCACs cannot easily find nurses to take employment positions that involve what they consider to be inadequate pay and benefits, long hours of work and difficult working conditions. Wasteful expenditures of tax dollars on partisan advertising and public relations gimmicks, such as mailing \$200 cheques from the Harris government, leave our community care access centres in the lurch and our patients in clear health jeopardy.

CRATE MARINE SALES LTD

Mrs Julia Munro (York North): I rise today to pay tribute to a small business in my riding of York North. It all started 70 years ago with one man's love of fishing and a vision for success during the Depression. Today, Crate Marine Sales Ltd, located on the southeast shores of Cook Bay, is one of York region's most successful businesses, owned and operated by the Crate family for four generations.

Founder Fred Crate left Toronto in 1931 and settled in Keswick to start a small boat livery for perch fishermen. He called the modest business F.S. Crate and Sons. A boat builder by trade, Crate repaired small fishing craft, rented boats, sold bait and gave anglers a reason to visit the small cottage community.

Lloyd Crate took over the business from his father in 1947. Lloyd opened a sales shop and changed the name of the operation to Crate Marina. What started out as a small fishing operation 70 years ago transformed into a dynamic global operation operating from 35 acres of prime Keswick waterfront. More than 500 boaters call Crate's home. There is also a sheltered harbour and a recently completed public-friendly boardwalk.

Crate Marina was recently awarded the Excellence in Large Business honour by the town of Georgina, and in June was named one of the top 10 Carver boat dealers in the world.

It is an honour to salute this business in my riding of York North during Small Business Month.

OAK RIDGES MORAINÉ

Mr Mike Colle (Eglinton-Lawrence): Earlier today, representatives of Earthroots were here. Earthroots is an environmental organization that has been fighting to protect the Oak Ridges moraine and to protect it from unbridled development.

This government has refused to do anything to protect the Oak Ridges moraine. This government keeps on blocking legislation. There are three pieces of legislation that are before the Legislature. The Mike Harris government refuses to do anything about the Oak Ridges moraine except to allow development on the moraine.

As we speak, development is destroying the water of the moraine. It's not only the people who live in the Oak Ridges moraine who drink from the Oak Ridges moraine, but all of us who live to the south and drink from Lake Ontario or who live to the north and drink from Lake Simcoe get their water from the moraine, because all these rivers—the Credit, the Rouge, the Humber and the Don—feed the Oak Ridges moraine. As this government listens to developers and does nothing, the Oak Ridges moraine water is being turned into muck.

This water that I have here is the Mike Harris water that we see in the moraine because this government is refusing to do anything. I dare—

Interjections.

The Speaker (Hon Gary Carr): The member take his seat. Order. We can't have props in the House. I'd ask the Sergeant at Arms to take the water out.

TERRY FOX RUN

Mr John O'Toole (Durham): On September 17, thousands of people across Canada and around the world participated in the 20th Annual Terry Fox Run for cancer research, raising more than \$20 million. My riding of Durham was no exception. Riding organizer Walter Gibson and members of his committee Willy Woo, Mary Tilcock, Moe Richards, Jack Munday, Marilyn Green, Joan Putnam, Donna Kay, Cathy McClure, Lee Ann Gibson and Derek Clarke all did an excellent job coordinating this event. And I might thank cancer survivor Jeff Flintoff for doing a wonderful job in his remarks.

Holding the ceremonial ribbon at the start of the race was 10-year old Courtney Haines. Over the course of the summer, Courtney has worked to raise awareness and funds for cancer research. In fact, her efforts have been remarkable. To date, Courtney has raised on her own over \$4,000 for the Princess Margaret Hospital of Toronto. Her motive behind this was a very personal one because her mother, Heidi, is currently battling cancer for the last two years.

To begin with, Courtney went door-to-door in her neighbourhood to raise money. However, she wanted to do even more. Seeing her interest and determination, Newcastle residents Jack and Gloria Gordon offered Courtney their assistance to have a garden party in their backyard. According to Courtney's grandmother, Ellie Hartwell, this young girl raised \$2,000 at the Tea and Sweets for Cancer Research picnic. As word of Courtney's cause got out, an additional \$2,000 has been collected.

On behalf of the riding of Durham, I want to commend Miss Courtney Haines and her family and friends for her initiative, determination and drive for a very important, worthwhile cause.

COMMUNITY CARE ACCESS CENTRES

Mrs Lyn McLeod (Thunder Bay-Atikokan): We know that community health care providers have been frustrated by funding restraints and regulations that limit the amount of care that can be provided, whether to people discharged from hospital and needing home care or to frail seniors living at home. Now we are learning that care is being restricted because there just aren't enough nurses.

In Thunder Bay last week, the community care access centre had to limit the number of new patients it could take on because there were not enough nurses to provide care. That meant, just in my own community last weekend, seven patients had to stay in a hospital bed instead of being sent home. That same nursing shortage has already led to the cancellation of the second-stage rehabilitation program for cardiac patients in my community.

We have every reason to fear that this is just the tip of the iceberg. We face a critical shortage of nurses and, once again, the source of the problem in this province is the short-sighted, disastrous, cut-everything approach of the Harris government.

The Harris government decided to cut the jobs of 10,000 nurses back when Mike Harris considered nurses to be as dispensable as hula hoops. Now Ontario has the distinction of having the lowest number of nurses per capita in the entire country. Mike Harris promised to hire 12,000 new nurses to make up for his mistake. The Minister of Health says that 6,000 new nurses have been hired, but it appears that only 1,300 new nurses are registered in the province. How many nurses are still being driven out of this province or out of the profession because of poor working conditions? Part-time job situations and lower salaries for community care nurses make it particularly difficult to keep nurses in home care settings.

The government wants to claim that early discharge from hospital is a way of solving the crisis in emergency departments, but where will patients be discharged to if there are no nurses to provide the care at home? It's time for action now.

RENT FREEZE LEGISLATION

Mr Rosario Marchese (Trinity-Spadina): I want to talk about my bill that I introduced yesterday, the rent freeze on the tenants of Ontario. As you know, there are 3.3 million tenants in the province of Ontario. That's one third of the population, literally. I'm concerned about those poor people because, I tell you, some are very wealthy—some of your buddies are doing OK—but many of the 3.3 million tenants are not doing very well.

My point of introducing the rent freeze bill is to say that if the landlords have done so well in the last couple of years under your Tenant Protection Act, give a break to the tenants. Give them a break. They've had huge increases in rent in the last couple of years; thus, great profits for the landlords. All I'm saying is, give the tenant a break. It's a reasonable-minded proposal that says tenants are real people who have real income problems that you ought to be concerned about.

As you have given the landlords a serious break, give the tenants a little break. It's something I think a fair-minded Premier might want to look at. Hopefully fair-minded Ontarians will call into this government, the tenants of Ontario will call into this government, and say, "Support that bill and give us the desperate break that we need."

1340

RENAMING OF MOUNT LOGAN

Mr Ted Chudleigh (Halton): Is it wrong to dishonour one man in order to honour another? My name is Edward Logan Chudleigh, and Sir William Logan was my great-great-grand-uncle. In defence of Sir William Logan and Canadian history, I am firmly against the

suggestion to rename Canada's highest peak, Mount Logan, after the late Pierre Elliott Trudeau.

In the fullness of time, an appropriate tribute for Mr Trudeau will be found. Sir William Logan was a Montrealer. He was a knight of the realm, an explorer, woodsman, scientist, scholar and surveyor. After spending 27 years travelling the world, he explored the Canadian northwest, bringing back items now displayed in the national museum in Ottawa. He was the first Canadian named to the Royal Society in London, and he collected huge numbers of citations, honorary degrees, medals and awards from around the world.

Upon his death, the Natural History Society of Montreal said this about Sir William Logan: "No man is more deserving of being held in remembrance by the people. Just as statesmen and generals have risen up at the moment of greatest need, to frame laws or fight battles for their country, so Sir William appeared, to reveal to us the hidden treasures of nature, just at a time when Canada needed to know her wealth, in order to appreciate her greatness."

In memory of Sir William Logan, I am against the renaming of Mount Logan, Canada's highest peak, for the convenience of today and at the expense of our history.

HATE CRIMES

Mr Michael Bryant (St Paul's): Life, liberty, the security of the person, multiculturalism: these are the foundations upon which our province and our nation lives and breathes, yet it is these foundations that are in fact being threatened by the embers—

Interjections.

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

Order. The member for St Paul's has the floor and it's very difficult for him to do his statement with people involved with conversations. It may throw him off. He can either continue or start over.

Mr Bryant: Mr Speaker, I prefer to start over.

The Speaker: OK. My apologies to the member for St Paul's, who will start over.

Mr Bryant: Thank you, Mr Speaker. Thank you, members.

Life, liberty, the security of the person, multiculturalism: these are the foundations upon which our province and our nation lives and breathes in a free society, but it is these foundations that in fact are being threatened by the embers of hate burning here at home in the wake of tensions abroad, in the Middle East. I've been told in my riding of eggs and bricks being thrown at members of the Jewish community, hate flyers being distributed, synagogues and community centres defaced, and hate messages painted on Palestine House in Mississauga.

I know all members of this House condemn all hate messages directed at any community.

Last night, an overflow crowd of over 3,000 came together in a synagogue in Thornhill to express their

solidarity in support of Israel and to express their hope for peace abroad and peace here at home.

Those in leadership positions must attempt to calm those waters, of course, but we in this province also have to prosecute and pursue the extremists who peddle hate. So I'm calling upon the justice ministers and I'm calling upon the Premier to double our hate crimes unit in Toronto and in Ottawa and to set up regional hate crimes units across this province, if only to send a message to all those who wish to fan the embers of hate in our multicultural society, to send a message to those peddlers of hate, that their days of cowardly acts are numbered.

MPP BACK TO SCHOOL PROGRAM

Mr Doug Galt (Northumberland): Last week in this House I raised a concern about the member for Parkdale-High Park's call for MPPs to visit a school this fall. At that time I expressed my hope that this project was not an attempt to bring politics into the classroom.

I'm saddened to report to this House that my initial reaction was correct. Parents, students and taxpayers had enough political game-playing during the debate on Bill 160. During that time, schoolchildren were used by the unions to carry home union propaganda on a regular basis. We now have a situation where the Liberal Party has forced teachers into using school property and school equipment to once again carry out a political mission.

Last week I received an invitation to visit a school in my riding. The invitation was faxed using a school-owned fax machine. On the fax was another fax number. When I looked it up, lo and behold, it turned out to be the Liberal education critic's fax number. What was the Liberal education critic's fax number doing on an invitation from a local public school?

Mr Speaker, it's reprehensible that the Liberal Party use the public school teachers and publicly owned, publicly funded school board property to carry out their political agenda. This is doing nothing to improve our education system.

As such, I think the Liberals and the Liberal education critic deserve a detention, a detention to be served at the local school where they should write at least a hundred times on the blackboard, "Bringing politics into the classroom is wrong. I promise I won't do it again."

SPEAKER'S RULINGS

The Speaker (Hon Gary Carr): I want to advise the House that I have received two notices of intention to raise points of privilege, one from the member for St Catharines about the by-election in Ancaster-Dundas-Flamborough-Aldershot, as well as from the member for Prince Edward-Hastings relating to an internal matter.

Pursuant to standing order 21(d), I'm prepared to now rule on those points of privilege.

First, to the member for St Catharines, I must advise that the member's contentions, as arguments based on

parliamentary privilege, do not have merit. This is so for two reasons.

First, a firm duty is imposed upon members to bring privilege to the attention of the House at the first possible opportunity. The member for St Catharines is referring to activities that, as his own submission makes clear, occurred some time ago.

Second, the member's point of privilege concerns activities relating to the conduct of a by-election. The member will be aware that Ontario has a codified set of rules that govern elections. The member contends that government advertising during the by-election campaign was designed to circumvent these very rules. I would suggest that if that is the case, then the appropriate potential remedy for this grievance lies with the courts rather than in this chamber. I therefore do not find that the member has made out a prima facie case of privilege.

To the member for Prince Edward-Hastings, the matter he raises is also not a matter of privilege. It does, however, fall under my administrative responsibilities and I would be pleased to meet with him at his convenience to discuss the matter personally.

I thank both the members for their points of privilege.

INTRODUCTION OF BILLS

SOCIAL HOUSING REFORM ACT, 2000

LOI DE 2000 SUR LA RÉFORME DU LOGEMENT SOCIAL

Mr Clement moved first reading of the following bill:
Bill 128, An Act respecting social housing / Projet de loi 128, Loi concernant le logement social.

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

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

All those opposed will please say "nay."

In my opinion, the ayes have it.

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

The division bells rang from 1348 to 1353.

The Speaker: If the members would kindly take their seats, please.

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

Ayes

| | | |
|--------------------|--------------------|---------------------|
| Arnott, Ted | Hardeman, Ernie | O'Toole, John |
| Beaubien, Marcel | Harris, Michael D. | Ouellette, Jerry J. |
| Chudleigh, Ted | Hastings, John | Palladini, Al |
| Clark, Brad | Hodgson, Chris | Runciman, Robert W. |
| Clement, Tony | Jackson, Cameron | Sampson, Rob |
| Coburn, Brian | Johns, Helen | Spina, Joseph |
| Cunningham, Dianne | Johnson, Bert | Sterling, Norman W. |
| DeFaria, Carl | Klees, Frank | Stewart, R. Gary |
| Dunlop, Garfield | Marland, Margaret | Stockwell, Chris |
| Ecker, Janet | Martiniuk, Gerry | Tascona, Joseph N. |
| Elliott, Brenda | Maves, Bart | Tsubouchi, David H. |
| Flaherty, Jim | Mazzilli, Frank | Turnbull, David |

| | | |
|------------------|--------------------|-------------------|
| Galt, Doug | Molinari, Tina R. | Wettlaufer, Wayne |
| Gilchrist, Steve | Munro, Julia | Witmer, Elizabeth |
| Gill, Raminder | Mushinski, Marilyn | Wood, Bob |
| Guzzo, Garry J. | Newman, Dan | Young, David |

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

Nays

| | | |
|----------------------|--------------------|--------------------|
| Agostino, Dominic | Colle, Mike | Lankin, Frances |
| Bartolucci, Rick | Conway, Sean G. | Levac, David |
| Bountrogianni, Marie | Di Cocco, Caroline | Marchese, Rosario |
| Boyer, Claudette | Dombrowsky, Leona | Martel, Shelley |
| Bradley, James J. | Duncan, Dwight | McLeod, Lyn |
| Bryant, Michael | Gerretsen, John | Parsons, Ernie |
| Caplan, David | Kennedy, Gerard | Peters, Steve |
| Churley, Marilyn | Kwinter, Monte | Pupatello, Sandra |
| Cleary, John C. | Lalonde, Jean-Marc | Smitherman, George |

Clerk of the House (Mr Claude L. DesRosiers): The ayes are 48; the nays are 27.

The Speaker: I declare the motion carried.

The minister for a short statement.

Hon Tony Clement (Minister of Municipal Affairs and Housing): Today, after much consultation, I am pleased to have introduced the legislation that fulfils our commitment to put social housing in the hands of the municipalities, where it belongs. We strongly believe that local governments are best positioned to respond to the local housing needs of their communities.

Transferring the administration of social housing to the municipal level will provide the opportunity to integrate some aspects of delivery of other social services such as Ontario Works and child care. This in turn would pave the way for better services for individuals and lower costs for taxpayers. The act, if it is passed by this Legislature, would give municipalities the say for pay they have been asking for.

Mr David Caplan (Don Valley East): On a point of order, Mr Speaker: The minister has introduced the bill and given a short statement to not allow the opposition the chance to respond to this particular piece of legislation. I move unanimous consent—

Interjections.

Mr Caplan: —a full ministerial statement so that the opposition will have a chance to respond in kind to this legislative initiative.

The Speaker: Is there unanimous consent? I heard some noes.

STATEMENTS BY THE MINISTRY AND RESPONSES

GLOBAL CLIMATE CHANGE AND AIR QUALITY

Hon Dan Newman (Minister of the Environment): As the members of this Legislature are aware, the US-Canada ozone annex negotiations on smog reduction

continue today in Washington. Next week in Quebec, Canada's environment and energy ministers will discuss global climate change. Then on November 13, The Hague will host the sixth annual climate change conference of the parties. Taken together, these events signal an excellent opportunity to improve air quality in Canada and develop a national strategy for addressing global climate change.

Ontario is firmly committed to do its part to combat climate change and improve air quality. We've demonstrated leadership by targeting these interrelated issues in our province through the most comprehensive and effective range of programs in Canada, and we are committed to further improving our environment and quality of life by continuing our efforts.

But the fact remains that these interrelated issues are transboundary and international in nature. It is essential to note that the majority of the air quality and climate change issues facing our nation can be attributed to the fact that Canada is situated north of one of the world's largest contributors to the problem. Clearly, federal leadership is required to address air quality and climate change both domestically and internationally.

Ontario has taken aggressive, early action by actively targeting a full range of smog and greenhouse gas emission sources. Ontario's programs represent an effective, coherent effort to improve air quality and combat climate change. We are committed to continuing our efforts to develop and implement new and innovative programs to further achieve these goals.

1400

With key meetings and negotiations in the coming weeks, I challenge the federal government to demonstrate leadership by adopting pan-Canadian climate change and air quality programs and standards that match, in comprehensiveness and in rigour, those we have established here in Ontario.

Specifically, such national standards would ensure all Canadian jurisdictions:

First, adopt comprehensive anti-smog programs and plans that match the scope and effectiveness of those in Ontario, which target emissions from both industry and vehicles;

Second, adopt annual 12-month emissions caps for the electricity sector;

Third, meet or better Ontario's nitrogen oxide emissions rates per unit of electrical production;

Fourth, match Ontario's measures to capture emissions of methane, one of the most potent greenhouse gases from large landfill sites; and

Fifth, Meet Ontario's pledged 45% reduction for nitrogen oxides and volatile organic compounds by 2015.

Indeed, the federal government should secure a commitment from US jurisdictions for these very same standards.

Furthermore, in order to ensure that all Canadian actions are founded upon accurate and up-to-date emissions data, it is imperative that the federal National Pollutants Release Inventory begin to track emissions of

greenhouse gases and smog precursors. Ontario is already doing this through our mandatory monitoring and reporting regulation, but nationally based emissions data will be needed in order to get a realistic grasp on the challenges before us and mark our progress.

Finally, decision-makers and citizens across the country must be fully informed as further steps are contemplated. The federal government must ensure that credible, thorough and timely analysis of environmental and economic impacts be made available. Obviously such research is a key part of the development of future implementation plans, and must be received and considered prior to their approval.

The Canadian government must demonstrate leadership internationally to address this issue by ensuring that a co-ordinated North American approach is adopted. Only by adopting such a continental approach can the federal government ensure that the US commits to reducing its greenhouse gas and smog-causing emissions in an equitable way that benefits Canadians.

The federal government must aggressively engage in the upcoming international negotiations to secure commitments to ensure that a full range of effective, flexible tools are available to Canadian jurisdictions. Indeed, all international climate change ground rules must be known for jurisdictions to support the details of any implementation plan.

The upcoming joint ministers' meeting and the international negotiations at the Hague present a significant opportunity to address the interrelated issues of climate change and air quality in Canada.

I call on the federal government to show the kind of leadership on these issues that has already been demonstrated in Ontario.

The Speaker (Hon Gary Carr): Responses?

Mr James J. Bradley (St Catharines): The unfortunate circumstance we face today is that Ontario, instead of being a bonus or a plus to these negotiations, is the number one detriment. Now, I can tell you it was not always that way. When Canada used to go into the United States to negotiate air treaties, Ontario used to be what they would point to—and this was even when it was a Mulroney government. They would point to Ontario as being the province which was doing the most to reduce, and therefore had credibility when negotiating with the US.

What we have now is foot-dragging on the part of this government, because clearly this government does not want to take the kind of aggressive action necessary to reduce its air emissions.

You first of all cut the ministry budget by 45%. Secondly, you fired 900 people out the door. Third, you've told your people and the regional offices to be business-friendly.

Everybody knows that environment is not a priority with this government and that you're simply playing games with it. I can tell you as well that we are about the only jurisdiction in North America today that does not fund, from the provincial level, public transit. Virtually

every other state and province in North America does, and therefore significantly reduces the smog emissions we have.

We have coal-fired plants. You've been told by environment group after environment group and you've been told by the Ontario Medical Association that the best course of action is to convert those to natural gas. Instead, we have no action—

Interjections.

Mr Bradley: Or shut them down, if the former minister wants them shut down.

I hear the words, "No science behind it." That's exactly what the polluters love to say, to do nothing about the environment. That's exactly the argument. I tell the former minister, Mr Sterling, that we will hear exactly that kind of argument coming from your friends in the Alliance party. It's always the science. They're always looking for some new science to prove what everybody in the province knows is happening.

Let me tell you what Pollution Probe had to say. Pollution Probe is very mainline. They are even on a committee the minister appointed. They said, "With 10 years of emission reduction initiatives counted so far and 10 years left in which to achieve the reductions that the province has committed to, the outlook is becoming bleak for achieving the smog reduction targets for NO_x and VOCs. The province has been able to identify significantly less than half of the emission reductions that it originally projected would be needed, and for many of these potential reductions no commitments have been yet made."

That's not me saying that; that's Pollution Probe doing an analysis. Pollution Probe's finding that there has been little new progress since your smog program began in 1996 is particularly relevant to recent criticism from the US that smog-causing emissions in the province are increasing.

Pollution Probe believes that emission reduction efforts must be matched with overall emissions growth and that identified future reduction efforts must be matched with increased emissions due to projected economic growth.

Here you have a situation, Minister, where the people who have done the independent analysis think you have clearly failed. They said, thirdly, "Ontario's claim that it has implemented or planned actions to achieve up to 80% of its emission reduction commitments is unfounded. The MOE has ignored its own growth projections and has counted as recent progress the commitments that were made prior to the instigation" of the smog program. "Many of these reductions are still unrealized."

Minister, what we have is a situation where everybody in Ontario who is in the environmental business, who is an environmentalist, who cares about it, who is an expert in the field, believes it is your government that is dragging its feet. You will not commit to converting the five plants, all coal-fired plants in Ontario, to natural gas, which would have a tremendous effect in terms of sulphur dioxide and NO_x and would also significantly

reduce the 30 other contaminants we have, such as mercury and arsenic. You have refused to do it. The Premier stumbled into some kind of commitment one day that he's reneged on so far. That was to convert the Lakeview generating station to gas.

So it is all in your field. You can take all of the necessary action right here in Ontario instead of pointing the finger somewhere else. Don't listen to Paul Rhodes; listen to the people of this province.

Ms Marilyn Churley (Toronto-Danforth): I find it truly amazing to hear the minister standing here today to challenge the federal government to clean up his mess on air pollution when he is afraid to challenge them to clean up his mess on the Adams mine and call on the federal government for a full, comprehensive environmental assessment of the Adams mine.

That is what I am doing here today. I would like the minister to also challenge the federal government to help him clean up the mess he is about to make in the north by allowing Toronto's garbage to be dumped there to pollute the water. It is truly amazing. How shall I say it politely? A contradiction I see here today.

1410

I want to refer to a report which I hope the minister has seen. Yesterday there was a press conference by Pollution Probe. In case the minister didn't see this report, I am going to read excerpts from that report to him.

They say in their report that they're exposing significant flaws in Ontario's—that means yours, Minister—recent claims of provincial smog plan progress. You know that you have been—Ontario has been—criticized by the Attorney General of New York state as well as US environmental and health groups, because the pollution from Ontario blows across the US on the prevailing winds. Ontario's response, incredibly, to this criticism has been to claim that the anti-smog action plan—what a joke—is superior to similar US initiatives. Pollution Probe held this press conference to put this claim in doubt.

What they say is, "The ASAP commits the province to reduce the emissions of smog-causing nitrogen oxides"—that's NO_x—"and VOCs by 45% by 2010." Listen to this: "Pollution Probe has found that the recent provincial claims that ASAP partners have identified as much as 80% of the reductions needed to meet targets is a gross overstatement of progress.

"The report also identifies fewer total emission reduction commitments than were presented by the Ministry of the Environment in 1996."

Incredibly, "It counts as progress reduction commitments that were made prior to the start of the ASAP, even though the ministry has stated that these would not be counted.

"It claims emission reductions that we know have been cancelled out by overall emission increases, like Ontario Power Generation's claim that they have reduced NO_x, when in fact" we know—and you should know, Minister—these "emissions have increased.

"It fails to factor emissions increases that are due to economic growth...."

I'm going to read the last paragraph in this press release. "It is disappointing that Ontario has so thoroughly misinterpreted"—Mr Speaker, had I wanted to be thrown out today, I would have used a much stronger word than "misinterpreted"—"its smog reduction accomplishments. The only answer now is for the province to get tough on the coal plants and other industrial pollution sources. The air is not clear in Ontario, and it's time for the provincial government to act."

What I would call on the minister for today is to give an honest and clear, concise report to this Legislature and the public of Ontario about what his air pollution reduction plan really is. It is very clear from an independent source that the information that's been put out by your ministry is not correct, to put it politely. I would like to see, on the eve of these very important discussions, the minister get up and announce that they are going to absolutely convert those coal-fired plants, those dirty coal-fired plants, to natural gas—no more stalling on that—and that this government will get back into providing funding for public transportation in this province.

It is a disgrace. We have thousands of people—it is clearly documented—who die from air pollution, and we get this kind of crap from this minister again today. I am getting pretty sick of it. I want—

The Speaker: Order. Will the member take her seat. The member's time is up, but I would appreciate it if we wouldn't use words like that in the House.

Ms Churley: I withdraw if it was unparliamentary.

VISITORS

The Speaker (Hon Gary Carr): Just before we begin, we have some special guests with us today in the Speaker's gallery. We have the Honourable Mr Atwal, who is the Speaker of the Legislative Assembly of the Punjab, India, and the Honourable Mr Kadian, the Speaker of the Legislative Assembly of Haryana, India. They are accompanied by the consul general of India in Toronto. Please join me in welcoming our special guests.

DEFERRED VOTES

TECHNICAL STANDARDS AND SAFETY ACT, 1999

LOI DE 1999 SUR LES NORMES TECHNIQUES ET LA SÉCURITÉ

Deferred vote on the motion for third reading of Bill 42, An Act to enhance public safety and to improve competitiveness by ensuring compliance with modernized technical standards in various industries / Projet de loi 42, Loi visant à accroître la sécurité publique et à améliorer la compétitivité en assurant l'observation de normes techniques modernisées dans plusieurs industries.

The Speaker (Hon Gary Carr): Call in the members; this will be a five-minute bell.

The division bells rang from 1415 to 1420.

The Speaker: Mr O'Toole has moved third reading of Bill 42. All those in favour will please rise one at a time and be recognized by the Clerk.

Ayes

| | | |
|--------------------|---------------------|---------------------|
| Arnott, Ted | Hastings, John | Palladini, Al |
| Chudleigh, Ted | Hodgson, Chris | Runciman, Robert W. |
| Clark, Brad | Jackson, Cameron | Sampson, Rob |
| Clement, Tony | Johns, Helen | Snobelen, John |
| Coburn, Brian | Johnson, Bert | Spina, Joseph |
| DeFaria, Carl | Klees, Frank | Sterling, Norman W. |
| Dunlop, Garfield | Marland, Margaret | Stewart, R. Gary |
| Ecker, Janet | Martiniuk, Gerry | Stockwell, Chris |
| Elliott, Brenda | Maves, Bart | Tsubouchi, David H. |
| Flaherty, Jim | Mazzilli, Frank | Turnbull, David |
| Galt, Doug | Molinari, Tina R. | Wettlaufer, Wayne |
| Gilchrist, Steve | Munro, Julia | Witmer, Elizabeth |
| Gill, Raminder | Mushinski, Marilyn | Wood, Bob |
| Guzzo, Garry J. | Newman, Dan | Young, David |
| Hardeman, Ernie | O'Toole, John | |
| Harris, Michael D. | Ouellette, Jerry J. | |

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

Nays

| | | |
|----------------------|--------------------|-------------------|
| Agostino, Dominic | Curling, Alvin | Marchese, Rosario |
| Bountrogianni, Marie | Di Cocco, Caroline | Martel, Shelley |
| Boyer, Claudette | Dombrowsky, Leona | McGuinty, Dalton |
| Bradley, James J. | Duncan, Dwight | McLeod, Lyn |
| Bryant, Michael | Gerretsen, John | McMeekin, Ted |
| Caplan, David | Kennedy, Gerard | Parsons, Ernie |
| Churley, Marilyn | Kwinter, Monte | Peters, Steve |
| Cleary, John C. | Lalonde, Jean-Marc | Pupatello, Sandra |
| Colle, Mike | Lankin, Frances | Ramsay, David |
| Conway, Sean G. | Levac, David | |

Clerk of the House (Mr Claude L. DesRosiers): The ayes are 46; the nays are 29.

The Speaker: I declare the motion carried.

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

ORAL QUESTIONS

COMPENSATION FOR VICTIMS OF CRIME

Mr Dalton McGuinty (Leader of the Opposition): My question is to the Premier. Last April, a madman with a gun came into my riding and shot and killed four OC Transpo workers. Those deceased were lost forever to their wives, and in one case a husband, and together they left behind seven children.

Our regional government voted unanimously to help out these victims of crime by awarding payment to each of the four families in the amount of \$100,000. Your hand-picked transition team which is presiding over affairs in Ottawa these days said no to this payment. Yesterday I asked your Attorney General if he might

intervene and stand up for victims of crime and order that transition board to rescind its decision and award the payment. Your transition board failed these victims; your Attorney General failed these victims. What I want to know here today, Premier, is, are you going to fail these victims too?

Hon Michael D. Harris (Premier): I have reviewed the file and I think it was the wish of the regional government to offer the immediate compensation to the four families, and of course our concern is with the families of the victims, as is the honourable member's.

As you know, we have a transition board, and there is some limbo of some decisions with the powers that are there as we honour the transition, supported I know by the member, for a streamlined government in Ottawa. So we have asked for a review, and it appears to us that legally and technically the transition board is probably acting within the legal definition of the authority that we gave them.

However, since we are concerned with victims, and I think we are all reasonable people and we want to see the right thing done, I've asked the Minister of Municipal Affairs and Housing to prepare a bill for introduction today—with all-party agreement we can pass it today—which will permit the decision to stand and the money to flow.

Mr McGuinty: On behalf of the families, Premier, I want to thank you for your intervention in this matter, but I am puzzled by your government's change of heart. Yesterday your Attorney General told me I should know that the power to make that kind of order lies with the city of Ottawa and not with the province of Ontario. Today you are demonstrating what I understood all along: you do in fact have the ability to proceed to give expression to the wishes of the people of Ottawa, who awarded \$100,000 to each of the families. So I need to know from you, Premier, is your Attorney General heartless or was he incompetent?

Hon Mr Harris: In fact, the Attorney General would have been in contempt of the Legislature to do something outside of the legislation. The Attorney General, as you know, has to uphold the law. We do not believe that as of today, at least at this moment in time today, we have the legal authority. It's one of those situations in limbo. I don't think it was an anticipated type of expenditure, and I think we've received considerable support for ensuring, through the transition, that new expenditure commitments are not made, which the legislation is for.

However, as you know, common sense says that if the legislation is a barrier here in the short term—I'm satisfied that come January it is the intention of those seeking council to reinstate the decision. Rather than wait two months, with the co-operation of all three parties of the House I think the minister can have a bill ready later this afternoon. We could revert to bills; we could have three readings. I can have this done, and then we will have the legal authority.

Mr McGuinty: Premier, just so we are perfectly clear as to the legalities of this matter, according to section 19 of your Fewer Municipal Politicians Act, the Minister of

Municipal Affairs can make any regulation affecting the transition board. You had it within your power all the time. Notwithstanding that, I want to assure you that we will be co-operating in whatever way possible to make sure the bill becomes law at the end of the day.

Having said that, I want to ask you here and now, on behalf of your transition board, which was less than responsible and certainly far less than compassionate in the way they dealt with this matter, to apologize to those four families.

Hon Mr Harris: I'm sorry the member can't take yes for an answer. The transition board was acting according to what it felt was the legal definition of the legislation that we had brought forward. I have offered you a remedy to this, and I would hope that on behalf of the victims you might be a little more gracious in saying thank you.

1430

INVESTIGATION INTO CHILD ABUSE

Mr Dalton McGuinty (Leader of the Opposition): My second question is also for the Premier. I want to raise with you an issue which also cries out for leadership and from which you have been missing in action. One of your backbenchers today had to bring forward a private member's bill to do something that you have refused to do, and that is to hold a public inquiry into the failed police investigations of allegations of sexual abuse against minors in the Cornwall area.

Premier, this morning the overwhelming majority of the members of this Legislature voted in favour of that public inquiry. You weren't here at the time. We are interested in learning, Premier, where you stand on this issue and what you think. Do you or do you not support holding an inquiry into these very serious allegations in the Cornwall area?

Hon Michael D. Harris (Premier): Of course, it is a matter that concerns us greatly, and clearly there is a piece of legislation before this Legislature working its way through the process. I'm very interested in determining the wishes and the will of the—

Interjections.

The Speaker (Hon Gary Carr): Order. Order.

Mr Dominic Agostino (Hamilton East): He was voting in favour of it, Bert. Where were you?

The Speaker: Order. Member for Hamilton East, come to order. I called three times. You can't yell across like that. The conversations don't go to other members; the Premier has the floor. Sorry, Premier.

Hon Mr Harris: I'm very interested in knowing the wishes and the will, of course, of all members of the Legislature, so this is a bill that presumably will continue to receive—in the meantime, there are ongoing police investigations taking place. There are a number of outstanding charges. The matter is before the courts, which puts me and the executive council, the Attorney General and the Solicitor General at a little disadvantage, as we

don't want to prejudice these cases. But in the meantime, we're interested in the views of the Legislature and we're interested in seeing the prosecutions proceed.

At a time when it is deemed by the justice officials, if it is still the will of the Legislature—

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

Mr McGuinty: It seems to me, Premier, like you're continuing to duck this issue. You were not present for the vote earlier today, and the fact of the matter is that the Walkerton inquiry is proceeding notwithstanding that there are criminal investigations underway. You cannot hold that out as some kind of lame excuse not to tell us where you stand on this issue.

You're quite right: the overwhelming majority of the members of this Legislature expressed their desire to proceed with an inquiry into these matters. What I want to know now is where you stand. Do you or do you not think it's a good idea to hold a public inquiry? I've been to Cornwall and I can tell you that they find themselves in a fog of innuendo and allegations. The only way to get to the bottom of this is to shine some light into that community. That demands that we have a public inquiry.

I want to know where you stand on this issue. Are you or are you not in favour of a public inquiry?

Hon Mr Harris: That's why I answered the question, and the same answer stands.

Mr McGuinty: Well, Premier, it's perfectly obvious that when it comes to standing up for victims of crime—I mean apart from the earlier matter, which you were forced into for political reasons—you're tough on talk and weak on action. Here's another opportunity.

In the 10 years that I've had the privilege of serving in this Legislature, one of the toughest things we've had to do together has been to stand up and to offer our regrets and apologies for the failure of our predecessors to do the right thing at the right time. In particular I'm thinking of Grandview, St John's, and St Joseph's school for boys. I don't want somebody to stand up in this Legislature 40 years from now and have to apologize to victims of abuse in Cornwall for our failure to act today.

There was a private member's bill put forward today. It was supported by the overwhelming majority of members of this Legislature. The Walkerton inquiry is proceeding today notwithstanding that there are criminal investigations underway. We can go ahead with this inquiry. I'm asking you where you stand on this. Will you or will you not go ahead today?

Hon Mr Harris: I've fully answered the question, and I agree with the member: 40 years from now, when I plan to be in this chair in this House, let's make sure this is behind us.

WASTE MANAGEMENT

Ms Marilyn Churley (Toronto-Danforth): For the Premier: the fight over your Adams mine disaster is far from over. You are planning to put the water of the people in Ontario and Quebec, including the Timis-

kaming First Nation, at risk. If you learned anything from the actions of yesterday, you should know that the fight is only beginning.

Premier, not only has your government approved a plan—

Interjections.

The Speaker (Hon Gary Carr): The member take her seat. Stop the clock, please. We can't have conversations back and forth. You get on to question period and ask a question to them, but you can't go back and forth on both sides with conversations. You aren't being impolite to each other, but the conversations are too loud. I can't hear through you to the person asking the question. And if I can't hear, then sometimes I won't be able to hear if there is language being used improperly. I would appreciate that if members want to talk, they go outside and talk.

The member for Toronto-Danforth has the floor.

Ms Churley: Premier, not only has your government approved a plan to poison the groundwater in Adams lake but in Walkerton Murray McQuigge says that our deep-water wells are not safe and that your new regulations are not good enough. Even after Walkerton and the warning signs, you continue to go ahead with your plans to overdevelop the Oak Ridges moraine.

You tell us that your water policies are fine and that the water is safe to drink. I have a glass of water here from the developed part of the Oak Ridges moraine, and I'm challenging you to drink this water. Put your mouth where your policy is, if you truly believe that the water is safe to drink. Premier, I challenge you to drink this water.

The Speaker: Premier.

Hon Michael D. Harris (Premier): Thank you very much, Mr Speaker.

The Speaker: Supplementary.

Ms Churley: Premier, I am about to send this glass of water—you'll see it looks very murky—from the overdeveloped part of the Oak Ridges moraine.

You have said repeatedly in this House that the NDP planned to put a dump site on the Oak Ridges moraine. I'm going to tell you right now that is not the fact; this was not the final dump site chosen for Toronto's garbage. Whichever site would have been picked would have gone through a comprehensive environmental assessment which would have looked at the alternatives. What did you do for Adams mine? You rigged the environmental assessment so that the alternatives were not even looked at.

Think how far ahead we would have been today had you allowed that process to continue, alternatives to be looked at. We wouldn't be in this mess today, threatening to poison the water of our northern neighbours. Shame on you. What are you going to do about it? I challenge you to drink that water.

The Speaker: Premier.

Hon Mr Harris: Thank you, Mr Speaker.

The Speaker: Final supplementary.

Ms Shelley Martel (Nickel Belt): Premier, more and more Ontarians are becoming increasingly concerned

about the quality of their drinking water, and that's especially true after Walkerton. That is why people who live in northern Ontario are so outraged by the Adams mine proposal, because it uses an unproven technology in a mine site that has been weakened by cracks and fissures, in a known earthquake zone, where the potential to contaminate the groundwater is very real.

That is why Chief Carol McBride and the Timiskaming First Nation are opposed to the project, because they don't want water in their traditional land poisoned. That's why farmers in the area are opposed, because they don't want groundwater poisoned. That's why the residents on the Timiskaming side of the border, the Quebec side, and even the mayor of the host community of Kirkland Lake are opposed, because they don't want their water poisoned.

Premier, if you care at all about safe drinking water for thousands of northerners who live in the Timiskaming area, why are you allowing the north to become a dumping ground for Toronto's garbage?

1440

Hon Mr Harris: I understand that the siting of any one of, I guess there are thousands of dump sites in the province of Ontario, as there are in provinces across Canada, is a controversial decision. I'm a little confused, though, as to where the NDP stands. As I recollect, the New Democratic Party was opposed to the Liberal Party and the then Minister of the Environment, who signed an exemption order for the Whitevale site in particular; I think that was exemption order Ontario regulation 397/90 in 1990. But then when you were elected, as I understand it, your position was to move to Britannia. Britannia, as we know, is one mile from the Credit River. You moved to exempt Britannia, one mile from the Credit River, from a full environmental assessment. You moved to exempt Whitevale, which is nine kilometres from the Rouge River. You moved to exempt Keele Valley from a full assessment on the Oak Ridges moraine. And yet, here is a site, after hundreds of millions of dollars, 10 years of full environmental assessments, some 153 kilometres from the Ottawa River—

The Speaker: I'm afraid the Premier's time is up.

DOMESTIC VIOLENCE

Ms Frances Lankin (Beaches-East York): My question is to the Premier. I want to ask you to give some real meaning to the personal commitment that you made to putting an end to domestic violence and making that a priority in this fall session.

You know that women on the front lines of fighting domestic violence are critical of your government's lack of action on restoring and enhancing community services for women. Today I'm calling on you to appoint a single cabinet minister to champion community services to help women flee domestic abuse. I want that minister to make public the status of funding for the 19 women's centres in this province and to restore immediately the stable fund-

ing to those centres and to deal with the \$350-million emergency package.

Women's voices have been growing stronger in making their demands clear to your government. I'm hoping that you will respond today and that you will make your commitment meaningful. Will you appoint a single cabinet minister to champion these issues and to report back to you with an implementation plan before the end of this month?

Hon Michael D. Harris (Premier): I'll go further than that. I will personally indicate to you three of the finest ministers, not only in this government but in Ontario's history, who are concerned, as this government is, about this issue, as I know the member is. That's the Attorney General, the minister responsible for women and the minister responsible for community and social services. All three will be championed with that responsibility.

Ms Lankin: I hope that you understood that I asked for a champion for the role of community services to help women flee domestic abuse. One of the problems has been your government's continued response only on the criminal justice side. It is very critical, if your commitment to make this a priority this fall is to have meaning, that we see a response on the community services side, that you respond to the package of the \$350-million emergency measures that are there on the table and that, as a measure of good faith, you restore the stable funding to the 19 women's centres in this province that are on the front lines of helping women.

I appreciate you referring to the three ministers, but I'm looking for a single individual the women can meet with, the women can talk to, and that you will direct that person to report back to you with an implementation plan.

I came today from a press conference that was being held in Toronto, Ottawa and Windsor simultaneously. You've got to know that women's voices are growing. There are now 105 organizations that have signed on to the emergency package demand. Premier, you have to make this a personal commitment. Will you appoint one minister? Will you direct them to develop an implementation plan, report back to you before the end of the month and you report back to this House with what are your intentions to take real meaningful actions to save women's lives?

Hon Mr Harris: I've tripled your challenge and entrusted three champions. You say all we've involved ourselves with is the legal justice system. Yes, we've done a lot more than your government did in the legal justice system, but we've done a lot more too. I mentioned the Minister of Community and Social Services; I mentioned the minister responsible for women.

Let me give you some examples. The Investing in Women's Futures program is one of the government initiatives designed to prevent violence against women before it occurs. Next year, funding for this program will have doubled from the 1999-2000 level. This year, 30 women's centres will receive funding, including 18 new

centres. We're doubling the amount that centres can apply for, from \$45,000 to \$90,000.

I understand there are still some who believe we can do more, but surely you would agree—

Interjection.

The Speaker (Hon Gary Carr): Premier take his seat, please. The member for Beaches-East York has asked a question and I need to hear the answer now. Sorry, Premier.

Hon Mr Harris: Thank you very much, Mr Speaker. I'm sure the member will agree that we are doing more each and every year. We accept the challenge and champion ministers to do even more in the future.

ENVIRONMENTAL ASSESSMENT

Mr Dalton McGuinty (Leader of the Opposition): My question is for the Premier. I want to return to the issue of the Adams mine. I have here a copy of a letter that I'm asking you to sign. I'll have the page bring it to you.

I'm writing to the Honourable David Anderson, the federal Minister of the Environment, and pleading with him in the strongest possible terms to proceed with a federal environmental assessment. I'd ask for your support on that score, Premier, because as we should in all honesty acknowledge, there has never been any kind of real environmental assessment on this matter. There has been a phony, rigged environmental assessment. It only took 15 days of hearings. Traditionally, as you will note, Premier, it has taken us around 100 days of hearings when it comes to siting a dump.

Recognizing now that there never was a real environmental assessment held in Ontario on this matter, I'm asking you to join me in asking our federal cousins to pick up the slack, to step in and do the right thing.

Hon Michael D. Harris (Premier): I understand why the leader of the provincial Liberal Party wishes to abdicate provincial responsibility and seek another level of government to bail them out here, because their record on this issue was of course to find a solution that exempts sites from environmental assessment.

I have before me, signed by James Bradley, Minister of the Environment at the time in 1990, Ontario regulation 396, an exemption order from the Environmental Assessment Act to deal with Toronto's garbage. The last time your party was on the record, you said, "We don't want to do a full environmental assessment. We want an exemption from a full environmental assessment."

The New Democratic Party got elected. They were against that position. As you know, they then went on to try and have exemptions for three sites.

We, on the other hand, got elected. We said that any proposal would be subject to full environmental assessment, and indeed that's the process, over the last 10 years, that the Adams mine went through.

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

Mr McGuinty: If the Premier wants to talk about his record, then why don't you remind us all of the promise you made in North Bay in 1990 when you said that you would never, ever tolerate the shipment of garbage from Toronto to northern Ontario, even if the people up there wanted it? That's the full record, Premier.

I would ask you to stop trafficking in fictions when it comes to what happened in terms of an environmental assessment. There was never any real environmental assessment held for the Adams mine dump. It was rigged from the outset. You restricted it to only 15 measly days. It takes at least 100 days to give full and fair consideration. Acknowledging now that you have changed your mind on this issue and that you originally said you didn't want any garbage up there, and now understanding that there never was a full environmental assessment, we're going to have to, sadly, appeal to the federal government to step in and do the job that you refuse to do.

Hon Mr Harris: I appreciate the opportunity to answer the question. The member's quite right. In a leadership debate in 1990, Dianne Cunningham and I were faced with this question: "The Liberals are going to exempt sites from environmental assessments. If there's a willing host in northern Ontario, do you think this makes sense?" We said no, absolutely no way should any dumpsite be exempt from an environmental assessment. That was the Liberal policy at the time. I said that, I believe Dianne Cunningham agreed with that, and we have maintained that position throughout. That was the situation in 1990.

Following that, of course, the New Democratic Party got elected—

Interjections.

The Speaker: Premier take his seat.

Interjection.

The Speaker: Order, the member from Parkdale-High Park. Sorry, Premier.

Hon Mr Harris: Faced with the challenge in opposition of responding to an arrogant majority government prepared to run roughshod over the environment and exempt these sites across the province from environmental assessment, we were left with no choice but to say no, it's not good enough to be just willing hosts, you have to be both a willing host and you have to have a full environmental assessment. Those are the rules that were followed for Kirkland Lake.

1450

TRUCKING INDUSTRY

Mr Brian Coburn (Ottawa-Orléans): My question is for the Minister of Economic Development and Trade. There has been a lot of discussion over the past few weeks on issues that affect Ontario's trucking industry. As someone who was once involved in the trucking industry, I realize the importance of this industry to our economy. One of the issues affecting truckers is the Michigan single business tax. I understand that the Canadian trucking industry has reached a compromise agree-

ment with the Michigan treasury on the MSBT. How will this agreement benefit our trucking industry?

Hon Al Palladini (Minister of Economic Development and Trade): I would like to thank the honourable member for Ottawa-Orléans for this question. Yes, it is true, an agreement between the Canadian trucking industry and the Michigan treasury has been reached. This agreement eliminates the MSB tax burden, or at least lowers the MSB tax burden on Ontario trucking companies. That means Ontario trucking companies will not have to pay an extra tax that was being employed by the state of Michigan, which reduces the double taxation that would have been faced.

This agreement shows that by working together, all the things that were put on the table among an assortment of people have materialized in a positive sense for the Ontario trucking industry.

Mr Coburn: Many of us, certainly on the outside looking in, sometimes don't appreciate that negotiations are indeed varied and quite complex. Maybe, Minister, you would explain some of the complexities and the role you and our government played in achieving this outcome.

Hon Mr Palladini: Thank you for the opportunity to share some information with everyone here in the Legislature. I am pleased to say that our government played a very active role in reaching this resolution. I personally want to thank Premier Harris for his involvement and for on several occasions contacting Governor Engler to voice the concerns of the Ontario trucking industry on the MSBT.

My staff at the Ministry of Economic Development and Trade has worked very diligently, along with MTO. The Ministry of Finance has been involved as well. I want to give special thanks to John Tennant, who is the Canadian consul general for the federal government in Detroit, for all his efforts, because he was instrumental in making sure that a lot of our concerns were put forward on a daily basis.

This is a prime example of how things can materialize, how we can come up with resolutions that will make sense, and we all benefit by working together. I'm very proud that this has in fact happened in this particular instance.

MUNICIPAL RESTRUCTURING

Mr David Caplan (Don Valley East): I have a question to the Minister of Municipal Affairs and Housing. Today you unveiled one of the most significant pieces of legislation concerning delivery of services in our province since your ill-fated hospital restructuring and your ill-fated education reform. I know why you've done it so quietly. It's because you're trying to hide some of the key issues relating to the bill. So why don't you stand in your place in this House today and tell us how much will be your commitment to topping up the capital reserves. You've seen the study from the region of Peel which says that \$1 billion is the future risk and liability that you're transferring to municipal taxpayers and they

want to know what your financial commitment is going to be.

This is a major initiative, Minister. Tell us, when are you going to put your money where your mouth is?

Hon Tony Clement (Minister of Municipal Affairs and Housing): I'd be happy to answer that question. In fact we have made great deliberations in the bill, and our plans year in and year out have been to ensure that the capital stock of social housing is maintained and indeed improved in our province. I can give the honourable member two distinct parts of our answer. Number one, \$100 million per year has been authorized by the province of Ontario to ensure that our capital stock is up to snuff. Number two, before we proposed devolution of the administration of social housing, we ourselves saved \$100 million from the cost of delivering social housing, so that money could best be put back into social housing, back into the programs, back to the tenants who need the help.

So we have planned for the future. We have not relied on rhetoric. Our actions speak louder than his rhetoric.

Mr Caplan: Absolute hogwash. Minister, you can't answer that question. You can't answer this one. Ten percent of the cost is your answer? That's a joke.

You know that when you signed the federal-provincial deal, there was a considerable saving of money—\$63 million not even spent. Nothing has gone toward housing. Municipalities want to know where that money is. Is it going to top up the capital reserve? Is it going into a contingency fund so that municipal taxpayers will be protected against the ticking time bomb of liability and risk you are downloading?

Why don't you just be honest, Minister? Tell us that all you want to do is walk away from housing, pass the buck and the bills on to municipalities. Why don't you stand in your place today and tell us that all your plans are to raise property taxes for businesses and residents across this province? Will you do that today, minister?

Hon Mr Clement: No, because I like to stick to the facts. The facts are that as of the November 1999 federal-provincial agreement on this issue, we put \$11 million into transition assistance for the municipalities to deal with transition issues, and we announced \$50 million of new funding for rent geared to income so the money can be spent on the tenants themselves who need the help.

If the honourable members wants a challenge, I challenge him to stand in his place and say that \$50 million for up to 10,000 Ontario families was not well spent; stand in his place and say that.

Interjections.

The Speaker (Hon Gary Carr): Member, take your seat. Order. Take your seat.

GOVERNMENT MAILINGS

Mr Doug Galt (Northumberland): My question about government communications is directed to the Chair of Management Board. We've had some fair criticism about lack, and maybe we should increase our

communications to constituents, particularly in my riding. I think it's only fair, with this pamphlet that's recently been sent out, that my constituents are quite pleased about the helpful information on new programs. With a list of government phone numbers and a response section, it's easier for my constituents in Northumberland to obtain information on ministry programs.

The reason I'm raising this is to get the facts out long before we hear a lot of rhetoric and twisted facts from the opposition. In fact, I'm really quite surprised they haven't already raised this issue.

Minister, could you please tell the House and my constituents how much this report to taxpayers is costing and why we're spending this money?

Hon Chris Hodgson (Chair of the Management Board of Cabinet): I thank the member from Northumberland for this very important question.

All governments, whether federal or provincial, have a responsibility to communicate with and to listen to their electorate. In Ontario, we have some important initiatives we need to make Ontarians aware of, such as the availability of free flu shots. It's part of our long-term strategy to ease the pressure on emergency rooms, and this is the best time to communicate this information.

This comes at a cost of only 25 cents per household. We think Ontarians will appreciate getting information that could help them keep healthy this winter.

Interjections.

Hon Mr Hodgson: In fact, if the Liberals across the way are interested in hearing this, a recent federal government survey found that only 14% indicated they receive enough information from government. Many are unfamiliar with government initiatives.

Mr Galt: That's certainly very helpful, because my constituents are continually asking for more information from governments at both levels. It's also good news because recently I received in the mail a similar publication from the federal government, and the cost was in the same range of some 26 cents. Of course, that's the federal Liberal government.

I think we also need to clear up the issue of propaganda. Of course, the opposition will allege we're trying to make ourselves look good, and this report to taxpayers does contain a lot of information that is good news to my constituents in Northumberland. In fact, it's good news to all the taxpayers of Ontario.

My question is, what is important about the communication in this report that we need to communicate it to all the people of Ontario?

1500

Hon Mr Hodgson: Again, it's a very good question that I'm happy to respond to. For 25 cents per household, this report to taxpayers provides all Ontarians with information about key initiatives that affect their lives.

I've already mentioned the importance of the flu shot and letting the people of Ontario know it's free and that it's the time of year to do that to avoid emergency room backlogs. But this report also provides parents with important information about the education their children

are getting, from the new curriculum to making sure that Ontario's teachers are the best, to safety for children in their schools.

Interjections.

The Speaker (Hon Gary Carr): Member for St Catharines, come to order, and the member for Scarborough East as well. We're not going to have shouting back and forth. It has carried on, and I let it go. No more. I would appreciate the co-operation of all members.

The member has just about 10 seconds left.

Hon Mr Hodgson: The member for Northumberland mentioned good news, and indeed there is good news in the report about Ontario's balanced budget and about the record 768,000 net new jobs that have been created since 1995. It is good news.

BRUCE GENERATING STATION

Ms Shelley Martel (Nickel Belt): Premier, on July 14 you told the media you were willing to have a legislative committee examine the Ontario Power Generation-Bruce Power lease agreement. I took you at your word, and last week I moved a motion in the public accounts committee to have the Provincial Auditor examine the agreement to determine if Ontario's taxpayers got a good deal.

Today, your committee members voted to delay, to defer, to postpone, effectively to bury any investigation by the Provincial Auditor until at least the summer of 2001.

My question to you is, if the deal is so good, why are you afraid to have it examined now?

Hon Michael D. Harris (Premier): I'm not, and I'm not aware of any action that is untoward in that area. When it was announced in July, I think we made clear that two credible outside review processes are required before the deal will close. As you know, it is not closed.

It will also have to meet the stringent standards of the Canadian Nuclear Safety Commission, a federal regulator. I think something that is pending a regulatory review may not be the most appropriate request of the auditor's funds at this time, but we're certainly happy to have any kind of look at any time the auditor feels appropriate.

Ms Martel: The question was, if the deal is so good, why are you and your committee members so afraid to have it reviewed now?

This is a huge deal. It involves the largest lease of a public asset in the history of this province. The taxpayers of this province who paid for the Bruce nuclear plant deserve to know if they are getting enough revenue back from the lease. They deserve to know if they're going to get enough revenue back to pay for the decommissioning costs when the lease is complete. They deserve to know that now, not after the summer of 2001.

Premier, you said this deal would stand up to public scrutiny and that you were prepared to have a legislative committee review it. I'm prepared to move the motion again in the public accounts committee next week to have the Provincial Auditor review that deal now. Are you

prepared to direct your committee members to support that motion?

Hon Mr Harris: No, because unlike when you were in government, and maybe even in opposition, I as leader of my party do not direct members of committees. They are quite capable of making informed decisions on their own.

As I understand it, there is no deal. The deal is pending; it's pending regulatory approval. The deal has not been concluded. I understand there was a motion that was submitted—

Interjections.

The Speaker (Hon Gary Carr): Premier, take a seat. Sorry. I can't hear either. If the member doesn't want to hear the answer, we'll stand here for the next 20 minutes; it doesn't matter to me. I'll stand here for 20 minutes.

I think the Premier had about 10 seconds. Premier, sorry for the interruption.

Hon Mr Harris: I understand that one of the members of the committee, Julia Munro, an independent-thinking member, apparently unlike your caucus, submitted a motion that the public accounts committee reconsider Ms Martel's motion once the regulatory review process for the lease agreement between Bruce Nuclear and Bruce Power has been completed. When it's complete, it will be there—

The Speaker: I'm afraid the Premier's time is up.

SCHOOL EXTRACURRICULAR ACTIVITIES

Mr John Gerretsen (Kingston and the Islands): My question is to the Minister of Education. Minister, last week my office delivered to your office over 1,000 individually signed letters from students at Regiopolis/Notre-Dame high school in Kingston. Last Friday I met with a great number of other students at Holy Cross Secondary School, and I've got another 1,000 individually signed letters from the students.

Let me just quote to you some of the things that the students are saying:

"I feel it is time that the divided parties work together to resolve these issues so that education, teachers, students and the community will not continue to suffer. It might be said that the pursuit of knowledge is the purpose for the education system, but extracurricular activities and the virtues they encompass are the heart of the education system."

These are the pleas heard from students in Kingston and throughout this province. You unilaterally brought legislation into this House and had it passed whereby, in effect, students are now being denied extracurricular activities. You changed the working conditions. Will you now take the courageous and unilateral step of bringing all the various parties together so that the students can go back to getting the fullness of their education and they can start enjoying the extracurricular activities which are an integral and an essential part of their educational system? Will you do that, Minister, today?

Hon Janet Ecker (Minister of Education): I certainly couldn't agree more that extracurricular activities, co-instructional activities, are an extremely important part of education for our students. I would also like to agree that those students who continue to receive extracurricular activities across the province—and there are literally thousands of schools where thousands of teachers are providing those opportunities because they know how important they are to the students, and I think that needs to be recognized.

The other important point that I would agree with the member is that, yes, the parties should be getting together to resolve these issues. School boards and local unions are negotiating collective agreements. We are seeing in some communities those collective agreements being signed, as they should be, and those collective agreements are also assisting in solving some of the local issues that you see from community to community.

If that does not resolve those issues—I have already met with some students and I'll be meeting with other student trustees—we are certainly prepared to look at all of the options that are available to us to make sure that all students receive what they should receive from the school system, and that is good extracurricular activities.

Mr Gerretsen: It has now been over six weeks for a tremendous number of students in this province. They're crying out all over this province to have this matter resolved. You unilaterally took the action of changing the working conditions of the teachers. It's up to you. You are the guardian, the trustee of the publicly funded education system in this province, and you are the only person that can bring all these various sectors together so that the students can get a full education. Why don't you do the right thing and get everybody together and change the law the way it currently is so that students can get a full education?

Last week I was told that at the Collins Bay public school the school council had to raise over \$30,000 at bingo to buy textbooks and other essentials.

Minister, only you have the power and the authority to do something about the current act. Everybody is looking towards you to help resolve this issue. Why don't you do the right thing and bring all the parties together and resolve this?

Hon Mrs Ecker: I'm very pleased to hear the honourable member talk about the concern around textbooks, because one of the issues that we were attempting to deal with in Bill 74 was to prevent school boards from using the monies we had given them for textbooks to subsidize union agreements that were not appropriate, that did not meet provincial standards. Under Bill 74, we have set clear priorities and clear provincial standards. We do have the constitutional legal authority to set quality standards in education. We take that responsibility seriously. We committed to the voters that we would do that and we are indeed doing that. But we do believe that a workload standard of four hours and 10 minutes a day for secondary teachers—it's based on what teachers do across the country. We think that's an appropriate standard.

We also recognize that teachers do very much above and beyond classroom teaching, and that's an important support to those students. Those thousands of teachers who today, as we speak, are doing that need to be recognized and thanked for that contribution to their students.

1510

ONTARIO LIVING LEGACY

Mr Garfield Dunlop (Simcoe North): My question is for the Minister of Natural Resources. I've been hearing quite a bit lately about Ontario Living Legacy, and it's been a little while since the 378 new parks and protected areas were announced. In fact, just a few minutes ago my colleague David Young mentioned how much he and his family like to use the existing parks we have in the province.

Can you remind us what Ontario Living Legacy is all about, what its goals are and how it first came to be?

Hon John Snobelen (Minister of Natural Resources): I want to thank the member for Simcoe North for the question. I'll remind the member and my colleagues that the genesis for this announcement was the largest public consultation in the history of Ontario about how to use our public land. For over two years thousands of people from across the province, representing recreational users, tourism operators, foresters and miners, made passionate and often heated presentations to our round tables.

At the end of the day, with the strong leadership of our Premier, Ontario not only was the first and only jurisdiction in Canada to reach 12% protected land, and we not only made the largest parks announcement in the history of this province, with over six million acres added to our protected base, but we did it with a very unique accord, an agreement between environmentalists and foresters, making Ontario the envy of the world and making our leaders in the environmental community and the forestry community the envy of their colleagues around the world.

Mr Dunlop: I understand that since its inception Ontario Living Legacy has moved on to its implementation phase, yet another opportunity for the public to have its say.

Minister, can you tell us how that implementation is going and what new programs have been included under the umbrella of Ontario Living Legacy?

Hon Mr Snobelen: I thank the member for Simcoe North again for bringing this forward today. As we look now at implementing Ontario Living Legacy, of creating those 378 new parks and protected areas, we are obviously very much at work in putting those parks into regulation. For those members who live in constituencies near one of these new areas, we have had announcements in the local newspapers like this one that invite people to come out and help us create those boundaries and the regulation for those protected areas.

Several of our initiatives are up and running. The member from Halton, Mr Chudleigh, has been working

very hard on the Great Lakes heritage coastline. He's released a draft proposal for that heritage site—

Applause.

Hon Mr Snobelen: Yes, hard work.

There's a committee working now on the Kawartha highlands signature site. We're very proud to announce additional youth programs that help us with the legacy project, including the Ontario stewardship rangers and internship program and co-op program, which help our young people help us build the future of Ontario.

DOCTORS' SERVICES

Mrs Sandra Pupatello (Windsor West): My question is to the Minister of Health. I ask my question on behalf of Mr Mousaly, a constituent of mine, a Windsorite. He's a cabinetmaker and he hasn't been able to work for months because of a knee injury. He has two small children, a family to provide for. Last week he was told by his orthopaedic surgeon that he will be waiting more than a year for required surgery in London.

Minister, I'd like you to explain to Mr Mousaly, a man who has always paid his taxes, worked very hard, has always provided for his family, who is completely frustrated at being let down by this health system, why he would wait for more than a year for required knee surgery in London before he can go back to work.

Hon Elizabeth Witmer (Minister of Health and Long-Term Care): As the member probably knows, health is the number one priority for our government. In fact, since 1995 we have increased funding from \$17.4 billion to \$22 billion. Indeed, we have replaced the cuts that have been made by the federal government. As the member well knows, until recently we have seen tremendous reductions in the CHST payments from the federal government, and just recently they did agree, as a first step, to restore some of that money. During that time period we have been ensuring that we are introducing new programs, that we are expanding the accessibility to physicians in the province of Ontario. As the member knows, we presently have an expert panel under Dr Peter George taking a look at how we can ensure we have the appropriate number of physicians in the province and located where they need to be.

Mrs Pupatello: Minister, Mr Mousaly can't take that to the bank. His scheduled surgery is in London. You need to understand that people in Windsor see London as the mecca for health care. The orthopedic surgeon in London confirmed that because of hospital cutbacks, they've closed two more operating rooms since September at London Health Sciences Centre, the surgeons have lost operating time, and there's a lack of anesthesiologists. Minister, the London hospitals sound like Windsor hospitals now.

I am asking you again on behalf of Mr Mousaly, who received this letter from the hospital in London. This letter confirms, "We have asked and continue to put our case for these much-needed funds before the Minister of Health." The letter says, "Up to this point, we have not

been successful.... We must control surgical case activity.... Please accept sincere apologies ... for this disappointing inconvenience."

I want to tell you that Mr Mousaly, with two small children at home, a professional skilled tradesperson who needs to work to provide for his family, is waiting until at least next November for knee surgery. How is anything you just said going to help him get back to work?

Hon Mrs Witmer: The member will know that, as I indicated in my response to her first question, our government has actually increased health funding in the province of Ontario despite the cuts by the federal government. Furthermore, health funding to the hospitals has increased.

I'd just like to share with you that in 1998-99, hospitals received \$6.8 billion; in 1999-2000, they received \$7.4 billion; and in 2000-01 they receive \$7.7 billion. I can assure you that one of the beneficiaries of this increased hospital funding has been the hospitals in London. They have received their fair share and certainly they are moving forward.

CORRECTIONAL FACILITIES

Mrs Brenda Elliott (Guelph-Wellington): My question today is for the Minister of Correctional Services. I was shocked to read in today's Toronto Sun that the federal Liberal government will be spending over \$1 million on yet another recreation centre for federal prisoners. It's one more example of the Liberal Club Fed philosophy. The new rec centre is going to be sponsored, of course, by the Canadian taxpayers, and will include a gymnasium, a swimming pool and a ping-pong table. This is in addition to an existing greenhouse, computer lab, rink and baseball diamond.

Minister, I can't believe the federal Liberal government—

Mr Dominic Agostino (Hamilton East): Another Stockwell Day question. Are you running for the Alliance as well?

The Speaker (Hon Gary Carr): Order. Would the member take a seat. Member for Hamilton East, I warned you before. This is your last warning. You can't shout across like that.

Mrs Elliott: Minister, I can't believe the federal Liberal government is going to build this program, and the reason given is even more unbelievable. They say it's needed because the prisoners are escaping due to boredom.

Mr Doug Galt (Northumberland): Boredom?

Mrs Elliott: It's true; unbelievable.

Minister, how do you view this Club Fed philosophy, and what do we do in Ontario prisons to ensure that our prisoners are kept busy?

Hon Rob Sampson (Minister of Correctional Services): I want to thank the member for Guelph-Wellington. I think now we have the complete picture on how Liberals get tough on crime and criminals.

First of all, they send convicted murderers off to Club Fed to parade around in evening gowns and have birthday parties and participate in cosmetics shows, but if that's not enough punishment, they have the golf facility on the west coast for them to participate in, with a little fly-fishing and horseback riding on the side. That's the complete picture we now see. We now see that Liberals believe that in order to complete your incarceration in Canada, you have to have a swimming pool and you have to have a recreational facility. You have to have all of these because that's the Liberals' definition of punishment in this province and this country. That's not this government's belief in the way corrections should be done. I want to assure the member of that quite clearly.

1520

Mrs Elliott: I think my constituents would agree that prisoners do not deserve better exercise facilities than most of our own law-abiding citizens.

You mentioned that Ontario facilities do offer a number of programs. I would be interested, in particular, in those that teach employment and lifelong learning skills, and I understand you recently made an announcement to expand that program. Would you share with our colleagues here in the House, and hopefully our federal Liberal cousins will be hearing this as well, what Ontario does to rehabilitate prisoners?

Hon Mr Sampson: We have been speaking quite clearly that we believe there should be a balance between rehabilitation efforts of governments involved in incarceration and imprisonment; there needs to be that balance there. We've been saying that quite aggressively to the Liberals. They don't want to listen. They never have wanted to listen about this because they believe, again, that to be tough on crime you need to have evening gowns as prison garb, you need to have birthday cakes and golf facilities, and now you need to have a pool.

What you really need is a facility that provides no-frills correctional functions, one that deals with rehabilitation, because rehabilitation is a very important part of making sure we don't bring criminals back into the system as criminals. But surely there needs to be some form of punishment. Liberals don't believe in the form of punishment that we happen to.

TENANT PROTECTION

Mr Rosario Marchese (Trinity-Spadina): My question is for the Minister of Housing. With your red tape bill, you are throwing more families into the street just in time for Christmas. Your red tape bill allows the tribunal to designate employees as default order officers. In my view, this is a serious problem. Default orders are given out when the tenant doesn't show up to contest an eviction, and 99% of these are evictions. Are you going to withdraw your eviction SWAT teams, or do you see tenants as so much red tape?

Hon Tony Clement (Minister of Municipal Affairs and Housing): We on this side of the House believe in our campaign promises and our commitment to the

people of Ontario that they can live in a safe and healthy environment. Part of that is to ensure that those who are disruptive of that environment, either in social housing or in rental accommodation, are removed from there. Quite frankly, the people who are playing by the rules, who are within the law, are not engaged in trafficking or other forms of drug-related crimes, have a right to live in peace, and on this side of the House that's the side that we're on.

Mr Marchese: Speaker, I don't think he understood my question. I was talking about the fact that the tribunal is able to designate the regular employees working there as default order officers, and he's talking about something else.

Your idea of cutting red tape is throwing men, women and children into the streets; that's what we're saying. Your eviction SWAT teams turf families without having even heard their side of the story.

Just to tell you, the Centre for Equality Rights in Accommodation did a pilot project in collaboration with the tribunal. We learned that one third of the tenants had not received the eviction notice from their landlord, and one third of those who had received it did not understand that they had five days to respond to the application in writing if they wanted a hearing. It's wrong. This is truly, truly wrong. It's going to hurt tenants, and it's going to hurt more tenants to have more SWAT teams being able to have that power.

Minister, why are you so determined to put families at risk this winter by making evictions easier?

Hon Mr Clement: We're trying to create a balance in the law between the rights of the tenants and the rights of the landlords. In this case there is a procedure: eviction has to be served. If it is not served, the eviction is not in full force and effect. There is a period of time for someone to respond to an eviction. They can ask for additional time under the Tenant Protection Act.

All of those provisions are there to protect the tenant, but the landlord has a right, and the other tenants in the building have a right, to live in peace and security. That right has to be recognized in the Tenant Protection Act as well. We're the first government to recognize that right.

The red tape bill goes further, and we agree that we have to indeed buttress and enhance the protections for peace and security for people who are living in tenanted buildings, where they can have that peace and security for themselves and their families. On our side of the House, it's as clear as day.

PETITIONS

NORTHERN HEALTH TRAVEL GRANT

Mr James J. Bradley (St Catharines): The petition is to the Legislative Assembly of Ontario.

"Whereas the northern health travel grant was introduced in 1987 in recognition of the fact that northern

Ontario residents are often forced to receive treatment outside their own communities because of the lack of available spaces; and

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

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

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

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

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

I affix my signature as I am in complete agreement.

Mr Rosario Marchese (Trinity-Spadina): A petition to the Ontario Legislature: “Northerners demand Harris government eliminate health care apartheid.

“Whereas the northern health travel grant offers a reimbursement of partial travel costs at a rate of 30.4 cents per kilometre one way for northerners forced to travel for cancer care while travel policy for southerners who travel for cancer care features full reimbursement costs for travel, meals and accommodation;

“Whereas a cancer tumour knows no health travel policy or geographic location;

“Whereas a recently released Oracle research poll confirms that 92% of Ontarians support equal health travel funding;

“Whereas northern Ontario residents pay the same amount of taxes and are entitled to the same access to health care and all government services and inherent civil rights as residents living elsewhere in the province;

“Whereas we support the efforts of the newly formed OSECC (Ontarians Seeking Equal Cancer Care), founded by Gerry Loughheed Jr, former chair of Cancer Care Ontario, northeast region, to correct this injustice against northerners travelling for cancer treatment;

“Therefore, be it resolved that we, the undersigned, petition the Ontario Legislature to demand the Mike Harris government move immediately to fund full travel expenses for northern Ontario cancer patients and eliminate the health care apartheid which exists presently in the province of Ontario.”

I support this petition.

The Acting Speaker (Mr Tony Martin): Further petitions? The member for Durham.

Mr John O’Toole (Durham): Mr Speaker, I just want a preamble for a bit here. I’ve not had this approved by the table, but I will go ahead with it because I’m sure it follows the correct procedure, and now I’m up.

Mr Dwight Duncan (Windsor-St Clair): On a point of order, Mr Speaker: The rules are very clear. In fact, they were rules that were imposed by that member’s party and government. I think they should be applied.

The Acting Speaker: The member is out of order, so we’ll go to the next one. The member for Elgin-Middlesex-London.

Mr Steve Peters (Elgin-Middlesex-London): “To the Legislative Assembly of Ontario:

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

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

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

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

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

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

I am in full agreement and have affixed my signature to this petition.

1530

REGISTRATION OF VINTAGE CARS

Mr John O’Toole (Durham): It just proves how efficient this government is. It has been approved in less than 30 minutes.

“To the Legislative Assembly of Ontario:

“Whereas there are many Ontarians who have a passion for perfection in the restoration of vintage vehicles; and

“Whereas unlike many other jurisdictions, Ontario vintage automobile enthusiasts are unable to register their

vehicles using the original year of manufacture licence plates; and

“Whereas Durham MPP John R. O’Toole and former MPP John Parker have worked together to recognize the desire of vintage car collectors to register their vehicles using vintage plates; and

“Whereas the Honourable David Turnbull as Minister of Transportation has the power to change the existing regulation;

“We, the undersigned, petition the Legislative Assembly of Ontario as follows: to pass Bill 99 or to amend the Highway Traffic Act to be used on vintage automobiles.”

I’m pleased to support this and sign it and present it to the table today.

ONTARIANS WITH DISABILITIES LEGISLATION

Mr Steve Peters (Elgin-Middlesex-London): “Whereas Mike Harris promised an Ontarians with Disabilities Act during the 1995 election and renewed that commitment in 1997 but has yet to make good on that promise; and

“Whereas the Harris government has not committed to holding open consultations with the various stakeholders and individuals on the ODA; and

“Whereas Helen Johns, the minister responsible for persons with disabilities, will not commit to the 11 principles outlined by the ODA committee; and

“Whereas the vast majority of Ontario citizens believe there should be an Ontarians with Disabilities Act to remove the barriers facing the 1.5 million persons with disabilities;

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

“To pass a strong and effective Ontarians with Disabilities Act that would remove the barriers facing the 1.5 million persons with disabilities in the province of Ontario.”

I’m in full agreement and affix my signature to this petition.

HIGHWAY SAFETY

Mr John O’Toole (Durham): I’m pleased to present another petition on behalf of my constituents in the riding of Durham and indeed for all the people of Ontario.

“Whereas motor vehicle accidents are the leading cause of death in North America; and

“Whereas studies conducted in the city of Toronto, the United States and Great Britain have reported that drivers using cellular phones while operating a vehicle significantly increases the risk of collisions; and

“Whereas people talking on cellular phones while driving may cause a 34% higher risk of having an accident;

“We, the undersigned, respectfully petition the Legislative Assembly of Ontario to ban the use of hand-held cellular phones, portable computers and fax machines

while operating a motor vehicle. We further respectfully request that Bill 102,”—that’s my bill—“An Act to amend the Highway Traffic Act to prohibit the use of phones and other equipment while driving on a highway, be passed unanimously”—in the interests of safety for all Ontarians—“by all members of provincial Parliament of Ontario.”

I’m pleased to sign and support this myself.

PHOTO RADAR

Mr Steve Peters (Elgin-Middlesex-London): We’re the duelling petitioners today.

“To the Legislative Assembly of Ontario:

“Whereas Mike Harris made the decision in 1995 to cancel the Ontario government’s photo radar pilot project before it could properly be completed; and

“Whereas two Ontario coroners’ juries in the last year, including the jury investigating traffic fatalities on Highway 401 between Windsor and London in September 1999, have called for the reintroduction of photo radar on that stretch of ‘Carnage Alley;’ and

“Whereas studies show that the use of photo radar in many jurisdictions, including British Columbia, Alberta, Australia, many European countries and several American states, does have a marked impact in preventing speeding and improving road and highway safety, from a 16% decrease in fatalities in BC, to a 49% decrease in fatalities in Victoria, Australia; and

“Whereas photo radar is supported by the RCMP, the Canadian Association of Chiefs of Police, several police departments, including many local Ontario Provincial Police constables, the Canadian Automobile Association, the Ontario Trucking Association, and many road safety groups;

“Therefore we, the undersigned citizens of Ontario, petition the Ontario Legislature to demand that the Ministry of Transportation reinstate photo radar on dangerous stretches of provincial and municipal highways and streets as identified by police. The top priority should be ‘Carnage Alley,’ the section of the 401 between Windsor and London, and all revenues from photo radar should be directed to putting more police on our roads and highways to combat aggressive driving.”

I’m in full support and have signed this petition.

NORTHERN HEALTH TRAVEL GRANT

Mr Rosario Marchese (Trinity-Spadina): I have a petition to the Ontario Legislature.

“Whereas the northern health travel grant offers a reimbursement of partial travel costs at a rate of 30.4 cents per kilometre one way for northerners forced to travel for cancer care while travel policy for southerners who travel for cancer care features full reimbursement costs for travel, meals and accommodation;

“Whereas a cancer tumour knows no health travel policy or geographic location;

“Whereas a recently released Oracle research poll confirms that 92% of Ontarians support equal health travel funding;

“Whereas northern Ontario residents pay the same amount of taxes and are entitled to the same access to health care and all government services and inherent civil rights as residents living elsewhere in the province;

“Whereas we support the efforts of the newly formed Ontarians Seeking Equal Cancer Care, founded by Gerry Lougheed Jr, former chair of Cancer Care Ontario, Northeast Region, to correct this injustice against northerners travelling for cancer treatment;

“Therefore, be it resolved that we, the undersigned, petition the Ontario Legislature to demand the Mike Harris government move immediately to fund full travel expenses for northern Ontario cancer patients and eliminate the health care apartheid which exists presently in the province of Ontario.”

I support this petition.

AGRICULTURAL LAND

Mrs Julia Munro (York North): “To the Legislative Assembly Ontario:

“Whereas the activity of farming is being severely threatened and restricted by urban sprawl and infrastructure construction in the GTA;

“Therefore, we, the undersigned, petition the Legislative Assembly of Ontario to provide protection of the class 1 to 3 farmland and the business of agriculture and provide a competitive environment conducive to the business of agriculture.”

I affix my signature to this petition.

NORTHERN HEALTH TRAVEL GRANT

Mr Dwight Duncan (Windsor-St Clair): I have a petition to the Legislative Assembly of Ontario:

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

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

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

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

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

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

I join Nan Thomson and many others in signing this petition on behalf of people in northern Ontario.

Ms Shelley Martel (Nickel Belt): I have a petition regarding the government’s ongoing discrimination against northern cancer patients. It reads as follows:

“Whereas the northern health travel grant offers a reimbursement of partial travel costs at a rate of 30.4 cents per kilometre one way for northerners forced to travel for cancer care while travel policy for southerners who travel for cancer care features full reimbursement costs for travel, meals and accommodation;

“Whereas a cancer tumour knows no health policy or geographic location;

“Whereas northern Ontario residents pay the same amount of taxes and are entitled to the same access to health care and all government services and inherent civil rights as residents living elsewhere in the province;

“Whereas we support the efforts of the newly formed OSECC (Ontarians Seeking Equal Cancer Care), founded by Gerry Lougheed Jr, former chair of Cancer Care Ontario, Northeast Region, to correct this injustice against northerners travelling for cancer treatment;

“Therefore, be it resolved that we, the undersigned, petition the Ontario Legislature to demand the Mike Harris government move immediately to fund full travel expenses for northern Ontario cancer patients and eliminate the health care apartheid which exists presently in the province of Ontario.”

I agree with the petitioners. I affix my signature to it, and I’d like to thank Gerry Lougheed for all his efforts to gather these names.

REGISTRATION OF VINTAGE CARS

Mr John O’Toole (Durham): It’s my privilege to once again read a petition on behalf of my constituents in the riding of Durham. This is from Gary Carey, who lives in my riding and submitted this.

“To the Legislative Assembly of Ontario:

“Whereas there are many Ontarians who have a passion for perfection in the restoration of vintage vehicles; and

“Whereas unlike many other jurisdictions, Ontario vintage automobile enthusiasts are unable to register their vehicles using the original year of manufacture licence plates; and

“Whereas Durham MPP John R. O’Toole and former MPP John Parker have worked” tirelessly “together to

recognize the desire of vintage car collectors to register their vehicles using vintage plates; and

“Whereas the Honourable David Turnbull as Minister of Transportation has the power to change the existing regulation”—that’s all we want him to do;

“We, the undersigned, petition the Legislative Assembly of Ontario as follows: to pass Bill 99 or to amend the Highway Traffic Act” to allow the use of vintage licence plates “on vintage automobiles.”

I’m pleased to support this with my name.

1540

Mr Dwight Duncan (Windsor-St Clair): On a point of order, Speaker: I seek the unanimous consent of the House to revert to introduction of bills for the sole purpose of allowing the Minister of Municipal Affairs to introduce his bill with respect to the compensation of families of the victims in Ottawa-Carleton.

The Acting Speaker (Mr Tony Martin): Is there unanimous consent? I hear a no.

Mr Duncan: On a point of order, Mr Speaker: They indicated to the official opposition that in fact the bill may not be ready today. I wonder if a member of the government can comment on that.

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

ORDERS OF THE DAY

RED TAPE REDUCTION ACT, 2000

LOI DE 2000 VISANT À RÉDUIRE LES FORMALITÉS ADMINISTRATIVES

Resuming the debate adjourned on October 11, 2000, on the motion for second reading of Bill 119, An Act to reduce red tape, to promote good government through better management of Ministries and agencies and to improve customer service by amending or repealing certain Acts and by enacting two new Acts / Projet de loi 119, Loi visant à réduire les formalités administratives, à promouvoir un bon gouvernement par une meilleure gestion des ministères et organismes et à améliorer le service à la clientèle en modifiant ou abrogeant certaines lois et en édictant deux nouvelles lois.

The Acting Speaker (Mr Tony Martin): The member for Nickel Belt finished her speech last time and we have two questions and comments left. I believe it’s the government caucus’s turn.

Mr John O’Toole (Durham): It’s indeed my privilege to respond on Bill 119. I think everyone would recognize that all members here would like to eliminate red tape and to create opportunities for people in a whole variety of ways. I know Bill 119 has 16 sections. It has 200 amendments. It will clarify about 75 existing acts. This is long overdue. Management issues that make it more efficient—

Mr Dwight Duncan (Windsor-St Clair): On a point of order, Speaker: I don’t believe a quorum is present.

The member opposite is always well worth listening to, and I would ask for a quorum call.

The Acting Speaker: Is there a quorum present?

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

The Acting Speaker ordered the bells rung.

Clerk Assistant: A quorum is now present, Speaker.

The Acting Speaker: The member for Durham.

Mr O’Toole: I thank the member for Windsor-St Clair for bringing this to my attention, because everyone in Ontario wants to reduce red tape and bureaucracy and overburdening the regular lives of regular people. Certainly the people in Durham have asked me on a number of occasions to be sensitive and to listen, and I do. I write to the chair and I speak to him. In fact I’m a member of the committee, on behalf of my constituents. That would be Frank Sheehan, a former member here, and Bob Wood, another member.

As I said earlier, there are 16 sections to the bill, each section dealing primarily with a ministry. It has 200 amendments, it streamlines 75 existing acts, and two statutes are repealed, such things as the Hunter Damage Compensation Act and the Ontario Training and Adjustment Board Act. It creates the Environmental Review Tribunal Act.

It really is important for us to respond by making government more friendly to the people of Ontario, and that’s the essence of this whole thing. If you’re interested, Mr Speaker, this is a brochure. They should write to any of their members—they’re entitled—from all sides of the House, to try and deal with the process of simplifying government for the right reasons: to eliminate duplication and waste. It’s essential that this committee—its mandate by this government is to do just that.

Our goal is to provide Ontario service and regulatory excellence second to none in the world. The commission has the full support to achieve this goal. That’s signed by the Premier of this province.

I think the point has been made. I think they’ll support the bill.

Mr Duncan: I want to address the part of the bill that deals with the compensation for victims of crime. It’s not a regulatory change. In fact, it’s a change in the legislation.

Almost a year ago, a constituent of mine notified me that he would be reaching his lifetime limit in terms of the compensation that was offered to him as a victim of crime.

He was left a quadriplegic some 25 years ago. At that time, we notified the Attorney General, and in fairness to the Attorney General, he seemed quite willing to review the case and to make sure the issue was dealt with. That was almost a year ago. There were constant reminders, through letters, through questions in the Legislature, through a whole variety of other initiatives undertaken by myself and other members of our caucus. In fact, the Attorney General waited and waited and delayed and delayed and delayed, and Mr Monforton’s compensation expired as of May of last year. We had begged, prodded,

introduced legislation to show the Attorney General how he could fix the problem. I'm pleased to say that the broader aspects of the bill I introduced were adopted by the government. Unfortunately, the government chose to wait until this red tape bill to deal with it.

They talk a good game about victims of crime. We're anxiously awaiting the bill of the Minister of Municipal Affairs today with respect to the Ottawa victims of crime. My understanding is that nobody in the ministry was even aware of this change of policy until almost the moment the Premier got up in the House and spoke about it.

So this is a problem. They talk a good game about victims of crime. They talk about what the other levels of government do, but in fact, they're all talk and no action.

The Acting Speaker: Response?

Ms Shelley Martel (Nickel Belt): Thanks to the members for their comments. I would specifically respond to comments made by the member from London West, who said the following yesterday, and I'm quoting, "I draw to the attention of the member who just spoke that labelling standards are national. I think to the extent one has concerns about labelling standards in Ontario, they should make their case at the national level. We agree that those standards should be national, not confined to one province."

I draw the attention of the member from London West to the bill itself, because if you look at schedule P, which involves the Wine Content and Labelling Act, page 127, section 5, "Regulations," it says the following, "The Lieutenant Governor in Council may make regulations... (f)prescribing requirements and standards relating to the labelling of wine."

So the bill clearly gives the province of Ontario, through the Lieutenant Governor, back to cabinet, all the decision-making power with respect to the labelling of wine. That is no doubt why the Ontario Grape Growers' Marketing Board has written to members of this Legislature to raise their concerns and their complaints about this bill.

I want to read into the record again what I read yesterday. This is what the letter says, from John Neufeld, who's the chair: "Growers have pressured for this new act to be patterned on federal standards with a minimum of 75% Ontario or Canadian content in each bottle. Bill 119 disregards the interests of growers who make a wine industry possible in this province. Bill 119 will be welcomed by vineyard owners in places like Chile and Argentina and by the major corporations who operate most of the winery retail stores, with the benefits of keeping LCBO markups and other charges."

And they call on all members to have hearings and an open debate on this. I hope the government will be open to that important suggestion.

The Acting Speaker: Further debate?

Mr O'Toole: It's indeed my pleasure to consume part of the time and, with your permission, I would be prepared to share my time with the minister. I will seek unanimous consent.

Mr James J. Bradley (St Catharines): Which minister?

Mr O'Toole: The Minister of Labour has indicated that he's interested.

The member for Windsor-St Clair raised a very good point about—I'm not looking at the bill here, I wish I had a copy of the bill with me right now. That one there would do. There is a section under the amendments in this bill—

Mr Bradley: Have you read the bill? I've read it from cover to cover.

1550

Mr O'Toole: It's my responsibility as parliamentary assistant to be quite familiar with it.

I think it's important to look at the schedule dealing with the Attorney General amendments. Under that there's the Compensation for Victims of Crime Act, which of course has been brought up here. It should be pointed out that the limitation period for making an application for compensation under the act is increased.

All governments have the opportunity to make minor administrative amendments, and this government in this bill is doing that, responding to issues that are raised from all sides of the House here. In this particular case it has been, as I said, increased from one year after the date of an injury or death to two years. So that has been a clear response to, whether it's the member from Windsor-St Clair, on an issue brought up in the House earlier, where the government was listening and indeed amending, or in this case the Compensation for Victims of Crime Act.

We saw today in the House the clear mandate of our Premier in questions from the opposition leader with respect to a municipal decision that had been made, and you can see the Premier is quick to respond to defend victims. So to even suggest here in any tone in this debate of Bill 119 that that hasn't been responded to would be absolutely incorrect.

As I said before, it is a very wide-ranging bill and the stakeholder groups under the 16 schedules in many cases have been aware. One of the members here today, the member from Nickel Belt, I believe, raised the wine content issue. That issue, under the Wine Content and Labelling Act, is a reasonably technical thing. I'm not qualified to speak at any great depth on it, but again it addresses the issue of labelling for consumer protection, to recognize in the different wordings that are used that the content of the product will be reflected on the labelling. That's very important from a consumer's perspective, again eliminating red tape and clarifying for the people of Ontario what it is indeed they are being assured of by the government, in this case under the content rule.

Mr Duncan: On a point of order, Mr Speaker: There's no quorum present in the House.

The Acting Speaker: Is there a quorum?

Clerk Assistant: A quorum is not present, Speaker.

The Acting Speaker ordered the bells rung.

Clerk Assistant: A quorum is now present, Speaker.

The Acting Speaker: The member for Durham.

Mr O'Toole: Thank you, Mr Speaker. Certainly on a Thursday afternoon I realize that some members from distant parts of Ontario like to go home for Thanksgiving, but we'd like them to come back, and that was last weekend.

Mr Raminder Gill (Bramalea-Gore-Malton-Springdale): And distant parties.

Mr O'Toole: And they're also distant parties. It would be dismissive and unkind of me to mention that there were no NDP members in the House, so I won't say that—pardon me, with the exception of Mr Martin, in the chair.

I'm going to make sure that I try to get to what I believe are important points on Bill 119, a very sizable piece of legislation, broken, as I said, into 16 schedules, streamlining five acts. But I am going to focus, if I may, with your permission and indulgence, for approximately 15 minutes. The elimination of red tape helps to stimulate business activity and encourage jobs in Ontario, but judging from now I can see that there are 786,000 net new jobs that have been created in Ontario since June 1995. The cuts to red tape have been part of that. This is 786,000 jobs in the private sector. These aren't hokey-pokey Ontario kind of jobs, they're actually—and you know, the byline that we should all be responding to is that small business creates jobs, and in many cases the regulated burden, the licensing burden for small business is indeed what we're addressing this afternoon.

Again, call the number. Call my constituency office. We'll make sure you have a voice, and as well we'll send you some information on how to engage in the process with Mr Wood and Mr Sheehan.

The Red Tape Reduction Act not only eliminates costly and frustrating red tape for people, it carries through on a promise made by this government to run the province efficiently, effectively and responsibly—and I'm adding that word, because that's the bottom line here, to be responsive to the constituents; not just my constituents, but all the people of Ontario.

What will this mean to the public? Clearly, one of the proposals in this act would see the elimination of, for instance—this one here I found quite interesting—the Change of Name Act. That requires newlyweds to change their surname within 90 days as a time restriction. This bill will take away any time restriction limitation on changing your name, a very long outdated, over-burdening regulation.

The red tape acts will also prohibit the charging of significant up-front fees by credit repair companies for services that consumers can do for themselves at little cost. We know that in some cases today in Ontario, there have been scams running. Those scams are saying, "We'll fix your credit rating for a fee." They take the fee and they do nothing. This prohibits that, what I'd call abusive behaviour in the marketplace today.

The Ministry of Consumer and Commercial Relations, Minister Runciman, has been stalwart, almost like when he was the Solicitor General, in defending the interests of the consumer. The number of issues that he has going

today in that ministry is quite astounding. He has consultations going on around the Motor Vehicle Dealers Act and the Tourism Act, as well as the Real Estate and Business Brokers Act. The interest there is to simplify and clarify for business, but also to strongly protect the consumer.

One of the most important ones, I think—in my riding of Durham, of course, there are a lot of new, young families. A very important change here under Minister Runciman is the Ontario New Home Warranties Plan Act. The MCCR is amending the act to ensure that purchasers of new homes are covered by the plan whether they bought the home from the builder or a subsequent owner, again responding to those people, those young families that have perhaps run into difficulty with a home, to make it far more transparent and friendly for them. I can assure you that I hear about those issues in my riding of Durham. This amendment helps to ensure that the program will meet its objective by protecting the new home buyers in Ontario. In fact, we all know how robust and brisk the home-building sector is in the province of Ontario.

The Consumer Reporting Act: again, it's very important; I wanted to draw to your attention that we're taking action to improve the Consumer Reporting Act to prohibit credit repair companies from charging customers large sums of money in advance to help them repair bad credit. I've mentioned that before, but I think it bears repeating. This is another one of those fly-by-night operations that the minister is cracking down hard on, those abusive kind of situations.

There are so many actions going on in a lot of ways protecting the consumer, especially with a growing seniors population and the need to provide some sort of response line, a 1-800 number for the fraud-busters, I think it is called. That help is important to our constituents.

In the Collection Agencies Act, the definition of "collector" has been amended. That's to clarify, again, for the consumer. The industry asked that individuals who do not collect debt or work directly with debtors should not have to be registered, thus eliminating some unnecessary red tape and regulations.

Ms Martel—pardon me, the member from Nickel Belt—mentioned the Wine Content Labelling Act. This would see the repeal of the 1988—I'm not sure who was in government then—Wine Content Act. This newly proposed act is to establish minimum content and labelling standards for the manufacture of wine in Ontario. We know, Mr Speaker, and certainly you know, and the members from Niagara—and in my riding we have wineries as well. The act now clarifies what wine and wineries are. That's very important. When you look at the bottle, you look at the label, you know what you're getting.

1600

In addition, the act will authorize "a manufacturer licensed under the Liquor Licence Act to keep for sale or sell wine that has been made from imported grapes or

grape product.” We are in the free trade world. There are those for and there are those against, but again it’s ultimately a consumer issue.

I was on a flight with Air Canada, and I was surprised that there were no Ontario wines offered on their wine list. I wasn’t buying wine, because I wouldn’t drink on my job, by any stretch, but I did inquire. I was also surprised that in certain jurisdictions—I sort of think of myself as a bit of an ambassador for Ontario, and I ask for Ontario wines. I know the member from Niagara, Mr Maves, is one of those who is always promoting Ontario wines, and I think that’s where it begins.

This clarifies the labelling. It says the consumer now has a clearer understanding of what they are purchasing.

Niagara wines are excellent. I can’t say it with any experience, but I know there are members on the other side who can.

Interjection.

Mr O’Toole: The member for Hamilton East has just acknowledged that he knows a good wine from a bad one, and he has the kind of income to support that lifestyle. I don’t. I have five children, and so it’s more difficult for me.

The Condominium Act has been worked on right from 1995. Minister Flaherty, who is now the Attorney General, was parliamentary assistant to Minister Sterling, who has since moved as well. They initiated the original hearings on amendments to the Condominium Act. We will be amending sections regarding the title to real property. It’s very important to clarify that in a condominium—it’s a growing marketplace. A condominium corporation could not deal with real property or any interest in property it does not own unless specifically allowed by the act.

Dealing with properties involves the power “to grant, transfer, lease, release, dispose of” said property. For condominium people, that’s a small administrative improvement, enhancement, streamlining, efficiency, responsiveness—all the words I can think of that would conjure up a positive way of dealing with it.

I could say that administratively the Premier has empowered two members, a former member and a current member, to listen. They are available, without all the politics of this place at times, to listen to consumer concerns and, where there is red tape, I can assure you the support people in that commission are there to serve. They’ve been reviewing everything from the funerals and cemeteries acts—they are dealing with the content—the brokers act, a whole bunch of them.

Just recently I had a call, and in fact I just sent it to Mr Sheehan. A Miss Jacqueline Vaneyk, one of my constituents, was raising money for the local church. They wanted to have a raffle of a quilt. The application she was given for a simple, volunteer-driven activity to raise money for a worthwhile charitable cause was onerous. I’ve sent that to the commission, and I expect that to be corrected in the next bill, if it hasn’t already been done, because this is a large bill. I haven’t read every section in

detail. I have been briefed on the generalities, and that’s what I’m sharing today.

Public notice: as we all know, the Ontario Gazette is mandated under the Ontario Official Notices Publication Act to communicate notices which the government deems important enough to legislate, a proclamation of legislation, new or revised regulations, official notices required by law etc. A Gazette is published in Commonwealth jurisdictions. It has been published weekly in Ontario since pre-Confederation times. Publications Ontario operates the Gazette on a cost-recovery basis.

The following amendment is proposed—and this is one more detail that I think the consumer here today should know. Section 4 of the Official Notices Publication Act is amended to change the manner in which the price of single copies of, and subscriptions to, the Ontario Gazette are set and the cost of placing notices in the Gazette. Under the act as it is now, regulations are required to accomplish these changes. Under the proposed amendments we’re dealing with here today, the Queen’s Printer would set the price and the cost. Notice of price and cost changes would be published in the Gazette. Now, how practical is that? Eliminating a whole bunch of bureaucratic meetings and gobbledegook, if I could use that expression. Perhaps it’s never been used here. Certainly, I have used it today.

What does this affect? I guess you’d have to say this does not directly affect everyone, since the proposal does not change any price or cost but just the process for change. Indirectly it affects all those who purchase the Gazette or place notices in the Gazette. However, they have not been consulted because the changes affect internal efficiently rather than delivery of the publication to the public. In fact, there are those who suggest that with the e-commerce environment we’re in, we have to modernize and improve communications. Certainly, I expect that to be part of future red tape bills.

I can tell you that the history so far—this is the 12th or 13th red tape bill we’ve brought in. It’s my understanding that the government is out there consulting and listening to improve on all fronts, whether it’s the Wine Content Act or the act I mentioned earlier under the Attorney General. Maybe in the remaining time I’ll just read that, unless someone else has a few things to say.

I believe it all starts with the fundamental byline I would like to leave, which is common sense. If we’re always listening to our constituents across the 103 ridings in Ontario, and those concerns are brought to the proper authorities, meaning our government, then we’ll make sure those concerns are dealt with.

Where there are process problems for small business—the member from Toronto Centre-Rosedale would probably like to help the small business people in his riding. If he wants to, there’s one place to call. Just call the government, and we will help.

Interjection.

Mr O’Toole: We’re there to eliminate the barriers to opportunities to people. I know you’re acknowledging that, and I can see you agree, just by what you’re saying.

Improving customer service is part of common sense. I think the government is doing that, and that's part of what I've tried to cover today.

Because it's Thursday, I'm going to relinquish the rest of my time. If someone here wants to address it, they could let me know and I'll relinquish the time. Otherwise, there's no chance I would give up the three minutes and nine seconds. Not on your life. Actually, this is my life, and all members' here. I know they work hard.

I think I'll just go through it:

In Agriculture, Food and Rural Affairs, one statute is affected in this bill;

The Attorney General, 15 statutes and 33 amendments;

Consumer and Commercial Relations, Minister Runciman, 20 statutes and 48 amendments;

With the whole deregulation of the generation and distribution sector, there are amendments in Energy, Science and Technology;

We've heard from the minister today that the Ministry of the Environment has been strengthened, further improving outdated, unresponsive legislation;

The Minister of Labour, of course, is here today, along with a number of the members on this side of the House, and the Minister of Correctional Services is here as well;

The Minister of Labour has a statute that has 25 different amendments to various sections;

The Minister of Municipal Affairs and Housing has brought forward six different statutes with 28 different amendments. This is very strong, with a lot of work being done in that ministry;

Natural Resources, 10 statutes, many of them outdated and that have been asked for by many stakeholder groups.

This bill really speaks to the whole issue of a responsive government.

Now many of these aren't glamorous; many of these are administrative. But what it does is demonstrate to the people of Ontario, regardless of party stripe or geographics or any of those things, that we're listening and we're acting.

In the past there's been a lot of listening and no action, and these regulations have piled up. There are volumes of them. Actually, it was quite intimidating when we first got into this as new members here in 1995.

As the Premier said today, we probably need—I know myself I probably need about another 15 years here to get to the bottom of that pile. I'm counting on you, and I'm counting on the people today to realize that I'm here and I'm at work and we're doing the job. I've told you there are 75 statutes and over 242 amendments flowing from it. The work has just begun. We need another term—maybe two terms—to finish it.

1610

The idea is that there's a written test as well, and that test is the ability to build within the culture and the discipline of each ministry. They're looking at what's the cost and what's the advantage, and that whole discipline is flowing through. I think the public civil service in

Ontario is far more customer-focused. I have a lot of respect for them. They're doing a tough job, with less money in many cases, but I think they're doing a better job. I have more confidence. I am an optimist that we're giving them the tools to make Ontario a better place to live, to work and raise a family. This may be the first time that phrase has ever been used.

Hon Rob Sampson (Minister of Correctional Services): I've never heard that phrase before.

Mr O'Toole: I like it being said, "To live, to raise a family and to work," because I always like to put work last. I'm quite old, but not to trivialize it, this is a bill that's long overdue, and the job is not done. One more term will do it.

The Acting Speaker: Comments and questions?

Mr Rosario Marchese (Trinity-Spadina): This is one hell of a thick bill. Look at that. Look at the thickness of this bill.

Interjections.

The Acting Speaker: I think you'll have to withdraw that word.

Mr Marchese: A heavenly bill, Speaker. I withdraw the word "hell," yes. We are in purgatory in this place, is all I can tell you, on a constant mission to get out of it and reach some higher state of being or reach heaven, if we could. I've got to tell you, they need to pay me to be in this place, more than anything else, because I've got to listen to this stuff on a daily basis—in purgatory every day.

Bill 119, look how thick it is. I'm going to read the title for you. It says, "An Act to reduce red tape, to promote good government through better management of Ministries and agencies and to improve customer service by amending or repealing certain Acts and by enacting two new Acts."

If you want to confound the opposition, if you want to befuddle the whole thing, if you want to confuse the journalists—because they won't have time to read this stuff—you put together an omnibus bill and you label it however you want, and that's how you manufacture consent. It's an act of obscuratism, because nobody has a clue. You just have to call it An Act to reduce red tape, to promote good government, and the whole world is supposed to say, "This is a great bill." Why? Because the Tories say so. Why? Because the title tells you that it's a good bill. All of you good citizens can go home to rest, lie down, because they've done the work for you. You don't have to read it. It's all in there. It's an act of obscuratism, nothing more.

Mr Bob Wood (London West): The member in his comments made reference to the question of wine labelling and wine content. I'd like to set out for the House just what we are doing in this bill. We're getting rid of quotas. That's because we have confidence in the product that's being produced in Ontario. In actual fact, our grapes are highly marketable. I'm rather surprised that some on the opposition side of the House have no confidence. In actual fact, VQA wines, which of course are 100% Ontario grapes, over the last 11 years have seen

sales go up 300%. I'm rather surprised that some of the members on the other side of the House lack confidence in our growers and their product. In fact, their lack of confidence is quite ill-advised. They don't understand how much recognition and how much quality those grapes have.

On the question of labelling, national standards are being developed now. At a minimum, we're going to adopt the national guidelines. We may well add to them. As the MPPs may be aware, in 1992 the NDP lowered the minimum content from 30% to 25%. This bill raises it back to the 30% level. I think you'll find that both of these initiatives are going to have very positive results for the wine industry in Ontario, and for the consumers, not just in Ontario but throughout the world.

Mr George Smitherman (Toronto Centre-Rosedale): It's great to have a couple of minutes to follow on the speech by the member from Durham, who talks so much about customer service. I found it interesting that at the same time he was talking about customer services, someone who sits near him, the member from York North, was there then and she didn't comment or heckle him to talk about the pending closure of the Sutton medical clinic. When we want to think about customer service, the ultimate service people want government to provide to them is at risk in this situation because of the failure of that government to recognize the extraordinary needs of people who are dealing with health care.

Sutton isn't some remarkably remote or rural area in our province—it's part of our greater Toronto area—yet because of the failed policies of this government with respect to health care, we see that this centre, which is 40 kilometres from the nearest hospital and has been credited with saving life after life, is put at risk. The ultimate piece of customer service, one would think, is the ability to receive necessary medical services near to home. Instead, the member from Durham goes on and makes speeches about customer service, which of course is threatened all across the breadth of this government's service by their declines and their willingness to hide behind voice mail, unanswered lines, and the FRO, which doesn't provide any customer service at all.

We've got this extraordinary situation going on with the medical centre in Sutton where the government of the day has seen these extraordinary declines in the number of medical practitioners in that community. Their policies have failed to do anything about it. The centre is risking closure. The member today stood up and had a member's statement crediting the operation of a business. Instead, she should be spending her time hammering her own government for their failed policies, which will see thousands and thousands of residents in the greater Toronto area losing access to important primary medical care that they require. That's what we should be talking about.

Mr Bart Maves (Niagara Falls): It's always a great pleasure for me to respond to the member for Durham and his speeches. They're always well researched. He's probably one of the most thoughtful members in the

Legislature. The amount of time he spends in here, in earnest, reading bills and thoroughly going over every comma and every period that's in a bill, is just truly remarkable to some of us. It's always a pleasure to hear him speak and to follow him. I want to congratulate him once again on his efforts on this bill in particular. I know he's been very active in creating several parts of the bill and that work on his part deserves to be acknowledged.

The member opposite was complaining that the bill is 128 pages. In actual fact, it's 64 English pages and 64 French pages. It really shouldn't be that much work for him to get through 64 pages of a bill. It does affect a great number of acts throughout the province of Ontario. As the member from Durham said, we have just so much red tape to get through, it will probably take us three or four more mandates, with the help of the Red Tape Commission, to get through all of this.

Part of what's in here is some changes to the Wine Content Act that was ending at the end of this year. Over the past three years now, the grape growers, the wineries and the government of Ontario have tried to work to put some things in place for when the Wine Content Act ended. It was a very tough struggle back and forth between wineries, government and grape growers. We hope we've come to a decent compromise, but I still submit that more work needs to be done, and will be done, in this area so that Niagara's grape growers and wineries will continue to flourish.

The Acting Speaker: Response?

Mr O'Toole: I personally want to thank the member from Trinity-Spadina, who is also very entertaining most of the time; the member from Toronto Centre-Rosedale, who is new to the House and is certainly learning the ropes; the member from London West, an experienced practising lawyer—I think he's still practising here this afternoon actually—and the member from Niagara Falls, of course, who is intimately familiar with this. In fact, his remarks will probably be mailed out to all of my constituents. Thank you very much for that. Most of it, by the way, is true. In all humbleness, it's better to have third party endorsement than to go about blowing your own horn.

There are issues, some of which are regulations and some of which aren't regulations. I look at some of the crises today in ambulance and critical care bypass and I think all of us should be looking at ways of making sure that there are clear lines on redirect. Hospital administrators themselves, if there was \$1 million given out, would all be fighting over who got what and why. I think we've got to put patients first, put constituents first. In this small bill, as Mr Maves has pointed out so insightfully, I might say, under the Health Insurance Act there's a kind of innocuous little amendment here, but it's customer-oriented. That's what this is about. It's eliminating those little oversights. Previous governments may have made them; in fact, it could have been a Conservative government; not likely, but there is a chance.

Certainly under the NDP there were a lot of hasty pieces of legislation. I remember the IWA, the Interim

Waste Authority. They spent \$90 million and haven't made one decision on waste management—\$90 million of hard-working taxpayers' money. They just didn't have the courage to make the difficult decisions.

There are changes to, as I said, 16 different statutes here. It's long overdue. We need more time to finish the job.

1620

The Acting Speaker: Further debate?

Mr Bradley: I am pleased to talk about this bill because it will give me an opportunity, for instance, to defend the farming community in our area.

Right off the bat, I know that I am going to get—

Interjection.

Mr Bradley: Why are you holding up the bill like that?

Mr Gill: It's the red tape bill.

Mr Bradley: Yes, red tape. The Ontario Grape Growers' Marketing Board, the Wine Content Act: that's farming. I don't know if they have farms up in Mississauga, but they do have farms in St Catharines and that area.

Hon Margaret Marland (Minister without Portfolio [Children]): I'm coming to a wedding at the Henley tomorrow.

Mr Bradley: I'm glad the minister is coming. The member for Mississauga South is coming to a wedding in—

Hon Mrs Marland: The Henley Regatta.

Mr Bradley: At the Henley Regatta, the clubhouse there. That's good to hear. I know she has an association with rowing and of course Olympic champions within her own household.

But I want to deal with the red tape act. The first thing I want to say is, you've got to watch for these omnibus bills, or, as a previous Speaker used to call them, "ominous" bills.

I heard some people make fun when he said "ominous bills," but he was right. A lot of these omnibus bills were indeed ominous bills.

What you have to look for in these red tape bills is the hidden hostages. The member for Etobicoke North knows I want to support some of this legislation. Then I look in the bill and I see the hostages, the parts that can't be supported.

At least two people on the government side I know will be voting against the bill along with me. That will be the member for Niagara Falls and the member for Erie-Lincoln. I think they'll have to vote against the bill, because I looked at the polls in those areas. That's what won the riding of Niagara Falls for the member for Niagara Falls: the Niagara-on-the-Lake section—a lot of farmers in there. So I know he will be with me, voting to assist the farmers, in a good indication of the support that he received during the last campaign.

Mr Hudak, the member for Erie-Lincoln, has a lot of grape farmers in his riding. Indeed, he won those polls. So I know that Mr Hudak will be supporting the grape growers. I know that.

Both of them will be in to vote against the bill. So I know that, in addition to the opposition members, we'll have at least two additional members voting against the bill. I know that.

Let me share some of the correspondence that has come in from individuals who are concerned about this bill.

The first comes from the Ontario Grape Growers' Marketing Board. Let me share with you what they're saying about the hostage in this bill, the Wine Content Act:

"The replacement Wine Content Act is being included in Bill 119, which had its first reading on October 4. This is the red tape reduction bill; the Wine Content and Labelling Act is to be part of this omnibus legislation....

"Growers are concerned. The replacement act merely continues the provisions of the act of 1988, which were a response to free trade provisions. In 1988 the determination of the province was making it possible for our wine and grape industry to restructure for the cold winds of the global village. Growers have done this at great expense.

"We are concerned that wines with only 30% Ontario content will continue to be sold in Ontario winery retail stores which by their nature were intended to promote Ontario agri-products. Now the practice of selling wines that are predominantly foreign and imported at surplus, distress prices will continue to be retailed in Ontario winery stores by the mythology of labels 'Cellared in Canada.' Does anyone know what that means?

"This is not pursuit of quality; it is seeking the greatest profit. Growers have pressured for the new act to be patterned on federal standards with a minimum of 75% Ontario—or Canadian—content in each bottle. Bill 119 disregards the interests of growers who make a wine industry possible in this province. Bill 119 will be welcomed by vineyard owners in places like Chile and Argentina, and by the major corporations who operate most of the winery retail stores, with the benefits of keeping LCBO markups and other charges.

"These benefits surpass \$50 million a year in add-on gross profits for these corporations, in addition to tax reductions on sales via their own stores."

That's from the Ontario Grape Growers' Marketing Board. They talk about their concerns with the Wine Content Act. They thought, first of all, as it used to be, that it would come in as an independent act, so that people could discuss it, we could go out to committee and we could hear every one who had a concern and then make an appropriate decision. Obviously this government wanted to hide this in this bill, hoping no one would find it and they could rush the bill through.

But let's hear now from the Niagara North Federation of Agriculture, RR 1, Smithville, Ontario. It was written to me, and it's from Mr Albert Witteveen, president. He says the following:

"The Niagara North Federation of Agriculture is an agricultural organization with over 1,100 farm family members. The mandate of the federation is to promote and protect agriculture in the Niagara Peninsula. Niagara

offers the most diversified area of food production in all of Canada and agriculture has proven to be the economic mainstay in Niagara.

“The Niagara North Federation of Agriculture has recently been approached by several members who will be affected by changes to the Wine Content Act. Their directors have reviewed their recommendations and support their requests. The Niagara North Federation of Agriculture supports the following recommendations:

“Full and honest disclosure on labels of the origin, and varieties, of grapes used.

“Limit the volume of wine from one tonne of grapes to the natural yield.

“Wines that are product of Ontario to be 100% from Ontario, and wines that are product of Canada to contain 75% domestic grapes.

“Only wines of Ontario and wines of Canada may be sold in winery retail stores or placed in the Ontario or Canadian sectors in LCBO outlets.

“Winery retail stores were established to market Ontario products, not imported wines hidden in blends.

“Agriculture in Ontario, including Niagara, is continuously being threatened by government regulations and policies. If we are to survive, it is essential that we protect our agricultural industry. At this time, the Niagara North Federation of Agriculture would like to request that you support the Ontario Grape Growers’ Marketing Board and their recommendations.”

That’s from Albert Witteveen, president of the Niagara North Federation of Agriculture. Certainly it’s very important that we listen to the representations which have been made in this regard.

I have another one, from two grape growers. In this particular case, it’s Vladimir Dim from Jordan, Ontario, regarding the Wine Content Act.

“We are writing in support of the Ontario Grape Growers’ Marketing Board suggested changes to the Wine Content Act.

“As area grape growers we strongly support the following”—and they were listed as the Niagara North Federation of Agriculture wanted them.

“The 12-year adjustment period is over. The growers have invested a great deal of money, time, sweat and effort into improving and continuing to improve the varieties of grapes required to produce a product unique to Ontario and Canada. It is time for the Ministry of Commercial Relations to support the backbone of the wine industry in Canada, the growers.”

They have copies to Tim Hudak, Bart Maves, Peter Kormos, Brad Clark and Bruce Crozier.

1630

I have another one. I guess the member for Stoney Creek will vote against this bill along with me, because he has grape growers in his area. Of course they would be impacted by what the government is doing with the Wine Content Act in this area—again, an area won by a government member, and I suspect if you looked at the polls in that area, you may find some significant support for that person.

Here’s the Niagara Peninsula Fruit and Vegetable Growers’ Association. Let’s hear what they have to say. This letter is from Doug Whitty, who is the president. It’s to Mr John Neufeld, who is the chairman of the Ontario Grape Growers’ Marketing Board.

“Dear John,

“We have been following comments by growers, processors and government sources concerning a replacement Wine Content Act.

“This association represents all fruit and vegetable growers, including grape growers, in the Niagara Peninsula and we are concerned by actions that carry the potential to weaken any segment of the fruit and vegetable industry, as the segments are so interrelated.

“Grape growers have worked progressively to create a respected wine industry in Ontario, in partnership with wineries. They have led by example and by huge investments over the past 10 years. Their commitment has been a major influence in keeping Ontario’s tender fruit lands as a productive source of job generation.

“The province must not permit processed agri-products to be passed off as ‘product of Ontario’ when this is a deceptive practice. The province must not turn a blind eye when other descriptions are used which carry a strong, and misleading, implication that imported, foreign products have been grown and processed in Ontario. An example is the term ‘Cellared in Ontario/Canada.’ No matter what the fine print may say that accompanies this term, the illusion is created for consumers that this represents a totally made-in-Ontario product, when this is—abundantly—not the case.

“The Ontario wine industry must be a totally Ontario wine industry, if our wineries are serious about status, quality and providing wines that are distinctive of wine regions of Ontario. We question whether adding water reflects a commitment to quality. First and foremost in all these deliberations must be the rights of consumers, here in our own marketplace.

“Finally, we see no excuse for delaying the implementation of change, to make certain Ontario wines are from Ontario grapes. If there currently is a shortage of any variety after 12 years of preparatory time, that would be a terrible indictment of processors in general, showing a disregard for basic planning.

“I hope these positions will prove helpful for the grape growers and your board of directors. Please keep me informed on progress, as our members are deeply interested.”

That is from Doug Whitty, president, Niagara Peninsula Fruit and Vegetable Growers’ Association. So Doug Whitty is very concerned about it.

Here’s John Neufeld, who is the chair of the Ontario Grape Growers’ Marketing Board. Let’s see what John has to say. You will see John around here from time to time when grape growers make their presentations. The Minister of Consumer and Commercial Relations comes in and smiles, the Minister of Agriculture comes in and smiles, and then they hide something in this act that is, in

the viewpoint of the farmers, detrimental to their particular position. He writes to me:

"For your information I am passing along a copy of a letter which now has been faxed to every winery in Ontario and in British Columbia. As you will see this was a co-operative move by us and the Association of BC Grape Growers. We have concerns in common and we also prefer reaching a solution which will apply nationally and fairly in Canada.

"I will let you know what response we receive.

"I still see comments in print about a shortage of this or that grape variety. If this is true after a 12-year period for adjustment, the solution is simple and always has been. A winery may approach a few selected growers with the offer that if you will grow these, we will buy. End of shortage. Despite our requests we have not been able to secure guidance on varieties to plant, or the volumes needed, and I have no patience with people who prefer grumbling to solutions.

"One point specific to Ontario is a system of winery retail stores. These were established for marketing Ontario products and currently they carry wines with as little as 25% Ontario grapes. This will change at the end of the year, under the replacement Wine Content Act. Hopefully this will include quality standards patterned on the successful system in the United States which is internationally respected, bringing the introduction of wines of Ontario, with 100% Ontario grown grapes, and wines of Canada with 75% domestic grapes.

"Only wines respecting these qualifications should be eligible for inclusion in the retail stores. Wines that do not qualify as Ontario or Canadian in fairness should be regarded as imports, and retailed as imports. Otherwise there will be no incentive to aim for excellence in our wines and project pride in our province.

"This confusion would continue for consumers if foreign and Ontario wines are stacked side by side, in the LCBO or the winery stores.

"Yes, we have the supply of grapes needed. No, honesty in labelling should be delayed no longer.

"We welcome your guidance."

I'm in agreement with them. There are several letters, and they have certainly stated their case extremely well.

As I say, there was some considerable support for this government and this political party amongst those people whom I am speaking on behalf of this afternoon. I've found a third member now. I know that Brad Clark and my friend Jim Hudak from the Niagara Peninsula and my friend Bart Maves will all want to vote against this legislation because it doesn't address the concerns of the farmers in our area, and they should certainly be aware of that.

As soon as I see a red tape act I become very concerned because there are other aspects in past acts which have been detrimental. When the Red Tape Commission was set up, it was set up to remove a lot of regulations, eliminate them completely, or to modify them. As soon as I saw my good friend Frank Sheehan on the commission I knew that we would not have a Red Tory doing

this, or a person whose views would be anything other than very conservative.

In fact, I saw Frank the other night. He went to see John Turner, the former Prime Minister of Canada, speak at Brock University. Frank and I were conversing and I said I mentioned him affectionately in the Legislature from time to time. I think he thought that it was less than affectionately, but nevertheless it keeps his name before the public.

Interestingly enough, when the Red Tape Commission was re-established, it was the same day as the Walkerton news broke. How ironic, because what we have seen happen is an erosion of the kind of regulations and legislation that were necessary to protect our drinking water in the province. On the same day they're re-establishing the Red Tape Commission to get rid of more regulations.

Obviously, there are always some regulations out there that time tells us are no longer needed, that affect something from the last century or something of that nature. But there are a lot of regulations that have been put in place to protect consumers, to protect the people of this province, I think in health care, in public safety and certainly in the environment. I'm always worried, when I see a bill like this come in, to look for those.

There are amendments to the Public Guardian and Trustee Act. The only purpose of the amendment appears to be to let the government gouge people with more user fees. We know that the government has well over 900 user fees that have either been introduced new or increased by this government. They like saying they've cut taxes, but they've increased user fees. Whom does that normally hit the hardest? Well, it hits the people of modest means hardest. Rich people can always afford the user fees. They grumble a bit about them, but they can certainly afford them. The people who become excluded from an activity or a service are, in fact, people of modest economic means, when you apply a user fee.

An example all of us would recognize is the number of kids out there now who are unable to play hockey because of the very high price now of ice. That is because the provincial government has downloaded so much responsibility and financial obligation to municipalities that they are now forced to find new sources of revenue, so they up their prices for the use of their arenas and therefore the price of registration goes up considerably for various organizations. For kids on travelling teams or all-star teams, it's very prohibitive for those who are of very low economic means, and that's most unfortunate.

You, Mr Speaker, having been a distinguished hockey player in a previous incarnation, would recognize that it's good to have as many kids as possible who have ability participating. When you start excluding them because they cannot afford it, it's most unfortunate, particularly when we consider that to be our national sport—at least our national winter sport. Folks in St Catharines would say lacrosse is the national sport in the summer.

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The Red Tape Reduction Act expands the public guardian and trustee's ability to charge fees and expenses

for services rendered. The public guardian and trustee will have statutory authority to be reimbursed for expenses. This looks like another cash grab. You find these in all these bills. The Premier doesn't get up and make an announcement about them, no minister gets up to announce them, but you find it in legislation.

I heard another member mention something about the Condominium Act. Everybody is wondering when that's going to be implemented. I have people phone my office it seems once a week to ask when that is going to be proclaimed. Something is going on there. The government has waited so very long to do so. There are many provisions that affect housing. I know other members are going to be dealing with that.

I'm always concerned about the Ministry of the Environment. I see we have the Ministry of Natural Resources and the Ministry of Transportation. Driver's licence suspensions can now be sent by mail instead of registered mail. I'm a bit concerned about that because there should be an acknowledgement that it has reached the place. Even if you're charging the other person for that, I hate when a person doesn't know their licence has been suspended because it's gone astray in the mail.

Anyway, there's enough of this bill that I see that I can't support. I wish I could—I keep looking for bills to support in this Legislature—but it's got too many hostages in it.

The Speaker (Hon Gary Carr): Questions and comments?

Mr Marchese: I support the comments made by my learned friend from St Catharines. It is certainly in line with what we're thinking and worried about. The member for Nickel Belt talked a fair bit about that as well yesterday. My colleague from Niagara Centre raised similar concerns. They read, for the record, a similar type of correspondence.

The member for St Catharines quite appropriately says, "Who are you to believe?" If you listen to the government members, everything is OK, is rosy. According to the title of this bill, you, residents, don't have to worry because it's an act to reduce red tape and to promote good government. So you can all stay at home and cozy up and watch some good television and not worry about what's happening here. Yes, this document is thick, but, good God, don't you worry yourselves about what's going on in this place because they're looking after your little interests out there.

The member for St Catharines quotes Mr Neufeld, and I'll do that again just briefly. He says, "Bill 119 disregards the interests of growers who make a wine industry possible in this province. Bill 119 will be welcomed by the vineyard owners in places like Chile and Argentina," but not so much here.

By the way, no disrespect to Chile and Argentina. My partner is from Chile and I like Chilean wines. That's not the issue. The point is, like Mr Neufeld, we want to be able to not just respect our growers and our vineyards and wine growers and wine industry here, but we certainly have to promote them. According to him, this

bill doesn't do it. So hopefully we'll have some debate and give them an opportunity to put forth their reasoning.

Mr Wood: I would certainly congratulate the member for St Catharines on a very good speech. It does, however, raise a few questions which I'd like to put to him and invite him to answer in the two minutes he'll have in a few minutes.

Does he favour getting rid of the quotas for the grapes? That's in the bill and I'd be interested in knowing whether or not he agrees with that. If he doesn't favour it, perhaps he can share with us why he lacks confidence in our product. Does he think our grapes being produced here are not marketable?

The other question I'd like him to address, if he sees fit to do so, would be, does he agree with Ontario adopting, at a minimum, the national guidelines for labelling? That's the intention of the government and I'd be interested in knowing whether or not he agrees with that.

I would also like to comment, as well as put those questions. The member commented on the work of the Red Tape Commission. I'd like to remind the House that the Red Tape Commission is not anti-regulation at all. What we are for is good regulation. We in fact want to make this jurisdiction the best in the world for regulatory excellence, because if we do that, that's going to provide a lot better service for our citizens and our businesses and it's going to attract investment and jobs to Ontario. We have had remarkable success in the last five years in creating new jobs. One important reason for that is that investors had confidence that if they invested in Ontario, the government would understand their concerns and would respond to them. They have responded to that change for the better in attitude. I wanted to put that on the record again to remind all members of the House what we believe in and what we are trying to do.

Mr Duncan: I listened attentively to my colleague from St Catharines, as I always do, and I wanted to particularly comment on the points he made with respect to the wine industry, an industry that's so very important to his part of the province and indeed is very important to the part of the province from which I hail, Essex county.

His comments, I felt, brought to light the problems with these so-called red tape or omnibus bills, and that is the hostages in the bills, the things in the bills that are unpalatable, I would suggest even to those members from the Niagara Peninsula, Mr Hudak—

Mr Bradley: Bart Maves.

Mr Duncan: —Bart Maves, Mr Clark, that I'm astounded they could support these provisions in this bill.

But again, it's part of the treason, if you will, of dealing with legislation of this significance in this manner. It truly, in my view, does not reflect our traditions, our parliamentary heritage about omnibus bills and what should and shouldn't be in them.

My colleague is always on guard to find those hostages in the bill, and he reads them, unlike Mr Maves and unlike Mr Clark and unlike some of the other government members from the Niagara Peninsula, many of whom represent a large number of people who would be

affected by this. He's prepared to stand up and tell it like it is. He's to be applauded for that.

Like my colleague from St Catharines, I urge those members to stand up and defend the interests of the people who sent them here just a year ago. I know my colleague from Essex, Bruce Crozier, will be standing up against this, and I would urge the members opposite, Mr Maves in particular, to do the same thing.

Mr Maves: I actually relish the opportunity to follow the member from Windsor-St Clair, because his speech in the last two minutes shows his ignorance. Over the past three years, wineries and grape growers have been working together with the government of Ontario. In fact they've included the member from St Catharines in some of those discussions, and the member from Niagara Centre, the member from Niagara South and myself. We've been working diligently to find a solution to what happens when the Wine Content Act ends at the end of this year.

Part of the process has been a look at adopting new labelling standards. This is something the grape growers wanted for a very long time. They wanted wine that was to be labelled Ontario wine to be 100% Ontario grapes. That's going to be in effect and that's something grape growers have lobbied for for a very long time. They've also lobbied for the other national labelling standard of 75% domestic content in a bottle of wine labelled Canadian. That's in this act.

There are some other issues that have been talked about for three years. One of those happens to be called an issue of stretch, which is how much of a tonne of grapes is juice and how much is supplemented by water, and that issue has been dealt with. The last thing anyone could call this is stealth. In fact it's been a three-year struggle that all the members in the Niagara Peninsula have been involved in. So for any member to get up and say that because this Wine Content Act is being addressed in this bill is something that's done by stealth and comes out of the blue and no one knew anything about it, is folly in the extreme. I'm alarmed at that.

Am I 100% happy with everything that's going to happen with regard to the changes of the Wine Content Act? No, and I've worked very hard to get things added in for our grape growers that have been there, and we're going to continue to work on this when this bill goes to committee.

The Acting Speaker: Response?

Mr Bradley: When I become a minister, if that ever happens again, I will certainly be answering questions, at that time, but until such time as that, I'll have a response.

Mr Wood: That'll be years.

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Mr Bradley: It may be a long time; it may be a short time. One never knows. I'm never presumptuous. Unlike the Premier, who said in the House today he'd be here for another 40 years, I never presume that will be the case.

I want to say in regard to the Wine Content Act that indeed there are some real problems that farmers have with what has emerged. If you said this half a dozen years ago even, they might have accepted some of the

provisions that we see today, again, as still being in a transition period. They look now and say it's 12 years. We've gone 12 years since the free trade agreement and since the Wine Content Act was dealt with. They believe now that they are in a position to provide the kind of grapes that the wineries need, and they don't like seeing a lot of this wine or the concentrate coming in from elsewhere to blend in with their wine when they feel we produce the proper kind of grapes now. There may have been a time, and the farmers will concede this themselves, that they didn't always have the kind of grapes that the wineries needed.

I want to help those farmers out because I'm a person who believes strongly in the preservation of agricultural land. I also believe that if you preserve the land, you must preserve the farmers' economic viability as well. I want to see that happen. I don't want to see the Niagara Peninsula paved over. There are some people who will not be happy, I should say, until they've paved every last centimetre from Toronto to Fort Erie; then they'll think they've achieved the ultimate in paradise. I do not share that point of view. That's why I want to preserve that agricultural land; that's why I want to help the farmers out in this case.

I don't care what the others say; I'm confident that the three government members will be voting against this bill because they're not entirely satisfied.

The Speaker: Further debate?

Mr Duncan: On a point of order, Mr Speaker: I seek unanimous consent to revert to orders of the day, introduction of bills, for the sole purpose of allowing the Minister of Municipal Affairs to introduce a bill with respect to the Ottawa tragedy. It was promised more than two hours ago by the Premier of Ontario that we would have that bill today. I seek unanimous consent to allow the minister to introduce that bill.

The Speaker: Is there unanimous consent? I heard some noes. Further debate?

Mr Joseph Spina (Brampton Centre): Clearly, the members have other intentions in mind rather than speaking on this bill at this point.

I'm happy to be speaking on this. Our government was elected on a campaign in 1995 and 1999 to do a lot of things, and among those was to clean up the red tape in government both for business and industry and also for Joe Public.

A number of people have asked me why I ran for politics, and I'm sure my honourable colleagues will have—

Mr Dominic Agostino (Hamilton East): We're wondering all the time, Joe.

Mr Spina: Yes, the opposition asks me all the time. I certainly didn't come to this Legislature in order to suffer abuse from the opposition verbally, but I also count some of them among my friends and colleagues in this Legislature.

Mr John Gerretsen (Kingston and the Islands): Name them.

Mr Spina: Well, I could, you know: Mr Bartolucci for one. We enjoy a glass of wine once in a while. There are others. There are those who perhaps would run a risk of

being named. Mr Bartolucci may make that a point of privilege perhaps on Monday, but we'll leave that up to him.

Mr Smitherman: Have you taken up snowmobiling?

Mr Spina: No, I haven't.

But one of the things we have been trying to do was to make government more efficient, to lower taxes, to create a better economic climate so that jobs could be created. As we know from the announcements this past summer, we more than exceeded the job creation program that we had intended.

I think one of the things that allowed us to do that was the fact that we made it easier for businesses, not just the large ones but also the small business people, the young men and women who run the small independent businesses, businesses that I was very proud to work with not only as a small business owner starting my own company in 1981, but also as the parliamentary assistant for small business back in 1995 to 1997. We introduced the conversion of the old self-help offices to small business enterprise centres. I am very pleased that this program is moving along very well. A number of municipalities have become great partners with the province in these small business enterprise centres. I'm pleased that my own, which happened to be—on an analytical basis its self-help office was really the worst performing in this province. It wasn't so much the objective. The objective, when the NDP government introduced it, was admirable but the implementation didn't work. We modified that, made a better implementation tool and, as a result, the city of Brampton economic development department, as I indicated in a statement the other day, won a gold and platinum award for street-front economic development, using the small business enterprise centre, which cut out a lot of the red tape in helping these small business people get established and allow them the opportunity to grow.

I'm proud to say also that this morning on Breakfast Television the people who go out into the community to various events chose to be at the Brampton small business enterprise centre to highlight—

Mr Smitherman: I saw them.

Mr Spina: Thank you, George. That was great to know—to highlight how well these enterprise centres help small business.

We're very proud that this was achieved. This is a very strong, very clear indicator that if you remove some of the red tape, if you allow some of the mechanisms from both levels of government and the private sector to work together, you can go a long way toward actually helping business grow and small business thrive.

This year we have introduced the Red Tape Reduction Act, 2000, which builds on the previous bills that were passed by the government. This bill reflects our government's fight against unnecessary rules and regulations that put that burden on business and get in the way of providing better service to the public.

The red tape reduction bill was coordinated by the commission for introduction this past spring. It was really

marvellous to see that 16 ministries submitted over 250 items for this bill. The Ministry of Agriculture, Food and Rural Affairs submitted one statute for consideration; the Attorney General's office submitted fully 23 statutes for consideration; the Ministry of Consumer and Commercial Relations submitted 47 statutes for consideration; the Ministry of Education had one statute; the Ministry of Energy, Science and Technology submitted 13 statutes; the Ministry of the Environment submitted six statutes; the Ministry of Finance, one; the Ministry of Health and Long-Term Care submitted 10 statutes for consideration; the Ministry of Labour submitted 25 statutes for consideration; the Management Board Secretariat, three; the Ministry of Municipal Affairs and Housing submitted 28 statutes for consideration; the Ministry of Natural Resources fully 54, some of which we've seen surface here in the bill; the Ministry of Northern Development and Mines submitted 14, mostly to do I think with the mining sector; the Ministry of Training, Colleges and Universities submitted two; and the Ministry of Transportation submitted four statutes for consideration for cabinet approval.

There were also a number of statutes that were amended. There are 61 statutes that would be amended as a result of this bill. Two are going to be repealed. These are the Hunter Damage Compensation Act and the Ontario Training and Adjustment Board Act.

There's one single new statute that is being created, and that is the Environmental Review Tribunal Act. I think all of us fairly well agree that is a good addition. I think it gives credence to what my colleague from London said, that the intention of the bill is not just to eliminate regulations willy-nilly but in fact to make sure that a number of the issues come forward; where it's important to create a statute, we will bring it forward, and in this case it was an environmental review one. There were 15 ministries fully involved in this. As I said, the bill is intended to look at various facets of how government regulations and legislation can be better serving the client, which is our taxpayer.

1700

We've broken the themes and highlights down into some categories. The first one is what we would classify perhaps as improving customer service. Under that comes the amendment to the Mining Act proposed by the Ministry of Northern Development and Mines. This amendment gives the minister the authority to approve a refund due to an administrative or rounding error, and the approval of the Lieutenant Governor in Council will no longer be required. You wonder why we had that to begin with. What it means, of course, is that there can be a faster processing of refunds with something as small as an administrative or a rounding error. The reality is that it gets the money back into the hands of the people in the mining industry.

There are three statutes in this that are being addressed under what we would maybe classify as just good government and common sense issues. Under the Ministry of the Environment, we indicated the creation of an act, the

Environmental Review Tribunal Act. It consolidates the operation of the Environmental Assessment Board and the Environmental Appeal Board, as recommended by the Wood commission. This consolidation helps to eliminate the administrative overlap and duplication from two separate tribunals.

Secondly, under the Ministry of Natural Resources, some changes to the Conservation Land Act. The Ministry of Natural Resources is facilitating the conservation of Canada's natural heritage by expanding a mechanism by which US residents can make gifts of land in Ontario while both deriving the associated tax benefits against their US income and avoiding the disincentive of incurring capital gains tax here in Canada, obviously encouraging their investment in the province of Ontario.

The Health Insurance Act: The Ministry of Health and Long-Term Care is cleaning up its legislative framework by removing references to "health insurance premiums," which of course have not existed since the creation of the employer health tax back in 1988 or 1989. Unfortunately, that was one of those Liberal taxes which I remember, as president of the Brampton Board of Trade in that era, mounting a massive letter-writing and lobbying campaign against the Liberal government of the day against the employer health tax. We felt, as I still do today, that we should all share in one way, shape or another in the delivery of health care. The small amount we paid in terms of a premium, which was in those days somewhere around \$25 to maybe \$50 to \$100 a month, depending on your income level, was a small enough amount of money that gave the taxpayers some ownership in paying for the health insurance system. I think it made us conscious of the fact that we were paying for health care a little bit. The government and the rest of the tax dollars, of course, were paying the bulk of it. But it gave us that sense of ownership and responsibility, I think, not to abuse something to which we contributed.

The question at the time that I know many people were concerned about was, "What if you don't have sufficient income to pay or make the old OHIP contribution?" I was in the position for a while of not being able to pay my OHIP premium. Why? Because I was a student in university and of course I was above the age to be covered by the family. I was very appreciative that the government recognized the fact that lower-income people, in particular students in university, were exempted, and yet we still had our full health care coverage. It was a system that worked, and I think it was a system that we all shared a bit of responsibility to. Unfortunately, I think the creation of the employer health tax, which exempted everyone on a personal basis from paying into the health care system, led to far wider-spread abuse of the system, because when the perception is that it's free, then people tend to abuse that particular benefit. That's not something that I think any of us want to see, particularly with our health care system.

There is another category, which I would describe as responding to the needs of Ontarians. Under the Attorney General's ministry, the Execution Act increases the

amount of a debtors' assets that are exempt from seizure in order to allow them to retain a subsistence living and not be thrown on to welfare. The value of the exemptions is now less than 20% of what they were when the act was passed in 1965. This hasn't changed in 35 years.

Trustees in bankruptcy are required now to seize from bankrupts everything that the Execution Act allows to be seized on a judgment, and as a result, judgment debtors and bankrupts have been forced into social assistance, despite the policy of the statute to allow them enough to support themselves. Now it defines it very clearly.

From the Ministry of Natural Resources—the Ministry of Finance is amending the Insurance Act to permit viatical settlement companies to operate in Ontario. Regulation-making power will be provided to define these viatical settlement companies and set out appropriate consumer protection measures. So it's not just the elimination, the modification of the regulations, but it's also ensuring that we have implemented appropriate consumer protection measures. This change will ensure that terminally ill people have the opportunity to access their insurance resources to assist them in their time of need.

We know, all of us, personally, someone who lost their job or has been severely incapacitated as a result of injury, and they really are left with no other resources. But when they were in a position to pay into a good insurance plan, they did so. When they were fully employed, whether it was as a truck driver or as an assembly line worker or as a management person, in any environment, they all took that opportunity to buy insurance. When you have a substantial investment in a policy, we wanted to make it easier for people to be able to access that.

I mentioned the Ministry of Natural Resources; it was actually the Ministry of Finance, and I talked about the Insurance Act. But with respect to MNR, in the Niagara Escarpment Planning and Development Act, the ministry is enhancing the commission's ability to protect the escarpment by issuing stop work orders in cases where significant environmental damage is likely to be caused if unapproved development is allowed to continue.

Those are very key words, because we want to ensure that we protect the environment. We want to ensure that we protect that valuable natural asset called the escarpment and at the same time, particularly where you have unauthorized, unapproved work or development taking place, allow them to quickly move in and stop the process.

1710

Under the Consumer Reporting Act for the Ministry of Consumer and Commercial Relations, they're taking action to improve that act to prohibit credit repair companies from charging consumers large sums of money in advance to help them repair bad credit reports. This is tantamount to extortion. So the ministry will not allow payment of advance fees until the services are actually provided and will prevent companies from using false advertising that they can "clean bad credit." This was an unbelievable amount of extortion that was essentially

sanctioned by legislation. I don't see that any member of this Legislature, regardless of our party stripe, would object to that kind of change to this bill.

The last item I'll speak to, and it would fall into the category of, "The government delivers on its promises," is the Administration of Justice Act and the Provincial Offences Act. The commitment we made has now been delivered once this bill is finalized and through, and that is the implementation of the government's local services realignment initiative. The Attorney General facilitates the implementation of the government's local services initiative. The ministry is clarifying that Ontario municipalities are entitled to retain the revenues from Provincial Offences Act fines and that the municipalities can enter into agreements with each other in order to further streamline the administration of provincial offences. The municipalities became partners as part of the realignment of services, and they fully deserve to have a share of the revenue.

These are just some of the elements of this bill, which I think meets not only our commitment but our philosophy of governing for the betterment of the people of this province.

The Speaker: Questions and comments?

Mr Duncan: I want to thank the member for his comments and address a number of the issues that I believe the member alluded to and spoke to directly.

First of all, the nature of the bill itself: I would have enjoyed hearing the member's views on whether he feels we should be dealing with 75 different statutes in the same bill; whether we should be dealing with major changes, quite frankly, to the Tenant Protection Act inside a bill that is ostensibly an omnibus bill, a bill that by the government's definition is designed to eliminate or reduce red tape, when in fact there are a range of major statutory changes on that.

I would have appreciated hearing his views on the wine question that has been raised by my colleagues from St Catharines and Essex county, given the fact that indeed the government has raised the issue.

I would have enjoyed his comments on whether or not he feels the increase in the amount of compensation a victim of crime can get in the course of his or her lifetime has been raised high enough. The government, in introducing this bill, correctly pointed out that it was the Liberals who raised it last time, back in 1986. A very simple calculation using the consumer price index reveals that in fact the government hasn't even allowed compensation for victims of crime to keep up with inflation, which I would have thought this government, which speaks frequently about victims of crime and crime and punishment, would have done. They didn't even want to do that, just like they didn't want to break the deal with Karla Homolka, while they criticize the federal Liberals.

I regret that I didn't hear the member's views on those kinds of issues.

Mr Marchese: I've got some questions for Mr Spina, the member for Brampton Centre, that I hope he might find time to answer; I'm not sure. The Minister of Hous-

ing answered the question, but it wasn't the question I was asking, I think. I might ask it again to see if it resonates with you, because I think you mentioned the housing tribunal. I'm not sure.

The red tape bill allows the tribunal to designate employees as default order officers as a way of, presumably, speeding up evictions. It means that the tribunal officers, who are the ones who normally issue these default orders, can now designate regular employees—bureaucrats, some people would say; I think that's too derogatory, but just ordinary working people there—to become like tribunal members and be able to issue those default orders.

You might know, member for Brampton Centre, that the Centre for Equality Rights in Accommodation did a pilot project last winter in which they contacted tenants who were facing evictions. It was done in co-operation with the tribunal as well, so it isn't something that was done independent of it. Their study reveals that one third of the tenants had not received the eviction notice from their landlord, and one third of those who had received it did not understand that they had five days to respond to the application in writing. So in my view, it's already a problem. What you're doing through this red tape bill is permitting more of these employees to become like tribunal members, to be able to issue these orders. I am concerned. It's a fact.

OK, you may not want to answer that one; maybe you want to answer this. Changes to the Theatres Act would allow changes in film classifications to be done by regulation instead of through amendments to the act. This could, in the worst scenario, be used to bring back censorship in a serious way without any public debate. I think that's a concern. What do you think?

The Speaker: Further questions and comments?

Mr Wood: Mr Speaker, I wonder if I might first pay public tribute to the work of the member for Brampton Centre on the Red Tape Commission. He brings wisdom, he brings experience, and most importantly, he brings an openness to new ideas. To the extent that we're accomplishing some things, it's to a considerable extent because of his work.

I'd have to say, however, that I thought he spoke today to considerable disadvantage, because he doesn't have the benefit of where the Liberal Party stands on a few key issues.

The member for St Catharines a few minutes ago had an opportunity to tell us where they stand on the issue of grape quotas. Where does the Liberal Party stand on the issue of quotas? Do they agree with quotas or don't they? They haven't seen fit to share that with us yet. I hope they will. Maybe they haven't decided yet; I don't know. There's nothing wrong with saying you don't know if you don't know, but I do feel the member was at a considerable disadvantage in not having the benefit of where the Liberal Party stands on quotas.

We also don't have the benefit of where the Liberal Party stands on the question of the national guidelines. Do they think it's a good idea to have those as our

minimum labelling guidelines in Ontario? It's a fairly simple question. It's a question that's been around for a while, and I'm sorry that the member for St Catharines didn't see fit to share with us what their position is. Now, it may be they have no position. Maybe they're fighting with each other; I don't know. We know that's a long tradition, so maybe that's why they didn't tell us. But the fact of the matter is, the member for Brampton Centre was at a very considerable disadvantage in not knowing where the Liberals stand.

I hope that before this debate is over we will have answers to the questions that were posed and we can then share with the public of this province whether or not the opposition has a good, sensible, coherent policy on this matter. We haven't heard one yet, but it may well be we will.

Mr Agostino: When the member from Brampton spoke, I was waiting for him to tell us about the work that my colleague Dwight Duncan, the member from Windsor, had done to force the government to move on the compensation for victims of crime bill. We've raised it time after time, and six, seven, eight months later, after his constituent lost his vehicle, was on the verge of losing his home, was on the verge of losing everything he had because of this government's and the Attorney General's inaction, he comes through with a bill. It was something the Attorney General could have done six or seven months ago when my colleague raised it, and it would have saved this individual a great deal of grief.

I would have thought the member from Brampton would have cut some of the red tape this government brought in when they changed the Family Responsibility Office five years ago, a system that was working fairly well in this province, where this government, under the previous Attorney General and then that poor tradition carried on by the current Attorney General, basically has caused a living hell for women who are trying to deal with the FRO.

1720

Clearly you now have this bureaucracy you got into. With their 1-800 number you wait for hours and hours— it used to be 1-800; it's not even a 1-800 number any more. The MPPs' offices cannot even deal with the FRO. I would have thought the member from Brampton would have addressed that and maybe would have told us the government was going to bring something forward.

While he was on his feet, I would have thought he would have assured us that the commitment made this afternoon by the Premier would have dealt with the Ottawa shooting that our leader, Dalton McGuinty, brought up.

The Premier committed it to be available at the end of the day. Let me remind you, Mr Speaker, we have 35 minutes left until the end of this day and the Premier made that clear commitment. I would have thought the member from Brampton would have assured us that the Premier or the Minister of Municipal Affairs would walk in before the end of today with this bill.

We have not seen it yet. This bill was supposed to be ready at 3 o'clock, as the Premier told us. We have 35 minutes. I hope to God that the Premier of Ontario today was honest and accurate when he said that that piece of legislation, which my leader forced him to bring in, will be in place by 6 o'clock tonight.

The Speaker: Response?

Mr Spina: Thanks to the members from Windsor-St Clair, Trinity-Spadina, London West and Hamilton East.

The member from Hamilton East didn't directly address my comments. He certainly was on about a number of other things, but that's the way he likes to do things. He's not in our caucus anyway.

Mr Agostino: Thank God. Believe me, I would never, ever be there.

Mr Spina: That's fine. Never mind, we won't go down that way.

Mr Duncan: On a point of order, Mr Speaker: Is there a quorum in the House right now? I notice there are one, two, three, four, five Liberals and—

The Speaker: Check for a quorum.

Clerk Assistant: A quorum is not present.

The Speaker: Call in the members.

The Speaker ordered the bells rung.

Clerk Assistant: A quorum is now present, Speaker.

The Speaker: The member for Brampton Centre.

Mr Spina: I want to thank all the members for their wonderful input. I'm sure the opportunity will arise when it goes to committee.

Mr Gerretsen: I'm very pleased to join this debate today. As has already been mentioned by a number of previous speakers, this is a huge piece of legislation. All one has to do is look at the thickness of the bill we've got in front of us. It goes on for something like 120 pages. It deals with 75 different acts. It's got about 20 different schedules in there.

I can remember a time about four years ago when on Bill 26, you may recall, there was a great commotion in the House about this kind of thing. The media took great interest in it.

Mr Duncan: The bully bill.

Mr Gerretsen: It was the bully bill, that's right, and the outcome of that particular bill affected an awful lot of people. I'm not sure whether we've become, and I mean collectively, so, I don't know, sanitized about these large bills—

Mr Duncan: Desensitized.

Mr Gerretsen: Desensitized, thank you very much—that we almost accept this kind of thing. Certainly there isn't a large public outcry that this kind of bill shouldn't pass. At the same time, it deals with a lot of different topics.

We've already heard a brilliant exposé today from the member for St Catharines dealing with how this bill affects the grape growers in the Niagara area and how they don't like this bill.

We've heard some comments with respect to the Mining Act. We've heard comments with respect to the changes to the rental protection legislation, or the non-

protection of tenants out there. We've heard changes mentioned relating to the Attorney General's department. We've heard of changes that are going to be brought in with respect to the Public Guardian and Trustee Act. There many changes with respect to consumer and commercial relations, in probably about 25 different acts within that area. One can just go on and on.

The first point I clearly want to make is that I, as one individual member of this House, find it totally unacceptable that a bill that deals with so many different aspects of our day-to-day life should be brought into this House and be dealt with in one piece of legislation. It's not the right way for a government to deal with matters. And then to label it a red tape reduction bill—as one of the government members stated earlier, this doesn't deal with the reduction of red tape, it just changes some of the red tape. What they have simply done in this bill is modified some of the rules and regulations in some of the departments, in some of the ministries, to other rules and regulations. There has been very little of the reduction of red tape that they like to talk about so much.

As a matter of fact, one of the speakers today made the comment that there are only two acts that no longer have any relevance to our 21st century life here in Ontario that have been deleted; and as he indicated, one new act is being created by this bill.

The point I'm simply trying to make is that to call it a red tape reduction bill is totally erroneous, is fallacious. You're changing some of the rules and regulations to bring them within new ministry terminology. That's all you're doing with respect to a lot of the bill. So don't call it red tape reduction. As a matter of fact, if you talk to a lot of the small business people in Ontario, they will tell you that the red tape that they deal with on a day-to-day basis in their small businesses hasn't changed one iota over the last four to five years. So I guess if you spin something long enough, even though nobody else out there may believe it, the government members start to believe it. But I would like the people of Ontario to know that this is not a red tape reduction bill. It just changes some of the rules and regulations to bring them in line with the newer acts that have been proclaimed from time to time.

Let me be perfectly clear: there are some good things in this bill.

Mr Bradley: Where?

Mr Gerretsen: I'll tell you where. They took our colleague David Caplan's idea in the rental protection act he brought forward by way of a private member's bill some time ago. I can't remember whether it was last year or the year before. It basically states that if an eviction notice is taken out against an individual, if it hasn't been served by a sheriff's officer within six months after having been taken out, it can no longer be used to evict that individual. He brought that forward in a private member's bill some time ago because quite often, in a lot of situations, the landlord simply didn't execute on the eviction notice and almost used it as a hammer over a tenant's head, that if the tenant didn't co-operate they

were going to serve the eviction notice. I remember the case that he referred to. It was still used by a landlord some year and a half, two years later, when obviously whatever the eviction notice was originally provided for had long since passed, the reason for it had long since passed. So quite rightly that eviction notice should not be used on tenants, who may have had some difficulty at one point in time, some year or year and a half later, when obviously the tenant was back to paying the rent on time and things like that.

1730

The point I'm trying to make is that we agree with that particular amendment. We thought that the Caplan private member's bill was the right idea, that these eviction notices should not be used as sledgehammers over people's heads. When you look at the rest of the landlord and tenant legislation, what it does is limit the rights of tenants even more and more. I think the tenants out there realize that in many cases the new legislation, which has now been in effect in the province for, I suppose, a year or two years, is starting to affect them. Yes, there is some protection when they remain in the units they're currently living in, but once they move, the rent control legislation does not apply to that unit any more and there's absolutely no protection for the tenants when they move somewhere else.

The other changes that have been made in this particular bill are a lot more draconian. They are not very helpful to the individuals who may be involved with this in one way or another. Let me give you another example, and that deals with the Ministry of the Attorney General. There's a section in here that states that the Public Guardian and Trustee Act will be amended, as a result of this omnibus bill, so that the public guardian and trustee's office can charge and deduct fees and expenses. It provides regulatory powers with respect to the accountant of the Superior Court of Justice. What that means is they could start charging for all sorts of things. If there's one thing that the people of Ontario have realized over the last four to five years, it's that this government is all in favour of user fees, and new user fees.

Let me give you one example. I have a letter here from a law firm in Kingston that is acting on behalf of the estate, the heirs, of someone who died very tragically in a car accident. This was a letter addressed not only to myself but also to Mr Galt, the member for Northumberland, as you know. I believe the reason he was requested to be involved in this as well is because the accident happened in his riding.

This law firm, in order to represent these people properly and correctly, needs the technical traffic investigation report in order to pursue this particular situation. I'm not familiar with this law firm. You would think I would know every law firm in Kingston, but I don't know who these people are. I know they're located in the building in which my constituency office is located, but I'm not familiar with them at all; I don't know anybody in this firm. They were told that in order

to get this technical investigation report, they would have to pay the OPP a fee of \$535. As the lawyer states in his letter, which is addressed to the Ontario Provincial Police, "Thank you kindly for your September 18, 2000, letter indicating that the technical traffic investigation report will cost \$535. As you can imagine we must justify whatever expense we make in support of our client's claims. We would ask that you kindly assist us in explaining this expense to our client by pointing out the statutory or regulatory provision permitting the government to charge such a very large sum for this document. Your kind assistance is appreciated."

It's my understanding that this is a report that exists in fact and all that's required is that a copy be made of this particular report, to which this firm is entitled, on behalf of its clients, in order to pursue that case. I cannot for the life of me think how photocopying a report that exists, that doesn't have to be created from material that the police already have in their possession, would cost \$535. That, to my way of thinking, is gouging the public. In effect, in some cases, it may very well deny the individuals involved the kind of justice that I think we all want for one another. I've written a letter to the Attorney General on this, as a matter of fact, because I would like him to take a look at this as well, not only on behalf of these people, but to take a look at that regulation in general, because I don't think anyone who has gone through the traumatic event of losing a loved one in a traffic accident should be put to this kind of an expense in order to further their legitimate claims against another individual or organization.

The point I'm trying to make is simply, what do we know about the fees and expenses that the public guardian and trustee's office will now charge the people they're involved with on an ongoing basis? We all know that this is only the tip of the iceberg. Maybe people have become so desensitized about this situation in Ontario that user fees are now almost an accepted thing. But I would suggest to you that user fees in a lot of situations are in effect a denial of natural justice to people. We've seen it in this particular case and we may very well see it as well in the fees that the public guardian and trustee's office will now be able to charge as a result of the changes that are being proposed in this bill.

Let me go on. There are so many other changes that are contemplated in this bill that you wonder why, for example—and I see that the Minister of Municipal Affairs is here in the House right now. It may very well be that the Premier will keep to his promise and we will have that bill. They've been scrambling all afternoon to try to get that bill into the House. I'm sure that when the Premier says something in the House, when he says during question period that we will have a bill dealing with the tragic circumstances and the pension payout situations with respect to the people who died in the OC Transpo situation very tragically about two years ago, those four individuals who were involved, when the Premier says that it's going to happen today before 6 o'clock and when the opposition parties gave unanimous

consent that we will co-operate in whichever way we can to make sure that bill passes before 6 o'clock, surely that would happen.

I am so very pleased to know that my leader, Dalton McGuinty, the next Premier of this province—three years from now he will be the Premier of this province, I'm absolutely convinced—raised that issue, and he was told yesterday by the Attorney General, "I'm sorry; we can't do anything. The transition board in Ottawa has decided that they aren't going to honour the legitimate arrangements that were made by the council" with respect to the families of those four individuals who died so tragically in Ottawa two or three years ago. But when the Premier came in and said it was going to be done today, I can only assume that the pressure that must have come as a result of the comments and the questioning that was made by Dalton McGuinty yesterday—

Interjection.

Mr Gerretsen: I have no idea how much Claude Bennett was being paid. I'm sure he's being paid something.

In any event, I'm glad that my leader, Dalton McGuinty, raised that issue and put enough pressure on this government to actually make it change its mind. It was very encouraging to see today during question period that the Premier gave a straightforward answer. If I'm not mistaken, that is the first straightforward answer he has given in the last five years in this House. And what happened? People on all sides of the House immediately applauded the Premier and said, "You're doing the right thing. You're following the lead of the Leader of the Opposition; you're following what he's saying."

I would suggest to the government ministers who are in the House right now that when you have your cabinet meeting next Wednesday, you suggest—

Mr Bradley: They cancelled that one.

Mr Gerretsen: Yes, they did cancel that one. I wonder why. Anyway, whenever you have your next meeting of cabinet, suggest to the Premier again, "Give the opposition a straight answer and they will applaud again."

The Minister of Correctional Services is in the House this afternoon. I was somewhat surprised that an individual who is from my hometown in Kingston, where we have seven federal penitentiaries, by the way, would be set up for the kind of question and answer that he gave this afternoon with respect to the conditions in the federal penitentiaries. I would suggest to him that if he really thinks that all federal penitentiaries are country club kind of settings, he should visit Kingston Penitentiary, for example, or he should go out to Collins Bay Penitentiary or Joyceville Penitentiary to see what a real federal penitentiary is like. He knows better than that.

1740

It's interesting that the Toronto Sun, which after all is the mouthpiece of this government, in a headline not so long ago stated that the Tories stand by the Karla Homolka deal. Can you imagine that? That's what it says in the headline. This isn't a trick headline; they really

said that. With everything we've heard about that and the kind of answers he gave today to the member from Guelph, I was shocked. I was shocked by it because I respect that minister, and I know that he knows better. I take it that it was just done for effect more than anything else.

In any event, let me just say that this particular act has way too many different topics in it. Each one of these topics deserves a full deliberation and consideration itself. The reason I'm saying that is that if you look at the explanatory notes, you will be surprised at how often it states in here that changes have to be made to certain acts that were passed in the last so-called red tape reduction bill.

In other words, after everything was done, and after having been warned by the opposition on numerous occasions that the kind of changes that were being contemplated were going way overboard, they wouldn't work, the government is now realizing, "Yes, I guess we did go a little too far here. We didn't quite get this right. We do have to make a change here." What I would suggest to all those members who are nodding their heads "no" on the other side is to go through the explanatory notes, go through the sections, and you will find out how many changes you have made to the last red tape reduction bill—which always reminds me of probably the best incident that I can think of, of how we had—what?—seven different property tax bills at one time.

Interjection: Eight

Mr Gerretsen: Eight different property tax bills. The Minister of Finance, a man who prides himself on competence, certainly wasn't very competent in that case, when he had to come up with eight different bills changing a previous bill, and I understand there's another one coming up. So I say to the government, as my time is rapidly coming to a close, why don't you do the right thing? Why don't you split this bill off in about 20 smaller bills so that we can deal with each one of these areas and give it the due consideration it deserves? The people of Ontario demand that of this government.

The Speaker: Questions and comments.

Mr Marchese: I certainly agree with some of the criticism that has been levied against the government by the member for Kingston and the Islands, and disagree with some, particularly the one where he makes the pronouncement or at least a prognostication of the fact that Mr McGuinty is going to be the next Premier. Now, I say to myself, since when has he achieved this state of semi-divinity that he could foretell the future so clearly and so well? At least with that statement, I'm in disagreement, because the electorate is so fickle they could elect the NDP again. I mean, who knows? No one expected us to get elected in 1990, but we did. I certainly didn't foretell it, and wouldn't dare to presume to foretell, because I haven't achieved that state of semi-divinity myself.

Interjection.

Mr Marchese: But you don't know, Dominic. Dominic Agostino says, "It won't happen again, so don't

worry." But how does he know? What, has he become God all of a sudden?

Interjection: You might become leader.

Mr Marchese: Well, there you go, I might be the leader of the New Democratic Party, you're quite right—I don't know that. But with respect to this bill, it's a big bill. The member from Niagara Falls said, "It doesn't take long, really, to read this bill," as a criticism to one of the opposition members. Yes, it does. What does he think we do, sit at a desk and just read the bills that come to our desks all day long and that we have no committee work to do in the afternoons, that we have nothing else to do and that it's so easy to read that we shouldn't have any problems?

The point is that there might be some good things contained in this bill, but overall it's a problem. The purpose of an omnibus bill is to bury a whole lot of stuff that nobody can get to, especially the media, especially the opposition, or anybody else for that matter.

Mr Gill: It is a pleasure to take part in the debate this afternoon and comment on some of the comments that the members for Kingston and the Islands and Trinity-Spadina have made.

It is a strange—I shouldn't say it's a strange thing. A lot of members, as you've seen, especially from the opposite side, get swayed and they are out in left field somewhere. They are never on a point. The point is, we are discussing Bill 119, An Act to reduce red tape, to promote good government through better management of Ministries and agencies and to improve customer service by amending or repealing certain Acts and by enacting two new Acts.

The member for London West, a good MPP, Bob Wood, and former member Frank Sheehan did extensive consultations about red tape reduction, and I want to thank them.

The member from Kingston said that it's a huge bill; it's 120 pages long. He doesn't realize that half of that is, of course, French.

The member for St Catharines said that it's an omnibus bill. Over the last few times we've sat here, every bill that comes out they say is an omnibus bill. "It's too much." "The government is trying to do too much." "They're going too fast." To create 748,000 jobs in five short years, it takes a lot of guts, it takes a lot of hard work to do that. They said it couldn't be done. They said it was voodoo economics. The economists said it couldn't be done. But lo and behold, it has been done, and the people of Ontario are benefiting.

The way to have good government, efficient government, is to make sure there is less red tape. I am happy to support this bill.

Mr Duncan: I am pleased to respond to my colleague from Kingston and the Islands, who I felt shed a lot of light on the bill. I wanted to comment to him specifically, because I know he had to address the heckling of the Minister of Correctional Services, who was talking today about the Liberal record on crime and punishment. I will remind the minister that this is a government that has

allowed the deal with Karla Homolka to stay put. You owe us and the people of this province an apology. You had a chance to stop it and you didn't. We have the government House leader across the way, along with the Minister of Municipal Affairs, sitting on pins and needles with a bill that has taken four hours to draft. Here they are, flip-flop from yesterday. The Attorney General ought to be embarrassed by what he said yesterday.

What did they do? Yesterday they weren't going to compensate the victims of crime. Today, because of my leader, Dalton McGuinty, they are going to introduce that bill and finally put to rest the decision of Claude Bennett and the group in Ottawa that was appointed by this government that took an award that was agreed to by that community. So the minister of corrections really ought to get his facts straight and understand those sorts of things.

My colleague from Kingston came back to the essential point of this bill. It's an omnibus bill that deals with major pieces of legislation that should have been stand-alone. Perhaps members from the Niagara area on the Tory side will vote against the grape growers in their area, but my colleague Jim Bradley and my colleague Bruce Crozier would never do such a thing to their constituents. So those members ought to be thinking long and hard about what they're doing as well.

I'm going to yield the floor in the hope now that the government will introduce the bill we've been waiting for all afternoon, so we can pass it and make sure that those victims of that terrible crime in Ottawa and their families—their families who are left behind—get their due compensation.

The Speaker: Further questions and comments?

1750

Mr Wood: I would like to compliment the member for Kingston and the Islands on raising a number of issues that I thought were worth looking at. I think his comments with respect to the fee that he referred to in his speech were comments that were worth pursuing. I would invite him and all members, where a red tape problem arises, to feel free to invite that person to make a complaint to the Red Tape Commission. If we deem it to be red tape within our definition, we'll indeed deal with the civil servants in that ministry. If that doesn't work, we'll deal with the minister's office. If that doesn't work, we will seek advice from the Premier of the province to try and get the problem solved.

I also note that the member referred to the fact that we make changes and then improve upon these changes in the various 14 red tape bills we've presented. That of course is an entirely fair comment, but I have to observe that it contrasts very well with the zero red tape bills that were brought in by the Liberals from 1985 to 1990. I don't apologize for making improvements because I think that's important and I think our record contrasts favourably with that of the Liberals.

The last comment I would like to make on his speech is this: I was disappointed that he didn't take up the invitation I gave to the member for St Catharines to tell us where the Liberals stand on the issue of grape quotas.

I hope he will take that invitation in the two minutes that he's going to get and tell us where they stand on that issue. I also hope he'll tell us where the Liberals stand on whether or not national guidelines should be the minimum for labelling in Ontario. Please tell us where the Liberals stand on that issue.

The Speaker: Response?

Mr Gerretsen: I understand that the Minister of Municipal Affairs is about to introduce a bill, so I will be very short and sweet.

I will take you up on your offer. I will communicate with the Red Tape Commission and see what can be done about that exorbitant fee. I regard it as a very positive move to say something positive like that in the House here, sir. I commend you for that.

Having said that, however, let there be no doubt about the fact that the amount of regulation and red tape hasn't been reduced by this bill. Take one very quick look at the bill and you'll find out that it contains just as much red tape, perhaps different red tape, than previous pieces of legislation.

With that, I will yield the floor to the minister or whoever else wants the floor in order to get that Ottawa bill passed immediately.

Hon Norman W. Sterling (Minister of Intergovernmental Affairs, Government House Leader): On a point of order, Mr Speaker: I seek unanimous consent to revert to introduction of bills to allow the Minister of Municipal Affairs and Housing to introduce the OC Transpo compensation bill, that we immediately allow this bill to be considered for all three readings, that notwithstanding the undertaking of that business and given that there's only a few minutes left before adjournment this afternoon, that the debate on Bill 119 will be considered a full sessional day of debate, and that we extend this afternoon's sitting past 6 pm until this matter is completed.

The Speaker: Is there unanimous agreement? Agreed.

INTRODUCTION OF BILLS

OC TRANSPO PAYMENTS ACT, 2000

LOI DE 2000 SUR DES PAIEMENTS CONCERNANT OC TRANSPO

Mr Clement moved first reading of the following bill:
Bill 129, An Act to authorize payments to the estates of the victims of the OC Transpo Tragedy / Projet de loi 129, Loi autorisant des paiements à la succession des victimes de la tragédie survenue chez OC Transpo.

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

Hon Tony Clement (Minister of Municipal Affairs and Housing): As the Premier promised the members earlier today, I'm introducing legislation at this time to make good on the region of Ottawa-Carleton's desire to help victims of the OC Transpo tragedy.

As you know, the municipality wanted to give each of the four families \$100,000. The transition board, legally and technically, we believe, acted within its authority, and I believe the board had the best of intentions when it made its decision.

Several candidates for mayor of the new city of Ottawa have said they will revisit this decision of the transition board. We don't think it makes sense to make the families suffer any more than they already have. You are also aware, Mr Speaker, that this government is committed to support victims of crime.

Today's legislation authorizes the region's original decision and allows the municipality to flow the money. We all know that the incidents in Ottawa were tragic and had terrible consequences, and of course no amount of money can adequately make up for the lifelong pain that victims of violent crime and their families suffer. We should, however, do what we can. I trust that we can all agree to pass this legislation quickly.

OC TRANSPO PAYMENTS ACT, 2000

LOI DE 2000 SUR DES PAIEMENTS CONCERNANT OC TRANSPO

Mr Clement moved second reading of the following bill:

Bill 129, An Act to authorize payments to the estates of the victims of the OC Transpo Tragedy / Projet de loi 129, Loi autorisant des paiements à la succession des victimes de la tragédie survenue chez OC Transpo.

The Speaker (Hon Gary Carr): Minister?

Hon Tony Clement (Minister of Municipal Affairs and Housing): I have no further comment.

Mr Sean G. Conway (Renfrew-Nipissing-Pembroke): I appreciate the lateness of the hour and I don't intend to prolong the debate, except to say a few things. First and foremost, I and all of my colleagues in the Liberal Party support the bill just introduced by the Minister of Municipal Affairs.

Let me just say a few things. I was in my home county last week and I was absolutely stunned to hear that an old colleague of mine, Claude Bennett, a man who I had served with for years, who has been a very seasoned politician both municipally and provincially—I almost drove off the road when I heard that Claude Bennett, who quite frankly has plenipotentiary powers under the transitional legislation that this Legislature has given him, and I guess it's Lund up in Sudbury and others, extraordinary powers that were commented upon when the bill was before the House—I am not a lawyer and I haven't had time to look at the details of the legislation, but it certainly is my memory of the powers given to the transitional team that they were given powers that I was deeply troubled by. It was a suspension of local government in many respects. We've put those communities like Ottawa-Carleton and Sudbury and Hamilton-Wentworth basically under trusteeship.

I'm not here to recycle all of that debate, but that someone of Claude Bennett's experience and political sensitivity would have made the decision he made, alone or with that board, I found deeply troubling. I've got to tell you that just about everybody I spoke to in the Ottawa Valley, to say nothing of the national capital area—I mean, the idea. We were told by Mr Bennett that this would be a precedent, that it was a gratuitous payment, as though public servants are murdered routinely in Ottawa or elsewhere in the province. It's absolute poppycock.

I understand absolutely the desire of any public official, particularly in these days, to be careful and prudent about the expenditure of public monies, but I want to say here once again what happened a year and a half ago: a number of innocent, hardworking people associated with the public transit authority in Ottawa-Carleton were just terribly murdered that afternoon, whenever it was, 18 months ago. I can't remember, and I'm 49 years of age, a circumstance anything like that in Ottawa or elsewhere in the province in my lifetime. This was an extraordinarily and deeply troubling event, hopefully a very isolated and very exceptional circumstance. In my view, nobody would have known or ought to have known that more than Claude Bennett, who for years served on Ottawa city council and served in here for a decade and a half, most of it as a senior cabinet minister.

1800

The idea that those families and the people of Ottawa-Carleton were told, "We can't approve this," notwithstanding that it was the desire of the local government, well and clearly supported by just about everybody in the community that I heard of, that the transitional board said, "We can't approve this because it's a gratuitous payment," because it would set a precedent, was an absolute outrage on those victims and their families.

I applaud the Premier and his Minister of Municipal Affairs today for correcting the outrage of last week, but in unanimously endorsing this bill tonight, I hope there's not a self-respecting member of this Legislature who does not want to condemn the incredibly insensitive decision-making and thought-developing process that was engaged in by that transition committee last week. I say to my old colleague and friend Claude Bennett: shame on you.

The Speaker: Further debate?

Mr Rosario Marchese (Trinity-Spadina): Very briefly, Speaker. I endorse the comments that have been made by the member for Renfrew-Nipissing-Pembroke and the strong sentiments he has expressed.

I would say that I, on behalf of our party, support the bill that has been presented today and briefly add that I congratulate the leader of the Liberal Party for having raised this issue a couple of days ago and congratulate the Premier for having acted speedily to remedy a wrong. This is a very timely thing that we're doing, and I, on behalf of the entire party, support this bill wholeheartedly.

Hon Norman W. Sterling (Minister of Inter-governmental Affairs, Government House Leader): As a member for the Ottawa area, I'd like to speak on behalf of Mr Baird, Mr Guzzo and Mr Coburn in our support for the Premier in dealing with this issue, along with the Minister of Municipal Affairs and Housing, in such an expeditious manner.

When these four men were killed on their job, the Ottawa community and eastern Ontario—I guess all Ontario, of course—was in shock. But this was brought more to light for me in a personal sense because one of those individuals lived in Carleton Place, which is in the county of Lanark and which I now represent. I also was present at the memorial service at the Corel Centre, when 5,000 or 6,000 people, along with the families and friends of these four men, attended together to grieve the lives of these four men. Having gone through that experience, and still remembering the music and watching the children and the families of these four men, who were hard-working citizens who never expected this kind of tragedy in their lives, I'm so happy today that we as a Legislature have been able to work together to remedy and to address just a little bit of their sorrows and their needs resulting from this tragedy.

I'm sorry this happened, that it was required for us to take this particular step, but I think the Premier and the Minister of Municipal Affairs and the members opposite can all be proud today in the action we've taken on

behalf of our Legislature, our government, for four families that have suffered tremendously over the past 18 months.

The Speaker: Further debate?

Mr Clement has moved second reading of the OC Transpo Payments Act, 2000.

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

Shall the bill be ordered for third reading? Agreed.

OC TRANSPO PAYMENTS ACT, 2000

LOI DE 2000 SUR DES PAIEMENTS CONCERNANT OC TRANSPO

Mr Clement moved third reading of the following bill:

Bill 129, An Act to authorize payments to the estates of the victims of the OC Transpo Tragedy / Projet de loi 129, Loi autorisant des paiements à la succession des victimes de la tragédie survenue chez OC Transpo.

The Speaker (Hon Gary Carr): Further debate?

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

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

It being past 6 of the clock, this House stands adjourned until 1:30 of the clock on Monday.

The House adjourned at 1805.

LEGISLATIVE ASSEMBLY OF ONTARIO
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Clerks at the Table / Greffiers parlementaires: Todd Decker, Lisa Freedman
Sergeant-at-Arms / Sergent d'armes: Dennis Clark

| Constituency Circonscription | Member/Party Député(e) / Parti | Constituency Circonscription | Member/Party Député(e) / Parti |
|---|---|--|--|
| Algoma-Manitoulin | Brown, Michael A. (L) | Hamilton Mountain | Bountrogianni, Marie (L) |
| Ancaster-Dundas- Flamborough-Aldershot | McMeekin, Ted (L) | Hamilton West / -Ouest | Christopherson, David (ND) |
| Barrie-Simcoe-Bradford | Tascona, Joseph N. (PC) | Hastings-Frontenac- Lennox and Addington | Dombrowsky, Leona (L) |
| Beaches-East York | Lankin, Frances (ND) | Huron-Bruce | Johns, Hon / L'hon Helen (PC) Minister of Citizenship, Culture and Recreation, minister responsible for seniors and women / ministre des Affaires civiques, de la Culture et des Loisirs, ministre déléguee aux Affaires des personnes âgées et à la Condition féminine |
| Bramalea-Gore-Malton- Springdale | Gill, Raminder (PC) | Kenora-Rainy River | Hampton, Howard (ND) Leader of the New Democratic Party / chef du Nouveau Parti démocratique |
| Brampton Centre / -Centre | Spina, Joseph (PC) | Kingston and the Islands / Kingston et les îles | Gerretsen, John (L) |
| Brampton West-Mississauga / Brampton-Ouest-Mississauga | Clement, Hon / L'hon Tony (PC) Minister of Municipal Affairs and Housing / ministre des Affaires municipales et du Logement | Kitchener Centre / -Centre | Wettlaufer, Wayne (PC) |
| Brant | Levac, Dave (L) | Kitchener-Waterloo | Witmer, Hon / L'hon Elizabeth (PC) Minister of Health and Long-Term Care / ministre de la Santé et des Soins de longue durée |
| Bruce-Grey-Owen Sound | Murdoch, Bill (PC) | Lambton-Kent-Middlesex | Beaubien, Marcel (PC) |
| Burlington | Jackson, Hon / L'hon Cameron (PC) Minister of Tourism / ministre du Tourisme | Lanark-Carleton | Sterling, Hon / L'hon Norman W. (PC) Minister of Intergovernmental Affairs, government House leader / ministre des Affaires intergouvernementales, leader parlementaire du gouvernement |
| Cambridge | Martiniuk, Gerry (PC) | Leeds-Grenville | Runciman, Hon / L'hon Robert W. (PC) Minister of Consumer and Com- mercial Relations / ministre de la Consommation et du Commerce |
| Chatham-Kent Essex | Hoy, Pat (L) | London North Centre / London-Centre-Nord | Cunningham, Hon / L'hon Dianne (PC) Minister of Training, Colleges and Universities / ministre de la Formation et des Collèges et Universités |
| Davenport | Ruprecht, Tony (L) | London West / -Ouest | Wood, Bob (PC) |
| Don Valley East / -Est | Caplan, David (L) | London-Fanshawe | Mazzilli, Frank (PC) |
| Don Valley West / -Ouest | Turnbull, Hon / L'hon David (PC) Minister of Transportation / ministre des Transports | Markham | Tsubouchi, Hon / L'hon David H. (PC) Solicitor General / solliciteur général |
| Dufferin-Peel- Wellington-Grey | Tilson, David (PC) | Mississauga Centre / -Centre | Sampson, Hon / L'hon Rob (PC) Minister of Correctional Services / ministre des Services correctionnels |
| Durham | O'Toole, John R. (PC) | Mississauga East / -Est | DeFaria, Carl (PC) |
| Eglinton-Lawrence | Colle, Mike (L) | Mississauga South / -Sud | Marland, Hon / L'hon Margaret (PC) Minister without Portfolio (Children) / ministre sans portefeuille (Enfance) |
| Elgin-Middlesex-London | Peters, Steve (L) | Mississauga West / -Ouest | Snobelen, Hon / L'hon John (PC) Minister of Natural Resources / ministre des Richesses naturelles |
| Erie-Lincoln | Hudak, Hon / L'hon Tim (PC) Minister of Northern Development and Mines / ministre du Développement du Nord et des Mines | | |
| Essex | Crozier, Bruce (L) | | |
| Etobicoke Centre / -Centre | Stockwell, Hon / L'hon Chris (PC) Minister of Labour / ministre du Travail | | |
| Etobicoke North / -Nord | Hastings, John (PC) | | |
| Etobicoke-Lakeshore | Kells, Morley (PC) | | |
| Glengarry-Prescott-Russell | Lalonde, Jean-Marc (L) | | |
| Guelph-Wellington | Elliott, Brenda (PC) | | |
| Haldimand-Norfolk-Brant | Barrett, Toby (PC) | | |
| Haliburton-Victoria-Brock | Hodgson, Hon / L'hon Chris (PC) Chair of the Management Board of Cabinet / président du Conseil de gestion | | |
| Halton | Chudleigh, Ted (PC) | | |
| Hamilton East / -Est | Agostino, Dominic (L) | | |

| Constituency Circonscription | Member/Party Député(e) / Parti | Constituency Circonscription | Member/Party Député(e) / Parti |
|--|---|---|---|
| Nepean-Carleton | Baird, Hon / L'hon John R. (PC) Minister of Community and Social Services, minister responsible for francophone affairs / ministre des Services sociaux et communautaires, ministre délégué aux Affaires francophones | Scarborough East / -Est | Gilchrist, Steve (PC) |
| Niagara Centre / -Centre | Kormos, Peter (ND) | Scarborough Southwest / -Sud-Ouest | Newman, Hon / L'hon Dan (PC) Minister of the Environment / ministre de l'Environnement |
| Niagara Falls | Maves, Bart (PC) | Scarborough-Agincourt | Phillips, Gerry (L) |
| Nickel Belt | Martel, Shelley (ND) | Scarborough-Rouge River | Curling, Alvin (L) |
| Nipissing | Harris, Hon / L'hon Michael D. (PC) Premier and President of the Executive Council / premier ministre et président du Conseil exécutif | Simcoe North / -Nord | Dunlop, Garfield (PC) |
| Northumberland | Galt, Doug (PC) | Simcoe-Grey | Wilson, Hon / L'hon Jim (PC) Minister of Energy, Science and Technology / ministre de l'Énergie, des Sciences et de la Technologie |
| Oak Ridges | Klees, Hon / L'hon Frank (PC) Minister without Portfolio / ministre sans portefeuille | St Catharines | Bradley, James J. (L) |
| Oakville | Carr, Hon / L'hon Gary (PC) Speaker / Président | St Paul's | Bryant, Michael (L) |
| Oshawa | Ouellette, Jerry J. (PC) | Stoney Creek | Clark, Brad (PC) |
| Ottawa Centre / -Centre | Patten, Richard (L) | Stormont-Dundas-Charlottenburgh | Cleary, John C. (L) |
| Ottawa-Orléans | Coburn, Brian (PC) | Sudbury | Bartolucci, Rick (L) |
| Ottawa South / -Sud | McGuinty, Dalton (L) Leader of the Opposition / chef de l'opposition | Thornhill | Molinari, Tina R. (PC) |
| Ottawa West-Nepean / Ottawa-Ouest-Nepean | Guzzo, Garry J. (PC) | Thunder Bay-Atikokan | McLeod, Lyn (L) |
| Ottawa-Vanier | Boyer, Claudette (L) | Thunder Bay-Superior North / -Nord | Gravelle, Michael (L) |
| Oxford | 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) | Toronto-Danforth | Churley, Marilyn (ND) |
| Peterborough | Stewart, R. Gary (PC) | Trinity-Spadina | Marchese, Rosario (ND) |
| Pickering-Ajax-Uxbridge | Ecker, Hon / L'hon Janet (PC) Minister of Education / ministre de l'Éducation | Vaughan-King-Aurora | Palladini, Hon / L'hon Al (PC) Minister of Economic Development and Trade / ministre du Développement économique et du Commerce |
| Prince Edward-Hastings | Parsons, Ernie (L) | Waterloo-Wellington | Arnott, Ted (PC) |
| 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) |
| | | 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, Alvin Curling, Gerard Kennedy,
Frank Mazzilli, John R. O'Toole, Steve Peters,
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 / Greffière: Susan Sourial

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 / Greffière: Anne Stokes

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 / Greffière: Donna Bryce

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 / Greffier: Tom Prins

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.
Tasca, 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: Tonia Grannum

**Regulations and private bills /
Règlements et projets de loi privés**

Chair / Présidente: Frances Lankin
Vice-Chair / Vice-Président: Garfield Dunlop
Gilles Bisson, Claudette Boyer, Brian Coburn,
Garfield Dunlop, Raminder Gill, Pat Hoy,
Frances Lankin, Bill Murdoch
Clerk / Greffier: Douglas Arnott

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