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Wednesday 13 June 2001

Mercredi 13 juin 2001

Speaker
Honourable Gary Carr

Président
L'honorable Gary Carr

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LEGISLATIVE ASSEMBLY
OF ONTARIO

Wednesday 13 June 2001

ASSEMBLÉE LÉGISLATIVE
DE L'ONTARIO

Mercredi 13 juin 2001

The House met at 1845.

ORDERS OF THE DAY

GOVERNMENT EFFICIENCY ACT, 2001

LOI DE 2001 SUR L'EFFICIENCE
DU GOUVERNEMENT

Resuming the debate adjourned on June 12, 2001, on the motion for second reading of Bill 57, An Act to promote government efficiency and to improve services to taxpayers by amending or repealing certain Acts / *Projet de loi 57, Loi visant à favoriser l'efficience du gouvernement et à améliorer les services aux contribuables en modifiant ou en abrogeant certaines lois.*

The Acting Speaker (Mr David Christopherson): Further debate?

Ms Shelley Martel (Nickel Belt): Thank you, Speaker. Where would you rather be on a Wednesday night than the Ontario Legislature? I could think of a few places.

Anyway, let me say that earlier this afternoon I had to deal with the government once again moving a time allocation motion to shut down democratic debate in this Legislature. You know what? I appreciated the work Mr Caplan did in terms of looking at some of the time allocation motions. I think it's worth just repeating what those were, and I hope he doesn't mind that I do this.

In the last 39 bills this government has moved, this being the Conservative government, we've had 24 time allocation motions. I wanted to compare that to the time we were in government, when we had 21 time allocation motions with 163 pieces of legislation. When a government member like the Minister of Labour, whom I had to listen to this afternoon, talks about, "Well, that's the way it was when you were here. We just flipped the tables over and now that's the way it is when we're here," he's quite wrong, isn't he, Speaker? If you just look at the numbers, it's very clear that during the course of our government, the overwhelming majority of bills were not dealt with through time allocation, whereas under this government the overwhelming majority of bills are dealt with by this government shutting down democratic debate so that duly elected MPPs like myself just don't have an opportunity to participate.

Interjections.

The Acting Speaker: Order, order. The member take her seat. It's really warm in here. The air conditioning is not working, I understand, but we did really well this afternoon, so let's see if we can continue that for this evening. Let's give our attention to the member for Nickel Belt.

Mr Doug Galt (Northumberland): She's irritating.

Ms Martel: Do you think I'm worried about that really, Mr Galt?

We're here tonight to deal with Bill 57. Bill 57 is another little creature that this government has adopted whereby they look at a number of ministries and make a number of changes, all under the guise of a single bill that's allegedly supposed to do something about efficiency. In this case, of course, we have a red tape bill that amends approximately 50 statutes and repeals a handful of others. This is occurring under a number of schedules—15 ministries are in fact affected—running from schedule A to schedule O. I say it's another creature that has been really adopted by this government, because in almost every session of Parliament under this government we have been facing such a bill. I think it began with Bill 26, that infamous omnibus bill just after the government was elected.

The thing about these omnibus bills is that the government would have the public believe these are just minor housekeeping amendments, just a few changes, a little tinker here, a little tinker there, "We're not really doing anything that should dramatically affect the public, and this is going to make government work, oh, so much better once we get it passed." But the thing is, right from Bill 26 and with each of the omnibus bills this House has dealt with, there has been more than just a minor tinkering with this bill or that bill. There has always been one, two, three or 10 items in those schedules that have a dramatic impact on people and couldn't be construed by any reasonable person as a minor change, a little housekeeping item, something we shouldn't worry about.

This Bill 57 is no different, because while the government tries to say this is all about efficiency and improving services, in fact in a number of cases there are very direct, very controversial, very dangerous withdrawals of rights that workers already have. This bill is no exception. We see the government again trying to disguise this, trying to say to the opposition and the public, "Don't worry. Sweep it under the rug. Minor changes," when in fact some really significant changes occur in some of these schedules, and I want to deal with two in the time I have tonight.

1850

The first deals with schedule C, specifically the amendments to the Hospitals Labour Dispute Arbitration Act. I'm sorry the Minister of Community and Social Services is not here, because this directly affects people he deals with, both in terms of employers and employees and any number of transfer agencies that his ministry funds. I'm not sure if he knows that this has actually been added to this omnibus bill, that his colleague the Minister of Labour is interested in making this kind of change. I view the change as really unnecessary, because I believe the current system that is in place under HLDAA works well for employers and employees in the developmental services sector. I cannot, for the life of me, figure out why the government would want to make the kind of change it is making, unless it has something to do with the fact that a number of these workers, who are very low-paid workers doing important public service for the intellectually challenged, were using the arbitration process and were getting a bigger amount of money than they might have been able to get through collective bargaining. That's the only reason I can see that the government would come through this schedule and make this type of change, which in essence will probably dramatically affect the pay of a number of workers in this sector—pay, I assure you, that is well below that of their counterparts who work in public facilities in this province, for example, in psychiatric hospitals etc.

The current situation is this: as a consequence of actions that took place in the early 1980s, any number of workers were designated as essential services and so their recourse in terms of pay issues, if they couldn't resolve them with their employer, has been resolved at arbitration. This began with hospital workers, and then the law allowed that any number of agencies whose employees and employers together went to the Ontario Labour Relations Board and made a case of why they should be declared an essential service could have the labour relations board agree to that. When that occurred under those circumstances, those employees could begin a collective bargaining process, but if there was no agreement, they did not exercise the right to strike; they instead went to arbitration. They gave up their right to strike.

I suspect that many workers in this sector did that because of the clients they work with on a daily basis. We are talking about employees who work in group homes with the developmentally and intellectually challenged, some who might have very serious behavioural problems, some who may be very difficult to deal with. It also applied to any number of people working in sheltered workshops, for example, with the same kind of clientele, who in many cases needed extensive support, sometimes 24-hour support. Many of these workers in these agencies made a very conscious decision—I suspect because of their concern for their clientele, because of the concern for the families of those clients—that they would try and be designated under HLDAA so that they would get pay issues dealt with at arbitration versus

going on strike. Their decision. Each has had the opportunity to go to the Ontario Labour Relations Board, and the board has made a decision either to designate or not, since about 1982.

You've got another set of workers who may work in the very same sector but who have made a decision that they want to exercise collective bargaining and the right to strike if in fact they can't bargain collectively with their employer. Instead of asking to be designated, they continue to have the option of being able to strike if they can't get their wage demands met and if they can't come to some agreement with their employer, and I think that process has worked very well in those sectors. What I don't understand is why the government now is moving to make quite a significant change in this sector. As I read schedule C, all of those groups that before got designated under HLDAA and went to arbitration when collective bargaining didn't work will now lose that designation. So the manner in which they will have their disputes resolved, if they can't get them resolved through a collective agreement in the bargaining process, will be to go on strike.

It seems to me that surely there are some bigger issues in this sector that the government might want to deal with. If there has not been a problem with the current system in this sector for these workers—either you got designated under HLDAA or you did not—why is the government in schedule C now trying to take away that designation and take away that arbitration process?

The only conclusion I can come to is that perhaps some of these workers, who everyone in this House knows are very poorly paid and who do tremendous work with the intellectually disabled, have been in agencies that were designated under HLDAA, have gone through the arbitration process and have got a substantial award, probably what they were actually worth in terms of the valuable work they do, and maybe it is that the government doesn't want to see these folks able to use the arbitration process any more to get those wage increases.

I say to the government, God, if that's what's driving the change you are making in this section, that's a really pathetic way to deal with these important workers. It seems to me that the way you deal with their pay is to recognize the value of their work and to pay them accordingly. That was the very thing I mentioned when we had the Association for Community Living here on May 15 and we were celebrating Community Living Day.

I'll make the point again: you've got workers in this sector who do tremendous work with the most vulnerable clients in Ontario, the most vulnerable people in Ontario, and they on average are getting paid 25% less than their counterparts who work in institutions with the same clientele. If we're going to keep these people doing the incredible and valuable work they are doing, then we have to start to recognize the value of that work and increase their pay.

I know the Minister of Community and Social Services in the budget announced money for this sector. He has assured me that a portion of that money will be used

to raise the pay of workers with the Association for Community Living. I have to trust that he is telling me the truth when he says that. So I would say to him: Get rid of this section in schedule C. Pull it out of the bill. Take it out of the bill. There is no need to change a process that has been working unless your only aim is to try and find a way to decrease the wages of workers in this sector.

And if the minister is telling me on the one hand that what he's trying to do is raise wage levels, then he should be just as offended as these workers in this sector that this section even appears in the bill. The government should get its priorities straight: never mind this section and schedule C; go about negotiating with OPSEU and with CUPE, who primarily represent workers in developmental agencies in that sector, and start to raise the wages of these people.

The second schedule I have very serious concerns with, and I only point out two tonight in the time that I have, is schedule I, and I refer to the amendments to the Occupational Health and Safety Act. Specifically, I want to deal with three of the changes.

The first, of course, is the one that concerns me the most and concerns our party the most, and that is the repeal of section 43(7), which requires—requires now—a health and safety inspector to investigate a work refusal at the workplace in the presence of the worker. The change the government wants to make through this schedule is to allow an inspector essentially to make a decision over the phone, to hear the details of the work refusal over the phone and then decide whether or not he or she is going to, as an inspector, go to that workplace and investigate what's happening.

1900

I don't know what the government is thinking about in this regard. First of all, it's worth mentioning that at a briefing my colleague who is our critic for the Ministry of Labour had, the ministry people there said, "We get, on average, between 200 and 300 work refusals in a year." That's one, across the province, every day. No reasonable person could ever, ever legitimately argue that workers are abusing this right. If you have one per day across the province, you just cannot stand in this place and say that's an abuse, that workers are abusing it and we need this to cut down the time and the energy and find some savings from not having these inspectors do this work.

The ministry staff also told my colleague that they still felt that 99% of the calls that came in would be investigated on site by an inspector. If 99% are going to be inspected after this change, what are you doing this for? What are you doing this for, then? What is the point of this exercise? I find it hard to believe that the ministry would go to the effort of saying, "We're not going to automatically go in when a worker calls," exercises his or her right to refuse and the employer says otherwise, "We're not going to go in and do that automatically, but in 99% of the cases we probably will still go in." Well, what are we spending legislative time for doing this?

I have some trouble, Minister of Labour, believing that in fact they are going to go in in 99% of the cases. I look at this and say, if this is in front of me and the government is investing some time in this schedule, that means the government is going to be sure that they're not going in in 99% of the cases, that they're not going to go in half the number of times that they might now.

So what is the point of wasting everyone's time and sending a message to workers that says essentially, "Don't bother exercising the right to refuse any more, because we're going to have an inspector on the end of the phone who may decide—may not—if he's going to come." There's nothing in the bill that sets out any of the criteria that the inspector is going to use to determine if they go into the workplace or not.

I'm thinking of the workplaces in my riding. It's going to be cute at 3,500 feet underground, when a miner is exercising his right to refuse, to be on the end of the phone with the Ministry of Labour inspector, trying to describe the situation underground that led him to exercise his right to refuse. You're going to have someone sitting 3,500 feet above ground trying to sort out what's going on down on there and whether or not they should make an appearance? That's ridiculous.

The law was put into place to protect workers, and there has been no abuse of this law by workers. I'll bet in 99% of the cases workers who exercise their right to refuse are in a unionized shop, which doesn't include the majority of workers in this province in the first place. If you work in a non-unionized shop, you probably don't even know you have the right in the first place and, God knows, if you exercise it, you would anticipate losing your job the next second after that.

We're talking about a minority of workers overall in the province who would actually be aware of this right and then exercise it. We learn from the ministry that on average in a year—in a year—200 to 300 workers would exercise this right, one a day across Ontario. In the thousands and thousands of workplaces that we have across Ontario, one a day might exercise this right. There's nothing frivolous about this. Workers who do exercise this right take it very seriously, I can assure you. To say that, "We'll just get rid of the automatic obligation, but we're still go in 99% of the time," I'm sorry, I can't believe we would be going to all this trouble if the ministry is still going to go in 99% of the time to investigate these complaints.

Do I think the minister has other intentions? Absolutely. I think that's why this is in this schedule. I absolutely believe that if it's here, there is a reason for it, and that reason is to have the inspectors go into these workplaces less and less, which means less and less protection for the very people the law was put in place for.

It's not just me who thinks it. I see that any number of members got a copy of the letter addressed to the Honourable Chris Stockwell, dated June 11. It's from the representatives of the health and safety inspectors across the province. They say:

“We are writing you as representatives of health and safety inspectors seriously concerned about the adverse impact of the proposed changes to the Occupational Health and Safety Act....

“We are seriously concerned by the lack of consultation with inspectors during the process of formulating these amendments. Indeed, many of us were surprised, and somewhat embarrassed, to learn about these amendments from our clients in the field.

“We have grave concerns about the proposed changes to section 43(7) ... which will now allow an inspector to investigate a work refusal without having to be present at the workplace to examine the actual work situation. As ... professionals, we find this an absolutely unacceptable approach that perverts the basic tenets of good investigative practice and sound health and safety and industrial hygiene principles. Such an approach will inevitably result in the tragic consequences that the lack of regulatory vigilance led to in the town of Walkerton.”

The letter goes on. The point is, here we've got another bill and the government says, “Don't worry; be happy. These changes are minor.” There are very significant changes that impact directly on the rights of workers, and we will oppose this bill.

The Acting Speaker: Questions and comments?

Mr Galt: I was quite entertained by the presentation of the member for Nickel Belt, particularly in the first two to three minutes. She commented about the time allocation motion that we had here this afternoon and listed off a number, suggesting a lack of consultation, a lack of hours spent in debate on various bills.

I'd like to point out to her that the time spent on second readings in our first session was four hours and 50 minutes, while they spent one hour and 28 minutes. In the second session they improved a little bit. We were up to six hours and 10 minutes per bill; they came all the way up to three hours and 55 minutes.

Mr Speaker, you can obviously see, and I think you would understand, what's been happening here. Our government has been very extensive and very generous in the hours that we've spent on these different readings.

Then there was some talk about the number of days. Again, I look at this and see 431 sessional days—that was in four years, less a week—and the NDP in, I think it was five years, just about five years anyway, had 385 days. That's some 46 days fewer that they sat than our government. So I really don't quite follow the message from the member for Nickel Belt and the concerns that she was expressing about a time allocation motion to get on with things. Yes, there may have been a few more in this term, but the hours that we've put in in debate and provided have been far more extensive than either of the two previous two governments.

Also, I think it's interesting to note that her government, in fewer days, passed 163 bills, while our government passed 114, significantly fewer bills, in a lot more days. So the argument that she has on consultation certainly does not stand up in hours of debate and days of debate.

Mr Peter Kormos (Niagara Centre): The member for Nickel Belt does it again: she sends the Minister of Labour scurrying out of here with his tail between his legs.

Look, this bill is all about an attack on hard-working women and men here in Ontario. It reflects this government's agenda. It reflects this government's attitude toward working people, and that is that this government, this Minister of Labour, is prepared to sacrifice the lives, the safety, the physical well-being, the health of Ontario's workers so that their corporate friends can maximize profits, just max out, without having to pay any regard to the rights that workers have won over the course of decades and generations, the rights that are being repealed here in schedule I of Bill 57. It's all about efficiency; it's all about making things more efficient for big international corporations. It's all about making workers' lives more dangerous. At the end of the day, I'm telling you, workers are going to be injured as a result of this, workers are going to die as a result of this.

I tell you, this is also very much part of the privatization agenda, because even as it is, in terms of the number of Ministry of Labour inspectors, we're shy around 80 from the full complement of what I'm told is around 280. There are only 200 of them working. The government has refused to replace those other 80 workers. I predict privatization of the so-called Ministry of Labour inspection services, and the elimination of the requirement to do on-site inspections simply once again raises the profit margin for the corporations that are going to be taking that task over, be it Andersen Consulting or any number of close, intimate friends of this government.

1910

The fact is as well that people are angry out there. Paramedics are angry at what this Minister of Labour and this government have done to them by virtue of their time allocation bill today. Workers are angry. The Ontario Federation of Labour and its executive board have promised—and it's a promise they're going to keep, I can tell you—to make life miserable for the Minister of Labour, his Premier, his government, and for their corporate friends. There's going to be workplace actions across this province. Places are going to be shut down. No warning this time; it's simply going to happen.

Hon Chris Stockwell (Minister of Labour): I certainly wasn't scurrying out of here. I was simply just getting a rest from the rhetoric and hyperbole that I heard for the last little while. It's difficult to continue to hear this kind of fearmongering. It was ridiculous.

They must have no respect for the professional civil servants who work in this province. You must have no respect for them. You must honestly believe that if it's raining out or something, an inspector wouldn't go to a very serious health and safety request. You must think these people are just lazy layabouts. This government doesn't share your opinion. We understand the professionalism attached. The reason this is giving them this kind of authority is because we believe in their profes-

sional nature. We believe that if they think it's a real health and safety issue, they will travel there and inspect.

But not the New Democrats—who claim to speak for whom? Whom do you speak for, I say to the third party House leader. You've got nine members. You got 9% in the polls. You've got a disconnect here between your unionist buddies, the executive leadership, you and the rank-and-file people out there. You say you speak for them, and they vote for us. It's a crazy disconnect. You don't speak for them. Quit pretending you speak for them. Quit blathering on about you speak for the working people.

They believe in this government. We created prosperity, we created jobs, we created all the good things that they have now, not your administration. You sit here in your bellicose fancy, standing up and screwing up your nerve, telling us, "We speak for the working people." You had nine points in the polls. You speak maybe for your immediate family; that's about it. I don't want to hear any more. There's a disconnect between you and the people. We filled it. We speak for the working people, not you.

Mr Wayne Wettlaufer (Kitchener Centre): I was slightly amused, I almost actually broke out into laughter, when I heard the member for Niagara Centre stand up and speak with his usual rhetoric and hyperbole. He was also in a committee meeting this afternoon which I was attending. That was on Bill 25. He had his union buddies in there, giving their usual spout.

I have to say that here he is, standing there and saying that he believes—I think he believes; I'm not even sure sometimes—that they stand up for the unions. I have to echo what the minister just said: we're the ones who are standing up for the unionized workers. They're the ones who are enjoying prosperity as a result of our policies over the last six years.

They talk about what they've done for working people in the province. They talk about all the time allocation on our bills? I recall that NDP government ruling by decree. The final year that they were in power, they only sat for, what, a half-dozen days?

Hon David Young (Attorney General, minister responsible for native affairs): When did the social contact—

Mr Wettlaufer: And the social contract; there's another one, I say to the Attorney General. Yes, thank you, the social contract. How many days of consultation did the NDP government have on the social contract?

I know they're going to say, "That was the Premier of the day," he wouldn't let them have any consultations. That's just a fact of life, isn't it? The fact is you didn't allow any consultation, none. You ruled by decree in the final year that you were in power. Good heavens. I can't say what that is, because it's not parliamentary.

The Acting Speaker: The member for Nickel Belt has up to two minutes to respond.

Ms Martel: It's too bad the Minister of Labour has scurried back out, because I'm going to read more from a letter that was sent to him by his own health and safety

inspectors, the very people who work for the Ministry of Labour and do the health and safety inspections. For all of you people who don't have a copy of it, you'd better get one, because you'd be enlightened by what the professional civil servants have to say about this bill from their own minister. Here's some more:

"From our own experience, we've found that what seems like a minor health and safety problem from an over-the-phone work refusal generally turns out to be much more serious when we are able to investigate the circumstances directly. Indeed, the ministry's own data will bear out the fact that the work refusal provision is used quite infrequently (a couple of hundred times per year) when compared to the thousands of contravention and stop-work orders we issue annually....

"As inspectors we are perplexed by the introduction of this questionable approach. While this approach may save some inspector time in the field, we find it inefficient with respect to achieving the desired end of enhanced workplace health and safety. We know that the ministry does have a staffing shortfall in terms of the number of inspectors available in the field. We also have a shortage of other professional disciplines such as industrial hygienists, professional engineers, scientists and occupational health doctors and nurses. These you will recall were drastically cut from the occupational health and safety program in 1996," under this government.

Here's the end of it:

"In the light of the probable adverse impact of these proposed changes to the legislation we are entrusted to enforce, we request a meeting you at your earliest convenience. We also request that you consider withdrawing these amendments until your inspectors and other workplace parties have been given an opportunity for meaningful input. This is not the time to be expedient. This is the time to be thoughtful and measured in our judgment."

These are the Ministry of Labour inspectors, the minister's own staff, who say this change is nuts.

The Acting Speaker: Further debate?

Mr Galt: I'm certainly pleased to be able to speak in support of the Government Efficiency Act, 2001, Bill 57, which is a continuation of the Ontario government's battle for good government. The bill is consistent with the speech from the throne back in April, which promised to streamline government and to remove barriers to jobs, investment and growth. Furthermore, this bill is also consistent with a profound cultural shift in all of the countries which are members of the Organization of Economic Co-operation and Development, an international organization.

In the 1999 speech, we spanned the accomplishments of the regulatory reform movement since the early 1990s. The head of program on regulatory reform at the OECD stated emphatically that these reforms have been indeed a success. The first generation of regulatory reform was to revitalize the functioning of economic activity by withdrawing governments from ownership and from intervention into markets. The OECD said that in the OECD countries where these reforms have been applied for the

last decade, the results have been a triumph of economic competition policies. The wealth, innovation and competitive advantage created by these reforms have launched a process of reform that is now a worldwide phenomenon and which is affecting the lives of billions of people.

According to these results, regulatory reforms could be among the most significant of policies aimed at alleviating global poverty and inequities in some poorer countries and of ensuring sustained economic growth in more industrialized countries.

That was the first generation of regulatory reform. We're now entering the second generation of regulatory reform. These kinds of reforms are needed to consolidate the move to freer-enterprise economic growth that has been so successful that it challenges the capacity of obsolete institutions to perform important functions. In other words, what we need to look at in this second generation of regulatory reform is institutional adaptation.

1920

Some countries have already moved toward this new relationship between government, business and stakeholders. For example, in the last 10 years, Italy has implemented advances in reforming the public sector and providing customer-oriented services. Countries such as Denmark have proceeded with pragmatic steps that have contributed to solid economic performance and adjustment to changing conditions. In the Netherlands, reform has been important to the modernization of the government and integration into the European economic market. All these countries have implemented reforms and have harvested economic benefits. Ontario must follow these examples. We must not lag behind. We must indeed remain competitive.

Bill 57 is a contribution to the goal of our government to remove unnecessary barriers to job creation and growth and to provide better services to our citizens. To this effect, Bill 57 contains changes designed to eliminate unnecessary requirements, clarify sections of statutes and simplify processes. It includes provisions that would remove out-of-date barriers and make it easier for many stakeholders to proceed with the necessary changes in their business without impediment from the government. The bill contains measures that would provide for better government services to the public and better administration of public resources. Let me mention just some of those.

The first one is the example of the bill amending the Lakes and Rivers Improvement Act to enhance the province's ability to protect public safety and property as it relates to water management. The amendments would allow the Ministry of Natural Resources to enact regulations for dam safety, thereby streamlining the process for making changes to such regulations. This amendment would help the government protect public health and safety.

We had a personal experience with that right in my own community, a little hamlet called Salem. There's

more than one around Ontario. It's the one between Colborne and Brighton. On that creek called the Salem Creek a dam broke away, and the rush of water took out another dam and carried a lot of silt into a very famous fishing pond, a most unfortunate incident that probably could have been prevented with the proper regulations without a whole lot of red tape.

Experience with some flood events in other provinces have clearly demonstrated that risk to life and property, social disruption and economic losses are significantly higher when the government is unable to take immediate action and respond to threats to public safety during a flood emergency. Currently, the Minister of Natural Resources has to notify a landowner before the ministry can intervene and order actions to prevent injuries or property damages during a flooding or a dam failure. This notification process can cause great delays in action, measured in days, therefore increasing the threat to life and property. This amendment would allow the Minister of Natural Resources to act quickly and effectively during an emergency by dispensing with the formal requirement to serve notice of intent in those instances where an immediate order is necessary to protect any person from injury or property from damage.

Another amendment in this bill establishes a specific limitation period of five years for the prosecution of offences under the Lakes and Rivers Improvement Act. A five-year limitation period is consistent with existing industry standards and similar acts administered by the Ministry of Natural Resources. Currently, the default period prescribed under the Provincial Offences Act is six months. Due to the remoteness of locations of dams in Ontario, several years can elapse before a deficiency is discovered and staff can determine whether or not an offence has truly been committed. A five-year limitation period is consistent with accepted industry standards, as specified in the guidelines of the Canadian Dam Association, to conduct dam safety reviews of high-hazard dams and is in line with the limitations period specified under similar acts. Furthermore, the limitation period applies only to prosecutions under the act. Statutes of limitations for civil suits will continue to be governed by a totally separate legal regime.

The second point I'd like to make is that Bill 57 streamlines some of the processes that currently create difficulties in delivering services. For example, the bill would amend the Commissioners for taking Affidavits Act and the Notaries Act. Currently the Lieutenant Governor has statutory authority to appoint commissioners for taking affidavits and notaries for administering those and taking affidavits. These amendments would provide for the appointment and revocation of appointments of commissioners for taking affidavits by the Attorney General or any public servant authorized by the Attorney General.

Let me recall that in 1999-2000 there were some 5,389 commissioner appointments, 1,963 commissioner renewals and 1,024 notary public appointments. Due to this high volume of appointments, it is not feasible for the

Lieutenant Governor to continue to hold the statutory authority to appoint notaries. Having the Attorney General or an authorized public servant approve the appointments would make the process more efficient. The proposed process is similar for appointments of commissioners and notaries to that used in Alberta.

The third point I'd like to make is that the bill contains an amendment to the Architects Act which would convert the current unregulated architects' indemnity fund to a licensed insurance company under the oversight of the Financial Services Commission of Ontario. The purpose of the amendment to the Architects Act is to provide greater public protection and confidence in professional liability insurance.

The new company would continue to supply coverage of up to \$250,000, but this conversion would allow it to compete on the open market with other companies to provide insurance coverage in excess of the required minimum level of \$250,000 now in place. The new insurance company would establish an arm's-length relationship between the insurance segment of the Ontario Association of Architects and its other activities. The insurance company would also administer the mandatory professional liability program for Ontario architects on a break-even basis, as in the past. The conversion of the indemnity fund would allow people to make claims directly to the new insurance company. It would also, through reinsurance, allow risk to be shared more broadly.

The fourth point: under this bill the Charities Accounting Act would be amended to give trustees, including trustees of charitable trusts and directors of charitable corporations, the authority to delegate investment powers. The amendment also establishes terms and conditions under which this delegation may occur. Certainly trustees are responsible for making all investment decisions, and many trustees, including trustees of charities, do not have sophisticated investment knowledge. Financial management has also become very complex and fast-paced, and many trustees would be better able to administer trust funds if they could hire professional investment managers to invest funds for them.

The legislation does not dictate who can act as agents for trustees. It does, however, require a trustee to be prudent in choosing an agent. It also requires that trustees closely monitor the performance of the agent, remedy problems, or replace the agent if necessary. Many trustees would be able to administer trust funds better if they could hire professional financial managers to invest funds for them. This is a good amendment. It shows that this bill is another initiative by this government to protect and to improve services to many stakeholder groups in very innovative ways.

The fifth point: Bill 57 provides more protection for some stakeholder groups. This is especially true for tenants, and I'm sure you'd be interested in that one. For example, this bill would amend the Tenant Protection Act and would increase protection for tenants by making it an offence for a landlord to retain a rent deposit and refuse to provide occupancy of the rental unit. While it is true

that most landlords do return rent deposits to the prospective tenants, they are not currently required to do so. Prospective tenants must go to the Small Claims Court to get their deposit back if a landlord refuses to return that deposit.

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By amending the Tenant Protection Act to require landlords to return a rent deposit if they refuse to provide the rental unit, and by making it an offence for the landlord to do so, we are giving prospective tenants greater protection against, clearly, an unfair rule.

This act would also make it an offence if landlords do not provide evicted tenants 48 hours to retrieve their property. Currently under the Tenant Protection Act landlords are required to give evicted tenants some 48 hours to retrieve their property. However, it is not considered an offence if they do not. Ten stakeholder groups have expressed concern that tenants are defenceless against landlords who refuse to allow evicted tenants access to rental units for the removal of their property. The proposed amendment would help address these concerns.

The sixth point: the bill would also include several provisions that would remove out-of-date barriers, to make it easier for many stakeholders to proceed with the necessary changes in their business without impediment from the government. For example, the bill intends to modify sections 34(2) and 34(3) of the Corporations Act. These sections from the Corporations Act state that in order to permit social club corporations to convert to business or non-share capital corporations, unanimous consent is necessary.

As we know, unanimous consent is almost impossible to achieve. It's rare that we manage to achieve it in this House, but it's even more difficult in social clubs. Therefore, the bill intends to modify this rule. Instead of unanimous consent, the bill would change this rule into a two-thirds majority of the shareholders. The rule of majority of two-thirds ensures that any move toward converting a social club corporation to a non-share capital corporation would receive the strong support of the social club.

Members of social club corporations agree with the proposal that only a two-thirds majority is needed to convert their social club corporation to a non-share capital corporation instead of by unanimous consent. This amendment is long overdue, since over the years the government has received requests from social clubs that they wanted this change.

The bill is also proposing to change sections 18(1), 113(2) and 119(1) of the Corporations Act to remove the requirement that applicants for letters of patent include their residence address and calling or employment status. This is a good example of an unnecessary bureaucratic requirement that can be easily eliminated. As we know, when dealing with customers, an address for service is sufficient and is consistent with other corporate statutes.

I'd like to share with you for a few minutes, as we talk about red tape and some silly regulations, some that I recently came across. The Reverend David Timpson, as a

matter of fact, was the one who shared these with me, and I have four here that are kind of interesting.

“Did you know that it is illegal in the city of Kingston”—Kingston, Ontario—“to wear clothes that clash with the city’s colours?” I’m not sure how long that’s been in place, but it was there when he was a young lad. I’m sure the member for Kingston, while mayor, may have changed that.

“There is a law in Florida that makes it illegal for a woman who’s single, divorced or widowed to parachute out of a plane on Sunday afternoon.” I’m not quite sure what the purpose there was.

“In Amarillo, Texas, it is against the law to take a bath on the main street during banking hours. And in St Louis, there used to be a law that if your automobile spooked a horse, you had to hide the car. And if hiding didn’t work, you had to start dismantling it until the horse calmed down.”

Probably when those various laws and regulations were brought in, there were sound reasons to do so. But it’s obvious, when they’re not taken off the books, they become pretty silly later on.

I remember back in 1995, when we took office, the Ministry of the Environment was encouraging to have pesticide containers recycled. But on the books there was a law that, if you did, you could be charged, because you were required to bury pesticide containers. It didn’t matter whether they were contaminated or not, you were required to bury them. We went through an extensive regulatory reform in that ministry, and the regulations were criss-crossed something like the logs in a beaver dam, all jammed in, and as soon as you’d start to move one, it affected a whole bunch of others. It was pretty complicated to make some changes in those regulations in that ministry, but it certainly was necessary.

I’d like to share with you a quote from James Reston. He once said, “A government is the only known vessel that leaks from the top.” With a whole bunch of red tape and a whole bunch of excess taxation, that’s indeed what happens to a government. With these changes, I honestly believe that we will stop some of that leak from the top that has been sinking Ontario in general, and it almost went under back in 1995. Thanks to a lot of the changes that we’ve brought to government—the reduction of taxes, stimulating the economy—the end result has been just more things are being sold, more people are working, we have almost a million more people working today than were working in 1995, over half a million people off welfare. I think it’s well over \$12 billion now coming in in revenues that were not coming in back in 1995.

It just shows you, if you do something with this red tape, if you do something with excess taxation—and it was said this afternoon in committee, “You know, I don’t think there was ever a tax that the NDP didn’t like.” That’s unfortunate and was what caused an awful lot of grief for our party—for the government, rather.

This bill intends to continue the work to keep Ontario prosperous and dynamic. With this bill, the people of Ontario would enjoy better services. I sincerely urge all

members of the Legislature to support job creation, economic growth and better government services by supporting this bill. I certainly can enthusiastically support this bill.

The Acting Speaker: It is now time for questions and comments.

Mr Kormos: Fine, except that schedule I withdraws, repeals some incredibly hard-won sections of the Occupational Health and Safety Act that help workers save workers’ lives. You see, schedule I of this omnibus bill repeals the section of the Occupational Health and Safety Act that requires an inspector to do an on-site inspection when a worker has exercised his or her right to refuse unsafe work.

We know that the government’s been slowly gutting that staff of inspectors. There’s a full complement of 280. That’s what’s required, but we know there are only around 200 inspectors working for the ministry now. They haven’t bothered to replace the ones who have been turfed. It means that the government is getting out of the inspection business. I think we’d better all read the writing on the wall very, very carefully to better understand what this means.

There’s supposed to be 280 inspectors. We now have a complement of about 200. Now these inspectors are no longer going to be sent to workplaces to do actual investigations, inspections, when there’s a right to refuse work. We know from the ministry’s own data that there are somewhere between 200 and 300 refusals of work per year. We also know that workplaces are going to become more dangerous because the repeal of sections 34 and 36 means that workplaces no longer have to maintain an inventory of the hazardous materials kept on site.

We know that, because of the repeal of sections 34 and 36, if this bill passes, workplaces no longer have to advise within their workplace the intake of yet a new hazardous material. This exposes workers to these cancerous materials, carcinogens, things that cause incredibly dangerous diseases and injuries. We know that workplaces are going to become more dangerous, yet this government is not going to send its inspectors to investigate—a recipe for disaster.

The Acting Speaker: Further questions and comments? Hearing none, the member for Northumberland has up to two minutes to respond.

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Mr Galt: I was listening to the member for Niagara Centre and listening to all the fearmongering that he was trying to create over there and speak on. That’s been about all that party’s been able to do for the last decade or so. Particularly since 1995 it’s been very, very ineffective.

It was interesting to watch last Friday in St Catharines the member for Niagara Centre basically trying to incite a riot while the committee was in session. It was very unfortunate for the democratic process that he would be doing such a thing. I was, frankly, quite disappointed. I held him in much higher esteem until I saw the performance on that particular day and what he was doing

right in his own home area. Not only that, he created a special meeting for union workers to come in to help with it. He was successful in holding the committee up for some 15, 20 minutes. But there was a very competent Chair, Marcel Beaubien. He got the meeting under control, got the crowd under control, didn't have to throw anybody out, although he should have thrown the member for Niagara Centre out.

The Acting Speaker: Stop the clock.

Mr David Caplan (Don Valley East): On a point of order, Mr Speaker: Is it parliamentary for one member to accuse another of trying to incite a riot? I believe that's what the member said about the member for Niagara Centre. My understanding is that that's not parliamentary at all.

The Acting Speaker: I'll give the member an opportunity to withdraw, if he'd like, but based on the reaction of the House, I didn't see anything—it was certainly provocative, but I would afford the member an opportunity, if he'd like. Please restart the clock.

Mr Galt: Thank you very much, Mr Speaker. I was just calling a spade a spade. It's how I saw it, if the member happens to be upset over that description of it, but I think that's what could have happened, had the crowd been so inclined. Fortunately, in that instance the crowd wasn't quite so inclined. They were a little more civil, so it didn't get quite that disruptive. But I think it might have, had it not been for the Chair and his expert ability in handling the crowd and working with them and talking to them. Otherwise, I think that would have happened. My compliments to the Chair of the standing committee on finance and economic affairs.

The Acting Speaker: Further debate?

Mr Steve Peters (Elgin-Middlesex-London): Thank you very much, Speaker. It's a real pleasure to see you in the Chair this evening.

We have in front of us this evening another piece of omnibus legislation. I think when historians look back down the road at the Harris government, there are going to be a number of things that they'll look at. They're going to look at the damage that has been done to Ontario in the field of education. They're going to look at what's happened as a result of the changes to the environment. They're going to see what's happened to our health care system. The list could go on and on.

But another famous trademark of the Harris government, unfortunately, is going to be their unrelenting support for omnibus legislation. It's a bill that's in front of us this evening, that talks of efficiency, but I don't think it's in the interests of the taxpayers of Ontario, whom all 103 of us here represent this evening. I don't think that the taxpayers of Ontario are looking at us to be efficient in the manner of ramming through omnibus legislation. I think the taxpayers of Ontario are looking at us as the legislators of this province to responsibly deal with the issues that are facing Ontarians today. It's not a responsible way to deal with the changes that are proposed within this legislation. It's not responsible, it's not efficient to deal with them in the manner of an omni-

bus bill. I think it's something we need to seriously look at, and I would encourage all the members in this House to think very hard about the regularity of these omnibus pieces of legislation that are coming in front of us.

I think too that we need to consider what has come out of the so-called Red Tape Commission. When the Red Tape Commission was created, I think people did think it was going to remove red tape and work toward removing barriers to doing business in this province. But what I think we've seen come out of this Red Tape Commission is an unprecedented dismantling of legislation and an unprecedented dismantling of government ministries and responsibilities that government ministries need to bring forth in ensuring that the rights of Ontario citizens are protected. What we've seen come out of the Red Tape Commission—and we're seeing it in front of us this evening with the legislation—is that more and more the rights of Ontarians are being lost, are being taken away by this government.

I think it's a sad day for us as legislators to have to witness this unprecedented use of omnibus legislation and the strong arm of the Red Tape Commission to dismantle legislation and dismantle government ministries—more important, legislation that has been in place over the years to protect people. What we're seeing with this legislation—and I'll speak to some of the specifics in it this evening—is that the rights and the protection of citizens of Ontario are once again being stripped away by the Harris government.

I think something Ontario citizens need to realize is that as government we do have a responsibility to make things better.

Interjections.

The Acting Speaker: Order. It's getting a little loud in here. The member is not that far from me and it's difficult for me to hear what he's saying, so I would ask members of the House to please give your attention to the member who has the floor. Please resume your debate.

Mr Peters: Thanks, Speaker. I had some coaching on speaking and I was told that I need to tone down my voice while I'm in the Legislature. I'm trying very hard this evening to do exactly that.

There is a responsibility on us as legislators to look after the rights of Ontario's citizens and to protect Ontarians, and we're seeing that stripped away more and more by the Mike Harris government. We've seen what's happened as a result of changing the way government does business, privatization of government services. We've seen that at first hand in what's happened to the environment in this province. The protection that governments and individuals put in place over the years has been taken away by this government. We've seen too—and we're witnessing it again in this legislation in front of us tonight, Bill 57—the government once again, under the guise of the Red Tape Commission, ramming through changes—changes, though, that the average Ontario citizen (a) is not aware of but, I think more importantly, (b) has not been asked if they agree to.

This is another legacy that the Harris government is going to leave behind for Ontario's citizens: a serious lack of consultation. One of the things that I think is of utmost importance—and it should be to everybody, all 103 members of this Legislature—is that not only are we responsible for creating legislation, but there is a responsibility on every one of us to make sure we take that legislation out to the people and make sure the people are aware of what's in the legislation. Again, we're seeing this not happen with this government.

I heard a speaker earlier talking about how the boat isn't leaking from the bottom any more; the water is coming in from the top—something along those lines. You know what's happened with the Red Tape Commission and omnibus legislation? You've poked so many holes into so many government ministries in this province that the damage you have done probably isn't visible right now, but we've seen some of the repercussions of your so-called red tape cutting with what's happened in Walkerton by the privatization of water services. You're not patching holes; you're creating holes. You're sinking this province. But I think more important, maybe not for any one of us here in the Legislature this evening but for future generations, the damage that you are doing—some of you will probably be in your graves, but I hope that you start to think a little harder about what you are doing to people in this province.

As we look through this omnibus piece of legislation that's in front of us this evening, let's look at schedule G, the Ministry of the Environment. They're expanding the prohibitions on providing false information to the Ministry of the Environment. I think that's good. That's a positive step. But the problem is that you've decimated the Ministry of the Environment, you've cut 40% of the inspectors, you've cut the budget of the Ministry of the Environment.

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When you look at the new inspectors you've hired and you start to review Job Mart, these aren't permanent positions; they're contract positions. You can do what you want to change legislation and say you're doing a better job of protecting the environment, but you're not putting your money where your mouth is, and that's in the area of enforcement and in the area of the resources that need to be there to ensure that a government ministry can run efficiently. That hasn't happened, and that's the sad track record of this government.

Let's look at schedule K, on the Lakes and Rivers Improvement Act. The operation and maintenance of dams would be expanded to include the safety of dams, transferring that from the Lieutenant Governor to the Minister of Natural Resources. Do you know what this government has done to dams in this province? You've let them go. You decimated the budgets of conservation authorities, who are largely responsible for the maintenance of these dams. But you've also decimated the capital dollars that are out there for dam improvement.

I was privy to a report that was leaked, fortunately, that showed the extent of the dams in this province and in particular the lack of capital maintenance that has taken place on these dams since 1995. The speaker earlier on talked about plugging holes. Well, I'll tell you, I hope you're all there with your little fingers, plugging the holes in the dams around this province because of the way you've neglected them.

I credit the member from Waterloo-Wellington for standing up to your government regarding the Conestogo dam. That's the first time I've heard a member from the government stand up and say you guys have done something wrong regarding the maintenance of dams in this province. I think it's a serious issue and a serious threat to public safety, how this government has abandoned the conservation authorities, and how this government has abandoned the capital costs that went along with the maintenance of these dams.

Again, this is one of those issues that maybe we're not going to see happen today or next year, but it's going to start to happen five years down the road, 10 years down the road, and the responsibility has got to lie, and will always lie, in the hands of Mike Harris and his government because of the way you have seriously underfunded the conservation authorities and dams in this province.

There are some good things: the amendments in the Ministry of Transportation dealing with operating a vehicle while being pursued by a peace officer. That is added to the list of offences in the act for which a person's driver's licence can be suspended on conviction. I think this is the kind of thing we need to do that is ultimately going to help ensure the safety of our public. We've seen—we've witnessed at first hand across the province—what happens in these police pursuits. The drivers have caused death and serious injuries to people across the province. This, hopefully, will add a little bit of encouragement to show these perpetrators that it's something that's not going to be accepted by government.

With omnibus legislation you can go through and find things in it that are good. But what the Harris government is so famous for is sliding in something else. There have been a number of pieces of legislation that have been before us, as legislators, that I myself would have supported aspects of in the past. But this government has this nasty habit of clouding a piece of legislation, having a piece of legislation in front of us with numerous good initiatives but then clouding it with something that is going to dismantle something people have worked hard for in this province.

At this time I need to talk about some of the serious things in the legislation that's in front of us this evening, and that's schedule I, the amendments proposed by the Ministry of Labour. Here again we have included in this omnibus piece of legislation items dealing with occupational health and safety issues that people have worked hard for over the years, that people have lost their lives for, that people have been injured for on the job. People have made great strides since this province was created in

1867, the efforts of countless individuals over the years to bring forth improvements. Instead of trying to bring forth legislation that sets us moving forward in the right direction for the 21st century, this government is taking us back to the 19th century. I think that that's extremely sad.

Let's look at some of the issues dealing with the Occupational Health and Safety Act. Let's start with the repeal of subsection 47(7). Right now in the province of Ontario, workers have the right to refuse unsafe work. They have the right to have that workplace investigated by a Ministry of Labour inspector, and they have the right to be there during that inspection. But this new amendment that's put forward is going to allow an inspector to investigate over the telephone, and not even one of these newfangled telephones that has a video screen on it so you can see what's going on. No, we're going to use an 1876 Alexander Graham Bell telephone for a ministry inspector to investigate a workplace. It's ridiculous.

How can you say you're standing up for the rights of people? You're not standing up for the rights of people; you're going backwards with this. It is amazing that an inspector could actually make a ruling on a hazard without actually seeing it. Come on, give me a break.

Repeal of section 36: right now, the Occupational Health and Safety Act says that employers must keep an inventory of hazardous substances in the workplace, and they must provide public access to this inventory. But do you know what? This section in Bill 57, our famous piece of omnibus legislation here tonight, repeals that. What's sad is that this means workers, public health inspectors, employees and fire safety officials are going to be denied access to information on hazardous materials.

We already see how hard it is—we've witnessed this week how hard it is for the average person to gain access to information in this province. But what you're doing here is playing an extremely dangerous game. You're playing with people's lives here. You're playing with people's lives, not only of those individuals working within that workplace, but the individuals such as those in our fire departments in this province, who are charged with the responsibility of protecting us and looking after public safety. Right now, you're putting firefighters at risk, and we've already seen countless times how you've put firefighters at risk across this province. You've just added another one to the table with this piece of legislation.

Repeal of section 34: currently, an employer must notify the director of health and safety if they bring a new chemical or biological substance into the workplace. They must provide information as to what is contained in this new substance. But do you know what? Bill 57 removes those requirements. Right now, the director can order an assessment of any new substance he or she suspects could be hazardous. But this bill strips the director of that power.

Repeal of subsection 52(1): right now, employers must report accidents to the health and safety director within

four days. The amended law would require this only if the inspector is notified. Come on. We know that right now inspectors rarely investigate minor accidents. These accidents are rarely reported. But you're taking it a step further. The director is not even going to know about dangerous workplaces until something happens.

Repeal of subsection 57(10): presently, health and safety inspectors in the province of Ontario must provide copies of their reports to workers who file complaints. The amended law would only require an inspector to provide a report upon request. You know what's not included in this? My gut tells me that if you want a copy of this report, you're probably going to have to pay for it.

You're famous for user fees. You talk about your tax cuts, but you don't look at all the countless user fees you've downloaded to municipalities and to citizens across this province. Now, dealing with health and safety issues in the workplace, if you want to get a report on an incident, you've got to request it. They didn't include it, but you're probably going to pay for it too.

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Then there are the codes of practices, a new section that's being implemented. This would give power to the deputy minister to accept codes or standards developed by industry representatives as the law of the land, simply by saying so. This would allow employers to ignore current legislation by following a standard the deputy has accepted.

Here we are with a piece of legislation that's quickly going to move through the Legislature, a piece of legislation that probably—I would lay odds, good odds—the government will invoke time allocation on. But I think the saddest thing to the citizens of Ontario and to the employers in this province is that other than our trying to raise this issue here within the Legislature, you're not going out to the public, you're not taking this on province-wide consultations so that the public could have some insight into what is going on.

The legacy of the Harris government: we've seen that legacy being left already and we know what the legacy is going to be down the road. I think all of you should think very hard about your support for this legislation, but more importantly, about what you're doing to the citizens of this province.

The Acting Speaker: It is now time for questions and comments.

Hon Mr Young: Let me start by acknowledging the remarks of the member from Elgin-Middlesex-London, in which he took some time to comment on Bill 57, which is in front of this assembly. It is indeed a bill that affects various aspects of government. It is a bill that, in my respectful opinion, would be properly viewed as a good-government-type piece of legislation. It's the sort of thing that government must do from time to time, on occasion, to ensure that they have governed well throughout the province, not only on matters that are immediately under their control but also on matters beyond their immediate control.

I look, as I open the bill to the very first page, at a number of matters that relate to the ministry I have the privilege of being involved in, being the Attorney General. I see various provisions that deal with, for instance, the Architects Act, a change that has come about by reason of the fact that there are many within this province who don't want to see the sort of difficulty experienced within Ontario that has been experienced within British Columbia dealing with leaky condominiums.

As a result of that, there is an initiative under way to ensure there is sufficient insurance in place in the name of architects to ensure that, should there be some difficulty with condominium projects, places where people often invest their life savings to buy a unit, there will be indemnification in due course, that that will be available. There is nothing sinister or evil as a result of this initiative. In fact it is, on behalf of the people of this province, something that it is most reasonable to do.

I look, in the same section, at what initiative has come from the same ministry dealing with the Public Guardian and Trustee Act—

The Acting Speaker (Mr Bert Johnson): Thank you. Comments and questions?

Mr Caplan: I want to congratulate the member from Elgin-Middlesex-London for his comments. I think they were very appropriate to this debate. This act covers a lot of ground. Maybe I'll pick up where the Attorney General left off. There are perhaps many laudable parts of this bill. Allowing architects self-insurance—there is nothing offensive about that. There is nothing in that section that should delay passage. However, there is a lot more to Bill 57 than just that one section. That was what my colleague from Elgin-Middlesex-London was talking about. I know he spent most of his time on the areas proposed by the Ministry of Labour, but there are some very interesting ones as it relates to tenants.

I would just read into the record—perhaps I'll have a chance to expand on this a little bit later—that the Ontario Rental Housing Tribunal will be allowed to hold written hearings on annual guideline amounts without requiring the various parties to serve all the documents on each other. That's a pretty fundamental change to the way the tribunal operates now.

There's a lot more in here as well. Landlords will be entitled to receive compensation for unauthorized parties who are in a particular unit, and that's a very interesting one. I know this has happened to my family. When my wife and I were first renting, my sister-in-law moved into the neighbourhood and needed a place to stay. She stayed with us for a few months. It wasn't authorized by the landlord, and it's a very common kind of arrangement. Does there now have to be compensation to the landlord because we took my sister-in-law in for a few months? That's a significant change in public policy. It's a significant change in people's lives.

What does any of that have to do with an act to promote government efficiency? I think that's the question the member from Elgin-Middlesex-London legitimately raises.

Mr Howard Hampton (Kenora-Rainy River): I think what is most relevant and germane here is that the government would title the bill the Government Efficiency Act, and in that bill would try to do away with important elements of protecting workers' health and safety, and would try to do it in such a way that it escapes public scrutiny and debate.

I think the member from Elgin-Middlesex was quite correct in pointing out that we are dealing with some fundamental workplace health and safety issues, and those issues deserve to be debated by themselves. We are talking about people's lives. We're talking about people's safety in the workplace.

For the government to simply say, "Oh, this is just a matter of government efficiency," seems to me to be saying that the government doesn't think it is efficient to protect workers' lives, that the government doesn't think it's efficient to require employers to produce lists of hazardous substances in the workplace, that the government doesn't think it's efficient to require employers to report accidents to the director of health and safety in the Ministry of Labour, that the government doesn't think it's efficient to require employers to report when they introduce new chemicals or new biological compounds into the workplace that may be dangerous.

I can only gather from this that this government doesn't think it's efficient to worry about the safety of workers, to worry about the lives of workers and to take the preventive steps to make sure they don't lose their life or that they're not subjected to undue harm.

Mr Wettlaufer: I listened very attentively to the member from Elgin-Middlesex-London in his speech. He talked a lot about the legacy of governments. I would like to take him back 16 years to 1985, between 1985 and 1990.

Let me talk about the legacy of the Liberal government. The spending of the Liberal government increased almost 100% over the course of five years. The Liberal government said they balanced the budget, but of course the NDP, when they came to power, realized that budget wasn't balanced. This government of the Liberals, between 1985 and 1990, was a government that increased taxes 63 times, I believe it was.

Hon Frank Klees (Minister without Portfolio): Sixty-six.

Mr Wettlaufer: Sixty-six times. That was the start of the brain drain from this province.

I was in Bermuda a few months ago and I was talking to 1,200 accountants who went down from Canada. I asked those accountants when they were going to come back home, because their contracts are coming up. They said they weren't going to come back because the taxes were still too high. That started under the Liberal government. The NDP continued the bloody thing.

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It's nothing short of ludicrous to suggest that our government would put the health and safety of workers at risk. It is ludicrous. It is—I can't say it because it would be unparliamentary. I cannot believe that any member in

this House would make such an allegation. I honestly can't believe it, but I will say this much: the legacy of this government is going to be one that is a heck of a lot better than the Liberal or the NDP, because we gave a lot of young people a lot more opportunity.

The Acting Speaker: The member for Elgin-Middlesex-London has two minutes to respond.

Mr Peters: I want to thank the member from Willowdale, the member from Don Valley East, the member from Kenora-Rainy River and the member from Kitchener Centre, and I want to weave through some of the comments that have been made.

The member from Willowdale talked of good government legislation. Well, good government legislation puts people first and ensures that there's protection for the people. This is not good government legislation. It's not good government legislation because, as the member from Don Valley East pointed out, there is a tremendous number of hidden details in Bill 57, a legacy that this government is going to leave behind of the damage they're doing to the Occupational Health and Safety Act and so many other things.

Another thing you can weave into this good government legislation also ensures that there is public scrutiny and public debate, as the member from Kenora-Rainy River pointed out. That is non-existent in this legislation.

The member talked about the legacy of previous governments. I've had the opportunity as a municipal politician to work under three governments and I can tell you that the Harris government is the worst government to work under.

Interjection.

Mr Peters: Pardon me?

Hon Mr Klees: I said, "Oh, shucks."

Mr Peters: I thought you said something else, unparliamentary.

The member talked about legacies. You talk about legacies and going to Bermuda to visit your accounting friends. Why don't you go to Texas and visit my friend Tacha, who went to Texas to do her nursing down there. Tacha is one of the 10,000 your government scared off. You talk about brain drain; you're causing it.

User fees are another legacy. You've talked about tax cuts, but the user fee increases—

The Acting Speaker: Thank you. Further debate?

Mr Wettlaufer: It's really interesting to hear the member opposite talk about going down to Texas. Guess what? I did last year, and you know something? The daughter of some very good friends of ours is a nursing supervisor in Texas, and do you know when she went down? She didn't go down under our government; she went down under the Liberal government because of a lack of opportunity. That's when she went to Texas. Isn't that amazing? I love how they can talk out of both sides of their mouths at the same time. But then they straddle the fence at the same time too, so I wonder.

I want to talk about Bill 57. I really am pleased to speak in support of the Government Efficiency Act and the potential benefits of the bill for all Ontario residents;

not just young people, to whom we are dedicated, but also to seniors and to middle-class, hard-working Ontarians.

Bill 57 is proposing measures that reduce paperwork. Why is that important? Well, the paperwork burden on businesses takes away from the entrepreneurial spirit. We will reduce that burden to support entrepreneurship, promote economic growth and protect public interests in many areas.

Our government believes that Ontarians deserve adequate protection in areas where rules are deficient. When the Minister of Consumer and Business Services introduced Bill 57 for second reading, he made the point that the Government Efficiency Act would increase protection for some stakeholder groups from potentially unfair rules. He mentioned the Tenant Protection Act and the Children's Law Reform Act. Those are but two examples of fair rules that will better protect members of the public.

Public safety is also an important feature of this bill. For example, my colleague from Peterborough mentioned that public safety would be increased thanks to an amendment to the Highway Traffic Act. His name is Gary Stewart, the member for Peterborough. He mentioned that the amendment to the Highway Traffic Act would make it mandatory to suspend the licence of a driver fleeing from the police. Is that not a commonsense approach? I believe it is, and I believe that Ontarians will agree with such amendments that will increase protection through fair rules.

The government has listened to the voices from the public and from businesses that called for fair rules and efficient and easy-to-understand services.

There is no doubt in anyone's mind, not even the members opposite, that in the last six years Ontario has experienced one of the most impressive periods of economic growth not only in the history of the province but in the history of the whole country. This was done in large part because of the creativity and drive of small business.

Mr Dwight Duncan (Windsor-St Clair): Let's hear it for Paul Martin.

Mr Wettlaufer: The member opposite wants to thank somebody other than small business. He wants to thank a government outside this province. Let me put it to you straight, member from Windsor-St Clair: small business has driven the economy of this country for the last six years. Small business creates 80% of the jobs in this province. Small business relied on us to eliminate some of the red tape. They relied on us to create an environment in which they could create jobs and reduce their taxes.

When we took office six years ago, we recognized that taxes were too high, bureaucracy was too big and red tape was strangling the initiative and innovation of business people, particularly small business. I don't see them clamouring for any increase in taxes. I don't see them running to the door of the Liberal Party and saying, "Please, please increase our taxes."

Our program of lower taxes, balanced budgets and elimination of unnecessary red tape has restored economic health and prosperity to the province. Nobody would argue with the fact that we must continue on this road, that we must continue to exercise vigilance and remove barriers to growth wherever they exist. That's why it is important to develop an environment conducive to job creation, to get rid of rules that are unfair and to prevent the buildup of unnecessary red tape.

With this Government Efficiency Act, we are continuing the work our government started six years ago. We are doing it because this government understands the enormous contribution that small business makes to job creation and because it understands the need for the public to have clear and consistent rules and regulations.

Mr Speaker, I'm sure you'll remember that when we came to power in 1995, we came to power with a promise that we would create an environment that would create 725,000 net new jobs within five years of our taking power. I can recall the Liberals opposite, specifically the member from Scarborough-Agincourt, standing up in this House, month after month, saying, "You're not on target." Well, he should have understood that there is such a factor as economic lag. It takes time to create the jobs after the environment we had in the 10 previous years. Suddenly we stopped hearing from him. Why was that? Because we suddenly were on target to create those 725,000 net new jobs. In fact, we exceeded that target and in the last six years we have created an environment in which 848,000 net new jobs have been created—not bad considering that the Liberals and the NDP opposite never want to give this government credit for anything. Business appreciates it and so does the average worker. The average hard-working Ontarian in this province really appreciates the fact that he or she has a much better job, a much better opportunity for advancement, a future for their families that they can now rely on.

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The government has introduced a host of changes over the last six years aimed at solving the aching problem of excessive red tape. It is a long process but we are keeping up the fight and we will continue to do so. We have seen some evidence that we are on the right track, in fact, that we are leading the way. A recent study by the World Bank has indicated that the Ontario jurisdiction—get this now—is the one where businesses face the least ordeal and barriers when starting up. I repeat that for the members opposite: it is the one jurisdiction in the world where businesses face the least ordeal and barriers when starting up. This is the effect on small businesses that our policies have had, the ones that create 80% of the jobs in this province. We want to extend that success to all levels of business and to all residents of Ontario.

There are many other changes in this bill designed to improve customer service and streamline government operations for greater efficiency. One of them is the amendment to some environmental statutes. This bill would make it an offence for anyone to give false information to the Ministry of the Environment or its

employees or its agents under several environmental statutes.

There is a reason why it is necessary to add third parties to the list of those to whom it is an offence to provide false statements. For a number of years, the Ministry of the Environment has recognized the need to work with others to find practical, cost-effective ways to strengthen environmental protection programs. For example, new innovative approaches have been developed and have made it important to ensure that accurate information is provided to those partners involved in delivering the environmental protection program. This proposal will help strengthen the enforceability of such environmental protection programs.

For instance, the Ministry of the Environment Drive Clean program is delivered by several third-party contractors. They act to fulfil requirements set by the ministry but they are not considered to be crown agents. Test facilities require accurate information about the motor vehicles to be tested, such as the identity and address of the owner and various other details about the vehicle. Additionally, these facilities do not submit test results directly to the crown but to another contractor. That contractor then maintains the database for the program. As the Ministry of Transportation relies on this database in making licensing decisions, it is clear that information submitted to the database must be accurate.

While it is anticipated that most of these situations can be addressed by the general language in the act, this proposal also includes the power to make regulations so that partners involved in the delivery of programs can be clearly identified.

The bill also contains an amendment to authorize the Minister of the Environment to establish and require the payment of administrative fees in respect of matters under the Environmental Protection Act, the Ontario Water Resources Act and the Pesticides Act. The ministry has addressed the concerns of the public and the regulated community by making a commitment to ensure adequate public consultation and accountability for future fee-setting initiatives. All fee changes established by the new powers of the minister would include thorough public and stakeholder consultation, including posting on the Environmental Bill of Rights registry, in addition to receiving appropriate government approvals.

The regulated community and the public were informed of this commitment from the Ministry of the Environment to undertake adequate consultation on future fee-setting initiatives through the posting of the proposal on the environmental registry for 30 days, ending March 14, 2001.

It is necessary to replace regulations for fees with general provisions in order for the minister to establish fees. It is a question of fair rule, fair practice and consistent government policy. The proposal is in keeping with this government's commitment to improve efficiency by replacing regulation-making powers with a minister's authority to set and collect approved administrative fees. Other ministries use similar fee structures.

The Ministry of Natural Resources uses it in the Aggregate Resources Act. It is used in 23 acts administered by the Ministry of Consumer and Business Services.

There are amendments to the Crown Forest Sustainability Act.

There is one other item I want to discuss that is part of Bill 57. That is a private member's bill I introduced on May 7. It is Bill 40 and it addresses a hiatus amendment to the Family Responsibility and Support Arrears Enforcement Act, 1996. The purpose of the amendment is to clarify that arrears that have accumulated between the time a support order is withdrawn from the Family Responsibility Office up to the point where the order is subsequently re-filed are enforceable by that office.

Under the act a support order can be withdrawn from the Family Responsibility Office if both the payor and recipient agree in writing to that withdrawal. There is also provision under the act that one of the parties can opt back into the Family Responsibility Office. This opt-back often occurs where the payor defaults on the support obligations set out in the order.

The period between the initial opt-out and opting back in the Family Responsibility Office is commonly referred to as the "hiatus period." The Family Responsibility Office has always enforced arrears incurred during the hiatus period and the courts historically have allowed them to do that. However, in the winter—I believe it was in January—a Divisional Court decision held that the Family Responsibility Office did not have the right to enforce hiatus arrears. Leave to appeal the decision has been granted by the Court of Appeal, but that appeal is not likely to be heard until the fall of this year.

What this did was put the mother and her child at a severe disadvantage in that if the Family Responsibility Office was unable to collect those arrears, how was that child going to be provided for?

I introduced my bill on May 7 and it has been incorporated into this bill. The proposed amendments would clarify that if an order is re-filed after a withdrawal, all arrears that have accrued during this hiatus period are enforceable by the Family Responsibility Office, as would be the case with any other filing of a support order with the Family Responsibility Office.

We are serious—very serious—about ensuring that as much money as possible gets to those who are entitled to it, and we want to make sure those arrears are paid to those who count on them. At the same time, the government is committed to minimizing any undue financial hardship for both recipients and payors.

In total, there are more than 120 items from 15 ministries in this bill, and the majority of them are improvements to government that will help the province to govern efficiently and effectively, while achieving regulatory excellence and facilitating economic productivity and prosperity.

These amendments are intended to remove unnecessary barriers to economic efficiency, to eliminate conflicting rules within various acts, or to eliminate various regulations that are outdated or were not well enough

designed to protect members of the public. Those amendments would replace regulations that are becoming an obstacle to achieving the economic and social well-being of the people of Ontario. With the Government Efficiency Act, 2001, the government wants to preserve and advance the interests of the public through better services and fairer rules.

This is an important bill for Ontarians and for the future of the province, and I urge all members to support it.

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The Acting Speaker: Comments and questions?

Mr Hampton: I listened to part of the address by the member opposite. Let me go back to what I'm going to refer to time and time again in this legislation.

I wonder if, in the time remaining, the member who speaks so glowingly of his government can tell us why this government would interfere with important sections of the Occupational Health and Safety Act; why the government would do this without any consultation; why the government would do this without any opportunity for widespread public hearings; why the government doesn't think it is important enough to ensure that, where there is a refusal to work because of an occupational hazard in the workplace, it's necessary to inspect it; why the government doesn't think it is any longer necessary for an employer to maintain an inventory of hazardous substances in the workplace; why the government doesn't think it is important any longer for an employer to notify the director of health and safety for the province when introducing new chemicals or biological agents, and to give information about the ingredients of new chemicals or biological agents before they're introduced into the workplace; and why the government doesn't think it's important for an employer to report accidents to the director of health and safety within four days.

Those are all important elements of protecting workers' health and safety in Ontario's workplaces, yet the government proposes to take them away, proposes to do away with them in the midst of an omnibus bill, without public hearings, without consulting anyone out there in workplaces, in the labour movement or even their own health and safety inspectors. Maybe, on behalf of the government, you can tell us why those things aren't important enough for the government to actually hold hearings or consultations on them.

Mr James J. Bradley (St Catharines): I worry about this bill because it reminds me very much of the way the Red Tape Commission dealt with Walkerton, with the Ministry of the Environment and some of the testimony that took place. That's what's very worrisome about this, because we had some of the same assurances then.

If you listen to that particular instance, Dr Richard Schabas, who is the medical officer of health for the province of Ontario, wrote a memo to his minister, Jim Wilson, who then wrote a letter to Norm Sterling, who was the Minister of the Environment, warning that since the government had abandoned, closed down, the Ministry of the Environment laboratories for the purpose

of water testing—those laboratories, you remember, used to directly notify by practice the medical officer of health if there was any problem with the water. So we have that situation where he gives a warning, one minister writes to another minister, and the minister writes back and says, “Look, don’t worry. Everything is OK.” There are always people to assure you of that.

Where I get to this bill is where you have substances that could be dangerous in the workplace, and the access to those substances. I know the government will say it’s duplication, but it’s very dangerous that fire departments, municipalities and individuals in the workplace do not have access to the information about these dangerous substances so that they know how to react in case there is an explosion, a fire or some kind of occurrence that takes place—even a flooding within the workplace.

When I listened to what happened in Walkerton and watched how the government ignored completely very straightforward, bold, clear recommendations and warnings, I get worried about legislation such as this where they want to make a change that will diminish what’s called the right to know for workers and others about substances in the workplace.

Ms Marilyn Mushinski (Scarborough Centre): I’d like to thank my colleague, the member for Kitchener Centre, for what I believe to be such an articulate expression of support for a bill that quite clearly continues the government’s agenda of creating jobs by cutting red tape.

It’s always curious when we hear the opposition rebut such strong arguments for a bill that will create a very strong economic environment in this province. It’s always curious to hear their somewhat bizarre reasons for opposing such an overwhelmingly supportive bill. I would suggest that perhaps we should direct them to the title of the bill, which clearly spells out the purpose of this government’s direction in everything we do. The title of the bill is An Act to promote government efficiency and to improve services to taxpayers by amending or repealing certain Acts.

It’s interesting. I know my colleague addressed the track record, the abysmal track record, of the previous two governments, the 10 lost years when we saw, I believe, 65 tax increases by the Liberals and 69 tax increases by the NDP governments of the day. I can certainly recall the—

The Acting Speaker: Thank you. Comments and questions? The Chair recognizes the member for—

Hon Mr Klees: It’s the member for Oak Ridges, Speaker.

Mr Bradley: For the moraine?

Hon Mr Klees: For the moraine, the Oak Ridges moraine.

I’m pleased to recognize the comments made in his remarks by my colleague from Kitchener Centre. He so rightfully reminds us of what this province was like just a few short years ago.

I was just recently in a meeting in Richmond Hill, with our chamber of commerce there, and we spoke at

some length about the economic environment prior to 1995. The member for Kitchener Centre referred to that. It was a time when businesses were leaving our province, it was a time when jobs were leaving, it was a time when investment was leaving this province, and people were frustrated. They were worried about the future. In fact, during those times, transportation wasn’t a problem. There was no gridlock on our highways in those days because there were no jobs for people to go to.

It’s a different world today, in a very positive sense, and it is because of our government’s agenda to reduce red tape. This bill being debated tonight continues to make life easier for people who have invested their capital, their equity, in a business to create jobs. What members opposite seem to forget is that jobs come only when someone invests in a business. People will stop investing if the agenda is of over-taxation and red tape.

We are committed in this province to continue to make it easier for businesses to do business, to create jobs, to invest, to contribute to the quality of life. Social services are not possible without good jobs and without strong revenue flow, so this makes sense not only for the quality of life but for jobs in Ontario.

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The Acting Speaker: The member for Kitchener Centre has two minute to respond.

Mr Wettlaufer: I’d like to thank the members for Kenora-Rainy River, St Catharines, Scarborough Centre and Oak Ridges for taking part in this. It’s almost laughable when the leader of the third party, the member for Kenora-Rainy River, stands up and talks about lack of consultation. He was in the cabinet of that government—

Ms Mushinski: No. Say it ain’t so.

Mr Wettlaufer: Yes, he was in the cabinet of that government when they passed the social contract, and I recall that there was no consultation. There were no public hearings, no opportunity for public hearings. I just cannot understand how he can stand in his place and make a comment like that, knowing full well what his government did.

As far as the Liberals are concerned, I have stopped paying attention to anything they say. For six years all I’ve ever heard—any time we introduce a bill here, they stand up and say the sky is going to fall—Chicken Little. But just because they say the sky is going to fall doesn’t mean the sky is going to fall. Everything they predicted would happen as a result of legislation we’ve passed in this House in six years has not come to pass. The legacy of the Liberals is one of absolute confusion, one of spending, one of increased taxes, and you want to sit down there in your place and lecture this government about the opportunities we have given Ontarians.

The Acting Speaker: Further debate?

Mr Sean G. Conway (Renfrew-Nipissing-Pembroke): I rise to make some comments about Bill 57, the nomenclature of which reminds me of those heady days in the old Soviet era where the nomenclature—

Interjections.

Mr Conway: Well, it is. I think 25 and 30 years from now, I say to the dyspeptic member from Huron, people are going to be embarrassed by some of this nomenclature, but in a free and democratic society one has the right to be embarrassed.

I want to agree with the previous speaker in one respect. I think it is not fair to say that the contents of Bill 57 have not been widely canvassed, because I think they have been. I think Bill 57 has been assiduously canvassed with the special-interest lobbies. I look at Bill 57 and say to myself, "Boy, this is a fundraiser's heaven, all over the place."

By the way, I want to say, as somebody said earlier tonight, that this is not all bad. There are scads of changes—some big, some small, some in between—and it would be a miserable, hateful person who would say that everything in this bill is bad, because it's clearly not the case. What is the case is that this Legislature hasn't the foggiest notion of most of what's in here. Not only does it not know, but, as is increasingly our wont, we don't appear to care either. It seems to be entirely adequate to stand up and mouth and cheer some of the most shopworn bromides that any of us can recall.

Look at this bill. Look at it: page after page, section after section—an amendment to the Architects Act. We are giving the certified general accountants the right to practice with a limited liability partnership, probably a good thing. I bet you that's helped fill a few fundraisers for Frank Klees and Mike Harris and lots of other people. The Architects Act, the vintners act, the Employment Standards Act, the Ministry of Labour Act—make no mistake about it, colleagues, because I don't assume that you're all just innocents from some cartoon strip; this is the stuff of serious successful fundraising, and we all know it. Increasingly, our politics here are becoming like that sport called water polo: don't believe any of the action above the waterline; it's only when you get a look at action with that submarine camera, when you see the real action, the kicking, the punching, the clawing underneath the waterline, that you get a sense of the true context of this.

I was interested, for example, because I was talking to some constituents not too long ago about the operational behaviour of the office of the public trustee. Does any of us really claim to understand what these administrative changes with the office of the public trustee—there are several in here—mean to ordinary Canadians living in Ontario? I don't. Maybe they're good.

Members, certainly on this side of the aisle, have made plain their deep-seated and, in my view, very justifiable concerns and objections to changes in that schedule of the bill that deals with occupational health and safety, and I think those arguments have been well put.

I want to spend a few moment talking about schedule F of the bill, which concerns the amendments to the Electricity Act. By the way, at least in one respect, those are good changes. We are actually giving the energy board some teeth to discipline and penalize bad actors—

and there are many at work, as we speak—in the marketing businesses around electricity and gas. That's a good thing. My question is: are there any resources at that police force to make this meaningful? I don't know, but let me be clear: that section of this bill which has to do with those amendments to the Ontario Energy Board Act, 1998, appear to me to be, in principle, good. Are they going to be efficient in the sense that they will actually deliver on the goods expected? I don't know. I hope so.

I chuckle at the other section of schedule F having to do with the Electricity Act, because I ask rhetorically—and I'm one of the members who is paid a good salary to try to understand the electricity business. I look at this and notice that we are amending the Electricity Act, 1998, so that "a person may apply to the IMO"—the independent market operator, the new referee for this electricity marketplace that's supposed to be opened up next year, and under this provision of Bill 57 we propose to give an exemption to certain people from "any provision of the market rules." Does anybody in this Legislature know what that means? I don't. I suspect it is significant.

But it's almost laughable that we come here and beat our breasts and say, "Well, we have put on the front of the bill the declaration that this is an act to promote government efficiency." Who could be opposed to that? I'm not. But are we so foolish, are we so willing to insult our own intelligence and the intelligence of this general electorate to suggest that, just because we've said it, it's axiomatic, it's got to happen?

In schedule F, what are we doing? I suspect we're doing something important. It may be good. I don't know. And you know what? Nobody here knows, and apparently we don't need to care, because we stand, automaton-like, beat our breasts and say, "Hallelujah. We proclaim an act to make the government efficient, and when we're finished with this, we've got another one. It's called Bill 46 and it's about public accountability. We're going to make our transfer partners toe the line. They had better be more efficient and more accountable."

But as my friend Bradley has observed, what about us? What about those difficult, trying evidentiary data that suggest that some of the rhetorical flourishes of yesterday have produced something other than advertised? Regrettably, I want to say to my friend from Kitchener, it is on your watch and it is part of your legacy that seven Ontarians died at Walkerton.

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The ultimate culpability for that will, of course, rest with the findings of the O'Connor inquiry, but as Mr Bradley from St Catharines has been rightly observing, we have now some evidence: the Schabas letter, the Wilson letter, couldn't be clearer four years ago.

I asked last night and I'll ask again, have we got any responsibility? What happens when this efficiency train runs off the track? Is anybody interested in accepting any responsibility? The rhetorical flourish, God knows, I can say it more easily than anyone. That's the easy part.

I repeat, there are ingredients of this bill that I am sure are good, and I'm sure I can find scores of lobbyists who will tell me privately, off the record, how hard they worked in consultation behind closed doors, with an entry fee of probably \$500 a half-hour, and how meaningful that consultation was. But this Legislature, seriously involved, truly accountable. Surely you jest. "Ask for whom the bell tolls." Clearly and sadly, I'm afraid it tolls for us, as some kind of deliberative, responsible body for all of this done in our name.

Mr Bradley: The first note I would like to bring before the House is the fact that what's unfortunate is that under the rules of the Legislature, rammed down the throat of this Legislature by this government, the member who just spoke, who in my view—I hate to embarrass him—is one of the most eloquent, thoughtful and certainly academically inclined members of this House, is confined to 10 minutes. We've had some speeches—including some of mine—that are 20 minutes that could be reduced to 10. I would always prefer to hear Mr Conway for an hour, let alone 10 minutes.

Let me touch on just one or two items, if I can, that he focused on that I think are important. One was what happened in Walkerton, Ontario, because I heard the same assurances. In the name of efficiency, in the name of saving money, in the name of giving a tax cut to the wealthiest people in the province, major, massive cuts were made to the Ministry of the Environment.

Laboratories that had served us very well, laboratories where drinking water was tested and where the results were back not only to the operator but to the medical officer of health, particularly if there was any particular problem, were closed down. Within a very short period of time—something like six to eight weeks—a new regime had to be put into place, but nobody ever set rules in place. As Dr Schabas and Jim Wilson wrote to Norm Sterling in their letters, no one ever put in place a regime whereby notification would go from the laboratory to the medical officer of health, who could then tell the people of the area what the problem was and take any necessary action.

The reason I say that—and I guess it's a bit repetitious of what the previous speaker said—is that we were given all the assurances by the Premier in this House that there were no consequences to that action. Dr Schabas, Jim Wilson and Norm Sterling have proved that not to be the case.

The Acting Speaker: Comments and questions?

Mr John O'Toole (Durham): I was temporarily out of the House but I was certainly doing work and I was watching the member from Renfrew-Nipissing-Pembroke, as I always do. He always has an entertaining and informative way of commenting on important government initiatives. I might say, my colleagues on this side are equally entertained by his comments. I particularly liked the reference to the water polo example of what's going on at the surface and what's going on underneath. I suspect we're so overt that it's transparent. People can

see that what we're trying to do is to eliminate barriers to opportunity for ordinary people.

I like to think of the Liberal policy bag as like a pinata: you poke holes in it and little toys fall out. Most of their solutions that I've heard over the last six years—and I think the member from Kitchener Centre said it earlier—have always been to increase taxes. It worries most people because they want stability. Clearly, our choice is to eliminate barriers to opportunities, to reduce taxes, to create a competitive environment for real people to execute their jobs.

There's no question this bill does a lot of things, but it does not raise funds. I want to contradict the member from Renfrew-Nipissing-Pembroke. In the abstract, what it does is listen to real people, small business, small enterprises that need to have certain regulatory changes made. This government is the government that listens and, the most important thing, responds. It has put to rest the water polo image and put in place an image of a pinata hanging from the ceiling and children poking things at it, wanting little things. Getting little toys falling out of it is how I'd like to leave the image of a wish list from all the people—

Mr Duncan: The member for Renfrew-Nipissing-Pembroke raised I think some very significant points about the nature of public debate in this Legislature and the importance of true accountability.

He spoke and referenced the size of the bill and the range of existing statutes that are affected by it. He spoke of the way in which changes to law and regulation are affected, the impacts and consequences of that. He indicated, I felt in a proper fashion, that for there to be true oversight on the part of this assembly we need to understand and debate the concepts in there, and even indicated that there were a number of parts of the bill that appeared on the face of it, from our perspective, to be OK, things on which probably all of us would agree.

I don't think anybody would disagree with the notion of more efficiency in government, for instance. However, the question becomes, what are the trade-offs? What price do you pay?

My colleague from St Catharines earlier in the evening, and again in responding to the member from Renfrew, noted that many of the changes that precipitated the crisis in Walkerton were parts of red tape bills, were done in the interests of efficiency and reducing red tape. Though members might like to make light of those sorts of things and talk about pinatas, I think it is incumbent on this Legislature, on all of us, to take seriously the business of oversight and to look at bills of this nature.

I say to the government, and I compliment my colleague for pointing it out, that if you are that proud and if you understand all parts of the bill, you could have broken it up, as was requested by both opposition parties, so that we could debate in an adequate time frame many of these substantial changes.

The member for Renfrew offers valuable insight. It is unfortunate that the government doesn't listen to that insight. It is unfortunate that we don't have an oppor-

tunity to have a meaningful discussion about this type of legislation.

Mr Hampton: Part of what I think the member, Mr Conway, tried to draw the government's attention to is the fact that buried within this legislation, which they try to call "efficiency," are a number of things which in fact take away people's rights, or put people's health and safety at risk, or are decidedly against the interests of some people in our society and decidedly in favour of someone else's interests. What is so objectionable is that the government is trying to do this with as little public scrutiny as possible, with little public debate, public discussion or indeed public awareness.

This is a government which has told us already that they're in favour of having a 60-hour workweek, and we see consequent amendments to the Employment Standards Act. If anyone is going to further try to inflict a 60-hour workweek on workers of the province, people across this province who are facing a 60-hour workweek at least ought to have the opportunity to have notice of this and have the opportunity to engage in some public debate.

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What the government is trying to do here tonight and trying to do through this bill is to make sure that doesn't happen—similarly, amendments to the Workplace Safety and Insurance Act. The government in fact imposes a two-year statute of limitation on some prosecutions. Guess which ones are going to be limited to two years? The limits on the individual liability of directors and officers. So, if you're a corporate boss, there's a two-year limitation period for prosecution—

The Acting Speaker: The member for Renfrew-Nipissing-Pembroke has two minutes to respond.

Mr Conway: I just want to make a final observation, and I'm sorry that none of the press is around tonight. I look at a bill like this and, as I say, there are undoubtedly things in here that are good and routine. But for every one of those, I'm absolutely convinced that there are five or six that really were bought and paid for by very focused special interests. I just wish we had a New York Times or a Washington Post or an LA Times that would take something like this and say, "Follow the trail." One of the reasons I like to read the quality American press is that in their more vigorous and transparent democracy they do this and it keeps both sides honest. We don't do it any more, or, if we do, we do it in a very incomplete way. We spend a lot of time on some welfare mother who didn't report \$10 worth of income and we make her the centre of all tabloid vigour.

But, as the member for Kenora pointed out, again, I can hear the Tory fundraisers singing hallelujahs, te deums praise, "This will fill the coffers." It looks so small and trifling, it does not attract the eye in the ordinary sense, but let me tell you it is the stuff that rings the till. I'm sure some of it may advance the public interest, but again I make the point: who knows? I just say look at schedule F, the stuff that I think I know something about. The piece about the energy board looks

good. The rest of it? I have my doubts. I don't know, nobody here knows, and apparently nobody much cares.

The Acting Speaker: Further debate.

Mr Hampton: With all the sections of this bill, with all the government's attempts to mishmash changes to the Workplace Safety and Insurance Board, to make changes to the Employment Standards Act, to eliminate certain rights and certain capacities under the Occupational Health and Safety Act, there is so much in this bill that is deserving of public scrutiny, public awareness and public debate. I'm not going to try to cover all, but I'm going to try to cover off what I think is the most serious problem with this legislation.

We know that in this province, since this government took office, the number of deaths in the workplace has started to accelerate again. For years in this province, in the late 1980s and early 1990s, we were actually having some success in reducing the number of deaths that happen in the workplace. We were actually starting to have some success in reducing the number of serious accidents in the workplace. But now, under this government—and this government boasts about it; they boast about it as efficiency—the number of deaths in the workplace is starting to increase again. The number of serious injuries where people are disabled for life is starting to increase in the workplace again. One would think that a government that truly cares about what's happening out there would pay some attention to that and would be interested in saying, "Why is that happening and what can we do to turn this around again?" But, alas, in this bill that they call the Government Efficiency Act, they are going to take away measures that have helped reduce the number of deaths in the workplace and the number of serious accidents.

I just want to refer to what they are. They are going to repeal section 43(7) of the Occupational Health and Safety Act, which required health and safety inspectors to investigate a work refusal at the workplace in the presence of a worker—not so unreasonable. When a worker feels that his health and safety may be threatened by something in the workplace and he or she says, "I'm not going to do this work. I'm going to demand an inspection," that's not so unreasonable. It's not so unreasonable to ask that a health and safety inspector come in and inspect the workplace and ensure that if it is safe, they certify that, and that if they find it's not safe, they take action. But this government's going to take that away.

As the law stands now, an employer is required to maintain an inventory of hazardous substances in the workplace: dangerous chemicals, dangerous biological compounds. This government is going to do away with that.

As the law stands now, it requires employers to notify the director of health and safety whenever they introduce new chemicals or new biological agents into the workplace and to give information about the ingredients in the new chemicals. The government's going to do away with that. At the same time they're going to repeal the power of the director of health and safety to order an assessment

of the agent, the chemical agent or the biological agent, where the director of health and safety is of the opinion that workers may be endangered by the use of the new chemical agent.

More people are dying in workplaces across this province and this government, in the name of efficiency, seems to want to further that unfortunate situation.

To tell you how serious this is, I'm going to quote from a letter from the actual health and safety inspectors. They work in the Ministry of Labour. They wrote this letter to the minister on June 11, just a couple of days ago. They say:

"We are writing you as representatives of health and safety inspectors seriously concerned about the adverse impact of the proposed changes to the Occupational Health and Safety Act introduced by Bill 57.

"As well, we are seriously concerned by the lack of consultation with inspectors during the process of formulating these proposed amendments. Indeed, many of us were surprised, and somewhat embarrassed, to learn about these amendments from our clients in the field."

These are the inspectors. These are the people who go out there and try to protect people's lives. They say:

"We have grave concern about the proposed changes to section 43(7) of the OHS Act which will now allow an inspector to investigate a work refusal without having to be present at the workplace to examine the actual work situation. As health and safety professionals, we find this an absolutely unacceptable approach that perverts the basic tenets of good investigative practice and sound health and safety and industrial hygiene principles." The inspectors say this is subversion. "Such an approach will inevitably result in the tragic consequences that the lack of regulatory vigilance led to in the town of Walkerton."

They're basically saying that what this government is doing in terms of occupational health and safety is similar to what this government did in terms of cutting the Ministry of the Environment and cutting the number of inspectors, which led to people dying and becoming seriously ill in Walkerton. They're saying to the government, "Don't do this again. You did it in terms of water at Walkerton. Don't do this in terms of the hundreds of thousands of workers who work in workplaces that have risks—risks of harm, risk of death."

The government's not listening.

"From our experience," they say, "we have found that what seems like a minor health and safety problem from an over-the-phone work refusal report generally turns out to be much more serious when we are able to investigate the circumstances directly. Indeed, the ministry's own data will bear out the fact that the work refusal provision is used quite infrequently (a couple of hundred times per year) when compared to the ... contravention and stop work orders we issue annually."

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So in other words, they issue far more stop work orders, they see far more contraventions, than they see work refusals. But what's this government going to do? It's going to undermine the capacity of workers out there

to refuse work where they believe it is a threat to their life or their safety.

They point out a number of other problems with this legislation. They're saying to the government, "Don't do to workers' health and safety what you allowed to happen to the water in Walkerton. Don't undermine workers' health and safety in the workplace. Don't allow employers to bring new biological and chemical agents into the workplace without reporting it to the director of health and safety. Don't allow employers out there to have dangerous chemicals and biological compounds without keeping a list." These are basic things. They're so basic to people's health and safety, yet I gather the government doesn't think it's efficient to do these things. Otherwise they wouldn't be eliminating it in the name of government efficiency.

A number of people have made requests of the government. They've requested information of the government since they learned about this bill. One of the things they've done is asked the Ministry of Labour to disclose the actual number of health and safety field inspectors currently active out there. In other words, they've asked the government, "Tell us, how many health and safety inspectors do you have?" The government refuses to do that. The government is supposed to have 278 but we believe, from doing a number count out there, that it's less than 200. Is that what the government's up to? They don't have enough health and safety inspectors any more, so they're going to do away with some of the regulations and some of the powers so they can justify this cut in the number of health and safety inspectors?

The Ministry of Labour does tell us that there are 200 to 300 work refusals in Ontario every year. That's all. So why undermine it? The Ontario public service union tells us there are somewhere between 2,000 and 3,000 stop-work orders every year. In other words, there are far more unsafe workplaces out there than there are workers who say, "I'm going to refuse to do this job because I believe it unsafe." So why go after the 200 or 300 incidents where workers refuse? Why undermine that? If their complaints are only 10% of the number of stop-work orders, the number of unsafe workplaces out there, why undermine it further?

Something else the government is going to do here is to allow codes of practice instead of regulations. That means somebody can defy the code of practice but they won't be guilty of breaking the law. That undermines it further. This is wrong—

The Acting Speaker: Thank you. Comments and questions?

Mr Wettlaufer: Once again I would say that the member from Kenora-Rainy River, the leader of the third party, is starting to sound like a Liberal.

Mr Hampton: Please don't insult me.

Mr Wettlaufer: He doesn't want to be insulted.

He's saying the sky is going to fall if we do this. For him to make an allegation that we would ignore the risks to the life and safety of the average Ontario worker is ludicrous in the extreme. It's absolutely unbelievable that

any member in this House could stand up in his place and accuse another member of not taking into consideration the life and safety of the workers of this province. I'm sorely disappointed in the member for making an allegation like that.

I can only say once again that many of the actions we've taken in this province have benefited the average Ontarian to a great extent. Young people have benefited, seniors have benefited, the middle class has benefited, the low-middle class has benefited, the low class has benefited. There are far fewer people paying taxes today in the low element than were paying taxes under the NDP government. When I say "the low element," I'm talking about the lower-income groups. Far fewer workers are paying income tax today than were under the NDP government, and certainly under the Liberal government; we know what their practice has always been: tax and spend.

I only want to say that the member from Kenora-Rainy River has it all wrong and I'm sorely disappointed in his allegation.

The Acting Speaker: I just want to clear something up, and that is that there were no personal allegations made; they were collective.

Mr Peters: I don't think it's the NDP that has it all wrong. I think the ones that have it all wrong are the Mike Harris Tories in this province.

The member from Kenora-Rainy River makes a good point. When you look at the title of this piece of legislation, it's the Government Efficiency Act, but I can't comprehend how government efficiency has anything to do with the Occupational Health and Safety Act of this province. If anything, it's not efficiency. This government is doing damage to people's lives in this province. How can this be efficient and, I think the member from Kenora-Rainy River rightly pointed out, how would a new amendment that would allow an inspector to investigate over the phone and not at the workplace itself be efficient? That's not efficient; that's disrespectful to citizens of this province. How do workers and public health and fire safety officials being denied access to information on hazardous materials increase efficiency? That doesn't increase efficiency. That puts people's lives at risk in this province.

Bill 57 removes requirements that the employer must notify the director of health and safety if they bring new chemical or biological substances into the workplace. It's beyond comprehension how that can have anything to do with government efficiency. Again, it's putting the people at risk in this province.

I commend the member from Kenora-Rainy River for bringing these issues forward because these are issues that the people of Ontario need to hear. These are issues, unfortunately, that because of this government's lack of consultation and lack of information, the average citizen in this province isn't going to be aware of. Do you know how they're going to find out? Somebody is going to end up dead or injured on the job, and that's sad.

Mr Galt: I was rather amused as the member from Kenora-Rainy River spoke. He talked about the government not listening. I was sitting here as he went through that, thinking back to the social contract. They didn't listen to anyone. They had no consultation. They just forced it through and broke every collective agreement in Ontario with any government employee at any level, provincial and municipal. Across the board they just hacked and slashed. This is a government whose friends were the unions and this is what they did. They talk about listening. They certainly didn't listen.

The one that struck me more right at home was Sunday shopping. That was a bill they brought in to make Sunday shopping legal in any store in almost any place. How many hearings did they have? How much consultation? Whom did they ask? They just brought it in, and they talk about a government listening.

Then he talked about government efficiency. I can tell you that one government we had in the province that wasn't efficient was the one we had from 1990-95. The number of small business people, the number of entrepreneurs that left this country—they were leaving in hordes. I can't tell you how many people I talked to in the latter half of 1995 and into 1996 who were moving back to Ontario because of the change in policy, the change in direction. Once they heard the throne speech that was over and above what we campaigned on, they were convinced, as was every member who campaigned for our party back in 1995, that Ontario was going to look different, and it certainly does. It looks a lot better for almost 11 million people who are working, who weren't working before, half a million—

Mr Caplan: I certainly want to congratulate the member for Kenora-Rainy River for his comments, and all members who have joined in this debate. I think they have pointed out that the Government Efficiency Act, Bill 57, is much more than it appears to be on the surface.

But I want to follow up on the comments of the member for Northumberland, who takes great delight in excoriating members of the New Democratic Party over their role in the passage of the social contract. I find that passing strange when I read the comments of one Chris Stockwell, now the Minister of Labour. He said, in debate on that infamous Bill 48, "I'd like to say at the top that I will be supporting this legislation on second reading. I will be supporting it because it is probably, of the pieces of legislation this government"—the Rae government—"has introduced, as close to the Conservative philosophy as anything that they have ever introduced."

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Also interesting: a day later, after those comments by the now Minister of Labour and by other members of the Progressive Conservative Party, voting and supporting the NDP's social contract—and Mr Hampton, the member from Kenora-Rainy River, did favour it and did support it—I looked at the actual vote results. You will find very prominent members of today's Legislature, members like Harris, members like Stockwell, members like Runciman, Tilson and Turnbull—the Conservatives sup-

ported this. So I say in defence of my colleague from Kenora-Rainy River to the member from Northumberland, if you're going to criticize the New Democrats, at least criticize them on something you didn't agree with them on. You agreed with them. You supported them. You encouraged them, because as Mr Stockwell, then member for Etobicoke Centre and now the Minister of Labour, said, it came closest to the Conservative philosophy of breaking contracts, removing collective agreements and all kinds of intervention.

The Acting Speaker: The member for Kenora-Rainy River has two minutes to respond.

Mr Hampton: I want to thank the members for their responses. I just want to emphasize again what's at stake and how serious this is. We are dealing with people's lives. We are talking about people who work in dangerous workplaces, who rely upon the government of Ontario to ensure that there are adequate health and safety regulations in place so they don't end up risking their lives every day when they go to work. In that context, the government proposes to take away a number of important measures, and the government chooses to call it "efficiency."

I want to repeat that workers will no longer be entitled to have a health and safety inspector come to their workplace when they have refused work because they believe the conditions to be unsafe. They'll no longer have the right to have an inspector come and inspect. The inspector could phone up a manager of the company, and if the manager of the company says, "Oh, things are fine," they can be told, "Sorry, we're not going to follow through on this." Employers will now be allowed to introduce dangerous chemical and biological compounds into the workplace and not give notice. Employers will be able to keep dangerous biological and chemical compounds in the workplace and not keep an inventory.

Incredible. It's incredible that any government would do these things to workers. But even more incredible is that a government would do it and try to hide it. That's what's going on here tonight. The government has tried to bury this in a piece of legislation that it calls "government efficiency," measures that are detrimental to the health and safety of workers across this province, and the government doesn't even have the courage to come out and say it. They're trying to hide it.

The Acting Speaker: Further debate?

Ms Mushinski: In my limited time, I want to tell you what an honour it is for me to speak about this Government Efficiency Act, 2001, because it truly does trace the essential characteristics of our adaptation to a changing world. We live in a world where Ontario families are busier than ever, where value for tax dollars is ever more important and where taxpayers expect and deserve convenient, prompt and professional service, whether it's from a local clothing store or a provincial government Web site.

Since 1995, this government's plan to improve the lives of Ontario families has been consistent and it's been clear. The plan has been to strengthen the economy by

cutting red tape, by reducing red tape and by eliminating barriers to economic growth. In the speech from the throne, the Ontario government has laid a new vision for this province. It has set a goal, it has set a very ambitious goal, and yet it is an achievable goal. It is within 10 years that Ontario will enjoy the best-performing economy and the highest quality of life in North America.

As the speech from the throne stated, it is now abundantly clear that economic strength and quality of life are quite inseparable. Only a strong economy provides the means to support important services such as accessible health care and quality education. Only a strong economy—

The Acting Speaker: Order. The Chair recognizes the member for Don Valley East on a point of order.

Mr Caplan: This is a most excellent speech. I really think there should be a quorum in the House to hear it. Would you please check if one is present?

The Acting Speaker: Yes, I will. Could you check and see if there's a quorum present?

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

The Acting Speaker ordered the bells rung.

Clerk Assistant: Quorum is now present, Speaker.

The Acting Speaker: Thank you. The Chair recognizes the member for Scarborough Centre.

Ms Mushinski: Thank you, Mr Speaker. I do appreciate the fact that my colleague on the other side wants to hear this speech.

As I was saying, it's truly only a strong economy that provides the means to support important services such as accessible health care and quality education.

We have a plan, and our plan is working. The people of Ontario have seized new opportunities that have yielded remarkable results: more than 822,000 new jobs and more than 578,000 people who have escaped the welfare rolls. In the last two years Ontario's economy outperformed that of each G7 nation, growth unseen and unprecedented since 1985.

We cannot rest on our laurels, however. The successes of yesterday should not obscure the challenges of today. We all realize that Ontario faces real and pressing tests, that the world economy is changing at a rapid pace and that local economies that fail to adapt or cannot compete will be left behind.

Responsible choices must be made if our province is to remain competitive and strong. It is sometimes necessary to remind all of us in this House that government is the servant of the people, not the master of the people, that citizens are more customers or clients. The entire public service belongs to them.

In order to ensure growth, fiscal responsibility and accountability, the speech from the throne underlined an action plan outlining the new ideas and decisive steps essential to protect the economy and sustain Ontario's quality of life. This plan is 21 steps leading into the 21st century. The number one priority of this action plan is that Ontario must remain competitive with the rest of the world. To achieve that objective, taxes must be

competitive. But above all, the regulatory climate must be conducive to investment and job creation.

I know I have to limit this speech because of time, but I want to end by saying that fiscal responsibility requires that everything government does it does efficiently, while offering citizens best value at lowest cost. That is what sound regulatory reform must achieve. By implementing

the amendments contained in this bill, Ontario would stay among the jurisdictions which have embraced the cause of championing economic growth along with better services for their citizens.

The Acting Speaker: It being 9:30 of the clock, this House stands adjourned until 10 am tomorrow.

The House adjourned at 2130.

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Une liste alphabétique des noms des députés, comprenant toutes les responsabilités de chaque député, figure dans les premier et dernier numéros de chaque session et le premier lundi de chaque mois.

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