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of Ontario**  
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**Official Report  
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(Hansard)**

**Journal  
des débats  
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**Thursday 27 September 2001**

**Jedi 27 septembre 2001**

Speaker  
Honourable Gary Carr

Président  
L'honorable Gary Carr

Clerk  
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LEGISLATIVE ASSEMBLY  
OF ONTARIO

Thursday 27 September 2001

ASSEMBLÉE LÉGISLATIVE  
DE L'ONTARIO

Jeudi 27 septembre 2001

*The House met at 1000.  
Prayers.*

PRIVATE MEMBERS'  
PUBLIC BUSINESS

IPPERWASH PROVINCIAL PARK

**Mr Peter Kormos (Niagara Centre):** I move that the Legislative Assembly of the province of Ontario, on behalf of the people of Ontario, calls on the federal government to immediately hold a federal inquiry into the events that led to the tragic death of unarmed aboriginal protester Dudley George, so that despite the continuing refusal of the Harris government to call a public inquiry, Ontarians may finally know the truth about what happened at Ipperwash Provincial Park on, as the resolution reads, September 6, 2001, clearly referring to 1995.

**The Acting Speaker (Mr Bert Johnson):** Mr Kormos moves ballot item number 19 and, according to the standing orders, has 10 minutes to lead off and will be followed by debate in rotation.

**Mr Kormos:** This matter has been not only before this Legislature but before the people of Ontario, before the people of Canada and, quite frankly, has been a matter of concern internationally now for six years and some weeks: September 6, 1995, an unarmed aboriginal Canadian engaging in a peaceful protest—acknowledged. The information that has trickled, at times haemorrhaged, into the public domain indicates, by virtue of a CSIS informant, one Jim Moses, present in Ipperwash park, that not only was Dudley George unarmed but that the authorities knew he was unarmed. In fact, during the criminal trial of the OPP officer convicted of the negligence which was in effect the homicide of Dudley George, the presiding judge found as a fact that Dudley George was unarmed and that the police knew that he was unarmed.

Critical in the debate since September 6, 1995, has been the growing concern and the incredible wealth of evidence that indicates that this government, the Harris government, so soon after their election to power, played a very specific role, a political role, which constituted interference and constituted direction of the OPP which resulted in the homicide, the death, of Dudley George, an unarmed aboriginal Canadian engaging in a peaceful protest around a piece of land which again, it's become clearer and clearer to the point where it's beyond any doubt, was historic territorial and burial land of aborig-

inal people and one which again it becomes increasingly difficult to deny is a piece of land that they had every right—morally, legally and ethically—to be present on by way of occupation, by way of protest.

This House has heard repeated calls from both opposition parties for a public inquiry into the role of this government—the Premier, the Attorney General of the day, other members of cabinet, including and added to that a backbencher from that community, all of whom are named in a civil action filed by the George family. Let's make one thing perfectly clear: the George family has made it clear from day one that the civil action is all about trying to determine the facts surrounding this event at Ipperwash park. The George family has made it very clear and there's simply no contest to the proposition that that civil action will end tomorrow should there be the calling of a public inquiry into the events surrounding the murder of Dudley George.

This Legislature knows full well the initial—the seminal—evidence which started to generate concerns and which took the concerns of people in the opposition parties and people across this province and country from the level of mere suspicion to the point of genuine, legitimate conclusions and inference about the role that the Premier and his members took in the death of Dudley George, with revelations by way of notes made by people present at the conversations and at the meetings between the Premier, other members of his caucus, his cabinet included, and policing authorities: the now infamous “Get the [expletive] Indians out of the park”; the repeated contradictions on the part of the Premier as he's subjected in question period: one day acknowledging one thing, the next day denying it, one day admitting his presence somewhere and his meeting with somebody, the next day denying it; and now of course the understanding that the Premier's conduct is being driven by the insurers of the government, who are dictating his response here in the House and his determinations, as Premier of this province, as to whether or not a public inquiry should be held, I put to you.

This morning in the Toronto Star, journalists Peter Edwards and Harold Levy reveal yet more, and, I tell you, this is as shocking as any of the evidence that has been put forward to the people of this province. It's as shocking as any of the evidence that's been put forward to date because we learned today—and I submit to you that the evidence is conclusive, that there is no dispute about it, that there can be no debate about the facts as presented in the revelations by Peter Edwards and Harold

Levy in the *Toronto Star* this morning. Again, they obtained their evidence by the review of documents filed in the court during the course of the civil trial by the George family. It's a civil trial that I tell you has been frustrated day after day after day by the pettifoggery of the government's lawyers and by the legal machinations and legal manoeuvring which are designed to protect the Premier and the other persons named in that civil suit and not designed in any way, shape or form to bring forward the facts as they actually are or to bring forward the truth; it's designed to suppress the truth. Let's make that perfectly clear. Let's understand that. I understand that.

**1010**

That's the role of defence lawyers. And the Premier and his cabinet and his backbencher have very good defence lawyers, courtesy of the taxpayers of the province. I understand that as well. This is a civil action. It's an adversarial process. It's designed so that the plaintiff, using the laws that exist, has to establish certain facts and, in the adversarial nature of it, the defendants—the Premier and some of his cabinet members and his backbencher—are entitled to use that law to suppress those facts. It's the nature of a civil trial; it's the adversarial system. That's why this doesn't belong in the civil court.

Johnstone Roberts, a great jurist here in the province of Ontario—he really was—someone who befriended me many years ago, now passed away. He was an excellent judge and was acknowledged as such. One of the first things he told me as a very young lawyer, when I began practising law—he took me aside in a very avuncular way and admonished me to remember that in the court system, justice has nothing to do with the truth. This is a judge telling me this, a very experienced judge.

He said that's the problem with the civil process here. It's not necessarily designed to draw the truth to the surface. It's an adversarial system guided by long-standing and traditional rules. I understand those rules; I believe most other people do as well. But we've also got to understand that this isn't a forum where one determines facts in an open and forthright way and in a non-adversarial way.

What did we learn this morning as a result of the inquiries by Peter Edwards and Harold Levy into the recent filings in the civil action—again, an incredibly shocking event. We learned there was a sanitizing, a cleansing, a very significant editing of police officers' notes that were presented by way of disclosure, as the law compels it, in the criminal trials of some of the people charged around the Ipperwash incident. The sanitization consisted of the deletion of the very handwritten statement by that police officer about political interference, heat from the political side.

I tell you that this omission in the typewritten notes was no matter of inadvertence. When you read the handwritten notes and compare them to the transcript that was prepared, it is impossible to conclude that this was mere inadvertence or oversight on the part of some typist or clerical worker. This was a clear effort that amounts, in

my view, to obstruction of justice by somebody at a very significant stage in the process in the course of these events to protect the Premier and his government from the strong and clear allegation of political interference that resulted in the death of Dudley George.

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

**Mr Bart Maves (Niagara Falls):** I rise today to speak against this resolution. This resolution is based on a false premise. It is based on the premise that the only way to get to the truth of what happened is through a public inquiry. I disagree with that premise.

We already have a place to get to the truth, not just the truth of what happened at Ipperwash, but the truth of what happened in any case where parties disagree. That place is our courts. Members opposite seem not to have faith in our judicial system. They seem not to trust our independent, respected, impartial judges. But I do.

What issue would be considered by an inquiry? What question would the commission be asked to answer? It's this: Who is responsible for the death of Dudley George? That would be the issue at an inquiry. That's the question the commission would answer. However, that very issue, that very question, is already going to be determined in court. The courts are already dealing with the issue of who's responsible for this tragic death.

The courts have been dealing with this question in two places: first, a criminal case and, second, a civil law suit. The first case went all the way to the Supreme Court of Canada. An officer was convicted of criminal negligence causing death. In other words, the court found someone criminally responsible for the death of Dudley George. You say you want an inquiry to find out who is responsible for the death of Dudley George? Well, the criminal courts have already convicted somebody for that very act.

Two others points about the criminal case bear mention. First, the criminal charge was laid following a full investigation by the special investigations unit—an arm's-length independent investigation by the SIU. Second, at no time during the criminal proceeding was it ever suggested that political direction was given to the officers on the ground—no evidence whatsoever.

Now, the civil case. There's a second place where the courts are already dealing with the responsibility for this tragic death, and it's the civil lawsuit. The issue in the civil lawsuit is whether the defendants, including the government, including Mike Harris, are responsible for the death of Dudley George. That's what is being alleged in the civil case. The allegation is that the defendants are liable for this tragic death. That's precisely what an inquiry would consider and it's already being dealt with in court. In fact, one of the specific allegations being made is that the defendants, Harris, Harnick and Runciman, ordered, permitted and/or allowed the tactical response unit of the OPP to utilize force, including deadly force, against the protesters. The defendants deny that allegation. They say it's a false allegation. But the point is that the court is going to decide the truth of that

allegation. An independent, impartial court is going to decide that. If you want to get to the truth of these allegations, there's already an independent process in place.

But those calling for the inquiry don't want the truth so much as they want political theatre, a media circus. That's what's really behind the call for an inquiry. Consider some of the arguments advanced by the members opposite:

They want an independent, impartial process. The courts are independent and impartial.

They want it headed by a respected jurist. Our courts are full of respected jurists.

They want full disclosure. The court process includes full disclosure. It's called discovery. Already more than 11,000 documents have been provided to the plaintiff's lawyers.

The next step is for all the parties, including each defendant, to answer questions under oath. They want sworn testimony and findings based on evidence. Well, that's exactly what happens in court.

They want an open, public and transparent proceeding. Our courtrooms are open and public and the process is transparent.

Indeed, the civil action is actually superior to a public inquiry in several ways. A public inquiry can't award compensation, but a trial judge can. A commission of inquiry can't make findings of wrongdoing; the courts can. A public inquiry would mean starting all over. This civil action is already more than five years old and the parties are in the midst of discoveries.

All this is known to the members opposite. They know that a court of law is the best place to seek a fair, independent determination of the truth about who was responsible for the death of Dudley George. But they're less interested in that truth than in political gamesmanship. How unfortunate that they've chosen to deal with a human tragedy in this way.

One final point: fairness to the defendants means that they too are entitled to have their day in court. For more than five years they've faced serious allegations, terrible allegations. Each and every one of them denies the allegations, says they're false. Just this week, the OPP defendants again confirmed that they never, ever received political direction. The defendants want the court to decide these allegations. They're entitled to have the court decide these allegations. They are entitled to their day in court, and I agree.

I am voting against this resolution and I urge all members of this House to do the same.

1020

**Ms Caroline Di Cocco (Sarnia-Lambton):** First of all, I will discuss the premise from which the member for Scarborough-Agincourt, Mr Phillips, has consistently been trying to deal with this matter as a way of garnering the truth. That's what this is about. Why is it that this matter of Dudley George incenses us so much? To me it's an issue that deals specifically with social justice. This is an issue about, in my view, a perception that there

was a blatant abuse of power. Speaker, I listened when you began the proceedings about, "Help us to uphold power wisely and well." That does not appear to be the case with the issue of Dudley George.

To me, this is a fundamental premise of a democratic province where the police, who enforce the law, must remain independent of those who are lawmakers. We know that. The police must be free to do their job without influence from the lawmakers. That's what is at the bottom of this.

Gerry Phillips is the member in this Legislature who's been seeking to uncover the truth. There is a huge array of evidence that links the Premier and some of his cabinet members to the decision-making that led to the death of Dudley George. There's a great potential to influence, if not directly, indirectly—it is such a fine line—by the type of intervention that we find evidence for of the Premier and other elected officials, including an MPP who was at the command post during the events.

We have a history of various levels of government whereby MPs or MPPs have just made a phone call to judges or to a police station and they've resigned, only by making a phone call, because they've appeared to interfere.

In the case of Dudley George, the allegations and some of the evidence indicate that the Premier wanted the natives out, period, any way they could. That is the fundamental error of judgment that was made by the Premier, in my view, if the evidence is found to be so.

On the other hand, these actions were taken by the Ontario Provincial Police, and it is the responsibility of the province to hold an inquiry in this matter. I have to say that I disagree that we should force or that we should ask another level of government to deal with the responsibility that in my view is at the foot of the provincial government. We must have confidence in the ability of this Legislature to get at the truth, and the credibility on this matter hinges on the province holding the inquiry.

There's nothing more sinister, in my view, than authority that acts or appears to act unjustly. This erodes the trust and undermines the credibility of those who are here to uphold the law and the lawmakers, and that is the police and the legislators.

I will conclude with this: in my view, the member for Scarborough-Agincourt has been consistent in asking for an impartial inquiry from the province. The province must take action and the Premier and his cabinet must be held to answer to get at the truth.

**Mr Kormos:** That's precisely the point. When I hear the canned responses from the government in their effort to distinguish a civil action from a public inquiry—well, not to distinguish it, a parallel that somehow suggests the paramountcy of a civil action versus a public inquiry—look, the primary function of a public inquiry is specifically fact-finding. Quite right. It isn't about assessing damages, it's about fact-finding. That's what the people of Ontario want, that's what the people of this country want and that's what people internationally, who have

become incredible aware of what happened in Ontario on September 6, 1995, want.

I agree with the proposition that it should have been this province, this government, that called the public inquiry. That would have been the honourable thing for the Premier to do. Honour, however, has not been a particularly strong suit of this government when it comes to this matter—or, for that matter, many others.

This resolution calls upon the federal government to initiate an inquiry. Howard Hampton, on September 10 of this year, wrote to the minister, Bob Naulte, asking him to do specifically that. The problem is the province won't call an inquiry. Six years later the province stonewalls, the province hides behind its insurers and its lawyers in the civil action and the province does everything it can to delay the civil process. The province, the Premier and his lawyers and his colleagues' lawyers do everything they can to frustrate the plaintiff in this civil action, to make sure that it's as protracted as possible, and they use every available opportunity to try to suppress the plaintiff's claim.

I think the opposition is in accord about the need for an inquiry. The sad and tragic reality is that the province won't call one. We, therefore, ask this Legislature to call upon the federal government, because the coalition that has been supporting this issue and making sure that it's at the forefront of the public view over the course of the last six years recognizes that there's an inherent conflict of interest here: the Premier is being asked to call an inquiry into his own conduct.

The federal government clearly has constitutional obligations to aboriginal people. In fact, a very learned legal opinion was prepared by Bruce Ryder, associate law professor here in the city of Toronto, which examined the case law and examined the constitutional obligations and determined—I think beyond any doubt if you read the material, that the federal government has—and in fact has suggested that the ideal scenario, in view of the federal responsibility, this fiduciary responsibility to aboriginal people, would have been a joint call from both the federal government, in view of its jurisdiction, its fiduciary duty to aboriginal people, its responsibility to aboriginal people with respect to their welfare and well-being, that a joint call for an inquiry and a joint inquiry would have been most appropriate.

We have nobody else to turn to. There is, I believe, clear jurisdiction on the part of the federal government, and the law supports this view, that it has the jurisdiction to conduct an inquiry into what happened in Ipperwash. This province, this provincial government, this Premier and his cabinet have shown nothing but disdain for the facts, for the facts as they would be presented in a truthful way in a public inquiry, and has done everything they can to stonewall and frustrate people attempting to conduct the inquiry and to help bring facts forward.

It's for that reason it's imperative that if we're really serious, if we're really concerned about the facts being determined and if we understand as we do that the province is grossly disinclined to call that inquiry—and

that power rests solely in the hands of the government—we then have to look to the federal government to fulfill its responsibility, not only to Dudley George, but to aboriginal people across this country.

The homicide, the death of Dudley George, has been identified by Amnesty International as possibly being an extra-judicial execution. It has attracted the attention of just and fair-minded people internationally. We can't expect that justice or fair-mindedness from the provincial government. I'm hoping today that this House will lend its support for a call to the federal government to exercise the fair-mindedness, justice and pursuit of the facts that this government denies us.

1030

**The Acting Speaker:** Further debate.

**Hon Chris Stockwell (Minister of Labour):** I want to start by saying at the outset that I know I speak on behalf of all members of the government and the House in expressing my sorrow in the untimely death of Dudley George on September 6, 1995, at Ipperwash Provincial Park.

I will say that this is a rather interesting debate. To sit back and see it unfold is difficult at times. First and foremost, these are very serious allegations the members on the opposite side of this House make. The arguments with respect to the federal issue have already been debated and discussed. The federal government has already said they weren't going to get involved. The request to the federal government has already been turned down. I think your leader of the third party wrote to the RCMP this month. The RCMP responded, in writing, saying that, no, they wouldn't be involved either. Those requests were made and those responses have happened.

It's a curious time. It's strange to sit in this place. Substantially, the allegation that's made is that the people on the government side are hiding behind the courts. It's a strange charge. It's a strange allegation. It's strange because I've never heard it before, that the charge is that you're hiding behind the judicial process, you're hiding behind the courts. That's exactly what the member said, that the judiciary that's set in place as a third party, completely unaffected by the government, completely alone and separate, somehow the government has gone around and hidden behind the court system. I guess that's the kind of allegation. I guess we will have to debate that allegation.

I think it's important for us to examine the fundamentals of this case. The fundamentals of this case, as I understand it, are that somehow the OPP received direction from the provincial government with respect to the situation at Ipperwash. That's the nut of the case, as I understand it, in the six years that I've been here hearing the arguments. The nut of the case is that somehow the OPP received some kind of direction from the provincial government in dealing with the Ipperwash situation. As far as we can see, with the crib notes that we've gotten through the process, the only thing that they've attested to is the fact that the government has looked to seek an injunction to have the Indians removed from the park. I

think there have been many occasions in the history of this province where governments have done just that, sought injunctions, and as far as I can tell, I don't think anyone is really harbouring that as the crunch or the nut of the case. So we'll move on.

If we believe that to be the case—and I'm doing my best to understand the opposition's mindset on this. I'm not arguing about whether or not it's a reasonable case or a reasonable argument. What I'm trying to understand is what it is that they believe happened. What is it that they believe took place that would allow such heinous allegations, such serious allegations to be made against members of this government, people I know very well? I guess the bottom line to the whole discussion—and I look across the floor to the members—is that somehow somebody directed the OPP directly. I think then you have to go talk to the OPP. You have to talk to the provincial police who were responsible, in charge, at the time. I don't know how else you can do it.

You can look at notes here and there, but you have to go to the people who were on the ground, in charge of making the decisions, and ask them directly. This is the nut of the case.

**Ms Di Cocco:** What are they going to say?

**Hon Mr Stockwell:** The member for Sarnia says, "What are they going to say?" That's frightening, because what that intones is that the police will lie. It frightens me that anyone across the floor would believe that in such a serious case like this that's before the courts, under oath, senior police officers would lie. I don't believe that. So I look.

The crux of the claim asserted by the plaintiffs is that Premier Harris and other senior members of the government directed the OPP in their response to the Ipperwash occupation. In short, they allege—and this is a serious allegation—that the government's direction led to the death of Dudley George. That's what they allege. That is a very, very serious allegation, one we should not take lightly. If the allegation were on the other side of the House, I would ask for every opportunity for that member to be allowed to prove their innocence, because this is an allegation of death—nothing short—an allegation of death.

So we go to the OPP and we ask the OPP, the senior officers in charge of this situation, whether or not they received direction from the provincial government. Their response is, "Quite contrary." It comes from unimpeachable sources, I might add, because I know some of these people personally. Thomas O'Grady, former commissioner of the OPP; John Carson, the inspector and incident commander at Ipperwash; Mark Wright, an acting detective staff sergeant; and Christopher Coles, who served as chief superintendent, have admitted there was no direction, communication or input by the government into the actions of the OPP at Ipperwash. Those four were in charge. Those four have said, "We received no direction from the government."

It seems to me, as a person who stands here and hears the evidence offered up, that these four people in charge

at the time would have a very weighted opinion about what happened. I would go to them and say, "Did you receive direction from the government about these allegations that this government in fact caused the death of Dudley George?" The answer is a resounding, unanimous no.

So the question must be asked, who are we serving here? We're serving the people. The courts are a tertiary, third party with no input from the government. What better way to determine the guilt or innocence of someone who has allegedly directed the death of an individual in this province than asking the four OPP officers and taking it through a civil court, with a judiciary that's impartial, unbiased and completely fair? Somehow, the members opposite don't believe in this process. I know of no other. If you're asking us to now get involved in the judiciary and not trust them, it's a very, very dangerous precedent. You've made the allegations, folks. You've let them stand. Allow the courts to hear the evidence and make a decision.

1040

**Mr Gerry Phillips (Scarborough-Agincourt):** There is no doubt in most people's minds that this very serious issue is best served by establishing a public inquiry.

I say there were three things that we were told at the time of the shooting death. One was that the First Nations had opened fire and the police had to return fire. Second, there was no burial ground there; there's no reason why they would be there. The third thing was that the Premier said, and I'll quote specifically: "I determined nothing. I gave no direction. I gave no influence on it. We left that entirely to the OPP. I assumed there would be negotiations."

This is what the judge in the trial of the OPP officer said about the charge that the First Nations had opened fire: "I find that Dudley George did not have any firearms on his person when he was shot.... [T]he story of the rifle and muzzle flash was concocted ex post facto in an ill-fated attempt to disguise the fact that an unarmed man had been shot." So it was determined in a court that the First Nations people were not armed.

We were also told at the time of the shooting that there was no burial ground, and then subsequently found out that the province itself, here at Queen's Park, had evidence of a burial ground.

The third thing we were told by the Premier was that it was left entirely to the OPP. This is why we need a public inquiry—to determine whether or not that was the case.

The Minister of Labour has just given some interesting testimony here which I think will be helpful. We do know from notes that have been provided to us by freedom of information—and the Premier has acknowledged this, by the way—that there was a crucial meeting on September 6, the day of the shooting, and it's only recently become known that the Premier was at that meeting, Minister Hodgson was at that meeting, two deputy ministers were at that meeting and two OPP officers were at that meeting. The one note that we have

from that meeting says that the Attorney General was instructed by the Premier that he desired removal within 24 hours. That was, I gather from the evidence, what the Premier said; he wanted them out of there within 24 hours.

I have never alleged that the Premier ordered them out by force. What I have alleged is what is in this document: that he did tell them he wanted them out of there within 24 hours. I'm not sure the Minister of Labour has accurately quoted from the affidavits by the senior OPP officers. They're very careful. It's clear in what they say. This was the question they were asked: "You were never directed or pressured by the defendant, Michael D. Harris, or other government defendants or any other member of the government to remove the occupiers from Ipperwash Provincial Park by force prior to the death of Dudley George?" The key words here are "by force."

There also is a similar question asked to them: "Based on your knowledge or information, did Michael D. Harris or any other member of the government—that they did not have any input into or participate or interfere with in any way the command decisions?"

I believe the evidence is quite clear from the information we've been provided, and that is that the Premier was crystal clear to the OPP: he wanted them out of the park within 24 hours. I'd also say that the OPP—this is the communication at the command post just hours before the shooting, where two OPP command officers are saying, "Well, that injunction surprises me. They went from that regular type of injunction to the emergency type which, you know, really is not in our favour. We want a little bit more time."

I would say that the affidavits from the senior OPP officers are crystal clear. The government didn't order them to use force and didn't interfere in the command decisions. But I believe the evidence, based on what we have, is equally clear that the Premier made his intentions crystal clear, that he wanted them out of the park within 24 hours. That contradicts what he said here in the Legislature: that he left it entirely up to the OPP, he had no influence and no direction.

Actually, just the other day in the Legislature the Premier said the OPP had no communication with anybody from the government prior to the death of Dudley George. Well, we know that Mr Marcel Beaubien has acknowledged he was at the police command. A member of the Legislature, a member the government, was at the command post four different times before the shooting death. So what's the public to believe in this? This is why we need the public inquiry.

The Minister of Labour today has put on the record some things that I think, when you look at the specific wordings, do not interpret properly the OPP officers' affidavits. I have said forever, let the truth speak on this. There are allegations, there's evidence, there's information that needs an independent, public adjudication. The government, and this distresses me to no end, has said, "Let the civil case handle it." The public should recognize that the civil case is being fought by the George

family against the weight of the entire government. The Premier has spent, just defending himself, well over \$500,000 against the poor George family. If you had ever tried this in Walkerton—the public would have an uprising if you told the residents of Walkerton, "If you want to find out what happened there, sue us." The government was forced to do the right thing at Walkerton, which was to have an independent public inquiry to get the facts out. So I resent strongly the Premier forcing the George family, on behalf of the public of Ontario, to try and get at the truth, and the taxpayers are using hundreds of thousands of dollars to defend the Premier, when those dollars should be used in a public inquiry. The evidence, I think, is strong that there was inappropriate behaviour. But I'm very happy to let a public inquiry fully explain to the public what happened.

I have some problems with the specific proposal before us, for three reasons. One is that this is clearly a provincial government responsibility. It was a provincial park, it was the provincial police and it was the government of Ontario that were totally involved in this. It is a provincial government issue.

My second concern about the proposal is that one of the reasons we fought so hard for a public inquiry is that governments have to be held accountable. I do not think it is responsible to divert our attention and try to get some other government to hold this government accountable; this government has to be held accountable.

The third thing is that in the end what I believe we need to do is to have a public inquiry that the public will have total confidence in. I think having a federal inquiry runs the very serious risk that it takes on political overtones of one government going after another government, of one police force, the RCMP, going after the OPP, of a federal government going after a provincial government. I think it sets, frankly, dangerous precedents and, furthermore, would undermine the credibility of the public inquiry.

I will continue to do what I've done all along, and that is to focus on the Premier and the province of Ontario calling a public inquiry. I have not called for Premier Harris's resignation, because I think what we have to do is for the public to give them a forum where all the facts can come out, where they can judge for themselves what happened here. To think that the government says the civil case is the appropriate route is a gross injustice to the issue and to the George family. If we want to do what's right for the George family, it is to call a provincial public inquiry. I'll let the truth speak for itself.

**1050**

**Mr Rosario Marchese (Trinity-Spadina):** I stand quite happily here in my place to support the resolution put forth by my friend Peter Kormos from Niagara Centre, and would argue against some of the comments made by the member from Niagara Falls, the Minister of Labour, and I have some disagreement with my friend Mr Phillips in terms of the final remarks he just made.

The member from Niagara Falls says that those calling for an inquiry don't want the truth. That's what he said.



Is it possible that everyone from the opposition calling for an inquiry would be asking for such a thing if they weren't interested in the truth? That is what this is all about: getting to the truth. The member from Niagara Falls says that civil action is superior. He then argues that at an inquiry, in terms of the commissioners, the commissioner of the inquiry cannot find claims of wrongdoing. Therefore, he's saying, "Let the civil suit go through its course and let's get to the facts."

But the point is that all we want is justice to be achieved and for the facts to come out. The George family is saying, "We will drop our civil action if the government calls for an inquiry." So my point is if the family is saying, "We want an inquiry and we'll drop the civil action," why wouldn't the government facilitate such a move if, in their view, all they want to do is get to the facts? They don't want to go through this civil action because, as the member from Niagara Centre stated earlier on, a civil action is designed naturally for people to go after each other, and you use your best defence, your best armour and your best tools to defend your case versus the other. As the member from Niagara Centre said, it's very adversarial.

We don't know whether the facts at the end of this are likely to come out one way or the other. It all depends on the case and who makes good arguments and what tools each one uses. In the end, the facts may not be the ones that come out, which is all the family of Dudley George wants, what opposition members are asking for, what aboriginal people are asking for and what other observers of this case are asking for.

So why would this government, through the benevolence of the member from Niagara Falls—and presumably he's speaking for the government—say that the civil action is superior? Why would he benevolently say to the family of Dudley George, "You just don't know what you're asking for. The civil suit is better for you, but you just don't realize it"? Why would they argue that way for this family? If in their opinion, and ours, an inquiry gets to the facts, please, let them do that. It's a matter of the cost of an inquiry or the cost of a civil suit, which is already very, very high. I suspect that an inquiry is likely to be cheaper, if the members are concerned about cost, because that's all they ever talk about in any program that I've ever been on. Michael Coren, with the Tory member, argued that they want to spend more money. I'm saying it's just a question of how you spend it.

If we're asking for an inquiry and everybody else seems to agree except you, something is wrong. The Minister of Labour says that the way to get to this is to ask the officers who were present that day. He says the officers said they weren't politically pressured one way or the other to do anything. But that is clearly contradicted by an article just printed today by Harold Levy, wherein it states that an officer at a commanding post "wrote in his notebook about taking 'heat from political side.'"

"Those comments about political 'heat' were not included in a summary of the officer's notes presented to

defence lawyers representing native protesters charged after the OPP operation...."

So the point is that heat from the political side exists. Stockwell said the other two officers say there is no political heat, but this memo suggests there is.

The point of an inquiry is to get to those facts. That's what we want. That's what the family of Dudley George wants. The government should listen to them, because they will drop the civil suit as soon as it agrees to that. The federal inquiry is something that would get to it, because the province seems to be refusing to do it. The federal involvement here needs to be investigated, I say to Mr Phillips, because they have had a part in this that I think we would like to investigate as well.

**Ms Marilyn Churley (Toronto-Danforth):** Let's remind ourselves what this is all about and why this resolution is before us today.

On September 6, 1995, Dudley George was the first indigenous person in this century to be killed in a land rights dispute in Canada. We know—the evidence is there—that a treaty was signed in 1827, saying there was a burial site on the park grounds. A memo dated the day Dudley George was killed quotes OPP officer Ron Fox as saying, "Park is their land, and there is a burial site there."

We know now that those people, including Dudley George, were unarmed. That's the background to why we're standing here again today with yet another resolution to force a public inquiry into this matter.

I would say to the government members and also the Liberal members here today, let's be very clear on this: we, the opposition, have been calling for six years now for a public inquiry. The government members who spoke made it clear again today that they're not going there, that they're relying on this civil suit, which is very expensive to the Dudley George family and to the taxpayers of Ontario.

I understand the government has a clear motivation not to call an inquiry. They're not going to call an inquiry. They made that abundantly clear yet again today. Let's review the reason I say this government is not going to call an inquiry, despite that we stand on our feet again and again and again calling for an inquiry. The motivation is there not to call one by the Harris government because, let me remind people, of some of the facts we know.

These are notes taken at interministerial meetings on September 5 and 6, 1995: "D. Hutton—Premier last night—OPP only—maybe MNR—'out of park only—nothing else.'"

"Larry Taman was also there and he was eloquent—he cautioned about rushing in ... can't interfere with police discretion—but Premier and Hodgson came out strong."

"Premier is hawkish on this issue—feels we're being tested on this issue."

"Hutton: Premier will take lead. Take this back to cabinet—but suspect Premier will be pleased to take lead."

“Deb—has MNR asked OPP to remove them?—they could be formally requested to do so—but how and when they do is up to Premier.”

“Deb wants an emergency injunction—doesn’t want to wait two weeks.”

“Deb—but we could be seen as having control over this—so ministers can’t duck if scrummed—and Premier not adverse to this being a provincial government action.”

“MNR stress no negotiations.”

“Hutton: Premier is firm that at no time should anybody but OPP, MNR be involved in discussions, despite any offers that might be made by KPs (chief etc)—get into negotiation, and we don’t want that,” and on and on and on.

We have the latest comment today: “political heat” was removed from the summary of the police officer’s notes given to the defence representing native protesters.

I would say here today it is very clear, and there’s a request from the Coalition for a Public Inquiry into Ipperwash. They want a public inquiry. We, the opposition, want a public inquiry. The evidence and information are there to show that the federal government has the responsibility and can call a public inquiry.

I say to everybody here today that if we want to get to the truth of this matter, we must insist that the federal government call a public inquiry now.

**The Deputy Speaker (Mr Michael A. Brown):** Response?

**Mr Kormos:** The capacity of the federal government to call an inquiry has not been contested in this debate. There’s been a tacit acknowledgement that the federal government has the jurisdiction, and indeed it does constitutionally. Subsection 91(24) of the Constitution Act, 1867, gives the federal government jurisdiction in relation to “Indians, and lands reserved for the Indians.” This is the clear legal capacity of the federal government to call an inquiry.

Is there a nexus; is there a connection? I tell you there is. Because indeed we know now that before and during the occupation of the park at Ipperwash, the federal government had evidence that showed the validity of the park occupiers’ claims. The question is, why didn’t the federal government say something publicly? The federal government, the minister, could have averted this whole tragic course of events. Why didn’t the federal government say anything publicly? Why didn’t it say something to the province? Why didn’t it acknowledge the right of those occupiers, those protesters, to be there on their Indian aboriginal land?

**1100**

We have also learned that the federal government sent military equipment to the OPP, an armoured personnel carrier to be used against the park occupiers, perhaps done extra-legally if not illegally. There is complicity by the federal government in the course of events that led to the death of Dudley George.

That in no way, shape or form relieves the Premier of his responsibility. All the evidence available clearly

demonstrates that the Premier involved himself in such a way that prompted the police to do what they did and resulted in the death of innocent, unarmed Dudley George. An inquiry has to be held. At this point it’s clear that the federal government has to be called upon to call for it.

**The Deputy Speaker:** That completes the time available for debating ballot item number 19. The question will be put at 12 o’clock noon.

## RENT REGULATION

**Mr Rosario Marchese (Trinity-Spadina):** I move that in the opinion of this House, residential rents, which in the city of Toronto cost the average tenant almost \$2,000 more this year than they did in 1997, must be reduced. The government should therefore introduce legislation, as recommended by the city of Toronto council, to roll back rents for each rental apartment to their level of 1998 plus an annual increase equal to the rate of inflation. This rent rollback would apply to all rental units in the province to which rent regulation legislation applies.

**The Deputy Speaker (Mr Michael A. Brown):** The member has up to 10 minutes to make his presentation.

**Mr Marchese:** This resolution, in my view, is very, very important. In light of some of the problems we are experiencing in Ontario, we as a government need to do something.

For the last year, we New Democrats have been calling for a rent freeze. Remember, there are 3.3 million tenants—I suspect there are more. A third of the population lives in rental accommodation. Many of them find themselves in economic hardship, find themselves unable to pay the rent and feel secure about their ability to stay in their homes, so I say governments need to do something.

I say the rent freeze is not enough. We need to roll back rents to the 1998 level, which would save tenants approximately a thousand dollars, on average.

*Interjection.*

**Mr Marchese:** Of course, I’ll be interested in listening to what some of my Liberal colleagues have to say about this, and my Tory colleagues, although I think I know where they stand on this.

A rent freeze is not enough. While we have seen the profits made by landlords, and while we have seen the value of their buildings go up, which some estimate at \$5 billion—that’s why they’re doing well in the stock market; I suspect possibly not so well these days, but they’re still holding out better than most. But while they’re doing well, many tenants are not.

We say to the Tories, you listen to landlords and we listen to tenants. And why do we listen to tenants? Because there are more of them who have more needs than the few landlords who are doing fine by this law, by the so-called Tenant Protection Act, which was designed to protect landlords and not the tenants. In their usual brilliance, they are able to manufacture something which

believes the title when you read its contents. But they're good at it. They've given the impression to tenants that the law was designed and created for them.

The fact of the matter is, vacancy decontrol was the first step toward the elimination of rent control. But vacancy decontrol has permitted the landlords to be able to—

*Interjection.*

**Mr Marchese:** Mr Sorbara probably asked, "Where are the tenants?" Is that it?

**Ms Marilyn Churley (Toronto-Danforth):** That's what he asked. He's making fun of you.

**Mr Gregory S. Sorbara (Vaughan-King-Aurora):** I said no one's listening, Rosario.

**Mr Marchese:** Mr Sorbara, who just got elected, a fine landlord, asked, "Where are the tenants?" That's why I'm waiting to hear Mr Sorbara and other colleagues on my right, to see what they have to say. That's the brilliance of this government, including my fine Liberals here who are so well connected to the landlords. We've got a couple here in the benches; fine cousins they are with the Tories. Mr Sorbara asks, "Where are the tenants?" The tenants, of course, are desperately trying to make a living.

I was talking about decontrolling of rents before I get to some of my other points. The decontrolling of rents means that when you move from your apartment, moving to the next unit or to another apartment, that landlord can raise the rent—

**Mr George Smitherman (Toronto Centre-Rosedale):** Is that in your resolution?

**Mr Marchese:** Hold on, Georgie, hold on. That landlord can raise the rent as much as he wants. And they've done that so effectively, squeezing the tenants in order to make more money. That's decontrolling of rents. It permits the landlord to jack up prices as much as he can and as much as he wants. In a city where the vacancy rate is 0.6%, the landlord can do that and he can get what he wants because there's nowhere to go. So vacancy decontrol is a tool, out of that little toolbox these guys have, to help those poor, desperate landlords who have been suffering in the last four or five years, not making enough money. With the decontrolling of rents, rents have been jacked up so high that many of the tenants can't afford to stay in their units.

I met someone canvassing for my buddy Michael Prue the other day who said, "I make \$13 an hour. I earn good money." That's about 26,000 bucks.

**Hon Chris Stockwell (Minister of Labour):** It's \$20,000.

**Mr Marchese:** Anywhere from \$20,000 to \$26,000, all right, Chris? He's earning good money and he's saying, "I can't afford to stay in my unit if these rents continue to rise at this level." This guy is not making 20% increases every year. Unlike the landlords who are doing just fine, in the area of anywhere from 10% to 20%, some of these guys don't get any increases ever. So they are at the mercy of the landlords, at the mercy of the markets, at the mercy of this Conservative government and, dare I

say, they would be at the mercy of the Liberal government should they get elected.

A lot of these people are simply looking for government help, from a government that says, "We are not here to govern. We are not in the business of governing. We want to get out of the business of governing," although I think they are about to get into the business of governing as this economy slips. They're going to blame it on somebody. They can't blame it on the NDP any more because we're no longer there, but they're going to have to blame it on somebody.

The tax cuts were supposed to have been the measure to have saved this province. They were supposed to have been the measure that made this province recession-proof. Hey, Mr Banker, you might want to comment on that: "Tax cuts will make this province recession-proof." It isn't working, so I wonder who they're going to blame now.

**1110**

When you leave the markets to take care of people—and in this case we are talking about tenants—there is no one to protect them from these devastating increases they are facing. Social housing that New Democrats were building, and the Liberals before us, was an important competitive measure to make sure that people of modest means had a place to go. Now they have nowhere to go except on the waiting list, where there are 90,000 people waiting to get a modest affordable unit. But because this government is not building and the private sector is not building, there's nowhere to go except to line up.

Monsieur Leach, if you remember mon ami Monsieur Leach, said, "When we introduce this new Tenant Protection Act, we will have the private sector building like you've never seen before. We will have 10,000 units being built by the private sector." The private sector is not building. Mr Sorbara is not building. They're not building because they can't make any money in this market. We have a tight market where the landlord is able to squeeze by decontrolling of rents, whereby you move and the rent is jacked up, whereby in a tight market the landlord is able to apply at the tribunal for increases on capital expenses that the poor folks have in this good economy, allowing them 4% increases on top of the guideline increases, including the decontrolling of rent increases, and on and on it goes.

The Tories so smugly sit, saying, "The best protection the tenants have are the Tories." Imagine, 3.3 million tenants suffering like we've never seen before under stagnating salaries where they can't keep up with the inflationary increases, the guideline increases. They can't keep up with the fact that there have been increases on the capital expenditures side. They just can't keep up at all. They're looking for justice. They're looking for a government that's willing to help them. Some 3.3 million tenants are looking for help from someone. They're not getting it from the landlords; they're not getting it from governments. I say to you, tenants, you have the power to make governments listen to you. You have the power of the vote. You can show it in a way that will teach this

government a lesson. I'm urging you to support our rent rollbacks, which is a way of helping you.

**The Deputy Speaker:** Further debate?

**Mr Joseph N. Tascona (Barrie-Simcoe-Bradford):** I'm very pleased to be able to speak on this resolution put forth by Mr Marchese. Needless to say, I do not support the recommendation for the province to enact legislation for a province-wide or city-wide rent rollback. Representing my riding of Barrie-Simcoe-Bradford, I think the issue to be dealt with is to increase the stock of affordable rental units. That's the initiative that should be focused on by municipalities.

That's happening at this very moment. The other day the town of Newmarket indicated that for the public housing sector they are waiving or decreasing the DCA charges, developmental charges, for public groups to get involved. For example, Habitat for Humanity is involved in some housing projects in the town of Newmarket. I know in the city of Barrie there's a task force with respect to affordable housing looking at basement apartments, also looking at decreasing—I should say that developmental charges is something that is also going to be looked at, for example, in the town of Newmarket with respect to the private sector.

The solution isn't to roll back the clock and change the rules three years down the line. The rent rollback and/or rent freeze is not possible under the Tenant Protection Act and is inconsistent with a system which promotes market rents. The Tenant Protection Act provides for strong tenant protection through the rent increase guideline while at the same time promoting market rents through vacancy decontrol. A rent rollback and/or rent freeze would discourage investment in affordable rental housing and would create a negative environment for the construction of new rental housing in Ontario and the maintenance of existing rental stock.

A rent rollback and/or rent freeze would take us back to the days of no new rental construction. We are beginning to see the industry build again after previous governments' restrictive policies killed the industry. We do not want to go back to those days and we will not go back to those days. If you increase the stock of rental housing units, then you're going to see the market fall in line with respect to rents.

A landlord, someone I know the member doesn't take into his equation in terms of consideration, has costs that must be covered in the operation of a rental unit. They have the mortgage costs, they have the heating costs and they've got the maintenance costs that have to be taken into consideration. The costs of these commodities are not being rolled back.

Since the implementation of the Tenant Protection Act, the amount that has been invested in additional repairs and maintenance in rental housing has increased over 100%. Tenants enjoy a better quality of life when their buildings are well-maintained. That's just a fact. The Fair Rental Policy Organization has stated that an appropriate increase for this year would be 7%. This would cover the increased costs of heating that were incurred last winter.

I would urge the member to take a hard look at his resolution in terms of how it applies to dealing with affordable rental units. For example, I don't know how that would apply to my area, the city of Barrie, the town of Innisfil and the town of Bradford-West Gwillimbury, where we're seeing what I would consider very affordable housing being built already. In fact, it's probably cheaper to buy a house than to rent, based on where the market is in terms of affordable units.

We're in a different situation than the city of Toronto; it's kind of obvious that we would be. How you can extrapolate and apply this resolution of rollback to 1998 to the city of Barrie and the other parts of my riding I really don't know, and I don't think the member has even thought that through based on this sort of generic resolution that he's putting forth.

If he has any constructive solutions with respect to dealing with municipalities doing something very constructive in terms of increasing the stock—for example, looking at municipalities waiving or reducing their developmental charges to encourage affordable rental housing, or other measures to encourage developers to get into this area, I think the city of Toronto should be able to do that. They certainly are capable of that particular issue. I've said my piece and at this time I'll adjourn my speaking.

**Mr Smitherman:** Before I commence remarks on my own part, I'd like to bring the names of three colleagues of mine to this debate. They're not able to be with us today because of their celebration of Yom Kippur. But they are each members who represent constituencies with a very high proportion of tenants and each of them has a record of fighting on behalf of the tenants in their constituencies. My colleagues Michael Bryant, David Caplan and Monte Kwinter are not here today, except in spirit.

I think this is an interesting second phase of the NDP strategy of offering false hope. We saw an interesting display of the extent to which they're going to try to win seats in the next election, and that is by going to any means possible. Both of the members who have led the strategies are with us today. The member in the front row was very involved in that in the recent by-election and the member who is here today is offering a resolution that is flailing about.

This initiative that is before us ought to be at the start of what will be a very long and unrealistic and expensive list brought forward by the NDP as they try to cobble together a coalition of the vulnerable by offering them every expectation, should they form government—which we know will not happen—that the world will be perfect as it was from 1990 to 1995; this suggestion is just one more example of that.

We can find much fault with the government's legislation, the so-called Tenant Protection Act, and we will. We will move to restore a much stronger element of meaningful tenant protection. But the suggestion that the way to go about that is offered in this resolution today demonstrates the extent to which those guys over there are vacant of any new ideas in terms of getting at that.

And don't take it from me. A coalition of tenants in Waterloo, in a very well-written letter, which my friend from Trinity-Spadina has, pointed out many of the failings with respect to this resolution, that the message of the resolution is fine, that is, that we need to work harder to enhance meaningful tenant protections. I would stand in support of that. But I'm not going to support some resolution which offers to my constituents some sense that this is an appropriate way to proceed.

The people in Waterloo said, "Still, we have some concern of the potential effects of an absolute freeze to rents for a two-year period; rather, we would fully support a freeze or prohibition on above-guideline increases for a two-year period." In that small, short paragraph, the tenants of Waterloo, an association of them, clearly recognize and show us the way that they can come to a much better approach on this issue than the member from Trinity-Spadina has.

#### 1120

The tenants of this province have been burdened with a law which has not offered them meaningful protections. We have seen this. I have a constituency that has the highest proportion of tenants in the province of Ontario. The member from Trinity-Spadina is often over in my riding, attempting to engage activists and others in his cause for rent freezes and now rent rollbacks. But we saw with the earlier resolution today, and we see it here again, that the NDP cannot stick to any strategy for more than a week or two.

First it was a rent freeze; now it's a rent rollback. On Ipperwash it was a public inquiry here in Ontario, and then they run off, trying to focus this issue at the federal level. This is what we can expect for the next 18 months from the NDP. I just want to say to anyone who's watching and anyone who's interested in the public debate that will take place in this province: start to draw up the list today of all of the promises that they make and cost those promises out, because they will make them independent of any context that takes things in their full view, and that is the responsibility of governing.

The Liberal Party will not do that. We'll be a party that brings forward a platform that reflects the needs of Ontarians and also reflects our commitment to being able to govern Ontario in a way that is appropriate to the capabilities of the people of this province and to the government of this province.

The NDP demonstrates with this resolution today that they are on a track that is basically oriented toward offering a false sense of hope to people in this province. This resolution is irresponsible, and I will not vote for it.

**Mr Frank Mazzilli (London-Fanshawe):** It's certainly a privilege to stand and speak to this resolution. Rent control is certainly something that all three parties and governments have tried in different forms, and it continues to exist in a form today. And it's always failed.

If you look at the previous governments, the Bill Davis government certainly introduced rent controls, causing a shortage in rental supply certainly some 25, 30 years ago. With the David Peterson government, that

particular policy was replaced with a sort of bureaucratic form of—if you had to spend a certain amount of money on refurbishing your units, then you could go to the rent control board and get percentages above the rental guidelines. So what that forced every landlord to do was to show what they were spending on each unit or show that they were losing money in the operation of the building and go before the rent review board, or the equivalent at that time, and they were awarded rents far beyond the legal amount that was set by the province of Ontario.

In fact, what we were hearing from people at that point was, "This system just does not make any sense," landlords having to go through this extensive process, hiring lawyers, just to show that they could not afford to operate a six- or seven-unit building. Those days came and went. Then the NDP took power, put an end to that process and just stuck to certain percentages every year, with nothing allowed beyond that. What we saw at that time was units that deteriorated right across the province. No capital improvement had gone into any of these units. Not only that, millions and millions of units across the country and certainly in this province had gone into receivership.

In downtown Toronto, the banks own them all. At some point these units were sold, at probably 20 cents or 30 cents on the dollar, and we started this process all over again. That sort of helped in the short term because the new landlords, if you will, had purchased these units at very low cost compared to the overall market situation. Of course, that has changed.

What has changed? Well, there are no new units out there. Speaking to landlords, and even mutual fund companies, no one will invest in new units. If you take the Toronto situation and look at the property tax per unit in Toronto, I've heard from landlords who have to pay \$3,000 per unit in property taxes, along with heat and hydro. That's \$500 or \$600 a month per unit on rent, and we have people complaining that they have to pay \$600 or \$700 rent.

This is a problem we need to address and I think there are very innovative ways to do it. If governments want to get involved in this, it's not by capping rents but by offering some ways for landlords to construct buildings, whether it's to do the capital depreciation in less than 25 years, along with the federal government, and work that into our tax structure; whether it's reduced percentages, subsidized percentages on bank loans. These initiatives have been tried in the past by federal governments offering a percentage per unit. I think there are many things we can do, but simply to rely on rent control and forcing someone out of business in the short term will not work. I will not support any such policies.

**Mr Sorbara:** It's been, my goodness, almost seven years since I had an opportunity to speak in private members' hour on Thursday morning. When I came back to this place a few weeks ago, I thought nothing had changed. Something really has changed, particularly here in private members' hour, where we used to, as I recall,

get resolutions driven by an individual member's serious interest in furthering public policy.

In this first debate that I've participated in, what we get in the resolution standing in the name of the member from Trinity-Spadina is a two-bit, cheap political trick which is not worthy of any party of this House and certainly not worthy of the NDP, which some of us once used to look to for new directions and new standards. That party is in such terrible shape and on such a skid that no one looks to them any more, least of all tenants of this province. Certainly, this cheap little NDP fantasy, this lollipop, ought not to be supported in this Legislature.

Our friend from Trinity-Spadina takes a cheap political lollipop from Michael Walker in the city of Toronto and seriously suggests in this Legislature that somehow magically we'll just go back to 1998. We'll just say, "Roll back the clock." Well, Mr Speaker, I want to tell you and the members of this Legislature that we have serious, urgent, demanding issues in housing, not only in the greater Toronto area but right across Ontario. We have done nothing over the past six years to provide for the increasing number of people for whom home is a heating grate in the city or the protection of an elm tree in some park. That's the crisis that we have in housing.

**1130**

Certainly the Conservative government is not going to address it. But the New Democratic Party, which used to have standards, and has lost those standards—we saw that in Beaches-East York. We saw the loss of standards of that party in Beaches-East York. But on housing and on accommodation for tenants, we have serious problems. There is no industry left in Ontario that builds, that constructs rental accommodation any more.

For six years, the Conservative government has said, "Well, we're going to do something about it." I want to tell that party over there currently in government, soon to be in opposition, that the Ontario Liberal Party, when it presents its program to Ontarians, will speak to how we generate a new industry; because ultimately, if we're only going to speak about tenants, we have to talk about creating an entire new industry that can profitably and effectively build new accommodation.

The crisis is not just in rising rents. We acknowledge there's a crisis in rising rents. The crisis is that in a metropolitan area which is growing faster than just about any other on the North American continent, no one is building. There is no new construction. There are no new initiatives from the Conservative government to provide assisted housing. You want a crisis in housing? The thousands upon thousands of people with disabilities, both mental and physical, whose names appear on waiting lists that grow to over 10,000—that's a crisis.

If my friends in this party, this party that used to be a party of principle, think that with this cheap little political lollipop they're going to address the real issues of tenants, they have another thought coming. I invite members of this Legislature to vote against this resolution, not because they have no concern for tenants—we

all have concern for tenants—but because this joke is not worthy of the respect of this Legislature.

**Ms Churley:** It's my pleasure to speak to this resolution put forward today by my colleague Rosario Marchese. It is a private member's bill which I am supporting.

Let me start by saying directly today to the member from the Toronto Centre-Rosedale riding and to the new member from Vaughan-King-Aurora, we see they're running scared today, that they cannot support this motion because they have too many landlords in their caucus and too many landlords that they get fat, big cheques from during elections. We know they would like to support this motion today, but they can't. So what do they do? They get up and make cheap political shots against the NDP.

Because do you know what? They know that the Tories are no longer their enemy, but that it's the NDP, because they're getting greedy. They want to wipe the NDP off the map, and that's their new line, but it didn't work in Beaches-East York.

Let me say directly to them: I'd be careful attacking my principles and my standards in this House, because people of this community and this province know me as a principled person, a feminist, a woman who stands up against child abuse, sexual abuse, violence against women and children—always have, always will. I will remain principled forever on that point. Let's just make that clear. I would also say to the Liberals who spoke today, I wouldn't go there any more if I were you, because it could boomerang. Anyway, it's the Tories that are on the skid right now.

Let's get on to the motion before us today. Let me say that when the Liberals were in a very partisan way making fun of this resolution before us today, saying it's a "cheap political lollipop," I believe it was called—you say that to the tenants out there who are on the verge of being kicked out of their apartments. You say that directly to them.

But what I want to remind you and I want to remind this Legislature is where this came from. It came from Toronto city council. The motion passed 30 to 8. That means that a number of Tories who sit on Toronto city council voted for it and—dare I say?—some of the Liberals' colleagues on Toronto city council voted for it. They voted for it 30 to 8.

*Interjections.*

**Ms Churley:** Let me tell you why, if we can get off these partisan, what shall I call it, disturbances that we have here today. As I said to the member for Toronto Centre-Rosedale, don't go there, because if you want to match your principles and your standards against mine, I'm game. Let's go there, if that's where you want to go.

Now, coming back to the motion, Mr Speaker—

*Interjections.*

**Ms Churley:** The Tories are loving this. You're setting it up. We're the enemy now—

**The Deputy Speaker:** I think it would be helpful if we remembered that only one member at a time has the

floor and that the member would address her comments through the Speaker.

**Ms Churley:** The reason why for quite a while this party was supporting a rent freeze, a motion put forward by my colleague Rosario Marchese, is that Toronto city council is seeing a crisis in this city. It's right across the province. It is quite true that until this government came into power, successive governments—including, as has been pointed out, a former Tory government—brought in rent controls. The Liberals followed up on that. Then, when the NDP was in government, there was such a crisis in rental housing that we brought in the toughest rent control legislation, I believe, in North America. The Liberals voted against that tough new rent control. Why? They said it went too far. I expected it from the Tories; at least you're consistent. They voted against it because it wasn't balanced enough.

But let me tell you why we are proposing this today. We're proposing it today because we genuinely have a serious housing crisis in this city, and indeed across the province.

Because of rent decontrol, when somebody moves out of an apartment for whatever reason and they move into a new one, their rent for a one-bedroom apartment, for instance, is jumping, we are seeing, from 30% to 50%. There has not been a minimum-wage increase in this province since this government came into power in good economic times. We are seeing thousands and thousands of people who are on the verge of being homeless. We are seeing seniors on fixed incomes terrified that they're going to lose their homes.

There is no new affordable housing being built in this province. The federal Liberals have been playing around for some time. They got out of building housing as well. The Liberals in Ottawa got out of building affordable housing, as has this government.

We have a serious housing crisis in Ontario. That is what we're trying to address today. The reason why 30 members, with only eight opposed, voted for this at city council—and we're carrying on that fight for them here—is because, you know, people say that they are the closest to their constituents. I see a lot of people in my constituency office. I don't know if you do or not, but I do. We've become almost a housing office for my riding. Every day we have crises coming to us in my office. You know what, Mr Speaker? Generally we can't do anything for them any more. There is no safety net for them any more. The waiting list is so long for affordable housing that there isn't any any more, even for those in the biggest crises.

What I would like to address here today is, if people are opposing this motion, moving aside the partisan attacks, what are you offering today that's going to alleviate this crisis? Is the government going to announce that it's getting back into providing resources for affordable housing? It's clear to the city councillors, and indeed across the province, that rents have gone up so much over the last few years that a freeze now—it might have worked a couple of years ago, but because no freeze

was put on, rents have continued to go up and up and up, and people can't afford to pay the rents as they stand now. They are too high.

**1140**

Some people aren't eating. And we're not just talking about the lowest on the economic scale; we're talking about the middle range. Mr Marchese referred to one in particular. There are thousands out there who have the same problem. They not only cannot afford a rent increase; they cannot afford the rents they are paying now.

This is a solution that was put forward by Toronto city council. Let me tell you that tenants across this city and indeed across this province support this. So I advise the members in this House today to support the motion and work with us and with city council to find ways to make it work, and I advise the government to bring in real rent controls.

**Mr Steve Gilchrist (Scarborough East):** It is indeed a pleasure to respond to the resolution. It's been quite intriguing listening to the debate, particularly from the various members of the two opposition parties. A very different perspective taken, I would have thought, historically, would have been a common litany of complaints about what has happened in this province in the last six years.

Leaving aside the stark reality that in the five years the NDP had the ability to make the difference not just in rental accommodation but in all aspects of the lives of the people in this province, they put in place rental guidelines that increased rents for tenants in this province 26.5%. That's the incontrovertible fact. To compare apples with apples, in our first five years rents for tenants increased 15.3%. So if the suggestion from the member opposite is that somehow things have gotten worse, I might suggest, with the greatest respect, that his math skills are somewhat lacking.

Before we hear any kind of interjections from the official opposition, particularly Mr Sorbara, who played a key role in the government between 1985 and 1990, rents in Ontario went up more in those five years than in any other five years in the history of this province: over 40% average rent increase in your riding and my riding.

The reality is that we have a systemic problem, and the member has offered as a simplistic solution—and in this I would agree with one of the Liberal members—a very unrealistic solution of simply saying that we turn back the clock. Let's just pretend none of the other costs exist for landlords, none of the other external pressures from other governments exist. Let's just be blind to the reality of the world around us.

In fact there are solutions. My colleague from London offered a couple of examples. Let me go further. Our government has eliminated the provincial sales tax on building materials used for the construction of new affordable housing, up to \$2,000 per unit, which, by the way, is about the total PST load on the construction of what is considered affordable housing. Within weeks of the government giving that tax relief, the city of Toronto—yes, the same people who were the authors of this

resolution, the same people who tell you and me how much they care about tenants, how much they want to be part of the solution to this problem, how compassionate they are—applied a \$2,000 development charge for the first time in the history of the city of Toronto. On what? On new apartments. So at the same time this Legislature gave \$2,000 in tax relief, the charlatans at the city of Toronto stole that \$2,000 back and put up one more barrier against the development industry, which wants to build, which desperately wants to build.

They own the land. The apartment builders in Toronto alone own land, have the zoning and the money to build 75,000 apartment units. They've shown me the stats, and I'm sure they showed them to the members of the official opposition and the third party over these last few years. What is preventing it is the pure economics. Our government has eliminated the tax. The city government has added a new tax. The federal government continues to say, "If you build a high-rise building in Toronto and call it a condo, we're going to give your 7% GST back"—thousands and thousands of dollars per unit. In fact, for the average condo built today, over \$10,000 is handed back by a very grateful federal government that no doubt has received many charitable contributions from those same developers. On the other hand, if you call the building an apartment building, those compassionate federal MPs have said, "You don't get the rebate."

So when we talk about why there are no new apartments built in the city of Toronto, it is purely and simply because there is no developer who is so stupid that he or she would eschew a \$10,000 grant, a gift from the federal government, if he or she builds something else. That's the reality. Other governments have to get on the bandwagon, other governments have to cut taxes like we have and the city of Toronto has to stop charging four times as much property tax—\$300 a month more on the average tenant—than they charge single-family homes. That will create new demand and new construction for apartment buildings in Toronto and across Ontario.

**Mr Gerard Kennedy (Parkdale-High Park):** It's a bad day for tenants all around, and we've seen in the last two speakers some of the reasons why. These have been the governments for the last nine years now, and they're the bookends of bad management, the bad people in terms of being able to actually give honour and respect to—the only reason we're talking about this subject in the first place, and the only reason it's the business of the Legislature and not just the marketplace is because in certain areas, and certainly in Toronto, the markets need a referee, and neither the NDP nor the Conservatives get that. They don't understand when there is a need for appropriate response on behalf of people who find themselves in difficulty through no fault of their own.

Let me remind this House that the difficulty is pronounced, that as badly phrased as this recommendation is and as exploitative—and I have to say to the member for Trinity-Spadina, who will get a chance to respond, that I am disappointed. I've been on platforms with him, and I say to him, you are saying something to people that I don't believe, even if you were elected government, you

have any intention of carrying out: a sweeping rollback of rents. You hold it out to them, though.

The one thing I would say to the members opposite is that people in this city need to be able to live with some level of affordability. I say, as the Minister of Community and Social Services walks into the House, this is a government responsible for the deterioration of conditions for the most vulnerable people in the city. I'll just give you some very quick indications of that.

In the spring of this year, the amount of money for people going to food banks in this city was reduced to \$4.55 a day after their rent is paid. That's what they have to cover everything in terms of food, clothing and whatever, and that compares to \$7.40 when this government came into office. The number of children who go hungry, who go without the basic elements of food and nutrition, has increased such that the number of children who are assisted in poor families who go without, who actually miss meals, even though their parents avail themselves of all their own resources and all the help they can get from their families, their neighbours and finally have to beg for food, they still go without in this modern province that has no excuse, and they do it more frequently because of the indifference of the government across.

If we had to depend on what is being put forward by the third party, they would be worse off, because the third party has decided, as has been very accurately mentioned in this House today—in Beaches-East York they have their priorities. I would say to the people in my riding who need realistic measures to help them, if you look very carefully at the comments of the member who introduced this motion, you'll hear him talking more about what damage he hopes to do to the Ontario Liberal Party than any benefit he hopes to bring to people who are disadvantaged in this city and in this province.

There is an honest question to be answered here. In the last three years since this government brought in its tenant rejection act, when it said to tenants, "We care nothing about you," in this city alone there has been at least \$37 million captured in rental increases, \$25 million of it above inflation, and we have no new buildings, and we have no new apartments, and we have higher rents. The question that should have been put is, what's happened to that \$25 million? Who benefited?

**1150**

I can tell you that in my riding, this government awarded rent increases of 35% at Triller Avenue. They permitted an average increase of 50% at one go at West Lodge, harming some of the most vulnerable working families in this province. People who scratch out a living now live on Kool-Aid or less, thanks to this government.

I refuse on behalf of the people in my riding to be flip with this particular subject, but I do understand that we need to send a message to them that there is a direction the Ontario Liberal Party needs to take. I, as one member of that party, make the pledge in this particular House, in this particular debate, that we will put forward proposals that will have the effect of bringing relief directly to the people who need it, that we will not play games with



their lives, we will not fool around with their everyday experiences, which nobody in this House, with all due respect, can necessarily relate to, because we live it differently and we have made sure that we live it differently.

This private member's hour should serve instead as a reminder of an unmet need, not of an unrealistic solution based on the frustration of Toronto city council or the exploitation of people who deserve better.

**Mr Marchese:** I've got to tell you, I'm smarting from all these Liberal attacks. It really hurts. I've never seen so many attacks and insults on our party as today. I've never heard the Liberals whine so much. My God. Then to hear my good buddy from Vaughan-King-Aurora, who just got elected, using words like, "This resolution is cheap," that we should take this place seriously and this resolution is not serious, that this is a cheap—

**Mr Dominic Agostino (Hamilton East):** It's a stunt. It's a cheap stunt.

**Mr Marchese:** Yes, I know. I'll get to that. Yes, Dominic. Dominic, calm down. "Cheap fantasy," "lollipop." Dominic Agostino: "cheap stunt." Man, I tell you. Mr Kennedy from High Park: "exploitative," "playing games with their lives." I tell you, I don't know. I am hurting.

The member from Vaughan-King-Aurora says so dismissively that the NDP takes the resolution from Michael Walker—poor Michael Walker. This man has worked so tirelessly for his tenants in his ward and he introduces a resolution—by the way, Mr Walker is a Liberal. I hope he doesn't feel badly about the attacks that I think he has had to endure as a result of these remarks. But, Michael Walker, I am on your side and all the tenants in your ward are on your side, and most of the tenants in the downtown area, I know, are on your side. You've taken a position that I believe addresses the needs, the real needs, of people who happen to be called tenants, but they are people who have lives and who are having a difficult time surviving this government and the Tenant Protection Act.

They're real lives. It's not a cheap trick asking for rollbacks so that people get a break, a real break. That's a trick, a lollipop, to people who are suffering? It's not a real resolution? That people might lose their homes and become one of the many homeless in this good economy that we've had for five years is a cheap lollipop, a political trick? I am trying desperately to understand them. I'm sorry; what we're dealing with is very serious. It's not a laughing matter. It's not a joke. You can attack us, Dominic, all you want, and you, George, all you want, but this is a resolution that's serious. In a similar way, our rent freeze was serious and doable. The rent rollback, as much as it is unacceptable to you—I understand—and as much as it is unacceptable to Tories—I understand that too. It may be unacceptable—

**Mr Agostino:** You had five years in power.

**Mr Marchese:** Dominic, hold on. My God.

**Mr Agostino:** You had five years to do it. Why didn't you do it?

**Mr Marchese:** Speaker, control that man.

**Mr Sorbara:** Where are the tenants?

**The Deputy Speaker:** I'll remind members that one member has the floor at a time. At the moment it's the member for Trinity-Spadina and he knows he will address his comments through the Chair.

**Mr Marchese:** It's my time, Speaker. This is a serious, serious issue. Tenants are looking for some sign from any political party. They're saying, "Help us."

We are the party that is there on the front lines saying to tenants, "We want to help." The Liberals are saying, "No, that's a cheap political trick." They don't have any tricks for you but what they've got for you is something—just wait for them to get elected and then they will introduce meaningful rent control, they say.

*Interjections.*

**Mr Marchese:** You see them, Speaker?

**The Deputy Speaker:** I'm having great difficulty hearing the member for Trinity-Spadina. Order, member of Vaughan-King-Aurora.

Member for Trinity-Spadina.

**Mr Marchese:** We have a crisis on our hands. We've got a housing crisis. The Liberals understand that. We understand it too. We have a housing crisis that needs to be dealt with. New Democrats speak about the need to create housing. We have been pushing federal Liberals to go out on their own and do it if the Tories don't want to do it. They've downloaded housing in the same way that the Conservative government has downloaded housing, and I say that is a tragic, stupid political move. You don't download housing the way the federal Liberals have done and the way the provincial Tories have done. It's a fundamental mistake. Attack that.

*Interjection.*

**Mr Marchese:** We support the creation of housing, Mr Sorbara. Why? Because people are looking for affordable housing. They're not looking for condominiums. The ones who can afford it, your clients, perhaps can afford the condominiums, but the majority of people I know want affordable housing that you're not building, that the federal Liberals are not building, that these people are not building.

You want affordable housing, and we have spoken, as New Democrats, to that. This is one specific resolution that says to the tenants, "We are on your side." You're looking for something at a time when you are desperate, and these are desperate times. The tradition of eviction is a result of the new Tenant Protection Act. We are living in that reality—

*Interjections.*

**Mr Marchese:** I'm glad the Speaker is helping me out to calm down my Liberal friends. We're living in a tradition of eviction. We're living, as Michael Walker says, in a tradition of hardship and in a culture or tradition where homelessness is growing and has become acceptable to these Tories.

We say this status quo cannot go on. We argue that change is necessary, and that change at this moment for New Democrats is a rollback and then rent control.

We're saying to the Liberals, all right, if you don't like it, come up with something that we can debate. Don't just say to the NDP, "What you're proposing is not serious, is not real, is cheap." I say to you that I don't mind debating a resolution or a motion that you want to bring forth for us to debate. I'm willing, I'm ready to debate, but please don't just dismiss our suggestion as not being serious. It's serious for tenants, and there are 3.3 million tenants who are desperate.

I just met someone the other day, saying, "I can't find a good, decent apartment for less than \$900, a one-bedroom unit in downtown Toronto." She said, "You can get something for \$850, \$900. You can get it but it's"—she used a very difficult word that perhaps is not nice to mention. She's single. She's got to pay \$950 for a one-bedroom apartment in downtown Toronto, where the vacancy rate is 0.6%. It means that private developers can do what they want. They can squeeze the tenants, as they do to make money so that they can enjoy the profits—

**Interjection:** Big profits.

**Mr Marchese:**—big profits, so that the value of their buildings can stay as high as it has been in the last five years. Five billion dollars of value has been added in the last couple of years. They're doing OK. Tenants are not doing OK.

We're saying to you, tenants, that if you agree with New Democrats, you need to let us know. If you disagree with the Liberals and the Tories, you need to let them know. But we can do this together, and you can bring the government to its knees. You can bring the Liberals to their knees too if they get elected or if they think they can get elected; you can bring them to their knees. You can, but you just have empower yourselves with it. You've got to make them accountable and make the Tories accountable, because your needs are real. The city of Toronto recognized it; 30 to 8 was the vote. It wasn't one man, Walker—30 to 8. Make them listen to you.

**The Deputy Speaker:** The time for debate on ballot item 20 has now expired.

#### IPPERWASH PROVINCIAL PARK

**The Deputy Speaker (Mr Michael A. Brown):** I will now place the question on ballot item number 19. Mr Kormos has moved ballot item number 19. Is it the pleasure of the House that the motion carry?

All in favour will say "aye."

All opposed will say "nay."

In my opinion, the nays have it.

#### RENT REGULATION

**The Deputy Speaker (Mr Michael A. Brown):** Mr Marchese has moved ballot item number 20. Is it the pleasure of the House that the motion carry?

All in favour will say "aye."

All opposed will say "nay."

In my opinion, the nays have it.

We will call in the members for a vote on ballot item number 19. This will be a five-minute bell.

*The division bells rang from 1201 to 1206.*

#### IPPERWASH PROVINCIAL PARK

**The Deputy Speaker (Mr Michael A. Brown):** Order. Will members please take their seats. Mr Kormos has moved ballot item number 19. All those in favour will stand and remain standing until the Clerk calls their name.

##### Ayes

Bartolucci, Rick	Colle, Mike	Kormos, Peter
Bradley, James	Gerretsen, John	Marchese, Rosario
Churley, Marilyn	Hampton, Howard	Martel, Shelley

**The Deputy Speaker:** All those opposed will stand and remain standing until the Clerk calls their name.

##### Nays

Agostino, Dominic	Gilchrist, Steve	Ouellette, Jerry J.
Arnott, Ted	Gill, Raminder	Peters, Steve
Baird, John R.	Gravelle, Michael	Phillips, Gerry
Barrett, Toby	Hastings, John	Runciman, Robert W.
Bountrogianni, Marie	Hoy, Pat	Ruprecht, Tony
Boyer, Claudette	Jackson, Cameron	Sampson, Rob
Chudleigh, Ted	Johns, Helen	Smitherman, George
Clark, Brad	Johnson, Bert	Sorbara, Greg
Clement, Tony	Kennedy, Gerard	Spina, Joseph
Coburn, Brian	Klees, Frank	Sterling, Norman W.
Conway, Sean G.	Lalonde, Jean-Marc	Stewart, R. Gary
Crozier, Bruce	Levac, David	Stockwell, Chris
Cunningham, Dianne	Marland, Margaret	Tascona, Joseph N.
DeFaria, Carl	Martiniuk, Gerry	Tilson, David
Di Cocco, Caroline	Maves, Bart	Tsubouchi, David H.
Dombrowsky, Leona	Mazzilli, Frank	Turnbull, David
Duncan, Dwight	McMeekin, Ted	Wettlaufer, Wayne
Dunlop, Garfield	Miller, Norm	Wilson, Jim
Ecker, Janet	Molinari, Tina R.	Witmer, Elizabeth
Elliott, Brenda	Munro, Julia	Wood, Bob
Flaherty, Jim	Mushinski, Marilyn	
Galt, Doug	O'Toole, John	

**Clerk of the House (Mr Claude L. DesRosiers):** The ayes are nine; the nays are 64.

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

#### RENT REGULATION

**The Deputy Speaker (Mr Michael A. Brown):** We will now deal with ballot item number 20. I will permit the doors to be open for 30 seconds.

Order. Mr Marchese has moved ballot item number 20. Those in favour will stand and remain standing until their name is called by the Clerk.

##### Ayes

Bradley, James J.	Gerretsen, John	Kormos, Peter
Churley, Marilyn	Hampton, Howard	Marchese, Rosario
Colle, Mike	Kennedy, Gerard	Martel, Shelley

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

seniors are now receiving and accustomed to receiving. I hope the Speaker hears that.

#### Nays

Agostino, Dominic	Galt, Doug	O'Toole, John
Arnott, Ted	Gilchrist, Steve	Ouellette, Jerry J.
Baird, John R.	Gill, Raminder	Peters, Steve
Barrett, Toby	Gravelle, Michael	Phillips, Gerry
Bartolucci, Rick	Hastings, John	Runciman, Robert W.
Bountrogianni, Marie	Hoy, Pat	Ruprecht, Tony
Boyer, Claudette	Jackson, Cameron	Sampson, Rob
Chudleigh, Ted	Johns, Helen	Smitherman, George
Clark, Brad	Johnson, Bert	Sorbara, Greg
Clement, Tony	Klees, Frank	Spina, Joseph
Coburn, Brian	Lalonde, Jean-Marc	Sterling, Norman W.
Conway, Sean G.	Levac, David	Stewart, R. Gary
Crozier, Bruce	Marland, Margaret	Stockwell, Chris
Cunningham, Dianne	Martiniuk, Gerry	Tascona, Joseph N.
Di Cocco, Caroline	Maves, Bart	Tilson, David
Dombrowsky, Leona	Mazzilli, Frank	Tsubouchi, David H.
Duncan, Dwight	McMeekin, Ted	Turnbull, David
Dunlop, Garfield	Miller, Norm	Wettlaufer, Wayne
Ecker, Janet	Molinari, Tina R.	Wilson, Jim
Elliott, Brenda	Munro, Julia	Witmer, Elizabeth
Flaherty, Jim	Mushinski, Marilyn	Wood, Bob

**Clerk of the House (Mr Claude L. DesRosiers):** The yeas are 9; the nays are 63.

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

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

*The House recessed from 1213 to 1330.*

## MEMBERS' STATEMENTS

### SENIORS' HEALTH SERVICES

**Mr Mario Sergio (York West):** The continuous attack on our purse and those of seniors is evidenced by the numbers of calls and visits I receive in my constituency office, from the delisting of drugs from the Ontario drug benefit plan to other health services being considered and being delisted by our own government. The last letter I received is not from one of my own constituents but, most strikingly, comes from a 91-year-old woman who is very much concerned about the delisting of podiatry services now from the Ontario health insurance plan. This is a concern of not only this particular 91-year-old Ontario citizen but of many other concerned citizens as well.

She also mentions to us that her community care access centre time has already been cut by over 50%, and that the message being sent to us and to the Premier and to the government of Ontario is that the bit of home care service she gets is costing a lot more than the \$200 she received last September.

I hope that the government and the Premier will listen to her message today, which is this: consider very carefully the cost to our seniors in Ontario when dealing with health care and the delisting of services which our

### MARTYRS' SHRINE

**Mr Garfield Dunlop (Simcoe North):** I'd like to add a little bit more information on the Martyrs' Shrine Day Act that I introduced yesterday.

In the summer of 1615, the first French missionaries and traders, led by Samuel de Champlain, arrived in Huronia, at the village of Cahigue, on the shores of Georgian Bay. Soon after, in 1639, the French Jesuits erected a central mission residence called Sainte-Marie Among the Hurons. It became the focal point of contact between the First Nations and the French. It also marks the beginning of Ontario's francophone community.

The Martyrs' Shrine in Midland pays tribute to the heroism of the early French missionaries and the hundreds of First Nations people who worked with them and welcomed the missionaries to this country. These are the French martyrs: Jean de Brébeuf, Isaac Jogues, Gabriel Lalemant, Antoine Daniel, Charles Garnier, Noël Chabanel, René Goupil and Jean de la Lande.

Joseph Le Caron, who conducted the first Christian religious service in Ontario, Giuseppe Bressani, the first Italian to come to Ontario, François Gendron, the first medical doctor known to have lived here, and many others are also included among those remembered at the shrine.

Among the First Nations people honoured by the shrine are Kateri Tekakwitha, Joseph Chiwatenhwa, Therese Oinhaton, Joseph the Algonquin and many others. Along with Sainte-Marie Among the Hurons, restored by the government of Ontario in 1968, the Martyrs' Shrine continues to this day as a living reminder of these heroic beginnings of Ontario.

This year marks the 75th year since the opening of the shrine in Midland, Ontario. The shrine continues to promote historical education and awareness of events of the 17th century in this province. It witnesses to the spiritual testimony not only of the early missionaries and First Nations people, but now as well to the multicultural and multi-faith celebration of that heritage.

### REGENT PARK COMMUNITY

**Mr George Smitherman (Toronto Centre-Rosedale):** I want to stand today to tell the citizens of Ontario and the members of this House about the spirit of the people of Regent Park. The Regent Park community, in my riding of Toronto Centre-Rosedale, has had a very challenging year, but they're coming back strong.

I want to talk today about an initiative called Pathways to Education. It is an initiative that has been brought forward by the people of Regent Park, strongly supported by the Regent Park Community Health Centre. At its heart, it's an initiative that is designed to keep kids in school and to encourage excellence in education from the standpoint of those kids by making the connection in

their minds very clear: that we need them to go on to post-secondary education.

I've made a very serious commitment to raising \$375,000 this year for that initiative, and I'm very pleased to say that distinguished Ontarians—people like Michael Adams, the pollster, Eb Zeidler, the architect, Dianne Poole, a former member here, and her husband, Richard—have offered their personal support, not only in terms of the cash they can offer but also the willingness to participate in helping to raise additional funds.

This summer I was confronted by a sense of powerlessness that sometimes we face, in association with a community that also needs to work hard sometimes to find its own voice and its power, I am very pleased to say that we're coming back, on behalf of the residents of Regent Park, to make that community and the city of Toronto a healthier, safer place for all the residents.

#### CHILD POVERTY

**Mr Peter Kormos (Niagara Centre):** The Campaign Against Child Poverty, in collaboration with faith communities across Canada, is engaging in a campaign beginning today, September 27 through October 4, to end child poverty. In the pursuit of that goal they are encouraging people to engage in this week of prayer, a week of fasting and a call to political conscience. New Democrats join with these faith communities, social justice movements and individuals across Canada who understand that children in this country, and certainly in this province, have been left far behind.

As Shelley Martel, our youth and children's critic, has had occasion to note more than once in this House, this government is so obsessed with corporate tax cuts that it has abandoned children, and we're witnessing this increasing and dramatic and so tragic growth of child poverty that this government has done nothing to abate.

We call on people to join with each other to call upon their government MPPs and to embarrass or cajole in any way they can this government and its members to confront the tragedy of child poverty. This government is one of the authors of child poverty. We call upon this government to be one of the solutions to child poverty. They've got the resources. Forget your corporate friends. Pay attention to our children, for once.

#### MORDECAI RICHLER

**Mr Ted Arnott (Waterloo-Wellington):** The world of Canadian letters suffered a huge loss on July 3, 2001, with the passing of Mordecai Richler. A talented writer, commentator and humorist, his Canadian legacy will live on worldwide.

His own words speak to why he pursued his passion for writing as his profession. These musings are from a 1983 edition of the *New York Times*: "The truth is, everybody I knew in my Montreal high school who wasn't going to be another Ted Williams or Barney Ross or Maurice (The Rocket) Richard was willing to settle for

being a writer. As far as we could make out, Hemingway set his own hours. He seemed to go fishing whenever he felt like it. He was on first name terms with Ingrid Bergman and Marlene Dietrich. It had to be a good life."

Mordecai Richler also enhanced our understanding of Canada, of the dynamism created through the coexistence of French and English cultures in Quebec and throughout the country. In his lecture entitled *Canadian Conundrums*, delivered at the University of Waterloo in 1999, he chided then Deputy Premier Bernard Landry for exaggerating the negative aspects of life in Quebec. Mordecai Richler wrote, "We haven't lost our heads, only our apostrophes. It isn't Belfast. Life goes on. Montreal, however diminished, is still to my mind the most agreeable city in Canada. And this is because the two cultures not only confront but also continue to enrich each other."

Mordecai Richler put on paper a continuous quest for honesty and left Canadians with a smart, yet unpretentious sense of life that lives on through his written legacy.

Our sincere condolences are extended to his wife, Florence, and his family that he adored so much.

#### HOME CARE

**Mr Michael Gravelle (Thunder Bay-Superior North):** Like all my colleagues on this side of the House, I spent much of the summer break speaking with scores of constituents about how this government's unconscionable cutback in funding to the home care sector is devastating their lives. While it is bad enough that hundreds of people in my riding remain on a waiting list for services, a number that increases monthly, it is equally appalling that numerous people who were receiving the help they needed to stay in their homes have now had their hours cut back to such a degree that many of them may not be able to stay there.

To say that the government's actions are cruel is self-evident. Entire families have been thrown into disarray as they scramble to maintain their loved one's independence while they painfully ponder how their government can justify these cutbacks in service.

What makes this so troubling is that this determination to cap the funding simply makes no sense. Does the government believe that proper home care support will reduce people's need to access hospitals or nursing homes, which will then further reduce financial pressures in these more expensive sectors? I am sure the finance minister would say yes.

Does the government also acknowledge that the need for home care support will continue to increase as the population ages? Again the answer is clear: yes, they do. So I say to the Minister of Finance and his government today, do the right thing, provide the needed funding to the Thunder Bay and district home care sector and all across the province, so that people can continue to live with dignity in their own homes, but also because it simply makes sense.

Minister, your determination to maintain a hard line on this issue is hurting too many people. We beg you to reconsider this heartless decision.

1340

## HATE CRIMES IN LONDON

**Mr Bob Wood (London West):** I rise today to pay tribute to the many thousands of people in the London area who have worked so hard since September 11 to promote respect, understanding, tolerance and unity among Londoners. From a city-sponsored meeting at Victoria Park to an individually initiated gathering at the London Muslim mosque, to literally dozens of other initiatives throughout our community, the overwhelming majority of Londoners have come together to say that everyone belongs and every Londoner counts.

From the time of its founding over 200 years ago, Ontario has always been a province of people with diverse backgrounds, and a fundamental reason for our success has been our ability to include all in the life of our province. We note, however, that a small number of people have attacked Muslims, people of Middle Eastern or Asian heritage and others, apparently because they think the perpetrators of the crimes of September 11 in the United States were of similar backgrounds or affiliations. Such an approach is of course irrational, counter-productive and wrong. Such ideas have always existed in Ontario and have always been rejected by the great majority of Ontarians.

I strongly commend Premier Mike Harris and Attorney General David Young for their firm statements that hate crimes will not be tolerated. Sir Wilfrid Laurier said that the 20th century would belong to Canada, and he was substantially correct. The 21st century will belong to us even more, because we will continue to attract many talented people from around the globe and will continue to give every person the opportunity to fully participate in our national and provincial life.

## MEDICAL SERVICES IN LONDON

**Mr Steve Peters (Elgin-Middlesex-London):** I rise today to raise an issue that requires immediate attention: the potential of London losing its pediatric cardiology program.

On November 1, Dr John Lee, a world-renowned physician and London's only pediatric heart surgeon, is leaving for Halifax. Dr Jane Gillett, a pediatric neurologist, is 95% sure she's leaving for Hamilton. Today London's sole pediatric neurosurgeon, Dr. Andrianna Ranger, says she's disillusioned and unsure about her future in London.

Tomorrow parents of sick children will be marching at Children's Hospital in London. They fear that London's world-class, state-of-the-art pediatric services are going to crumble. With Dr. Lee's departure, 15 to 30 premature babies requiring life-saving surgery each year are being put into jeopardy by this government. Hundreds of children, from Windsor to Thunder Bay, are at grave risk because Mike Harris and his government callously turn their backs on funding specialized services in London.

This government just doesn't get it. There's more to this province than Toronto. In the past five years—primarily in the past year—more than a dozen respected medical specialists have left London. This is intolerable and a dangerous situation that's putting lives at risk.

The Minister of Health must put an immediate stop to this deterioration of London's world-renowned medical status. We need a funding commitment. We need the voices of the three London MPPs on that side of the House to speak up. I urge them to speak up on behalf of their constituents, because you are abandoning your constituents and you're putting lives at risk. Speak up, London members.

## CARL BREWER

**Mrs Julia Munro (York North):** I rise today to pay tribute to a hockey legend, Carl Brewer. Carl Brewer was a great NHL hockey player who was generous to Georgina, a town in my riding of York North.

The former NHL defenceman, known for his scrappy play, died in August. He helped the Toronto Maple Leafs win three consecutive Stanley Cups in the 1960s and gained notoriety off the ice for his battles with the NHL to regain pension contributions made by players.

Many local Georgina councillors spoke of Brewer's generosity and his personality, a nice guy who played a big role raising funds for the building of Georgina's Ice Palace. He was instrumental in getting the NHL old-timers to play a game in Keswick.

Ted Schmidt, a friend who paid tribute to Carl Brewer, said we will "miss his gentleness, penetrating wit and great laugh; his legacy, however, abides: an appreciative army of old players who now walk with more dignity because of the magnificent, misunderstood fanatic, Carl Brewer."

## TRAGEDY IN SWITZERLAND

**Mr Mike Colle (Eglinton-Lawrence):** On a point of order, Mr Speaker: In light of the tragic event that occurred this morning in Switzerland in the provincial Parliament in Zug I wonder if we could have a moment's silence for our colleagues in Switzerland.

**The Speaker (Hon Gary Carr):** Agreed? Agreed.

Would all members and our friends and guests in the galleries please rise for a moment of silence.

*The House observed a moment's silence.*

**The Speaker:** I thank all members and our friends in the gallery.

## SECURITY

**Mr Mike Colle (Eglinton-Lawrence):** On a point of order, Mr Speaker: I was wondering—I beg the indulgence of the House—if we could have a report to every member of this Legislature in terms of security and updates on security in light of the horrific events that are happening around us.

**Hon Janet Ecker (Minister of Education, Government House Leader):** Mr Speaker, just to respond, all three parties indeed discussed this at House leaders today. The Sergeant at Arms has assured us that in the event of something like this happening anywhere else, they review procedures here in the building. If there are changes they wish to recommend, based on that review, those go to the all-party committee that deals with security matters. They would then make recommendations to you, sir. It's my understanding that indeed will occur. If anything needs to come out of that, we would proceed.

**The Speaker (Hon Gary Carr):** Further to that, I know the Sergeant at Arms would be pleased to meet with any member, group or caucus to go through it specifically. I know he met today with the House leaders, but by any means, any member who would like to discuss any issue can speak directly to me and the Sergeant at Arms, together or individually. I also will say that any of those members are free to participate in the security committee. If the members are not aware of it, their House leaders certainly are.

I thank the member for his concern.

## STATEMENTS BY THE MINISTRY AND RESPONSES

### TRANSIT AND TRANSPORTATION

**Hon Brad Clark (Minister of Transportation):** I am pleased to have this opportunity to discuss a new vision for transit investment and expansion in our province. Our government recognizes the need for a balanced, integrated transportation system where both highways and public transit play a key role. This 10-year, \$19-billion plan underscores our leadership role in transportation.

The plan includes a \$10-billion target for provincial highways and a \$9-billion target for transit expansion and renewal. I am pleased to announce the province will invest \$3 billion over 10 years for its share of transit funding.

For every dollar the province has put into funding transit since 1995, the federal government has not even put in one cent—not one cent. At 0.2%, their contribution isn't even a quarter of a penny. Clearly, the federal government needs to do more.

This is no small-scale endeavour. We are taking a leadership role, not only in terms of funding but also in the integration of public transit and highway systems and the coordination of long-term transportation planning and traffic demand management. To that end, the province will provide operating and base capital funding for GO Transit and will create an operating authority for GO Transit that reflects a broader regional representation. We will consult with stakeholders to coordinate transit planning and services throughout the Golden Horseshoe area.

The province, municipalities and the federal government need to work together to make this vision a reality.

So I am issuing a challenge today to my federal counterpart, Transport Minister David Collenette. Over the past year, he has stated numerous times that the federal government “will co-operate with provincial and municipal partners to help improve public transit infrastructure.”

Well, Mr Collenette, the province has made its commitment. Now we need a commitment from you.

Clearly, this government is doing everything we can to ensure a safe and efficient transportation system, one that will be key to the long-term prosperity of our province. Ontarians deserve no less.

1350

**Hon Jim Flaherty (Deputy Premier, Minister of Finance):** This is a great day in Ontario. In May, when I presented my first budget to the Legislature, I spoke of the need to address gridlock and improve our transportation systems. I spoke of the need to continue building on the superior quality of life we enjoy in this province.

Today I am pleased to share with the House details of our plans in this regard. Through the Ontario SuperBuild Corp, we will invest \$9 billion over 10 years in the development of public transit across Ontario to be used to expand and renew facilities and vehicles. We will take back responsibility for GO Transit, which will relieve municipalities in the GTA of \$100 million a year in direct costs, money that we expect will be reinvested in public transit.

We will cost-share with municipalities across the province for as much as one third of the eligible costs of replacing aging public transit fleets, and we will consult with municipalities and work together with them to help meet their regional transportation needs.

We need and expect Ontario's partners at the municipal and the federal levels to participate fully in developing a better transportation system, one that guarantees our economic prosperity, one that ensures Ontario will remain what it always has been: the best place in North America to live, work and raise a family.

I challenge the federal government to contribute to this important initiative. With the new investments I have announced today, Ontario is contributing more to transit and transportation than any previous government. In contrast, the federal government has repeatedly hinted that it will fund public transit and has repeatedly disappointed the people of Ontario when those hints fade into nothing. It is time now for them to follow through. Ottawa takes about \$2 billion a year from Ontario motorists and returns virtually nothing for transportation. We think it is time they started to give something back. Our money is on the table. Now we want to see theirs.

**Hon Chris Hodgson (Minister of Municipal Affairs and Housing):** The Minister of Transportation has just told the Legislature about the government's plans to invest in transportation and transit. It's very important that we be sure to invest in the right ways, and in the right places. That's why I am also announcing today our plans for five or six Smart Growth management councils.

*Interjections.*

**Hon Mr Hodgson:** Obviously, the Liberals are not supporting this initiative, but I can tell you that the people of Ontario are. Anybody who's been stuck in traffic with a longer time away from their family and productivity in this province appreciates the leadership that Premier Harris is showing on this issue.

During our Smart Growth consultations over the last number of months, we've heard frequently that one size does not fit all, that Smart Growth should reflect the unique circumstances of different parts of this great province. We've listened.

The Smart Growth management councils will develop integrated Smart Growth management plans for five or six distinct zones—eastern, southwestern, northeastern and northwestern Ontario, and one or more for central Ontario. These plans will include a vision for economic growth, along with strategies to improve the quality of life and protect the environment.

The Smart Growth management councils will also identify ways to improve the planning and delivery of services right across the entire zone, and make sure the existing infrastructure is used efficiently, make sure that that happens. As well, they will advise and support the province and municipalities on Smart Growth issues. They will set priorities to help the province make decisions on infrastructure investments, including transit, and on protecting and managing provincial natural resources.

The management councils will include provincial and municipal representation, along with representatives of the private sector. These people will bring a wealth of experience and ideas to the challenge of promoting and managing growth.

Over the last three years, the main job of the Greater Toronto Services Board has been to oversee the operation of GO Transit. It has also provided a forum for discussion of cross-boundary issues across the GTA. Now that the province is creating a new operating authority to coordinate GO Transit services and the Smart Growth management councils to develop growth management plans across broader zones, we propose to wind down the Greater Toronto Services Board.

I would like to at this time thank the current chair, Gordon Chong, as well as Mayor Hazel McCallion, Ann Mulvale, Nancy Diamond and all the members of the board for the excellent work they have done.

Today's transit announcement is an important step forward for the government's Smart Growth initiative. The Smart Growth management councils will bolster the transit initiative, helping the province make important decisions on infrastructure investments. They will help Ontario sustain a strong economy, build communities and promote a healthy environment.

**Hon Elizabeth Witmer (Minister of the Environment):** I'm delighted with today's announcement of our government's transit plan which reinforces this government's overarching commitment to a strong economy and a healthy environment. It addresses the challenge of reducing our reliance on cars while making use of the dual

opportunity of strengthening the economy while protecting the environment. This is another important step in our government's comprehensive environmental strategy for the transportation sector, which already includes the Drive Clean program, an all-party legislative committee on alternative fuels, and the tax rebate for alternative fuel vehicles.

At our recent national meetings on climate change in Winnipeg, all governments expressed concern with the unknowns of global climate change and the need for emission reductions. Transit expansion in Ontario is a good step toward responding to this global issue.

Today's announcement proves that Smart Growth is working in today's Ontario. At its core, today's transit plan will ensure that our transit systems have the resources they need to deliver their clean air benefits. But today's announcement goes further. It will allow public transit to be expanded significantly, increasing the environmental benefits to all people in Ontario. It ensures the continued strength of our urban public transit system but, significantly, it will also improve the quality of Ontario's air.

Already, the GO Transit system reduces air pollution that is equivalent to taking 50,000 cars off Ontario's roads annually. If all of those transit riders were to drive their cars to work and back, 48 additional lanes of highway would have to be built to accommodate the increased traffic. Overall, transit systems in the GTA and the Golden Horseshoe give us air quality benefits that are equivalent to removing 300,000 cars from our roads. In light of today's announcements, the people of Ontario can expect these numbers to improve dramatically in the future.

Improved transit, along with the other initiatives in the plan today, means less traffic congestion, which in turn will reduce vehicle idling and result in less air pollution.

Smart growth requires insight and foresight. Today, our government, under the leadership of Premier Harris, is boldly moving forward to ensure healthy cities, clean air and a stronger Ontario. I look forward to the environmental role of the new regional Smart Growth councils and their mandate to coordinate land use planning, protect water resources and coordinate waste management.

**1400**

**Mr Dwight Duncan (Windsor-St Clair):** On a point of order, Mr Speaker: I rise on a point of order I've risen on in the past and you have found when we raised it. It's specifically standing order 35(d), which refers to ministerial statements. I'll read you that: "After any policy statement the minister shall table a compendium of background information." We have been provided no background information by any of the three ministers who have spoken today. I believe there are two other statements. We've been provided with the statements themselves, but as of yet we have not been provided with the background information.

We have been provided, by the Minister of the Environment, with media notes. I don't know if that's supposed to be the policy. I do believe that an announce-

ment of this magnitude, according to the government—if it's that serious, one would think there would be background information via a compendium from at least one of the five ministers who are using up their 20 minutes in what essentially appears, given there's no policy background, to simply be an exercise in publicity.

**Hon Janet Ecker (Minister of Education, Government House Leader):** There was compendium information that was to be available to the other members. It was inadvertently not in the envelope. My apologies for that. Staff are just double-checking that. I will have an answer momentarily.

**Mr Duncan:** On a point of further clarification, Mr Speaker: Mr Hudak, the Minister of Tourism, did provide a compendium. With the other ministers, we have not been provided any.

**The Speaker:** Just for clarification for all the members, the standing orders say, and I'll be very clear: "After any policy statement the minister shall table a compendium of background information." I understand that's coming. If in fact it does not—some ministers may have got it out earlier. I assume the background information will be coming, as per the House leader. But I thank the member for Windsor-St Clair for that point of order.

Inadvertently, the time did go on. I believe it may have been around a minute. We should have stopped the clock. I apologize to the Minister of Agriculture, but we will allow the time for the Minister of Agriculture on his statement.

**Hon Brian Coburn (Minister of Agriculture, Food and Rural Affairs):** I am pleased to add my voice today to those of my colleagues the Ministers of Transportation, Municipal Affairs and Housing, Environment, and Finance, as well as Premier Harris.

The government of Ontario recognizes that transportation is indeed vital to Ontario's economy, both inside and outside the greater Toronto area. We also know it's just as important to address these issues in rural Ontario as in our urban centres, because the economic vitality of our rural communities is not achievable without a strong transportation infrastructure.

That's why, last year, we introduced the \$600-million Ontario small town and rural development initiative, OSTAR. Through its two components, this government is assisting our rural communities to address many of the barriers to economic growth that they currently face. Last summer, \$240 million was earmarked to help offset the costs of needed improvements to water and sewer systems and bridges under health and safety initiatives.

As you know, that money is currently being directed to high-priority projects in rural communities across the province. These enhancements are necessary to meet the province's new drinking water requirements, necessary to protect the health of Ontario's residents, necessary, in fact, to meet our goal of having the safest water in Canada.

But of no less importance is the goal is have the safest infrastructure in this country as well. That's why, through the health and safety initiative, OSTAR is sharing the costs of projects with the goal of improving the safety of

our bridges. Safe roadways, reliable transit: these are vital to Ontario's continued economic growth, both urban and rural.

We will make the most of our investment by partnering with our federal colleagues in the Canada-Ontario infrastructure program, and with our municipalities.

I will be consulting with the Association of Municipalities of Ontario and smaller municipalities to confirm that municipal roads and bridges are the priorities for funding in the next round of the Ontario small town and rural development initiative.

If you have travelled any of the rural routes and concession roads in this province, you will know that improvements to our transportation infrastructure are required for the safety of Ontario's residents.

Enhancing this province's infrastructure will boost the confidence of every one of us in Ontario. Knowing that this province is on its way to having the cleanest water and the safest infrastructure in this country will boost the confidence of those outside Ontario as well.

Of course, that bodes very well for the future of this great province. Confidence spurs growth, growth brings opportunity, and seizing those opportunities successfully boosts confidence.

These improvements to transit and transportation, part of this government's vision of Smart Growth for Ontario, will make Ontario stronger.

## TOURISM

**Hon Tim Hudak (Minister of Tourism, Culture and Recreation):** I rise today, from the tourism, culture and recreation perspective on the horrifying events of September 11, to extend, first of all, my sympathies to the families and loved ones of the victims involved in that attack of terror on the 11th. Coming from a border area, many of my friends, neighbours and constituents have been directly affected, and my heart is with them.

I want to extend our thanks to the many emergency workers and volunteers, the Niagara Regional Police among them, who continue to help out in this time of need, clearing up border traffic and trying to help in very difficult circumstances.

While we are all saddened by these events, we must recognize that more work needs to be done both in New York and at home as well. There is no doubt the events of September 11 will affect the tourism industry worldwide, including Ontario. We must, and we will, show the world that Ontario remains a strong and vibrant province, a place of promise.

I want to provide details on the response of the ministry to these horrifying events.

To help stranded travellers cope with the situation, we extended the hours at all of the centres at our border points and for our 1-800-Ontario lines, providing essential border-crossing information as well as helping them find a place to stay.

We have been in regular contact with tourism operators, industry leaders and experts from every part of the province to help us assess the extent of the impact to



date. What I have heard from them is that things are difficult in the aftermath. But as minister, I am committed to working with our tourism partners to maintain the strength and growth of the tourism industry. It's an important and dynamic industry, and almost half a million jobs depend on it.

Earlier this week, I was in Newfoundland meeting with my provincial colleagues and Brian Tobin, the federal Minister of Industry, responsible for tourism. We called on Minister Tobin to be a champion for tourism at the federal cabinet table. I'm pleased to report that Mr Tobin has taken on that cause and I thank him for his support. I am pleased to report that at our conference in St John's we produced a plan for better, more innovative partnerships among governments to help strengthen tourism and tourism marketing in Canada.

Tomorrow I will be hosting a summit that I have called of major tourism leaders and operators from all points in the province. I will be seeking their input on how we can develop a broad, comprehensive response to address the impact of recent events.

Now more than ever it is vital that we continue to build and develop alliances with our friends across the border in the United States. We will move ahead with our binational tourism strategy announced at the Ontario-New York summit this summer between Governor Pataki and Premier Harris to promote Niagara, Ontario, and western New York as one tourism destination.

New York Mayor Rudy Giuliani has indicated that the best way to help out New York is to come and visit the attractions, stay in the hotels, eat in the restaurants and shop in the shops. I agree with his sentiment. My message to travellers coming to Ontario is not to stay in your homes for fear of travelling. That lets terror win. Get out and continue to enjoy the great things we have to offer in this province. Go to Oktoberfest in Waterloo or a play in Toronto, enjoy the fall colours in the Agawa Canyon outside Sault Ste Marie, or take a drive along the Niagara Parkway. I would encourage all Ontarians to get out and see for yourselves that Ontario truly has "More to discover."

**The Speaker (Hon Gary Carr):** Responses?

#### TRANSIT AND TRANSPORTATION

**Mr Mike Colle (Eglinton-Lawrence):** The announcement today about funding GO Transit is a monumental reversal. It's an admission that the downloading of public transit on to municipal taxpayers was not a good idea. It wasn't sustainable. In fact, the downloading of transit like GO on to municipal taxpayers was plain stupid. There was no other government in the world that downloaded transit on to municipal taxpayers. This government did. And they basically did nothing for the last six years but promote sprawl and cut off all funding to transit.

1410

Subsequently, they created such a mess—if you look at the gridlock on our roads, you created it. Now you have to fix the problem.

The problem now, though, is that the gridlock is even worse, the money needed is even more, and this is a government that now claims to have discovered public transit. I don't trust them, and I don't trust their numbers. We have one minister saying he's going to spend \$3 billion over 10 years. Another minister says they're going to spend \$9 billion. The other thing is, we've got this government that also claims it has spent \$3.2 billion on transit since 1995. The announcement today says they are going to spend \$3 billion over 10 years. So this announcement today is basically a cut in funding to transit, if it's \$3 billion as compared to what they said before.

All the experts, all the mayors, all the transit riders in this province told this government in 1998 that down-loading public transit was stupid. They were right. So they should admit today and have the guts to say that what they did in 1998 was stupid and unworkable. They should have the guts to admit that.

Today this reversal, this monumental flip-flop, is an admission of the fact that this government doesn't know what they're doing. They basically plan things on the back of a napkin. I hope this so-called announcement about funding transit is not about a hidden agenda to have their well-connected Tory friends build these hare-brained transit lines in hydro corridors, because their friends are trying to get at this money and the friends of Minister Flaherty want to build these transit lines in hydro corridors. This money should go into running the day-to-day service of GO and the day-to-day service of the TTC, not into hare-brained schemes for their friends who are quietly plotting that this money be put into their back pockets.

So I warn the people of Ontario: don't trust these guys. These are the same guys who said transit was not a good thing five years ago. Don't believe them.

**Mr Gerry Phillips (Scarborough-Agincourt):** The tragedy is, we've lost six years of transit, unfortunately. I say to the minister: I remember a year and a half ago, with a big smile on his face, the big announcement of the billion-dollar SuperBuild millennium fund. Not a penny has been spent in a year and a half. I look at your budget, Minister: the smallest amount on capital in 20 years in the province of Ontario, and next year is about the same—he's got the number in here. So I say to the people of Ontario: I don't listen to what they say; I watch what they do. A year and a half ago they said this SuperBuild millennium fund was going to be a great, billion-dollar program. They've spent nothing. In his own budget, the smallest amount on capital in 20 years and similar numbers for next year.

So to the people of Ontario: they made a huge mistake; they're trying to fix it. But don't listen to what they say; we'll watch what they do over the next few months.

#### TOURISM

**Mr John Gerretsen (Kingston and the Islands):** It's really extraordinary: we had one minister make an announcement, three ministers congratulate that minister on

making the announcement and the last minister basically saying, "Stay tuned till next week, because I'll be making my announcement." That, in my opinion, is a total misuse of ministerial statement time.

We know that tourism is one of the largest industries in the province, employing more than 400,000 people. We all know that. What the tourism operators want to know is what you are going to do to help them with their infrastructure problems. Many, many small operators throughout this province—and I too travelled the province from one end to the other this summer in order to speak to the small and large tourism operators and the associations, to get better input and better insight into the tourism industry. They want government to lead and to help them, to make sure we remain one of the best places to come to for tourist attractions.

#### TRANSIT AND TRANSPORTATION

**Mr Howard Hampton (Kenora-Rainy River):** What we heard today from the government was a monumental admission that they were wrong. This government that so arrogantly said six years ago that transit is merely a local issue, that the province need not involve itself in the issue of transit, that there need not be any provincial money in transit, this government that said with such arrogance that it was going to download transit on to municipalities, has now been forced to admit today that they were wrong, completely wrong.

The fact of the matter is, in a modern, complex economy, urban transit is one of the fundamental building blocks for urban economies, and urban transit cannot operate on a for-profit basis. It is one of those bedrock services upon which you can build other economic activity. It's so sad that it took six years and almost the bankrupting of urban transit systems across the province for this outfit to figure it out.

Since this morning, we've had a bit of an opportunity to actually look at the numbers, and I invite all municipal officials across the province to look carefully at the numbers. Because a study which was done by the Greater Toronto Services Board determined that just for GO Transit and TTC, just for those two, the capital deficit is so bad because of your six years of neglect that \$800 million a year in capital refurbishing will be required. I'm not talking about Ottawa or Hamilton or Kitchener or London or Windsor, any of those other major cities. Just for the greater Toronto area, TTC and GO Transit, \$800 million a year is required.

If you read the fine print, this government now says the municipalities will put in \$300 million a year, they'll put in \$300 million a year and the federal government will put in \$300 million a year, and over 10 years you'll get to \$9 billion. But watch how quickly the \$9 billion starts to fall apart. What happens if the federal government, which has promised all kinds of things and not delivered, can't deliver \$300 million a year? What happens if the municipalities that you've downloaded ambulances and child care and social assistance and affordable housing on to simply can't come up with \$300 million?

Suddenly this won't even cover the greater Toronto area. It won't even cover the TTC and GO Transit, never mind all the other transit systems. So I say to municipal officials: watch this carefully, because this looks very much like the big announcement and then you don't know where the money is coming from.

I just want to add another part to this. This is a government that really has a penchant for privatizing good public services. We had one of the best hydroelectric systems in the world. The government wants to sell that. We had a very good stock of affordable housing in this province. The government got rid of that. I want to say to municipal officials: be careful that this takeover of GO Transit isn't just a mechanism whereby this government can then sell off GO Transit to a private operator, leaving people who need transit to pay higher and higher transportation costs.

Finally, there's something else that citizens across the province should be worried about in this announcement. There is a need for a Greater Toronto Services Board to look after regional planning, to look after the coordination of sewer and water, to look after the coordination of highways. The Golden report spells all this out. What is this government going to do? It's going to do away with the Greater Toronto Services Board, and then it's going to invite its private sector corporate friends to come to the table on these so-called Smart Growth councils and start making the planning decisions. Again, what it means is that important decisions like planning sewer, planning water, planning road locations, planning overall, are really going to be delegated to a body which is dominated by their private sector corporate friends. People had better be careful about this.

**Hon Janet Ecker (Minister of Education, Government House Leader):** Mr Speaker, on a point of order: For the record, just to assure the honourable member opposite that there indeed was material in the envelopes. We've actually even done a quality check. It was stapled to the back of the statement. I'm sure if someone would like to look at that, they may find it.

Some of it was even very helpfully labelled "compendium"; some of it was labelled "backgrounder." But just to make sure that we have the copies where they're supposed to be, I have another copy for the honourable member.

**The Speaker (Hon Gary Carr):** I thank all members for their co-operation on that point.

1420

#### ORAL QUESTIONS

##### ONTARIO ECONOMY

**Mr Dalton McGuinty (Leader of the Opposition):** My question is for the Minister of Finance. Minister, the chief economist for TD Canada Trust was quoted today as saying that his latest forecast for Ontario's economic growth this year is going to be just 0.8%. In your budget in May, you assumed 2.2% growth. According to TD

Canada Trust projections, Ontario this year will have the lowest economic growth in the country.

The projections for next year aren't particularly rosy either. They forecast that our growth next year will be 1.5%. You made reference in your budget to growth anticipated next year of 3.5%. TD's forecast for our growth next year also will have us as the last in the country in terms of our rate of growth.

Why do you keep telling us that things are fine when it is clear that Ontario's economy is into a real slowdown and you are failing to recognize that and act on it?

**Hon Jim Flaherty (Deputy Premier, Minister of Finance):** I'm sure the Leader of the Opposition is aware, as everyone else in Ontario is, perhaps except him, that there is an economic slowdown, that that economic slowdown is anticipated, and that the government of Ontario budgeted for the economic slowdown. That's not news; that's been well known for weeks, if not months. I'm sure the Leader of the Opposition is aware of that.

What is "fine," as he refers to it, is the fact that the government of Ontario, in its budget process, ensured that we planned ahead, taking into consideration the anticipated economic slowdown. For that reason, we are in a position to balance the budget in Ontario, which apparently his Liberal friends in Ottawa can't do.

**Mr McGuinty:** I'm pleased that I've finally been able to convince Ontario's Minister of Finance that our economy is experiencing a slowdown. I'm pleased that he now recognizes what Ontario families have known in their hearts and what Ontario businesses have witnessed in their books.

Minister, I've given you TD Canada Trust's projections for this year and their forecast for next year. What I'm looking for from you are your numbers. Businesses today in Ontario are scrambling to revise their growth projections and to prepare new financial plans based on the slowdown and the horrific events of September 11. We expect that you in government would do the same thing. So will you now commit, sooner rather than later, to table in this House a new economic outlook and fiscal plan?

**Hon Mr Flaherty:** It's obvious, I think, to everyone that there was an anticipated economic slowdown which has happened. I think it's also obvious to everyone, including, I trust, the Leader of the Opposition, that there are certainly effects from the September 11 tragedies in the United States. These are matters that have economic consequences. I'm sure everyone is aware of that; it's hardly news. We have to be prepared in Ontario to have economic forecasts that will be revising downward the anticipated growth in Ontario. That's also not news, and there will be more, I tell the Leader of the Opposition. As they are reported, there will be more.

The good news is that we anticipated that in Ontario, and therefore we can have a balanced budget.

**Mr McGuinty:** Minister, it's not just a matter of getting this year's budget balanced. There are other things that you can and should be doing. You cannot

merely preside over an economic slowdown; there are some things that you can and should be doing. I put some of those to you before and I'll remind you of them.

In addition to presenting your fiscal statement and economic plan, I think somebody over there should be meeting in an emergency way with the governors of New York state and Michigan to secure our trade. Some 93% of our exports go south of the border, and there's a very real danger connected with slowdowns at our border crossings, particularly in that we live in a just-in-time world.

I think you should renew your efforts to bring down interprovincial trade barriers. I think it's important for us to understand, now that we have so many of our eggs in the American basket, we should do what we can in order to secure more trade across the country. I think you should host an economic summit. Bring together labour and business leaders, consult them and get their very best advice, given that we're now moving in uncharted waters. Those are a number of positive proposals, Minister. You can't just sit there and tell me that the best you're going to do is balance the budget.

**Hon Mr Flaherty:** I understand that the Leader of the Opposition is very fond of meetings and he may have noticed that Premier Harris met with Governor Pataki, that we've done a great deal of work with our major trading partner, our American neighbours, and that we have a very positive relationship with them.

The Liberal solution is always to spend money. That's what they did between 1985 and 1990. So badly did they manage the Ontario economy that in 1988 Ontario's credit rating was put on credit watch. That's Liberal financial management. But that's not all.

This leader says, "Here's what we should do with government spending." Dalton McGuinty says, "We're living in the age now of surpluses. The issue is, what's the best way to spend this money?" That's what Dalton McGuinty said in February 2001, CHOK-AM in Sarnia. That's not apparently what he says today.

#### IPPERWASH PROVINCIAL PARK

**Mr Dalton McGuinty (Leader of the Opposition):** My question is to the Deputy Premier. I want to return to the Ipperwash affair, the matter involving the shooting death of an unarmed man. There was a criminal trial held after that shooting death and in that trial disclosure was made by the government to the defence counsel. Disclosure, as you will know, Minister, is all about bringing forward evidence that the government has and giving that information to the defence. Now, instead of a copy of the notebook of an OPP officer who was at the scene, the government provided a summary to the defence of the passages found within that notebook, and it turns out that crucial passages were left out of the summary—passages that said, "Heat from political side. Made strong comments in the House."

Minister, can you tell us why those vitally important passages were left out of the summary?

**Hon Jim Flaherty (Deputy Premier, Minister of Finance):** As I'm sure the Leader of the Opposition knows, since he is a lawyer, as I recall, if you are a party to a proceeding, and the OPP is a party to a court proceeding, one is obliged to produce the documents that one has. The documents that are OPP documents have therefore been produced by the Ontario Provincial Police, so we do have evidence in court now. But that evidence in the court documents from the OPP officers, including the former commissioner and the incident commissioner at Ipperwash, is unequivocal: there was no interference with police actions.

**Mr McGuinty:** We're just talking about some very important evidence that was withheld from the defence, Minister. As bad as this story is, it gets worse.

I want to bring to your attention another serious omission that we discovered in the so-called summary. On page 38, the summary says: "John Carson states that we're on the right track." But here is what it said in the original handwritten notes: "Premier, no different treatment from anybody else. We're OK. On the right track." Let me repeat that. The summary said: "John Carson states that we're on the right track." The original says: "Premier, no different treatment from anybody else."

Minister, the summary left out another direct reference to the Premier. Now, those who prepared this summary, employees of the government, omitted a reference to the Premier providing direction on how to treat the protesters. Minister, again, why was this reference to the Premier left out of the evidence?

**Hon Mr Flaherty:** I repeat to the member opposite, since he doesn't seem to accept it, that in a civil proceeding it is the party that must produce the documents that are in its possession. The Ontario Provincial Police have produced certain documents. I understand that he is critical of the Ontario Provincial Police. He feels, I gather, that the Ontario Provincial Police, in this court proceeding, have in some way acted improperly. But the evidence is unequivocal from the OPP court documents, and that is that there was no interference in the police actions.

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**Mr McGuinty:** I'm talking about documentation that was supposed to have been introduced or produced as evidence for a criminal trial when some members of the First Nations were on trial. That's what I'm talking about. The defence lawyers representing those men should have had access to this evidence, but it was denied to them. This is extremely serious. There could have been an obstruction of justice here.

Somebody on the government side left out statements such as the following: "Heat from political side." That wasn't produced. "Made strong comments in the House." Somehow that was removed from the summary. "Premier, no different treatment from anybody else." Somehow that reference to the Premier was removed from the summary.

Minister, let me give you a recommendation, the one we've been making for such a long time now: in order to

get to the bottom of this, in order to find out exactly what happened, in order to get at the truth, we must hold a full, independent public inquiry. Will you finally agree to do the right thing and hold a public inquiry?

**Hon Mr Flaherty:** Since the Leader of the Opposition is interested in recommendations, may I offer a recommendation to him? That before he makes accusations he ought to have a look at basic procedure, including criminal procedure in criminal prosecutions. The productions in a criminal prosecution of course come from the police. So again he is criticizing the Ontario Provincial Police and making allegations against the Ontario Provincial Police. Those are police matters in criminal prosecutions in terms of production of documents. He should know that; in fact, as a lawyer he probably does know that but chooses not to acknowledge it.

#### TRANSIT AND TRANSPORTATION

**Mr Howard Hampton (Kenora-Rainy River):** My question is for the Deputy Premier and concerns the announcement which he took part in today at the GO station.

You've been forced to admit that your strategy of six years ago to download urban transit on to municipalities was a completely wrong-headed decision. You've been forced to admit that it made absolutely no financial sense and no transportation sense. To that degree you're announcement today is a good thing.

But because we are very concerned, since your government has a penchant for selling off valuable public services, I want a guarantee from you that you will not now take GO Transit and privatize it and sell it off to one of your private sector friends.

**Hon Jim Flaherty (Deputy Premier, Minister of Finance):** I can tell the honourable member that as finance minister I have to deal with the transaction that his government did with respect to the rolling stock of Ontario, which I gather they characterized as a sale at one time, which the auditor felt, no, it was actually some kind of financing agreement. So I would be wary were I he to be suggesting ways of dealing with Go Transit and the assets of GO Transit. Having said that, this is a great day in Ontario. This is a fabulous vision.

When this government was elected in 1995, it was a time of doom and gloom in Ontario. Since then, because of the difficult decisions that Premier Harris and his team made, we have had fabulous economic growth in this province. It calls for increases in population. We improved the highways: \$6.5 billion spent on highways in Ontario since 1995. Now we have to marry that with a great vision of transit that the Premier has.

**Mr Hampton:** It was a very simple question; it requires only a yes or no answer. I simply ask, are you going to provide municipalities and citizens across Ontario with a guarantee that your takeover of GO Transit is not just setting the table for you to go out and sell the whole operation to your private sector friends? We've watched your government sell off what has been one of

the best hydroelectric systems in the world. We have watched you sell off Ontario's affordable housing stock and create a housing crisis across the province.

This is vital to the urban economy. There is no urban transit system anywhere in the world that can operate on a for-profit basis if it's going to serve its citizens.

So yes or no, Minister, will you guarantee people that you have no plans, no strategy, no intention to sell off the operation of GO Transit to your corporate friends?

**Hon Mr Flaherty:** This from the leader of the third party, who was a cabinet minister, as I recall, when his government purported to sell the rolling stock, and didn't even do that right so it turned out not to be a sale. So I have a lot of trouble sort of lending credibility to the suggestion.

Listen, this is great for the economy of Ontario. When the other ministers and I were together with the Premier this morning in the yard in Etobicoke, you could see all those great locomotives. You know, they're built at General Motors in London. You see the great double cars. There are going to be more of them bought. They're all built by Bombardier, Hawker Siddeley up in Thunder Bay. This is all great for the government of Ontario. We're going to have more rolling stock, more buses through our partnership with the municipalities across the province of Ontario replacing aging fleets. This is great news. This is a vision for transit and transportation for the next generation in the province of Ontario.

**Mr Hampton:** Let me just illustrate why this is such an important question. In Great Britain, under a government of identical stripe to this one, the train system and much of the transit system were privatized. The result for people in England has been an untold number of train accidents with literally dozens of people killed and hundreds of people injured.

Ensuring that you have a public transit system that is operated publicly, administered publicly and that works with the best interests of people in mind, not the profit figure in mind, is absolutely essential in our urban environments.

You can quibble over whether you want to lease some of the equipment or you want to own some of the equipment or you want to acquire some of the equipment on a fancy lease deal. You could quibble over that. In terms of the health and safety, particularly of residents of the greater Toronto area, will you guarantee that you will not, you have no plans, no intentions to privatize, to sell off the operation of GO Transit? Yes or no?

**Hon Mr Flaherty:** This is from a government that tried to sell all the rolling stock and couldn't even get that right. Now they're saying, I guess, that that was a mistake on their part, that they ought not to have tried to sell all the rolling stock of GO Transit.

The good news is the government of Ontario is back in GO Transit, which means "government of Ontario transit," as everybody knows.

If you live in the Golden Horseshoe, you know that the GTA is only part of regional transit in this part of Ontario. The wonderful growth that we have goes from

St Catharines through Hamilton, through Guelph, through Kitchener-Waterloo, Alliston, Barrie—the fastest growing city in Canada, the mayor of Barrie tells me—Orillia, back around to Lindsay and Peterborough, Port Hope and Cobourg. This is the great success area, the great economic development area of southern Ontario that will benefit terrifically from this brilliant initiative by the Premier on transit and transportation.

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#### IPPERWASH PROVINCIAL PARK

**Mr Howard Hampton (Kenora-Rainy River):** My next question is also for the Deputy Premier. Raised today in the press is an allegation that under your government's authority, under your government's operation, the administration of justice, the criminal justice process in Ontario was essentially undermined; that a police officer's notebooks were not made available at a criminal trial in order that your government could continue to assert that the Premier gave no direction on how the police were supposed to handle the Ipperwash controversy.

Minister, this is an incredibly serious allegation in a democracy, and as Deputy Premier, you owe it to the people of Ontario to tell them here and now what you're going to do to investigate this apparent obstruction, this apparent undermining of the administration of justice in Ontario. What are you going to do?

**Hon Jim Flaherty (Deputy Premier, Minister of Finance):** Thank you, Speaker. Through you to the leader of the third party, who is also a lawyer, I expect he knows, or if he doesn't know, he ought to know, that the productions in litigation are from the party; that is, they are from the Ontario Provincial Police.

**Mr Hampton:** Yes, they are through the Ontario Provincial Police, under the supervision of the crown attorney. It is the crown attorney who gets called on the table when defence counsel discover that the crown attorney has been withholding evidence. You're a lawyer. You ought to know that. So don't try to blame this on the Ontario Provincial Police.

This is a most serious allegation in a democracy, that the criminal justice process, the disclosure of police evidence, in this case a police notebook, was deliberately withheld in order to protect the Premier and to keep out of the public light that the Premier was very much involved in directing police activity. You owe it to the people of Ontario, you owe it to the criminal justice process in Ontario. What are you going to do? What are you going to do now to uncover how such an undermining of the criminal justice process could have happened under your government?

**Hon Mr Flaherty:** As the member opposite knows, or ought to know, in the criminal proceeding the productions from the police are produced by the police, whatever police force it happens to be, in this situation the Ontario Provincial Police, and given to the crown attorney. So his criticism, if he has one, is of the Ontario

Provincial Police. I, for one, unlike the member opposite apparently, have full confidence in the fairness of the administration of justice in the province of Ontario.

#### TRANSIT AND TRANSPORTATION

**Mr Dalton McGuinty (Leader of the Opposition):** My question is to the Minister of Transportation. Minister, in 1998 your government made the foolish, reckless and irresponsible decision to download on to our municipal partners responsibility for public transit. So for three years they have been struggling under that unbearable burden, and today we understand that your government has made a very half-hearted attempt to reverse that.

What I'd like you to do now, Minister, is on behalf of your government apologize to Ontario municipalities, who have been struggling to shoulder a burden which was totally unfair for you to saddle them with in the first place, and to admit that you made a terrible mistake in the first instance.

**Hon Brad Clark (Minister of Transportation):** I would like to thank the leader of the loyal opposition for his question. When I became the Minister of Transportation, our government was in discussions with municipalities, and as we were discussing transit and transportation infrastructure with the municipalities they stated that they would like to see long-term financing and funding. They actually credited us with the investment we had made in transit. The TTC put posters up crediting the Premier for his investment in transit, and they asked to work with us.

We have worked with them. We've come to an agreement. It's a three-way agreement: a third from the municipalities, a third from the province of Ontario and a third from the federal government. We've communicated with all of them. I think it's a fantastic day. The municipalities are praising us. The AMO president has stated, "I trust the federal government will join the province and Ontario municipalities in this partnership."

Let me tell you something, folks: the municipalities are very pleased. Apparently, it's only the Leader of the Opposition who isn't pleased.

**Mr McGuinty:** I'll tell you why we're very concerned over here: because it's your particular track record, the track record of this government. This is the third announcement of major provincial funding for public transit in the last two years—

#### *Interjections.*

**Mr McGuinty:** Here comes the punch line, and I'm sure this will disappoint the government members: that money has never flowed. So they're good at making announcements, but they're not particularly good at advancing the money.

First of all, let's be truthful about this announcement. It's not a \$9-billion announcement. At its very best it might be \$3 billion in terms of your commitment to this. But given your record of failing to advance money, Ontario municipalities are left wondering how truly committed you are to this particular announcement. Why

should Ontario municipalities, why should the people at GO Transit, given your record of failing to advance monies, believe that you are in fact going to advance these monies in a timely way?

**Hon Mr Clark:** Once again, I do thank the leader of the loyal opposition for his question. It is startling when we come out with a plan that we have negotiated and worked through with municipalities and with the federal government, a plan that brings all three parties together—I can remember standing in this House and talking about bringing the three levels of government to work together—that the Leader of the Opposition all of a sudden wants to slam it. He doesn't like it when people work together. He doesn't like it when people move up and work with the government. He doesn't like it when Ann Mulvale agrees with us. He doesn't like it when Rick Ducharme from the TTC says, "This is a very positive announcement." He doesn't like it when the Canadian Automobile Association says, "The provincial takeover of GO Transit and investment in capital improvements is great news for Ontario." He doesn't like it when Greg Sorbara says during a by-election in a letter to Mario Racco that the government should be funding a third of construction—and we are.

#### EMERGENCY PREPAREDNESS

**Ms Marilyn Mushinski (Scarborough Centre):** My question is for the Solicitor General. Much has happened since the unspeakable horror of September 11. Many of my constituents in Scarborough wonder how prepared we would be if, God forbid, such a tragedy occurred within our borders.

I read in the Globe and Mail this morning that former RCMP commissioner, Norm Inkster, is calling on the federal government to appeal to the provinces and local authorities to review emergency preparedness. Is Ontario prepared to take up such a review?

**Hon David Turnbull (Solicitor General):** I'd like to thank the member for this question. Security of Ontario citizens is absolutely the top priority of our government. I certainly welcome the suggestions of Mr Inkster, which I saw in the paper today. We are certainly well underway in this regard.

Our government is determined to ensure that all necessary measures are taken to protect the safety of Ontario citizens. The province has demonstrated a very sound emergency response team. In light of the attacks, which were absolutely unprecedented, we are undertaking a complete review of all aspects of our communications and our readiness at all levels of government, and we will be working with both the federal and municipal governments in this respect.

**Ms Mushinski:** Thank you for that response, Minister. Leading off Monday's historic debate, our Premier made several commitments. Would you please share them with us today so that every member of this House and indeed every Ontarian knows that their government is committed to safety and well-being.

**Hon Mr Turnbull:** The Premier has called for the OPP to review ways we can fight terrorism more effectively. We are consulting with the OPP and indeed other municipal police services on all aspects with regard to this. We're going to review all levels of government and agencies as to how they can better share intelligence information and we're going to look at ways to strengthen provincial legislation to prevent terrorist acts. We're going to be working with the federal government to see how we can work with them in terms of federal enhancements to legislation. But let me make it absolutely clear to everybody—we will protect the citizens of this province.

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#### EDUCATION ON INTOLERANCE

**Mr Dalton McGuinty (Leader of the Opposition):** My question is for the Minister of Education. I know that in this House we are all very concerned about recent ugly displays of intolerance. There was a particular incident in my community in Ottawa where a dozen youths set upon a 13th and beat him into unconsciousness.

One of the things I have heard from teachers is that they have yet to receive any materials which might help them address these issues in the aftermath of those horrific pictures they've all witnessed on TV.

I'm wondering, Madam Minister, if you have any plans, which I would ask you to implement in short order, to help provide our teachers with materials—they need not be overly lengthy—so they might, at the earliest possible opportunity, raise the issues of intolerance inside the classroom and, at the same time, help our children and young people deal with the horrific events they would all have witnessed several times over on television?

**Hon Janet Ecker (Minister of Education, Government House Leader):** I share the honourable member's concern about incidents that may have occurred or have occurred in some communities. I know certainly that all of us as members of this House have gone out of our way to try to show the leadership we can in our communities, or in our capacities, for tolerance, for not letting what happened at the World Trade Center and in Washington and Pennsylvania cause incidents of intolerance against any group. I certainly share that.

Secondly, school boards and teachers, as part of the curriculum, as part of the processes they have in place, have a wealth of information and procedures. Many schools and boards, from what I've been told when we've been in contact, have done great service in helping children through this. It has been wonderful to see them do their jobs and do them very, very well. If there's a need to make sure all boards are sharing the information, to send more information, I'll certainly be prepared to look at it, but I must say it has been wonderful to see good people doing good jobs on behalf of our kids.

**Mr McGuinty:** Madam Minister, I share your sentiments, but I want to take it one step further. I think these

are exceptional circumstances, and they call for an exceptional response. When I refer to "exceptional circumstances," I refer to the events of September 11, where our children and young people witnessed terrible things on television, and I refer to some of the aftermath, much of which, I am convinced, has not been recounted in the media. There have been acts committed below the radar, which have not been picked up, where our young people and children are being affected in a negative way, and I refer to acts of intolerance.

I have a specific proposal for you. Why couldn't you direct that next Friday every teacher in every classroom in Ontario will raise the issue of intolerance with his or her students and be given the opportunity to tell Ontario's students that we have what the world needs and it's very important for us to preserve it and cherish it and celebrate it? I think there's a very important message for us to deliver to our children and our young people, and I think one of the things we should do is seize the opportunity, effective next Friday. You could direct that. You could make it happen. I think it's an important and exceptional response to exceptional circumstances.

**Hon Mrs Ecker:** I must confess I am a little concerned at the honourable member's suggestion. I appreciate the spirit in which he makes it, but I wouldn't presume that this House or this government would tell teachers what is appropriate and what they should be doing professionally to deal with the children in their classes. If they have had a class where they've already been through this, or if they've had a class where students were not able to deal with this, I don't think it's appropriate to go out and order them to do something like this.

One of the things that has impressed me greatly is the wonderful things that schools and boards have already done and continue to do. It is incredible what they did to help our kids through this. If there needs to be more information or supports, as I said, I'm quite prepared to meet with boards and talk about that. But the last thing teachers need is for any government to say, "Thou shalt teach the kid this about this tragedy that happened in the United States." I trust the professional judgment, and I trust the work of the social staff in those schools and those school boards. It has indeed been a good job that they have been doing on behalf of our kids.

**The Speaker (Hon Gary Carr):** Stop the clock a quick moment. I understand the Minister of Consumer and Business Services is going to make a reply. Just for clarification on this so everyone knows, the minister will reply to yesterday's question. There will be time for a supplementary. Any member can do it; I believe it was the leader of the official opposition. The government will then lose their question and then it goes down to the third party, just so everybody knows the procedure.

#### BIRTH CERTIFICATES

**Hon Norman W. Sterling (Minister of Consumer and Business Services):** Yesterday, the member for

Ottawa South asked what I consider a very good question about birth certificates in this province, and I promised to bring in more details today.

I want to assure members of the House there is at present no evidence of any significant misuse of the Ontario birth certificate system. Nevertheless, as I said yesterday, our ministry had already begun a review of the vital statistics services some time ago. I can now tell the members that the review included an OPP audit in the fall of 2000, which produced 94 recommendations for fraud prevention. Of the 94 recommendations, 59 have already been implemented. Implementation of a further 14 is underway. An additional 21 recommendations require technology upgrades or changes to statutes and regulations. Our ministry plans to have those 21 underway by mid-October, either by tabling draft statutes and regulations or initiating the necessary IT upgrades.

We have already considered a variety of new security features in these proposals including, for example, the requirement to have a guarantor, as you would for a passport application. We have said before, and I repeat, that constructive suggestions on security will be taken seriously by our government in light of the events of September 11. It's necessary that we all participate in meeting that challenge.

One other issue remains; that is, the member's suggestion that there is no safety check mechanism for applications not made at the counter. I do not in any way want to dismiss the member's concern, but it must be said that the Registrar General's office does use confidential information in the birth registry to review for fraud. That office estimates that 16% of the applications received by mail, fax or courier are rejected initially. A further 5% are rejected after a second level of scrutiny. That second level of scrutiny often includes highly detailed questions for the applicant. These questions are frequently asked, but to tighten up for the interim I have directed the Registrar General to ask a number of additional applicants these questions.

Before permanent steps are taken, members should know that our birth registry system is little different from the systems in other provinces and in fact in most of the United States. With this in mind, and with a view to what happened on September 11, I have written to my counterparts in other provinces to begin a process of reviewing the procedures across the provinces to make certain that any changes we might make here are shared across Canada.

**Mr Dalton McGuinty (Leader of the Opposition):** I appreciate that the minister has taken the issue I've raised to heart and has obviously been involved in a review of many of the procedures, with a view to ensuring they are more secure.

I remain unclear, though, Minister, and I ask, in your response, if you might tell the people of Ontario what has changed specifically with respect to applications for birth certificates. Under the existing form, we need only provide some basic information—date of birth, mother's maiden name, father's name, address—and in fact some-

body else might apply on our behalf if it's a spouse. Has that changed? If it has, effective when, and how has it changed?

**Hon Mr Sterling:** I don't know all of the 59 changes that have been made already in the Registrar General's office. These were suggestions by the OPP to improve our ability to detect and do away with fraud.

However, I would add to the member opposite that I intend to introduce a bill in this Legislature in the very near future where we will be discussing all these matters in detail and give members of the Legislature the opportunity to ask those questions to the people who are involved. As you know, it is difficult to discuss what security measures you are in fact taking, because once they are known, then people can avoid them.

I want to say to the member opposite that I want to thank him, and I would like to invite other members of this Legislature to make suggestions to either me or to other ministers in order to improve our security systems. I hope we can have a fruitful and constructive discussion when I bring forward this piece of legislation.

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#### FAMILY RESOURCE PROGRAMS

**Ms Shelley Martel (Nickel Belt):** I have a question for the Deputy Premier. Last week your colleague the Minister of Community and Social Services made an announcement regarding Early Years centres. I would like to know what role the existing family resource programs in Ontario will have in these centres.

**The Speaker (Hon Gary Carr):** Stop the clock for a moment. For those at home, the lights have dimmed a little bit. I assume that members don't have any problem if we continue. I think we can still see properly, so we will continue. Minister.

**Hon Jim Flaherty (Deputy Premier, Minister of Finance):** I understand that we're providing \$30 million this year to support Early Years centres, so there will be a gateway for parents, allowing them to find answers to questions they have about their child and be referred to services to support them in their parenting role.

We're also increasing the funding we provide for intensive services for children with autism, expanding our commitment to \$39 million a year, and we're also increasing the funding for children's mental health services by \$6.9 million, bringing our total commitment to over \$330 million annually.

**Ms Martel:** The question was about family resource centers. With respect, your colleague has produced a document to guide the creation of Early Years centres and it doesn't mention family resource programs at all. This, despite the fact that there already exists a wonderful network of family resource programs in Ontario, developed in 1975, which already provide important supports to parents and their families, including toy lending libraries, nutritional information for new moms, drop-in centres, resource information for parents etc. In fact, it



was the family resource program model that Mustard and McCain endorsed in the Early Years Study.

We have 274 family resource programs now which are delivering all or most of the services that your government says it wants delivered by these new Early Years centres. So, Minister, instead of using federal money, because it's federal money and not provincial, to create 103 other centers, which will result in fewer services for families than the services currently offered through 274 family resource programs, why don't you use the federal money to support and enhance the existing system of family resource programs in Ontario?

**Hon Mr Flaherty:** This government's interest in the well-being of children did not start when the federal Liberals came to the table. Indeed, in this year's budgeting there is \$114 million of new money, new money from Ontario taxpayers, to assist in this regard.

As I say, \$30 million this year is dedicated to the Early Years centres. So there will be that gateway for parents, allowing them to find answers to questions they have about their child and be referred to services to support them in their parenting role.

It has been a cornerstone of our agenda since Mike Harris took office in 1995 to address the early years concerns of parents with children.

#### EMERGENCY PREPAREDNESS

**Mr James J. Bradley (St Catharines):** I have a question for the Solicitor General in his capacity of being in charge of emergency services in Ontario. Unfortunately, Solicitor General, you and I have to contemplate things that we didn't want to, that no one wanted to contemplate before September 11. One of those is the possibility of a chemical attack on someone, a biological attack, which could have some difficult circumstances for us.

I would be interested to know from you how much vaccine is available to deal with smallpox in Ontario today, or anthrax, or perhaps the plague, how you would anticipate dealing with that. I recognize that we didn't contemplate what was going to happen, so I don't say that in a critical sense to the minister. I'd like to know what our circumstances are in that regard and, second, what the government is doing to change the circumstances, to alter the circumstances, in light of what happened on September 11.

**Hon David Turnbull (Solicitor General):** I think this is a very important question that has been discussed in the media lately. Clearly, as part of the review that the government is undertaking of all emergency measures, both at the provincial level and at municipal levels, we are looking at such issues. I will direct you, perhaps in the supplementary, to speak to my colleague the Minister of Health with respect to the specifics of the amounts of vaccine that are available and those aspects.

But clearly we're taking very seriously all the possible threats that could occur in this province, and working with the federal government and reaching out and work-

ing with municipal governments and the OPP and the municipal police forces, so that we can look at all possible ways that terrorists could strike and what our response will be. As the Premier committed and as I have followed up, we will be reporting back to the House in the next little while with our actions.

**Mr Bradley:** I thank the minister for that answer. I asked that in light of the fact that in the US, for instance, there's only enough for 7% of the US population, and we have these threats. But there's another threat I would like to talk about. I won't get into the detail of the other at this point because I realize I'm asking a question that you may not have the detail on right now.

The other is the movement of hazardous materials around Ontario. I have read and seen, as you have, that there have been 10 people arrested in Missouri, Michigan and Washington state on charges of fraudulently obtaining licences to transport hazardous materials.

The question I would ask you is—again, in a general sense—whether you are satisfied with the fact right now that there are people who can fraudulently obtain such licences, even outside of this country, let alone perhaps in this country; and second, what measures you're undertaking to protect us as much as possible from the threat that would come from, for instance, trucks that might be carrying hazardous materials and could cause great damage or harm to the general population.

**Hon Mr Turnbull:** As part of the general review of all our emergency preparedness, we are looking at such issues as possible fraudulent licences for transporting hazardous materials. I think this is causing every administration in the world pause to step back and say, "How can we do it better?" The important thing is, we don't want our citizens to be scared that we're not prepared. I have to say, if you're going to be anywhere, in terms of safety, Ontario is one of the safest places in the world. I have lived in several countries of the world, and I'm proud of this province and the commitment we collectively have to the security of our citizens.

But after the events of September 11, I don't think any government at any level can take anything for granted. That is why we're undertaking the most fundamental review of all aspects of security. We will be reporting back to the House, but I want to emphasize to the public of Ontario that the security of the citizen is paramount.

#### HEALTH CARE REFORM

**Mr Raminder Gill (Bramalea-Gore-Malton-Springdale):** My question is for the associate minister of health and long-term care. As we are aware, there are pressures and realities that are currently facing the health care system, not just in Ontario but throughout the world. Although I'm not aware of all the difficulties the world is having, certainly we need to look outside of the box to ensure sustainability of our health care system.

Minister, at the end of July this year every household in my riding, as well as throughout Ontario, I'm sure, received a health survey asking them for their input,

ideas and concerns in ensuring the long-term viability of our health care system. Many have come to me personally with their thoughts and input on how they can see the system to be beneficial. Can you tell me how many people, within those two months, have come forward with public dialogue? And can you inform us what the progress of that is?

**Hon Helen Johns (Minister without Portfolio [Health and Long-Term Care]):** I thank the member for the question. Public dialogue has had amazing success in Ontario. Questionnaires were sent out to 4.3 million households in English and about 250,000 in French. As a result of that, to date we've had about 450,000 responses; that's about 20,000 responses every day. So the people of Ontario have truly been engaged in this process. They've really wanted to speak to the government and tell them what they think they need to be able to strengthen the health care system.

The people in Ontario wanted to be heard. The people in the riding of Bramalea-Gore-Malton-Springdale also wanted to be heard. We've heard from many, many people on how we can improve the health care system in the province of Ontario, what's working in the system and what needs to be altered in the system.

They've also talked to us about what we might do to make changes. They've talked to us about what we might do to—

1510

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

**Mr Gill:** I'm very, very happy that so many people are responding, and I know the answers to questions are still pouring in.

Some of my constituents appreciate the idea that this is their input that we're trying to listen to. In a recent discussion on these services, someone had questioned why this government would take the leadership in opening up the discussion of improving the health care system with the public, when the federal commissioner on health care, Roy Romanow, appointed by the current Prime Minister, will report on his findings in November 2002. Could you please explain the reasoning behind this, as well as help explain why the public dialogue is necessary here in Ontario?

**Hon Mrs Johns:** I'd like to thank the member for the question. I also want to say that a great number of people are responding to this survey because they want to be heard, not only by the government of Ontario, but by the Romanow surveys, too. We want to make sure that when Roy Romanow comes to the province of Ontario and asks Ontarians what they think, we have the documentation to be able to show him what the people of Ontario want.

As everyone recognizes right now, there are a lot of discussions happening about the health care system and where we should be going in the future. With the information we're receiving from the people of Ontario, we'll be ready to help in the Romanow survey. We'll be ready to help as we make decisions about health care in the future. We'll be there because we'll have the

information directly from the people on what they want in their health care system in these years and generations to come.

#### CORPORATE TAX REDUCTIONS

**Mr Gerry Phillips (Scarborough-Agincourt):** My question is to the Minister of Finance. He was here a moment ago.

**The Speaker (Hon Gary Carr):** Could we stop the clock, please? Oh, there he is. Proceed. Sorry.

**Mr Phillips:** Minister, in about three months, you will begin implementing a plan that, according to the budget, will cost about \$2.2 billion to have corporate taxes in the province of Ontario 25% lower than that of our competitors, our neighbouring US states. We understand the need for competitive taxes. The policy issue, though, is what is the policy rationale for why Ontario needs to have corporate taxes 25% lower than our major competitors?

**Hon Jim Flaherty (Deputy Premier, Minister of Finance):** As I'm sure the honourable member opposite knows, reducing taxes in the Ontario experience, led by Mike Harris, has resulted in increasing revenues. Particularly in a time of economic slowdown, I'd suggest to the member opposite, it is a very good thing that these tax cuts are coming in. It gives the corporations the opportunity, rather than send their money here, to keep more of it and invest it in plant and machinery and thereby create more jobs in Ontario.

**Mr Phillips:** Actually, that doesn't work. If they invest more money, their profits are lower. So I don't think the finance minister completely understands the policy.

My point is this: when I look at our major competitors and I look at Pennsylvania, they say, "Why you should come to Pennsylvania is because of the quality of our workforce, because of the quality of our education system." That's what Governor Ridge says. So my point is this: we in the Liberal Party understand the need for and support competitive taxes. The issue is why have you determined that we have to compete on the basis of corporate taxes which are 25% lower than our competitors? That is money that we will not be able to invest in what Governor Ridge is doing—investing in education. So could you just give the people of Ontario the rationale for why we have to have corporate taxes 25% lower than the US?

**Hon Mr Flaherty:** I don't expect the member opposite to understand that tax reductions create jobs in Ontario. They didn't understand it in 1995, they didn't understand it in 1999 and they still don't understand it; but I don't expect them to understand it.

What we know is that we've created hundreds of thousands of new jobs in the province of Ontario, and it's not just tax reductions. Of course, it's the quality of our workforce; the incredible investments in training, led by the Minister of Training, Colleges and Universities; the incredible investment in our community colleges, in our post-secondary institutions, in our universities; the crea-

tion of more job training programs through the Ministry of Education and the Ministry of Training, Colleges and Universities. All of that attracts business to Ontario. We don't have to subsidize business with grants in Ontario; they want to come here because of the quality of our workforce and because of our low taxes.

#### ELECTRONIC MONITORING

**Mrs Julia Munro (York North):** My question today is for the Minister of Correctional Services. Minister, as part of our government's ongoing commitment to make communities safer, the Mike Harris government announced in the budget earlier this year that \$2 million has been allocated to your ministry for expansion of surveillance of offenders who are serving their sentence in the community. As everyone knows, now more than ever community safety is a top priority. Can you tell us if this is still an initiative that your ministry will be pursuing during this fall session?

**Hon Rob Sampson (Minister of Correctional Services):** I want to thank the member for York North for her question about electronic monitoring and the commitment of this government to provide the latest and greatest of technology tools to those who are helping us police and monitor those who are serving their sentences in communities throughout Ontario.

We need to make sure that we have the right tools in the hands of probation and parole officers to help them do the job. We need to make sure we have the right tools in the hands of those who run the correctional institutions to make sure that those who are on intermittent releases or day releases are properly supervised while they're serving those times in the community. Other jurisdictions across North America are using those tools and, with the help of that particular budget initiative, we indeed intend to apply those tools throughout the system here in Ontario.

**Mrs Munro:** I would like to thank the minister for his response. It is reassuring to know that our government is still keeping our mandate of protecting public safety as a top priority.

Minister, you have mentioned before that you will be seeking private partners to help you expand on this public safety initiative. Is this still the path you plan on following to deliver this program, and how will you decide what private partner is up to the job?

**Hon Mr Sampson:** There are a number of things on which we need to move ahead. The member for North York is quite correct; we should indeed and we will indeed be moving very shortly with a request for a proposal to engage the private sector, those who are providing us with that technology, to make sure that we have those tools to put in the hands of those who are supervising those who are serving community sentences.

I say to the members opposite who are chuckling about this that this is a very serious matter and we need to make sure that we find the right tools. So with the help of the Ontario Crime Control Commission, I say to the

member, we will be hosting a trade show next week that will demonstrate to the people of Ontario and others in communities across the province who are interested—like police services etc—what tools are available. We need to find out what those tools are, and then we will move ahead with a request for a proposal to get the private sector to help us implement that program.

#### AUDIOLOGY SERVICES

**Ms Shelley Martel (Nickel Belt):** I have a question for the Minister of Health regarding his decision to delist audiology services. Minister, among the many casualties of your decision are high-risk infants in the neo-natal intensive care unit at the Sudbury Regional Hospital. For the last 10 years the hospital has made space available on-site to an audiologist so that high-risk infants referred from the neonatal unit can get a hearing evaluation. As a result of the delisting, the program has ended at the hospital, and we have some 50 high-risk infants who have not been tested as a result. An added problem is that your infant hearing program is not up and running in our district, so they can't be tested there either.

Dr Karen Dockrill, a neonatologist, has written to your ministry about this. She told us yesterday that most of the parents of the infants involved cannot afford to pay for testing, so their children are going without and will not be identified with a hearing deficit.

Minister, in light of this very serious situation at our intensive care unit, will you now reverse your decision on the delisting of audiology services?

**Hon Tony Clement (Minister of Health and Long-Term Care):** In answer to the question, I can assure the honourable members in this House that we still have hearing tests that are being made available through qualified physicians—ear, nose and throat doctors—throughout the province, which are paid for by OHIP, so that is still the case. Our government has an ongoing commitment, I can tell this House, to ensuring that patients receive the highest quality and the most appropriate level of care. Certainly that is still our approach. So if the honourable member has a specific instance that seems to be at variance with that aspiration, I'd certainly take her comments under advisement and would be happy to get further details from her.

1520

**Ms Martel:** Minister, I've tried to raise with you a very specific incident at the Sudbury Regional Hospital that involves high-risk infants. It is not an option for many of these parents to try to get a referral from their family doctor, because I suspect most of them don't have a family doctor, which is an ongoing, serious problem in my community as well.

We have had a very successful program at our regional hospital where an audiologist came to the site and did a hearing evaluation for those infants who had been identified in the intensive care unit as probably having a family history of congenital deafness and needing an evaluation.

Because of your delisting of these services, this program has ended, and we now have 50 infants who may well have a hearing problem who cannot be tested and whose parents cannot afford to have them tested.

I ask you again, Minister, in light of this serious situation impacting infants in the neonatal unit at the Sudbury Regional Hospital, will you reverse your crazy decision to delist audiology services?

**Hon Mr Clement:** The honourable member is taking some liberties with the conclusion that she's drawing. There are audiology services that are still listed by OHIP; they are accessible through specialists and physicians. There are audiology services, I might add, that are available through hospitals. So quite frankly I'm not sure what the honourable member is talking about, but if she can give me some more details, I'd be happy to look into it.

#### BUSINESS OF THE HOUSE

**Hon Janet Ecker (Minister of Education, Government House Leader):** Pursuant to standing order 55, I have a statement of business of the House for next week.

Monday afternoon, we will begin debate on Bill 65. Monday evening, we will continue debate of Bill 86, just to be clear here.

Tuesday afternoon, we will continue debate on Bill 65. Tuesday evening, we will continue debate on Bill 87.

Wednesday afternoon, we will begin debate on Bill 101. Wednesday evening, we will continue debate on Bill 65.

Thursday morning during private members' business, we will discuss ballot item 21, standing in the name of Mrs Papatello, and ballot item 22, standing in the name of Mr Dunlop. Thursday afternoon, we will continue debate on Bill 101.

#### PETITIONS

##### SAFE STREETS LEGISLATION

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

"Whereas the provincial government has limited the legitimate freedom of the citizens of Ontario by passing Bill 8, the Safe Streets Act, 1999;

"Whereas the provincial government has taken no responsibility for people in need by removing important funding to the social assistance program;

"Whereas the provincial government is effectively making it a crime to be poor by passing Bill 8, the Safe Streets Act, 1999;

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

"We demand that Bill 8, the Safe Streets Act, 1999, be repealed and that all funding to social services be restored, and we are also asking the Ontario government

refrain from passing such discriminatory bylaws. If the Ontario government is not prepared to act on these issues, we demand that the government resign."

#### PROVINCE OF ONTARIO SAVINGS OFFICE

**Mr David Christopherson (Hamilton West):** I have a petition to the Legislative Assembly of Ontario that reads as follows:

"Whereas the Province of Ontario Savings Office was created in 1922 by united farmers and labour as a unique banking facility that allowed Ontarians to invest in their province; and

"Whereas the Province of Ontario Savings Office enjoys a strong popularity among Ontario residents, with over 100,000 accounts and over \$2.8 billion on deposit; and

"Whereas the Province of Ontario Savings Office offers customers attractive interest rates, generous chequing privileges and personalized efficient service, and every dollar deposited is guaranteed by the province of Ontario; and

"Whereas POSO has 23 branches serving 17 communities across Ontario, including Hamilton, Windsor, Ottawa and small communities in northern Ontario not served by other banks or trust companies. Places like Pickle Lake, Armstrong, Killarney, Gogama and Virginiatown; and

"Whereas the Harris government announced in its latest budget that it will put the Province of Ontario Savings Office on the auction block, even though it is a consistent revenue generator, and even though this revenue could help Ontario's crumbling infrastructure after years of Tory neglect;

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

"To save the people's bank, the Province of Ontario Savings Office, so that it can continue its historic role of providing excellent banking services to families in communities across Ontario; so that people in small towns will not be forced to go further afield for banking services and forced to go to private, for-profit banks."

I'm proud to add my name to the list of petitioners here today.

#### PROTECTION OF MINORS

**Mr Bob Wood (London West):** I have a petition signed by 1,056 people.

"Whereas children are being exposed to sexually explicit materials in many commercial establishments;

"Whereas many municipalities do not have bylaws in place to protect minors and those that do vary from place to place and have failed to protect minors from unwanted exposure to sexually explicit materials;

"Whereas uniform standards are needed in Ontario that would make it illegal to sell, rent, loan or display sexually explicit materials to minors;

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

"To pass Bill 95, Protection of Minors from Sexually Explicit Goods and Services Act, 2000, as soon as possible."

#### HEALTH CARE FUNDING

**Mr James J. Bradley (St Catharines):** The petition reads as follows:

"To the Legislative Assembly of Ontario:

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

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

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

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

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

"Whereas the Harris government has now spent over \$235 million on blatantly partisan government advertising in the form of glossy brochures, and television and radio ads;

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

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

#### HEALTH CARE SERVICES

**Ms Shelley Martel (Nickel Belt):** I have a petition addressed to the Legislative Assembly of Ontario. It reads as follows:

"Whereas the Harris government's decision to delist hearing evaluation and re-evaluation from OHIP coverage will lead to untreated hearing loss; and

"Whereas these restrictions will cut off access to diagnostic hearing tests, especially in geographic regions of the province already experiencing difficulties due to shortages of specialty physicians; and

"Whereas OHIP will no longer cover the cost of miscellaneous therapeutic procedures, including physical therapy and therapeutic exercise; and

"Whereas services no longer covered by OHIP may include thermal therapy, ultrasound therapy, hydrotherapy, massage therapy, electrotherapy, and biofeedback; and

"Whereas one of the few publicly covered alternatives includes hospital outpatient clinics where waiting lists for such services are up to six months long; and

"Whereas delisting these services will have a detrimental effect on the health of all Ontarians, especially seniors, children, hearing-impaired people and industrial workers; and

"Whereas the government has already delisted \$100 million worth of OHIP services,

"We, the undersigned, petition the Legislative Assembly of Ontario to immediately restore OHIP coverage for these delisted services."

This is signed by 68 constituents in my riding, and I agree with the petitioners.

#### LORD'S PRAYER

**Mr John O'Toole (Durham):** I'm pleased to read this on behalf of my constituents of Durham, and more specifically Harmony United Church, who sent me a petition.

"To the Legislative Assembly of Ontario:

"Whereas the Lord's Prayer, also called Our Father, has been used to open the proceedings of municipal chambers and the Ontario Legislative Assembly since the beginning of Upper Canada in the 18th century; and

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

"Whereas the Lord's Prayer is a most meaningful expression of the religious convictions of many Ontario citizens;

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

"That the Parliament of Ontario maintain the use of the Lord's Prayer in its proceedings, in accordance with its long-standing established custom, and do all in its power to maintain use of this prayer in municipal chambers in Ontario."

I'm pleased to support and sign my name on this petition.

1530

#### ONTARIO DISABILITY SUPPORT PROGRAM

**Mr Pat Hoy (Chatham-Kent Essex):** "To the Legislative Assembly of Ontario:

"Whereas the recipients of benefits under the Ontario Disability Act have not received a cost-of-living increase since a \$2.50 increase in 1987; and

"Whereas the cost of living in Ontario has increased in every one of the years since, especially for basic needs such as housing, food, utilities, transportation, clothing and household goods; and

"Whereas disabled Ontarians are recognized under the Ontario Disability Support Program Act, 1997, and as such have the right to have their basic needs met,

including adequate housing, a proper and healthy diet, a bed that does not make them sicker and clothing that fits and is free of stains and holes; and

“Whereas their basic needs are no longer being met because the Ministry of Social Services has not increased the shelter and basic needs allowance of disabled Ontarians eligible to receive benefits under the Ontario disability support program to reflect the increased costs of shelter and basic needs (and in fact have reduced these benefits for those recipients who receive a disability benefit under the Canada pension plan); and

“Whereas a new Ontarians with Disabilities Act has yet to be introduced to help protect the thousands of vulnerable people in Ontario who are dependent on others for their basic needs and care and who are eligible for benefits under the Ontario Disability Support Program Act, 1997;

“Therefore we, the undersigned citizens of Ontario, request the Ontario Legislature to urge the government to respect their own definition of basic needs and provide a cost-of-living increase to recipients of benefits through the Ontario Disability Support Program Act that is sufficient to cover the increased costs of their basic needs as of 2001 prices, and that this benefit not be reduced as a result of increases in the Canada pension plan benefit.”

#### PERSONAL NEEDS ALLOWANCE

**Mr David Christopherson (Hamilton West):** Very much consistent with the previous member’s petition, I have one from the Hamilton Second Level Lodging Home Tenants’ Committee.

“To the Legislative Assembly of Ontario:

“Whereas individuals who are tenants and residents in facilities such as care homes, nursing homes or domiciliary hostels under certain acts are provided with a personal needs allowance to meet incidental costs other than those provided by the facility; and

“Whereas the personal needs allowance has been fixed by the Ontario government at a rate of \$112 for nearly a decade and has not kept pace with cost-of-living increases, and furthermore is inadequate to meet incidental costs such as clothing, hygiene products and other essentials;

“Therefore, we, the undersigned, petition the Legislative Assembly of Ontario to immediately review and amend provincial legislation to increase the personal needs allowance from \$112 a month to \$160 a month for individuals living in care homes, nursing homes or other domiciliary hostels.”

On behalf of Hamilton residents and others across Ontario who are in these facilities, I add my name to this petition.

#### PROTECTION DES MINEURS

**M. Bob Wood (London-Ouest):** I have a petition signed by 220 people.

« Étant donné que des enfants sont exposés à des biens et services sexuellement explicites dans un grand nombre d’établissements commerciaux ;

« Étant donné qu’un grand nombre de municipalités n’ont aucun arrêté municipal visant à protéger les mineurs contre les biens et services sexuellement explicites, et que, pour les municipalités ayant de tels arrêtés municipaux, on n’y trouve aucune uniformité, et que ces municipalités n’ont pas réussi à protéger les mineurs contre les biens et services sexuellement explicites ;

« Étant donné que l’Ontario devrait avoir une seule loi au niveau provincial visant à protéger les mineurs contre les biens et services sexuellement explicites,

« Nous, les soussignés, demandons à l’Assemblée législative de l’Ontario d’adopter le projet de loi 95 visant à protéger les mineurs contre les biens et services sexuellement explicites dans le plus bref délai. »

#### AUDIOLOGY SERVICES

**Mr Steve Peters (Elgin-Middlesex-London):** A petition to the Legislative Assembly of Ontario.

“Listen”—Mike Harris—“our hearing is important.

“Whereas services delisted by the Harris government now exceed \$100 million in total; and

“Whereas Ontarians depend on audiologists for the provision of qualified hearing assessments and hearing aid prescriptions; and

“Whereas the new Harris government policy will virtually eliminate access to publicly funded audiology assessments across vast regions of Ontario; and

“Whereas this new Harris government policy is virtually impossible to implement in underserved areas across Ontario; and

“Whereas this policy will lengthen waiting lists for patients and therefore have a detrimental effect on the health of these Ontarians;

“Therefore, be it resolved that we, the undersigned, petition the Ontario Legislature to demand the Mike Harris government move immediately to permanently fund audiologists directly for the provision of audiology services.”

I am in full agreement with this petition from my constituents of West Lorne and Dutton and I’ll affix my signature hereto.

#### PROTECTION OF MINORS

**Mr Bob Wood (London West):** I have a petition signed by 896 people of about 23,000 who so far have signed.

“Whereas children are being exposed to sexually explicit materials in many commercial establishments;

“Whereas many municipalities do not have bylaws in place to protect minors and those that do vary from place to place and have failed to protect minors from unwanted exposure to sexually explicit materials;

"Whereas uniform standards are needed in Ontario that would make it illegal to sell, rent, loan or display sexually explicit materials to minors;

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

"To pass Bill 95, Protection of Minors from Sexually Explicit Goods and Services Act, 2000, as soon as possible."

#### ONTARIO DISABILITY SUPPORT PROGRAM

**Mr Steve Peters (Elgin-Middlesex-London):** I have a petition to the Legislative Assembly of Ontario.

"Whereas Ontario disability support program recipients have not received a cost-of-living increase since 1987; and

"Whereas the cost of living in Ontario has increased in every one of the years since, especially for basic needs such as housing, food, utilities, transportation, clothing and household goods; and

"Whereas Ontarians with disabilities are recognized under the Ontario Disability Support Program Act, and as such have the right to have their basic needs met, including adequate housing and a proper and healthy diet; and

"Whereas their basic needs are no longer being met because the Mike Harris government has not increased the shelter and basic needs allowances for the nearly 190,000 Ontarians on ODSP, and because cost-of-living increases in CPP benefits are clawed back; and

"Whereas a new Ontarians with Disabilities Act that would otherwise protect thousands of vulnerable people in Ontario who rely on ODSP has not been introduced;

"Therefore, we, the undersigned citizens of Ontario, petition the Legislative Assembly of Ontario to provide a cost-of-living increase of 2% per year retroactive to 1987, with a continued annual indexing at 2.4%, to give ODSP clients the dignity of a living benefit."

I will affix my signature hereto.

#### PROTECTION OF MINORS

**Mr Bob Wood (London West):** I have a petition signed by 1,008 people.

"Whereas children are being exposed to sexually explicit materials in many commercial establishments;

"Whereas many municipalities do not have bylaws in place to protect minors and those that do vary from place to place and have failed to protect minors from unwanted exposure to sexually explicit materials;

"Whereas uniform standards are needed in Ontario that would make it illegal to sell, rent, loan or display sexually explicit materials to minors;

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

"To pass Bill 95, Protection of Minors from Sexually Explicit Goods and Services Act, 2000, as soon as possible."

#### ORDERS OF THE DAY

##### FOOD SAFETY AND QUALITY ACT, 2001

##### LOI DE 2001 SUR LA QUALITÉ ET LA SALUBRITÉ DES ALIMENTS

Hon Mr Coburn moved second reading of the following bill:

Bill 87, An Act to regulate food quality and safety and to make complementary amendments and repeals to other Acts / Projet de loi 87, Loi visant à réglementer la qualité et la salubrité des aliments, à apporter des modifications complémentaires à d'autres lois et à en abroger d'autres.

**Hon Brian Coburn (Minister of Agriculture, Food and Rural Affairs):** Mr Speaker, I will be sharing my time with the member for Northumberland, Mr Galt.

Today I am bringing forward for second reading Bill 87, the proposed Food Safety and Quality Act.

I would first like to thank the Minister of Health and Long-Term Care and the Minister of Natural Resources for their continued support during the development of this bill, and the continual improvement of Ontario's food safety system, a system that is science-based, modern and competitive for the agri-food industry.

I'd like to say that Ontario's food is indeed safe. Our current food inspection systems have served the interests of the people of Ontario extremely well. However, the system that was originally developed several decades ago has not kept pace with the sometimes rapidly changing developments in the area of food safety and quality. Our consumption habits are evolving and changing, our food distribution patterns and trade requirements are changing, and new and more persistent types of food-borne bacteria have been identified. Therefore we must continually and proactively improve our food systems with regard to safety and quality to address the risks that come with such changes. This proposed legislation would provide the very backbone for a science- and risk-based food safety system.

**1540**

Ontario's food safety system underwent a full review in 1999. The overall goal of this review was to ensure that Ontario maintains its safe and high-quality food supply, now and on into the future. Updating and consolidating the provincial legislative framework is a key component of this initiative. Currently, food inspections are under the jurisdiction of three ministries and seven provincial statutes. While the Ministry of Health and Long-Term Care's Health Protection and Promotion Act has been updated in recent years, the six food-related statutes under the Ministry of Agriculture, Food and Rural Affairs and the Ministry of Natural Resources have not. This means that those food-related statutes are not as effective and efficient as they could be. We need to modernize them to take advantage of current levels of scientific knowledge, national standards, and industry initiatives.

Since Bill 87 received first reading in June of this year, we have been travelling across the province to share the details of this proposed legislation. The message from our stakeholders is clear: modern, consolidated food safety legislation would be good for consumers, good for business, and good for Ontario.

Our province already has the enviable reputation for food safety with some of the highest standards in the world. But we can do better, and we must, not only to protect the public, but to ensure that the agri-food businesses remain competitive. The agri-food industry is worth an incredible \$28 billion to the Ontario economy, and we need to ensure that it is well equipped to meet the demands of the future. Bill 87 will help us achieve that.

Just after I introduced Bill 87, I travelled to Whitehorse in the Yukon Territory for a meeting with Canada's federal and provincial and territorial ministers of agriculture. During that three-day meeting, we all agreed in principle on a national action plan to make Canada a world leader in food safety. I was proud to be able to say that Ontario had already taken steps to ensure this in our province. In Whitehorse, my colleagues and I agreed on a collective vision for the Canadian agri-food industry. It must be strong, modern and ensure access to international markets. Consumers must have complete confidence in the safety and quality of our food products. Again, I was able to say that Ontario is leading the way with Bill 87.

The regulations that would be developed under Bill 87 would put our food safety system on a firm, science-based foundation. What this means is that we would take advantage of new science and technology that is available. We could ensure that the standards for the quality and the safety of food products in Ontario are not arbitrary but are based on science that has shown what are the higher risks to the safety of our food. Because Bill 87 is enabling legislation, as new sciences and technologies are developed, we would be able to take advantage of them quickly and easily, ensuring that Ontario remains at the forefront of food safety and quality with modern, effective legislation governing the agri-food industry.

Consumers have a right to know that the food products they purchase are safe. They want to know that every possible step has been taken along the entire food continuum to ensure this safety. Everyone has a role and a responsibility—the consumer, the retailer, the processor, the producer—to ensure the safety and quality of food products. It is indeed a critical issue for everyone. Most of all, this government has a leadership role to ensure that all of this is in place, and we are taking that role. The agri-food industry in Ontario has been working hard at this for years now, and it is partly thanks to their diligence that we have such an enviable reputation for food safety and quality. Bill 87 would allow all of us to play our roles more effectively.

The broad scope of this proposed legislation would increase the confidence in Ontario's food products, not only for provincial consumers but for national and international customers as well; existing markets and perhaps new ones. They all expect and deserve nothing less than

the highest level of safety and quality. Bill 87 would help ensure that Ontario's agri-food industry delivers.

Many competing jurisdictions, including the United Kingdom, Belgium, Australia and the United States, have already adopted science-based approaches to food safety that are founded on risk analysis. Here in Canada federal, provincial and territorial governments have finalized a common legislative base to guide us in the establishment of modern food legislation. Its scope is from field to fork and it provides for the use and the regulation of modern process control systems and on-farm food safety programs. This bill, Bill 87, is consistent with these very principles.

In addition to the common legislative base, national standards are being developed to ensure consistency across the country. This is good for business. It is a big first step in reducing inter-provincial barriers to trade and signals to our trading partners that Canada has one food safety, quality and trade standard for Canadians, whether for food produced or imported into Canada. As well, it is an important trade issue as the national treatment provisions in trading agreements, to which Canada belongs, won't allow us to treat imports differently from similar domestic products. Differences can result in trade challenges which, if successful, can lead to retaliatory measures affecting other sectors if the dispute is not resolved.

Bill 87 would help Ontario move forward to meet, and perhaps even voluntarily exceed, the national standards in development. So modern, comprehensive food safety and quality legislation is essential for Ontario, not only to ensure the safety of the people but also to ensure the economic vitality of the agri-food industry. This is the framework that Bill 87 provides.

The scope of the foods covered by Bill 87 is defined broadly and would be complemented by more specific regulations. It includes food, plants, animals and fish intended for use as food, and covers all of those items currently regulated under the six food-related statutes that would be consolidated. The only exceptions to the bill are alcohol and cow milk.

Of course, some may notice that cow milk is indeed excluded from Bill 87. After all, milk is milk, whether it is from a cow or from a goat. The consumer is not concerned with which regulations cover their milk, as long as they know it is being regulated and that the product they consume is safe.

Goat milk and its products, along with those from sheep or any other mammal except cows, will be regulated under Bill 87. There is growing demand for a niche market for milk and milk products. We feel that these relatively new industries will be well served by the modern food safety legislation of Bill 87, which would allow them to work with us in developing relevant, effective regulations to benefit their industries.

The cow milk industry currently has an effective legislative base in the existing Milk Act. This act covers not only the food safety and quality components of cow milk but also the marketing aspects. Because this is the only food-related legislation that contains all of these compon-



ents and the industry is so well-established, it was decided that cow milk would remain under the Milk Act. However, the food safety and quality components of the Milk Act will be modernized to be comparable with any regulations that would be developed under the proposed Food Safety and Quality Act.

#### 1550

Any new legislation is only as good as its enforcement. To address this, Bill 87 contains various tools and powers for use in administering and enforcing the act and its regulations and, most importantly, to protect the public in situations where foods, or animals or plants that may be used in food, appear to present food safety risks. What constitutes a food safety risk is clearly defined in Bill 87 and only applies to designated foods. Where there are grounds to believe that a food safety risk constitutes a significant risk to public health and safety, inspectors could be authorized to trace the food safety risk. Whenever it occurred in the food chain, inspectors would have the power to issue orders to prevent, control and eliminate the risk.

Current limitations on our power to disclose information to other authorities may slow down a response to situations that present a serious food safety risk. In order to better protect the health and safety of the people of Ontario, Bill 87 requires that the minister share relevant information about a significant food safety risk with specified government authorities when it is necessary to protect public health and safety.

Bill 87 would have clout. While we were developing the proposed legislation, it was agreed that current penalties were not adequate. We heard they needed to be increased to deter potential offenders and minimize public health risks due to food safety issues. Bill 87 would raise maximum fines to \$25,000 for an individual's first offence and \$50,000 for subsequent offences. Penalties could also include a prison term. For corporations, proposed maximum fines are \$100,000 and \$200,000 for first and subsequent offences.

OMAFRA's current food safety system was established in the 1950s and 1960s. It includes legislation, standards and programs that are fixed in scope and based on the concerns and science of the particular time when they were created. Times, as we all know, have changed. Ready-to-eat foods form a greater part of our diet. We are eating foods from all over the world, and our legislation needs to change as well. For example, there are currently no specific food safety standards that address certain risks we now recognize as being associated with the production and processing of some fruits and vegetables. This has been demonstrated in recent years by outbreaks of illnesses associated with unpasteurized apple cider, sprouts and imported raspberries. Bill 87 will give us the ability to deal with food safety issues as quickly as the world changes.

Food safety is recognized as a key strategy for the marketing of Ontario food products. In addition to traditional inspection methods that have provided a high degree of protection for consumers, industry and govern-

ments, they are adopting scientific advances in practices and technology to further reduce the incidence of food-borne illness. To varying degrees, sectors in the agri-food industry are already implementing quality assurance and process control systems to provide buyers with food safety assurance and to demonstrate and document a commitment to food safety.

The demand for documented food safety practices is being pushed back along the supply chain from consumers and retailers to the farm. Many commodity sectors are already in the process of developing voluntary food safety programs for use on the farm. Industry is investing heavily in these food safety approaches, because they create opportunities for new markets. Ontario products can displace imported ones that are produced without meeting the demands for documented food safety systems. Product displacement would result in economic growth for a competitive Ontario agri-food sector.

Industry wants government recognition of their hard work, and Bill 87 provides the regulation-making authority to establish and govern such food safety programs.

Will there be costs associated with Bill 87? What is the cost if we do not move forward with Bill 87? During our stakeholder consultations we heard that producers know that costs incurred to ensure a safe food supply are part of the cost of doing business. They are also an investment in the future, as more guidelines and standards to ensure food safety become mandatory for retail and trade purposes. Compliance with food safety requirements may have economic benefits for producers, such as reduced farm inputs, increased production or expanded market access. In addition, many Ontario producers and processors have already been enhancing their businesses to increase the safety and quality of their products, because they know food safety and quality issues are critical to the long-term survival of their businesses.

Updating Ontario's food safety system is part of business as usual for OMAFRA, the Ontario Ministry of Food, Agriculture and Rural Affairs. We are constantly striving to improve the safety and quality of Ontario's agri-food products and want to ensure we use the most current methods available to us. Food safety, from field to fork, is a high priority for the Ontario government, and our concerted effort to keep Ontario's food safety system among the best in the world is evidence of that commitment.

In the end, Bill 87, a consolidated, modernized and enhanced Food Safety and Quality Act, would, together with the Ministry of Health and Long-Term Care's Health Protection and Promotion Act, form a solid foundation for the continued protection of public health in Ontario in this new century.

**The Acting Speaker (Mr Bert Johnson):** Further debate?

**Mr Doug Galt (Northumberland):** Thank you very much for the opportunity to speak this afternoon on Bill 87, the proposed Food Safety and Quality Act.

We have just heard the Honourable Brian Coburn, Minister of Agriculture, Food and Rural Affairs, intro-

duce this particular bill. I was very pleased on June 25 when this bill came forward for first reading here in the Legislature. There was no question that it was very timely that this bill be introduced at that time, and that followed extensive consultation preparing for this bill. Extensive consultation has indeed been a hallmark of our government before, during and after bills, and also when the regulations are being written.

Over the past several decades advanced technology, the diversification and aging of our population and changes in lifestyles have encouraged the introduction of new or more convenient foods and beverages. As well, products once considered seasonal are now available year-round. Ontario consumers enjoy an abundant supply of these safe, high-quality foods, either produced here, in other parts of Canada or from the furthest corners of the world.

But the growth in the variety and availability of these foods and their sources also involves a higher risk of exposure to food-borne illnesses. The risk of food-borne illnesses can be minimized by concerted efforts of all participants along the production, preparation and distribution chain to do their part for food safety.

Consumers rely on food producers, manufacturers and retailers to ensure the safety of their food. They also expect governments to exercise their authority to set food safety and marketing standards and to make sure those standards are indeed met. In Ontario, we need to keep pace with changes in scientific information, technology and industry practices, and modernize our approach to, and role in, the food safety system. Bill 87 would allow us to do just that.

#### **1600**

The proposed Food Safety and Quality Act would increase the effectiveness of provincial food safety systems, further safeguard public health, increase consumer confidence and improve the marketability of Ontario's agri-food products.

In the 1990s, global food trade, emerging food safety hazards and the public's changing preferences for types of foods led governments in Ontario and around the world to take a critical look at public and private sector efforts to ensure the continued safety of our food supply. On a global level, food safety systems are being modernized using a consistent approach—for example, risk and science-based—from field to fork as opposed to the century-old method of just visual inspection.

A science-based system uses a systematic assessment of identified food safety risks along the food chain and implements appropriate measures to minimize those risks rather than simply trying to spot and remove problems after they occur. "Field to fork" means absolutely everything from the farm to the consumer.

The government of Ontario supports adopting such a system, beginning with consolidation and modernizing of most existing food legislation other than the Health Protection and Promotion Act, and placing the new consolidated act under the jurisdiction of the Ontario Ministry of Agriculture, Food and Rural Affairs.

The proposed Food Safety and Quality Act would consolidate and modernize the food safety and quality components of five current food-related statutes that are under OMAFRA's jurisdiction: the Dead Animal Disposal Act, the Edible Oil Products Act, the Farm Products Grades and Sales Act, the Livestock and Live-stock Products Act and the Meat Inspection Act.

A sixth act, the Ministry of Natural Resources' Fish Inspection Act, would also be consolidated under the proposed legislation, and OMAFRA would be responsible for administration of those fish regulations under this bill. This means the food safety and quality requirements for commercially harvested Ontario fish, including fish from aquacultural operations and fish processing, could be established and administered under the same act as most other provincially regulated food products.

Bill 87 is the culmination of a great deal of work by the Ministry of Agriculture, Food and Rural Affairs. In addition to developing the proposed act, we have undertaken several initiatives in recent years to help ensure that our food is safe and, indeed, of the highest quality.

As part of the normal course of business the Ontario Ministry of Agriculture, Food and Rural Affairs recognized the need for improved water quality standards at our abattoirs. To address this, last year staff upgraded testing programs and coordinated the installation of effective water treatment systems. This has led to enhanced product safety and quality at provincially inspected abattoirs. Plants not able to source potable water are now closed until that problem is fixed.

A new computerized information system, the food safety decision support system, has been in use since late 1999. This has enabled massive amounts of data obtained from audits, laboratory testing and inspection reports to be accessible for risk management purposes. The data are used to determine licensing eligibility and inspection staffing needs in the meat and poultry industries.

In addition to Bill 87, there is one other significant Ontario Ministry of Agriculture, Food and Rural Affairs initiative linked to improving Ontario's food safety system. Bill 81, the proposed Nutrient Management Act, and Bill 87 have the common goal of improving the competitiveness and economic activity of the agricultural sector here in the province of Ontario.

The proposed Nutrient Management Act addresses the management of materials containing nutrients and other farm practices, including the management of dead stock on the farm. Bill 87 includes the off-farm disposal of dead animals. These two bills are being coordinated to ensure the appropriate management of dead stock is continued.

The proposed Food Safety and Quality Act would allow us to broaden the scope of Ontario's food safety system to cover more foods, starting at production and ensuring coverage throughout the food chain. We must take advantage of recent scientific advances to keep us competitive with the rest of the world. We need to strengthen enforcement measures to ensure the safety of all people in the province of Ontario.

Ontario has been working to improve the food safety system for some time. An internal review of Ontario's food inspection system determined that food safety risks could be further minimized by, among other measures, focusing inspections on high-risk foods and using updated scientific information to determine and address food-borne risks.

It is recommended in Bill 87 that OMAFRA assume responsibility for food inspection, not only in abattoirs but also in meat and fish processing plants that are not federally registered, to ensure a consistent and equitable risk-based approach to inspection.

Creating a single, modern and comprehensive Food Safety and Quality Act rather than updating separate statutes lays the groundwork for integrating the existing web of legislation, providing the flexibility that industry needs to remain competitive and enhancing food safety throughout the food chain. It will provide the tools to consistently and effectively manage the range of foods available in Ontario. This legislation will clearly establish the industry's primary role in ensuring the food it produces is safe and will define government's roles in standard-setting and oversight of the entire system.

The proposed legislation would also ease the incorporation of national standards now being developed to provide equivalent or common requirements for food safety right across Canada. The proposed new Food Safety and Quality Act would provide for the establishment of safety standards as well as the relevant existing provisions related to food quality, labelling, packaging and advertising.

Since all players along the food supply chain have responsibilities for the safety of food by ensuring that industry practices and facilities do not contaminate the food we eat, the proposed legislation recognizes all the players in this chain: those who grow, store, cut, cook, can, bake, transport and sell. The proposed legislation provides the powers to set standards and deal with identified food safety risks from the farm through food distribution.

**1610**

Third, the compliance and enforcement tools vary with each of these pieces of legislation. A single Food Safety and Quality Act would provide a common set of tools necessary for establishing, implementing and enforcing a comprehensive, efficient and effective food safety program. These major provisions, prohibitions and enforcement measures will provide the Ministry of Agriculture, Food and Rural Affairs with the ability to inspect food and premises and take the appropriate action to prevent the marketing or distribution of food products regulated under the bill.

Bill 87 provides the government with the tools necessary to set standards and requirements and to effectively administer and enforce the act and its regulations with regard to food safety. The act and its regulations also establish industry's role and responsibilities with respect to food safety and quality.

If passed, regulations under the new act would be developed in consultation with all affected stakeholders

over the next few years. Full implementation of the changes to the food safety and quality system will depend on the timing of the approved regulations and the readiness of industry.

For some of the sectors, the regulations would result in little change; in other areas such as the aquaculture, horticulture and processed meat sectors, new or more specified food safety requirements may be introduced. We are committed to consulting on each commodity or sector regulation that comes under the authority of the proposed act.

In the end, our overall goal is to move in a stepwise fashion to (1) a modernized, science-based food safety system founded on the principles of risk analysis and risk management; (2) a seamless system that covers the food chain from field to fork; and (3) a market-friendly system consistent with Ontario's trade responsibilities and the industry's needs. When we have reached that goal, all of Ontario will benefit.

**The Acting Speaker:** Comments and questions?

**Mr George Smitherman (Toronto Centre-Rosedale):**

We're pleased to be participating in this debate today. We must confess that here on a Thursday afternoon, on a matter of such grand importance to Ontarians, the presentation of the two members was so flat that we're really concerned that they aren't actually as inspired as their words tell us they are. We would ask further speakers on the government side to try to raise the level of the quality of debate, as I'm sure the Liberals who will present this afternoon will.

We find so often—

*Interjection.*

**Mr Smitherman:** —if I wasn't heckled by my own members, it would be better—that the government's actions do not match the quality of their words, and our very concern on this matter is that that will occur.

The minister, in his comments, did say that extra resources may be required to administer this act. We'll be watching very closely to ensure that the government puts its money where its mouth is, because like the transportation announcements that were critiqued so effectively today by our finance critic, Mr Phillips, the member from Scarborough-Agincourt, too often from this government we see the good deeds reflected in words but the actions are not there. This is a government that is known for its capacity to make communication statements and announcements but not follow through with the actual actions that will be of benefit to the people of Ontario.

This afternoon you're going to hear from Liberal members who are, on this matter, very aware of the needs of Ontarians. My colleague, our agriculture critic, is revved up and raring to go. I say to the minister, be sure to know that in the next little while, particularly as the Deputy Premier brings forward his next budget, we'll be looking to ensure that those resources you've talked about being there are in fact there to give life to what you're talking about in this piece of legislation.

**Ms Marilyn Churley (Toronto-Danforth):** I must admit I was out for a moment and watched the speakers

on TV a little bit, and wondered how big an audience they had.

Actually, this is very important legislation we're discussing today. Let's bear in mind that what we are talking about today is enabling legislation. The details will be in the regulations, and that's what we're going to have to be looking out for. It's interesting to note that, once again, the government is introducing legislation that is necessary because it's addressing something that the government created, its own mess here. If you'll recall, when you first took over as government, you said that you didn't really need these people any more. One of your first acts as government was laying off a number of inspectors who were, at the time, inspecting provincially regulated abattoirs. You said you didn't need those any more. After that, you continued on the next step and you got rid of a number of other inspection positions and contracted them out to outside organizations with nothing—unbelievably so—in place to ensure that food standards were going to be met; nothing whatsoever once those services were privatized to make sure the standards were going to be met.

This is very important legislation that we're debating today, because we know across the world now we have mad cow disease in England and other concerns about food. I note as well, and I'll get to speak to this in more detail later, that there is nothing about genetically modified foods in here. The public are very concerned about that. This would have been, and still is, the perfect opportunity to add some regulations around, at the very least, labelling of GM foods. That's a concern out there to the public, and I would request that the government take a look at that—

**The Acting Speaker:** The member's time has expired. Comments and questions?

**Mr John O'Toole (Durham):** I certainly take some exception with the member from Toronto Centre-Rosedale, who basically, I think, is typical of the apathy on the opposition side. There were only, when he was speaking, two members from the opposition here and one member from the NDP.

I would like to point out on the government side that certainly Bill 87, introduced in June and now before the House, is a very important issue. I think the minister, Mr Coburn, and his parliamentary assistant made imminently clear the important decision points on food quality.

If one was to look at the bill—rather an extensive bill—it is quite specific that it does not include milk from cows, products of that milk, liquor and other products that are regulated specifically, not in that definition. Aquaculture or agriculture commodities include commodities that are intended for use as food.

If I look at the more recent conversations on food quality at the federal level and the whole issue of GMOs, genetically modified food and other inputs into the food stream, there's an important discussion. I know in my riding of Durham, agriculture is the second largest commodity. There is a large debate on food quality, whether it's modified food or food additives that improve

and enhance the quality of food. The federal government simply failed to address the issue of food labelling. I, for one, think it's important for the consumer not to presume that improving food quality and other very scientifically proven methods that can enhance the nutritional value and food safety isn't important. I know that this minister wants agriculture to thrive as an important aspect of the Ontario economy and will do everything in his power to protect the consumer and those people who do need food to sustain their lives.

**Mr Pat Hoy (Chatham-Kent Essex):** I know that our critic for agriculture, food and rural affairs will be talking about this being a bill that is only enabling. Those are the words of the minister opposite. Others have used the word "framework" already in this debate, and we will be addressing those issues.

I want to pick up on a comment that the minister made about unpasteurized cider, I believe it was. Some time ago, I raised a question with the former Minister of Agriculture about apple growers applying for some assistance under one of the government programs that would enable them to increase their capacity and their ability to provide unpasteurized cider. The minister came back into this House on another day and said that no application had been made. I want now, at this opportunity, to put on the record that the Ministry of Agriculture, Food and Rural Affairs advised these growers not to apply, and that's why there was no application made. They were advised by the ministry that they need not apply and that they would not qualify.

**1620**

This will be a concern we have about the government's initiative, to ensure that producers and processors have the ability to comply with whatever regulations will come flowing from this bill. I would take this opportunity to respond to the former minister that it was his ministry that suggested that these people need not apply, and that's why, when he went back to his office, he could not find an application for it. We raised that question at that time in order to assist producers to ensure that access was free and available under government programs for the need that the government itself described as existing.

I appreciate the opportunity to put on the record and correct somewhat what the former minister had stated in the House.

**The Acting Speaker:** The minister has two minutes to respond.

**Hon Mr Coburn:** Just to respond to a couple of points, when it comes to genetically modified foods, that's a responsibility of the federal government. We have been working closely with them, as have a lot of stakeholders in agriculture and agribusiness, in dealing with that issue. So that is very relevant today. The federal government is coming forward and there has been a lot of discussion with respect to genetically modified foods.

One of the things that we do support here in Ontario is science-based technology and not ad hocery. That's what we're trying to do with this piece of legislation. Things change so much in our society today. Consumer demands

are expanding rapidly in terms of what they would like to see in the grocery store when they go shopping, what they would like to see at the dinner table. The food processors have been meeting that demand. That calls for increased capability in terms of surveillance and checking for different types of bacteria and those kinds of things.

That also means we take advantage of some of the new technology that has developed. This is enabling legislation, very much enabling legislation, so that we can meet some of those changes in the future. You don't know what's coming around the corner in terms of food production, especially with the scientific advancements that we're making today and the different products that are being produced. It won't be slow and cumbersome like it has been in the past. Governments have a reputation for being slow and cumbersome. They're not quick to be adaptable to changes in the marketplace.

This is food safety. It's there for the protection of the consumer. After extensive consultation with our stakeholders, they recognize that this piece of legislation is needed and it needs to be something that's very sensitive to the needs in a changing marketplace.

I very much support this legislation.

**The Acting Speaker:** Further debate? The leadoff for the official opposition.

**Mr Steve Peters (Elgin-Middlesex-London):** I'll be sharing my time today with the member for Chatham-Kent Essex, the member for Renfrew-Nipissing-Pembroke, and the member for St Catharines.

I think it's of extreme importance to get on the record right at the beginning that the Liberals will not be supporting this legislation. The Liberals are extremely concerned that, as the member for Northumberland pointed out, the tools are going to be there. We haven't seen those tools. What we have in front of us today is an omnibus piece of legislation, an empty shell piece of legislation, enabling legislation, but the regulations aren't there. The tools that are going to be used for this legislation aren't there.

This piece of legislation has the potential for a monumental effect on the agricultural industry in this province, the number two industry in this province. What we're seeing more and more and what's evident again in this piece of legislation that we have in front of us today is that this is a government that governs by regulations. We do not see the details in the legislation. This government insists that the details are in the regulations. The regulations, though, aren't in front of us, and we don't have the opportunity to make comment on that.

Let's look at one of the proposed changes in this legislation that's in front of us today. One of those deals with the repeal of the Edible Oil Products Act. I would ask the minister, has the public been informed and the agricultural community been informed of the true ramifications, of what the repeal of the edible oils act means? Not long ago, government spent a great deal of money in defence of the edible oils act. We spent hundreds and thousands of dollars in court battles over coloured

margarine. Now that's all been thrown out the window with this legislation.

What this government is doing here is leading to the point where they're pitting one agricultural commodity against another: the soybean growers versus the dairy farmers of this province. I think that's an extremely sad day.

What does this mean for the Edible Oil Products Act? Does this mean that blending is now going to be allowable in this province? How is this government going to be able to assure consumers that when they go into a grocery store and look in the dairy case, they're going to know what they're seeing in that dairy case? Is the consumer going to know when they go into the grocery store that it is truly butter and cheese or is it now going to be "I can't believe it's butter and spray cheese"? Is that what this government wants—spray cheese for all? I certainly hope not.

The biggest concern with this legislation that we have in front of us today, though, is the question of resources. The resources just aren't there. This is a government that campaigned with the Common Sense Revolution in 1994 on no cuts to agriculture. What did they do within the first month of office in July 1995? They removed \$14 million from the budget of agriculture in this province. What kind of commitment is that? How can we be assured? We hear that the tools are going to be there, but the problem is those tools aren't coming with something in the back pocket—the resources that are going to be needed.

We've seen this government again proclaim, "No cuts to agriculture." We've seen the food inspection budget. You talk about food safety and ensuring the confidence of consumers in this province. We've seen the food inspection budget cut by 45% by this government. Food inspectors, the very individuals we're relying on to ensure consumer safety, to ensure that food is safe in this province, have been cut by this government by 38%.

The member from Northumberland made reference to how we are dealing with two massive pieces of legislation that are going to have real ramifications on the agricultural community in this province. We're dealing with Bill 85, the Nutrient Management Act and, again, we're dealing with what's in front of us today, Bill 87, the Food Safety and Quality Act.

I'd like to know if the Minister of Agriculture has consulted with the Minister of Finance. Has he consulted with the centre to find out if he's going to have those dollars in his back pocket, those very resources that are going to be needed to implement these two massive pieces of legislation? Has that commitment been made by the centre? Has that commitment been made by the Minister of Finance to provide those resources? I doubt that commitment has been made, because what we're hearing is that this Ministry of Agriculture has been told to toe the line, that there is no new money available.

They talked about ensuring the viability of the industry. How are you going to ensure the viability of an industry when you're continually downloading new costs

to them? We're already seeing what the ramifications are going to be of the costs of implementation of Bill 81, the Nutrient Management Act, and of no commitment for any capital improvements or resources that are going to be required.

With this piece of legislation here, we're again seeing massive changes to the legislation and no commitment. You know what? It does mean more downloading. We've seen how quickly the government can react when they see the ramifications of their downloading exercises, in the foolish move to download transportation to the municipalities in this province. They finally recognized that that was a foolish move and those costs are having to be uploaded again.

That's what concerns me with this legislation that's in front of us. This is downloading. It is disgraceful to further download services on to the backs of an agricultural community, an agricultural community that is dealing with low commodity prices, unprecedented subsidies being offered by the Americans and the EU and with weather conditions, which I recognize are beyond our control. This is an industry that is already being hard hit and this is an industry right now that this Ministry of Agriculture seems prepared to go and hit again. I think that's a truly irresponsible thing for a government to do, to continue to smash away at an industry.

1630

We're going to be seeing that the costs for inspection of a lot of these services—because, again, we haven't seen that those resources are being put in place—are going to be placed on the backs of the farmers and the producers in this province. I agree wholeheartedly that consumer confidence and food safety must be a priority, but we haven't heard anything from this government. We've heard lots of initiatives in the last few days about all the things they are doing in light of the tragic events of September 11, but we have not heard any initiative that is going to work toward ensuring consumer confidence and ensuring the security of the food of this province.

It's going to be extremely difficult to deal with the question of consumer confidence when the dollars just aren't there. A recent survey by the Globe and Mail revealed that 68% of our population is extremely concerned about the food they eat. That population as well, though, expects that the government is going to be there to ensure that food safety is there and not download it, through the inspection in this legislation, to others. I think that's wrong.

They've got a government in the United States that, in dealing with the question of food safety, is putting their money where their mouth is. We're not seeing any money. We're hearing lots of mouth from this government with these changes that are coming forward, but we're not seeing them put their money where their mouth is. The United States is stepping up its effort to keep animal diseases out. They are putting the money in. They know that they do not want to see any foreign diseases come into their country, and they are stepping forward

with money and investing in research and development, investing in technology. The minister talks about investing in technology, but that's not there. But in these initiatives that the United States are doing, they are looking specifically at the poultry and livestock industries to ensure consumer confidence, and they are recognizing that early detection remains the key to minimizing the impact of disease introduction. In the United States, they invest. The Tories cut. The Tories download. The Tories do not invest.

*Interjection.*

**Mr Peters:** I want, then, to go into one area in particular that is going to play a crucial role in the issue of dealing with this legislation. And I don't mind heckling; I would just appreciate it if the honourable member would heckle from his seat, but he chooses not to. He's walking out with his tail between his legs. Bye.

The area that is going to play the most important role in the delivery of these changes that are coming is the animal health lab at the University of Guelph. The animal health lab is key to the infrastructure, to ensuring the public health and food safety in this province, and we can't afford to underfund it. The animal health lab has excellent staff and they play an important role in the services, but they operate under very trying circumstances. The labs are small and overcrowded. Many important pieces of equipment—the very technology the minister speaks of that is going to be there to deliver these new services—are old and out of date and need to be replaced. They are buying second-hand equipment at the animal health lab. I don't think that's appropriate to ensure consumer confidence in the safety of our food in this province.

The animal health lab doesn't have level 3 testing, so many of the things that we are going to require to be tested out of these legislative changes, they don't have the ability to do. We're having to send these tests to other provinces or to other countries. A scary thought—and again the minister and his staff talk about thinking ahead and looking ahead at new and emerging technologies, but we're not investing in the animal health lab to ensure there is sufficient money available for testing.

I just want to go on to say that it was very interesting. After I raised the issue of the animal health lab, we had a backbench question issued in the Legislature, and the appearance was made that everything is hunky-dory. But things aren't hunky-dory at this very important animal health lab that is going to help us with this legislation. Dr Carl Ribble says that there are significant pressures on the veterinary diagnostic labs, and there's a feeling by the government that farmers should pay for a public health issue. I think that's extremely wrong. I think there's an obligation on the government to ensure public health and safety. The ability to perform passive surveillance is eroding. We're going to get into big trouble pretty soon here. You cannot continue to put pressure on these labs. How are you going to enforce new legislation when you're not investing in the very lab that's there to do it?

You talk about looking ahead, Minister, and thinking ahead with this legislation, but the problem with the

animal health lab, as Dr Patricia Shewan, the chair of pathobiology, pointed out, is that the lab has very little latitude to do anything proactive. They don't have the personnel or resources to anticipate things and they're being forced to be more and more reactive.

They've got inadequate resources to respond to emerging threats in the agricultural community. We've got legislation here in front of us, but we don't have the ability, with the animal health lab, to respond to emerging threats. There's a constant threat, as Dr Shewan pointed out, to passive surveillance, which in turn jeopardizes the herd in this province. We have to be able to look for things that don't fit a pattern; for example, parasites and bacteria. They must have regular submissions to keep up surveillance. But the problem is—and we're going to see in this legislation—that farmers are going to be made responsible for paying the costs of tests at these labs, and farmers aren't going to do that. There's an obligation on the government to provide the finances to continue to support the animal health lab. As Dr Shewan pointed out, OMAFRA has been underfunding the enterprise.

Dr Larry Milligan, vice-president of research at the University of Guelph: again, the University of Guelph is the main—through OMAFRA and the \$54-million agreement, it has been cut again by this government by \$3.5 million. They continue to cut the University of Guelph. The University of Guelph was expecting to deliver services to stay on top of what's happening, to stay on top of what this government wants out of this legislation.

This government isn't properly funding the University of Guelph. As a result of this, it is being forced to continually look at cuts, and that's wrong. How can you ensure food safety and how can you ensure the proper delivery of these legislative changes that you're making here when you're not funding the very organization, the University of Guelph, to provide those services; when you're going to rely on downloading and alternative delivery of some of these services? I think that's wrong.

Dr Roger Hacker, director of animal research programs: "I would not say that the animal health lab is getting strong support from OMAFRA.... We need to move where antibiotics are not routinely used as the first line of defence by the agricultural industry."

Anti-microbial resistance: the industry is not in the position to do that right now. They need superior laboratory services, and the facilities are not adequate for that. On the one hand, OMAFRA is encouraging the industry to move off antibiotics, yet the animal health lab does not have adequate turnaround and does not have adequate veterinary support and sometimes has to send things out of the province.

It's pretty obvious that the very people we have in place for these services who are going to be responsible for delivering some of this legislation are extremely concerned about what's going on out there. Let's talk about the University of Guelph. The public needs to understand about the University of Guelph and the important role this university plays in ensuring the safety of food in this

province and in the legislation that we're dealing with here today. The University of Guelph has been inflicted with \$3.5 million in cuts from this government, and right now the agreement is up for renegotiation. The five-year enhanced partnership is set to expire in March 2002. The word right now is that the government's share of support is expected to remain stagnant, and the program's scope and costs continue to grow.

**1640**

If we say that we want to be leaders and we want to ensure that we have the best technology available to ensure the consumer confidence in this province, flat-lining a budget or forcing an entity like the University of Guelph to continue to make cuts is not the answer.

As was pointed out by a gentlemen, Mr Ken Boyd from the university, "It's become clear to us that we need to make some changes to programs if we're going to be able to meet the budget." The program that the University of Guelph delivers is bigger than the funding that's available.

The partnership program has been cut from \$54 million to \$50.5 million, part of the government's restructuring program which obviously isn't helping—the government that said, "No cuts to agriculture." Regardless, it's still not enough to allow OMAFRA to put significant funds into anything other than maintaining infrastructure, keeping the heat and lights on, computers running and the libraries open.

How then does the ministry have any sort of clout on what types of research go on? As has been pointed out, we need to stay on top of what's happening out there. We need to continually invest, and that isn't happening at the University of Guelph right now. As members of this Legislature, we need to be concerned about that.

I think we should be concerned about this statement as well: that researchers are spending more time writing proposals and searching for funding than they actually are doing research. I think there is something drastically wrong with that.

I know the government is well-intentioned in what it's doing here, but the problem is that they haven't put the resources in place to deal with what the government wants to deliver. We need to be conscious of that fact.

Here is a case in point: researchers believe they found the first North American case of a bird virus crossing to another animal species. In October 1999, tissue samples were sent to the University of Guelph following the outbreak of this new disease. Unfortunately, because of the lack of resources that exist at the University of Guelph, the further testing had to be sent outside. It had to be sent to the United States. I think that's a serious problem.

It is too bad, because we are dealing with two massive pieces of legislation in Bill 81 and Bill 87. Unfortunately, the tools that we were hoping we would see in Bill 87 haven't been made available. But, more importantly, we do need to recognize that the financial resources haven't been put in place. We've seen a government ministry that has experienced unprecedented cuts. How can you go and

make changes and put these pieces of legislation into one act and not ensure that those financial resources are available for it? I think that's a serious mistake.

I sincerely hope that the minister and other ministers around the cabinet table, and those members on the opposite side who represent rural ridings and, quite frankly, every member in this House, step forward to ensure that they're supporting the Minister of Agriculture from a standpoint of saying, "We need to invest in agriculture." We can make all the changes we want, but we've got to ensure that those dollars are there.

I thank you for your time. As I said, I will be sharing with some of my colleagues.

**The Acting Speaker:** Further debate?

**Mr Sean G. Conway (Renfrew-Nipissing-Pembroke):**

I am pleased to have a few moments this afternoon to join the second reading debate of Bill 87, standing in the name of my friend and neighbour the Minister of Agriculture. I think it would be only appropriate for me, in an ecumenical way this afternoon, to pay tribute to the minister but more importantly to his wonderful wife, Mary Jane, and his family, the Rivingtons, for hosting us so splendidly last week in Navan for the rural expo. I know how hard and long were the hours that went into making it such a success. I want the minister to please tell his wife how I, at least, and my guests, as one group of people she went out of her way to invite, really appreciated her hospitality and all the hard work that went into, I thought, a really first-rate rural expo.

*Interjection.*

**Mr Conway:** Well, I say that sincerely. If you've ever been associated with organizing one of these enterprises, you will know just what an enormous volunteer commitment it is over many years. I thought the good people at Navan did a very, very fine job.

Bill 87 asks the Legislature to consider the whole question of food safety and food quality. One would have to be pretty hard-hearted and pretty stupid not to endorse the basic principle that I think the bill directs our attention toward; that is, we want to have the best quality food and the highest level of public confidence about the quality of the food we put on our tables, both privately and publicly in the province of Ontario. I certainly appreciate where the ministry is coming from. But like a number of my colleagues in the Liberal opposition, there are genuine, deep-seated concerns about the ability of the Ontario government as it's currently constituted and financed, particularly in agriculture, to discharge the responsibilities it's taking on to itself in this legislation.

My friend from St Thomas has just completed a lengthy analysis of what has happened at the Ministry of Agriculture over the past number of years. In fairness, the reduction of budgets at the old departments of the Ontario government, and certainly agriculture is one of the oldest, has been going on for a long time. But there are, I think, legitimate concerns about the way the government is going to meet the responsibilities, particularly around inspection, that it is taking on to itself with Bill 87.

It's not that many months ago, in the city of Toronto and in the city of Ottawa, that people were treated to some rather hair-raising and upsetting stories in the public press about what was going on in the existing framework around restaurants. Do you remember what the mayor of Toronto said about what was going on in Toronto restaurants? It was about a year ago or thereabouts. I'm interested because I live in this city four days of most weeks and I eat out all the time. I've got to tell you, it was a rather disquieting report that I was getting. You'd say to yourself, "Well, what's happening there?"

This is a wonderful metropolitan community with a well-established municipal regulatory framework, particularly as it relates to public health, and it's not that many months ago that we were told by the Toronto print media, by and large validated by people like the mayor of Toronto, that all was not well in certain restaurants. I don't mean to disparage all of them, because most of them do a very good job. But when you're talking about food safety and public confidence around food safety, you don't need very many bad actors to create a level of disquiet.

In Ottawa there were similar reports that our ability to regulate restaurants around questions of food safety was not what we thought it was.

I have in my hand press clippings from the Ontario media just in the last 18 months that speak to issues around the province, about some issues that relate directly or indirectly to the subject matter of Bill 87. One article that comes to mind, from the Toronto Star, December 19, 2000, was about the province being in the hot seat over an illegal slaughterhouse up in the Vaughan area. So there's no question that there are legitimate concerns, and I think we all want appropriate action taken.

**1650**

One of the reasons I asked my colleagues to speak today was that in these matters I'm particularly concerned about the part of the province I represent, the upper Ottawa Valley. When I talk to my farmers and others in the agribusinesses of the area, they say, "Absolutely, we want the highest level of food quality we can possibly get." But they would say, "Conway, will you please tell that nice man Mr Coburn, and more importantly his officials, that if there's going to be a regulatory framework imposed, to remember that Killaloe is not Kensington, just as Navan is not North Bay."

There is a great fear that a lot of very good operators in small rural communities like the ones I represent, and ones the minister knows very well, will inadvertently be caught in ways that defeat both the public interest generally and some of the good purposes of this bill. Just the other day, I was with a couple of these operators and they said, "Can you politicians and your bureaucratic friends not find a way to get the bad actors, which we all want, without catching a lot of good people in the process?" It has been a standard complaint for decades, and longer.

I just want to make a plea on behalf of people with long-established, good operations—I see our friend from



Perth is in the chair. He will know of what I speak, because rural Perth is a lot like rural Renfrew, but different in the sense that Stratford and Kitchener and London are rather large cities close by. In my area, if you're in a place like Madawaska or Combermere or Palmer Rapids or RR1 Chalk River or RR3 Eganville, it's a considerable distance to get to a city the size of Ottawa, for example. So trying to get and keep the critical mass of operation you might require just to meet a local need can be very challenging if certain regulatory thresholds get to a point that is just impossible to manage.

It's not an easy problem, I say to my friend the minister. There is a very real concern that inadvertently, accidentally, you are going to upset some perfectly good operations in very rural parts of what I will call the old Huron-Ottawa track, that belt that sweeps from, say, Renfrew, across North Addington, North Hastings, Haliburton, over to Georgian Bay—a very interesting piece of Ontario's geography, very rural, very small-town and in most cases a considerable distance from an urban community of 25,000 or 30,000 people. That's one concern I want to articulate this afternoon, and my farmers in many of those rural communities and those agribusinesses, at least in the upper Ottawa Valley, would want me to say that on their behalf.

Second, a more general and personal complaint, I say to the minister, is that these bills—Bill 87 is the latest in a long and storied parade. What are we asked to do here? Well, we're asked to endorse a good idea. I can't imagine there's anybody who disagrees with the basic principle of improving food quality. But beyond that, we're asked to hope and pray that Her Majesty's executive council writes a lot of very specific and important regulations that are consistent with the general purpose and can and will be carried out in myriad places across the land in a way that is largely consistent with the intent of the bill.

But there are an awful lot of very important questions one might have that one cannot answer in this debate, because we have a bill that goes on for some 24 pages, en anglais et en français, and when you get to the real crunch you are comforted, I say to the Minister of Health—a constitutionalist of a strict kind—with that happy reminder of executive privilege, details as per the regulations. Talk to me six or 12 months from now when they're written.

What is one to do? You would never sign a mortgage like this. Not even as smart a lawyer as Tony Clement would let you do it, because he'd say, "The interest rate, the amortization, as per the regulations; yet to be known and yet to be written. Client, sign at your peril."

I don't mean to go on at great length about this, but I want to say, as one member of the Legislature, I like good ideas, I want to be seen to be supporting good ideas, but increasingly I am being asked to endorse a feel-good bromide. I hope and pray that the executive branch of government, and all of those smart people who work for Her Majesty in that service, is going to get all the fine print more or less correct, and we're going to have

inspectors out there in the land visiting people in RR3 Orleans, if such a place exists, or in RR4 Wilno, if such a place exists, and they're going to have the intent of this Legislature in mind as they go about their important business.

It is a very serious and, I think, legitimate complaint. We are asked here to support a lot of important things, the particulars of which we simply do not yet know, and I just want to register that complaint as I take my seat this afternoon.

**Mr Hoy:** I am pleased to rise today and give some thoughts on Bill 87. I want to first of all say that the agricultural producers of Ontario truly understand the need to protect the air, water and soil. We've known that for decades, and it is the livelihood of their businesses and it's a livelihood for their families. So too do these same producers and processors recognize the importance of food safety. They recognize that all too well. On occasion, these processors are the producers of the primary goods. So on many occasions I'm talking about the same person when I talk about producers and processors.

Our products are renowned throughout the world. People in Ontario know that our food is excellent; Canadians know that. Very importantly, our trading partners around the world have confidence in our food system. Our reputation has been long-standing, and we are known to be among the best in the world.

The processor and producer recognize that food safety is paramount to their continued success. As I said, they've known this for decades and indeed generations. After all, their names are on the bag, the box, the basket or the jar. In all of our communities, these medium- to small-size producers carry their family names and traditions that have lasted for generations.

I'm not talking about the large multinationals or the conglomerates; I'm talking about the mom-and-pop small businesses that are across rural Ontario. They've worked very hard to maintain that family name, the pride of ownership and the trust that they have earned from their clientele, which is repeated over and over again with their visits to their market. They have developed a long-time, loyal and confident consumer base.

Many of these small mom-and-pop businesses, which oftentimes have their own children working with them—their adult children work along, and it's passed on to another generation—have created a niche market that has literally grown from the ground up. They've raised a product on their farm, and they've provided wonderful processed foods, from sausages to jams to pickles, just to name a few.

They have worked hard to answer the call of government to diversify, to move forward, to add value to their product. They've strived to do that over many years and, in some cases, they've done it merely to survive.

**1700**

They've created new wealth and jobs for rural Ontario. They hire people to come in and help them during the rush season, to sell the product and to pick the fruit or

vegetables along with their family members. They have developed name recognition within their own communities that is identifiable by all, and they have also created a name for their business, their farm, their product, that is well known elsewhere.

So they know full well that food safety is paramount to the success of their business and their continued livelihood as a mom-and-pop operation. But the producer-processors have been calling me about some very real concerns in recent days. They respect and recognize the need for food safety, as they always have, but many are concerned about compliance with this bill.

We only need to look at the bill to see that the Lieutenant Governor in Council has broad powers to make regulations for the purpose of ensuring the quality and safety of food—broad powers. This is what these small operators are concerned about, the cost of compliance: these broad regulations that we do not see, that they will likely not see. The minister himself said it's enabling legislation. I believe he used the word "framework," or perhaps others have on the government side. Enabling legislation in a framework is all we're talking about here. The producers in my area of Chatham-Kent Essex are very concerned.

Let me say that if a product can be grown in Canada, it has been stated by others that it's grown in Chatham-Kent Essex. They have said that from the information they've been able to garner, compliance could cost them as much as \$100,000 to \$200,000 a year. This is something that has them very, very worried. These are small operators. They provide a niche to that market; they have an excellent market base. But they are absolutely fearful that the cost could exceed \$100,000 or \$200,000 for the inspections and what the government may bring forward to them.

As well, they are justified in this belief, because the bill says that the minister may make regulations prescribing fees. They have called me, and they are fearful. They are frightened for the continuance of their own business. Food safety inspections that have gone on to date in some of this regard have not been consistent, they are telling me, nor have the demands made upon these family businesses. They're very concerned about the lack of consistency. They talk to other producer-processors, and it seems that from one to the next the inspection is not similar, and if inspections are made and the operators has complied with the wishes of the inspector, it seems that all too often the inspector returns and says, "You need to do more" or "This is not what I stated." So then they're into another round of costs for changing to comply with what seems to be an inconsistent demand that is happening in rural Ontario to these small businesses.

They believe this is a concerted effort designed to drive them out of business. They know that the multinationals and large conglomerates may be able to weather whatever the government puts forward because of their integration. But these small producers relying on their own work and their own families are very fearful.

The excessive costs placed upon these families, these owners, these entrepreneurs, they have told me, will put them out of business. We cannot allow that to happen in rural Ontario.

The government cannot ask the producers of this province to look for niche markets to diversify, to help strengthen rural Ontario, and then not provide funds to assist these small, mom-and-pop farm businesses with the outcomes of what may come from this bill.

It just doesn't seem logical to me that the government can ask them to do all of these things and then turn around and say, "But we have no funding to assist you," because \$100,000 to \$200,000 worth of cost is not readily available for these people through the marketplace; in a lot of cases they are price takers and not price makers.

We know too, all too well, that agricultural commodity prices and the yields, particularly this year, are extremely low. Producers have been faced with drought in virtually every part of Ontario. Certainly in my area of Chatham-Kent Essex it has been very severe, some talking about yields reduced as much as 60% on corn crops, and there have been some early soybeans harvested to date and yields are less than 50% of normal.

Along with this drought and excessive heat of this summer, producers are faced with an increased number of diseases within their crops. This is also raising havoc with their businesses. As well, along with the conditions that existed in Ontario this summer, mostly driven by the drought and excessive heat, we see an infestation of insects that are also playing havoc with fruits, vegetables and other crops. So producers in Ontario are already facing a difficult challenge, and the government needs to assist those producers as much as possible, as quickly as possible, and they must provide funding for compliance under this food safety bill.

I talked about fees many, many months ago as it pertained to our small abattoirs across Ontario, and I've heard from many abattoirs that they are simply hanging on, that the constant barrage of inspections and an inconsistent message to them are causing them, very much so, a disadvantage. They are constantly trying to upgrade to what is an inconsistent message from those inspectors. As fees have increased, I also mentioned some many months ago that we might see the illegal slaughterhouse and the potential for those to exist in Ontario to increase. We need to be careful, I say to the minister and others here, how we proceed.

The large multinationals and the conglomerates—many of which the public may not even know who the parent company is; that's how large they are these days—may be able to withstand the components of the regulations that will come forward. I say "may" be able to withstand that. But certainly the producers who are running these operations on our smaller farms in Ontario have expressed to me their deep concern, their legitimate concern, their sincere concern, that they may not be able to comply. I had one producer say, "I will be out of business if I don't get some assistance." Of course, this bill, as a shell, does not provide for any assistance.

The OMAFRA food inspection budget has been cut by 45%, which leads others to wonder who will be doing this inspection down the road, and the number of food inspectors has been cut by 38%. Time after time in the area of OMAFRA we look at cuts, cuts to funding, cuts to personnel and, I say most emphatically, a cut to desire to assist our agricultural and rural communities.

I'm also concerned about the bill's words that suggest alternative delivery mechanisms, and this to me means privatization and downloading and the dumping of responsibility on to producers, with no assistance.

I believe it was incumbent upon me to bring this message to the persons in this House and, importantly, to the minister responsible for this bill, that the small mom-and-pop operations in my community of Chatham-Kent Essex have expressed to me in a most sincere way that they believe that without funding, they will simply go out of business. If the government is true to its word that they want economic growth in rural Ontario, they must provide assistance to these families now and in the future.

I thank you, Mr Speaker, for the opportunity to address this bill, Bill 87.

1710

**Mr James J. Bradley (St Catharines):** The bill is timely. My colleagues who have spoken on the bill have, I think, made some excellent points: Mr Hoy as a person who knows the agricultural community extremely well in southwestern Ontario; Mr Peters, who is the agricultural critic; and Mr Conway, who represents eastern Ontario. We've heard from various parts of Ontario and various perspectives, and we have found, first of all, that there's a general consensus that there's a need for a piece of legislation to deal with food safety. The quarrel comes with the details contained within this bill.

I too was heartened to see that certain councillors on the city of Toronto municipal council took it upon themselves to embark upon a program of inspection of restaurants. That's a step well down the line when we talk about food safety. That's food that is delivered to people who are able to go out and enjoy food in a restaurant setting or perhaps a takeout food setting. No one had to fear that inspection; no one, that is, who was appropriately looking after the food and preparing the food. Those who had to fear were those who were not taking the necessary precautions to ensure that food was safe and what the public would want it to be. So that is one area. I hope there's not a fallback on that as resources are placed somewhere else or as the emphasis is left. A lot of the credit for that must go to the Toronto Star writers who happened to do a series on food safety as it related to restaurants.

But we're taking a step back at food safety, and that is as it is found in the agricultural setting. Our farmers are among the very best in the world, of course. They take the necessary precautions within the handling of food themselves to ensure that it is safe, and they will have our food stacked up against anyone else's. There is, however, an increasing apprehension among the consumers of this province when it comes to the eating of food or the

purchasing of food. One of the reasons is that they've watched governments start to cut back on the number of inspections and inspectors.

Now, I know there's a frame of mind out there that says that government is too large, the smaller the better, that if you had no government that would be Utopia. Nevertheless, I think people, particularly, I suppose, after the tragic events of September 11 and after the tragic events of Walkerton, are understanding the importance of the public service, of a good investment in public services. I think the pendulum has swung away from the Fraser Institute approach to government, that is, that you shrink it, that you deprive it of the necessary funding and that you place everything in the private sector, and it has moved more toward a centre position, one which the previous Davis government, for instance, would have espoused, or perhaps the Rae or Peterson governments. We find now that people want those kinds of public services.

I don't like the idea of any level of government—we're dealing in this Legislature with the provincial government—fobbing off its responsibilities to the private sector for inspections. Now, the private sector should build cars and run steel companies and manufacturing concerns and certain service concerns. There's a major role in our society for the private sector, a role that the public sector should not be involved in at all. But there are areas where the public sector should be pre-eminent, where it should occupy the space, where it should provide the assurance to the people of this province, and one is in food safety.

One of the things I have to say to the Minister of Agriculture is that if we're going to have food to save, we have to retain the farmland in this province. Despite all of the announcements of his colleagues, and he was called upon to applaud the announcements today, I have watched acre after acre, or as we would say in 2001, hectare after hectare, of prime farmland that has good soils, first of all and, second, good climatic conditions, being paved over for development purposes. This should never have been allowed and it has been allowed. However, the Minister of Agriculture, more than anyone in the cabinet, has to recognize, and I know does recognize, that if you're going to save that farmland, you have to save the farmer. You have to make farming a viable business.

That's why, when Mr Hoy makes the case, as he has on behalf of the Liberal caucus, for assisting farmers to comply with the provisions of the legislation or the regulations that will follow, he makes a very good point. I am very supportive of providing that assistance to farmers because, as the Minister of Agriculture knows better than others, we in Ontario or in Canada do not pay the price for food that is paid in many parts of the world. In other words, the farmer is unable to obtain from the farming business the kind of return that makes it a viable business, in some cases, or a lucrative business most certainly. Therefore it is incumbent upon government to provide that assistance as they retain the land for agri-

cultural purposes and provide a vital service to us. Once we lose that land, once we lose those products being produced locally, we'll find the prices high and that the quality cannot be guaranteed coming in.

I think of the problems that Europe unfortunately has experienced, particularly Britain, with foot and mouth disease, with mad cow disease, and recognize that we've been fortunate so far. Although we had a foot and mouth disease outbreak a number of years ago, so far it appears we have not been impacted. However, we don't know along the line what will happen. I think we have to give credit to our farmers and a lot to good luck as well, and to governments in the past and perhaps to the present.

I fear the privatization of inspection. I think it should be done by government people who are totally independent, who have no conflict of interest and are able to provide a good service and have a good degree of expertise. I think you have to have enough of these inspectors to be able to do that.

There is a new unfortunate circumstance facing us now, and that is the threat of terrorist sabotage. We didn't even want to think about this before. If someone got up in the legislative body and talked about it, people in those days would say they were fearmongering. Today, unfortunately, we've been confronted with something we never wanted to be confronted with, and that is certain acts of terrorism and the possibility and potential for other acts of terrorism, and the potential sabotaging of our food supply, which means it's so important to have appropriate inspection and checks available.

Farmers themselves can be helped considerably if the public has confidence in the food. The more inspection there is, the more observation there is, the more intervention there is to assist farmers in this regard, the better off we will be, because consumers will at least have confidence in the food produced here in our province.

I am concerned about the regulatory framework. This is called enabling or framework legislation. What the public who watch this from time to time should understand—and this always seems to be the argument made by people in the opposition—is that when people are on the government side—and I say this generically as opposed to in a partisan sense—the opposition always wants to see it in legislation and the government wants to see it in regulations. That's why we often find that oppositions are apprehensive about embracing the provisions of a bill. That's because the regulations are the unknown. So you find that the opposition will tend to vote against legislation which is enabling unless they've had a good look at the potential regulations and have some assurance that those regulations will be in place as they are seen. But we know the regulatory process behind closed doors is largely a cabinet function and not a legislative function. So that is something I consider to be unfortunate in this bill.

We have no commitment for additional funding for food inspection. OMAFRA's food inspection budget has been cut by about 45%, the number of food inspections has been cut by 38%. Even before these new responsi-

bilities are added, I think we would say that Ontario food inspection services are overstretched at this time. Secondly, as I've mentioned, almost all important details in Bill 87 are contained in the regulations.

**1720**

Despite promising no cuts to agriculture—I was intrigued by that and I was hopeful of that. Even though I don't have that many farms within my riding—I have them surrounding the riding and there are some there—I wanted to see no cuts to agriculture, but since taking office, we've seen significant slashing there. The budget for food inspection and for food safety has declined by 45%, as I mentioned, from \$12.5 million to \$7 million in this fiscal year. The number of OMAFRA—that's the Ontario Ministry of Agriculture, Food and Rural Affairs—inspectors has declined from 130 to 80, and now I understand—at least, the last I heard—there are now only five enforcement officers for the entire province.

These cuts have had a dramatic impact on the enforcement of Ontario's food safety laws. In the three-year period from 1996 to 1999, there were only 18 people or corporations convicted of breaking food safety rules. I suspect there were far more who were doing it, but those were convicted. There have been dozens of media stories that have highlighted illegal slaughterhouses and uninspected and unhealthy meat processors.

The other issue, which Mr Peters dealt with, was the University of Guelph lab.

Overall, I want to say that in principle I agree with a legislation which would strengthen food inspection in this province, not at the expense of farmers but perhaps at the expense of all of us, because we share in the need for safe food. I see a bad trend among various governments toward reducing those inspectors. It gets back to an issue I personally have talked about on many occasions and it's one we'll debate, I suppose, across the floor many times: you can't have tax cuts and not see an effect to services. The revenues are not produced by those tax cuts. There are one or two economists who will tell you that's the case. But unless you could say that with your tax cut, you had to spend every cent of that in Ontario on a good or service produced in Ontario, you can't tell where the impact is going to be. So I think people increasingly have to understand that you can't continue to cut government revenues and still provide good government services.

I think there are some very dedicated people within the Ministry of Agriculture and Food who want us to do a good job. I think there are members on all benches in this Legislature who want to ensure that our food is as safe as it could possibly be. But we can only do that if we have a significant number of staff, a significant number of inspections and the will to do it. This legislation falls short on many accounts.

**The Acting Speaker:** Comments and questions?

**Mr Rosario Marchese (Trinity-Spadina):** I share many of the concerns that most of the Liberal members have raised with respect to this bill. The member from St Catharines just talked about the role of government and

his excitement, and mine, that we are witnessing an interest or desire by this particular party to become the government, because as you know, good listeners, this government didn't come here to act as a government. I think they said they're here to fix the government. It appears like they might want to get into the pattern of governing, which is not such a bad thing at all. In fact, we support a robust role for government. But it's hard to trust these folks.

Interestingly, Jim Coyle said in his comment with respect to the transit announcement today, "Despite frequent bizarre assertions to the contrary, it turns out the Premier and his colleagues might actually be the government after all." I find that somewhat amusing in the way in which he states it.

They talk about the Ontario government taking back control of GO Transit and injecting massive new capital spending. Here is my mistrust. We asked the minister today whether or not he was taking it over and privatizing GO Transit. We asked him three times. It was a simple question: are you taking it over to privatize it? He went blah, blah, blah for six long minutes, not answering the simple question, "Are you interested in privatizing it?" So we don't trust this government. That's the point. They're getting back in, but I still don't trust them. That's one of my concerns, to which I will speak in a little while.

**Mr Galt:** I appreciate all the comments. First I'd like to respond to the member from Elgin-Middlesex-London. At various times, he has made reference to the animal health lab in Guelph in very complimentary terms, but today he was particularly complimentary and spent quite a bit of his speech talking about that particular lab. I'm sure Dr Gwen Zellen, the staff person who is leading this particular bill, is probably watching. At one time she was the head of the laboratory in Guelph. At the same time, for some 24 years, I was involved in the system and, for most of those years was head of the laboratory in Brighton, part of this animal health laboratory complex. I'm also very proud of that system and think it has a tremendous number of very brilliant scientists and some great veterinary pathologists. As a matter of fact, it's probably the leading laboratory in the world in the ability of its veterinary pathologists. So thank you very much for the high recognition of that particular system.

As I listened to the various comments, there is literally no criticism of this bill. What I'm hearing are two things: (1) we don't want to vote for it because we haven't seen the regulations and (2) there is going to be some cost so we'd better start stepping up to the plate and paying for that. When it comes to regulations, I know all the members in opposition know that until you have the authority of the bill going through and becoming an act, there is no authority to have the regs in place and to bring them forward. Secondly, when it comes to costs, there are all kinds of things—for example, healthy futures, a program of some \$90 million over a five-year period. A lot of farmers have already applied for it, for programs to match and to do this very thing. There are still dollars there for farmers in the future to apply.

I really see them supporting this, although for partisan sake, they're going to have to oppose it.

**Mr Dwight Duncan (Windsor-St Clair):** I'm pleased to have the opportunity to respond to my colleagues the members for Elgin-Middlesex-London, Chatham-Kent Essex, Renfrew-Nipissing-Pembroke and St Catharines. I think my colleague Mr Bradley put it best: when this bill was introduced, none of us imagined the turn of events that would happen in the world on September 11. This bill, which one would normally have associated with rural ridings, has taken on even greater significance.

Let me be clear to the member from Northumberland that our party opposes this bill for two principle reasons. First, there is no commitment for additional funding for food inspection, taking into account the cuts this government has made to the food inspection system. They cut the budget by 45%, and they cut the number of inspectors by 38%. That's a significant problem. Simply put, you can have operative legislation all you want, but if you don't have the resources to enforce it, it's not going to work.

Second, the question of what is and is not in regulations, I say with respect to the member from Northumberland, is extremely important. No government, in my view, has abused the notion of leaving legislation silent and simply creating a framework and defined less in the statute, and that's no way to govern. It is no way to govern.

Those points of departure are significant, and they are important. I thought all my colleagues referenced very well and notionally the sorts of questions that ought to be addressed. But, make no mistake, our party and our caucus oppose this for those two very significant reasons: (1) your government's cuts to the food inspection system in this province and (2) your failure to define exactly what you intend to do with this legislation.

1730

**Ms Churley:** I listened with interest to my Liberal friends and their comments on this bill, and they made a lot of good points. One of the first things I thought when I heard this bill was coming out—I was very interested. I was very pleased to see that the government was finally addressing the problem that it created.

I think the present minister wasn't involved in that decision; I'll give him that. But the decision was made to cut millions and millions of dollars—I would say about \$200 million a year on an operating basis. That's \$200 million that was available to ensure that proper food inspection was done. So the government created a problem and came forward with legislation which I was thinking at least they were going to fix. But the problem is, again I say, it's enabling legislation. We don't know what's going to be in the regulations. But even more problematic for me is that there is no money attached to making this work. As the critic, I believe, pointed out, this is another download to the agricultural community, which can ill afford it.

I was very pleased that the Liberal critic talked about the animal health lab in Guelph, because that's been

raised before in this House and we know it's underfunded and under-resourced. So the government is serious about this. We need to hear that there's going to be resources and funding put into making it work. Nonetheless, I'm still very concerned about what the regulations will be, but if we don't know if there's going to be resources, it's not worth the paper it's printed on. The minister knows that.

The other thing I raised and I'll raise again is I'm very concerned about privatizing. A lot of those jobs have already been privatized without the standards attached. We've learned in a very, very difficult way lately how important it is to have well-trained people taking care of our safety. That's what we want to see happen here.

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

**Mr Peters:** I'd like to thank the members from Trinity-Spadina, Northumberland, Windsor-St Clair and Toronto-Danforth for their comments. I think this is an issue of motherhood. I think that every one of us is concerned about food safety and ensuring that our consumers remain confident in what our farmers are producing and processing in this province. I think we need to do everything collectively that we can to ensure that.

But as was pointed out, the difficulty we have in supporting this legislation is the dramatic cuts to agriculture, and in particular, the dramatic cuts in the field of inspection that have taken place in this province. The other issue is the lack of knowledge of what's going to be contained in those regulations. As the commitment the minister made with Bill 81 and his commitment to the farmers of this province that before the regulations are enacted with Bill 81, there is going to be good industry-wide consultation, I certainly hope that the same commitment is going to be made with these regulations, because these regulations could have serious ramifications.

To the member from Northumberland—and I know from his own experience in working on behalf of farmers in this province—I would really encourage you, member, to go visit the animal health lab. Go visit and talk to the staff there and see what the effect of the cuts has been on the animal health lab, why we have an animal health lab that does play such an important role in this province right now, why we're forcing them to buy second-hand equipment, why we're forcing them to go out and have to encourage industry groups to fundraise for day-to-day operations. There's something wrong there.

We need consumer confidence. We need food safety. There is a role for government to play, and unfortunately this government is abdicating that role.

**The Acting Speaker:** Now we'll have leadoff debate by a member of the third party.

**Mr Marchese:** On a point of order, Mr Speaker: our leader from Rainy River had to go back to his riding. I would ask for unanimous consent to stand down the lead-off, please.

**The Acting Speaker:** Is there consent that we stand down the leadoff time for the third party? Agreed.

**Mr Marchese:** I appreciate the support. I want to tell you that I'm not an expert in the field, but I have some opinions, obviously, on the matter. I listened very carefully to some of the Liberal critics who have a great deal more experience than I do in the field of agriculture. I think it's incumbent on the government to listen to them and to listen to our leader, who has knowledge and experience as well in this field.

I want to raise a few other issues of concern. My concern to begin with was to speak about the role of government. You see, I am a strong believer in a strong government, in a robust role for government. What's happened for the last many years in this assembly, and outside with many of our business leaders and others who have a beef against governments, is that there has been a strong desire to reduce the significance, if not the meaning, of this assembly. So when this government came here to reduce the number of politicians, it must have had some resonance with the public, because they reduced us from 130 to 103. When they reduced the number of people who work for our ministries and proudly announced the layoffs of 14,000 to 20,000 civil servants, there was some resonance with the public, who probably feel that people who work for our government through the various ministries don't work, or don't work hard, or don't work in a significant way that affects their lives.

I say to them and I say to this government that what they did was to contribute to the debilitation of government, rendering themselves and us as politicians vulnerable, to the extent that they don't trust politicians or political parties. That's not very good or very useful for any political party or any government. But this government has contributed significantly to degrading the role and significance of a robust government.

When they come into government saying, "We are not the government, we are here to fix it," they contribute to the negative view of politicians and they contribute to the negative view of governments in general. I speak to that because I feel strongly about the kind of image we need to project to the people in order to gain their trust, and we don't get it by diminishing ourselves in this place. I speak to that, and I quoted Jim Coyle, who said today:

"Despite frequent bizarre assertions to the contrary, it turns out the Premier and his colleagues might actually be the government after all.

"As reported," in the *Star*, he says, "Harris is expected to announce today that the Ontario government will take back control of GO Transit and inject massive new capital spending over the next decade."

He spoke, of course, with some happiness that the government is about to play this role by regaining control of GO Transit, which it downloaded to the municipalities, that we argued was wrong to begin with because you were downloading a major provincial responsibility to cities that rely on the property tax base to fund it. While Jim Coyle was happy, and I am personally happy, to see the government getting back in, I have some doubts about why this government was reinvolving itself centrally in taking control of GO Transit. So today

our leader asked the Minister of Finance, because it was a curious thing to our leader, as indeed it was to me, that the government is doing this. We asked him, "Are you controlling it in order to privatize this service?" You were there, Mr President of this assembly, and you heard the Minister of Finance; you heard those fine blah, blah, blah words which said nothing except to answer the question. It was a very long answer to an unanswered question, but the answer was very clear. The Minister of Finance, in not answering the question of our leader, Howard Hampton, "Are you going to privatize GO Transit?" basically was saying that they have an interest in privatizing.

The subject I am speaking to, Mr Chair of this assembly, is the fact that we don't trust government; the public doesn't trust this government; we don't believe what they say because, when we ask them a clear question about what they were about to do, they don't answer the question. It lends fear to our assertion that that is what they're after. So we don't trust it when it says it's coming back to govern.

1740

So we are interested in and worried about these centralized powers that this government is giving itself. As I read in the explanatory note of the bill, it says in part II, "The bill allows the Lieutenant Governor in Council to make regulations designating, as a licensed activity, any one of a wide range of activities that affect or could affect the quality or safety of food, agricultural or aquatic commodities or agricultural inputs," and it goes on and on. Some farmers are worried about the implications of such a sweeping power that is being assigned to someone. I'm worried about such powers.

In part III it says, "The bill allows the Lieutenant Governor in Council broad powers to make regulations for the purpose of ensuring the quality or safety of food, agricultural or aquatic commodities," and on and on and on. Again, broad powers will be assigned to some of these people who will be hired. We're assuming that they may or may not be qualified; we don't know. But it's giving broad powers to individuals without qualifying what those broad powers are and what it is exactly that they will do.

Frankly, I say to you that the Liberals were obviously stating a concern, as we do, and I'm sure farmers are stating a concern, as we are, that they want to know what broad powers you are giving that will come by way of regulation, not specified in the bill. They ought to be properly worried about the implications of that, because they're not stated. No one wants to give power to anyone without knowing what it is we are empowering those individuals to do and how we are affected, in this case how farmers are affected, and, in the larger, connected case, how the public is connected to those powers.

"A director or a person authorized in writing by a director may appoint inspectors." That says "may," and we're assuming that "may appoint inspectors" means that they—I don't know what it says, but it says that it may; not that it shall, but that it may appoint inspectors.

We're concerned that this government caused the problem in the first place and it now wants to solve it in some way. I don't think that's a problem. I think it's useful that the government recognizes that it created a problem that it needs to fix. There are concerns about how they're going to fix it, but at least it's a recognition or an admission of a problem they have caused. How have you, Conservative members, caused this problem? I'll try to give a list; if not a list, at least an example.

You have reduced the Ministry of Agriculture, Food and Rural Affairs by \$200 million a year on an operating basis. That's \$200 million a year that used to be available to ensure proper food inspection and that it actually happened: a cut of \$200 million, a significant amount. It's a lot of money. So the government is admitting, "Yes, we have made deep cuts and, yes, it might have some collateral effect to food safety," at least in this particular instance, but so many other related problems. So they're finally admitting that maybe we should put back a couple of bucks to ensure food safety. Who could disagree with that? Everyone wants food safety, from the farmers to the people who consume the food that they produce. A \$200-million cut. Imagine what that would have been able to do in terms of ensuring the safety of the things that we tend to—by way of connection, Walkerton obviously taught you a big lesson that when you eliminate the role of government and/or diminish or reduce it to the extent that you no longer are effective or efficient in your ability to govern, you are endangering yourselves politically but risking our health as Ontarians. You risk our health by removing yourself from the proper role of governing, and you witnessed that in your involvement, or lack of involvement, vis-à-vis Walkerton. A lot of people had to die and a lot of people got sick. We argue that you played a role in this regard by not having the people properly there to inspect that water and to ensure that when we drink this glass of water that is brought to us on this table from time to time, it's safe. So it's a lesson for all of us. It's a lesson for all Ontarians.

**Mr Gregory S. Sorbara (Vaughan-King-Aurora):** I'm new here. Is this a filibuster? He's been talking all day.

**Mr Marchese:** Mr Sorbara, we've got 20 minutes and I've got eight minutes left.

**Mr Sorbara:** It only seems like three hours.

**Mr Marchese:** It's long. I know what you're saying. I'm glad Mr Sorbara is back, because it's good to have this interplay. And Mr Sorbara is quite right. I'm not a farmer. He's right.

**Ms Churley:** You eat the food, don't you?

**Mr Marchese:** I eat the food willingly and happily and I'm worried about the food we're eating. That's for certain.

*Interjection.*

**Mr Marchese:** You're quite right, and I'm sure you're closer to farmland than I am and maybe you have a lot more to say on this than I do; I don't know. But we want to have this bill sent to committee hearings because we want to make sure that farmers are able to comment

on the bill, the intent of the bill, the effect of the bill or what's lacking in this bill. We want to make sure that everyone has a full opportunity to debate what is being presented in this House.

Mr Peters and Mr Hoy raised a number of concerns. They're farmers, and obviously we have to listen to them as we will have to listen to many others. I'm assuming you consulted some of the folks who are supporters of yours, and I suggest to you that you've got to consult people who may not be supporters of yours.

You see, I am profoundly worried about your ability to put into effect a number of the suggestions you make in this bill. Because you took \$200 million away from this ministry, it's going to be awfully difficult to find money to put back. You see, you're not going to be able to recover the money that has been lost. Those income tax cuts and the corporate tax cuts you have made have meant that \$8 billion has gone away, including that \$1 billion that you gave away to make everybody feel good a while ago when you gave every Ontarian 200 bucks. Not everyone got it, but most people got 200 bucks. You wasted \$1 billion by giving people 200 bucks each because you said that belongs to them so they could have it in their pockets; wasted \$1 billion that you could have used and could have kept to maintain the level of support in this ministry. But that's gone. That one billion is gone, including the \$8 billion to \$10 billion or \$11 billion that will go away at the end of your term as you complete your income tax and corporate taxes—gone away.

Look, I don't wish for this recession that's coming to be deep. New Democrats experienced it in 1990 and the people suffered it, and they will suffer it again if the recession that's coming is deep. We don't want it, we don't wish it, but I tell you it will be worse than what we experienced in 1990, and it will be worse for these people because they don't have the money. They've given it away. Ten billion bucks will be gone. You won't be able to recover it. And while you may have put one billion aside, and the minister quite haughtily and happily says that everything is moving on all right, things are not moving along well. They're not. The one billion he put aside, and I hope he put more, will simply not be enough. It won't last more than a month or two. If this recession deepens, that one billion bucks you people put aside will be gone and this claim and the inspectors that you hope to hire may not be there because you won't have the money to hire them. And you're not going to go into debt, because you people don't believe in going into debt at any cost. So everybody will suffer in this province.

1750

Do I trust you're going to be hiring inspectors? I don't know who you are going to be hiring. Do I believe you're going to contract out that work? That's very likely. And to whom? I don't know, but I suspect you'll be contracting out the work of inspection. We don't know to whom, we don't know the level of expertise and we don't know what level of support you will give operationally to this ministry, because judging on the basis of your past experience, you've cut its operational budget severely.

You have weakened that ministry for the last many years, and you won't be able to recover from that.

A bill that pretends to fix a problem that you have caused, well, it sounds good, but I'm not quite sure yet how it's all going to go by way of enforcement and by way of actually providing the resources to hire the inspectors who are going to be needed.

Others have raised the question, will these inspectors inspect consistently across the board? It's a good question. I'm not sure. I don't know. Are there any rules around that? Are there any guidelines or criteria? I don't know. These are questions that will have to be addressed. Who will be hired and what level of expertise are questions that will have to be addressed. How much money will be put back and to what extent will those reductions of 30% or 40% of inspectors be increased? I don't know.

These are questions that we need to put to you in those committee hearings that we anticipate we will have. I'm assuming this is a bill that you will find positive, or at least positively received, and therefore there will be a desire and an interest on your part to take this bill out. This is what we urge this government to do, because I know there are going to be many people who have an interest in speaking to this bill.

We cannot take risks with food and safety across this province. We cannot take risks with our water, which is becoming a preoccupation of many in this province and ought to be a serious preoccupation of yours. While it wasn't in the past, it now has become your preoccupation, and we're glad to see an interest in your desire to look after the concerns of food safety in this province.

I know our leader will have an active interest in participating in this debate. I know my friend from Toronto-Danforth will also speak to this from an environmental interest of hers. We will have indeed a lively debate in the ensuing weeks.

But I want a commitment from the government to say, "Yes, we will have hearings. Don't you worry, Marchese, and others who are thinking that somehow we might follow the pattern of the past where there will be one-day hearings, day-and-a-half hearings on issues, and one week on those very issues that are not very controversial and are pleasing to the government. Don't worry, we're going to do that." That's what we want to hear. Hopefully the members who are about to speak after us will assure me that the hearings will be adequately long so that we and others across the province who have an interest in this will be able to participate and comment and give some guidance to this government.

**The Acting Speaker:** Comments and questions?

**Hon Mr Coburn:** I listened with some interest, although there wasn't very much substance about this particular bill from the last speaker, who talked and railed on about everything else other than what's in front of us.

I just want to expand on some of the things that are in this bill and some of the rationale behind it. The stake-



holders we work with in agriculture are professionals and well experienced in whatever commodity they produce or grow. They take great pride in what they do, because they are recognized around the world for being in a class of their own in terms of food production: efficient food production, quality food production and safe food production. We have that reputation, and it didn't happen by accident. It's one that's been built on over the years.

Because of the constant change we have in our society today, in any line of work, in any occupation, if you don't stay on the leading edge and take advantage of new technologies, you're soon left behind and your market starts to dissipate on you. A lot of the commodity groups I work with on a day-to-day basis, who are stakeholders here in Ontario who contribute to the \$28-billion agriculture and agri-food business, recognize that; for example, pork producers. "Pork producers in this province take pride in producing a safe, wholesome product and we support the consolidation of safe food legislation," stated Ontario Pork Chair Clare Schlegel. "Ontario has one of the safest food supplies in the world and this new legislation will help maintain the high level of consumer confidence in our product"—not only maintain it but help them expand their markets and opportunities in the global marketplace. They take great pride in doing that, and they're self-starters. That's the other interesting thing about our agriculture and agri-food business: they are self-starters. They have initiated their own processes to ensure food safety so there can be trace-back and trace-forward in terms of identifying any problems we have throughout the food chain.

**Mr Bradley:** I was glad, Mr Speaker, as I know you were, that the member for Fort York drew an analogy between privatization of what we see as inspection services related to food safety and the privatization, potentially, of GO Transit, because I happen to have the same suspicion he has.

First of all, the government seemed to want a standing ovation because they retreated to a position they abandoned a few years ago with such relish and bombast, back to the funding of GO Transit, government of Ontario transit, as they should have. But the concern he mentioned in his speech, that somehow there's money to be made on that, that there are some private people waiting with good connections to the Tory party, I happen to think, is probably true. I've seen it on Highway 407.

As you would know, Speaker, because you represent an area that has a lot of small towns and some villages, they're going to do the same thing with the LCBO stores, and the Tories in the local places are just rubbing their hands, waiting to get their hands on that LCBO store.

So when he mentioned he was concerned about the privatization of inspection services, I can certainly understand and relate to that. To put it basically correctly, as I think the member did, you need far more inspectors, far more inspections and necessary assistance to farmers so they can comply with this legislation, because in many ways farmers are doing a favour for those of us in this

province. They're providing our food. Oftentimes, particularly in times of drought, as we had this year, that's done at great expense to themselves.

**Ms Churley:** I'd like to congratulate the member for Fort York for his fine speech about food safety.

I'm sorry to have to say this—I really am, Minister—because we're concerned, we all are, about food safety here. We learned in the most difficult way possible when Walkerton happened and people died from drinking their water, how critical it is to have inspection regimes in place to provide assurances to people that whatever we put in our bodies is not going to kill us or make us sick. We know that E coli grows in water, it grows in hamburger, and there are all kinds of other problems out there and growing within the food sources because of what's happening across the world.

But I'm sad to say that I believe this is an exercise in media spin. It's spin. My leader said that when the announcement was first made in the House, and it's true. Your government downloaded a lot of these services before and laid off, got rid of, people who were inspecting the regulated abattoirs. You talk about privatizing services later; they already did that. That was done after that happened, where some people were laid off, and then other inspection positions were contracted out. There's absolutely nothing in this bill that assures us that the people are going to be well-trained civil servants so we can have some assurances that our food will be inspected properly and that there's accountability. That is what we're concerned about here.

So two things: there's no money, no resources attached to this; and there's a concern that the whole thing is going to be privatized and that accountability won't be there. We need a bill to assure people that their food is safe. Therefore, we're going to have to have public hearings so that the public can have their say.

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

**Mr Smitherman:** What a way to finish a Thursday, the first week back, with this fine presentation by my friend the member for Trinity-Spadina ending the day in a better frame of mind than when we began it.

Your involvement, I say to the member for Toronto-Danforth, will get us right back on track.

**Mr Bradley:** I still say Fort York.

**Mr Smitherman:** The riding was Fort York for a time, and I'm proud to represent a portion of that riding now.

The minister stood in his place in critique of the fine presentation by the member and he said, "He went from here to there and everywhere and he didn't really cover the subject at hand." I think you didn't listen well, at least you didn't hear what I heard, which was a presentation that underlined the same concern that the Liberals outlined this afternoon, which is here again on the part of that government. We have a piece of legislation which has got a lot of words and very little delivery mechanism. We've got one more example of a once proud ministry that's been gutted to the point that its effectiveness and its ability to do the very things that the bill asks it to do

have been undermined by a government that has a vision only for tax cuts and diminishing public services in our province.

I would say to the government, underlining, I think, the basic principle of the point made by my friend the member for Trinity-Spadina, that I believe from the people of Ontario, particularly influenced by the insecurity that has gripped so many of us since September 11, that there will be a call for the restoration of once-proud public services; that people will begin again to look to government, not just as a place to cut services and to give tax cuts, but also as a place to ensure that the most basic needs that we have as citizens are taken care of.

**The Acting Speaker:** The member's time has expired. The member for Trinity-Spadina has two minutes to respond.

**Mr Marchese:** I want to thank my friend from Toronto Centre-Rosedale, because we are friends, including the member for St Catharines. We disagree strongly on some issues, but I appreciate their comments. The member for Toronto-Danforth, my colleague—

**Ms Churley:** We're friends too.

**Mr Marchese:** We're friends and colleagues.

In response to the minister, who went on at the end to talk about farmers and farming, who disagrees with his comments about the fact that they're self-starters and they take pride in their work and that they're innovators? Good God, I agree. No one disagrees with that and no

one spoke against their initiative or what it is that farmers do and their interest and their pride in their hard work. Good God, I'm with you. That's not what I was talking about.

I'm worried about what a previous Minister of Agriculture was quoted as saying once. When our leader was talking about the abattoirs and the need to provincially regulate them, if you recall, the minister at the time said, "We don't need these food inspectors." You understand, Minister, that when a minister is quoted as saying, "We don't need these food inspectors" some time ago, it makes me suspect. It worries me; you understand that.

So when all of a sudden you say, "But we want food inspectors. We need them to ensure food safety," on this side I say, yes, we do, but we recollect the past very well and we are profoundly worried, so worried that we want hearings to understand who you're going to hire, how many food inspectors you're going to hire, who they're going to be, their level of expertise, what they will inspect. We want to hear it debated in the hearings and not under regulations, where they are hidden from public view. That's what we expect of you, and I didn't hear you say that's what we're going to get.

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

It being past 6 of the clock, this House stands adjourned until 1:30 pm, Monday, October 1, 2001.

*The House adjourned at 1805.*

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Chair / Président: John Gerretsen  
Vice-Chair / Vice-Président: Vacant  
Bruce Crozier, John Gerretsen, Raminder Gill,  
John Hastings, Shelley Martel, Bart Maves,  
Julia Munro, Richard Patten  
Clerk / Greffière: Tonia Grannum

**Regulations and private bills /  
Règlements et projets de loi d'intérêt privé**

Chair / Président: Vacant  
Vice-Chair / Vice-Président: Garfield Dunlop  
Gilles Bisson, Claudette Boyer, Garfield Dunlop,  
Raminder Gill, Pat Hoy, Morley Kells,  
Rosario Marchese, Ted McMeekin, Bill Murdoch,  
Wayne Wettlaufer  
Clerk / Greffier: Douglas Arnott

**Alternative fuel sources /  
Sources de carburants de remplacement**

Chair / Président: Doug Galt  
Vice-Chair / Vice-Présidente: Marie Bountrogianni  
Marie Bountrogianni, James J. Bradley, Marilyn Churley, Doug  
Galt, Steve Gilchrist, John Hastings,  
John R. O'Toole, Jerry J. Ouellette, Ernie Parsons  
Clerk / Greffière: Tonia Grannum

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