



**Legislative Assembly
of Ontario**

First Session, 37th Parliament

**Assemblée législative
de l'Ontario**

Première session, 37^e législature

**Official Report
of Debates
(Hansard)**

**Journal
des débats
(Hansard)**

Thursday 30 November 2000

Judi 30 novembre 2000

Speaker
Honourable Gary Carr

Président
L'honorable Gary Carr

Clerk
Claude L. DesRosiers

Greffier
Claude L. DesRosiers

Hansard on the Internet

Hansard and other documents of the Legislative Assembly can be on your personal computer within hours after each sitting. The address is:

<http://www.ontla.on.ca/>

Index inquiries

Reference to a cumulative index of previous issues may be obtained by calling the Hansard Reporting Service indexing staff at 416-325-7410 or 325-3708.

Copies of Hansard

Information regarding purchase of copies of Hansard may be obtained from Publications Ontario, Management Board Secretariat, 50 Grosvenor Street, Toronto, Ontario, M7A 1N8. Phone 416-326-5310, 326-5311 or toll-free 1-800-668-9938.

Le Journal des débats sur Internet

L'adresse pour faire paraître sur votre ordinateur personnel le Journal et d'autres documents de l'Assemblée législative en quelques heures seulement après la séance est :

Renseignements sur l'index

Adressez vos questions portant sur des numéros précédents du Journal des débats au personnel de l'index, qui vous fourniront des références aux pages dans l'index cumulatif, en composant le 416-325-7410 ou le 325-3708.

Exemplaires du Journal

Pour des exemplaires, veuillez prendre contact avec Publications Ontario, Secrétariat du Conseil de gestion, 50 rue Grosvenor, Toronto (Ontario) M7A 1N8. Par téléphone : 416-326-5310, 326-5311, ou sans frais : 1-800-668-9938.



LEGISLATIVE ASSEMBLY
OF ONTARIO

Thursday 30 November 2000

ASSEMBLÉE LÉGISLATIVE
DE L'ONTARIO

Jeudi 30 novembre 2000

*The House met at 1000.
Prayers.*

ORDERS OF THE DAY

ACCOUNTING PRACTICES

Mr Alvin Curling (Scarborough-Rouge River): I move that, in the opinion of this House, there should be a fund to relieve or mitigate loss sustained by any person as a consequence of dishonesty on the part of any public accountant in the practice of the profession of public accountancy, and therefore the Public Accountancy Act should be accordingly amended.

The Acting Speaker (Mr Bert Johnson): Pursuant to standing order 96, the member has 10 minutes to make a presentation.

Mr Curling: Let me first say that I want to express my appreciation to the Institute of Chartered Accountants of Ontario's Dave Wilson, who got back to me promptly when I spoke to him with regard to this resolution. I want also to mention that this in no way reflects that the chartered accountants' institute or the profession itself is in disarray but that it is a leader in this regard.

I understand too that I will take my 10 minutes and that later on in the rotation I will take some additional time.

I think I should put this resolution in perspective first. Maybe I should read the resolution in its entirety. It reads like this:

"Whereas in the profession of law in Ontario, clients are protected from a lawyer's incompetence by lawyers' professional errors and omissions insurance, and from a lawyer's dishonesty in the practice of law by the lawyers' fund for client compensation administered by the Law Society of Upper Canada; and

"Whereas in the profession of public accountancy, while members of the profession are required to maintain insurance against claims arising out of negligence and incompetence, there is no form of compensation for victims of an accountant's fraud in the course of the practice of the profession:

"Be it resolved that, in the opinion of this House, there should be a fund to relieve or mitigate loss sustained by any person as a consequence of dishonesty," as I read earlier on, "on the part of any public accountant in the practice of the profession of public accountancy." There-

fore I'm asking "that the House call upon the government to amend the Public Accountancy Act."

I've stipulated in detail sections which could be so amended to allow them to do so. One of the parts is by adding to the functions set out in section 7 of the Public Accountants Council for the Province of Ontario a paragraph reading "the protection of the public from loss arising out of dishonesty by an accountant in the practice of the profession, and the mitigation of such loss."

At this time, I'd like to explain how these things are set out in the act. There is insurance that covers negligence or incompetence on the part of professionals. Lawyers have insurance like that, and accountants also. Most professions have that kind of insurance protecting against negligence or incompetence on the part of that profession. There is another aspect: to protect where there is fraud or criminal behaviour on the part of professionals. Basically, the lawyers have had a fund to do that. This is specifically excluded from the coverage under the liability insurance that lawyers and accountants must purchase. The legal profession has put in place a mechanism for addressing this gap, but the accountancy profession has not done so. The lawyers have done so since 1953, have put this trust fund in place for any professional misconduct in regard to fraud or criminal behaviour so there is a fund to which victims have access. I'm asking that the accountants do the same, that they set up such a fund for victims of fraudulent acts by the profession to access.

This is an opportunity for the chartered accountants' institute to be leaders in this field. Lately, we have found a tremendous number of individuals whose accounts and finances have been fraudulently used, and they have no recourse unless they individually sue that professional. Many seniors have been gouged for their money in that respect, and I think we have to put it in place.

Of course, I understand the concern that the chartered accountants' institute and professions like that are self-regulating bodies and that governments should not be dictating to these organizations because they're self-regulating. But we have a responsibility as lawmakers and legislators to see that the interests of those who invested are protected. If we have given organizations and institutions the authority to self-regulate, we must also allow them the laws with which to do so.

In my resolution, I have taken the painstaking approach, of course with the great help of the researchers in this place, to point out to Parliament what areas could be amended to address those concerns. We should amend

certain sections of the Public Accountancy Act, as I stipulate in here, add to section 7, “the protection of the public from loss arising out of dishonesty by an accountant in the practice of the profession and the mitigation of such loss.”

I’ve also included that we should add a provision empowering the Public Accountants Council for the Province of Ontario to establish a fund to mitigate such losses. I’ve also mentioned we should add to section 17 a provision empowering the council to collect fees earmarked for the compensation fund. Of course, the individuals in the profession would have to contribute to this fund, and giving them this amendment would allow them to do so.

Also, we should add to section 31 a subsection (2.1) empowering the Lieutenant Governor in Council to ask, to request, the Public Accountants Council to make regulations under subsection (1.1) and empowering the Lieutenant Governor in Council to make such regulations in the event that the Public Accountants Council fails to do so. We’re giving the public accountants the opportunity to do so, and if they fail to do so, we have an obligation to protect those outside and the Lieutenant Governor in Council would of course make such regulations in that event.

Also, we should add a provision directing the council to make a regulation requiring members of the profession to alert their clients to any part of the accountant’s work for the client that may come outside the scope of practice of public accountancy for the purposes of the member’s professional liability insurance and the council’s compensation fund.

Let me explain a bit about this. When you approach a doctor, for instance, you know that the person is certified and qualified and legally sanctioned to practise that profession, so you approach that individual with confidence. If I have a concern, if I have a complaint, if I have an ailment, this professional will look after me, and if anything goes wrong, we know this individual is accountable not only to myself, the patient, but also to the government and to their association.

1010

An individual who approaches an accountant, from all the times of seeing a chartered accountant, would say, “I’m in good hands. This institution is sanctioned by the government, it’s a credible institution, so therefore I can lay my financial concerns at their feet and they can then end it accordingly.” Sometimes it’s outside of the chartered accountancy role, but because people see them as that individual, they come to them with that confidence to do so. I am saying in here that the chartered accountant then, in advising the individual, is to explain to the individual that this is outside the scope of the practice of public accountancy for the purposes of the member’s professional liability insurance and the council’s compensation fund. In other words, “It’s outside of that, but I will still advise you because you have this confidence in me.”

But when we do set up the fund, if this person in any way defrauds that individual, although it’s outside of the

chartered accountancy regulations’ jurisdiction, this person would have access to that fund accordingly. I am concerned that this has not been done in the past. When I get the opportunity to speak a little later, I will tell you about many cases.

This is the direction I am saying: to have chartered accountancy itself be a leader in this field in saying, “We are prepared to protect all clients who come before us with character and integrity laid out by the chartered accountants’ institute or the Public Accountancy Act.”

I look forward to hearing my colleagues discuss this in detail.

Mr David Tilson (Dufferin-Peel-Wellington-Grey): I would like to make a few remarks with respect to the presentation made by the member from Scarborough-Rouge River. He has expressed why he is doing it, although I had hoped he would go further.

He has based many of his reasons for doing this in terms of a fund that’s available when lawyers have held monies in trust and where there has been perhaps fraud. Of course, you can’t practice law unless you have liability insurance; you’re just not allowed to. If a lawyer is deemed to be negligent by a court or if there is some sort of settlement, they are covered through insurance and the public is protected in that regard. If there is fraud, I don’t think that insurance is available, which is one of the reasons there is a fund.

Lawyers hold monies in trust for a number of reasons. It could be the proceeds of a real estate transaction for a vendor, that he is holding the monies for a period of time on the direction of his or her client. It could be the proceeds of a mortgage transaction where monies are being held for a period of time either in the lawyer’s trust account or in an interest-bearing account in which those monies are being held in trust. It could be the proceeds of an estate, in which lawyers hold monies for long periods of time, generally in an interest-bearing account.

Certainly, under the rules of the Law Society of Upper Canada, they are accountable. Those lists of accounts must be reported to the law society each year and they are reviewed very carefully. They are under the very strict scrutiny of the Law Society of Upper Canada. There are occasions each year, unfortunately, where fraud takes place, where lawyers have monies available and that fund is made available.

My friend Mr Curling, the member for Scarborough-Rouge River, has said that similar situations exist with respect to accountants. He very kindly sent me and, I assume, other members of this House a package of information, one of which is a copy of the Public Accountancy Act. I did take the time to read some of the sections of that act defining what a public accountant is supposed to do. I don’t see anywhere where they are holding monies in trust. I am looking specifically at section 1. There is the performance of services for auditing, making financial statements, and those sorts of things. So if there are examples of fraud, and Mr Curling may be able to give this House examples of such, they are not normally in the course of an accountant. Any more, they’re in the

course of my friend, the friend of my friend, my uncle, who may take money from me and say, "I have an investment for you." Unfortunately that happens, and unfortunately sometimes there are big losses because my friend or my uncle or the friend of my friend has taken that money. That could happen in any situation. So if it's done by accountants, it's normally done outside the profession.

You know, I must confess that our government has given examples of where there's too much red tape as to what we do in this province, and it may be very laudable, but how far do you go in protecting the public? The public makes investments. How far do you go? There is a province, the province of Quebec I believe, and Mr Curling may refer to that, which is the only other province that requires the accounting profession to maintain a compensation fund, so it's not unusual. The Public Accountants Council has not identified the issue of fraud as a significant problem that may warrant the creation of such a fund as a way to mitigate losses. The public accountants themselves haven't expressed a need for it. So although he may have some personal examples that he has yet to give that relate specifically to the profession of the accountant, the accountancy field, I don't think I can support this, because it's creating a form of red tape which the province of Ontario would be involved in, as I understand it.

I'll look forward to hearing Mr Curling's response, but from what he has said to date and from the material that he has sent to me, I can't support it because of the need.

Mr Joseph Cordiano (York South-Weston): I rise today to speak in sympathy with my colleague the member for Scarborough-Rouge River and in support of the intent of his bill to mitigate against losses that perhaps result from not negligence, but fraud and dishonesty.

It may be the case that accountants are not—as I've heard my good friend Mr Tilson, the member for Dufferin-Peel-Wellington-Grey, suggest—in the normal course of their professional duties taking funds in trust accounts, that they are not required to do so or that they shouldn't be doing so under the act that governs their body, their professional association. Perhaps that is the case. However, I would suggest to him that there are very real examples where fraud has taken place, and yes, that might be outside of the profession, but we have to remember that chartered accountants do have a very high status in our society. They are a professional organization; people look to them for guidance. They are in a trustworthy position. Consequently, there may be situations where people entrust accountants with funds.

I want to point out one of those cases. In fact, the member for Scarborough-Rouge River is a victim of such fraud and dishonesty. The member had placed with his accountant funds to pay his taxes that were owing to Revenue Canada. I believe this is a matter before the courts—it's now settled, it's no longer before the courts, so I think I can comment on it freely, but this is a matter that did go to court, was litigated, and a criminal charge resulted. There was defrauding of funds; there was dishonesty. I think that's a legitimate situation in which a citizen placed his trust in a professional.

1020

There is no provision under the Public Accountancy Act for the accountant to hold these funds in trust, but I suggest that perhaps there should be. I suggest that perhaps not only should there be that provision, but there should be a fund designed to mitigate against fraud and dishonesty as a result of that kind of trust being placed in that professional. I think it's time for the self-regulating body, the Institute of Chartered Accountants, to look at such an idea.

Perhaps the approach that my colleague is taking is not the correct one, and I have some difficulties directing a professional body that's self-regulating in the way that has been construed by my colleague from Scarborough-Rouge River; that is, to direct by way of order in council that such a fund be created. But I do believe there is a place for this initiative, and I think the institute ought to examine the possibility of creating this kind of protection fund, recognizing that the members of their professional organization do in fact take in funds from time to time, that it has happened. It may be an isolated situation. There are other examples here. But no profession is immune to these acts of dishonesty, no profession in any of the walks of life that I know of. Lawyers have such a fund. Of course, they're put in a position of trust. There are other professions that people look to for guidance. I won't even begin to talk about the brokerage industry; that's another matter entirely. But certainly we have to examine some of these white-collar crimes that are being committed that no one seems to have any power to deal with.

Yes, the courts do look at these cases and it is within anyone's right to bring such a case to court, but at the end of the day what we're talking about is, if we're dealing with a self-regulating professional body, as is the Institute of Chartered Accountants, then I would suggest to them that they examine this and perhaps look at creating such a fund.

I think that is the intent of this resolution. I would suggest that how that's accomplished—it may not be that this is the right approach, but certainly the intent is a good one, it's a laudable one, and I applaud my colleague the member for Scarborough-Rouge River.

Mr Garfield Dunlop (Simcoe North): Thank you for giving me a few moments to make some comments on this resolution. I would like to start by thanking the member from Scarborough-Rouge River for bringing this resolution up for debate. I would also like to thank him for all the effort and hard work he's put into putting this resolution together. As well, I would like to thank the members from Dufferin-Peel-Wellington-Grey and from York South-Weston for their comments.

It's my understanding that this resolution would apply primarily to chartered accountants, since they are generally the accountants who are likely to practice public accountancy, and this would not apply to certified management accountants and 99% of certified general accountants.

I would like to see the member for Scarborough-Rouge River give more specific examples of fraud that he's come across. I haven't really seen a lot of those yet.

I feel that this resolution is excellent in principle because it would protect the people from dishonesty on the part of an accountant. The problem is that there doesn't appear to be a lot of activity going on, and again I'd like to see more examples if he has some. The Public Accountants Council has not identified the issue of fraud as a significant problem that might warrant the creation of such a fund as a way to mitigate losses suffered by members of the public. If the Public Accountants Council and other organizations such as the CGAs and CAs do not feel there is a need for this type of fund, then I'm assuming there is not a need for the fund. For myself, I would need to consult with other accounting organizations to see if there is a need for a fund like this to be set up. For example, I have a number of constituents who operate chartered accounting firms in my riding. As far as I'm concerned, they have impeccable records. I would actually like to discuss the intent of this resolution with some of those people as well.

I'm aware there is a fund for lawyers' clients, but it does not necessarily mean that a similar fund ought to be set up for the clients of public accountants. There are noteworthy differences between the practice of law, which involves the handling of trust funds, and the practice of public accountancy. Existing liability mechanisms appear to adequately take care of claims arising from fraudulent activities and professional negligence or misrepresentation.

I'd like to take a little bit of time from this debate to point out some excellent accounting practitioners in my riding of Simcoe North. Near the beginning of this year, I was pleased to host tax preparation clinics in both the town of Midland and the city of Orillia for people on fixed incomes and low-income seniors. I was really pleased with the response I received from the accounting firms in the area. I'd like to thank the company called the Bean Counters and Charlene Anderson, who ran the clinics in Midland, and the Huronia chapter of the certified general accountants, in particular Anita Zeigler, who looked after the clinic in Orillia, for all their technical expertise. We never had a lot of seniors come out to the events, but it showed a great deal of interest on the part of the accounting firms, and I was pleased to be part of that. I'd also like to take this opportunity to thank the Royal Canadian Legion in Midland and the Tie Club in Orillia for graciously donating their buildings for this clinic.

I understand that in terms of this resolution, the only other jurisdiction that has something similar is the province of Quebec. I'd be curious to know why other provinces haven't joined in as well or whether, in this case, Quebec is showing some type of leadership and has a good reason beyond the reasons we've been shown today.

In conclusion, I will say that I support the idea of the resolution and the principle behind it. But right now I

cannot support the resolution itself without further input from the people and organizations that will be affected the most. I certainly look forward to further debate on this resolution. I know my colleague from Barrie-Simcoe-Bradford has some comments to make. I appreciate this opportunity.

Mr Joseph N. Tascona (Barrie-Simcoe-Bradford):

I'm very pleased to join in the debate. I, like the member from Simcoe North, have had the opportunity to work with certified general accountants with respect to providing tax preparation days for seniors within the community. Certainly there is a different level in the accountancy profession. Unlike lawyers, there is only one kind of lawyer, although there may be different specialties within the legal profession. But for accountants, you have chartered accountants, certified management accountants and certified general accountants.

The interesting thing about the member's resolution, which seems good in principle—I have a lot of respect for the member from Scarborough-Rouge River—is that it would appear to apply primarily to chartered accountants, as they are generally the accountants who are licensed to practice public accountancy, for example doing audits of corporations. This would not apply to certified management accountants and 99% of the certified general accountants, as I understand it.

What was trying to be dealt with here is setting up a compensation fund. What appears to be lacking—and we may be able to deal with this—is a demonstrated need for that particular fund. The Public Accountants Council, from what I understand, has not identified the issue of fraud as a significant problem that might warrant the creation of such a fund as a way to mitigate losses suffered by members of the public.

1030

I don't have any information as to what exactly the province of Quebec does. It requires the accounting profession to maintain a compensation fund. That's a much broader term, "accounting profession," than what my friend is coming forth with, which is in essence a Public Accountancy Act that deals with a specific type of accountant.

The intent of the bill that has been put forth is to compensate clients who have been defrauded, focusing on fraudulent activity, not necessarily negligence or incompetence but fraud or criminal behaviour. As he said in his letter, since 1953 the law society has maintained a lawyers' fund for client compensation funded from a portion of the membership fees lawyers pay to compensate victims of fraud committed by lawyers in the course of the practice of law. The Institute of Chartered Accountants of Ontario does not maintain a similar fund.

In essence, looking at the bill, the question is whether it is broad enough to cover all of the accounting profession in this province, because it's a big profession. People rely not just on the chartered accountants; they'll go to certified general accountants or they'll go to certified management accountants. Quite frankly, I don't know whether the public particularly knows the differ-

ence. The accountants know the difference in terms of what they can and can't do.

The coverage is the first issue. The second issue is whether there's a demonstrated need. Obviously, as the member for Simcoe North commented, dealing with the stakeholders in terms of what their ideas would be is what we take from this, because as the member for Lawrence indicated, there are situations out there that everybody can see is a bad situation, where people have lost a lot of money. You want to make sure you can protect the public. That is what this bill is about: the public interest. That's why it's good in principle, but we have to make sure it works. Those are my comments. I know the member from Scarborough-Rouge River will say more.

Mr Curling: I again want to emphasize very much that I have great respect for the Institute of Chartered Accountants. They have dealt with me very honourably and they have been very professional in any sort of situation or events where I've had the opportunity to deal with them.

What I'm doing here is because of that great respect I have for that institution. That's why I'm saying to them, "Why don't you, as that institute, lead the charge in addressing some concerns that are out there?" It is not picking on chartered accountants in the least. I'm identifying a respected institution to say there are situations out there where people have professional interests. They hold them in trust for their funds and for their advice. If they lead that charge, I think they will lift their standard much higher.

There is some concern. I have listened to my colleagues from Dufferin-Peel-Wellington-Grey, Simcoe North and Barrie-Simcoe, and of course my dear friend from York South-Weston. These professionals do acquire money interests from their clients. Many people have asked their accountants to hold money in trust in many ways. Sometimes people go to them asking them to invest this money, or as in my case and many others, they've asked them to pay their taxes, so the money is held in trust for further advances to the respective institutions, in my case to Revenue Canada.

There is a responsibility when someone holds your money. The fact is it's in trust to do the things they are held in trust for. If that goes awry, especially in this direction, there's no redress for that. As a matter of fact, if the individual handles it in a fraudulent manner, there is no fund. Of course, the individuals are saying that you can go to the courts and get that redress. In other words, you have to then find maybe another \$10,000 or \$15,000, or whatever the costs would be, for a lawyer to approach this individual who has used the money accordingly. There is no way in which to get that money, unless you have money to put forward to do that.

I think the concern that one has is, "I didn't know that accountants hold money of other individuals in trust." Yes, people do hold money in trust. As a matter of fact, I would have liked to have gone even further on this matter, to say that any individual who holds money in

trust—that the bank itself should be held responsible if that money is deposited in the bank and say, "This money is held in trust for clients A, B and C," and when that money moves out of that account the clients should be so advised that the money is being moved, and not that the individual, the professional, goes to the bank and takes your money out and does whatever they want with it, and then, if it's fraudulently done, you have to sue that individual. I think there is something wrong with that.

Let me address again a concern about the deregulation, about self-regulated bodies. We are concerned and we want to send direction to self-regulated bodies. There is really no such thing as self-regulated bodies. Let us be completely honest about this. They are in place because of regulation through the Lieutenant Governor or through the House of Parliament here. They are monitored daily, regularly, to see that they adhere to those regulations or to the jurisdiction in which they are given that sort of order. If there are needs to be addressed, it is our concern as lawmakers here to make sure that the clients are protected, the citizens of our country are protected.

Of course, some institutions would say, "We see no problem with this, so we don't have to really address that." That concerns me a bit, because sometimes an organization is going along nicely but maybe not realizing that other incidents are not being addressed. It is within our power, it is within our jurisdiction, to then say to those groups, "You should address this, and if failing to do so after a certain time, we would then have legislation in order to advise you accordingly. By the same legislation that we give you to operate, we'll give you further powers with which to do further things."

In this instance, I don't see anything wrong with giving the Public Accountants Council the power to create a trust fund which they can collect from their members in case of fraud or dishonesty because of the profession, so that clients can approach that account to get compensated. As a matter of fact, I think it enhances the comfort of those who are investing to know—I know we say that Big Brother is watching, but let us be the ultimate individuals, the people in the Parliament here, so that people realize that they are being carefully watched, carefully adhered to, and that we have the full confidence in the institutions that are doing it. So the fact is to give them more power, so to speak, to carry out that kind of jurisdiction and those orders.

I'm emphasizing again that it is because of the respect that I have for the chartered accountants that I feel they are the ones who could lead the charge in this regard, and I think others would follow.

We heard a member here say something about "some more of that red tape." It's not red tape at all; it's just a matter of making sure that people's money is handled properly.

There's another concern here. Why is it that the police are not following up on some of these cases? The police will tell you that when it comes to cases like these, fraud in this instance, this way, they don't have the resources. They lack the resources to do that. Maybe here is where

the government would come in. Failing to do this, maybe the intent of the resolution is to start the debate, and maybe that's where we may start addressing it: give the police the power, the resources in order to do this. Billions of dollars are being taken down in situations like these and people have not yet been able to address that. Police are crying out, "Give us the kind of resources to address those concerns," and they're not there.

1040

It's funny that if my house is invaded and someone steals my money in a break-in, I call the police and they are there in a flash. But if someone takes my money, which we call white collar crime—

Interjection: Your life's savings.

Mr Curling: If you take away someone's complete life's savings, as my colleague mentioned, completely destroyed—not a radio or a TV or a video in the home, but someone's complete life's savings—\$150,000, \$250,000—someone at 65, 85, a senior, there's no redress for this because the police have said, "We don't have the resources. We do have the resources to come when someone breaks into your House, of course."

I feel that here is an opportunity for a respectable organization, for the chartered accountants, to say, "We can do our part in self-respect." This resolution came about to say, "Let the debate begin." Let the debate begin where there is a shortage of resources, especially in the enforcement or following up of investigation of fraud and giving the police the necessary resources to do the job. Let them do that. Give them that. Maybe we cannot address all the fraud situations or fraudulent acts by a professional through this direction, but we must also have the follow-up in the sense of the police having the resources to follow up on these fraudulent cases that are happening. They can do so much with limited resources.

We talk about taxes. There is where we have been deprived of billions of dollars of taxes that are due to this province and this country, and I would like them to address that.

Ms Marilyn Churley (Toronto-Danforth): I'm pleased to speak to the resolution put forward before us today by Mr Alvin Curling. Let me say from the outset that I have a great deal of sympathy for Mr Curling's plight and all of the others who were defrauded by this particular individual. Reading the press clippings about the case, it's very disturbing indeed. I can only imagine what Mr Curling and others who have lost thousands of dollars to this individual must be feeling. I find it difficult to imagine, particularly for people who perhaps don't have a lot of money and put their trust in this man to find that he abused that trust and defrauded them. I know in the clippings I read that a particular person said that he had lost over \$30,000 that he and his wife were putting aside to send their kids to university. I'm sure there are many others who perhaps lost their life savings to this particular individual.

I guess the closest experience I ever had to anything like this was simply having a suitcase stolen on a train on my way to New York City. Of course when you go to

New York you bring all kinds of your best things because you think that you're probably going to have an opportunity to wear your favourite clothes and best jewellery when you're going to a city like that. I remember I didn't sleep for nights after just losing a suitcase and some of my favourite things in it. This is my opportunity to vent publicly about losing that suitcase. It was in fact a hockey bag, the hockey bag that's used by the Toronto Maple Leafs, and it was signed by Wendel Clark. I was actually using that bag. So I lost a bag with Wendel Clark's signature on it and a lot of favourite things.

I, however, despite the fact that I was upset about losing the bag and the contents of that bag, was covered by my insurance company for the loss of those goods. That's the closest I've come, except for a house break-in at one point; again, my insurance covered the loss. Even though it's distressing and you really do feel quite violated when it happens, in both situations I was at least covered by my insurance company. That is why I have a great deal of sympathy for the people who have been defrauded by this individual, and for the resolution before us today. I believe this is an issue that is worth debating and one that merits further examination.

I support such a resolution, but only to send it to a committee to examine further. I can't support—I guess in speaking as an individual, but I'm also speaking to some of my caucus members—a resolution that sets up a fund by a committee that doesn't want it. As you know, Mr Curling, that's the situation we're in right now. I believe Mr Curling also understands that his resolution fails to describe the depth and breadth of the problem overall. There are a lot of questions that need to be answered.

Having said that, we know that fraud does exist and clients need to be protected. As the former Minister of Consumer and Commercial Relations in charge of consumer protection in this province, I know full well, perhaps more than others, how much fraud there is, unfortunately, across the board throughout our society. I saw horrible cases, when I was the minister responsible for consumer protection, of people being defrauded in all kinds of situations. So I have a lot of sympathy when we find a situation where there is fraud and there is no obvious way for those clients to be protected.

This resolution, as I understand it, calls for accountants to pay into their own fund in order to help victims when they have been defrauded by their acting accountant. It seems like a responsible thing to do. However, the resolution calls on the Public Accountants Council to set up this fund and administer it, and this is an idea the council opposed. As I understand it, again, the council would prefer that this resolution be used to spur debate, to educate the public, but it feels it can manage its affairs quite well as they stand now.

I have serious reservations about forcing this council to create and administer a fund to compensate victims when they oppose it. I just don't think it could work. Victims may not be adequately served by a fund administered by a council that doesn't want to do it.

I suppose, and this is one of the things that could be looked at, an alternative would be to appoint a neutral

body to create and administer the fund, but this clearly requires deeper examination of the issue and the alternative.

Again, my understanding from listening to Mr Curling is that he wants to use his resolution today as an opportunity to bring this issue into public debate. I think that's a really good idea. I think we should send it to committee and have that debate.

As I understand the details of the fund, it would be set up by the Public Accountants Council, it would involve no public or taxpayer dollars and it would be there for people who get ripped off by their accountants, which I understand is also not that common. It's a professional body that has a very good reputation, but in every field at some time or another there are a few bad apples, and that's the case in this situation.

The fund and the parameters around it would be modelled after a similar fund that the law society has maintained since 1953. Members would pay into the fund, which would compensate victims of fraud. To make the fund a reality, you would have to amend the Public Accountancy Act.

Again I would say, with a great deal of respect for the member and what he's trying to do here, there are a lot of questions that remain unanswered, and I think he's aware of that. He doesn't describe whether accountancy fraud is widespread enough to merit such a fund. I'm sure in his particular circumstances and those others who were defrauded in this case, just those few are too many, but we need to have further information.

1050

Having said that, we know that fraud does exist; we just don't know how much it is happening out there. We can probably agree with the law society's rationale for such a compensation fund. Since the law society set up its compensation fund, it has paid out more than \$45 million in grants to defrauded clients. The problem of accountancy fraud may or may not be as widespread, but for victims of such fraud I'm sure a compensation fund like this would be a godsend. There are no two ways about it: anybody who has been defrauded under this particular act would be very happy to have such a fund.

As I understand it, looking at what kinds of losses would be covered, while public accountants are required to maintain insurance against claims arising out of negligence and incompetence, there is no form of compensation for victims of an accountant's fraud in the course of the practice of this profession. So this fund that Mr Curling is suggesting today would cover losses arising out of dishonesty by an accountant in the practice of the profession, and mitigation of such loss.

Under the law society's compensation fund, victims can be reimbursed for up to \$100,000 in losses caused by the dishonest conduct of lawyers admitted to the bar in Ontario. Typical losses covered include the theft of money from estates, trust funds being held for real estate closings, settlements in personal injury actions and money embezzled from clients in investment transactions. To qualify for this fund, the claimants must be

able to show that the money or property came into the lawyer's hands.

The lawyers' fund doesn't cover losses resulting from malpractice or negligence of lawyers. Most of these should be, and generally are, reimbursed through insurance claims.

The resolution that's before us today leaves some questions. Some of the things we need to know about this resolution would be: what is the scope of the problem? How many Ontarians are defrauded by their accountants in a given year? What is their current ability to get compensated for their loss? Should there be such a fund, who would be in the best position to set up such a fund? What would be the annual fees for accountants to set up and maintain the fund? Who decides whether to grant compensation to a victim, and what is the basis for that decision? Is there an appeals process? What kinds of losses should be covered? Obviously, we require many more specifics.

I would say to Mr Curling, in closing, that I support the sentiment around the bill but I can't support the resolution as it is put forward today. As I said at the beginning, I can support the general thrust of this resolution but we need a lot of questions answered. Also, we need to have the people who would have to set up this fund on side and participating in the discussion around how it would be done. As I understand it, from the wording of this resolution, they are not supportive and it just wouldn't work under those circumstances.

I want to make it clear that I think it's very important to have this public discussion and figure out a way to help victims who are defrauded by their accountants. There is no doubt about it, we need to have some kind of accountability, not just through the court system. There needs to be some way that people can be compensated if they are defrauded in this manner.

I fully support it going to committee. I fully support having some kind of process put in place so there can be a public discussion and also one where the accountants are involved in that discussion. We need all kinds of information to figure out what would be the best solution to this problem.

I want to thank the member and congratulate him on bringing this forward. I think it's important. We're talking about consumer protection here. I'm always concerned and deeply angered when I hear about individuals who take advantage of their clients in this way. It is unacceptable. Of course I know there was a trial of the individual who was the cause of this resolution before us today. He was asked, I believe, to pay back a certain amount of money after he gets out of jail. I think I'm correct about that. But is that money there? Is there going to be compensation from this individual? I would say that in many cases that money is not going to be there even if they have been ordered to pay it.

I'm all for looking at this issue further, but I cannot support the resolution that's before us today in the form in which it is written. Perhaps the member, when he's giving his closing statement, has some answers to those

questions. I would also like to understand from him today if his position is that he understands we have a lot of questions. There are concerns about where he's heading and about these holes in the resolution before us. It's my understanding that Mr Curling is taking the same position, that this resolution may not be the answer in its form today, but that it's an issue we need to take a look at and find some solutions to.

The Acting Speaker: The member for Scarborough-Rouge River has two minutes to reply.

Mr Curling: Let me express very wholeheartedly my thanks for the contributions by my colleagues from Toronto-Danforth, Dufferin-Peel-Wellington-Grey, Simcoe North, Barrie, York South—all the members who have spoken so eloquently and so directly. I appreciate their honesty in that approach.

I think you have grasped exactly the intent of this resolution. Many times in this House we want some discussion, some debate and some more open questioning. You're perfectly right: all questions cannot be answered by a short debate, but many questions can be raised while we're here in this short time.

Those questions that are raised are of concern to many people who have become victims of fraudulent acts. We cannot stand around and wait until we have some rather great statistics and say, "There's a tremendous amount of people. When it reaches this level, we will then start to put something in place." One person's life savings destroyed is enough for us to stand up and say what's happening here, because it has a chain effect. If someone in a family loses \$150,000, it can destroy an entire family and have a chain effect.

Maybe we should look at that. As I said again, what better institution than the chartered accountants to be leaders in all of this to say, "Let's go forward." I fully agree. If this resolution could go forward to a committee where we can discuss it, where it's much wider, I could use the chartered accountants to champion the cause and say, "We are prepared to do this. We are not in any way at all near to some of the dishonesty that goes on elsewhere, but we are prepared to move forward like the lawyers did in 1953 and set up a fund." Even if the fund is not set up, they could say, "Here's a strategy. We think it has to be addressed."

I think you're right that we should move this forward to a committee where the answers could be given to many of the questions that are raised.

1100

TRUCKING INDUSTRY

Mr R. Gary Stewart (Peterborough): I move that this House acknowledges the necessity for an industry-driven truck driver training criterion; encourages the establishment of a self-regulatory, self-administered body enacted to support the direction of truck driver training in the province; supports this body at arms length in order that it maintains the best practices of ensuring the values of public safety in the province; endorses the nature of

self-regulation in this industry as a necessary step in ensuring that only the best prepared, most effective licence applicants approach the class A examination; and supports the truck driver training sector in seeking to further such province-wide safety considerations.

The Acting Speaker (Mr Bert Johnson): Pursuant to standing order 96, Mr Stewart, you have 10 minutes to make your presentation.

Mr Stewart: Before I make the presentation, I'd like to acknowledge some folks in the east gallery from the Truck Training Schools Association of Ontario: Scott Brownell, Colin Matthews, the real Brian Adams, Karen Mitchell, Wayne Campbell. From Markel, Bob Pratt, from Adanac, Ed Shaw, from Zurich Insurance, Charmayne Lund-Peterson, and from Truck News, John Curran. Welcome and thank you for coming.

I'd also like to say thank you to the legislative security service for allowing us to bring the transport truck down today to emphasize the importance of this resolution.

The trucking industry is changing these days. The just-in-time service has meant a drastic increase in the number of trucks on our highways. The public feels there are increased accidents happening involving large trucks. Whether that be factual or not, the perception is there.

The bottom line of my resolution is increased safety on our highways. It's about increasing the ability and qualifications of future professional truck drivers. It's reported that over 5,000 new truck drivers will be needed each year over the next 10 years in Canada. The Canadian trucking industry is at a strategic crossroads in its human resources management.

The industry faces a number of major challenges as it moves into the new millennium. One of the main problems is making sure new truck drivers are qualified and well trained to enable them to pass the MTO's class A licence requirements, and I believe the key word is "qualified."

Many transport companies know there are many available drivers who hold a class A licence, but a good professional truck driver requires more than the driving skills represented in that type of licence. This is not about passing just a licence test. It's about knowing the basic operation of driving a transport. It's about interaction between trainees and the vehicle, things like knowing about air brakes, shifting, control manoeuvres, safe operating practices, vehicle inspection, backing up, coupling and uncoupling. There has to be interaction between the trainers, the vehicle and the very busy highway traffic environment. This resolution is about defensive driving techniques.

The new drivers of the future must know about speed management, they must know about night driving and they indeed need to know about extreme driving conditions. In Ontario, due to diverse weather conditions, emergency manoeuvres such as vehicle shifts and controlled recovery must be familiar to a professional driver.

These qualifications cannot be taught to new drivers without a set curriculum that is standardized throughout the province, a curriculum that includes a minimum

number of hours of theory, a minimum number of hours behind the wheel and a minimum number of hours of observation.

The object of this resolution is to supply the industry with safe, knowledgeable, employable drivers, as well as a standard for qualified instructors who can certify the new drivers as they graduate.

We have qualifications for those instructing people in driving cars. We have the graduated licensing system that was set up a few years ago to make sure the new young drivers who will be driving cars on our busy highways have the qualifications. Yet we don't have those kinds of qualifications for those who are going to take these trucks out on the roads and on busy highways.

There are those who are setting up in business for instruction in truck driving. They then suggest they are tutoring applicants or training drivers, rather than calling themselves schools. When observing their operations, they are indeed not schools. If this is done, no regulations apply. When this happens, there is no curriculum approval required. Any similarity to a good curriculum is irrelevant.

This resolution is about allowing those in the business of truck driver schools to look at setting industry training standards and to encourage the establishment of a self-regulatory and self-administered body to direct, set the curriculum, and set the specified standards of best practices.

The Truck Training Schools Association of Ontario, which, as I mentioned, are well represented here this morning, would take the lead role in this initiative. This resolution is supported by many in the industry.

The Ministry of Transportation says, "We applaud the efforts of the Truck Training Schools Association of Ontario to bring the standards for the curricula of truck driving training up to date."

The Ontario Trucking Association, which helped support us to bring the transport out front today, supports this resolution, a resolution that will lead to evaluating standards for commercial driver training.

The Insurance Bureau of Canada supports this resolution and supports the establishment of training standards for new drivers: "Our industry encourages you and your colleagues to develop minimum standards for training schools." Also included as part of the Insurance Bureau of Canada are Zurich and Old Republic, from which we have letters of support on file. They want to make sure that the instructors also are well trained and that there is "a plan to monitor and enforce the standards put in place."

The trucking industry adds their support: companies like OK Transport, Manitoulin Transport, Erb, RIM Transportation, Morrison Trucking and Point Pelee Transportation, just to name a few.

All those that make up our truck transportation industry are calling for stricter training program guidelines. Many of these transportation companies know there are licensing mills that are producing substandard drivers. I have been told stories by young would-be drivers about

things that border, I believe, on fraud. Many have spent a great deal of money for so-called training with little hope of ever getting employment as a transport driver.

I personally believe that those who operate within the transportation business, or indeed any business, know what they need, know how it should operate, and know how it should be controlled, in co-operation with all those who are affected. This is why I am a great believer in self-regulation. It has worked well for organizations like Real Estate Board of Ontario and for the travel industry, very supportive of self-regulation.

I would like to ask all members of the House to support this resolution. As I said at the start, the bottom line is qualified drivers and safety on our highways. It is about safety on the highways and I believe it is indeed about the lives of all Ontarians who frequent those highways on a day-to-day basis.

1110

Mr Joseph Cordiano (York South-Weston): I am happy to have an opportunity to speak to this resolution. I think the thrust of this resolution is important in the sense that establishing a higher standard for truck driver training services is a laudable goal. However, the track record of this government when it comes to matters of road safety, when it comes to dealing with the problems associated with trucks on our roads, is abysmal, an abysmal record that this government can hold itself up to.

That fact is that Bill 137, which allowed the Minister of Transportation to privatize driver testing services, which we believe is a mistake, also allows the minister to privatize any services relating to road safety. For example, truck inspections, including spot checks and weigh stations, could ultimately be privatized. Highway inspection and monitoring, including inspection of new highway construction, could also ultimately be privatized.

In fact, there is no evidence to suggest that the privatization of such services would lead to any additional cost savings or that these services would be provided in a more efficacious way and result in a better system. The evidence is quite to the contrary. The auditor in 1999 pointed out, with regard to highway maintenance, that no savings had resulted from the privatization of these services, that in fact there were significant increases in the costs of highway maintenance—significant increases. No savings resulted from any of these privatizations.

So we have great concern about the privatization that has been undertaken by this government. Ultimately, with respect to enhancing the training of truck drivers—well, it's like sticking a Band-Aid on a serious gash on a body. There is a concern that what's being discussed this morning is certainly not going to address the ongoing problems we see on our roads and highways with respect to trucks and the safety of those trucks. We have real concerns about highway maintenance and road safety spot checks that need to be conducted, and those continue to be our concerns. When you move to privatize these services, the evidence suggests that there is no significant

improvement and that in fact these services being privatized lead to additional costs.

The case being made in this resolution—again I say it's a worthy direction the member intends to go in. Who wouldn't want higher standards? But is that what we're getting on our roads? Are we getting safer roads as a result? The evidence today suggests that is not the case, that if the government took this seriously, it would not move to privatize these services in any way; that driver testing needs to be maintained at a high level; that the government should continue to have some involvement in this and, as a result, safety would be enhanced. The evidence suggests this time and again. Why the government wants to move to privatize these additional services is questionable at best.

I would say to the member, your resolution speaks to truck driver training, enhancing it, creating a higher standard. These are all worthy goals. But the real record of your government suggests quite the contrary, that highway maintenance is not something that should be privatized, that driver testing should not have been privatized, and that furthermore our roads are questionable with respect to safety.

Thank you for giving me this opportunity to speak.

Mr Marcel Beaubien (Lambton-Kent-Middlesex):

It's a pleasure for me to rise in the House today to speak on the resolution from my colleague Gary Stewart from Peterborough regarding truck driver training.

I fail to understand why the member from York South-Weston is talking about cost saving and privatization and road maintenance. I drive the 401-402 series every week and it has never been in better shape. To be honest with you, I don't know whether it's the private sector or the public sector that's looking after it, but it's in good shape.

The real subject matter this morning is road safety, protecting people. I want to relate some stories about driving the 401. I'll be leaving for home this afternoon and it'll be a pleasant—sometimes unpleasant—drive, probably three to three and a half hours. If you're driving in the middle lane of the 401, sometimes you have a truck on the right side, one on the left side and you're right in the middle. Then you look in your back mirror and you see a big grille. Let me tell you, a pleasant ride becomes very unpleasant quickly, but the problem is many times you've got traffic ahead of you and you can't go anywhere, so you're stuck with a truck on each side of you and one in your back seat. I don't think that's very safe. I would call that aggressive driving.

I want to talk about the economic and social impacts when you have an accident. I think we all know the economic impact: insurance rates go up, there's car repair, but that's not too bad; we can deal with the economic impact. The social impact is the issue that I want to dwell on.

Basically, section B of the automobile policies is the section I want to deal with—because we do have accident benefits, and there's disability and rehabilitation funds available when somebody's hurt in an automobile accident. But there's also the emotional impact of somebody being hurt in an automobile accident. There's no cost

associated with that. You cannot get enough money to repair the damage that has been done. I'm sure many families in Ontario and in Canada have experienced that. The intention of the resolution this morning is not about privatization, it's not about government, it's about training people to make sure that when they're on the road, they drive in a responsible, safe manner.

Can anyone out there tell me whether it's the public sector or the private sector that provides it? Does it make any difference? As long as the end results are there, as long as the parameters, the standards are met, who cares who provides it? As the member from York South-Weston mentioned—he was talking about cost saving—of course there would be some cost savings, but to me the cost savings would be from a social point of view. If we can save one or two persons from being involved in an accident, there's a major cost saving. Once you experience somebody close to you who has been involved in an accident—it's not a pleasant experience. Why do I say that? Because for almost 11 years, my brother, my sister, my mother—we have lived with that. Why is that? Because my father was hit by an irresponsible driver almost 11 years ago. It's quite difficult when you go and visit your father every week and your father doesn't even know you, doesn't even recognize you. You cannot have a conversation with that person. You cannot connect with him. Can anyone tell me, is there enough money under section B of the policy or section A of the policy to compensate anyone for that? I don't think so.

That's why I'm in favour; that's why I will support the motion of the member for Peterborough, because the resolution is about safe driving, it's about having responsible drivers on the road. Once we achieve that goal, I think we'll all be better for it.

Mr Mike Colle (Eglinton-Lawrence): I am here to rise in support of the resolution. I think it's obvious there has to be standardization in truck driver training. It's obvious that in an industry where the reliable truck driving training schools put in a lot of capital investment and expertise, they need some kind of self-governing body in this case that will help reinforce the good schools and the good practices, as opposed to these fly-by-night operators who put little capital investment, little resource, little expertise into driver training and give everybody in the industry a bad name. Obviously they have come here to the member for Peterborough asking for that support, and I commend him for proceeding.

1120

As we know, the government side always says we don't need government; government is bad. We do need the government to intervene when it comes to the whole realm of safety. This is about safety, it's about safeguards. We need this type of regulation in order to ensure that the schools that are not real schools, the truck driving training centres that are not real centres, that are basically in it for the quick buck, cannot take advantage of the good people in the industry and the people who want to be truck drivers. That's why I think it's a good resolution. I'm more than happy to support it.

The other thing I should mention is that I think this in some ways goes contrary to where the government is going. As you know, the government is going to privatize the traditional driver testing centres we've had in Ontario for decades. I think that's very dangerous. I don't feel the government should allow the testing of drivers to the marketplace. There's a role for government in testing drivers of all ages, especially young drivers, and this resolution is in a more positive direction, as opposed to the government's attempt to now leave driver testing, which over the years has been very good in Ontario, to the marketplace.

I would also mention that in the trucking industry the other serious concern is that the price of doing business in this province as a trucker is getting out of the hands of ordinary, small, independent truck drivers. As you know, the price of diesel has gone up over 100%. We on this side of the House have put forward four bills to try and protect the motorists and truck drivers in Ontario from the gouging that's occurring at the pumps. The government has blocked those four bills. I have my own bill, the gas price watchdog bill, where we've asked for an ombudsman appointed by the government to keep the oil companies accountable. The oil companies still cannot explain why the price of diesel is now almost equal to the price of gas.

This government is on the side of the big oil companies. They refuse to appoint an ombudsman to take these big oil companies to account. The price of diesel is a rip-off. There is no explanation, and I know this government has not asked for an explanation, of how the price of diesel could all of a sudden now be the same as the price of regular gas. It is shameful that this government has blocked the four or five bills we've put forward asking for an accounting, because it's not only, as I say, people who are recreational drivers. People who are driving for a living cannot make a living because the price of doing business at the pump is astronomical. It's not fair. It fluctuates. There is weekend gouging. That is one of the most serious things facing everybody in the trucking industry.

This government proposed a so-called deal three weeks ago. They have basically failed the trucking industry. There is no deal. The price of diesel is still gouging truckers as we speak. One gentleman said he was getting paid \$750 to haul a load from Florida and he had to pay \$700 for diesel fuel. So you can't make a living in Ontario now.

This government is not listening to ordinary small business people who are driving trucks for a living. I ask them again to pass our bills, which ask for protection for truck drivers and motorists, and not to just support big oil companies that don't need your help. It's the trucking industry that needs your help. That's why I'm more than happy to support this bill, because it does help the industry.

Mr Tony Martin (Sault Ste Marie): I'm happy this morning to have an opportunity to speak on this issue, because it gives me an opportunity to expand on a theme

that we in this caucus have been talking about for some time now, which is this government's constant and continual effort to try and duck its responsibility to actually give some leadership and be tough and put some resources into things that fall under the rubric of the common good out there. Certainly this does. When you talk about road safety, it covers a whole lot of territory, including safety of trucks on the highway and the behaviour of truck drivers.

But to suggest for a second that the magic wand that this government uses so often around here to solve almost every problem they confront, which is to turn it over to the private sector, I think is to be simplistic and not realizing of the complexity of some of these issues and the need for government to take strong and determined action, to take leadership, to live up to their responsibility that it was handed on election day, to actually govern in this province and to protect the life and health of the citizens who call Ontario home.

We again see the members of the government come in here, as the government does on every occasion, with a piece of legislation that's about none other than turning more things over to the private sector, turning it over to the marketplace for regulation and leadership and determination and pretending that it's something else.

In this instance they make a very good case for road safety, and I don't think there's anybody in Ontario today who doesn't understand or support efforts by anybody where road safety is concerned. We all need to be doing our best, our utmost to make sure the highways we drive on are safe, not only for ourselves but for our families and for our friends and neighbours.

But to paint the difficulties we're facing and the number of accidents that are happening out there and the overloading of highways with various sorts of vehicles in various states of repair or disrepair and determine that simply by turning it over to the private sector we will solve that is, I think, not understanding the tremendous challenge we all have in trying to deal with that. We've had example after example of this government painting a picture and then, because they have painted a picture, coming up with an answer to some of the shortcomings that perhaps are in that picture.

I just came this morning from a press conference downstairs where we had a number of people talking about the circumstance that people who are in receipt of social assistance find themselves in these days in this province, after six years of living below subsistence levels of income because this government determined that it would be good for them if they lost 21.6% of their income; it would somehow force them to do things they otherwise wouldn't do on their own. Well, we're beginning to reap some of the seeds sown in that initiative. Now you have children who are undernourished; you have single mothers who cannot for a second consider getting out of the circumstance they're in because they can't afford to go back to school because of changes that were made in regulation there; we find more people sleeping in hostels, sleeping on the street and not quali-

fyng for the assistance they need, not only for themselves but for their children, because of some technicality or other.

Hon Margaret Marland (Minister without Portfolio [Children]): I don't get this.

Mr Martin: I'm just going to tell you in a second, if you pay attention, Minister responsible for children. Children are the victims of your initiative where welfare is concerned, and the drivers of Ontario will be the victims of your government if we move forward in the spirit of the resolution that's placed here before us today.

You do this over and over again. You define a problem we can all identify with and recognize and admit that we need to do something about, and then you bring in this very simplistic, short-sighted, unthoughtful and unintelligent response which is simply, "Just turn everything over to the private sector. Let industry take care of it."

We know, and I'm not casting any aspersions here, that the private sector and industry are about making profit. I have no difficulty with profit, I think profit's a good thing, but we have to understand the place of profit when it comes to the common good of all of us who call Ontario home.

1130

There are some things in this province that should not be about profit, should not be about industry and the private sector making money on the backs of or at the cost of some of those things that we know and have determined over a number of years are actually things that government should be taking responsibility for.

This government, however, doesn't see itself as government. It has on many occasions in this place puffed up its chest to say, "We are not the government; we are here to change the government." They're not here to change the government; they're here to get rid of government because they don't see the role that government can play where the safety of roads is concerned, among a whole lot of other very difficult challenges that we face in our world today.

This government is ready to get tough with everybody except for their friends, those who support them in their election bids and those who I guess make sure they get those things they need to make their life somewhat more comfortable, but always at the expense of the larger majority of people in the province who are actually working for a living and trying to take advantage of some of the things that together we can, through government, provide for each other that don't individually and privately cost us a whole lot of money.

If this government wanted to really do something about road safety, it would give some teeth to the already existing regulations that are out there under the aegis of the Ministry of Transportation and the Ontario Provincial Police to actually do the job they're mandated to do. We know that since this government has come to power, a lot of the ministries and agencies of government that have responsibility in these areas have been diminished significantly, to the point where they cannot do their job any

more. So we end up with circumstances that present as catastrophic, challenging and dangerous to all of us.

What does this government suggest we should do? What do members of this government suggest we should do by way of answers? Simply turn it over to the private sector, when we know if the private sector actually doesn't do the job—and it hasn't shown us, in almost every instance where we've deregulated industry over the last 10 or 20 years, that it is interested in anything more than making sure that its bottom line stays healthy—this government is not willing to take tough action, not willing to challenge or stand up to them.

Let's just take a look, for example, at the difficulty we have right now for truckers where gasoline and fuel prices are concerned. What have they done? Absolutely nothing. They claim to be in negotiations with the industry around making sure that truckers have enough money after they've delivered their load to make it profitable for them to continue to be in that business. But talk to the truckers. That in fact isn't happening. They're still under stress. They're still finding it very difficult to do what they do and to feel good about the profession they're in. Where five or 10 or 20 years ago they could make a living and feed their families driving a truck, that's becoming increasingly more difficult. Some of them have parked their rigs.

I want to talk about road safety and the safety of rigs and the regulation that guides drivers who drive trucks. The truckers I talked to up in Sault Ste Marie and northern Ontario said there's nothing they'd like more than to have money in their pockets to fix the rigs they drive, but the industry isn't coming up with the dollars they need in order to do that. After they take the money out of what they make for the very difficult work they do to pay for their licences and their fuel tax and to make sure their families are OK, there's very little left for preventive maintenance for the trucks they own, rent, lease or drive on behalf of the industry. If the government really wants to do something about truck safety, what they should do is get serious about the negotiations they're having with the industry around how much money truckers are making to look after themselves and deliver those loads so they can, at the end of the day, take care of their vehicles and make sure they are safe.

The other thing I want to speak of very briefly here this morning is, are some of the regulations there to let truckers know what the safety window is in terms of the length of time they should be driving without taking a break? Again, because of the very strained circumstances they find themselves in, trying to cover the cost of doing the business they do and to make a little profit at the end of the day to feed their families and live the quality life that we in this province take for granted should be there for anybody who's willing to get out there and work hard is very difficult unless they're willing to break the rules and go beyond the hours that are indicated so that they can deliver more product and make a few more dollars in order to cover the cost of doing the business that they do.

To suggest for a second here this morning that we should simply turn over the issue of trucking and road

safety and the training of drivers in this industry is, I think, simplistic at best but in keeping with the agenda of this government which we see rolling out here, which is to privatize the maintenance of highways out there, which any of us who live long distances from Toronto will tell you has not been up to the standard that we've come to expect in our parts of the province, where transportation is such a big issue where our economy is concerned, where people travelling back and forth for health reasons is concerned, where people just visiting each other is concerned. So, if we're holding up the privatization of the maintenance of highways as an example of how the private sector is going to look after that which falls within the rubric of common safety or public safety in this province, I'm afraid it doesn't bode well. It is not a good example and is not very comforting. It doesn't give us much confidence that, if we turn even more of this business of making sure roads are safe over to the private sector, it will happen and we will all be better served.

You've heard mentioned here this morning as well that this government is going to turn over the testing of drivers to the private sector. I suggest that we'll all reap the reward of that little piece of business in the not-too-distant future as again some of these bigger entities come in and take over some of these driving centres that are working quite efficiently right now, that are providing some families in small communities like Sault Ste Marie and Sudbury an opportunity to make a few dollars in an area of business that they've become quite proficient at. Once you turn the driver testing over to those centres, it becomes a lot more lucrative, it becomes more attractive to the bigger corporations out there that are looking around for more and more ways to suck money out of the communities of this province by way of opportunity turned over to them directly by this government.

You'll see that the standards that have been set over a long period of time—which, yes, in some instances provide some difficulty in that no system is perfect. But I suggest to you that we're not going to move closer to a better system in any way in the near future, or the distant future, if we simply take the tack which this government has shown it is wont to take—I guess it's bereft of any other ideas—which is to turn everything over to the private sector, because in this government's view, private is good, public is bad; the private sector can deliver more quickly and more efficiently, the public sector can't—leaving out of that equation the question of public safety, the needs of people and the very difficult and complicated relationship that exists between the various partners within that industry, each one of them trying to make a living, trying to do the right thing and trying to make sure that our roads are safe places to work, do business and recreate.

I suggest that you could take out of that that we on this side, I personally for sure and I speak for my caucus, will not be supporting this resolution this morning because we think it's just more of the same simplistic, privatize-everything approach that this government takes to some

of the challenges that we face as a community of people. We should be spending more time bringing people to the table to come up with more complicated and more effective answers.

1140

Mrs Brenda Elliott (Guelph-Wellington): I'm pretty surprised to hear my colleagues across the way from the NDP indicating they're not going to support this resolution before us this morning. I think this is an excellent resolution and I'm very pleased to stand in support of my colleague Gary Stewart from Peterborough in supporting this.

In the original letter that Gary sent us he said, "The intent of my resolution is to promote public safety on our highways through the establishment of a self-regulatory body that will ensure truck drivers are prepared for highway driving and have the ability to handle large trucks."

My constituents in Guelph-Wellington write me a number of letters about highway safety, and a great number of them have to do with speed. Particularly people who don't drive on the 401 a lot are alarmed sometimes when they get on, if they haven't been on for a while, at how quickly everything is moving. Certainly with the tremendous economy here in Ontario, thanks to the economic climate set by the Harris government and our almost 800,000 jobs now, the highways are really busy. When I commute here to Queen's Park through the week, I have to be on the highway by about 6 o'clock in the morning to have any hope of being here in decent time, and for the most part it's strictly volume.

The one thing I hear from constituents on a fairly regular basis is concern about highway safety from the point of view of truck traffic. With all due respect to the truckers who are on the road, the one thing that constituents in cars worry about is the distance between trucks and their vehicles. People are really concerned, as my colleague Marcel spoke of earlier, when they look in the rear-view mirror and see a big truck coming up behind them. If that truck is fully loaded, they are greatly concerned about the stopping distance. It's not uncommon for me to be zipping along the highway and have a truck right beside me zipping along at the same speed. I can stop a lot faster—and I keep my distance to be very cautious about that—than the truck that's fully loaded beside me.

It is a serious concern. Quite honestly, what it does speak to and make us wonder about, as regular driving citizens and as legislators, is the training that has happened, that has been the experience of that driver behind the wheel of that big rig. So I applaud my colleague here from Peterborough who has brought this forward.

The gentleman across the way in the third party spoke about how somehow this is about privatizing. I'm not sure where he got on that line. What this is really about is encouraging the industry to increase its self-regulatory practices, to have greater responsibility for its industry, and all for the reason of protecting the citizens, the people of Ontario.

Truckers have come to speak to me from time to time about their concerns, and I want to mention one person in particular. Bill MacKinnon of MacKinnon Transport is a remarkable fellow who comes to regularly inform me about issues in his industry. We have spoken about a number of topics. We've spoken most recently about the concern he has about getting qualified drivers. The trucking industry is a big industry in this province. With just-in-time deliveries required by so many industries, trucking is the way things move: this truck parked out in front, and it has a picture of this adorable baby on the front. I think it says something to the effect that "This is the only thing we don't deliver here in Ontario." That's pretty true.

I compliment the trucking business for the wonderful work that they do, but there is an issue in the public's mind about safety and it does speak to, in the end, the caution that drivers of big rigs show and demonstrate on our highways. Anything that we can do here, particularly if the industry can be the leader, I think is to be applauded. The better our drivers are in those big rigs, the safer we feel and indeed are on our highways, the more productive that is for the industry as a whole, and the better off the entire province is.

I think this is a marvellous resolution. I know there's still more work to be done. We've had a number of letters of support from the insurance bureau, from the trucking association and others indicating that they want to be partners in this. My experience here in government has been that when we have all the partners in place and working together who have a common goal and who will directly benefit, we have a much better solution coming at the end of the day than from my colleagues in the NDP or the Liberal Party quite often, who want the government to be the leader and carry the weight for everybody. That's just not the way, in my view, that things work best.

So I compliment Mr Stewart from Peterborough and all of those in the various associations who are working together. If drivers are better trained, it's my view, and certainly I think my constituents will agree, that it will be to the benefit of all the people who use our highways in the province of Ontario. They will be safer places. That's certainly one of the key goals of the Harris government.

Mr Jean-Marc Lalonde (Glengarry-Prescott-Russell): I'm delighted to have the opportunity to speak on this resolution presented by the member for Peterborough, a resolution that calls for public safety on our public highways. I know the member for Peterborough has always been in support of public safety on our highways.

I was just talking this morning to Dwayne Moseley, general manager of the Greater Ottawa Trucking Association. Mr Moseley represents not only greater Ottawa; he also represents drivers in Toronto, Sault Ste Marie, Sudbury, Timmins and Cornwall. He tells me that he represents hundreds and hundreds of truckers in Ontario. But he was a little bit disappointed at the fact that he has not received any phone calls and he was not aware that this resolution was going to be debated this morning. He said it happens quite often that the government does not

consult those people who are concerned about public safety on our public highways.

He was telling me that he's 100% in support of this resolution, after I spoke to him at about 10:30 this morning. He tells me that very often this government tends to come up with some pilot project. I told him that this time this was not a pilot project. He also referred to me that in the auditor's report—and I really support his comment on this—too often the government is coming up with some pilot project without going to the sources—when I say the sources, to question or to have discussions with the people involved—and sometimes it's too late.

He was telling me that not only should we be looking at the public safety of the drivers' licences; we should also be looking at the truck inspections. He was telling me there's a shortage of diesel mechanics, and if I'm looking at the major accidents that happen on the 401, quite often it's because of mechanical problems. Also I refer to the member for York South-Weston. He tells me that the maintenance of our public highways should also be looked at.

I want to refer in this instance to Highways 417 and 401 in eastern Ontario coming in from Quebec. They were in such bad shape that the truckers didn't want to take those routes any more because it was causing mechanical problems to their trucks. Very often we tend to blame the driver for accidents that happen. I remember this serious accident that happened near Oshawa where there were two fatalities. I just happened to be talking to the driver two days before that accident happened. He had his truck checked, verified and inspected, by some mechanic in Oshawa. In this instance they didn't find any problems with it, but he was telling me right after the accident that the fact that he has been driving on this very dangerous or badly maintained highway caused some problems.

Yes, we should put some emphasis on proper training for our truckers. Yes, we should have proper inspections on the highways. But I wonder in this case—we are saying that they should be qualified drivers—how do we qualify them? Not only by sending the people to school, but we should have technical training also for the drivers. When I say technical training, we should have on-the-job training also, besides having just school training. We know that we are doing some training in the big-size yard, that the people are backing up, driving up front and everything. But at the present time, I really feel the training and the inspection should be done by government or public employees for the safety of people on our highways.

There is judgment to be used also when it comes time to certify a driver. For instance, this inspector was doing testing of a driver—

The Acting Speaker: The member's time has expired.

1150

Mr John O'Toole (Durham): I think the member for Glengarry-Prescott-Russell was going to say he was supporting this resolution. At least I hope that would have been his concluding remark.

I want to thank the member from Peterborough, who I know to be a person you can count on, summer or winter, whatever kind of weather or conditions. I call him a friend, and some would criticize me for that but I know from where he comes.

I also think the comments made by my good friend from Guelph-Wellington, how she related this to someone in her riding and their interest in driver safety, are something people can get a copy of from the Hansard or the transcript on the Web site. I also think that the member from Lambton-Kent-Middlesex told a very personal story of how important driver or operator training and safety is on our highways.

That is background. We're all here to compliment the member from Peterborough on his resolution, but more importantly, Wayne Campbell, who's in the gallery as mentioned earlier, as well as Brian Adams and Karen Mitchell. Scott Brownell and Colin Matthews are also in the gallery, I believe, and they've worked very hard. In fact, I have a letter here in front of me from the Minister of Transportation, the Honourable Mr David Turnbull, to Wayne Campbell, president of the Truck Training Schools Association of Ontario.

For the record, I want to read what he said: "I would like to express my appreciation for the assistance, expertise, and support from the Truck Training Schools Association of Ontario during the stakeholder consultations for the Target '97 class A road test improvement." Very clearly their expertise has been recognized by the Minister of Transportation. I thank them for their input. That joint task force on Target '97 essentially was about safety on our roads. Being recognized by the minister is not something that should be ignored in this debate this morning.

In the few remaining moments—I should generally have half an hour to get my full points across, but to spare you that I've been limited to two minutes.

Some 90% of all the commercial freight in Canada travels by truck and 80% of all the trade with the United States is carried by truck. You know just how strong our economy is, so that translates into over 100,000 registered trucks in Ontario alone. With trucks from other jurisdictions, it's probably in the order of 150,000 trucks moving in our jurisdiction at any one time. Of course, they share their workplace, the roadways, with the other drivers and civilians in the province and that constitutes a very difficult circumstance for them because our roads are crowded.

Truckers and drivers themselves constitute 4.5% of the workforce; 200,000 people are employed in that industry. It's important to recognize that the census in 1996 showed that occupation was the most frequently cited occupation by males in 1996: truck operator. Also, about 50% of those operators are approaching the age of 50 or are over the age of 50.

when you look at the facts—the intent of this legislation is to enshrine some industry-driven truck driver criteria for safety and safety training—I compliment Mr Stewart and also the association that we're working with

this morning. I encourage members to support it for the right reasons. This isn't a time for politics. We know that private members' business is a time when we're supposed to talk about important opportunities for doing the right thing to protect the safety of people on our roads.

I want to make a couple of comments. I have worked with Bill Wellman from the National Truckers Association, as well as Bill Ives, who I believe is in some managerial position for the NTA, and also Dave Bradley from the OTA. I can tell you that Wayne Campbell has had letters of support from the Ontario Trucking Association as well as support from the Private Motor Truck Council of Canada. There's also been support from the Ontario Safety League to Mr Campbell. It's clearly on the record that this is the right thing to do—

The Acting Speaker: The member's time has expired. The mover of the motion has two minutes to reply.

Mr Stewart: I want to thank the members for Guelph-Wellington, Lambton-Kent-Middlesex and Durham for speaking on this resolution and supporting me on it.

I want to clarify a couple of comments that were made by the member for Sault Ste Marie. Unfortunately, sometimes the NDP does get things wrong. He may not know it, but most of the schools and those who are holding themselves out as training operations are in the private sector now. This is not about changing testing. What it is about is making sure we have qualified drivers who know the theory, who know the operations and who know how to drive, and that they are prepared when they go to be tested to get their licences.

It's interesting that he also made the comment about the cost savings. Is cost savings about safety? I'm sorry, in my world it is not. I suggest that for him to possibly suggest all his caucus is not going to support this bill is interpreted by me that the NDP in this House does not support road safety, does not support qualified drivers. I would highly suggest that in future, if they speak to some of these bills, they know what the bills are all about before they make too many comments about them.

This type of resolution is demanded and is needed and is wanted by the industry. I also believe the industry should be able to manage their industry because they know how it should be done.

The Acting Speaker: The time for private members' business has ended.

ACCOUNTING PRACTICES

The Acting Speaker (Mr Bert Johnson): We'll deal first with private member's ballot item number 51 standing in the name of Mr Curling.

Mr Curling has moved private member's resolution number 31.

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

All those in favour, say "aye."

All those opposed, say "nay."

In my opinion, the ayes have it.

Call in the members. This will be a five-minute bell. It will be deferred until we deal with the next private member's resolution.

TRUCKING INDUSTRY

The Acting Speaker (Mr Bert Johnson): We will now deal with private member's ballot item number 52 standing in the name of Mr Stewart.

Mr Stewart has moved private member's resolution number 29.

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

All those in favour, say "aye."

All those opposed, say "nay."

In my opinion, the ayes have it.

I declare the resolution carried.

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

The division bells rang from 1158 to 1203.

ACCOUNTING PRACTICES

The Acting Speaker (Mr Bert Johnson): Mr Curling has moved private member's resolution number 31, ballot item number 51.

All those in favour will please rise.

Ayes

Cleary, John C.	Curling, Alvin	Kormos, Peter
Colle, Mike	Gerretsen, John	Martin, Tony
Cordiano, Joseph	Kennedy, Gerard	Ruprecht, Tony

The Acting Speaker: All those opposed will please rise.

Nays

Arnott, Ted	Hastings, John	Peters, Steve
Baird, John R.	Hudak, Tim	Runciman, Robert W.
Barrett, Toby	Johns, Helen	Sampson, Rob
Beaubien, Marcel	Klees, Frank	Smitherman, George
Bryant, Michael	Marland, Margaret	Snobelen, John
Chudleigh, Ted	Martiniuk, Gerry	Spina, Joseph
Clement, Tony	Maves, Bart	Sterling, Norman W.
DeFaria, Carl	Mazzilli, Frank	Stewart, R. Gary
Dunlop, Garfield	Molinari, Tina R.	Stockwell, Chris
Ecker, Janet	Munro, Julia	Tascona, Joseph N.
Elliott, Brenda	Murdoch, Bill	Tilson, David
Flaherty, Jim	Mushinski, Marilyn	Tsubouchi, David H.
Galt, Doug	Newman, Dan	Turnbull, David
Gilchrist, Steve	O'Toole, John	Wood, Bob
Gill, Raminder	Ouellette, Jerry J.	Young, David
Hardeman, Ernie		

Clerk of the House (Mr Claude L. DesRosiers): The ayes are 9; the nays are 46.

The Acting Speaker: I just wanted to apologize to the staff on your behalf for keeping them late for their lunch.

I declare the resolution lost.

The business of this House ended for this morning, it stands adjourned until 1:30 o'clock.

The House recessed from 1209 to 1330.

MEMBERS' STATEMENTS

TENANT PROTECTION

Mr Michael Bryant (St Paul's): This government's tenant destruction act is driving seniors and disabled people and everyone on fixed incomes into conditions of near poverty. Many tenants in my riding tell me that they sometimes have to choose between food versus rent. Many others say that these rent increases are nothing less than criminal. It's time for this government to recognize that there is no level playing field for tenants when there is a vacancy rate of less than 1% in Toronto and an average rent increase of 9% in Toronto. The Harris government's tenant destruction act actually creates incentives for landlords to foster intolerable conditions for tenants, since once a tenant vacates the landlord can hike the rent by 100% if he chooses.

The tenants at 20 Shallmar Boulevard and many other buildings in my riding are quite literally under siege. At 20 Shallmar they were warned of a 14% rent increase by their landlord. Some tenants bolted, only to find no affordable housing elsewhere. Others were left to fight that punitive increase at their own expense before the Ontario Rental Housing Tribunal, which actually ordered the tenants and their lawyer to pay the legal costs of the landlord. This decision is still before the courts, but the resulting nightmare for these people and so many other tenants in my riding is all thanks to a provincial government bent on punishing renters. Tenants must unite in their fight against the Harris housing disaster. The people of St Paul's can rest assured that their elected tenant triumvirate—Bryant, Walker and Mihevic—will not rest in our respective legislative chambers until we restore real, unqualified rent control with no ifs, ands or buts, until the Ontario Liberals legislate back the just tenant protections that mark a decent civil society that levels the playing field for the tenants of St Paul's and across Ontario.

ALISON CLARK

Mrs Julia Munro (York North): Today I rise to recognize a constituent in my riding of York North, Alison Clark. Alison Clark and her colleagues were the winners of a Gemini Award for the best sound in a documentary for their work on *Legacy of Terror: The Bombing of Air India*, which aired on CBC's *The Nature of Things* series. It was Clark's second Gemini, having won in 1993 for her work on *The Millennium* documentary series.

Legacy of Terror documents the fatal crash on June 23, 1985, that killed 329 people. It takes a personal look at some of the families who lost loved ones on that flight. Clark said, "It's a very special film because it gives testimony to those children on the fatal flight."

Clark was the sound supervisor for the documentary, which presented unique challenges. Very stylized and

containing more than just interviews, it had a lot of footage where sound had to be cleaned up or recreated to make it more realistic.

Clark has been in the film business for 20 years and has been doing sound for 16. She studied filmmaking for three years at Fanshawe College in London and is president of her own company, One Dark Knight Sound Design, based in Toronto. The small sound editing company works mainly on documentaries, TV, movies and feature films, but it is documentaries Clark finds most satisfying.

Congratulations to Newmarket resident Alison Clark.

ASSISTANCE TO FARMERS

Mr John C. Cleary (Stormont-Dundas-Charlottenburgh): I rise to once again call the government's attention to the crisis facing agriculture. Obviously, over the last few months, the government hasn't been listening to the pleas from both opposition members and the farmers themselves. There is a crisis in agriculture whether this government wants to admit it or not.

Farmers are suffering from oilseed prices that are at a historic low. They are also dealing with the fallout of an unseasonably cold and wet spring. The crops produced are of poor quality and farmers cannot afford that. Just when farmers thought it couldn't get any worse, they are being confronted with astronomical fuel prices.

High fuel prices, poor crops and low prices will take their toll on farmers if this government doesn't step forward and do something now—not next week, not next month, but now. The fact is that if action isn't taken, many Ontario farmers will not be able to survive. They may lose their business and their livelihood. I for one am not willing to see that happen.

Agriculture is an incredibly important part of Ontario's economy, the second-largest employer. It produces some \$25-billion-plus in revenue. How can the government sit back and watch as some of these farmers who contribute so much to our society have to struggle to maintain their livelihood? It's amazing that the government can spend \$190 million on government advertising but can't try to help farmers out in a crisis.

NORTH YORK CHAMBER OF COMMERCE BUSINESS EXCELLENCE AWARDS

Mr David Young (Willowdale): I would like to extend my most sincere congratulations to all the winners of the North York Chamber of Commerce 2000 Business Excellence Awards. Each individual and group honoured by the North York Chamber of Commerce has demonstrated the kind of leadership and innovation needed to be the best—by achieving excellence in entrepreneurship, creativity and quality.

They have also demonstrated a continued commitment to our community by creating jobs and enhancing the community's high quality of life.

The award-winning entrepreneurs, associations and companies were as follows: the Canadian Memorial Chiropractic College; the Moving Store; YMCA of greater Toronto; North Employment and Community Services; John Wetmore, CEO of IBM Canada; Sobie's Barbecues and Accessories; Julia Henderson and Kevin Smith from the Helicopter Company; and Michelle Hutchinson from Hutchinson Communications.

It is because of entrepreneurs like these that Ontario has enjoyed the success it has over the last 5 years.

Former American President Ronald Reagan said of entrepreneurs: "We in government should learn to look at our country through the eyes of the entrepreneur, seeing possibilities where others see only problems."

Much like an entrepreneur, our government has seen the possibilities that Ontario has. As a result, we cut taxes, we introduced work for welfare and reduced the size of government so that our best and brightest, many of whom were at the awards ceremony with me, would be free to do what they do best: innovate and create. Those award winners did just that. On behalf of my colleagues on this side of the floor, I wish to congratulate each and every one of them.

ARTS AND CULTURAL FUNDING

Ms Caroline Di Cocco (Sarnia-Lambton): The cultural sector in this province is dejected and discouraged by the ongoing cuts to the arts community. The Harris Tories and the Minister of Culture, Helen Johns, do not value culture, but worse, they do not understand and are ignorant of the significance of the cultural sector in this province.

A strong case has been made over and over to the Harris Tories of the huge economic benefits of culture, but more important is the intangible societal benefit that arts, music, theatre, heritage, literature and film have on our communities. None of these arguments has moved this neo-conservative-driven government to restore hope and assist to rebuild the cultural sector of Ontario.

Donna Scott, the executive director of the Ontario Arts Council, has resigned. Under her professional and caring leadership, Ms Scott dramatically reduced the negative impact of the deep cuts to the Ontario Arts Council's programs. That was not enough to stop the bleeding and her resignation sends a signal to the Harris government that enough is enough.

The Ministry of the Environment has had similar deep cuts and we know the consequences.

Minister Johns should be seen as the protector and champion of the cultural community. Instead, she is the dismantler. The arts and cultural heritage is endangered by the policies of this government. When will Ontario's economic boom translate into the well-being of the cultural sector?

I will leave you with this thought: we need to properly manage our money in order to live, but we need culture and the arts to give us a reason to live.

The Speaker (Hon Gary Carr): Members' statements?

Mr Rosario Marchese (Trinity-Spadina): This statement is dedicated to Helen Johns, the minister:
Sung to the tune of Yesterday.

Minister,
Your approach to arts is sinister;
The arts council you administer
Is hurting artists, Minister.

Donna Scott
resigned because she says you're not
providing funding that is near enough;
In fact she's blaming your deep cuts.

Why she had to go
I don't know; it's a sad day
You did something wrong
And you've chased the best away-ay-ay-ay,

Minister,
You've soured to the arts like vinegar;
A 40% cut is sinister;
Why did you do this, Minister?

How low can you go?
I don't know, but it's a shame;
Eight hundred groups, they know the truth:
that you're to bla-a-a-ame,

Minister,
Should they take it on the chin-ister?
Will our artists sink or swim-ister?
It's your decision, Minister.

The Speaker: I don't know if there are any rules about members singing or not, but there should be one that if you do sing, you should at least have to have a good voice to do it.

1340

CALEDON EAST HISTORICAL SOCIETY

Mr David Tilson (Dufferin-Peel-Wellington-Grey): I'm pleased to stand in the House today to extend congratulations to a group of dedicated constituents from Caledon East. Two years ago, the executive of the Caledon East Historical Society ventured to offer a book that would celebrate and preserve the history of this community. The book, entitled *Settling the Hills: Historical Reflections on Caledon East and District*, is a remarkable example of how an idea can become a reality with the application of hard work and passion for what you are doing.

The 14 contributing authors take readers on a journey back in time to the formation of the land itself, the native population, and the original settlers whose struggles and victories are reflected upon. The vintage photographs

included throughout the book help to illustrate the journey and add to the richness of this historical recollection of a community that still thrives today.

Interjections.

The Speaker (Hon Gary Carr): Order. We've had our little fun, but the member has 20 seconds left. Sorry to the member.

Mr Tilson: With financial assistance from the Trillium Foundation and the tireless efforts of those involved in the project, what was originally planned to be a 150-page book almost grew twice in size. The original estimate of 1,000 published copies has also expanded twofold. I stand in this House today to extend my congratulations and express my appreciation of this work, which will no doubt allow the history of this community to be preserved for generations to come.

CHILD POVERTY

Mr Michael Gravelle (Thunder Bay-Superior North): It's truly disheartening that the Mike Harris government continues to ignore the tragedy of increased poverty in Ontario, particularly among children.

Two recently released reports have once again shown the stark reality of how this government's brutal policies have sent more people deeper and deeper into despair. Yesterday the Ontario Federation of Indian Friendship Centres released a report on urban aboriginal poverty which showed that over 52% of aboriginal children in cities, including my hometown of Thunder Bay, are living in poverty. Earlier today the Ontario Social Safety Network released a chilling report called *Five Years Later* which clearly pointed out that cuts in social assistance, coupled with increased costs for food and shelter, have had a devastating impact on the lives of our poorest citizens.

The questions that Dalton McGuinty and the Ontario Liberals have for this government are: how many more studies and reports will it take for you to realize that your punitive policies are hurting families, and why will you not, at a minimum, attach a cost-of-living adjustment to social assistance benefits?

At a media conference earlier today, we heard from a young woman named Berthe Thomas, a single mother from Peterborough who told us in heart-rending fashion how difficult her life has been for these past five years. On her behalf, I want to send copies of today's report to Premier Harris and to social services minister Baird and ask that they respond with compassion. As we approach the Christmas season, I want to ask you, Premier, to open up your heart and respond to this cry. It's the least you can do.

CANCER TREATMENT

Mr Joseph N. Tascona (Barrie-Simcoe-Bradford): I rise today to speak to my upcoming resolution about prostate and breast cancer. Breast and prostate cancer claim too many lives.

I'm pleased that the Minister of Health has just made an additional \$34.8 million available to help patients fight their cancer. New drugs, more cancer professionals and improved screening detection programs are just a few of the benefits cancer patients will see. Better early detection and increased awareness of prostate and breast cancer will help save lives.

Currently, PSA testing for prostate cancer is not covered for asymptomatic men. I'm asking that the ministry review this situation to determine whether PSA testing for asymptomatic men would increase early detection of prostate cancer and help save more lives. Many men aren't even aware of the dangers posed by prostate cancer and die because it wasn't detected soon enough. My resolution asks the ministry to consider initiating and funding a comprehensive prostate cancer awareness program to encourage men to be checked.

Breast cancer affects one in nine women, and early detection is essential. The Minister of Health also announced that the Ontario breast screening program will be expanded to test five times more women than today. However, more research money is needed. That's why I'm asking Canada Post to issue a commemorative stamp to provide additional research funds to fight breast cancer. This works in the United States, and I believe it will work here.

It's imperative that we raise awareness and increase resources to fight prostate and breast cancer to help save more lives.

INTRODUCTION OF BILLS

BALANCED BUDGETS FOR BRIGHTER FUTURES ACT, 2000

LOI DE 2000 SUR DES BUDGETS ÉQUILIBRÉS POUR UN AVENIR MEILLEUR

Mr Eves moved first reading of the following bill:

Bill 152, An Act to implement the 2000 Budget to establish a made-in-Ontario tax system and to amend various Acts / Projet de loi 152, Loi visant à mettre en oeuvre le budget de 2000 en vue de créer un régime fiscal propre à l'Ontario et à modifier diverses lois.

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

The minister for a short statement?

Hon Ernie L. Eves (Deputy Premier, Minister of Finance): We firmly believe that all provinces should have the ability to develop taxation policies that meet the specific needs of their economies and their taxpayers. A made-for-Ontario personal income tax system will allow us the flexibility we require to meet the needs of Ontarians.

In addition to a new system of tax administration, this bill would also give effect to several taxation policies

announced in this year's budget. The short title of the bill is Balanced Budgets for Brighter Futures, and that is what Ontarians can expect.

ARCHIVES AWARENESS WEEK ACT, 2000

LOI DE 2000 SUR LA SEMAINE DE SENSIBILISATION AUX ARCHIVES

Mr Johnson moved first reading of the following bill:

Bill 153, An Act to proclaim Archives Awareness Week / Projet de loi 153, Loi proclamant la Semaine de sensibilisation aux archives.

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

The member for a short statement?

Mr Bert Johnson (Perth-Middlesex): Ontario has a rich and colourful history, most of which is recorded, and archives play an essential role in the preservation and use of history, including perhaps Hansard and the staff who will have to be drawn in for those musical notes that we heard earlier in the day.

This is to recognize the hard work and dedication of the entrepreneurs who work in the industry of archives.

IDLEWYLD MANOR ACT, 2000

Mr Christopherson moved first reading of the following bill:

Bill Pr33, An Act respecting Idlewyld Manor.

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

STATEMENTS BY THE MINISTRY AND RESPONSES

MENTAL HEALTH SERVICES

Hon Elizabeth Witmer (Minister of Health and Long-Term Care): December 1 is a historic day. I am very pleased to rise in the House today to bring your attention to the proclamation of Bill 68, Brian's Law, which amends the Mental Health Act and the Health Care Consent Act. I believe that Bill 68 is one of our government's most significant legislative initiatives, because it will ensure that people with serious mental illness who pose a threat to themselves or others receive the treatment and care they need and deserve.

The bill is dedicated to the memory of Brian Smith, an Ottawa sportscaster killed by a person suffering from serious mental illness. I would like to take a moment to acknowledge Ms Alana Kainz, Brian Smith's widow and a strong advocate for the much-needed changes to the Mental Health Act. She is here with us today. I would also like to thank Lori and Tony Antidormi. It is because of the ongoing support and dedication that we have received from Alana and Lori and Tony that we have been able to move forward with the development of this

bill. They have been a tremendous inspiration to all of us. I would also like to thank again Mr Richard Patten for his hard work in helping to bring about effective community-based mental health treatment.

1350

The proclamation of Brian's Law, 2000, is the result of years of extensive research and consultation with stakeholders. Our government listened to the concerns voiced by families, consumers, inquest juries, health care providers and police, and this legislation is our response, a response that will best serve all Ontarians.

This legislation is a significant part of our government's commitment to create a comprehensive, balanced and effective system of mental health services that provides a continuum of community-based, outpatient and inpatient care.

The amendments to Ontario's mental health legislation were developed in consultation with key service providers such as physicians, hospitals, community services, justices of the peace, police and rights advisers. They will continue to play an essential role in the implementation of these amendments.

As the House knows, the jury for the inquest into Brian Smith's death recommended that the Ontario mental health reform initiative should incorporate a community-based treatment program with third-party review and appeal mechanisms. It also called for a comprehensive review of the Mental Health Act and clauses in related legislation regarding mental health. This is what we have done.

Brian's Law introduces community treatment orders, CTOs, which will provide a comprehensive plan of community-based treatment or care and supervision that is less restrictive than being detained in a psychiatric health facility. It also provides rights protections for mentally ill individuals, especially at the community level, and includes the addition of new grounds to the civil commitment criteria. The amendments also improve access to treatment by streamlining the hearing and appeal rules in the Health Care Consent Act.

I want to take this opportunity to thank the many, many hundreds of people who have worked so hard to bring about these much-needed changes. Again, I thank Alana Kainz and the Antidormi family. I also want to thank my former parliamentary assistant, Dan Newman, and my current parliamentary assistant, Brad Clark, for their unflagging commitment to this important legislation. I also want to thank the very hard-working staff of the Ministry of Health and Long-Term Care, who have diligently done everything possible to bring this legislation forward in response to the needs of people in this province.

Our government's Blueprint and the most recent speech from the throne promised that we would change the law to ensure that people who pose a danger to themselves or others will get the care they need, both for their own well-being and to ensure public safety, and I'm pleased to say that we've done that. These amendments provide a balance between the rights of the individual and the safety of the community.

I'm also pleased to say that since 1995 our government has invested nearly \$350 million in mental health care programs, infrastructure and community-based services to support our reform strategy. These reforms will enable us to move forward and provide a full continuum of institutional and community-based services for people with mental illness.

Our government has taken responsible action and has demonstrated a commitment to implement legislative changes that will enhance the quality and delivery of mental health services. We have worked closely with our stakeholders, who represent health care providers, community agencies, hospitals, consumers, and community organizations. We've developed a comprehensive implementation plan, and the ministry will continue to work with stakeholders to ensure that the new legislation and regulations are implemented smoothly.

Our government is strongly committed to restructuring the mental health system to achieve an accessible, accountable and effective system of treatment, care and support with an appropriate mix of institution-based and community-based services. The proclamation of Brian's Law will help us meet that commitment. Most important of all, it will help save lives and it will help prevent tragedies in the future.

In closing, I want to thank the members of this House from all parties for their support of this very important bill.

Mrs Lyn McLeod (Thunder Bay-Atikokan): The members of our caucus supported Brian's Law. We did so because we supported the intent which the minister has described, which was to ensure that the law could be changed, ensuring that people who pose a danger to themselves or others will get the care they need both for their own well-being and to ensure public safety. We supported it in respect of the families of schizophrenics, we supported it in respect of the work our own colleague Richard Patten had done and we supported it in respect of six inquest reports into deaths.

Our support was conditional on a continued effort to ensure that real support services for those with mental illness would be put in place. This bill does two things that the minister has noted: it allows more ready admission to hospital without there being evidence of imminent harm to self or others, and it also makes discharge contingent upon agreement to abide by community treatment orders. We had concerns about the implementation of both aspects of that law.

We heard testimony during the hearings about the inability now to provide admission to patients who needed hospitalization because there are simply not enough beds. We had emergency room physicians coming to talk to us about the pressures that would be placed on our already overburdened emergency rooms because of the numbers of people who would be brought in seeking admission, and the acute care hospitals would not have beds for even temporary admission.

Earlier this week, I brought into this Legislature a case of Scott McLennan, a 35-year-old man suffering from

schizophrenia for the last 16 years who had become violent while in the throes of delusion. Scott's history, since this bill was passed, has been one of being repeatedly put into jail because there has been no place for him in the mental health system. He was at one point in a psychiatric hospital. They sent him back to jail because they could not cope with him because of his tendency to violence when he was delusional. The mental health system is continuing to fail Scott McLennan. The mental health system is continuing to fail others like Scott McLennan. I said to the minister earlier this week that Scott McLennan was one example.

I had another case almost exactly like it in my own constituency office the previous week. I had three other cases of people who were potentially going to become violent and who could not get community support to deal with their mental illness. My colleague from St Catharines told me about a tragedy involving someone with mental illness in his community just recently. And yet the government, regardless of the evidence that there are now not enough beds, is proceeding with its closure of six of our nine psychiatric hospitals, with a loss to come of more than 1,000 mental health beds. The minister has given a personal commitment that no mental health bed will be lost, will be closed, until the community supports are in place, and yet in the estimates we see that \$50 million is already slated to go into the divestment of our psychiatric hospitals.

The problem is, there are no benchmarks to know when adequate community supports are in place. This government is going to go ahead and shut down the beds, when all the evidence is that there aren't adequate community supports in place.

The proclamation of this bill has been held off until this week in order to put those community supports in place. All that has happened is an initial move to establish what are called ACT teams. The people administering those say that's a third of what is needed to provide an adequate emergency crisis response at a community level. It is a step in the right direction but it is not nearly enough.

The housing announcement from last week is a two-year-old announcement. The second stage of housing support for those with psychiatric illness was supposed to be in place this year. It is only now being reannounced as something to be completed next year. In my community, the beds we will receive under that announcement are a fraction of what's needed just to provide housing for those who are to be discharged from the psychiatric hospital, which is supposed to be one of the first to close. It doesn't begin to provide housing for the 20 to 30 people with psychiatric illness whose only place to go right now is into our emergency shelter, and who will be filling that shelter again this winter.

1400

The minister knows the dollars are not adequate to provide real comprehensive community support. She knows we need more housing. She knows we need out-patient clinics. She knows there's a two-and-a-half-year

wait in Ottawa to get into a community out-patient program. She knows that we need rehabilitation programs.

The concern of schizophrenic patients was that all this bill would mean was that they would be forced into taking drugs. They were assured by the minister, by the parliamentary assistant, by all of us who supported this bill that this would not simply mean forced drug treatment. I don't believe that Alana Kainz or the Antidormis or Richard Patten or the Ontario Friends of Schizophrenics or any of us can rest until there is truly a comprehensive program for the mentally ill in place.

Ms Frances Lankin (Beaches-East York): On behalf of my caucus, I want to also acknowledge the presence here today of Alana Kainz and of Lori and Tony Antidormi, and to thank them for their unflagging commitment to seeing legislation brought to this province that has the intent of averting tragedies like the family tragedies they have experienced. I know that it must continue to be a painful experience, and your courage is to be commended. We're appreciative of you being here today.

I want to ask of you to continue your unflagging commitment to ensure that this law has meaning in effect in our province. Words on a piece of paper, words passed we know to be a first step, but unless there are the means to implement the intent of that legislation, many people for whom this bill and this law held out great hope will find themselves thoroughly disappointed. You will remember at the time I commented on the goodwill of particularly the work of the parliamentary assistant in trying to find ways to amend the bill to meet some of the major concerns that were out there. I repeat that today.

I also commented on a couple of areas of amendments that I thought were critical to ensure that this bill would have a meaningful life in our community. The failure of the passage of those amendments was problematic and I think that's borne out by where we're at today—for example, the provision to establish an office of mental health advocate, one who does systemic review, not patient advocacy but systemic review, who identifies where services are in place, where they are not, what the gaps are and what effect that's having on the lives of individuals and their families as they struggle to seek services and help fund the mental health system.

I also had proposed a basket of services to be listed within the legislation similar to what we've done in long-term-care legislation to ensure that in every community there's a minimum list of services that are available for people. If community treatment orders are to be effective and are to provide people with an option, an alternative to the revolving-door cycle of admissions, involuntary or voluntary, to psychiatric hospitals, those services must be in place. There's been acknowledgement that they're not.

I have to say that I know the parliamentary assistant, and I think the minister, have assured this House that there will be further announcements, that those investments are coming. They're slow to come. Here we are today, proclaiming the legislation. I am sure that members of the committee believe the government would

have made by this time announcements of major new investments to actually give life to the intent they spoke to, during the committee hearings and during second and third reading, of ensuring that supports were there for community treatment orders to be effective.

I think the crisis we see in our hospitals at this time, with the shortage of mental health beds, with a shortage of services in the community, is having a real effect on people's lives. We know that, but this bill held out promise. I think some of the saddest cases I have dealt with through my constituency office, and as health critic, in the last few months are people who are aware of the passage of the legislation, people who are involved, for example, in local chapters of Friends of Schizophrenics who believe that this would make a difference for them and their families and who have found a continued closed door as they have tried to access help. Even trying to access support of the community ACT teams has not been an easy process, and those supports have not been forthcoming because the resources just aren't there.

Minister, in response to your comments today, in response once again to your stated belief that this is a signature piece for your government, an important piece of legislation that will strike the right balance to offer services and give protections to those people in need and services and supports to their family and loved ones, I say to you, unless you take steps to ensure the necessary services are available, both in our hospitals through the mental health beds that are required and, even more importantly, in our communities across this province, this legislation will have no effect. The legacy that I know the Antidormis and Ms Kainz want to see brought forward by this legislation, that the minister, the parliamentary assistant and I'm sure the government are committed to in intent, will not be there. It will not be a living legacy unless we put our minds to making those services available.

Minister, the clock is ticking. You bring a proclamation today. It hasn't made a difference yet in communities. I hope that when we resume in the spring sitting of this Legislature, in the course of the intersession you will have made the announcements and the investments necessary to make a real difference in people's lives.

Hon Mrs Witmer: On a point of order, Mr Speaker: I've just been informed that not only is Alana Kainz here today, but Lori and Tony Antidormi are also in the gallery. We appreciate their support.

Mrs McLeod: On a point of order, Mr Speaker: I rise on a point of order because I'm certainly aware of the ruling that props are not allowed during question period or any time during the House proceedings. I did want to advise you, Mr Speaker, and the Minister of Health that the orange cards that are appearing in the House are the beginnings of a postcard campaign against the privatization of air ambulances. I'd be happy to have them distributed to government members, if they so wish.

The Speaker (Hon Gary Carr): I thank the member. I did see them, but I couldn't read them to see what they were actually, if they were a prop. But I thank the mem-

ber. I'm sure all members to whose attention it has been brought will now make sure we don't see too much of them. They can be handed out, but hopefully we won't see them waved around too much.

ORAL QUESTIONS

NURSING STAFF

Mr Dalton McGuinty (Leader of the Opposition): My first question today is for the Minister of Health.

Minister, understanding now that in March 1999 you recognized that you and your government had made a terrible mistake by firing thousands of nurses at a cost of \$400 million to taxpayers for severances, you made a specific commitment, through the Premier, that you would hire 12,000 new nurses by the end of this year. You've broken that promise. You would think, given the fact that we are plunged into a desperate shortage of nurses in Ontario, that at a minimum you would have stopped firing nurses. You would think that, Minister.

But the Ontario Nurses' Association and the Registered Practical Nurses Association of Ontario tell us differently. They tell us that since March 1999, when you promised you were going to hire 12,000 new nurses, you have fired hundreds more nurses. In fact, in the past six months alone, 116 layoff notices have been issued at nine hospitals in southern Ontario. How is it, Minister, at a time when we are so short of nurses, you continue to preside over the firing of nurses?

Hon Elizabeth Witmer (Minister of Health and Long-Term Care): The Leader of the Opposition obviously doesn't understand that government provides the funding to the transfer payments to our transfer partners, and it's up to the transfer partners.

However, having said that, the Leader of the Opposition should also know that we were the government that actually responded to the concerns of nurses in this province. In fact, the nursing task force that we set up has actually been highly regarded, and attempts have been made to duplicate it in the rest of Canada. In fact, Allan Rock so much liked our designation of a chief nursing officer that he put in place his own chief nursing officer for Canada. He respected the fact that we were willing to create a separate division within the Ministry of Health that would support nurses in this province.

1410

Mr McGuinty: Of course nurses were very concerned. They were concerned that you continued to fire them at a time when everybody knew we were going to be facing a terrible shortage.

Let me be very specific with respect to Hamilton-Wentworth. Last week, as I mentioned earlier this week, four hospitals were full. There was no more room for sick people there, no matter how serious their injuries might be. Nurses there are run off their feet. They are suffering from mental and physical exhaustion. If there is one thing

that Hamilton needs, it's more nurses, but nurses there are telling us that in June of this year 34 more received their layoff notices.

I will give you the same opportunity to answer the question I asked the first time, which you didn't answer. Why is it, at a time when we need nurses, when we are experiencing a terrible shortage of nurses, that we are continuing to fire nurses in Ontario?

Hon Mrs Witmer: It would be a little more accurate if the member would also speak to the fact that there are hirings taking place throughout this province in many hospitals. I would hasten to add that it is the JPNC, which is being chaired by the president of ONA, which is taking a look at the monitoring of the new nursing positions. As I indicated yesterday, the initial preliminary estimates indicate that approximately 6,000 additional nurses have been added to the profession as of the end of the last calendar year. Those numbers are now being finalized. ONA knows that because, as I said, they share the vice-presidency, the co-chair of that particular position. I'm very confident that we will continue to see more hiring of nurses in our province. In fact, today I announced that—

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

Mr McGuinty: Ontarians are now on to you. They understand that the reason we suffer from a terrible shortage of nurses is because of the actions on the part of your government. You told nurses at one point in time that you didn't need them any more. You fired them by the thousands. That cost Ontario taxpayers \$400 million in severance costs. Your Premier compared them to Hula Hoop workers: it was time for them to move on; the industry had changed and it was time to evolve and do something else.

Back in March 1999 you told us you were going to hire 12,000 more. You've broken that promise. That is plain and clear for all Ontarians to see.

The real issue that I want you to focus on today is, why is it, when we face such a terrible shortage of nurses, when we should be hiring nurses, we are continuing to this very day in Ontario to fire nurses?

Hon Mrs Witmer: It would be better if the Leader of the Opposition were a little more accurate in his representations. Earlier this week, he tried to represent the fact that a government paper indicated we weren't going to be hiring nurses for three more years. He knows that was not right. He knows that was not accurate. He continues to stand in this House every day fearmongering, knowing full well that this government has placed a priority on nurses, that this government values nurses, that this government—

Interjections.

The Speaker: Order. Minister of Health take her seat, please. We need a little bit more quiet. Minister of Health. Sorry.

Hon Mrs Witmer: He knows that this government has flowed the money in excess of \$375 million in order that the money is there to hire an additional 12,000 nurses. He knows we've made money available for edu-

cation. In fact, this morning Doris Grinspun indicated that this government has made a strong commitment to educating and training nurses.

The Speaker: The time is up. New question. Leader of the official opposition.

Mr McGuinty: The second question is for the Minister of Colleges and Universities, but I want to tell the Minister of Health that if anybody is scaring the people of Ontario—

Interjections.

The Speaker: Order. The member for London-Fanshawe, come to order.

Interjections.

The Speaker: Order. OK, folks. Last warning to the members for London-Fanshawe and for Windsor West. If you want to keep it up you can go outside for the day. Last warning to both of you. When I'm standing up we're not going have you yelling back and forth.

Interjections.

The Speaker: That's it. The member for Windsor West is named; she's out for the day. I ask the member Sandra Pupatello to leave.

Mrs Pupatello was escorted from the chamber.

The Speaker: Leader of the official opposition.

Mr McGuinty: Speaker, if I may on a point of order: I'm looking for some clarification from you on this matter. When I stood up to put my second question, it is my understanding that as a member of this Legislature, after I've directed the question to a certain minister, how I use my time in that regard, whether I might address my comments to someone else, is something of my own choosing. Am I incorrect in that regard?

The Speaker: Yes, you are. You can ask the next question but it needs to be to that minister. You have three allotments on that question. You can go to the same minister if you want, but what you can't do is start and have two questions in one, which in effect that would allow you to do.

I do allow some leeway on this if they're short, but occasionally they start off and they do get a little long. But those are the rules.

NURSING PROGRAMS

Mr Dalton McGuinty (Leader of the Opposition): My question is for the Minister of Training, Colleges and Universities. I am sure that you are aware, as are all Ontarians now, of the Premier's broken promise when it came to hiring 12,000 nurses by the end of this year. You are also aware that you have played a part in this broken promise.

For the past two days the Minister of Health has tried to deflect blame by saying that she just can't find any nurses anywhere.

Minister, can you tell me why at a time when we need thousands of new nurses in the province of Ontario you have continued to turn down requests from many of our colleges and universities for funds to expand their nursing school programs?

Hon Dianne Cunningham (Minister of Training, Colleges and Universities): In the last six months, in order to get a plan in place for the future, talking about beginning in the year 2003-04, we are working with our colleges and universities on a collaborative nursing program. I would add that the promise you're talking about with regard to 12,000 nurses—you actually don't understand the issue. That was an issue about putting nurses into our hospitals, our long-term care, into government positions, and it had a lot to do with beginning at the time of the campaign in 1999. I will add that many of them are there—

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

Mr McGuinty: I can tell you that I understand the issue, Ontario's nurses understand the issue and the Ontario public understands the issue. The Premier made a specific promise and he's broken that promise. It's not a complex issue.

Minister, the fact is that when the University of Toronto asked you for SuperBuild money to expand their nursing program, you said no. When McMaster asked for money to expand their nursing program, you said no. When Conestoga College asked for money to create a nursing program, you said no.

This year, Fanshawe College and the University of Western Ontario had a combined first-year enrolment of 255 nursing students. Next year, we now learn that you're only going to fund 200 nursing students. That's a 22% cut.

Why is it that at a time when everybody in the province except this government recognizes we suffer from a terrible shortage of nurses, you're not allowing our colleges and universities to expand their programs so we can have more nurses graduate in Ontario?

Hon Mrs Cunningham: In response to the Leader of the Opposition—

Interjections.

Hon Mrs Cunningham: If the members opposite can just listen so they can get it straight, the supporting nurses promise was about hiring long-term-care nurses, hospital nurses, retaining nurses and in fact attracting back nurses who may have left. That was \$375 million that was given to our institutions. The question that you're asking now is about the future, and do we have a plan?

1420

Interjections.

Hon Mrs Cunningham: Mr Speaker, if I can address my remarks to you because it's very difficult to be laughed at when in fact they are wrong and they are misleading the public—

The Speaker: I'm afraid, Minister, you need to withdraw that, please.

Hon Mrs Cunningham: I am so sorry but I do feel strongly. The information is confusing for the public and what's happening here is that the Liberals are trying to confuse a plan that we went into with \$375 million—

The Speaker: The minister's time is up.

Mr McGuinty: Maybe at some point in time we missed something over here, but I never knew that conferring the ministerial responsibility for colleges and universities lent with it the right to lecture, even inside this very House.

The minister's involvement in the Premier's broken promise gets even more interesting. Last Friday afternoon at a briefing arranged by the London and Middlesex CCAC, this minister said that one of the biggest problems we face in the province of Ontario when it comes to having new nurses graduate is that our high school grads won't be sufficiently prepared because they're not getting a good enough education in our high schools to enrol in the new nursing program. This minister is saying that Liz Witmer can't do her job because Janet Ecker isn't doing hers. That's what this minister is saying.

Minister, given the crisis in our hospitals, given our desperate need for nurses, how could you allow the problems at our nursing schools to become such a terrible mess?

Hon Mrs Cunningham: This is about the promise. The minister has spent the money; it's up to the institutions to hire nurses.

This is about the report of the implementation committee. The Minister of Education is requiring, as is the College of Nurses, that the registered nurses have six OACs—

Interjections.

Hon Mrs Cunningham: Mr Speaker, you know what? This is so insulting. Forget it.

The Speaker: Stop the clock.

Interjections.

The Speaker: OK, folks, that's it. Order. Last warning for the Minister of Colleges, Universities and Training. If she acts up again she's going to be thrown out, and I mean it. To the minister, no more today or she's going to be thrown out.

New question.

LABOUR LEGISLATION

Mr Howard Hampton (Kenora-Rainy River): I will not be asking any questions of the Minister of Colleges and Universities. Instead, I have a question for the Minister of Labour about his anti-family, employer-centred amendments to the Employment Standards Act. As if a 60-hour workweek isn't bad enough, as if changing the overtime regulations so you could take more money out of workers' pockets isn't bad enough, when you get to the back of the act and you read the fine print you find that you've given yourself the power to increase the workweek even longer. You've given yourself the power through regulation to take more overtime pay away from workers.

Isn't a new 60-hour workweek bad enough? You didn't consult on any of this. Why do you need the power to add an even longer workweek if you so choose at the stroke of a pen? Why do you need the power to in effect take away even more overtime pay from workers? Why

do you want to take us back to the Dark Ages? What do you have against workers anyway?

Hon Chris Stockwell (Minister of Labour): I thank the member opposite for the question. I suppose he's referring to the dark ages of 1990 to 1995, the dark ages of the NDP administration.

The provision at the back simply allows regulations to be passed that would exclude the sectors that were previously excluded under administrations in this province for the last 25, 30, 40 years, such as mining, such as trucking, such as hospitality. Those particular industries don't fall under the Employment Standards Act. They're done by regulations that you instituted and the Liberals instituted—a simple form of approach, a simple direction. Certain sectors don't fall under those regulatory frameworks because they're deemed to be different. If you simply are saying to me that they're not different and they shouldn't be treated differently, then tell me that.

Mr Hampton: What we're saying to you, Minister, is that the language that you put into this legislation at the very back of the act, in the fine print, isn't limited at all in the way that you say it is. What it gives you is the power to go behind closed doors at the stroke of a pen and to in effect increase the workweek even longer. It gives you the power to go behind closed doors and at the stroke of the pen change the regulation so that overtime is averaged over even longer hours, in effect to do away with overtime. None of that was consulted on.

What I'm saying to you is, before you pass these draconian measures; before you give yourself the power to have an even longer workweek, to take even more family time away from workers; before you give yourself the power to jam your hands into their pockets and take even more overtime pay away from them, you stop right now and you go out there to the public and you consult with the people of Ontario through hearings about these kinds of draconian measures. That's what we want you to do. Will you do it?

Hon Mr Stockwell: I'm really interested in pursuing that course. I want you to read to me where it says any differently in this piece of legislation than it said in the previous piece of legislation that you worked under and the Liberals worked under. What's the difference between the old piece of legislation verbiage and the new piece? You claim there's something new in this piece of legislation. Then you tell me the words that are new. You show me where it's new. You tell me what's new about this piece than the old piece. Other than that, I don't get your question.

The Speaker (Hon Gary Carr): Final supplementary.

Mr David Christopherson (Hamilton West): Minister, in addition to the fact that your 60-hour workweek will mean working parents are going to have less time with their children and the fact that your averaging overtime scheme means that workers are going to take home less money, you are suggesting in response to my leader's question that everything is the same. These are not minor amendments. This is a brand new act, an entire

new law. You found it important enough to hold public hearings on snowmobile trails. We're saying to you, at the very least we can pass the parental leave clauses today and send the balance of the bill to committee and give everybody an opportunity to make their own decision about an interpretation of this law. Minister, these changes are so fundamental to the working lives of millions of Ontarians. Don't they deserve at least the same attention as snowmobile trails?

Hon Mr Stockwell: I didn't hear them respond to the question I put. I asked you specifically, where are the changes that make this bill different than any previous piece of legislation that we operated under in this province? There have always been exclusions in the Employment Standards Act—in mining, in hospitality, in trucking. You guys all endorsed those. There's no difference. They're the same kinds of exclusions that allow us to pass regulations to amend parts of the act to allow certain sectors to have exclusions that you all endorsed. No difference whatsoever.

We're getting back to this whole public hearings bugaboo that you really shouldn't be standing up talking about, because we always have to refer back to the social contract and all the public hearings you held on the social contract. I said I may have to take a lecture or two from the Liberals on public hearings on labour reform, but I don't have to take lectures from you on public hearings on labour reform when you didn't spend five seconds at committee hearings when you gutted every collective agreement.

1430

TENANT PROTECTION

Mr Howard Hampton (Kenora-Rainy River): My question is for the Minister of Municipal Affairs and Housing. The minister will know that the Canada Mortgage and Housing Corp just released their latest survey of apartment rents in Ontario. It shows that rents are going through the roof. A two-bedroom apartment in Toronto now costs \$1,896 more per year to rent than it did in 1997 when you gutted rent controls. You've jammed your hands into the pockets of tenants and taken out \$2,000 a year and given it straight to the landlords. You can blather on all you want about tax cuts, but there aren't any tenants out there who have received a \$2,000 tax cut to cover the \$2,000-a-year increase in rent.

Minister, since you've been so generous to the landlords, will you now support a rent freeze so that the hard-pressed tenants who are losing money will have an opportunity to catch up?

Hon Tony Clement (Minister of Municipal Affairs and Housing): I rise to correct the record and to assure this House that the honourable member's statements are slightly inaccurate in describing what the rental market report in fact refers to.

As the honourable member would know, we changed the focus of the tenant protection legislation in this province from protecting rental units to protecting

tenants. When a tenant moves out of a rental unit, the impact is that the rental unit, for the first time perhaps in 25 years, can move up to market rates. That's what the statistics he refers to in fact refer to: the fact that tenants move out of a rental unit and the rental unit goes to a market rate, which means that landlords have the incentive to refurbish that unit, the incentive to rent out that unit and the incentive to build new units. So the honourable member is comparing apples to oranges.

Under the Mike Harris PC government, last year the rent control guideline, the rent control freeze, was 2.6%, the lowest in 25 years, and we're proud of that.

The Speaker (Hon Gary Carr): Final supplementary.

Mr Rosario Marchese (Trinity-Spadina): Minister, your disregard for tenants is breathtaking. I don't think you know what you're talking about necessarily; at least you're not responding to the question.

I attended a conference today held by the Ontario Social Safety Network, and they showed, among other things, that the rent hikes are hitting the most vulnerable. Some 42% of people on social assistance are children. These kids are living in dire poverty because of your 28% cut in welfare rates, when you include inflation, combined with your rent hikes of nearly \$2,000 a year, at least in Toronto. I don't exaggerate when I say your policies seem to be starving these kids to death. Where in heaven's name do you think their parents are going to be able to find the \$2,000 more a year in Toronto to pay for the rent hikes?

Minister, will you at least increase the shelter portion of social assistance so poor kids aren't tossed out on the streets? Will you do that? Can you respond to that question particularly?

Hon Mr Clement: Again, if you are a tenant living in a unit that is under the Tenant Protection Act, the maximum rent under the TPA that would have been adjusted or increased last year was 2.6%, the lowest in 25 years, certainly lower than the double-digit rent increases when the honourable member was on this side of the House.

If the honourable member is going to refer to the CMHC report, let me share with the honourable members another aspect of the CMHC report. It says, "Ontario job creation has been especially strong in the last three and a half years." Coincidence? I think not. It goes on, "Ontario's strong economy has attracted job seekers from other parts of Canada too." This report says that Ontario is strong, our economy is strong, we are attracting jobs and opportunity and prosperity, and we on this side of the House are proud of that.

AIR AMBULANCE SERVICE

Mrs Lyn McLeod (Thunder Bay-Atikokan): My question is for the Minister of Health. We have repeatedly raised in this Legislature our concerns about the further privatization of our air ambulance system. We have asked why you would give severance notices to all of our critical care flight paramedics. In answer to our questions, you keep saying that no decisions have been

made. In fact, the only decision that hasn't been made is which private operator is going to get your newly offered contract. In the meantime, all of our most highly trained, experienced flight paramedics have said they will leave the air ambulance service. Even if a new private sector operator wants to rehire them, they are likely to have gone somewhere else.

Minister, I ask you again today, are you not at all concerned that we're about to lose our most highly trained paramedics? Are you not at all concerned that your new private sector operator will be unable to hire paramedics with the same training and experience you're about to throw away?

Hon Elizabeth Witmer (Minister of Health and Long-Term Care): What I am concerned about is some of the information coming forward, which doesn't represent the entire situation. First, let me share with people in this House that in the air ambulance program, which began in 1977, the aircraft and the pilots have always been provided by the private operators. Moreover, more than 75% of all flight paramedic staff are currently provided by private operators. But I also need to share with you the fact that as we began to issue these RFPs, to comply with the OPSEU collective agreement the ministry was obligated to notify the classified paramedics and give them the opportunity to notify us whether or not they wanted to be included in the RFP.

As you know, at this point in time we have not issued any layoff notices. We have not made any decisions. We are simply following forward in accordance with the terms of the agreement.

Mrs McLeod: The minister knows full well that the critical care flight paramedics are her employees and that the only reason they have been asked to indicate whether they will sever their employment with the ministry is because the ministry is about to privatize that aspect of the air ambulance service, and every one of them has signed that severance form.

Let's keep it clean here, Minister, because you are putting lives at risk with this further privatization of the air ambulance service. A large number of the lives you're putting at risk are the lives of very seriously sick infants and children, hundreds of seriously ill children who are flown out of northern Ontario every year to Sick Children's hospital in Toronto and who are dependent on our air ambulance service. I'm telling you today that you cannot guarantee with this next privatization step that the standards of the air ambulance system will be maintained.

I've seen your request for proposal. I've seen it set out the risks you're prepared to take with people's lives. For example, the requirement to have two critical care flight paramedics on every flight is going to be waived for a six-month period. I guess it's OK to take risks with people's lives if it's just a transitional period. I also see that the minister is prepared to allow air ambulances to fly with no paramedics at all for just \$150 less for the service.

Most alarming of all is that you're making 40% of the decision dependent on cost. I ask you today, what are you

prepared to sacrifice to get a cheaper service, and do lives have to be lost before you realize you can't do more with less with our essential air ambulance service?

Hon Mrs Witmer: Again, what is so alarming is the fact that the member opposite doesn't understand that under no circumstance would an air ambulance ever be permitted to take off without a paramedic if a patient is on board.

Hon Chris Stockwell (Minister of Labour): A patient.

Hon Mrs Witmer: Yes, a patient.

Also, I would say to the member, are you not aware that when we go through any of these processes with unions, the same process is followed? Do you not think we should live up to our obligations under the OPSEU collective agreement? Do you not think so? You know full well that we have made no decisions. You know full well that today 75%-plus of paramedics are under private operators. What we are simply saying is that we're issuing a request for proposal, we're giving the early notice that is necessary and then a decision will be made as to whether or not we proceed with one direction or another.

1440

STALKING

Ms Marilyn Mushinski (Scarborough Centre): My question is for the Attorney General. I was absolutely horrified to read in the national media today that police reports of stalking have increased by 32% between 1996 and 1999. This is a frightening trend for the people of my riding of Scarborough Centre. The rate of stalking in Toronto is 40 incidents per 100,000 population. Minister, I know you will agree that something needs to be done to protect the victims of stalking in Ontario. I'm wondering if you would please comment on these statistics.

Hon Jim Flaherty (Attorney General, minister responsible for native affairs): I thank the member for Scarborough Centre for the question and for her continuing concern for her constituents with respect to these important issues.

Stalking is a serious crime. I am very concerned by the statistics that have been reported. In 1996 there were more than 4,000 cases of stalking across Canada reported to the police; in 1999, more than 5,000 cases. It's one of the reasons we have before the House now, on behalf of our government, the Domestic Violence Protection Act, which expands the categories of persons who would be subject to intervention orders. It's one of the reasons I was at the White Ribbon breakfast this morning in support of the campaign against violence against women.

Clearly this is an issue that needs to be addressed. This is especially true when one realizes that a great deal of the stalking that happens relates to persons who are known to the persons being stalked. Ex-spouses account for 36%; ex-dating relationships for 15%; casual acquaintances for 25%; strangers for only 7%.

Ms Mushinski: Minister, unlike Dalton McGuinty and his federal cousins, who we know are soft on crime, I'm particularly glad to see that the Attorney General understands the scope of this serious issue and what it means to victims of stalkers.

You said in your remarks that you are committed to pressuring the federal government into creating solutions to counter stalking, and I wish you good luck in that. I would like to ask the minister what specific proposal he has in mind and has issued to Ottawa on this issue.

Hon Mr Flaherty: Specifically, at the federal-provincial-territorial ministers' conference in December 1999, I tabled a resolution on behalf of our government dealing with sentencing measures that ask the federal government to do the following: first of all, to strengthen legislation for the protection of victims from stalking or criminal harassment by doubling the maximum sentence to 10 years; second, to allow dangerous offender applications on a stalking conviction and permit the victim to more easily obtain a judicial restraining order under the Criminal Code; and, third, to make home invasion a specific offence, with a mandatory minimum sentence.

I encourage all members of the House to support our Domestic Violence Protection Act, which should be returning to the House shortly. Stalking is a serious crime.

NURSING PROGRAMS

Mr Dalton McGuinty (Leader of the Opposition): My question is for the Minister of Colleges and Universities.

Minister, now that you've had the benefit of a brief cooling-off period, and understanding as we all do now that your government broke a very specific promise to hire 12,000 nurses by the year 2000, understanding as we all do that the Minister of Health continues to fire nurses in Ontario as we speak, and understanding as we now do your criticism of the Minister of Education for failing to graduate from our high schools students who are sufficiently educated to qualify to enrol in our nursing programs, can you tell us something about your specific responsibility and why you have failed to expand nursing school programs in Ontario when we are so desperately short of nurses today?

Hon Dianne Cunningham (Minister of Training, Colleges and Universities): Mr Speaker, I'll be very focused. I would hope that the remarks of this leader would not be taken seriously by anyone who heard them, because they are incorrect. I would also like to say that we are negotiating with the colleges and universities now for collaborative nursing programs, as we intended to do. We are having great success. We are not finished our negotiations. I don't know why he made the statements on behalf of colleges that he did. We have said no to no one. I can hardly wait to see the Hansard so that the Leader of the Opposition will have to apologize to the president for misrepresenting him in this House.

The Speaker (Hon Gary Carr): Minister, you can't say words like "misrepresenting." You have to take that back.

Hon Mrs Cunningham: I will take it back, Mr Speaker.

The Speaker: Final supplementary?

Mr McGuinty: Minister, your responsibility is to be on deck, looking out at the distant horizon and making sure our needs are being met in Ontario. Back in 1998, the Premier recognized we were going to be short of nurses, so he put together a nursing task force. Then in early 1999 he said, "OK, we need 12,000 by the year 2000." You tell us you are still making plans today for some time next year to expand our nursing school programs so we might graduate nurses, I guess, in 2003 or 2004.

My question to you is, why is it that you've turned down the University of Toronto? They said, "We need more money. We want to expand our nursing school programs now." Why did you turn down McMaster University? They said the very same thing. Why did you turn down Conestoga College? They asked you the same thing: "We want some money so we can expand our nursing school programs now." Why is it you're failing to live up to your responsibility to make sure Ontarians have enough nurses on the job as soon as possible to look after their health care needs?

Hon Mrs Cunningham: The Nursing Education Implementation Committee reported to this government in July 1999. We have been working—

Mr John Gerretsen (Kingston and the Islands): A year and a half ago.

Hon Mrs Cunningham: A year and a half ago. We have had a nursing task force which has since reported. We have been working on collaborative nursing programs. We have not said no, in fact, to any of the presidents the leader seems to think he is speaking on behalf of. We are working toward a successful implementation, and I hope the plan will be announced as appropriate. But they are aware. We are working with them. We are making major changes to the delivery program and we have, I think, considered carefully the recommendations we have received and we're very optimistic about having a response. All of this will begin next September.

The Speaker: New question? The member for Simcoe North.

Mr Garfield Dunlop (Simcoe North): I didn't know there was so much doom and gloom in here. I'm very happy with the 2,200 new pupil places Georgian College has received in my riding. They run an excellent nursing program that's expanding each year.

The Speaker: The member take a seat. I've said it to the Leader of the Opposition. You too, if that's your question to the minister, that's fine. You can't have two questions in one. Continue, please.

Mr Dunlop: Sorry, Speaker.

WATER TREATMENT FACILITY INSPECTIONS

Mr Garfield Dunlop (Simcoe North): My question is for the Minister of the Environment. Minister, I understand from your press release on November 27 that 50 more water treatment facilities have been ordered to take corrective actions. When ministry officials are inspecting these sites, what are they looking for?

Hon Dan Newman (Minister of the Environment): I'd like to thank the member from Simcoe North for the question. We've committed to inspecting each and every municipal water treatment facility in the province before the end of this year. I can assure the House that we are right on schedule in achieving our goal.

I would answer your question by saying that the inspections ensure there is a sufficient number of samples being taken and that those samples are being analyzed. We ensure that there is adequate maintenance of all disinfection equipment at those facilities. We also make sure the staff has appropriate certification, as well as adequate and ongoing training. Also, we make sure that the facility is in compliance with the minimum treatment guidelines. These inspections are an integral part of Operation Clean Water to ensure that the quality of Ontario's drinking water is indeed there.

If I have a moment, I'd just like to say what a terrific job the staff are doing to get all the inspections done by the end of this year.

Mr Dunlop: Minister, the Liberal member from Brant claimed in the Hamilton Spectator that these press releases you are putting out are alarmist and merely a public relations exercise. I find that very hard to believe, coming from him. How do you respond to that charge?

Hon Mr Newman: We committed to the people of Ontario that we would be open and transparent when it came to communicating with the public about the condition of their water treatment facilities. I guess the member opposite doesn't feel the public should know if their water treatment facilities aren't meeting our stringent standards. I know the Liberal member for Brant may not want his constituents to know, but we on this side of the House feel that they indeed have a right to know.

Regular annual inspection of water treatment facilities is a priority for this government. We are doing everything possible to ensure that Ontarians have the safest drinking water supply possible from source to tap.

1450

AIR AMBULANCE SERVICE

Mr Howard Hampton (Kenora-Rainy River): My question is for the Minister of Health and it again is about air ambulances and critical care air ambulance paramedics. That's a very heavily specialized service. Every year they carry hundreds of the sickest children in the province to hospital. The Sioux Lookout base in my constituency in the last 12 months has air-ambulanced 275 children and infants to hospital with the help of the criti-

cal care ambulance paramedics. The request for proposal that you've issued will allow the private contractor, if they so decide, to staff an aircraft with fewer critical care ambulance paramedics. It becomes a profit-making decision for them. They pay a small penalty for doing that, but they save a lot of money.

Minister, are you really prepared to put children's lives at risk in a privatization scheme that allows the private contractor to lower the number of critical care paramedics that are on the aircraft? Are you really prepared to do that?

Hon Elizabeth Witmer (Minister of Health and Long-Term Care): Ever since the beginning of the air ambulance program in 1977 we have had in this province a very unique program that has involved both the private and the public sector. As I said, more than 75% of the flight paramedic staff today are currently provided by private operators. Again, patient safety is a top priority. Under no circumstances would an air ambulance be permitted to take off without a paramedic if a patient is on board. Regardless of who operates the air ambulance in this province, they must maintain the highest standards of care in accordance with the Ambulance Act. As I say, we are doing what is required and we are moving forward in accordance with the OPSEU collective agreement.

Mr Hampton: The OPSEU collective agreement has got nothing to do with this, Minister. It's your decision and your decision alone to now privatize the work of critical care ambulance paramedics. That's what this is about. These are the most highly trained paramedics in the province. They have specialized training and experience in dealing with very sick children flying in aircraft. You're about to downgrade this service. You'd better read your own request for proposal because it says right in there that the contractor can decrease the number of critical care paramedics on the aircraft if they so choose. All they have to do is pay a financial penalty.

The question is this. We're talking here about the lives of children. Is this going to be another Walkerton, where you privatize the service and we find out six months from now or a year from now that children are dying because you're so devoted to privatization? Read your own request for proposal, Minister, and tell us, are you really that eager to put the lives of children at risk?

Hon Mrs Witmer: I wonder if the leader of the third party has read very carefully. It says in there that under no circumstances would an air ambulance be permitted to take off without a paramedic if a patient—and I stress the word "patient"—is on board.

Again, patient safety is a priority and the choices that are made will ensure that whoever operates the air ambulance in this province must maintain the highest standard of care. It refers to patients.

PROPERTY TAXATION

Mr Gerry Phillips (Scarborough-Agincourt): My question is to the Minister of Finance and it has to do with the property tax bill we'll be giving second reading

to, or we'll be voting on second reading. Our opinion is that many municipalities in the province of Ontario are beginning to come under enormous financial constraints in the months ahead, and indeed in the years ahead. With the downloading of ambulance services, social housing, transit and social assistance on property taxes, the constraints on municipalities are going to get even worse.

Your law says that for many municipalities if after they've cut their expenses they feel they must increase taxes to provide services such as ambulances, all of that must go on to single-family residential—in many communities. Based on the information you've provided, it looks like communities such as London, Guelph, Brockville, North Bay, Waterloo, Toronto and Hamilton, if they're forced to increase taxes, will be ones that will be forced to put it all on single-family residential.

When we know that municipalities are going to be under some severe financial constraints in the months and years ahead, why would we pass a law that compels many municipalities to put any tax increases solely on single-family residential?

Hon Ernie L. Eves (Deputy Premier, Minister of Finance): First of all, like a typical Liberal the question being asked is, what are you going to do when you want to spend more money? We have a very simple philosophy on this side of the House and that is to lower taxes. There is no requirement for any single municipality, out of 500 and some odd, in the province of Ontario to raise taxes. If they want to raise taxes, that's their decision. They're elected locally. They have to be responsible to their municipalities.

Interjection.

Hon Mr Eves: I hear the chatter from his seatmate coming about downloading to municipalities. He's talking about, I presume, his own municipality. Local service realignment savings in his municipality in 1998-99 are: for social assistance, \$26.428 million; for public health, \$47.223 million; for ambulances, \$33.183 million; for social housing, \$32.741 million; and for GO Transit—

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

Mr Phillips: Of course no one wants tax increases, but you downloaded. You put social assistance on property tax. It was you that put ambulances on it, against the advice of Dave Crombie, against the advice of everyone who looked at it for you. You did it.

And so now I just say, on behalf of the municipalities in the province of Ontario, in the months ahead—and indeed in the years ahead—they are going to be under enormous pressure. I'm simply asking you to answer this question: you have downloaded on to them. You now are passing a law that will force them, if they're forced to increase taxes—and I have confidence in municipalities. They've cut their expenses to the bone; they're now dealing with expenses cut to the bone. To provide essential services such as ambulances, tell me why Mike Harris would pass a law that says 100% of any increase in many municipalities must be solely, exclusively on single-family residential. Why would we be passing a

law today that funds our ambulance service singly on single-family residential?

Hon Mr Eves: That is not what the law says and the honourable member knows it. It says that where any municipality is above the provincial average in ratio of business taxes to residential—the provincial average—then they cannot pass the additional burden on to classes that are already way out of whack with the provincial average. That's what it says.

With respect to the city of Toronto, which he represents as a member, in addition to the \$150 million in savings they have as the result of uploading of benefits to the municipality that he represents, they've also been provided with \$560 million a year in additional property tax revenue and they've been provided with \$220 million a year in residential education tax revenue in the city of Toronto. I see no need to raise taxes.

1500

HOMELESSNESS

Mr John Hastings (Etobicoke North): My question is directed to the municipal affairs and housing minister. It relates to the plight of the homeless in the city of Toronto. On November 2, you and Minister Baird passed over to the city of Toronto the Princess Margaret Hospital site for the homeless. That facility has about 500 rooms to help the homeless. Yet, at this point, on November 28, 29, 30, we haven't heard very much from the city of Toronto, neither its politicians nor its senior staff.

Interjections.

The Speaker (Hon Gary Carr): Will the member take his seat. Sorry to interrupt. The member for Toronto Centre-Rosedale, his last warning. He can't continue to shout out. The member from Etobicoke is asking an important question on behalf of his constituents, and he needs to have an answer that he can hear. Sorry for the interruption.

Mr Hastings: Speaker, thank you. I'd like to ask the minister, why is it that on November 30, nearly four weeks later, we have not heard a positive response or a specific response from the city of Toronto's administration regarding the use of this facility for the homeless for the coming winter?

Hon Tony Clement (Minister of Municipal Affairs and Housing): I thank the honourable member for the question. He shares with me and indeed everyone on this side of the House a concern that moves beyond rhetoric and into action when it comes to solving the homelessness issue.

On this side of the House, over the past year or so, we've had \$100 million worth of initiatives in this particular area. I can assure the honourable member that it was with a great deal of hope that Minister Baird and I did offer the transfer to the city of Toronto of one and a half acres of land and the building at Princess Margaret. I can tell the honourable member, I can confirm for him, that that initiative could provide up to 500 rooms that

could be used to provide shelter for the homeless or, should the city so desire, create 200 units of affordable housing. Why has this initiative not moved forward? I can tell the honourable member that on our side of the House we have operators standing by and we want to be helpful.

Mr Hastings: My supplementary relates exactly to this whole issue of promptness. Given that Councillor Layton of the NDP is a constant champion of the homeless, given that the leader of the official opposition has tolerated—can you believe this?—Toronto Centre-Rosedale's adamant opposition to the use of the homeless for this facility, why is it that the city of Toronto is dragging its feet, is slow on the uptake on this whole issue? Winter is here and we don't see much action from these folks across the way.

Hon Mr Clement: It is indeed a perplexing situation where rhetoric does not match reality when it comes to other persons. I too have heard members of this House who proclaim an interest in solving the homelessness tragedy. I've heard city councillors who indeed were re-elected profess concern and demand that the province act on these issues, and yet when it came to a specific initiative that could have provided 500 units for those who are at risk of being homeless, who are homeless, these members of various city councils, and indeed of this Legislature, said no. When there was an opportunity to be counted, they said no. That's the tragedy, but on our side of the House we are prepared to work with the city, work with the councillors to get the situation resolved.

INTERNATIONAL ADOPTIONS

Mr Joseph Cordiano (York South-Weston): The question is to the Minister of Community and Social Services. On September 28 this Legislature passed second reading of my private member's bill to revoke the \$925 head tax that you imposed on international orphans. Minister, the members of this Legislative Assembly, along with your caucus colleagues and even some of your cabinet colleagues, passed my bill. They were saying in effect that your tax is simply wrong. How can you continue to justify charging \$925 for adoptions that are finalized in a foreign country? After all, it is the foreign country that processes these adoptions, it is the foreign country that incurs any additional costs. It's not the Ontario government, and yet it is the Ontario government that collects the \$925 head tax. Minister, will you recognize today that your tax is simply unjust, unfair and nothing short of a cash grab?

Hon John R. Baird (Minister of Community and Social Services, minister responsible for francophone affairs): At the outset, I appreciate that this is a difficult issue. These issues always are. Our government, as I've said in the past, does understand the huge challenges that families face when they seek to adopt a child abroad. That's why this government, and that's this Legislature with all-party support, passed legislation that would implement the Hague Convention on international adoptions.

That bill itself contemplated a fee. All members of the Legislature, including the member for Parkdale-High Park, voted for that bill. It said right in it that there could be a fee. It is a fee for service. It is not a tax, as the member opposite suggests. The ministry undertakes a whole series of safeguards to help protect children, who are vulnerable, and their families throughout this process.

Mr Cordiano: It's obvious that the greed of the Ministry of Community and Social Services knows no bounds. Not only do you charge a head tax, but the agencies that facilitate these adoptions also pay you annual licensing fees. Minister, your explanations simply don't stand up to any kind of scrutiny. I repeat, the members of this Legislative Assembly, your caucus colleagues and your cabinet colleagues all believed it was time to revoke this tax. I ask you again, why don't you stand up today, recognize the unfairness of your tax and simply do the right thing? Revoke this awful tax.

Hon Mr Baird: Perhaps I would be inclined to agree with the member opposite if he weren't so selective in the use of the facts. This is in fact not a tax; it is a fee for service. What was contemplated in the legislation is that certain expenses would have to be undertaken to help pay for this process. There is a series of protections for vulnerable children and a safeguard for families. In fact, when establishing the amount of resources it will take to implement this legislation—

Interjections.

Hon Mr Baird: They don't want to hear. I won't answer.

AIMING FOR THE TOP SCHOLARSHIPS

Mr Doug Galt (Northumberland): My question is directed to the Minister of Training, Colleges and Universities. Minister—

Interjection: She's not here.

The Speaker (Hon Gary Carr): Stop the clock. We'll wait for the minister to come back.

Mr Dwight Duncan (Windsor-St Clair): On a point of order, Mr Speaker: Is it possible to ask a question to a minister who is not in the House? Oh, there we are.

The Speaker: We'll wait until the minister gets settled. Member?

Mr Galt: Minister, I took note of an advertisement in the daily papers yesterday, congratulating the winners of the year 2000 Aiming for the Top tuition scholarships. This program is just one of the ways this government has committed to helping students, and it's great to see these young Ontarians receiving recognition for their achievement. Minister, how much did the Ontario government invest this year, and how many students won Aiming for the Top tuition scholarships?

Hon Dianne Cunningham (Minister of Training, Colleges and Universities): Over 400,000 students from across this province won Aiming for the Top tuition scholarships this year. The program offered some \$8 million in total assistance to these students. These young people have received up to \$3,500 a year, and if they keep their average up they can have that for four years.

We did this not only to recognize the excellence of our secondary school students as they graduate, but also to recognize the fact that many of them have special financial needs. It recognizes both those with financial need and of course those who are excellent. I'm sure that all members of this assembly would join us in congratulating these young people who have won these special awards.

Mr Galt: I'm pleased that our government is encouraging excellence in achievement among Ontario secondary school students.

Minister, I or my staff or spouse have attended all eight secondary school graduations in my riding. Generally there was no acknowledgement that this is indeed a provincially sponsored scholarship. As I'm sure the minister is aware, next year's secondary school graduates are now making plans for the next steps in their education. What information do students interested in next year's awards need to know in order to be considered for an Aiming for the Top scholarship?

Hon Mrs Cunningham: Since we're recognizing both scholarship and need, the students should know they can apply, and should submit an OSAP application by the deadline next year, which is June 15. There's lots of time for them to get ready with their applications, get the letters of support and to work hard to get those marks. So that's the time.

As they know, they are going to be chosen based on their marks and their financial need. I should let everyone know, as I said before, that if they can keep this average and if they qualify for the total amount of \$3,500, they can actually get it for up to four years.

I encourage all the young people and members of communities who did see that advertising—as an effort to get the word out, this is the first time we've done it. The guidance teachers can't all do it alone. So all of us can help our young people and their families to be more aware.

1510

VISITORS

Hon Janet Ecker (Minister of Education): On a point of order, Speaker: I would like to at this time introduce some special guests in the gallery from the Ontario Principals' Council, who have been meeting with our MPPs: Rick Victor, the president of the principals' council, and Mike Benson, the executive director. Also I would like to introduce Gale Mossman, who's the chair of the GTA hospital alliance.

PETITIONS

EDUCATION REFORM

Mr Tony Ruprecht (Davenport): I have a petition regarding secondary school reform.

“We, the undersigned, believe that the heart of education in our province is the relationship between student and teacher and that this human and relational dimension should be maintained and extended in any proposed reform. As the Minister of Education and Training, you should know how strongly we oppose many of the secondary school reform recommendations being proposed by this ministry and by your government.

“We recognize and support the need to review secondary education in Ontario. The proposal for reform as put forward by your ministry, however, is substantially flawed in several key areas: (a) reduced instructional time, (b) reduction of instruction in English, (c) a reduction of qualified teaching personnel, (d) academic work experience credit not linked to educational curriculum, and (e) devaluation of formal education.

“We, the undersigned, strongly urge your ministry to delay the implementation of secondary school reform so that all interested stakeholders—parents, students, school councils, trustees, teachers and others—are able to participate in a more meaningful consultation process which will help ensure that a high quality of publicly funded education is provided.

“Secondly, we, the undersigned, are categorically opposed to the closure and consolidation of St Raymond Catholic School or any school in the city of Toronto.”

Since I’m in total agreement with this petition, I’m delighted to put my signature to it.

NORTHERN HEALTH TRAVEL GRANT

Ms Shelley Martel (Nickel Belt): I have a petition regarding this 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 travel 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; and

“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.”

This is signed by hundreds of people from my riding. I agree with the petitioners, and I have affixed my name to

it. I would like to thank Gerry Lougheed Jr for all of his efforts in this.

DRIVER LICENCES

Mr Carl DeFaria (Mississauga East): “To the Legislative Assembly of Ontario:

“Whereas great hardship and inconvenience is caused to many Ontarians when the Ministry of Transportation refuses to renew their expired driving licences 3 (three) years after the expiry dates because of renewal notices getting lost in the mail or misdelivered, I petition, on my behalf and on behalf of all other persons similarly affected, the Legislative Assembly of Ontario to authorize the said ministry to renew our expired driving licences without any further testing.”

This petition is signed by a constituent of Mississauga East on behalf of other people in Mississauga East.

HEALTH CARE FUNDING

Mr James J. Bradley (St Catharines): I have a petition that is addressed to the Legislative Assembly of Ontario.

“Whereas cancer patients in Ontario requiring radiation treatment face unacceptable delays and are often forced to travel to the United States to receive medical attention;

“Whereas many prescription drugs which would help patients with a variety of medical conditions such as macular degeneration, multiple sclerosis, arthritis, diabetes and heart failure are not covered by OHIP;

“Whereas many residents of St Catharines and other communities in Ontario are unable to find a family doctor as a result of the growing doctor shortage we have experienced during the tenure of the Harris government;

“Whereas many assistive devices that could aid patients in Ontario are not eligible for funding from the Ontario Ministry of Health;

“Whereas community care access centres have inadequate funding to carry out their responsibilities for long-term and home care;

“Whereas the Harris government has now spent over \$185 million on blatantly partisan government advertising in the form of glossy brochures and television and radio ads;

“We, the undersigned, call upon the Conservative government of Mike Harris to immediately end their abuse of public office and terminate any further expenditure on political advertising and instead to invest this money in health care in the province of Ontario.”

I affix my signature. I’m in complete agreement.

DIABETES TREATMENT

Mr Joseph N. Tascona (Barrie-Simcoe-Bradford): I have a petition to the Legislative Assembly of Ontario, and it reads as follows:

"We, the undersigned, petition the Legislature of Ontario.

"We are suggesting that all diabetic supplies as prescribed by an endocrinologist be covered under the Ontario health insurance plan.

"Diabetes costs Canadian taxpayers a bundle. It is the leading cause of hospitalization in Canada. Some people with diabetes simply cannot afford the ongoing expense of managing diabetes. They cut corners to save money. They rip test strips in half, cut down on the number of times they test their blood and even reuse lancets and needles. These budget-saving measures can often have disastrous health care consequences;

"Persons with diabetes need and deserve financial assistance to cope with the escalating cost of managing diabetes. We think it is in all Ontarians' and the government's best interests to support diabetics with the supplies that each individual needs to obtain the best glucose control possible. As you all know, good control reduces or eliminates kidney failure by 50%, blindness by 76%, nerve damage by 60%, cardiac disease by 35% and even amputations. Just think how many dollars can be saved by the Ministry of Health if diabetics had a chance to gain optimum glucose control."

HEALTH CARE FUNDING

Mr Dominic Agostino (Hamilton East): As there are over 200 CCAC case managers still on strike in Hamilton as a result of the underfunding of home care by the Mike Harris government of Ontario, I am going to present the following petition to the Legislative Assembly.

"Whereas there are a higher number of elderly people and people with disabilities living in the Hamilton-Wentworth region, because of the excellence of the health care system in the area; and

"Whereas the case managers and placement coordinators in the Hamilton-Wentworth Community Care Access Centre have higher caseloads than other community care access centres in the central-southwest region; and

"Whereas the staff at the Hamilton-Wentworth Community Care Access Centre are paid less than their counterparts in the central-southwest region; and

"Whereas the health care system in Hamilton-Wentworth is a self-contained seamless system; and

"Whereas increasing funding will be needed to provide health care services to citizens in the future in this self-contained seamless system; and

"Whereas all workers working in the health care system, and the citizens of Hamilton-Wentworth, expect adequate funding for the health care system ... in Hamilton-Wentworth, both now and in the future and recognize the equal importance of all the parts of the ... health care system;

"Therefore, we, the undersigned, petition the Legislative Assembly of Ontario as follows: to provide adequate funding immediately to the Hamilton-Wentworth Community Care Access Centre so that pay and con-

ditions of staff will be equal to those in other community care access centres in the central-southwest region; and that adequate funding will continue to be provided in the future according to the needs of the community."

I am pleased to sign my name to this petition.

1520

PROTECTION OF MINORS

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

"Whereas children are exposed to sexually explicit material in variety stores and video rental outlets;

"Whereas bylaws vary from city to city and have failed to protect minors from unwanted exposure to sexually explicit materials;

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

"To enact legislation which will:

"Create uniform standards in Ontario to prevent minors from being exposed to sexually explicit material in retail establishments;

"Make it illegal to sell, rent, or loan sexually explicit materials to minors."

I am pleased to affix my signature to this petition.

SCHOOL CLOSURES

Mr Tony Ruprecht (Davenport): I have a petition in regard to the closure of schools in Toronto. This petition came along with a card, and the card says just one sentence: "My house taxes just increased about \$800; I want to make sure that this money is well used toward a great education for my children, as well as all children." The petition reads as follows:

"Whereas Mike Harris is cutting the heart out of many communities by closing hundreds of neighbourhood schools across Ontario; and

"Whereas this massive number of school closings all at once will displace many children and put others on larger bus routes; and

"Whereas Mike Harris promised in 1995 not to cut classroom spending but has already cut at least \$1 billion from schools and now is closing many classrooms completely; and

"Whereas the government is pitting parent against parent and community against community in the life of those schools; and

"Whereas parents and students in the city of Toronto and many other communities across Ontario are calling on the government to stop closing so many of their schools;

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

"We demand that this government stop closing local schools."

Since I'm in full agreement with this petition, I'm signing it as well.

REGISTRATION OF VINTAGE CARS

Mr Raminder Gill (Bramalea-Gore-Malton-Springdale): I'll be quick because I know my honourable colleague is going to be taking up some time as well. This is a petition 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 affix my name to it.

FIRE PROTECTION SERVICES

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

"To the Legislative Assembly of Ontario:

"Whereas the Fire Protection and Prevention Act, otherwise known as Bill 84, threatens public and firefighter safety by altering the definition of a full-time firefighter so as to allow municipalities to hire part-time firefighters; and

"Whereas part-time firefighters do not have sufficient training and expertise to fill the role of full-time firefighters; and

"Whereas we believe the fire marshal should perform more audits to ensure that municipalities are meeting minimum standards of fire service; and

"Whereas firefighters must often respond to blazes that involve dangerous and hazardous materials; and

"Whereas the Canadian Centre for Occupational Health and Safety does not have adequate enforcement powers needed to protect Ontario workers, including firefighters, using hazardous materials; and

"Whereas we believe that in order to make hazardous work sites safer the government of Ontario must take the lead on this issue, including funding;

"Therefore be it resolved that we, the undersigned, petition the Legislative Assembly of Ontario to support the efforts of the Ontario Professional Fire Fighters Association as they lobby the government to take immediate action in implementing their recommendations so that the public and firefighter safety is never compromised."

I affix my signature; I'm in full agreement with this petition.

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

REGISTRATION OF VINTAGE CARS

Mr John O'Toole (Durham): I was quite concerned that I wasn't going to get on today. It would have been a record.

I think it's important to recognize that this is one of the first times that a petition from the paper has been accepted in the Legislative Assembly of Ontario. It reads:

"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;"—what a shame—"and

"Whereas Durham MPP John R. O'Toole and former MPP John Parker"—he used to sit here, actually—"have worked together tirelessly 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 allow vintage auto enthusiasts to use year of manufacture plates."

I would also like to mention that I have with me page Adam and he is going to deliver this to the table. Thank you very much for your assistance.

ORDERS OF THE DAY

LABOUR RELATIONS
AMENDMENT ACT, 2000LOI DE 2000 MODIFIANT LA LOI
SUR LES RELATIONS DE TRAVAIL

Resuming the debate adjourned on November 16, 2000, on the motion for second reading of Bill 139, An Act to amend the Labour Relations Act, 1995 / Projet de loi 139, Loi modifiant la Loi de 1995 sur les relations de travail.

The Acting Speaker (Mr Tony Martin): Pursuant to the order of the House dated November 22, 2000, I am now required to put the question.

Mr Stockwell has moved second reading of Bill 139. Is it the pleasure of the House that the motion carry?

All those in favour will say "aye."

All those opposed will say "nay."

In my opinion, the ayes have it.

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

The division bells rang from 1527 to 1532.

The Acting Speaker: We are voting on Bill 139. All those in favour will rise one at a time and be recognized by the Clerk.

Ayes

Arnott, Ted	Gill, Raminder	Ouellette, Jerry J.
Baird, John R.	Hastings, John	Palladini, Al
Barrett, Toby	Hudak, Tim	Sampson, Rob
Beaubien, Marcel	Johns, Helen	Snobelen, John
Chudleigh, Ted	Johnson, Bert	Spina, Joseph
Clark, Brad	Kells, Morley	Stewart, R. Gary
Clement, Tony	Klees, Frank	Stockwell, Chris
Cunningham, Dianne	Marland, Margaret	Tascona, Joseph N.
DeFaria, Carl	Maves, Bart	Tsubouchi, David H.
Dunlop, Garfield	Mazzilli, Frank	Turnbull, David
Ecker, Janet	Molinari, Tina R.	Wettlaufer, Wayne
Elliott, Brenda	Munro, Julia	Witmer, Elizabeth
Eves, Ernie L.	Murdoch, Bill	Wood, Bob
Flaherty, Jim	Mushinski, Marilyn	Young, David
Galt, Doug	Newman, Dan	
Gilchrist, Steve	O'Toole, John	

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

Nays

Agostino, Dominic	Cordiano, Joseph	Levac, David
Boyer, Claudette	Duncan, Dwight	Martel, Shelley
Bradley, James J.	Gravelle, Michael	McLeod, Lyn
Bryant, Michael	Hampton, Howard	Phillips, Gerry
Caplan, David	Kennedy, Gerard	Ruprecht, Tony
Christopherson, David	Kormos, Peter	Sergio, Mario
Churley, Marilyn	Kwinter, Monte	Smitherman, George
Colle, Mike	Lalonde, Jean-Marc	
Conway, Sean G.	Lankin, Frances	

Clerk of the House (Mr Claude L. DesRosiers): The ayes are 46; the nays are 25.

The Acting Speaker: I declare the motion carried.

Pursuant to the order of the House dated November 22, 2000, the bill is ordered referred to the standing committee on justice and social policy.

CONTINUED PROTECTION FOR PROPERTY TAXPAYERS ACT, 2000

LOI DE 2000 POURSUIVANT LES MESURES DE PROTECTION DES CONTRIBUABLES FONCIERS

Resuming the debate adjourned on November 23, 2000, on the motion for second reading of Bill 140, An Act to amend the Assessment Act, Municipal Act and other Acts with respect to property taxes / Projet de loi 140, Loi modifiant la Loi sur l'évaluation foncière, la Loi sur les municipalités et d'autres lois à l'égard de l'impôt foncier.

The Acting Speaker (Mr Tony Martin): Pursuant to the order of the House dated November 28, 2000, I am now required to put the question. Mr Young has moved second reading of Bill 140, An Act to amend the Assessment Act, Municipal Act and other Acts with respect to property taxes.

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

All those in favour 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 1537 to 1542.

The Acting Speaker: Members take their seats.

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

Ayes

Arnott, Ted	Gill, Raminder	O'Toole, John
Baird, John R.	Hardeman, Ernie	Ouellette, Jerry J.
Barrett, Toby	Hastings, John	Palladini, Al
Beaubien, Marcel	Hudak, Tim	Sampson, Rob
Chudleigh, Ted	Johns, Helen	Snobelen, John
Clark, Brad	Johnson, Bert	Spina, Joseph
Clement, Tony	Kells, Morley	Sterling, Norman W.
Cunningham, Dianne	Klees, Frank	Stewart, R. Gary
DeFaria, Carl	Marland, Margaret	Stockwell, Chris
Dunlop, Garfield	Maves, Bart	Tascona, Joseph N.
Ecker, Janet	Mazzilli, Frank	Tsubouchi, David H.
Elliott, Brenda	Molinari, Tina R.	Turnbull, David
Eves, Ernie L.	Munro, Julia	Wettlaufer, Wayne
Flaherty, Jim	Murdoch, Bill	Witmer, Elizabeth
Galt, Doug	Mushinski, Marilyn	Wood, Bob
Gilchrist, Steve	Newman, Dan	Young, David

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

Nays

Agostino, Dominic	Cordiano, Joseph	Lankin, Frances
Boyer, Claudette	Curling, Alvin	Levac, David
Bradley, James J.	Duncan, Dwight	Martel, Shelley
Bryant, Michael	Gravelle, Michael	McLeod, Lyn
Caplan, David	Hampton, Howard	Phillips, Gerry
Christopherson, David	Kennedy, Gerard	Ruprecht, Tony
Churley, Marilyn	Kormos, Peter	Sergio, Mario
Colle, Mike	Kwinter, Monte	Smitherman, George
Conway, Sean G.	Lalonde, Jean-Marc	

Clerk of the House (Mr Claude L. DesRosiers): The ayes are 48; the nays are 26.

The Acting Speaker: I declare the motion carried.

Pursuant to the order of the House dated November 28, 2000, the bill is ordered for third reading.

CONTINUED PROTECTION FOR PROPERTY TAXPAYERS ACT, 2000

LOI DE 2000 POURSUIVANT LES MESURES DE PROTECTION DES CONTRIBUABLES FONCIERS

Mr Eves moved third reading of the following bill:

Bill 140, An Act to amend the Assessment Act, Municipal Act and other Acts with respect to property taxes / Projet de loi 140, Loi modifiant la Loi sur l'évaluation foncière, la Loi sur les municipalités et d'autres lois à l'égard de l'impôt foncier.

Hon Ernie L. Eves (Deputy Premier, Minister of Finance): This act offers continuous protection for

property taxpayers in Ontario. I'll just recap how the province got to where it is today.

Over many, many decades we had different systems of property taxation, different values in different parts of Ontario, depending on what part of the province you lived in. It varied from values as recent as 1992 to 1940 values. Hence, we introduced legislation some three years ago to change the system of property taxation in Ontario to go to a current value system where everybody would be treated the same, with people paying the same taxes on properties of the same value.

That was able to be done relatively quickly with respect to residential properties, but it wasn't so easily done with respect to business properties, be they commercial or industrial. The reason for that is very simple. Because there were such great diversions among different parts of the province, some were actually at one-to-one identical ratios with residential, some even slightly lower than one to one and some were as high as seven to one in other areas of the province where reassessments hadn't been done for several decades.

Therefore, it was decided at that time that there would be a limit or cap put on the amount that business taxes could rise in any one year. That cap, after consultation with municipalities, business owners and others, was reached at 5%, except for the city of Toronto, which was given the option of adopting a 2.5% cap, which in fact they requested and were granted by the provincial government at the time.

The Premier and myself have been saying consistently now for well over a year, for about a year and a half, that the caps as they then were for the last three years would be reintroduced and reinstated for as long as it took to achieve fairness in the property taxation system in Ontario. That is exactly what this bill purports to do. The city of Toronto will have the option to go to 5%. In fact, I believe the legislation says they do go to 5% like the rest of the province, an actual cap, unless they decide to revert back to their 2.5% cap, which they have the privilege of doing, should they so desire. That is strictly their choice.

It's a very difficult issue. I've heard members opposite, and I had been a member opposite for some 10 years in this Legislature, so I guess I understand where they're coming from. Their job, as they see it, is to point out what they consider to be negative points or weaknesses in legislation. Our job of course is to look at the facts and try to present as fair and equitable a picture in the province as we can.

Obviously there are going to be inequities in any system. The property taxation system, even with the current reform, is based on averages. It is not based, and could never be based, on individual properties because there are literally millions of them in Ontario. If we had done nothing with respect to capping business taxes a few years ago, there would have been many small businesses, literally thousands, in the province that would have gone out of business because of high taxation rates.

The issue facing us today is somewhat different than it was even three or three and a half years ago. Property values have risen rather dramatically in different parts of the province, especially right here in the city of Toronto. They have gone up dramatically over the last three years. Of course, now the Ontario property taxation corporation is run by municipalities. They took on that responsibility on December 17, 1998, and it has been run by them since then. They have done what the province would have done, had they been still in charge of the system, and that is that the new assessments are based on June 30 values in the year 1999.

I want to get a point across because everybody, whether you're a homeowner or whether you're a business owner, is now getting their assessment notice. The assessment notice is not a tax bill. It is a statement of what the assessment corporation believes your property to be worth in current values as of June 30 last year. Some people are assuming that, figures meaning nothing, if your assessment went up 20%, your property taxes are going up 20%. That's not necessarily true. If the average in a particular municipality—take any one you want—was an increase of 20% in assessment, then the municipality can raise exactly the same amount of revenue by lowering the tax rate or the mill rate by 20% and they will end up with exactly the same amount of money they had in the previous year. That would be the responsible thing for a municipality to do.

1550

On the other hand, every municipality is different. They are unique. They have different needs and concerns. Some municipalities may see the need to raise expenditures in any particular year for any particular reason. If they do so, they are elected by their local electorate, they are responsible to their local electorate and they are accountable to their local electorate at the end of the day. They have the ability to raise taxes, if they choose, by raising the mill rate or, in this case, the hypothetical case we're talking about, not lowering it perhaps quite as much as 20%. That would generate more revenue to the municipality, obviously, but becomes an additional burden on the taxpayers, be they residential or business.

Mr Sean G. Conway (Renfrew-Nipissing-Pembroke): Is there an exam in this course?

Hon Mr Eves: Thank you, I say to the honourable member opposite. You perhaps will get me back on track.

With respect to businesses, it is a bit of a different situation. There is a thing called the provincial average: what the ratio is between business taxation and residential taxation. As a result of steps that the provincial government has taken and that many municipalities have taken over the last three years, that provincial average has now come down fairly dramatically. It is now at about, I believe, 2.5 to 1 with respect to industrial properties in the province and at just over 2 to 1 with respect to commercial properties in the province. When we started this exercise over three years ago, those numbers were up around or in excess of 3 to 1.

Part of that is because for our part, the province, with respect to education property taxes on the business side, has embarked upon an eight-year program, now reduced to a seven-year program, to gradually reduce by \$500 million, by half a billion dollars, business education taxes in the province. As we announced a week or a week and a half ago, starting January 1, 2001, business taxpayers will be receiving a benefit of some \$325 million a year in lower business education property taxes.

With respect to homeowners, we made a commitment before the last election that we would reduce residential education property taxes in the province and we have gone a fair way there: some \$55-million worth with respect to residential tax reductions in the city of Toronto alone, for example. That commitment will be delivered upon. We're ahead of our commitment so far.

Taxation is never a nice issue. None of us likes to pay taxes, regardless of what type of tax it is, but I think we understand it is part of our responsibility as citizens of the society in which we live, is part of the necessity to provide such things as public health, public education, transportation etc.

We have reopened the toolbox for municipalities. They asked for that. They asked to have the ability to go back and to rethink some of the decisions they made some three-plus years ago. We have done that for them and they have the ability now to create additional property taxes. They have the capping mechanism. They have optional property classes. They can have graduated tax rates within the business classes. They have municipal phase-ins. They have municipal tax rebates. So they have the ability to redo those decisions or rethink those decisions, if you will, that they made some three-plus years ago. A lot of them have indicated to us that they intend on doing exactly that. That should lessen the burden in many cases on a lot of taxpayers in many municipalities across the province.

We have proposed some amendments with respect to vacant business properties in the province, with respect to relief from hardship for low-income seniors, for disabled persons, for custom-built homes for disabled persons, for charities, for hydroelectric facilities, power dams and generating facilities, an exemption for poles and wires. We have changed the treatment of some privately owned convention facilities in the province, airport authorities, clerics' residences, and the list goes on. We think these are all steps in the right direction to make the real property taxation system in Ontario somewhat more equitable than it is today.

Mr Conway: Ernie, what's the value of that hydroelectric—

Hon Mr Eves: I don't have that off the top of my head, but I'm sure I can get that to the honourable member.

With respect to the city of Toronto, I think everybody understands and appreciates that the city of Toronto is the focal point not only of economic activity in Ontario, but indeed arguably the focal point of economic activity in the country of Canada. I understand, I guess, opposition

members taking the positions they do from time to time. As I said, I've been on the opposition side of the House myself for some 10 years. However, I don't think that the city of Toronto is being treated—I would make the case—any differently than any other municipality in the province. In fact, I think we have tried to bend over backwards to do things for the city of Toronto that we recognize are unique. It has unique needs and we have tried to satisfy those needs from time to time and we'll continue to try to do that in the future.

We had a bit of a discussion today in question period. We often hear about what the needs of the city of Toronto are, but I don't too often hear or read or see in the media the benefits the city of Toronto has received from restructuring. I don't often hear about the amount of tax room that's been freed up to the municipality: some \$220 million a year in additional residential education tax room over LSR costs between 1998 and 1999, for example. The city of Toronto's net savings from LSR in 1998 and 1999 total over \$150 million. Province-wide that number was somewhere closer to \$500 million.

The city of Toronto was provided with some \$560 million in additional property tax revenue to cover services transferred through LSR starting in 1998. In addition, the city of Toronto has received a \$50-million grant in 1998 to finance transportation and communication projects; a \$100-million interest-free loan in 1998; an additional \$100-million interest-free loan in 1999; some \$829.2 million as a one-time payment to the city of Toronto and TTC in 1998 to help make the city and TTC whole, if you will, with respect to capital expenditures expected by TTC in future years; \$20 million in operational and capital funding to help agencies in Toronto develop more supportive housing for people with serious mental illness; \$53 million for GO Transit under the municipal capital and operating restructuring fund during the fiscal year 1998-99 alone. So the list goes on.

We have talked to the city recently about its particular needs for transportation and transit in the city of Toronto. We have indicated to them that we're quite prepared to continue those discussions in the future. So I want it understood that those things are there and ongoing all the time and shouldn't be confused with the issue of strict property taxation issues in the city of Toronto or elsewhere.

I have heard and read some columnists talking about education in the city of Toronto and how somehow it's believed that money is leaving the city of Toronto and being spent elsewhere on education, that not all the money raised by education property taxes in the city is being spent here. Nothing could be further from the truth. As a matter of fact, the total of residential and business education taxes raised in the city of Toronto this year will be \$1.845 billion. The province is adding on top of that, as a grant to the Toronto boards of education—the four of them—\$1.06 billion for total education funding transferred to the four Toronto boards this year of \$2.9 billion.

As you can see, the \$1.845 billion raised by education property taxes in the city of Toronto is being supple-

mented by over a billion dollars of provincial grants that arguably, I guess, if you wanted to argue the other side of the coin, could have been collected anywhere. Perhaps the taxpayers in Sault St Marie are helping to educate young people in Toronto. I'm not saying that is wrong, but I want to be abundantly clear that there are not education property taxes being raised in the city of Toronto that are leaving the city to be spent elsewhere. That is simply, simply not true. Every penny, plus over a billion more, is being spent on education in the city of Toronto.

1600

Property taxation issues, as I said, are often complicated, but we are trying to make the system more equitable and more effective. We are trying to make it more fair for all Ontarians regardless of where they live; whether they're in a residential category or a business category, be it commercial or industrial. You cannot achieve complete equity overnight in a system that is six or seven decades out of whack in some cases. You just can't take a system that hasn't been reformed in a certain part of the province since 1940 or 1950, and in the year 2000 make it totally equitable without an awful lot of pain to an awful lot of people. We have chosen not to do that. We've been criticized in some quarters for not doing that.

We have achieved equity with respect to the residential side of the equation in terms of education taxes. We have the same education property tax rate for residences across the province—exactly the same rate. But we have not been able to achieve that yet—nor do we ever believe we could—overnight in the business education property taxes. That, depending on how far out of whack they were to start with, is a process that's going to go on in some parts of this province for many decades yet to come. That's just the simple reality. At 5% a year, if you were 50% out of whack, it's going to take you 10 years to get back to total equity. It's just that simple. But we've tried to do it in a way that acknowledges and recognizes the particular concerns of individual taxpayers and particular municipalities.

I understand the point that some members opposite make and some municipalities have made. I think—I know, not think—that in the last three and a half years we certainly have learned a lot on this side of the House, as the government, in dealing with municipalities and their particular needs and concerns. We have tried to be as responsive as we could be to many of their requests. Indeed, many of them have been quite ingenious at coming up with solutions to their own particular property tax problem.

We will continue to have that ongoing dialogue with each and every municipality in the province of Ontario as we go forward with the legislation. I'd be interested to hear if there are any substantial changes that members opposite or others can suggest that would improve the legislation. However, if you're going to go back and totally scrap the idea of changing the system to a current value system, to making it equitable for all Ontarians,

quite frankly we can't accept that. You simply cannot have a province, in my opinion and in the opinion of the members on this side of the House, where in one part of the province people are being taxed on 1940 or 1954 values and other parts of the province where people are being taxed—as the case was before we started this review—on 1992 values. That is simply not fair. You wouldn't do that in an income tax system. You wouldn't say that people in a particular municipality making the same amount of money only had to pay 5% tax on \$100,000 a year worth of income, but if they lived in a different municipality they'd have to pay at 50%. That's totally untenable, it's totally unfair, it's totally inequitable, and hence the change in the property tax system in the first place.

We made the commitment a year or a year and a half ago that we'd be back with actual caps to protect the small business owner in particular in the province as we went forward with business and property tax reform in the province of Ontario, and that is exactly what we're doing in Bill 140.

I would urge all members of the Legislature to support the legislation, obviously, that we have introduced today. We will continue to work with the city of Toronto and other municipalities that have unique problems across the province to try and address their concerns from time to time. But all the problems cannot be solved by property tax legislation.

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

Mr Gerry Phillips (Scarborough-Agincourt): I am pleased to join in the debate on third reading on the property tax bill.

I want to make several points. The major problem with this bill is that it has a provision that if in a municipality your tax rates—residential tax rate to industrial, or residential tax rate to commercial, or residential tax rate to multi-residential—are above the provincial average, you cannot increase taxes on industrial or commercial or multi-residential. Here is what we in the Liberal caucus anticipate will be the problem. There is no doubt in our mind that the downloading of social assistance, social housing, transit and ambulance services on to property taxes is going to cause some severe problems for municipalities in the months ahead, or more likely in the next two years, particularly if we run into any kind of economic downturn. All of us certainly hope that does not happen, but if it did, it will cause us a problem.

This bill says that 100% of any tax increase must go on to single-family residential in those communities that are above the provincial average. The minister today in the Legislature said, "We don't anticipate any municipality having to increase taxes." I desperately wish that were the case, but I can anticipate—because I know the municipalities for the last 10 years have been cutting their expenditures. I think without exception across the province of Ontario that has been the case. By the way, the Provincial Auditor said that just taking over ambulance service is going to add \$100 million of extra costs, I think

he said, on to municipalities. They will have no choice but to put that on to the residential taxpayer.

This is not just a Toronto issue. It is the case in London, in Brockville, in Guelph, in Hamilton, in a huge number of communities. It also is a huge problem in communities with one industry, a mining town or a pulp mill, Mr Speaker, that you would be well familiar with. Look down the list of communities that now will not be able to put any increased taxes on to their local industry—it all has to go on to the municipality: Cobalt, Espanola, Iroquois Falls, Kapuskasing, Kirkland Lake, Longlac, Marathon, Red Lake, Red Rock, Smooth Rock, Terrace Bay. We all know the cyclical nature of some of these industries that go through good times and bad times. As soon as a slight economic downturn comes, those communities run into substantial challenges financially. None of them will be able to put any taxes on their industry; it all will have to go on to their single-family residential. We have not experienced this problem in the past to this extent because social assistance, social housing and ambulance service have never been on property taxes.

This is the fundamental flaw in the bill, and I understand where it came from. I know that the business community is very happy about it. The Canadian Federation of Independent Business, which does a great job on behalf of its members, is thrilled with the bill because it forces municipalities to put any increased taxes all on residential in many communities. The minister may say, "Municipalities aren't going to have to increase taxes." I will look forward, regretfully look forward, to the situation a year and two years down the road when municipalities have got an impossible decision. They have only one choice: they cut services or they put it all on residential property tax.

By the way, this isn't just for one year. What happens is that the average is calculated every year, so the average keeps going down, presumably, and the municipality has to keep putting more and more on their residential property tax. The province should be duly warned.

1610

I'm frankly disappointed that the municipalities have not raised their voices. I know the reason for that. This bill was introduced exactly two weeks ago, quietly on one afternoon—no statement in the Legislature. Municipalities are only now beginning to realize the problem they're going to face. So that is huge problem number one.

The government may say, "The solution is just don't raise taxes." I would say surely we are not going to leave the most vulnerable in our society—those who need help with housing, those who need help with social assistance in difficult times, those who need land ambulances—we're not going to abandon them. We tried, by the way. We recommended to the government that this bill go to a committee so that we could have a discussion on this. We said that we would ensure that the bill passed before we adjourned for Christmas but we thought it needed input.

The second thing I'd say is that the minister just in his remarks said that there are gross inequities built up over

the years and no one could live with them. I hope the business community appreciates that when they look at their property tax bill, over 50% of it is set by Mike Harris. When every business in the province gets its property tax bill, over half of it is set by Mike Harris and goes to education. I know businesses are often angry at the local municipality, but they should realize that Mike Harris sets well over half their tax bill.

What we see still, three years later—in Parry Sound, if you have a business valued at \$500,000, what taxes do you pay? You pay less than \$5,000. That's the Parry Sound tax. If you have that same business, an identical business, in Brockville, valued at \$500,000, the current market value assessment valued by the Ontario Property Assessment Corp—\$5,000 in Parry Sound; in Brockville, Mr Runciman's riding, it's \$22,000.

Ms Marilyn Mushinski (Scarborough Centre): They reduced it by \$130 million.

Mr Phillips: The member for Scarborough Centre is saying they've spent money. There is nothing in this bill to deal with the Brockville problem. I've been pointing that out for some time. There's nothing in the bill. There are some things that will help some of the communities, but for Brockville, no.

Ms Mushinski: Give them the tools.

Mr Phillips: The member said, "Give them the tools." This is set by Mike Harris. He said he's not going to change it. He said that for the foreseeable future. There's nothing in this bill. Parry Sound will get \$5,000 taxes and Brockville will get \$22,000 taxes, and there's nothing in the bill to fix it. That is a second problem, and it will become more of an issue in the province when municipalities that are attempting to deal with the downloading—and by the way, on the downloading, this was done in spite of the fact that Dave Crombie and the Who Does What committee, hand-picked by Premier Harris, said, "Don't do it." That's the second issue.

The third issue is that in the communities we're dealing with there's substantial dislocation as a result of the reassessment process that went on, and that's going to cause some severe problems in communities where without anything really happening, no changes in service, their taxes are going up 20% or 25%.

We've said that we should be looking to our municipal partners for solutions in the Legislature that will help deal with this problem of 100% of the property taxes going on to single family residential in many communities. But the government, of course, is ramming this bill through. It will go from first reading to third reading in less than two weeks, with no public input, no opportunity for the public that are going to be affected by it to debate it, and I think it's unfortunate.

Ms Frances Lankin (Beaches-East York): I appreciate the opportunity to speak to this bill. I want to begin by expressing the premise from which my remarks will come. Some members may remember that when the government introduced this method of tax assessment, current value assessment, on behalf of the residents of my community I spoke out and clearly indicated to the

government the negative impact it would have most particularly on residential homeowners in the areas of Beaches and East York, and also, certainly at the time when the first assessment came through, a very negative impact on small business. That had to do with the nature of the volatility of the real estate marketplace.

You may remember that a few years ago the downtown core in the city of Toronto, many of the tall buildings that we have, the office buildings, had a lot of vacancies. There was a lot of empty space there. Over that period of time property values had dropped significantly for bank towers and large corporations that own those buildings. As a result, with this method of current value assessment based on the market value of the properties, we saw a huge drop in their assessments, and because they were in classes with other businesses, that got transferred over to small business. So there was an outcry from the small business community.

I thought it was interesting that when the minister was speaking he talked with some pride about how they introduced caps to mitigate against the effect on small business. It took an awful lot of work from this side of the House to get them to understand there was a problem and to take that step. He seemed to have forgotten that part of the history as he recited it to us here today.

The thing that wasn't talked about at that time, when all the fury was about what was happening with the transfer of business taxes from large, downtown bank towers and corporate office buildings to the small business owner, was what the continued volatility in the residential real estate market would mean for homeowners. This is the point that I raised at the time when current value assessment was being introduced, when market value assessment was being brought into this province.

I represent an area that is an older part of the city of Toronto. There are many family homes there that have been in the same family for a couple of generations now. There are many homes in the Beach area and in East York where seniors live and have lived there for 40 to 50 to 60 years. They find themselves now on a fixed income but living on a piece of property, not because of anything they're doing actively but because of the volatility of the market and because of the sometimes trendy nature of a community like the Beach, which is near the waterfront, and seeing their property value driven up when there is speculation or new development, new infill development going in, or something like the Greenwood racetrack development. They see their property values going up, but their income doesn't change. They're on a fixed income. They look at that and they understand that one way or another it does have an impact in its relationship to what their property taxes will be. They feared that at the time, and I think what we're seeing now gives good reason to look back and to understand that they were correct in those fears.

It's not just seniors. Families that are struggling to maintain the homes that they've invested so much in are feeling, when they receive their assessment notices, a real

shock about what has happened. You may not think it has a lot of impact, but in the last three years—and this new assessment period looks back over a three-year period—in Toronto the average residential rate has gone up by something like 22%. In the community I represent it has gone up by 34%, the increase in property values, the assessments. That's on average; certainly there are homes that have gone up more than that and some that have gone up less, but 34%. That's the highest in all of the city of Toronto.

I can tell you that we have many diverse neighbourhoods in our community, and the increase has affected all of them. There may be different stratas in terms of the value of the properties, where we start from, but all of them have seen a significant increase over that period of time.

1620

I can tell you that when the assessment notices came out, the phones started to ring. We were going to all-candidates meetings for the federal election at that point in time. I can tell you that people were coming up to all of the politicians at different levels afterwards, asking for an explanation of this and expressing a genuine concern when they saw the new assessment notices, with increases of 28%, 30%, 32%, 34% in property value assessment.

I want to bring this back to what the minister actually had to say about the bill. As he explained it, the bill he has introduced doesn't compel municipalities in any way to increase any taxes. He is correct, but in the real world, we have to look at what the impact of the government's legislation will be. The fact that we know there are municipalities—and let me talk about the one I know best, the city of Toronto, which I live in and which I represent a constituency in. We know that over the last three years city council has held to a zero tax increase. There has been no increase in the mill rate over the last three years. We know during that period of time there was much controversy about the provincial government's actions in terms of some services that they've switched down on to the municipal property tax while they've taken some things like education and brought them up to the provincial level. There is a real dispute as to the government's claim that that has been a revenue-neutral exercise.

Beyond that, there is a real dispute as to the level of savings from the process of amalgamation that the provincial government—and the minister today in question period read out a number of numbers that he attributes to reorganization. He didn't read out the list of additional costs that have come about as a result of amalgamation. Again, it's a bit of selective information-giving. There's a real dispute about that.

I think it's very hard for anyone to dispute that in a municipality the size of Toronto, with all of the growing and complex issues it is dealing with, having gone through amalgamation and realized whatever efficiencies there were to realize from that and having had a 0% tax increase for the last three years, there is tremendous

pressure on their budget to look at the issue of whether or not they need to increase the revenue flow to the city for the business they have to attend to over the next budget period.

That's a debate, as the minister points out, that will take place at city council. He's quite right. That budget will be set there and the provincial government has no direct ability to say there will be no increase or there will be an increase. They haven't passed a law to give themselves that ability. So the minister is correct on that front. But what he has done in this piece of legislation is say to the municipalities, "If you find yourself in a position that you must raise taxes, we're going to tell you where you can raise those municipal taxes from. We're going to tell you what segment of the property taxpaying community will be exempt from any increase you choose to have and what class of property taxpayers will have to bear the full burden of that." That's what this bill does.

In the city of Toronto, for example, the minister has said, "If the city feels a need to raise more revenue, you can't get it from business, from the commercial and industrial. You can't go there for it. By the way, you also can't go to multi-residential, the big apartment buildings. You can't go there. The only place you can go is to the homeowner. So if you find that you have to raise taxes, all of that will come from the residential property taxpayer."

The minister makes much of his statement, "Well, no municipality has to raise taxes." Again, I agree it's a decision that will be made at that level. He says, "We don't interfere with that. That's up to the municipality." Yet he's prepared to interfere to restrict the municipality's decision-making, if they should need to raise more revenue, about where they can raise that revenue from. He is dictating in this bill, in this law, that the residential property owners, the homeowners, have to pay the whole burden.

When you combine that with the level of increase in property values and the increased assessment in the community I'm talking about now, the city of Toronto, you see that the potential for a horrendous impact on local homeowners is just waiting around the corner. There is some indication that city council—and we'll find out what they decide, but in terms of the pressures they are facing, they are looking at potentially a 5% increase. That would translate into something like over 16% if it only applies to the residential property tax base. So you could see residential property owners having their taxes increased by 16% as a direct result of the rules contained in this piece of legislation.

I'm not alleging the provincial government is going to force a 16% increase on homeowners. What I'm telling you is that the rules they are forcing on the municipality give the municipality no option to go to commercial, industrial or multi-unit taxpayers; only to the home taxpayers.

The minister says that if the municipality is going to keep their budget flatlined, at the same level, and there is an average increase, let's say, of 22% in the property

assessment over this period, they could drop their mill rate by 22% and they would have the same revenue pool of money. That's true. Why doesn't he put that in the legislation, then? Why doesn't he ensure that the vagaries of his market value system are corrected in terms of a legislative guarantee that the first step in this process would be that where communities and municipalities have an increase in property value assessment, the mill rate would be decreased an equal amount? Then you would know what the base line is. Then it would be very clear to the taxpayers, when the municipalities looked at raising taxes because they wanted to increase the revenues for the work they do in the municipality, that if they were raising their budget by 5% and therefore taxes by 5%, that 5% should be borne by the whole community. And when it can't be because of the provincial government's legislation and the residential homeowners see a 16% tax increase on their bill in one year, it would be very clear where the finger would be pointed. It would be right here at Queen's Park, at Mike Harris, Ernie Eves and the Harris government.

But the government hasn't made those clear steps law and is not proposing to make it law within this bill. Instead, they continue the shell game with the words, "No municipality is compelled to. No municipality will have to. All we're doing is protecting small business. All we're doing is continuing the cap and extending the protection." That's the language they use. I have to laugh at the wizardry of the Orwellian doublespeak that goes on: "extending the protection." The other half of extending the protection is that they're dumping the burden on the residential homeowner.

In the community and the constituency I represent of Beaches-East York there are many families who will find it hard to maintain their home if they are faced with a 16% property tax increase. There are many families who do not have the financial ability to absorb that kind of increase, along with the increase in user fees that has gone on for municipal services, for recreation and other sorts of things, and the increased cost for services that are no longer provided. Again, I relate that to the down-loading by the provincial government to the municipal tax base of a whole range of social and health services, things that more rightly belong on the provincial income tax base. This government has chosen to do that yet they don't take responsibility for the impact that will have.

There's no doubt the minister is right when he says it is a complex system, and I think he counts on that. I think he counts on that to hide behind that complexity, to point to the municipalities and say, "They're the ones that have the control. It's all within their hands." I hope people see through that. I hope they understand that this bill says if there is any increase in taxation at the local municipal level for many municipalities in this province, it will only come at the entire expense of the residential homeowner. I think once people recognize and understand that, there will be a huge outcry. I expect that in my community. I saw the reaction when current value assessment was brought in. People understood what the impact down the

road would be. Well, we're down the road, the day is here and now they're going to see in real terms how the vagaries of the real estate market, the volatility of the real estate market and real estate values will play out in terms of their own taxation rate for municipal services.

1630

You could understand this at a point in time when municipal services were the hard services—the roads, the sewers, the water—and only that. You could understand if a municipality was doing something wrong, because those costs don't widely vary. But when you see a provincial government that has downloaded social assistance, social housing, public health, the demands in those areas do vary from time to time. There's much in our social fabric that has an impact on those services and the level of services that is needed to provide to our citizenry. That has now been put on to the residential tax base, along with a system of assessment that is completely subject to the volatility of the real estate market.

It's a recipe for disaster. That disaster, this time, is likely to be represented, depending on the budget decision taken at city hall, by up to a 16% increase to the residential homeowners in the community I represent. Current value assessment was bad law, market value is a bad way to go about determining how to collect property tax revenues, and this law compounds the problem.

There isn't a lot more I want to say with respect to it. I have made the key points that address the concerns of the residents in my community. I know those concerns are shared in community after community, whether it be Hamilton, Ottawa, Niagara or many of the northern communities—Dryden and others—where these restrictions on municipal decision-making have been applied or will be applied by this legislation.

I think the bottom line is we have seen a long succession of property tax bills from this government, creating problems, trying to fix them, trying to tinker at the edges, coming back, recognizing other problems. I suspect and I predict that there will be a firestorm when the true impact of this bill hits some time in the new year when the municipal budget is finally set. I believe we'll be back in this House with yet another bill from the Minister of Finance on property tax to fix the problem that he is initiating right now. I can only say that I hope that happens sooner rather than later and I hope it happens in a timely fashion to help ensure that the residents I represent and those in the other communities I have cited will not feel the full impact of the property tax increase this bill sets out for them.

Mr David Young (Willowdale): I'm pleased to be able to speak to this bill on third reading. I think it's important that we consider the comments made by all of the honourable members this afternoon before we decide how to vote on this particular piece of legislation; a very important piece of legislation that affects every property across this great province.

Some of my friends in their comments have acknowledged that property tax is a complicated matter that no one likes to deal with. Frankly, who wants to assess additional taxes? That's why our government has cut taxes

over and over again. That's why other levels of government are now getting the message and beginning to cut taxes, as we have done for many years.

It's important to understand just how serious and complicated this problem is, and in order to do that I think it's beneficial and illuminating to look back over the last number of decades at what has been done to identify this problem and what solutions have been offered by our predecessors.

There has been a rather extensive set of investigations into this particular dilemma, beginning in 1967. In that year, then-Premier Robarts, decided that property tax across this province needed reforming—the problems were numerous—and as a result he commissioned a report. After spending some time in the library over the last couple of days, I happened to find a copy of that report from our centennial year, 1967, all three volumes of it. It's a report that at the time was known as the Smith report. It said very clearly, "Province-wide reassessment of property to reflect current values is a must." This tax regime had to be reformed. The report went on to say, "This too will be a matter of some years"—speaking of the reformation that was necessary; this was going to take some years—"but is indispensable because existing assessments are completely outdated and inequitable." That was the situation in this province in 1967.

Mr Bart Maves (Niagara Falls): Some 33 ago.

Mr Young: Some 33 years ago, as my colleague correctly points out.

Ten years go by, and in 1977 the then-Premier Davis, commissioned yet another report. That report, the Report of the Commission on the Reform of Property Taxation in Ontario, came to very similar conclusions. In essence, the property tax system in this province was broken. It needed to be fixed and it needed to be fixed forthwith. But for various reasons there was no direct action on that front to reform this system. I want to say that it wasn't because the politicians of the day didn't understand what needed to be done. It wasn't because the problem was getting any better in and of itself. It was because it was going to be extremely difficult and complicated and time-consuming to repair this antiquated process.

The Liberal government, to their credit, shortly after taking office in 1985—this is the government of Premier Peterson—identified this problem forthwith. There was absolutely no doubt in their minds that something needed to be done and within approximately four months of taking office, Premier Peterson commissioned another report. I have that report here as well, titled *Taxing Matters: An Assessment of the Practice of Property Taxation in Ontario*. It ultimately was provided to the then Minister of Revenue, the Honourable Robert Nixon, and Treasurer of Ontario, as he was then. It was presented to him in October 1985 and it said a great deal. It was known as the Goyette report. It said the following, and I quote, if I may, from the Goyette report:

"Assessment practice must proceed to an end-state where similar properties are consistently assessed in a similar manner.

"The property taxpayer should be provided with an improved level of understanding as to the purposes and functioning of the tax."

There is a cry there, a plea for transparency, for uniformity.

The Goyette report went on to comment specifically about the city of Toronto—the municipality of Metropolitan Toronto at the time—and said as follows: "The absence of a reassessment program in Metropolitan Toronto constitutes a significant deficit in the advancement of property assessment reform in Ontario."

The problem was once again highlighted at that time by the Liberal government of the day. They had a report that was in excess of 180 pages. It talked about the problem in some detail and about what solutions were necessary. And what was done with the report? It was shelved; no action whatsoever.

Unfortunately, there was very little to report by way of advancement to correct this problem over the next decade or so. It wasn't until the last few months in office of the Rae NDP government that they decided to take some action, albeit was only the commissioning of yet another report to say essentially the same thing: that the property tax system in this province was broken, that it was antiquated, that it simply didn't work, that it was unfair to have the same property on the same or similar streets in the same municipality paying markedly different taxes. It just didn't make sense. It didn't make sense to anyone who was prepared to realistically and reasonably evaluate the system. Was it getting better? No, it was getting worse. It was festering. In some places like Metropolitan Toronto it had festered over a period of six decades.

1640

When we took office we studied this, albeit relatively briefly, by reason of the extensive consultation and studies that had taken place before. We moved expeditiously. We realized that was the only way this long-standing problem was ever going to be corrected. In December 1997 the Who Does What report came out, and shortly thereafter we moved forward with the reforms that were required. As the reports that date back three or four decades clearly indicated, this wasn't going to be a quick fix, this was going to take some time.

I know my friends on the other side think it's cute and smart for them to talk about the fact that this isn't the first and this isn't the second bill we have brought forward to reform the taxation system, but I would invite them to look back at what the reports commissioned by their own parties had said over the years. It was clearly acknowledged by the experts at that time that this was going to be a long process, that this couldn't happen overnight without essentially shutting down this province, bankrupting this province, putting small businesses out of work, putting homeowners out of their homes. So we have embarked upon what is a complicated and long journey, but a journey that to any independent observer is a fair one.

As we examine the situation today, I would also ask the members of this assembly also to consider what the

situation was before we began this reformation. We all, I think, in this Legislature would like to see the continuation of zero tax increases. That's what we've had in 85% of the municipalities across this province over the last three years, essentially since our reforms came in. We've had zero tax increases and we'd like to see that continue.

It's important also to look at what was going on in terms of municipal property tax in the decade before we took office. In the city of Toronto, with which I am most familiar, it's important to remember that on a fairly regular basis, for a number of reasons, some of them good and some of them not so good, we saw increases in municipal property tax that averaged, by my calculation, in the neighbourhood of about 8% per annum. Some of that was municipal education taxation, some of it was taxes that emanated from the municipality of Metropolitan Toronto, and some of it was from the six cities that fit within the borders of Metropolitan Toronto. In some years it was double-digit increases, but in most years it averaged in the neighbourhood of about 8%.

As we sit here this afternoon and talk about what might be an unfortunate and I think unnecessary and unlikely result, that we will have the sort of tax increases my friends across discuss, let's remember that was the case when the NDP was the government of this province and when the Liberals were the government. There really was no hope in sight. It happened every year. Municipal property taxpayers saw large tax increases: 5%, 6%, 7%, 8%, 9%, 10% a year. We expected that. At least now we are in a situation, in a position where there is a hope, I think a probability, that for most of Ontario we will be able to continue the zero tax increases that have been applied—essentially no tax increase that has been applied—since we took office and since these new reforms came in.

I know a number of my friends wish to speak to this bill and I'm going to try to limit my remarks, but I think it's important also to talk about one aspect of this legislation that has not received enough attention. I credit my colleague from Beaches-East York for referencing it. Regardless of party affiliation, I think you're the only one who has so far. It relates to multi-unit residential, multi-residential buildings.

They are protected in this legislation from further tax increases in the same way that other categories, other types of properties, other taxpayers who are paying too much tax today are protected. If this legislation passes, and I'm hopeful it will, tenants across Ontario should be very pleased, because they will see a cap, a limit, on any potential tax increases. Right now in the city of Toronto, since that seems to be the focus of our debate over the last short while, tenants are paying about six times as much tax as homeowners who may have a property just down the way, who receive essentially the same services, arguably receive more services.

It seems to me there must be some attention to the fact that what we are doing is trying to redress that situation, a situation that other governments, Liberal and NDP, were prepared to tolerate and allowed to continue. Let's

be very clear about what they allowed to continue. They allowed municipalities year after year to continue to tax apartment buildings, tenants, because it's passed on to the tenant, at an exorbitant rate.

What has that meant? The most evident and most obvious and most painful result of that was that tenants had to lay out more money each and every month for their rent. That was all right with my friends opposite. The Liberals and the NDP thought that was OK, because it would have been very complicated for them to change it and they didn't want to do so.

What's more important in the long run is that this has discouraged the construction of new multi-unit residences across this province. Why would a builder embark upon a multi-million dollar project that was going to attract six times as much tax—that would be an apartment building—if they could expend essentially the same amount of money and build a condominium and pay that much less in taxation and have the unit-holders who ultimately occupy those premises pay that much less in taxation. There is no reason for them to build apartment buildings that pay six times as much in tax as compared to condominiums.

They have considered that fact very carefully and that is undoubtedly one of the reasons we have so many condominiums being constructed in Toronto and across the province, and not as many units for rent as we would like. This bill not only will help to redress some immediate problems for tenants, but it will provide some long-term solutions for those who are renting and will be renting in the future in this province.

I promised my friend from Scarborough Centre that I would leave her some time, and as I look at the clock, I've left very little and I apologize for that, but I will sit down. Thank you for this opportunity.

The Speaker: The member for Scarborough Centre.

Applause.

The Speaker: Sorry, the member for Toronto Centre-Rosedale.

Mr George Smitherman (Toronto Centre-Rosedale): That's OK, Speaker. You gave me an opportunity to think they were clapping for me.

For anyone who might be watching at home, I want to draw one point in sharp contrast before I launch into my remarks. The member opposite, the member for Willowdale, used the word "large" in reference to the prospect of 5% and higher increases in taxes for municipal property taxpayers in Toronto over a 10-year period. You really must wonder what he would call 42%, the level of pay increase that his boss, the Premier, proposed for members of the Legislature. I think that draws into sharp contrast what's going on there. If large is 5%, then 42% obviously is nothing less than grotesque.

I'm pleased to have an opportunity to put on the record the concerns I have as a member representing communities in my riding that are at considerable risk as a result of the legislation that is before us. The member somewhat defensively says, "Well, it's a complex thing and we've got to keep working at it," to defend the fact that this is the government's ninth try at this.

I think Bill 140 should be called, "Now that the election is over, let's really sock it to them." A lot of constituents in my riding have assessment notices on their doorsteps and on their kitchen counters and on their dining room tables that indicate a level of assessment that has gone up by such extraordinary numbers, in large measure because the numbers that were done last time were artificially suppressed. It's my assertion that they were artificially suppressed with a desire to try and help re-elect Al Leach and Isabel Bassett. That's just one more example of failed policy and it is a cruel joke played on people who are experiencing this extraordinary hardship of assessment increases that I have heard of, up to 80%.

1650

I want to talk about some of the greatest communities in the city of Toronto, desirable places to live, like Rosedale and Cabbagetown. I know that conjures up in the mind's eye of many people these images of the endless capacity to pay bigger bills, but I have heard too many horror stories in the last few weeks from constituents of mine, people who will be forced to move from these properties because their capacity to pay is limited. This is the capital gains tax that is assessed before you sell your property, and the government over there is going to say, "We've given the city a toolbox and they can deal with hardship cases and put aside these costs." But the real shoe that has yet to drop is related to the fact that the city of Toronto is facing a budgetary shortfall and that these same homeowners are going to be expected to pay the entire brunt of those increased taxes. I don't know what those numbers are, and I don't want to scaremonger, but if anything close to the forecast \$160-million shortfall is the reality for the budgetary season for the city of Toronto in the next two or three months, I want to say to homeowners who are watching, be ready to be socked, because that's what this bill is all about.

Current assessments are a cruel irony, and they're a cruel irony in a really significant way, which is that these same neighbourhoods, these desirable neighbourhoods, are suffering through the greatest decline in city services as a result of the government's policies with respect to amalgamation and downloading. The old city of Toronto, the former city of Toronto, has seen in almost every area significant declines in the level and quality of services offered by the city government. We have delays with respect to planners and a real loss of a sense of community planning, the inability of planners to speak to one another as they used to. We see poor enforcement of building regulations which were designed to protect residents, resident associations and individuals from all manner of concerns. I've seen, in the bottom end of my riding, an extraordinary decline in hardship paid by lower-income individuals who are challenged now by diminished recreation services. This is a real challenge that the government's own policies have contributed to.

Yesterday I heard a frightening thing. As members will know, firefighters came to visit and to discuss with us some of the concerns they have. I learned a shocking

situation, keeping in mind that I have more residents in my riding who live in apartment buildings: 79% of my riding is tenanted. The fire service told a frightening story. It is a story of a decline in the number of fire-fighters in the old city of Toronto that means that aerial trucks are almost exclusively out of service. This is in sharp contrast to the days before amalgamation, and it bears an eerie resemblance to this government's policies that have resulted in critical care bypass, which in the history of this place in the last 10 or 15 years was an occasional occurrence. It is now an entrenched reality; it is an almost everyday occurrence at almost all of the emergency wards in the city of Toronto, and now we see that the same thing is happening with respect to our fire service.

Other policies of this government have contributed as well to the risk that is being borne by my constituents with respect to fire service, and that is this ability on the part of the fire service to simply designate people as exempt from the union. We see bigger and bigger bureaucracies as a result of amalgamation, and fewer firefighting personnel in my community. A million people are in my riding on a daily basis, and they are put at risk by this government's policies.

I said earlier that this worked to be like a capital gains tax for people who are holding their properties now, because of course they're asked, even though they can't sell the asset, to pay the price for it. As a result of that, there are extraordinary hardship cases, where people may possess real estate in desirable neighbourhoods but they're not necessarily in possession of the capacity to pay the increased tax bill that comes with it. The government opposite offers that they have provided to the city of Toronto a toolbox, an opportunity for them to defer those taxes. It would be interesting, wouldn't it, if the province of Ontario came up with a tax deferral policy for hardship cases of taxpayers who are having a difficult time meeting their tax obligations in Ontario? But we don't see that, and the reason we don't see that is because no government wants to put itself in a position where it is expected to defer the payment of those things, yet this government claims it has provided the capacity to deal with hardship cases and to pass on to the municipalities the capacity to do that.

But it misses the point, doesn't it? The point it misses is this: the city of Toronto is facing a cash shortfall. That means they will have to raise taxes, which speaks to a problem, doesn't it? It speaks to a problem in terms of being able to defer taxes. I say to the province, which wants to be so helpful in these hardship cases, who doesn't want to see the handyman who lives in Cabbagetown, whose home was passed down to him from his family and who now finds himself in the midst of a community which has seen extraordinary increases in assessment and where he's facing an even larger tax bill—they don't offer any capacity really to help.

I say to them, the province of Ontario is demanding repayment of loans from the city of Toronto. I suggest the province look at a loan fund, look at a way to allow the city of Toronto to use those loan funds to pay for the

hardship cases, to set aside funds that will truly enable them to assist those people who are put in a position where they are forced to sell their houses.

I don't think gentrification is a bad thing. It occurs in many parts of my riding, where neighbourhoods that were once challenged go through a spate of renovations and people who are of a higher income move in. But I have concern, and I work for the people who are being dislodged from that, and I want to work to protect the historical nature of my communities. The historical nature of my communities includes a range of incomes; not these vast territories of home after home where only the rich can afford to live, but mixed-income communities, which are the best communities in my riding, communities like Cabbagetown, which has an extraordinary breadth of incomes within it. That is in decline, and that is put at risk by this bill because this bill will force people who have been struggling to hang on in Cabbagetown to move. It's wrong for that reason.

Today I heard a case of a woman who owns as really her only asset a house that has been converted into two or three residential units in Rosedale. She feels as though she's hung on to this house as long as she can, and she'll be forced to sell it as a result.

What will occur? When people think of Rosedale they think of million-dollar mansions, and there are certainly many of those. I'm proud to have them and proud to represent them, but Rosedale is also home to many tenants. When that house is sold, will those three units be converted into one? Will an owner buy that house and will those tenants be dislodged? I think so. We'll see the further loss of residential tenancy units, and we will see the further decline in the capacity of lower-income and middle-income individuals to animate the great neighbourhoods of the downtown. Will those neighbourhoods that are being struck with such huge assessments become a place where only the truly very rich can live? What is the cost of that? I ask that of the government. When they talk about their toolbox, let's think of a way to give meaningful tools to the city of Toronto, if you're unwilling to do it on your own part, to allow them to offer actual relief from hardship.

This is about downloading. I want to say again to people who are watching at home, in a couple of months the city of Toronto is going to have a debate about its budget. They're forecasting at the moment a \$160-million shortfall. When you take that \$160-million shortfall and apply it only to the single-family dwelling, what will be the impact? That is spreading an extraordinary cost over a narrow base, and the impact runs the risk of having tax increases that will be into the double digits. I think we all recognize that's inappropriate at this time.

We heard the member from Willowdale talking as if tax cutting originated here. I had the opportunity to work for a former mayor of the city of Toronto, who was elected before this government came to office, who had been part of a city of Toronto council that in the early 1990s had already cut taxes. But we only hear the members opposite claiming that.

The last thing I want to say is there's an extraordinary risk, that is exacerbated by this bill, to the single-family homeowner with respect to the prospect of economic downturn. So many costs have been pushed down to the property taxpayer that in an environment of economic downturn these costs, again, will be borne by a very narrow portion of the single-family homeowner and property taxpayer.

1700

The Minister of Finance was here and graced us with his presence and made a rare presentation with respect to all of the commitments that the government opposite has made to transit, but the interesting thing was, the last year that he could find where they've done anything was two years ago. Nothing here deals with the fact that gridlock is at play. The 905 and parts of the city of Toronto are being caught in the grip of this extraordinary gridlock. This government continues to suggest that the property taxpayer is the only one who can make these needed, necessary, desperately required investments in our public transportation system.

It's a bad bill and I will be honoured, on behalf of my constituents, to vote against it.

Ms Mushinski: I have particular pleasure in joining the debate this afternoon on Bill 140, third reading of the property tax bill.

I'd like to start off by putting this in the context of my service on a municipal council. As many of you in this House know, I served on a municipal council in Scarborough for 12 years and, as Charles Dickens described in *A Tale of Two Cities*, they were the best of times and I have to say they were also the worst of times.

You see, as in *A Tale of Two Cities*, during those turbulent years when I served on that council, there were actually two realities. There was the then city of Toronto, and there were the suburbs, like Scarborough, Etobicoke and North York. I guess the irony of those years when I was serving on council was that it was actually the poor who were subsidizing the rich. We've heard this story before.

For 10 out of the 12 years that I served on Scarborough council, this province was represented by, first, Liberal and then NDP governments which ignored the pleas of thousands of hard-working Scarborough homeowners time and time again. In fact, it was like living in the Land of Oz. Both governments were so busy searching for a brain that they forgot they needed the heart and the courage to implement a system that was fair to everyone.

The Cowardly Lion didn't need to go to the Wizard of Oz for courage, he should have gone and visited Ernie Eves, because it was Ernie Eves and this government that had the courage to reform the property tax system, a system that was so grossly out of date it was, as a result, the most extremely unfair system in Canada. Many taxpayers in similar situations were paying very different property taxes and facing whopping increases. I guess I don't need to remind members of this House of the

thousands upon thousands of appeals to an unfair property tax system.

In 1998, Bill 79 implemented measures that would protect businesses in Ontario from large property increases, giving municipalities the tools necessary to implement property tax reform in a fair and manageable way, limiting reform-related increases through 10%, 5% and 5% caps until the end of 2000.

It's interesting because I can recall going back to those days when a very courageous Metro council—and I see Mr Colle is here in the House this afternoon—also attempted to deal with the unfairness of the system and they too came up with different formulae to protect the impact of taking an extremely unfair system and making it fair and the impact that would have on businesses across Toronto, including those in rich, wealthy downtown Toronto.

The government has made a commitment to maintain limits on reform-related business property tax increases beyond 2000, until tax fairness is fully achieved. I don't think that's unreasonable. In fact, again, I would suggest that it was Metro Toronto council that asked us to do that.

We're introducing legislation today that, if passed by the Legislature, will implement that commitment to continue limits on reform-related tax increases and to enable municipalities to use a range of tools to achieve the limits on tax increases. Mr Eves is being fair and reasonable.

The proposed legislation will continue our ongoing commitment to restore fairness to the property tax system, not in one day, but over a manageable period of time and through a system that respects the needs and concerns of all Ontario stakeholders.

After consultation with relevant stakeholders, including the Association of Municipalities of Ontario and the Canadian Federation of Independent Business, we would be providing municipalities with simplified tools to enable them to meet the limits. If passed by the Legislature, the Continued Protection for Property Taxpayers Act would implement the following measures for 2001. It would require municipalities to limit the reform-related tax increases on commercial, industrial and multi-residential properties to 5% per year; it would give Toronto the option of maintaining its current limit of 2.5% per year; it would enable municipalities to use a range of tools to achieve the limits on tax increases; it would require landlords to maintain limits on tax increases for business tenants where the limits were previously applied; it would continue to protect low-income senior and disabled homeowners, and it would continue to protect charities through mandatory rebate programs.

This act would also implement a new real-time approach to the taxation of vacant business properties, new treatments for power dams, and it would make various technical amendments to the Assessment Act.

Mr Speaker, Mr Eves has brought in an act that will serve the interests of all stakeholders in this province.

Mr Dominic Agostino (Hamilton East): On a point of order, Mr Speaker: I ask for unanimous consent to add five minutes of the NDP's time to our caucus time.

The Speaker: Is there unanimous consent? Agreed. The member for Eglinton-Lawrence.

Mr Mike Colle (Eglinton-Lawrence): I listened attentively to my colleague from Scarborough Centre; I think she does make a lot of sense. I just want to say, to her comments and to others, that these changes are taking place in property taxation. Some of the changes, I say, maybe I agree with. The problem is there are a number of them which I think are going in the wrong direction, and the frustration I have and that a lot of people who follow this debate have is that this government stubbornly refuses to listen to advice. This is a very complex issue, it's a very convoluted area, and if you read the act—I mean, you probably have to have about 10 Bay Street lawyers and a high pile of regulations and another piece of legislation to understand this act. It is gobbledegook, for the most part. Listen to this paragraph:

“Paragraph 1 of subsection 257.2.1(3) of the Act, as enacted by the Statutes of Ontario, 1998, chapter 3, section 34 and amended by 1998, chapter 33, section 40, and paragraphs 2 and 3 of subsection 257.2.1 (3) of the act, as enacted by the Statutes of Ontario, 1998, chapter 3, section 34, are repealed and the following substituted”—here's what's substituted and it's really meaningful now:

“1. Without limiting what a regulation may provide for, the regulations may provide for any matter provided under sections 372.2, 373, 442.1, 442.2 and 444.1 and under Part XXII.3 of the Municipal Act.”

1710

When legislation is too complicated, it is not good legislation, especially in the area of taxation, because the only people who benefit are tax lawyers and tax consultants.

This is, as you know, the eighth piece of legislation we've had in this area. People in the business of property taxation have called this the property tax consultants' and property tax lawyers' pension and annuity act. This is going to make tax lawyers rich all over Ontario. Tax consultants are going to become rich as a result—no, they're already enriched by the previous seven acts. This government keeps repeating these acts because they don't stop to take advice.

The last time they didn't take advice probably from the most knowledgeable group in this area, and that was the Association of Municipal Clerks and Treasurers of Ontario. They're the ones who make up the tax bills in all the municipalities; they're the ones who have to basically come up with the bottom lines and come up with the tax bill you get at home. Last time, before they passed the seventh act, they said, “Stop and take our advice.” The government didn't take it. They said, “If you don't take our advice, you'll have to pass another act.” So here we are with Bill 140. Again they have not taken the advice of the same body of professionals. The Association of Municipal Clerks and Treasurers of Ontario has not been listened to again by this government so, guaranteed, we will be back in this Legislature in a year or two with bill

number nine in this area, making more tax lawyers wealthier, more tax consultants wealthier.

Some of the suggestions we're trying to make on this side would help make the system fairer and more rational. A lot of people who live in the suburbs or in areas where there isn't much fluctuation don't really care about this issue, and they don't really care about the fact that there's no debate and there are no public hearings, but it is important to have some dialogue on this. Sadly, there will be no public discussion allowed on this debate.

One of the things that people keep suggesting is, you have to understand that in certain parts of older cities like the city of Toronto there are areas in the downtown core—they're south of Bloor; they're in High Park; they're in Cabbagetown. In some of these homes there are people on very limited fixed incomes—pensioners, people who are essentially living just above the poverty line. Maybe they have inherited the home and lived in it for 40 or 50 years and now all of a sudden they'll see their property tax increase dramatically. It's nothing they've done. They are not the wealthy. I know the member for Scarborough Centre was talking about the wealthy. There are a lot of working poor people who live in these areas who are going to be hit hard. There's no provision in this bill to help them, so they're stuck, like I said.

I mentioned before that there's a small bungalow—the member from Pembroke probably can't believe this—on Melrose Avenue in Toronto that's 700 square feet. In 1996 it had a valuation of \$190,000. They got their property tax assessment last week, and this 700-square-foot bungalow—it's about the size of the Speaker's chair there—do you know what the assessed value of it is going to be? It's \$301,000. That's the new assessed value, an over 60% increase in the assessed value of a 700-square-foot bungalow. Can you imagine in Pembroke having 700 square feet of anything that was valued at \$300,000? So this person and the person next to him, who's a pensioner, now have to pay taxes on a piece of property that they're saying is worth \$300,000. She has no recourse; she cannot pay this kind of increase. The only recourse she has is that this government has a backdoor provision whereby the provincial government allows municipalities to defer their taxes.

When you defer the taxes, what that means in essence is that you put a lien on your property. So a pensioner who has worked for 40 years to pay off a mortgage will now be asked to put back a mortgage on their property. That's why in the city of Toronto, where there are over 500,000 properties, less than 0.3% ever use the deferral method. Fewer than 0.3% out of 530,000 properties take up this deferral method. So there is nothing in here to help people who happen to be stuck in a tony, trendy area of the city of Toronto or other places in the province.

Another thing that really aggravates people where I live in my riding of Eglinton-Lawrence is that this act, like the other seven acts, is punitive. I know the Minister of Municipal Affairs doesn't care about this, but I have a lot of poor working people who get a little beat-up

bungalow, a little beat-up house, and fix it up with their own bare hands. They lay bricks, they lay cement floors, they lay ceramic, they put in new bathrooms and they put in new kitchens, and you know what? The provincial government, instead of rewarding this poor working man and woman, comes along and whacks that homeowner, that couple, for fixing up their house. They get reassessed and they get another tax because they had the audacity to spend money on fixing up a bathroom or kitchen, putting in ceramic and improving the neighbourhood. What does this government do? It penalizes people for improving the neighbourhood, and that's what so wrong about this kind of legislation. Nowhere in the western world is this kind of punitive legislation in place. Only in Ontario do we punish people for fixing up their homes.

There was a case on Mount Pleasant where a person added \$150,000 in renovations. As soon as the renovations are finished, the tax assessor knocks on the door and says, "We're going to get you." Instead of saying, "Thanks for putting money back into the economy, thanks for improving the neighbourhood," the provincial government says, "We're going to whack you with more taxes." They already paid provincial sales tax. They already paid GST on the building materials. They already paid the architect, the labourers. What this government does is, it penalizes people for upgrading and improving neighbourhoods.

No government, I don't care whether it's federal or provincial, has ever invested in urban renewal in this country. Urban renewal in downtown Toronto has been done by individuals. People with their blood, sweat and tears have improved areas like Parkdale, Cabbagetown, the Beach, High Park, and they've done it without government help.

Instead of giving help, do you know what the government of Ontario does for urban renewal when you fix up an old, dilapidated, 18-foot-frontage house in Parkdale? Well, Mr Eves comes along and says, "You dirty so and so. How dare you fix up your house. We're going to tax you more because you fixed up your house." That is disgusting. That is not a fair way of treating people who have rolled up their sleeves and come from all over the world to renovate, restore and rejuvenate our inner city. This government has the gall to punish them with higher taxes because they did what the government wouldn't do; that is, improve neighbourhoods.

This is why I am against this type of legislation. It punishes those people who pay their taxes and improve their houses. That's what's wrong with Bill 140 and the other seven that came before it and the other 10 that will come after it.

Mr Gerard Kennedy (Parkdale-High Park): There is no question that everything my colleague has just said applies. Sometimes there is ambiguity in the bill, but there's no question that this bill—the eighth time this government has had to fix its own mess—doesn't really put in place the fundamental fairness that people have a right to expect when it comes to their property tax.

Earlier we had the treasurer of the province, the Minister of Finance, trying to address what the point of

this was in the first place, eight bills ago, eight efforts to try and fix previous messes. He tried to address the trade-off for schools. Where is Toronto today? We have not only what my colleague was talking about, but what you're going to return to is more hardship in our communities, more uncertainty on the part of seniors and people in modest-income families who have helped to maintain and rejuvenate communities. That's been delivered by the seven previous bills and it stands to be exacerbated by the others. But we have lost a huge amount of the funding for the schools in those selfsame neighbourhoods. The trade-off, in other words, that was supposed to benefit us has beggared many parts of our city, especially here in Toronto, in both ways. In other words, we've lost at both ends.

1720

The Minister of Finance stood here today and said, "We now put money into the schools," but what they actually did is put 18% less dollars into the schools in Toronto than they did a short five years ago. So the people in the inner city of Toronto, which has struggled to sustain a quality of life you can't find in most American cities and it's done that without an understanding provincial government, have now had their schools attacked as well. There is no win in this trade-off, in this concept put forward by the government.

We have today on the part of people living in Bloor West, Parkdale and the Junction area of Toronto, in what's sometimes called the King George area, this unfair impact. What they need to know is yes, the assessment is based on what this government originally said they would never bring in—market value assessment. It's being assessed in a way that leaves no responsibility with this government to ameliorate its worst effects and instead is visited all upon the cities and, as some of my other colleagues have already mentioned, cities that are about to have to pay the bill, that are about to see the cost of the download being visited upon them as we get social housing and ambulance added, on top of social assistance and a range of other things that now rest on the property tax.

We see these people being subject to an effective boomerang. Before this government brought this eighth piece of miserable legislation in front of us, this eighth admission of failure on the part of this government, they should have and could have addressed the whipsaw effect they're having on properties that exist in the inner city of Toronto, and not the part of the city they're talking about. I defy the people who would say that it's wealthy people who have been benefiting from lower taxes to see the people in Parkdale or in the Junction or in the King George area who are just trying to sustain a basic quality of life for themselves and their communities and to say how they are disproportionately benefiting in any way. This is a reverse penalty imposed on them by the government because the government doesn't concern themselves with the whiplash effect of what happens when taxes increase and market values may, at some future date, come down, or if you find yourself caught in a

speculative bubble, when you find yourself without the protection the government has all along said they were going to provide.

The people sitting opposite aren't concerning themselves with this, but it is a fundamental issue of fairness. What about smaller renters who don't fit the multi-residential fit, which is probably about 20% or 25% of the people in my riding? They're not protected. The Minister of Municipal Affairs sits opposite and he has got a bill that previously allowed all the taxes to be visited upon those renters. So while some renters may find themselves protected, along with businesses, the small renters in small buildings will not be.

We see the deferral section is not protecting seniors. Why? Because the municipalities have seen it necessary to charge high interest rates so that seniors who have worked their whole lives to live in these neighbourhoods, again have provided the groundedness of these neighbourhoods, have seen themselves hit with \$80,000 or \$90,000 increases in assessment and are exposed to tax increases of 20% to 40% to 50%. It's simply not fair. It should have been addressed in this bill. This is the one opportunity. Instead, the government is slamming this through without adequate consultation, without letting homeowners make their case in a way that would allow for the flexibility to be built into any bill that would purport itself to be a fix, to be furthering fairness. Instead, this disadvantages the people of Toronto and the people of my riding, not just in some ways, but in all ways.

Mr James J. Bradley (St Catharines): I am addressing now what is in effect the eighth property tax bill in three years from this government. On seven previous occasions, they have not been able to get it right. They've annoyed a lot of people in this province. They've had mistakes in the legislation. Here comes the eighth try at it. Everyone always hopes it's going to do the job, but if you look at the provisions of the legislation, it will have in some areas some positive effects, but in some other areas, very detrimental effects.

Obviously, they wanted to get this bill through, the government did, while the federal election was on. People were paying attention to the federal election instead of matters happening in this Legislature, and they were unable to do that. But here we are this afternoon, on a Thursday afternoon, dealing with that matter.

I want to tell you that people in the regional municipality of Niagara are unhappy. I don't know if it's a unique circumstance, but the regional municipality of Niagara, as a government, put together a committee of people. There are people from the multi-residential sector, the small business sector, perhaps the larger corporations or industrial people, single-family residential. This committee got together and did a lot of hard work on how to phase in the tax changes. They recognized that there was a move to market value assessment, and whether some people liked it or not, they were prepared to move forward with that. They came up with their own local formula that was as fair as you could probably get

for people at the local level. Their problem is they feel stifled by the fact that the provincial government has not provided enough flexibility in the past for them to invoke their own formula. Again, it's a tough job when you're changing the level of assessment on any particular property, but they were working very hard toward that.

They're doing it in the context of a download, a net download of \$18 million in additional costs to the local municipality. What has that meant? The choices have been that they would have to raise municipal property taxes or cut essential services at the local level or impose user fees. User fees, as we know, are OK for the very wealthy in our society. They are hardest on the people who are just making ends meet. For instance, children who are from families of a very modest income don't have a chance to play hockey, as our Speaker did. Our Speaker, by the way, was a renowned hockey player in his day, a professional goaltender. I'm told he's still very good. But he would know. He saw people in his era of hockey as he came up who were not wealthy kids but who got a chance to play hockey because the price was down. What he and I would find shocking now is the price of enrolment or registration today even for children in what we would call house leagues. That's just one example. It makes it very difficult.

The Minister of Municipal Affairs says he's going to have a report card on municipalities. The great emphasis of course is going to be on, how are you cutting costs? How many services can you privatize to bring the costs down? Now he shakes his head no, but we know that is the secret agenda of this government. Just as his party federally, the Alliance, had a hidden agenda, obviously he has a hidden agenda. But he does have the book by Dr Andrew Sancton. It's called *Merger Mania*. So there is hope for the Minister of Municipal Affairs when he has that. I want to compliment him on keeping his nose out of Niagara in terms of forced amalgamation in that area to this point in time.

I can tell you that this bill is not going to solve the problems that we have in terms of assessment. There are many people who want to appeal their assessment, and now the provincial government—Pontius Pilate disguised as the Minister of Finance and revenue has gotten out the bowl and the water and has washed his hands of assessment. He says, "Oh, don't see me about it. It's a local corporation run by the municipalities." May I assure the government that the chickens will come home to roost with the government of Ontario and not with those local municipalities.

I want my friend from Pembroke to talk about some of the issues in his area.

Mr Conway: I just want to take a few moments to make a couple of comments, one of which has to do with the changed treatment of hydroelectric power dams in this bill. I regret that my friend the Minister of Finance is not here; I know he's busy with other things. My question for him tonight on third reading was going to be, what is the value to the Ontario government of that change, a change which I understand and support from

the point of view of a public policy. But we are giving the Ontario government a huge financial benefit with that change at a time when, because of decontrol occasioned by Bill 35, the Ontario government is going to have to sell substantial amounts of its very rich hydroelectric portfolio.

I had said on an earlier occasion in this debate that my concern about Bill 140 is that the Legislature only got the bill after it had been worked up and worked over by very well-financed special interest lobbies downtown. This bill was undoubtedly written downtown by lawyers working for powerful financial and commercial interests in the province. Only after they were finished preparing it did this Legislature get it.

I refer to the change in the property tax treatment of the hydroelectric dams simply as an example of where, in this case, an owner, the Ontario government—we own and operate something like 69 hydroelectric stations in the province, producing nearly 7,200 megawatts of very valuable electricity.

With Bill 140, as I said earlier, for good public policy purposes, we are changing the tax treatment of that very valuable asset at the very time when under other legislative requirements we are going to be forced to sell a very substantial portion of that portfolio. There's no question that is going to have a very real and beneficial effect on the owner, the Ontario government. My question to the Minister of Finance is, what is the value of that change to the Ontario government as the principal and only shareholder at Ontario Power Gen?

The second point I want to make has to do with communities in my part of southeastern Ontario. When I look at my home city of Pembroke, and at places like Smiths Falls and Brockville, I think about what is going to happen to them as a result of Bill 140 and the capping provisions that, as I understand it, are going to be applied because of the so-called transitional ratios. If you are above the provincial averages, you are not going to be able, as a municipality, to increase any of the tax burden on the industrial and commercial sectors of your local population.

In places like Pembroke, where I live, we have a relatively stable and not particularly strong property tax base in terms of our industrial and commercial sectors. It probably is true that over the decades there has been an undue burden placed on those sectors. But as a result of

Bill 140, as my friends Bradley, Phillips, Colle and Kennedy have observed, and the fact that in cities like Pembroke and, I might add, Brockville and towns like Smiths Falls, we've got relatively fragile property tax bases, and at the same time as we are imposing caps on certain of those commercial and industrial sectors we are adding to the property tax burden costs like social housing and land ambulances, notwithstanding the tax room spoken of by my friend the Premier in question period yesterday, we are without a doubt putting enormous upward pressure on the residential property tax base in cities like Pembroke and, I dare say, Brockville and towns like Smiths Falls, and the minister's own data seem to suggest that.

I want to say to the Minister of Municipal Affairs and the Minister of Finance that in cities like Pembroke, if I read these tax charts correctly, there is going to be hell to pay when the residential property taxpayers get the consequences of Bill 140, because as I read it, talking to local municipal officials, the combination of downloading and the capping on 140 will drive up residential property tax bills in places like Pembroke, Brockville and Smiths Falls probably to an intolerable level. I hope I'm wrong, but people who know a lot more about this than I tell me it is unavoidable.

The Speaker: Mr Eves has moved third reading of Bill 140, An Act to amend the Assessment Act, Municipal Act and other Acts with respect to property taxes. 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.

"Pursuant to standing order 28(h), I would like to request the vote on Bill 140 be deferred until Monday at deferred votes." This is from the chief government whip, and it is so deferred.

Hon Rob Sampson (Minister of Correctional Services): I move adjournment of the House.

The Speaker: 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.

This House stands adjourned until 1:30 on Monday.

The House adjourned at 1737.

LEGISLATIVE ASSEMBLY OF ONTARIO
ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Lieutenant Governor / Lieutenante-gouverneure: Hon / L'hon Hilary M. Weston
Speaker / Président: Hon / L'hon Gary Carr
Clerk / Greffier: Claude L. DesRosiers
Clerk Assistant / Greffière adjointe: Deborah Deller
Clerks at the Table / Greffiers parlementaires: Todd Decker, Lisa Freedman
Sergeant-at-Arms / Sergent d'armes: Dennis Clark

Constituency Circonscription	Member/Party Député(e) / Parti	Constituency Circonscription	Member/Party Député(e) / Parti
Algoma-Manitoulin	Brown, Michael A. (L)	Hamilton Mountain	Bountrogianni, Marie (L)
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.

continued from overleaf

TABLE DES MATIÈRES

Jeudi 30 novembre 2000

PREMIÈRE LECTURE

Loi de 2000 sur des budgets équilibrés pour un avenir meilleur, projet de loi 152, <i>M. Eves</i>	
Adoptée	5997
Loi de 2000 sur la Semaine de sensibilisation aux archives, projet de loi 153, <i>M. Johnson</i>	
Adoptée	5997

DEUXIÈME LECTURE

Loi de 2000 modifiant la Loi sur les relations de travail, projet de loi 139, <i>M. Stockwell</i>	
Adoptée	6013
Loi de 2000 poursuivant les mesures de protection des contribuables fonciers, projet de loi 140, <i>M. Eves</i>	
Adoptée	6013

TROISIÈME LECTURE

Loi de 2000 poursuivant les mesures de protection des contribuables fonciers, projet de loi 140, <i>M. Eves</i>	
Vote différé	6028

CONTENTS

Thursday 30 November 2000

PRIVATE MEMBERS' PUBLIC BUSINESS

Accounting practices

Mr Curling	5979, 5983, 5986
Mr Tilson	5980
Mr Cordiano	5981
Mr Dunlop	5981
Mr Tascona	5982
Ms Churley	5984
Negated	5994

Trucking industry

Mr Stewart	5986, 5993
Mr Cordiano	5987
Mr Beaubien	5988
Mr Colle	5988
Mr Martin	5989
Mrs Elliott	5991
Mr Lalonde	5992
Mr O'Toole	5992
Agreed to	5994

MEMBERS' STATEMENTS

Tenant protection

Mr Bryant	5994
-----------------	------

Alison Clark

Mrs Munro	5994
-----------------	------

Assistance to farmers

Mr Cleary	5995
-----------------	------

North York Chamber of Commerce

Business Excellence Awards

Mr Young	5995
----------------	------

Arts and cultural funding

Ms Di Cocco	5995
-------------------	------

Mr Marchese	5996
-------------------	------

Caledon East Historical Society

Mr Tilson	5996
-----------------	------

Child poverty

Mr Gravelle	5996
-------------------	------

Cancer treatment

Mr Tascona	5996
------------------	------

FIRST READINGS

Balanced Budgets for Brighter

Futures Act, 2000,

Bill 152, *Mr Eves*

Agreed to	5997
-----------------	------

Mr Eves	5997
---------------	------

Archives Awareness Week Act, 2000,

Bill 153, *Mr Johnson*

Agreed to	5997
-----------------	------

Mr Johnson	5997
------------------	------

Idlewyld Manor Act, 2000,

Bill Pr33, *Mr Christopherson*

Agreed to	5997
-----------------	------

STATEMENTS BY THE MINISTRY AND RESPONSES

Mental health services

Mrs Witmer	5997
Mrs McLeod	5998
Ms Lankin	5999

ORAL QUESTIONS

Nursing staff

Mr McGuinty	6000
Mrs Witmer	6000

Nursing programs

Mr McGuinty	6001, 6005
Mrs Cunningham	6002, 6005

Labour legislation

Mr Hampton	6002
Mr Stockwell	6003
Mr Christopherson	6003

Tenant protection

Mr Hampton	6003
Mr Clement	6003, 6004
Mr Marchese	6004

Air ambulance service

Mrs McLeod	6004
Mrs Witmer	6004, 6007
Mr Hampton	6006

Stalking

Ms Mushinski	6005
Mr Flaherty	6005

Water treatment facility inspections

Mr Dunlop	6006
Mr Newman	6006

Property taxation

Mr Phillips	6007
Mr Eves	6007

Homelessness

Mr Hastings	6008
Mr Clement	6008

International adoptions

Mr Cordiano	6008
Mr Baird	6008

Aiming for the Top scholarships

Mr Galt	6009
Mrs Cunningham	6009

PETITIONS

Education reform

Mr Ruprecht	6009
-------------------	------

Northern health travel grant

Ms Martel	6010
-----------------	------

Driver licences

Mr DeFaria	6010
------------------	------

Health care funding

Mr Bradley	6010
Mr Agostino	6011

Diabetes treatment

Mr Tascona	6010
------------------	------

Protection of minors

Ms Mushinski	6011
--------------------	------

School closures

Mr Ruprecht	6011
-------------------	------

Registration of vintage cars

Mr Gill	6012
Mr O'Toole	6012

Fire protection services

Mr Bradley	6012
------------------	------

SECOND READINGS

Labour Relations Amendment Act,

2000, Bill 139, *Mr Stockwell*

Agreed to	6013
-----------------	------

Continued Protection for Property

Taxpayers Act, 2000,

Bill 140, *Mr Eves*

Agreed to	6013
-----------------	------

THIRD READINGS

Continued Protection for Property

Taxpayers Act, 2000,

Bill 140, *Mr Eves*

Mr Eves	6013
---------------	------

Mr Phillips	6016
-------------------	------

Ms Lankin	6017
-----------------	------

Mr Young	6020
----------------	------

Mr Smitherman	6022
---------------------	------

Ms Mushinski	6024
--------------------	------

Mr Colle	6025
----------------	------

Mr Kennedy	6026
------------------	------

Mr Bradley	6027
------------------	------

Mr Conway	6027
-----------------	------

Vote deferred	6028
---------------------	------

OTHER BUSINESS

Visitors

Mrs Ecker	6009
-----------------	------

continued overleaf