



Legislative Assembly  
of Ontario  
Second Session, 37<sup>th</sup> Parliament

Assemblée législative  
de l'Ontario  
Deuxième session, 37<sup>e</sup> législature

**Official Report  
of Debates  
(Hansard)**

**Journal  
des débats  
(Hansard)**

**Wednesday 7 November 2001**

**Mercredi 7 novembre 2001**

Speaker  
Honourable Gary Carr

Président  
L'honorable Gary Carr

Clerk  
Claude L. DesRosiers

Greffier  
Claude L. DesRosiers

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LEGISLATIVE ASSEMBLY  
OF ONTARIO

Wednesday 7 November 2001

ASSEMBLÉE LÉGISLATIVE  
DE L'ONTARIO

Mercredi 7 novembre 2001

*The House met at 1330.  
Prayers.*

MEMBERS' STATEMENTS

TAX CUTS

**Mr James J. Bradley (St Catharines):** What has become so very evident with yesterday's financial statement from the Treasurer is that the Conservative government in Ontario is willing to sacrifice quality health care, education and environmental protection on the altar of unnecessary tax cuts for the rich and the powerful.

After riding high on a provincial economy assisted by low interest rates, a low-cost Canadian dollar and a booming US economy, the Harris Conservatives are now confronted with the foolishness of their ideologically driven economic policies, their one-trick pony called tax cuts.

Having slashed essential programs that benefit the Ontario public and having added \$21 billion to the provincial debt by borrowing money to pay for previous tax cuts, the PCs in Ontario are reduced to whining for more federal money or hacking away further at health care and other important services.

Mike Harris and Jim Flaherty do not want more federal money for health care; they want the cash to pay for their tax gifts to the corporations and the rich. If the PCs want to avoid further health care and other cuts, they need only abandon their foolish \$2.2-billion corporate, \$975-million income and \$300-million private school tax gifts and they will have plenty to invest in public services.

As a wise columnist said, "All this talk of tax cuts paying for themselves and Ottawa shortchanging Ontario is just a smokescreen."

REMEMBRANCE DAY

**Mr John O'Toole (Durham):** I would like to share with the House some thoughts on Remembrance Day in my riding of Durham.

Over 1.5 million Canadians served in the Second World War and the Korean conflict. We all know 110,000 gave their lives. On November 11, we honour these men and women for preserving our freedom.

However, Remembrance Day is more personal to me because I think of the many ways my riding remembers

those who perished and shows its gratitude to all who served.

Starting in the east part of the riding, there is the village of Newtonville, site of a rare Boer War monument built in 1902. This Friday, local students from Newtonville Public School will participate in a service there.

On Sunday, Sterling Mather and Doug Walton will once again be among those responsible for the community service in Newcastle.

Then in Bowmanville, Branch 178 Legion president Jim Connell, John Greenfield, Rae Abernethy, Norm Baker, Cecile Bowers, Walter Park, Doreen Park, Art Sheehan, Nyhl Sheehan, Bill Calver, Steve Oke, Jack Mantle, Art Brooks, Ross Wright, Gary Cole, and poppy chair Lyne Puddister will be among the participants.

Moving to the north area of my riding, there will be a service in Blackstock on Sunday, and no doubt local veterans Carl Adams, Harold Martin and Stan Rahm will be there to celebrate and remember.

In Port Perry, Legion Branch 419 president Rory Thompson, vice-president Stan Clarke, poppy chair Barb Doupe, co-chair Ron Hartrick, and past president Fred McMann will be among those responsible for the Remembrance Day service.

In Orono, the service at the cenotaph took place last Sunday, November 4. Those I have mentioned are assisted by many others literally too numerous to mention.

It is on this basis that I, along with them, would like to thank those who served and those who continue to serve this country and protect our freedom.

HEALTH CARE

**Mrs Sandra Papatello (Windsor West):** In honour of the Premier of Ontario's visit to Windsor—the first official visit in six and a half years, I may add—we launched a postcard campaign to let the Premier know what the people in Windsor were thinking about our health care system. We specifically said to the Premier, "We need your help."

Over 3,000 postcards is all I could muster to bring into the House today, but just as a sample of how the people responded, they said, "Please, hearing exams: not paid." "I'm a heart patient and can't get service." "We have no family doctor." Ultimately, probably the best comment from the cards was, "We need new leadership now."

This is exemplary of what the people of Windsor feel about our health system. How galling it was to watch the

Premier of Ontario strut through the streets of Windsor as though he were going to do something wonderful for us, when the reality is that where services count, the people in Windsor go wanting.

We demand hospitals beds to serve our people. We demand emergency care to serve our people. We demand doctors to take care of our people. These are the things that we don't just demand but we deserve. Hard-working taxpayers from Windsor contribute to the Ontario GDP, and we don't get the health services we need.

This is just a sampling, but the people from Windsor are speaking loudly and clearly. They are asking for community supports like children's mental health services, the very basics that we need and we demand.

#### INFRASTRUCTURE PROGRAM FUNDING

**Mr Ted Arnott (Waterloo-Wellington):** Municipalities in my riding of Waterloo-Wellington have applied for infrastructure funding under the Ontario small town and rural infrastructure program, or OSTAR. They have identified priority projects that need to be completed, and I want to inform this House of my unconditional support for each and every one of their applications.

The township of Centre Wellington needs funding to upgrade waterworks to be in compliance with tough new drinking water standards that are being enforced by the Ministry of the Environment. The town of Minto and townships of Wellington North and Guelph-Eramosa are also applying to upgrade their water supply systems to comply with the new regulations. The township of Wellesley has applied for support to reconstruct a bridge over Kirkland Creek. And the township of Mapleton absolutely needs funding to redevelop water and sewer infrastructure for the entire community of Moorefield.

I've been in regular contact with my municipalities on these projects and we've had opportunities to discuss some of them in meetings that we have arranged with Ontario cabinet ministers. Their projects are of top importance, chosen by the elected councils for the citizens and communities they represent. They are the foundation projects, the ones upon which much of our communities' future health, safety and prosperity will be based. That is why I am insistent that to each and every municipality in Waterloo-Wellington that has applied for an OSTAR grant, we owe adequate support and timely approvals through the Ontario SuperBuild Corp.

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#### ONTARIO NORTHLAND TRANSPORTATION COMMISSION

**Mr David Ramsay (Timiskaming-Cochrane):** Yesterday, while the Ontario Northland Transportation Commission internal solutions committee was presenting its plan for a restructured organization, the Mike Harris government introduced in the House legislation that enables the transportation agency to discontinue any of its activ-

ities and services and would further allow the commission to sell off any of its assets.

This comes as a stinging slap in the face to the union-management committee that has worked long and hard to develop made-in-the-north solutions to ensure the viability of our transportation and telecommunication services throughout all of northeastern Ontario.

It would appear that the government is back on track with plan A, which is to dismantle the ONTC and all its services. This is most unfortunate, as after much protest, including a massive Survival Express march on Queen's Park last spring, the Minister of Northern Development and Mines indicated he would listen to some local proposals. A team of management and unionized employees went to work to develop a proposal that would revitalize our services while helping the ONTC stay as a crown agency.

It would appear again that the Mike Harris government is not listening to the concerns of northerners. Again, the Mike Harris government's policies are hurting the north rather than helping the north.

#### ADOPTION DISCLOSURE

**Ms Marilyn Churley (Toronto-Danforth):** November is Adoption Awareness Month, and by coincidence, right here in this Legislature, in this House, I want to tell people that they have an opportunity to find out everything they need to know about adoption awareness, because right now we are holding committee hearings on Bill 77, my private member's bill to amend adoption disclosure in this province.

I invite all members in this House, particularly those who have some concerns about adoption disclosure reform, to drop into committee room 1 this afternoon after routine proceedings to hear from many groups, many individuals who themselves have been involved directly over the years in the adoption reform movement. They will dispel many of the myths I've heard over and over again in this House from but a few members who still object to the bill.

I want to say that I find that the majority of members in this House, from all sides—all the NDP members, most of the Liberals and most of the Conservatives—support going ahead with adoption disclosure reform in this province.

We are far behind other jurisdictions. There are jurisdictions all over the world that have amended and brought in these new laws. They have worked perfectly well. I urge all members to drop in this afternoon and support this very important bill.

#### CENTRAL NORTH CORRECTIONAL CENTRE

**Mr Garfield Dunlop (Simcoe North):** It's so nice to see so many young people in the House today.

We also have in the House, Hartzel Black, director of rehabilitation programs of Management and Training

Corp of Canada, the company that has recently entered into partnership with the Ontario government to operate the Central North Correctional Centre at Penetanguishene in my riding of Simcoe North.

Management and Training Corp operates 17 correctional facilities and 23 Job Corps centres in the United States, Australia and the Marshall Islands.

MTC has a long history in training and rehabilitation, which they have put to excellent use in their correctional facilities. They offer extensive personal development programs in areas like substance abuse, life skills, anger management and crisis intervention, just to name a few.

Since last April, when MTC was named as the partner with our government, the company quickly acted to become part of the community of Penetanguishene. In October they held an open house, where thousands of people throughout Simcoe North could come and tour the correctional facility to see how safe and secure the facility is.

In July and August, several job and vendor fairs were held so local people could meet with MTC officials to discuss job and business opportunities with the new correctional facility.

To date, MTC has hired 149 people to work in the new facility, 74% of those local people coming from the communities surrounding the facility. It is estimated that around 300 people in total will be hired to run the new facility. MTC has also committed to buy goods and services locally. I would like to thank MTC for keeping its strong commitment to hiring local personnel and buying locally to improve the economy of the town of Penetanguishene. I'd like everyone to welcome Hartzel Black, of Management and Training Corp of Canada.

#### HOLOCAUST EDUCATION WEEK

**Mr Michael Bryant (St Paul's):** Kazetnik writes that for all those who walked upon the ramp of Auschwitz, the Holocaust is not over. That is why we are so fortunate to have so many Holocaust survivors and their families involved in Toronto's Holocaust Education Week, taking place between October 27 and November 10. It's in fact a model Holocaust Education Week, which is adopted and referred to by a number of cities and regions across the world.

We have more than 106 events taking place across the city. I was pleased to participate in an event at Amsterdam Park, in St Paul's, with the students of Brown Public School and Deer Park community school, who are ordinarily there as well, in memory of Anne Frank. The children retell the story and plant tulip bulbs, which of course will come up in the spring for them to see.

I encourage members of this House who are currently in Toronto these days to participate in the many Holocaust Education Week events. I congratulate the organizers and volunteers who make this event such an extraordinary one. It is just one more way in which we say that we will never forget. We will never forget.

#### TAKE OUR KIDS TO WORK DAY

**Mr Bob Wood (London West):** I rise today to recognize National Take Our Kids to Work Day. Today thousands of grade 9 students in Ontario and across Canada will spend a day at work with a parent, relative, adult friend or volunteer host.

Take Our Kids to Work is a national program with participation and support from all provinces and territories. This program has three main objectives: to offer students a view of the work world and to give them an understanding of its demands and opportunities; to allow students to see their parents or volunteer hosts in different roles and responsibilities and to understand what they do to support a family; to emphasize that education goes beyond the classroom and that the preparation of younger generations for the future is a community responsibility.

Grade 9 students were selected for a number of reasons. Provincial curriculum guidelines include career education at this level, and it's an opportune time for students to see the practical side of what they have learned in school. Grade 9 students also make course selections for the following year that could have an impact on their futures.

I am joined at work today by two students from South Secondary School in the great riding of London West. I know South to be a good school because my father graduated from it in 1927 and I did so in 1965. I ask two possible future MPPs, Mira Pavan and Virginia Kane, along with Mira's mother, Anita, to stand in the gallery and be recognized. I ask all members to join with me in congratulating all the young people across Canada who are joining their mentors at work today.

#### VISITORS

**Mr James J. Bradley (St Catharines):** On a point of order, Mr Speaker: I would like members of the assembly to know that in the members' gallery west is Mr Ron Hansen, who is the former MPP for what was then called Lincoln, from 1990 to 1995.

**Mrs Marie Bountrogianni (Hamilton Mountain):** On a point of order, Mr Speaker: In the spirit of taking your kids to work, my grade 9 son, Alexander Tsanis, is here from St Mary's High School.

**The Speaker (Hon Gary Carr):** That's not a point of order, just as if I announced my daughter Makenzie was in the west gallery, that wouldn't be a point of order as well, and of course I didn't do that.

**Mr Ernie Parsons (Prince Edward-Hastings):** On a point of order, Mr Speaker: One of our kids has actually brought her parents to work today. We have page Courtney immediately to your left. I'd like to welcome her parents, Mr and Mrs Kiss, from Prince Edward county, and her brother Jordan.

**Hon Chris Stockwell (Minister of Labour):** On a point of order, Mr Speaker: In the spirit of the day, I want to introduce my son who is here with me working today, Kale Stockwell, and my nephew Evan Snow, up in the last row of the public gallery.

**Mr David Tilson (Dufferin-Peel-Wellington-Grey):** On a point of order, Mr Speaker: The member for Perth-Middlesex is unable to be here today. He asked that the House welcome the parents, both sets of grandparents, a brother and two friends of page Andrew Hodes who comes from his riding.

## REPORTS BY COMMITTEES

### STANDING COMMITTEE ON JUSTICE AND SOCIAL POLICY

**Mr Toby Barrett (Haldimand-Norfolk-Brant):** I beg leave to present a report from the standing committee on justice and social policy and move its adoption.

**Clerk at the Table (Ms Lisa Freedman):** Your committee begs to report the following bill without amendment:

Bill 69, An Act to protect victims by prohibiting profiting from recounting of crime / Projet de loi 69, Loi visant à protéger les victimes en interdisant les gains tirés du récit d'actes criminels.

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

**Interjections:** No.

**The Speaker:** I heard that loud and clear.

All those in favour will please say "aye."

All those opposed will please say "nay."

In my opinion, the ayes have it.

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

*The division bells rang from 1350 to 1355.*

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

#### Ayes

|                      |                    |                     |
|----------------------|--------------------|---------------------|
| Agostino, Dominic    | Flaherty, Jim      | Newman, Dan         |
| Arnott, Ted          | Galt, Doug         | O'Toole, John       |
| Baird, John R.       | Gilchrist, Steve   | Ouellette, Jerry J. |
| Barrett, Toby        | Gill, Raminder     | Parsons, Ernie      |
| Bartolucci, Rick     | Gravelle, Michael  | Patten, Richard     |
| Beaubien, Marcel     | Guzzo, Garry J.    | Peters, Steve       |
| Bountrogianni, Marie | Hardeman, Ernie    | Phillips, Gerry     |
| Boyer, Claudette     | Hastings, John     | Pupatello, Sandra   |
| Bradley, James J.    | Hodgson, Chris     | Ramsay, David       |
| Brown, Michael A.    | Hudak, Tim         | Runciman, Robert W. |
| Bryant, Michael      | Jackson, Cameron   | Ruprecht, Tony      |
| Caplan, David        | Johns, Helen       | Sampson, Rob        |
| Chudleigh, Ted       | Kells, Morley      | Smitherman, George  |
| Clark, Brad          | Kennedy, Gerard    | Snobelen, John      |
| Clement, Tony        | Klees, Frank       | Sorbara, Greg       |
| Coburn, Brian        | Lalonde, Jean-Marc | Spina, Joseph       |
| Colle, Mike          | Levac, David       | Sterling, Norman W. |
| Cordiano, Joseph     | Marland, Margaret  | Stewart, R. Gary    |
| Crozier, Bruce       | Martiniuk, Gerry   | Stockwell, Chris    |
| Cunningham, Dianne   | Maves, Bart        | Tilson, David       |
| DeFaria, Carl        | Mazzilli, Frank    | Tsubouchi, David H. |
| Di Cocco, Caroline   | McLeod, Lyn        | Wettlaufer, Wayne   |
| Dombrowsky, Leona    | McMeekin, Ted      | Wilson, Jim         |
| Duncan, Dwight       | Miller, Norm       | Witmer, Elizabeth   |
| Dunlop, Garfield     | Molinari, Tina R.  | Wood, Bob           |
| Ecker, Janet         | Munro, Julia       | Young, David        |
| Elliott, Brenda      | Mushinski, Marilyn |                     |

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

#### Nays

|                  |                   |               |
|------------------|-------------------|---------------|
| Churley, Marilyn | Kormos, Peter     | Martin, Tony  |
| Hampton, Howard  | Marchese, Rosario | Prue, Michael |

**Clerk of the House (Mr Claude L. DesRosiers):** The ayes are 80; the nays are 6.

**The Speaker:** I declare the motion carried.

The bill is therefore ordered for third reading.

### STANDING COMMITTEE ON GOVERNMENT AGENCIES

**The Speaker (Hon Gary Carr):** I beg to inform the House that today the Clerk received the 15th report of the standing committee on government agencies.

Pursuant to standing order 106(e), the report is deemed to be adopted by the House.

## INTRODUCTION OF BILLS

### HIGHWAY MEMORIALS FOR FALLEN POLICE OFFICERS ACT, 2001

### LOI DE 2001 SUR LES CONSTRUCTIONS SITUÉES SUR LA VOIE PUBLIQUE ET NOMMÉES À LA MÉMOIRE DES AGENTS DE POLICE DÉCÉDÉS

Mr Bartolucci moved first reading of the following bill:

Bill 128, An Act to permit the naming of highway bridges and other structures on the King's Highway in memory of police officers who have died in the line of duty / Projet de loi 128, Loi permettant de nommer des ponts et d'autres constructions situées sur la route principale à la mémoire des agents de police décédés dans l'exercice de leurs fonctions.

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

The member for a short statement?

**Mr Rick Bartolucci (Sudbury):** I'm going to read the preamble to the bill, which is very short but I think summarizes what every member in this House believes.

"We, the people of Ontario, are forever grateful to the dedicated police officers who have courageously and unselfishly given their lives in the line of duty. Our debt to them can never be repaid.

"We are also forever grateful to Ontario's police officers who have demonstrated extraordinary courage by giving their lives to preserve our free and peaceful society.

"We must never forget the contribution of those men and women to whom we owe so much. As a gesture of our respect, we seek to honour them by permitting the

Legislature to name highways, bridges and other structures in their memory.”

Therefore, this bill permits the Legislature to name highways, bridges and other structures on the king's highway in memory of police officers who have died in the line of duty.

1400

ONTARIO SOCIETY FOR THE  
PREVENTION  
OF CRUELTY TO ANIMALS  
AMENDMENT ACT, 2001

LOI DE 2001 MODIFIANT LA LOI  
SUR LA SOCIÉTÉ DE PROTECTION  
DES ANIMAUX DE L'ONTARIO

Mrs Munro moved first reading of the following bill:

Bill 129, An Act to amend the Ontario Society for the Prevention of Cruelty to Animals Act / Projet de loi 129, Loi modifiant la Loi sur la Société de protection des animaux de l'Ontario.

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

The member for a short statement?

**Mrs Julia Munro (York North):** This bill makes it possible to define puppy mills in a way that gives the Ontario Society for the Prevention of Cruelty to Animals the tools they need to eliminate puppy mills in Ontario.

COMMUNITY CARE ACCESS  
CORPORATIONS ACT, 2001

LOI DE 2001 SUR LES SOCIÉTÉS  
D'ACCÈS AUX SOINS COMMUNAUTAIRES

Mrs Johns moved first reading of the following bill:

Bill 130, An Act respecting community care access corporations / Projet de loi 130, Loi concernant les sociétés d'accès aux soins communautaires.

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

The minister for a short statement?

**Hon Helen Johns (Minister without Portfolio [Health and Long-Term Care]):** Speaker, I will defer until ministers' statements.

VISITORS

**Hon David Young (Attorney General, minister responsible for native affairs):** On a point of order, Mr Speaker: We have four very special guests with us today in the members' gallery. I thought I would take just a moment to introduce them.

We have Julian Hwang, Nicholas D'Amico, Michael Fine and my son Cory Young who have joined us.

STATEMENTS BY THE MINISTRY  
AND RESPONSES

COMMUNITY CARE ACCESS CENTRES

**Hon Helen Johns (Minister without Portfolio [Health and Long-Term Care]):** I rise in the House today to introduce the Community Care Access Corporations Act, 2001. This bill is part of a comprehensive strategy to strengthen accountability in the community-based long-term-care sector, a sector that manages a budget of more than \$1 billion. This act would result in improving community-based services for Ontarians who need them.

First, though, let me briefly explain how we got to this point. CCACs can be proud of what they have accomplished in just the three years since their inception. They have made remarkable strides to provide one-stop shopping for long-term care for the people of Ontario.

However, there is an undeniable need for improvements in the operations of the province's 43 CCACs. In fact, the CCACs asked our government for standards, direction and improvements regarding their operations. Consequently, we initiated one province-wide program review of CCACs and an operational review of the Hamilton-Wentworth CCAC.

The province-wide review, which was conducted by PricewaterhouseCoopers and released this past summer, found a number of areas where CCACs needed strengthening to meet their mandate of serving Ontarians efficiently and effectively. These areas included financial accountability, fiscal practices and quality management strategies.

Similarly, the Hamilton-Wentworth operational review revealed deficiencies in many areas. It was evident that there was a minimal understanding of the factors contributing to the deficit. The board had a critical shortage of staff members with business skills or experience, there was poor understanding of how to correct the situation of growing expenditures, and there was no effective monitoring or management of service utilizations and caseloads.

This led to the appointment of a ministerial designate to manage the operations of the CCAC and to ensure the review's recommendations were implemented.

As everyone here knows, I was recently asked by the Premier to develop a strategy for the future of CCACs. During that process, we met with more than 35 organizations and talked to nearly a dozen stakeholder associations, toured CCACs and held multiple briefings on key issues of concern. The end result of this is an overall business strategy detailing operational and system changes, in addition to the proposed legislation that I am introducing in the House today.

I want to emphasize the collective resolve that has characterized our work. The political will was matched by the bureaucratic determination, by the commitment of many concerned individuals in the 43 CCACs and by the

anticipation of the service providers in the field. That collective forward movement has been most gratifying to experience and I'm proud of the legislation that we're proposing today.

Let me take a moment, Mr Speaker, to refresh your memory about Ontario's network of 43 CCACs. The community care access centres offer simplified access for Ontarians in need of community-based services, home care, housekeeping, long-term care facilities and a hospital discharge program under a single umbrella. Every month, thousands of Ontarians receive home care services through their local CCAC. These range from nursing care and therapy services to homemaking, to housekeeping and personal support services.

Each of the 43 community care access centres is responsible for a multi-million-dollar budget, and collectively they ensure the provision of services to over 400,000 Ontarians and their families every year. The Ontario government provides \$1.17 billion in funding to CCACs, an increase of more than 70% in home care services funding since 1995.

Some of the key areas of the Community Care Access Corporations Act, 2001, are: the authority to designate by regulation each individual community care access centre as a statutory corporation; following designation of the CCAC, the authority to appoint board members by order in council; following designation of a CCAC, the authority to appoint its executive director by OIC appointments; and the authority to determine the number of CCAC board members, most likely between five and seven.

Let me expand on these provisions. Following the designation, CCACs under the Community Care Access Corporations Act, 2001, would become statutory corporations that must comply with all ministry policies, directives and guidelines. Executive directors and their members of the board of directors of the CCAC would be appointed by order in council. To support the CCACs as they move into the next stage of development, the OIC-appointed board members and the OIC-appointed executive directors will be provided with orientation on their governance responsibilities. We expect many of the current CCAC CEOs and board members to stay on in their new positions and, of course, the staff of the CCAC will be totally unaffected by the changes required by this legislation.

#### 1410

There has been considerable discussion about the challenges to improve linkages among health care providers that serve the community care sector in the province. As part of the government's commitment to enhance services to the public and promote integration in the health care system, each CCAC board will be required to establish a community advisory council to provide a forum for identifying issues of concern among the partners that CCACs link with, specifically hospitals, long-term-care facilities and other community support services.

The advisory council will meet regularly to address issues of how best to serve people in the community with

the resources available from all sectors of the health system. This will enable hospitals and the CCACs to work together to smooth transfers for patients, ensuring that plans are developed to support the care needs of Ontarians. As well, it will mean that the system issues arising from problems that people face entering long-term-care facilities will also be better resolved.

It will also ensure that community support services and CCACs work together to provide the most appropriate services for their communities and that case managers understand the community services that are available.

As part of our strategy to enhance CCAC services to clients, in addition to this bill we will promote a series of measures that will provide a framework to improve the business practices of community care access centres. These will provide consistent approaches to the work that case managers do across the province.

As an example of these tools, a province-wide system requiring CCAC case managers to manage budgets for their caseloads will be implemented. The case manager's role will be clarified through province-wide training and a common assessment tool. This will be developed to equip the case manager with a systemized and evidence-based method of identifying the needs of all clients.

The CEO of one of our CCACs says that the budgeting tool she has already implemented in her CCAC "ensures services are provided in an equitable, responsive, and accountable manner. It supports the case manager's professional judgement in making the best use of available resources to meet individual client need."

Furthermore, we will work with the Ontario Association of Community Care Access Centres to identify best practices that can be explored for implementation into the management and case management systems.

New accountability responsibilities that would be required of CCACs include: creating a strategic plan to meet the government's vision and objectives; establishing accountability relationships throughout the organization; developing evidence-based performance indicators that would allow them to evaluate their own performances; regular and consistent monitoring and reporting to ministry offices on CCAC activities, including budget and service outcomes; strengthening our service agreements to ensure consistent expectations and clear requirements in the operation of all CCACs.

There will be no changes to the current request for proposals process for services, but we would improve training to strengthen CCAC business expertise in contract management, with an aim of facilitating consistency across the province.

We propose to change placement coordination processes to streamline the procedures and ensure that appropriate clients are placed on long-term-care facility waiting lists.

We intend to move forward with a province-wide information system so that we can compare CCACs throughout the province. With this system there will be common and comparable data that will ensure services



are being provided to every community in Ontario. This will allow us to ensure that precious health care dollars are focused on client needs. We will also be developing best practices and benchmarks based on performance measures.

Our government wants to ensure a strong community care system where the right people are able to access the right services at the right time.

The last three years have clearly shown that changes have to be made to CCACs if they are to achieve their potential as a key part of Ontario's health care system.

I urge to everyone in the House that this bill, the Community Care Access Corporation Act, 2001, receive swift passage. Nothing is more crucial to the citizens of the province than the assurance of quality health services delivered by health providers who are accountable to Ontario's taxpayers for how their health dollars are spent.

The steps we are taking today will improve the accountability, consistency and coordination of community care access centres across the province. The measures I have just outlined are essential to the operation of community care access centres, as well as ensuring that CCACs meet their mandate effectively and efficiently with the patients' needs at their heart.

#### TAKE OUR KIDS TO WORK DAY

**Hon Chris Stockwell (Minister of Labour):** Today, parents across Ontario are taking their children to work with them as part of the Learning Partnership's Take Our Kids to Work Day. This day is an important opportunity for all our sons and daughters to learn what we do every day. It gives first-hand experience of the workplace they will soon be entering.

Regrettably, today also marks the first Take Our Kids to Work Day since last year's tragic deaths of two children at a worksite in Welland. I know all our members join me in offering condolences to the families and fellow students who must live with this very terrible loss.

This past year, the Learning Partnership has worked together with the Ministry of Labour and our other partners in Ontario's health and safety system to make sure that children taking part today are safe. I want to congratulate the Learning Partnership on the steps they have taken to make today safe and rewarding. An expert panel, established following the tragedy in Welland, examined all aspects of this program. The 14 recommendations of the panel have been fully implemented by the Learning Partnership. These recommendations include mandatory supervision of all students at all times; sessions on health and safety rules for students; a ban on driving motorized vehicles; and special supports, including a guide for teachers and employers involved in this program.

I am pleased to say that the 14 recommendations of the expert panel, which have already been implemented, go above and beyond those of the inquest jury that examined this tragedy. The Ministry of Labour has responded to the inquest jury's recommendations as well.

The ministry continues to wholeheartedly support Take Our Kids to Work Day. Right now, a group of grade 9 students is touring ministry offices learning how government works, and they are also visiting the Legislature this afternoon. Our guests have already been given a full safety orientation. Our managers have also been given the Learning Partnership's new workplace guide and have been fully prepared to ensure the safety of our students and staff. We are committed to making Take Our Kids to Work Day a safe learning event in our offices and in all our workplaces across the province.

I urge all Ontario workplaces to support the Take Our Kids to Work program and to use it as an opportunity to show leadership in demonstrating safe work practices and proudly showcasing the goods and services they contribute to Ontario's economy.

#### COMMUNITY CARE ACCESS CENTRES

**Mrs Sandra Pupatello (Windsor West):** This side of the House cannot believe this minister would stand up and drop this piece of legislation—do this to home care and community care access centres across this province. They were demanding that this government help them. You knew, Minister, and everyone on this side of the House knew, that people were doing without services. What you decided to do today to try to remedy that—remedy what you created, which was as clear as mud in terms of governance—was to take it over. This is the Ontario government's notion of gagging anyone who says the services aren't enough, that they are not adequate for people.

This is the new theme of the Ontario government. "Shut your trap" is what you tried to tell members of the opposition and members of the public today who dare to speak up for patients, who dare to stand up and say, "We need good health services."

"Shut your trap" is what we're being told today. That is just the way—

1420

**The Speaker (Hon Gary Carr):** Order. It's hard to keep order when you use language like that. It could be said in the same way in a different tone. I would ask the member to try and take that into consideration. It's very difficult to control when you use language like that. They just begin yelling and it's very difficult. Sorry for the interruption.

**Mrs Pupatello:** This is vindictiveness on the part of this government. This government knew that CCAC boards were finally speaking up. They were saying, "We need help." They said, "We need standards." They say, "We had inadequate funding to do what you were telling us to do." This government's response was to gag them with this bill; to suggest that those boards no longer exist and you will now appoint the people that you want who are going to do your bidding.

Here's that Pricewaterhouse report that you dared to reference in your speech today, Minister. Do you know what this report said? It called for standards in home

care. It said we have to decide what is right for people to get in home care when they reach their home. Some 70% of patients are sent from hospitals today, Minister. These people are not getting adequate care. This government's response was musing about the potential of user fees. Now we can't get one minister to say yes or no as to whether you're going to introduce user fees in the home care sector. But today you solved all your problems, or so you think. You figure you'll just fire the lot of them that chose to act as advocates for patients. You sent them out the door, Minister, and you are now going to appoint the people that you want.

This Minister of Health knew a long-term-care act has been sitting on his desk for three years. Where is that act? That act is nowhere to be seen.

Where are all of the standards that we asked for in 1997 when you brought these community care access centres in? We said you have to set the standards. You let the horse out of the barn without the fundamentals that these people needed to deliver good care.

What are we going to do today for Kitchener-Waterloo, which is suffering from \$12 million of deficit because they can't service their clientele? What are we going to do for Halton: \$6 million, not servicing their community? What do we do for York region: \$12 million? We have their own local MPPs saying it's all their fault.

Are you going to solve these problems now by shoving them out the door and have your government lackeys come in and do your dirty work? That's the answer that you have for the elderly, the infirm, the people that need help? You're sending their advocacy out the door and you're bringing in your government appointments.

Minister, that is wrong. It is wrong to gag the public. It is wrong to gag the very people who came in to work for the community, give them the health care they needed, even though you were tying their hands in the area of funding. How dare you reference a report that said you're lacking funds. That's what the report said and you ignored that. This is the report that said we need standards and you ignored that. This is the report that you called for, Minister, not this diatribe that you just read. It's nothing but garbage.

We said to you that you need to fund properly for the services that are required today. The people of this province demanded it. It was this government that changed the mandate of what a community care access centre would be. You decided that 70% of these people are coming out of hospital, Minister, and now you're doing absolutely nothing for them.

Not only that. Finally, after three years, people are starting to learn the only way they could get somewhere was to actually act as advocates for their patients, and now you throw them out the door. Gag them, muzzle them; that is the feature of this government, and now you're doing it again.

Speaker, we know what we suffer in this House to be told, "Shut your trap," by members opposite. That's just

the way it is in this House. That is not going to go anywhere, Minister. I will commit today that people will speak out louder than ever. People will speak out louder than ever.

**The Speaker:** Further responses?

**Mr Howard Hampton (Kenora-Rainy River):** I think people across Ontario should watch this legislation that is being introduced today with great care, because what this is all about is in effect a centralization and a takeover of what have been called community care access centres. This is a government that doesn't want community care access centres giving out information as to what kinds of patients are now being cut off or being restricted or limited in terms of their access to community care. This is a government that doesn't want the public out there to know what kinds of companies are getting literally tens of millions of dollars of government contracts with absolutely no accountability. The government doesn't want people to know, for example, that companies like Comcare and Dynacare and Olsten don't have some of the best track records, either in Ontario or elsewhere in North America, in terms of delivering care.

So to keep all of that out of the media and to keep it out of the public discourse, the government is essentially taking over the community care access centres. And if you read some of the details of the legislation, it is making sure that less information than ever before about how \$1.4 billion of public money in health care is spent is ever out there for the public to see.

Just look at section 18 of the bill. Section 18 of the bill basically says that the minister can make available the annual report from the CCAC but then can decide to make no other information available. That is a complete takeover and a complete attempt to shut the public of Ontario out of basic information about how ill, frail seniors are being treated, about how chronically ill patients are being treated, about the quality of treatment they're receiving, or the lack of treatment they are receiving, which is more and more becoming the case.

To give you another example of how complete this takeover is, section 15: a community care access centre can no longer convey property, can no longer purchase an interest in property, cannot even appoint a person to a management position without the permission of the Lieutenant Governor in Council; in other words, without the permission of the government. This is an attempt now to run community care access centres, to run home care, from Toronto, from the minister's office.

There are a lot of problems out there. Some of the biggest problems are with the private companies, the private, for-profit companies that are mandated by this government to in fact provide community care access, to provide the home care. Is there anything in this legislation which is going to make those private, for-profit companies more answerable, more accountable? Nothing. Nothing.

This government is prepared to cover up for some of those private, for-profit companies which have horrendous records in the United States and horrendous records

where they've been in business elsewhere in Canada. The government's not going to do anything about that; in fact, they are going to cover up for them. And as far as those people who are working in communities, who are trying to respond to the community, who are trying to work out there with seniors' groups and with organizations representing seniors, they are the very ones who are being taken over.

This doesn't respond to any of the needs out there with respect to home care. This doesn't provide the funding that is available. This doesn't provide any of the expertise that some of the community care access centres are asking for. This doesn't provide any freedom from the cutthroat contracts, the cutthroat bidding that this government has encouraged. It doesn't do anything about that. In fact, it's going to encourage it even more. It's going to set up almost a direct relationship between this government and those private, for-profit corporations, and it's going to shut the community activists, the community volunteers, out of the process almost entirely.

People across Ontario need to understand that there won't be community care any more; it will be ordered out of the minister's office and it will be provided by the private, for-profit corporate friends of this government, and everyone else is shut out.

#### VISITORS

**The Speaker (Hon Gary Carr):** Just before we begin, we have with us today in the Speaker's gallery the federal interns. Please join me in welcoming our special guests from Ottawa.

1430

#### ORAL QUESTIONS

##### TAX CUTS

**Mr Gerry Phillips (Scarborough-Agincourt):** My question is to the Minister of Finance. Six months ago in the budget, you predicted a balanced budget for next year and 3.5% real growth. Yesterday you painted a substantially bleaker picture, where economic growth will be but 1.3%. According to your own numbers, that means the revenue drop will be about \$1.5 billion, leaving a \$1.5-billion problem to balance the budget and, I assume, cuts of \$1.5 billion. You also announced yesterday your plan to proceed with corporate taxes 25% lower than our competitors in the US, at a cost of \$2.2 billion.

My question is: knowing in the picture you painted yesterday how tough it's going to be to sustain our education and health, will you agree today to cancel your plan to cut corporate taxes 25% below the US and simply leave them at the current rates, which are competitive with the US?

**Hon Jim Flaherty (Deputy Premier, Minister of Finance):** We will lower taxes to promote economic

growth and to leave more money where it belongs, in the pockets of Canadians.

"Canadians are entitled to keep more of the money they earn. After all, they worked for it; it's theirs." Those are not my words. Those are the words of the federal Minister of Finance in question period in Ottawa. The Liberals at Queen's Park are the only political group I know of in Canada who still don't understand that you can increase government revenues and have substantial medium- and long-term growth by reducing taxes: personal income taxes, corporate income taxes and capital tax.

Not only are we going to continue with our tax cuts, we are accelerating the tax cuts from January 1 to the beginning of October. It's the best fiscal policy for the province of Ontario. In fact, the Harris government has proved that over the course of the past six years. Our revenues over the past six years have grown by some \$15 billion since we began the program of tax reductions.

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

**Mr Phillips:** I want to continue on your tax cuts, Minister. In 53 days, on January 1, your \$300-million tax cut to fund private schools will begin. You signalled yesterday that we face huge challenges in maintaining our support for public education, but in 53 days you will begin to implement a plan to provide at least \$300 million in funds for private schools.

I say to you again, Minister, recognizing the very dramatic changing conditions in the last six months, will you today agree to cancel your plan to provide at least \$300 million of support for private schools and keep that in the treasury so we can make certain we have the maximum amount of funds to sustain our health care system and our education system?

**Hon Mr Flaherty:** We are committed to choice. We are committed to working-class and middle-class parents who, for religious and cultural reasons, choose to send their children to alternative schools, to private schools in Ontario.

The member opposite forgets to mention that people who send their children to alternative schools in Ontario pay their full taxes. They fully support the public school system, our four public systems in Ontario: French Catholic, French public, English public and English Catholic. These people pay out of their pockets. In addition to their public school taxes, they also pay sums of money to send their children to alternative schools. We believe they should have that choice and some support from the people of Ontario in that regard.

Now that Ontario has made this decision, more than 90% of the families in Canada—every family west of Quebec—have that option in our country.

**Mr Phillips:** What I understand is what you said yesterday; that is, we are facing an extremely tough situation. You promised a balanced budget six months ago. Your own numbers say we're going to be \$1.5 billion short. We have a serious problem. Ontarians understand that. Yet you're proceeding with corporate taxes

25% lower than the US, and you're proceeding with a plan to put \$300 million into private schools when you have already told us we're going to have severe problems with health and education next year.

I say to you again, Minister, what is the rationale for corporate taxes 25% lower than the US and \$300 million put into private schools when you've indicated we have severe problems with our health and education systems? Give Ontario the rationale for that.

**Hon Mr Flaherty:** Corporate tax reductions create jobs. They encourage corporations to invest in plant and equipment and to hire more people. Indeed, that has been the history of Ontario in the past six years.

It sure wasn't the history of Ontario under your government from 1985 to 1990. High taxes, high spending, increasing the retail sales tax from 7% to 8%, bringing in a new tax on tires, increasing personal income taxes, increasing corporate taxes: that's what your government did. That's what you Liberals at Queen's Park believe in. Look at what you left during the last economic slow-down. You left a vulnerable government in 1990-91.

Fortunately, Ontario now has a solid foundation, thanks to six years under the leadership of Premier Harris, including tax reductions. Thank goodness we're not in the condition you left Ontario in in 1990-91.

#### HEALTH CARE FUNDING

**Mrs Sandra Pupatello (Windsor West):** My question is for the Minister of Finance and Deputy Premier. The whole purpose of yesterday's economic statement was supposedly to shed some light on the province's finances. One day later, the Minister of Health could not tell Ontario hospitals how much money they are receiving. He said, "Cabinet's deferred that decision. Please stand by."

Ontario's sick cannot wait until you guys get your stuff together. While you delay your programs, they are being cancelled. Hospitals are delaying surgery. Our emergency wards are still full. Nurses are being fired. Patients are being turned away. It's happening right across the province, not just in Ottawa and London.

Minister, how is it possible that one day after your economic statement you don't know how much money there is for Ontario's hospitals?

**Hon Jim Flaherty (Deputy Premier, Minister of Finance):** I think the member opposite is speaking about next year's budget. Certainly for this year we have budgeted an increase of 6.9% in health care spending. That's the fact in Ontario: almost 7% higher spending on hospitals this year and, in addition, \$300 million this summer. In fact, no government in the history of Canada has spent as much on health care as this government. Spending on health care in Ontario has increased from \$17 billion to more than \$23 billion this year. That's an increase of \$6 billion in the course of the past six years.

Our concern, of course, is that our federal partners are not keeping pace on health care spending. That's a great

concern not only for the people of Ontario but for people in all the provinces across Canada.

I can tell you the finance ministers across Canada spoke with one voice to the federal finance minister 10 days ago when we met in Ottawa: they must be full partners in health care.

**Mrs Pupatello:** Minister of Finance, shame on you. Every time Ottawa gives you a dollar for health, you give it away in a tax cut. That's what you do with federal money that belongs in the health system. Shame on you.

I think you need to go over and talk to the Minister of Health, because if you decided you were giving hospitals a whole whack of dough for all their deficits, you'd think he would have announced it this morning while he was talking to all the hospitals. But he didn't. Instead, what he said was that your wait-and-see approach is the "least sensible one." He said your approach, frankly, was leading to perverse consequences.

It's November. The year is almost over. Hospitals across the board are facing deficits and haven't heard a word of sustenance from the Minister of Health. Cabinet has deferred the decision. I ask you again: how long does the world have to "Please stand by"?

**Hon Mr Flaherty:** In response, Mr MacKinnon, the head of the Ontario Hospital Association, appeared before the Kirby committee in Ottawa, the Senate committee that was examining health care. He indicated to that committee that insufficient funding by the federal government to the provinces is one of the major reasons there are such service delivery problems in some provinces with respect to health care.

Certainly the head of the Ontario Hospital Association understands. What I don't understand is how the Liberal member opposite can defend the federal government as it fails to provide adequate health care funding, as our partner, in the province of Ontario. I thought she cared about health care. I thought she cared about services for the people of Ontario.

Certainly Mr Martin has come along and he understands the importance of tax cuts. The members opposite don't even understand the importance of tax cuts yet. Worse than that, they don't appreciate the fact that we need to have an equal partner in Ottawa supporting health care if we're going to be able to deliver those services—

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

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**Mrs Pupatello:** Minister of Finance, shame on you. Every time Ottawa gives you a dollar in health care you give it away in a tax cut. That's the reality of your history here. Every increase in the last budget of this government was federal dollars from Ottawa. So don't be zooming the public about money from Ottawa. Here's the reality: we have hospital deficits across the board in Ontario and this Minister of Health could not tell them this morning how they were going to do this, how they were going to deal with it. We are toward the end of November and they don't know how much money they're getting this year, never mind next year.

*Interjections.*

**The Speaker:** Order.

**Mrs Pupatello:** Minister of Finance, I recognize you have a significant amount of chaos on that side, but hospitals, more so people—

**The Speaker:** Member take her seat. Minister of Transportation, I just called order and you're standing there right in front of me with your gestures at the member.

*Interjection.*

**The Speaker:** You were so. I saw you two seconds ago. Don't do it, please. Sorry for the interruption.

**Mrs Pupatello:** Minister of Finance, here's the point. You have chaos on that side of the House. We need to understand whether Ontario hospitals will be able to cover their deficits or not. The Minister of Health told them today, "Don't worry about it, run deficits." You were talking about accountability and that they couldn't do that. You appeared yesterday to say they might have some. Why wouldn't the Minister of Health have told them that? There is utter confusion here. How will you deal with this? How long will you tell them to please stand by?

**Hon Mr Flaherty:** There's a great deal of confusion in this House and it's on that side of the House, I can assure you. The confusion is that unlike every government in this country, you don't yet understand that if you reduce taxes you'll increase investment. Paul Martin understands that. What Paul Martin and the federal government don't yet have right are the priorities. The first priority of the Canadian people is health care and the delivery of health care services. If you actually care about health care services and their delivery to the people of Ontario, then speak to your federal cousins and tell them that the number one priority is health care, that they can't sit there paying 14 cents on the dollar and say—

*Interjection.*

**The Speaker:** Sorry for the interruption. Order. The member for Windsor West, you've asked the question. You can't ask the question and then shout at the person for the entire minute when they're trying to answer the question. You get a question on today and then all you do is shout across. I'm not going to continue with it. This is your last warning. If you continue to ask a question and then shout at the minister when he's trying to answer it, you're going to be thrown out and you won't get another question in here today.

**Hon Mr Flaherty:** Certainly the hospital association through Mr MacKinnon understands the federal government is not fulfilling its partnership obligation to the provinces. It's regrettable the members opposite are confused in their priorities as well. Their number one priority apparently is not health care; it's something else. I'm not sure what their number one priority is, but we know what our number one priority is on this side of the House—

**The Speaker:** Order. The minister's time is up.

PAYMENTS FOR LOW-INCOME  
CHILDREN

**Mr Howard Hampton (Kenora-Rainy River):** My question is for the Minister of Finance as well. You announced yesterday that some low-income families with children in the province will receive a \$100 one-time cheque. When we looked at the fine print, the lowest-income children in the province, those children whose parents have to rely on the Ontario disability support plan, who have had their benefits frozen for six years, will not receive a benefit. Children whose parents have lost their jobs since May, and there are 29,000 of them, will not receive this benefit. Children whose parents are forced to rely on Ontario Works, social assistance—again some of the poorest children in Ontario—will not receive this benefit.

How did you decide that 200,000 families in Ontario would receive this \$100 benefit, but that literally hundreds of thousands of other families who are very poor, who are much poorer, would receive nothing. What were the criteria?

**Hon Jim Flaherty (Deputy Premier, Minister of Finance):** So that there will be no confusion or misunderstanding, persons who are on social assistance in fact right now receive a winter clothing allowance which is paid in the month of November, which is more than \$100. It's actually \$105 per eligible child for children aged between birth and seven years of age. That benefit is there. That's a benefit that happens every November.

With respect to unemployed people, if they qualify under the Ontario child care supplement for working families, when they fill in the form then of course they'll qualify for the \$100 payment. The payment can be more, of course. It is more, depending on the number of children in the family.

**Mr Hampton:** That was a wonderful attempt at a diversion, but everybody out there knows it's simply not true. Somebody who is just laid off will not be entitled to the child benefit for working families, and somebody who has to rely upon the Ontario disability support plan. Think of all those parents out there who are disabled with children. They will not get this benefit.

I ask you again, Minister: how did you decide that the poorest children in this province would be excluded, would get nothing, and yet you selected 200,000 other families and said, "We're going to give you \$100 for Christmas"? What are the criteria? How do you exclude some poor children and then say to others, "But we've selected you"?

**Hon Mr Flaherty:** Again, the member opposite is misinformed. So that the people of Ontario will not be misinformed, they should know that persons on the ODSP, the disability plan, also receive \$105 per eligible child in the month of November for clothing. Once again, the member is wrong. The social assistance payment of \$105 happens in November. The ODSP, the disability payment, also happens in November.

What we have addressed here—and this is important. These are the working folks who are hit hardest by the effects of September 11. We heard about that during the pre-statement consultations, that those are the folks who are suffering reduced working hours, some of whom have been laid off. I'm sure the member opposite agrees with me that it's the right thing to do, to give them a \$100 supplement for their kids at Christmastime.

**Mr Hampton:** Again, I would say to the minister, nice try at confusing people. You know that somebody who receives disability assistance or someone who receives social assistance will get the money for a winter clothing allowance and has been for some time. Now you're saying, for some reason, you're going to pick 200,000 families and you're going to give them an additional \$100. I just say to you, how do you exclude these other families? How do you come along now and say these families receive another \$100 and these other families do not?

Similarly, how do you decide that children seven or under receive a benefit, but as soon as a child turns eight there is no benefit? How do you make that decision? It would seem to me that an eight-year-old child would need winter clothing just as much as a seven-year-old. How do you make these decisions to exclude some poor children, but then say to others, "Oh, but in this case we want to make a press release, so we're going to give you \$100"? What are the criteria, Minister?

**Hon Mr Flaherty:** The criteria are: be a resident of Ontario; be eligible to receive the Ontario child care supplement for working families, which is a wonderful program introduced by our government several years ago; receive the Canada child tax benefit; have children under age seven; have the appropriate income level or qualifying child care expenses; and have family employment earnings for the 2000 tax year over \$5,000.

The \$105 payment does cover families on social assistance. The \$105 payment also covers disability situations where someone is eligible for the ODSP. This additional payment will cover working families who are entitled to receive it under the Ontario child care supplement for working families.

## TAX CUTS

**Mr Howard Hampton (Kenora-Rainy River):** To the Minister of Finance: the former Minister of Finance is so impressed with your answers that he's coming back out of retirement. I think that is the biggest comment upon your performance as Minister of Finance.

You were told last year, during the pre-budget consultations, that Ontario's economy was in trouble, yet you blunder ahead with \$2.5 billion in corporate tax cuts, you blunder ahead with other personal income tax cuts for the well-off, and now you're forced to admit that health care, education and many of the services that people depend upon are in trouble.

Tell us again, Minister, how do you justify putting forward \$2.5 billion of corporate tax cuts, \$300 million in

tax cuts for private schools, and then you turn to the people of Ontario and say, "Oops. Sorry. We may not have the money for health or education this year"? How do you do that?

1450

**Hon Jim Flaherty (Deputy Premier, Minister of Finance):** We've heard in the House in recent days the leader of the third party advocate for tax cuts, where he comes forward and says the provincial government should reduce the retail sales tax, presumably because he thinks that's good policy. That's an acknowledgement, of course, that in the reduction of taxes you can encourage economic activity in the province. I think that was the honourable member's point when he was asking us to reduce that type of tax.

It's inconsistent for him now to say, "Don't reduce other types of taxes. Don't reduce personal income taxes. Don't reduce corporate taxes. Don't reduce any other kind of tax." The rationale is the same. The creation of economic activity—more jobs, more investment, more taxpayers, more taxes getting paid—increases government revenues over the medium and long term in Ontario.

**Mr Hampton:** Minister of Finance, or soon-to-be former Minister of Finance, the point is this: the economy is in trouble. Consumer confidence is declining. Governments around North America are trying to think of ways to address consumer confidence. You don't do it by giving more tax cuts to corporations; you do it by saying to consumers, "We're going to cut the retail sales tax so you can afford to make some purchases." That's the difference.

You're not doing anything. Your financial statement yesterday did absolutely nothing to address the recession. Essentially what you said is, "I have no new ideas, so I'm just going to continue to give money to corporations. I'm going to continue on the course I already set, and then I'm going to say to people, 'Oops. Sorry. We don't have the money for health care. We don't have the money for education. And oh, by the way, I can't do anything about consumer confidence either, because I gave all the money away to my corporate friends.'"

Don't you have an original idea on how to battle a recession, on how to help people who are laid off, on how to put some construction money out the door so communities can begin those construction programs?

**The Speaker (Hon Gary Carr):** The member's time is up. Minister?

**Hon Mr Flaherty:** I think there was a question there somewhere. In terms of consumer confidence, David Dodge, the governor of the Bank of Canada, was speaking this morning and was talking about the importance of consumer confidence. We're fortunate in Ontario to have that kind of consumer confidence because of the sound fiscal planning in the province over the course of the past six years. We have three balanced budgets in a row, and we'll continue to plan balanced budgets in the province of Ontario.

We have low, competitive taxes. We have substantial net income gains by the people of Ontario over the course of the past six years.

Yesterday, the Retail Council of Canada spoke to this issue of consumer confidence. It said, "When Retail Council of Canada met with [Minister Flaherty] on October 31 in advance of today's economic statement, we asked that he consider taking measures that would help build consumer confidence and consumer incomes, especially for Ontarians of modest means. We are delighted that he listened to and acted on our recommendations."

Not only will the \$100 bonus to children—

**The Speaker:** The minister's time is up. New question?

### HOSPITAL FUNDING

**Mrs Lyn McLeod (Thunder Bay-Atikokan):** This is for the Minister of Health. Minister, yesterday your colleague the Minister of Finance presented a second-quarter statement that suggested there might be more money for hospitals. We can only assume there is no new money here since you made no mention of new funding in your speech to the hospital association this morning. What you did tell the hospitals was that cabinet had deferred any decision on hospital funding for next year, and in fact you didn't seem to know exactly how much money hospitals were going to be getting this year.

You suggested this morning, Minister, that your government's current funding approach—and I quote from your speech—was "the least sensible process." Minister, for once I agree with you. We all agree with you. Having hospitals forced to cut their programs, to lay off staff, to run waiting lists for surgery and then at the end of the year coming through with money makes no sense at all. So I ask you, how is it possible that the Minister of Finance continues to play games with hospital funding? Does he not understand the consequences of not making it clear to hospitals what their funding is going to be?

**Hon Tony Clement (Minister of Health and Long-Term Care):** Indeed, we as a government are committed to ensuring that hospitals receive their funding from the public purse as early as possible. From our perspective that is a desirable goal and still is a desirable goal.

As evidenced by the statement by the Minister of Finance yesterday, we are aware that the economy is in a period of uncertainty that none of us ever anticipated or expected and I believe we've discussed it in this House from numerous different facets. The fact of the matter is that since the attacks on America, since September 11, it would not be prudent, would not be wise to predict with any degree of certainty what government revenues will be for next year. For this year, I can say to this House with absolute certainty that the record amount of funding for hospitals of \$8.7 billion is happening, will be happening, is part of our budget and will continue to be part of our budget. But we have to recognize the uncertainty of the future. As soon as we have a more certain outlook

and prospect, we certainly will transmit that to the hospitals.

**Mrs McLeod:** Minister, the other thing you made clear to the hospitals this morning was that you thought they should receive multi-year funding but you couldn't get your cabinet colleagues to agree with that. It seems unusual that colleges and universities have multi-year funding. The Minister of Colleges and Universities was able to persuade her cabinet colleagues that universities need long-term funding so that they can do their planning. Surely you would agree that hospitals need as much, particularly since you and your predecessor have had a new funding formula for hospitals sitting on your desk for a least three years now. But for some reason, the Minister of Finance wants to keep hospitals hanging.

You also know, Mr Minister, that the Minister of Finance has a proposed law before the House right now that would force hospitals to eliminate their deficits. But you went to the hospital association meeting this morning and you told the hospitals that since they don't know how much money they're going to get, they don't have to balance their budgets this year. In fact, you said, "Cabinet has agreed with me that I will not pursue balanced budget requirements for hospitals until such time as multi-year funding has been announced."

Minister, I don't know who's winning the cabinet fight, whether it's you or the Minister of Finance, so I just have one question for you today. You have just told hospitals that they can indeed run deficits. Does that mean that the London Health Sciences Centre and Queensway Carleton Hospital can now cancel the cuts they've made to their programs?

**Hon Mr Clement:** There's a whole bunch of questions in that question—

**Interjection:** And assumptions.

**Hon Mr Clement:** And assumptions; thank you. From my perspective, I think hospitals continue to have an obligation to deliver excellent, accessible, quality care in a manner which is clinically acceptable. That is true for the London hospital; that's true for any other hospital in the province of Ontario. That is a standard by which we judge them and by which we expect them to meet our expectations and standards. I can assure this House that that continues to this day.

We do have budgets for hospitals this year. It is a record budget. And we do expect our hospitals to continue to be accountable. In fact, the Ontario Hospital Association is partners with us when it comes to accountability, when it comes to ensuring that patients and their satisfaction are put in the forefront. We are the government, after all, that published the first-ever hospital report card in conjunction with the Ontario Hospital Association to ensure that patients have a say and have an opinion that is published about the bedside manner and about the satisfaction of their hospitals. That project, that task, continues to this day. We are there as partners to the hospital, we know that we have uncertain times and we are taking the difficult but necessary decisions within that context.

## WATER QUALITY

**Mr David Tilson (Dufferin-Peel-Wellington-Grey):**

My question is for the Minister of the Environment. Madam Minister, the recent changes in the drinking water protection regulations have put increased pressure on homeowners who are served by community wells. While the citizens of rural Ontario who are served by these smaller drinking water systems understand the need for tougher drinking water standards, they're worried about the cost of attaining the tougher standards. At least one community has told me it may cost as much as \$10,000 per household. Does the Ministry of the Environment have a solid plan of action that will help these residents of rural Ontario to handle the anticipated increased costs?

**Hon Elizabeth Witmer (Minister of the Environment):** As the member knows, our priority is, first of all, to ensure that all Ontarians, no matter where they live in this province, have access to safe, clean drinking water. I have heard concerns expressed by the member, and I've also heard concerns expressed by the member for Parry Sound-Muskoka, about how these small communal systems are going to meet the drinking water protection regulation. We have had consultants hold 28 consultations across Ontario to learn first-hand about some of the concerns and also to receive suggestions as to how they could comply with the water protection regulation. We've also had the opportunity to ensure that consultants visit some of the communal systems, such as the private communal wells, the campgrounds, the gas stations, the motels and the restaurants. We have been gathering the information and supplying free training and also preparing a user-friendly guide.

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**Mr Tilson:** We're all interested in having the safest drinking water possible and we expect our government to ensure tough drinking water standards. In my riding of Dufferin-Peel-Wellington-Grey, there are a number of small rural subdivisions that have been meeting throughout the summer and fall with their municipal councillors to decide what would be the best way to deal with these increased costs. These municipalities and the people who live in these subdivisions understand what you have done, but they're concerned about what the provincial government is now going to do to help them. I would like the minister to tell us of her plans and initiatives for consultations and other areas and of any involvement with the municipalities.

**Hon Mrs Witmer:** We have been gathering data and listening to the owners and the operators of the small communal systems. Based on the information we have received and the excellent suggestions they have made as to how they could be in compliance with the drinking water protection regulation, it would be our plan now to have further consultations with all those who will be impacted, to ensure that the regulations and all the guidelines that are going to be introduced are such that they can be introduced at a reasonable cost to all those who

will be impacted, but at the same time that this will ensure they have access to safe, clean drinking water. The consultations will begin this November and December.

## LONG-TERM CARE

**Mr Dwight Duncan (Windsor-St Clair):** I have a question for the associate minister of health. Your government funds residents in nursing homes far below most other provinces in this country and below states such as Maine, South Dakota, Michigan and Mississippi. In fact, our parents and grandparents who are being cared for in nursing homes get less direct nursing and therapy than anywhere else in this country. These members of our families are allowed \$4.49 a day for food by this government. The children, grandchildren, friends and neighbours of these frail, elderly and sick residents have lobbied your government to provide an additional \$25 per day for each resident of an Ontario nursing home. You responded with \$2.60 effective October 1 and \$2.60 effective January 1, 2002. Given this, can you tell Ontario's families how the \$2.2 billion corporate tax cut will benefit our frail and elderly neighbours who are in your care?

**Hon Helen Johns (Minister without Portfolio [Health and Long-Term Care]):** I refer this to the Minister of Health.

**Hon Tony Clement (Minister of Health and Long-Term Care):** I want to assure this House that we have increased funding for long-term-care facilities, both capital and operating. Indeed, we're up to \$1.6 billion for 2001-02. The honourable member neglected to mention that we are one of the only jurisdictions that is re-investing the medical equipment fund for our long-term-care facilities, which we wrung out of the federal government, with great reluctance, I might add.

*Interjections.*

**Hon Mr Clement:** We had to shame them into it. You're absolutely right. Shame on them. They should have done it automatically, and no help from you guys across the aisle there, I can tell you that much. You sit there and you bray and bray and bray and we have to do the hard work to make sure the federal government lives up to its commitments. That's our job, we know that, but you should do your job rather than kissing up to your federal cousins and doing nothing for the people of Ontario.

**Mr Duncan:** The president of the Ontario non-profit nursing homes association said at this Legislature in February that, because of your funding decisions, the system will continue to be underfunded and plagued with problems. Your government has provided an average of less than 1% per year. Given the current projected rise in demand for these services, their operating problems will not be addressed.

Minister, I was astounded to learn today that your government pays an average of \$136 a day to house criminals in our jails, yet you only have \$62 a day for the



most frail, elderly and sick members of our families who are in the province's nursing homes. The fact is, Ontario is last in Canada and most of the western world in how it treats our family members in nursing homes; and it became that way under your government. Your callow and shallow answer to my previous question indicates and confirms your government's lack of care for these people. How can you defend a \$2.2-billion cut in corporate taxes when thousands of our fellow citizens are in nursing homes that, by your definition—by any capable definition—says they're underfunded and deserving of a lot more?

**Hon Mr Clement:** I've heard a lot of things in this House; now I have heard it all. Here is a party that, when they were in government, promised the world to the long-term-care sector. They were going to increase funding to provide 4,000 new chronic and acute care hospital beds, and they were in office for three years when they made that promise. What did they accomplish? Nada. Zilch, bubkes. That's what they accomplished. In the 1995 campaign, they promised to set up a committee to look into it.

This government acted. We are proud that we are introducing and are building the most effective, the best capital program in the history of Ontario when it comes to nursing homes and long term care. That is our commitment. It's on the ground. It's being built for our seniors. We've made that commitment. We are sick of empty Liberal promises. We are acting for the people of Ontario.

#### ONTARIANS WITH DISABILITIES LEGISLATION

**Mr Doug Galt (Northumberland):** My question is for the Minister of Citizenship. Minister, Monday was indeed a landmark day in Ontario's legislative history with your introduction of the Ontarians with Disabilities Act, 2001. Soon after you tabled the bill, Liberal Leader of the Opposition Dalton McGuinty rose to his feet to congratulate you and the government. I also extend my congratulations along with my peers: a great job on a very difficult task.

While Mr McGuinty admitted he hadn't had time to review the legislation, the opposition leader said he would be looking to ensure that it reflected the 11 principles unanimously supported by the members of this Legislature. Minister, I'm concerned. Does the legislation reflect those 11 principles voted upon in this House, and does it indeed have any substance?

**Hon Cameron Jackson (Minister of Citizenship, minister responsible for seniors):** First of all, I want to thank all members of the House who participated in the debate that developed the 11 principles, and I want to reassure the House that the 11 principles were followed very carefully in the drafting of this legislation. For the first time in Ontario's history, it creates a full-time agency of the government of Ontario to coordinate and implement this new legislation. It gives full force and

effect, something never before done in Canada, to the disabilities community so they have a voice and a say as we develop the regulations on an access council for Ontario. It includes all sectors of our economy, something that was very important. It covers goods and services and purchasing habits of all levels of government. It covers public education, an important component as the public understands the needs of the disabled. Mandatory provisions will be prescribed in regulations as set out in the 11 principles. This is leading-edge legislation in this country, something this government is very proud of.

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**Mr Galt:** Despite some criticisms of the legislation introduced on Monday, it is my understanding that it has the full support and backing of many persons with disabilities and a significant number of major organizations that work on behalf of persons with disabilities.

On Monday, after your statement, I had the opportunity to meet with various members of the disabled community. I can assure you that not only were they supportive, they were also very complimentary of this legislation. Minister, what was the reaction within the disabled community to the tabling of this legislation?

**Hon Mr Jackson:** It was very evident on Monday, with the presence of about 30 different organizations representing disability stakeholders in our province. Duncan Read, the past president of the Ontario March of Dimes, indicated that it was a historic moment for the disabled community and should allow them to eventually participate fully as citizens in our society. Dean LaBute, who's a member of the ODAC committee from Windsor, said, "This legislation offers an unprecedented level of commitment that will effect change and move us toward a barrier-free society." Bill Adair from the Canadian Paraplegic Association said, "Basically it's a real win."

I think members of the Canadian Paraplegic Association in Ontario are excited, as is the Ontarians with Disabilities Committee. We're all excited. This is a real milestone for the disabled citizens of Ontario.

**The Speaker (Hon Gary Carr):** New question. The member for Sault Ste Marie.

**Mr Tony Martin (Sault Ste Marie):** Minister, let me give you another perspective. Our review of this bill indicates that your government has once again broken its promise to the 1.6 million people in this province living with disabilities. You've let the private sector totally off the hook. The little you've asked of the municipalities comes with no resources, no money and no ability to enforce. My question to you today, on behalf of those 1.6 million individuals in Ontario living with disabilities, is, what really has changed? How is the life of the average disabled Ontarian going to improve under this act?

**Hon Mr Jackson:** Very clearly, there are huge gains for the disabled community in this legislation. For the first time in Ontario's history we are going to mandate compliance with accessibility standards. Standards, I might point out to all members of this House, do not exist in this province or in this country. The first thing that has

to happen is those standards have to be created. They will be created by the disabilities community of this province because this government's made an unprecedented commitment to them that they will help us make those regulations.

This government is very proud of its commitment. When we entered office, we were spending less than \$5 billion on the disabled in this province. Today, we're spending \$6 billion, a \$1-billion increase from this government. That's a tangible commitment to persons with disabilities in this province.

Finally, I want to share with the member opposite that the private sector is specifically named in this legislation, and the regulations we will create together will cover each and every sector of this province. That is a promise made by the Mike Harris government, and we'll keep that promise.

**Mr Martin:** Minister, I sure hope you're right, because 1.6 million disabled Ontarians have been waiting for six years for you to deliver on this promise. The only hope I can see for this bill is that you agree with us today to extensive and fully accessible public hearings across this province. You can't buy groceries at Queen's Park and you don't go out for dinner at the Ministry of Transportation offices. We need to hear from all of the people. They've waited for over six years. A few token cities won't cut it, Minister. Will you commit right here and now to widespread and travelling hearings and to listen to the people of this province where this bill is concerned?

**Hon Mr Jackson:** I'm very surprised to hear from the member opposite and the approach he's taking. I read in the newspaper the other day that your leader, Howard Hampton, all of a sudden now is prepared to commit, as he suggests, \$1 billion on this agenda.

You ask what's happened. I'm asking you, for the last five years of the NDP government, what did you do to help persons with disabilities in this province? Absolutely nothing, and now, all of a sudden—this government is going to commit millions of dollars toward this agenda.

*Interjection.*

**The Speaker:** Order. Member for Sault Ste Marie, come to order please. You have asked the question. Now is the time for the answer. Sorry, Minister.

**Hon Mr Jackson:** This government has implemented leading-edge legislation for disabled persons on this continent that we're proud of. We are committing real dollars to its improvement. I want to ask you to look into your soul as to what you did for five years and why you didn't even have five cents for Gary Malkowski and his disability bill. He was a member of your own caucus. Your leader was the Attorney—

**The Speaker:** Order. The minister's time is up.

#### ACADEMIC TESTING

**Mr Gerard Kennedy (Parkdale-High Park):** My question is for the Minister of Education. I want to ask

you about the results of your tests that came in just recently, "your tests" meaning the total results for the entire province showing that grade 3 and grade 6 students have been left stalled in the last couple of years under your leadership. Under your leadership, Minister, the increase in test results has been cut in half from the year before. Under your leadership, Minister, the test results in this province are a third to half of those found in other jurisdictions using standardized tests.

I want to know, on behalf of elementary students and their parents, will you take responsibility for your lack of success? Will you admit that your program is failing? Will you start to take on some of the things that come from Dalton McGuinty's excellence-for-all program, like smaller class sizes? Will you finally do the right thing for students in this province?

**Hon Janet Ecker (Minister of Education, Government House Leader):** The member opposite loves to stand up and talk about how this government is supposed to criticize the education sector. They love to say that. But when the education sector starts to see tangible improvements, when teachers, parents and students start to have tangible improvements, what does the Liberal Party do? They stand up and say, "The sky is falling."

This is the party that didn't want a standardized curriculum that's trying to tell us to water it down; that didn't support standardized testing; that somehow thinks we're going to solve the problems of those schools that need the extra help by waving a magic wand, picking 20 lighthouse schools, and miraculously all that light will just flow out to all those schools that need extra support and cause their results to improve magically. Well, that's not how it works.

It takes money, which we've invested. It takes support strategies, which we have in place. It takes higher standards, which we are putting in place. It takes helping those students meet those standards. These are all things this government is doing for our kids.

**Mr Kennedy:** Minister, I think I would be careful if I were you about mocking other possible solutions. You will probably end up taking them on, as you have many of the other things we've done.

Under your watch, under your leadership, you gave \$918 less per student in this province. Teachers and parents are trying to have their kids learn the new curriculum with fewer resources, less encouragement. You've created a war in our schools by attacking teachers every chance you get. But there is a way to stand off from that, and I think parents and students are particularly looking for a signal from you.

I wonder if you would then go to any elementary school in this province with me, visit teachers, parents and students and find out what they say is the reason that our students cannot actually get the results they need. Minister, I wonder if you'll take up the MPP back-to-school program this year and if you'll encourage every single member of your caucus to do the same thing next week during constituency week.

**Hon Mrs Ecker:** I don't need lectures from the honourable member about visiting schools in this province. I do it not as a special political campaign that he likes to announce on a regular basis; I do it because as Minister of Education it's part of my job and I will continue to do that because it is part of my job.

I know the Liberal Party thinks that if all they do is throw money at schools, miraculously the results are going to go up. I know they believe that. But we know that it takes a lot of hard work by teachers, it takes good strategies and it takes high standards.

Let's look at these results that the Liberal Party is criticizing our schools for. Mathematics: 43% to 61%. Even in the new math that is an improvement. Writing: 42% to 51%; reading: 48% to 55%. Tangible improvements step by step, setting higher standards for our kids, helping those kids meet those standards, that's what education reform is all about. This side of the House understands that. The Liberal Party is still living in la-la land.

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#### NURSES

**Mr Marcel Beaubien (Lambton-Kent-Middlesex):** My question is for the Minister of Training, Colleges and Universities. In March 1999, the Minister of Health and Long-Term Care announced that a four-year bachelor degree in nursing would be mandatory for new nursing graduates starting November 1, 2005. Prior to this requirement, nurses required a degree or a diploma from a recognized college or university in order to register as a nurse in the province of Ontario.

Here is what Dr John Tibbits, who is the President of Conestoga College, had to say: "At present, 80% of the nursing graduates in Ontario are produced by the colleges of applied arts and technology. These programs are monitored by program advisory committees.... These nursing programs are market-driven, with a heavy emphasis on clinical practice."

Minister, can you tell my constituents in Lambton-Kent-Middlesex why you are proceeding with this initiative, especially when there is already a lack of nurses in the province of Ontario?

**Hon Dianne Cunningham (Minister of Training, Colleges and Universities, minister responsible for women's issues):** The reason we have to move forward with the initiative of a bachelor of science in nursing for registered nurses is that this is the requirement of the regulatory body. If one doesn't have this requirement, then they cannot be a registered nurse.

I should also add for the member for Lambton-Kent-Middlesex, as he represents his riding today, that we also have college certification for registered practical nurses. There is a mix across the system of registered nurses and registered practical nurses.

Our promise, in our collaboration working with the nurses of Ontario, is that we would reach a projected graduating class enrolment of 2,800 nurses by the year

2003-04. We are well on our way, with the entrance into our new collaborative programs, to reach this requirement by 2003-04. It's been a good success.

**Mr Beaubien:** In order to make sure that we have the proper complement of nurses in the province of Ontario, I would not be opposed to making regulatory changes.

Recently I had the opportunity to talk to a hospital administrator in my riding. He tells me that when they are recruiting nurses for work in the general nursing units, the hospital looks for a nurse that is registered in the province of Ontario and can meet the job requirements. They do not hire nurses based on their educational background.

Minister, why are you not listening to what some of the hospital administrators, especially in rural Ontario, are telling us?

**Hon Mrs Cunningham:** I can tell my colleague that institutions are very much interested in hiring the best-qualified nurses that they can get. In Ontario, we take pride in this.

Talking to my own colleague and everyone in this House, this September, as I looked at the results that we just received, I can tell you right now that across 14 collaborative nursing programs and also one in his riding of Windsor-Lambton-St Clair, we have increased far beyond our expectations, a 25% increase.

The member for Windsor sits there with a smirk on his face, and I will say that the University of Windsor and I will be meeting tomorrow. Some 1,851 students have registered in those collaborative programs and the number is up to 1,917.

All of us together are worried about having enough nurses—

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

*Interjections.*

**The Speaker:** Order. We're on to the next question, please.

#### SEPTIC WASTE DISPOSAL

**Mr Sean G. Conway (Renfrew-Nipissing-Pembroke):** My question is to the Minister of Agriculture. The minister will know that the safe and secure disposal of septic waste in rural Ontario is becoming an ever more controversial and an increasingly costly business. In the upper Ottawa Valley in my constituency, approximately 40,000 homeowners, property owners, depend on private haulers as their method of disposing of septic waste. Today the cost is approximately \$150 to \$160 per trip. The projections are that in the next very few months that cost will go up over \$600 per trip. What specific measures is the Ontario Ministry of Agriculture, Food and Rural Affairs prepared to take to assist property owners and rural municipalities with this very serious, pressing and costly issue?

**Hon Brian Coburn (Minister of Agriculture, Food and Rural Affairs):** I thank the member for the question. The member can recall the extensive consultation we had

all across Ontario when we developed the nutrient management bill, Bill 81. Through those consultations, one of the things we heard was the concern with nutrients and application procedures. As a result of that consultation, the banning of septage over the next five years is in the legislation, if this bill is passed.

The other component of this, as I'm sure the member will appreciate, is that in the extensive consultation we had in developing Bill 81, I've already committed that that extensive consultation will also happen with our stakeholders, and those are municipalities and other businesses, in terms of septage in this particular case, on how we'll be able to deal with that.

Certainly there will be some costs associated with it, but I would say to the member, please don't discount it. When new regulations come in, and we are concerned as a society in terms of our environmental concerns, new technologies emerge from that. So part of this legislation, as well, embraces the fact that if there are new technologies, they're going to come forward. In my ministry that's one of the things we embrace and try to pursue.

**Mr Conway:** I'm well aware that across rural Ontario there are active discussions going on at the municipal level and in the private business community. Let's use Renfrew county as an example, the largest county in the province, over 3,000 square miles. We've got rural municipalities, many of them with large cottage populations, where the density factor is going to make this a very real economic challenge. It's quite clear, on the basis of what municipalities and private operators are telling me now, that government is going to have to be involved, particularly in those areas of rural Ontario where we've got populations sprinkled over large areas. It won't be just Renfrew county, but it'll be Haliburton and it'll be a variety of other areas the minister knows well.

Is it the intention of the Ontario government to provide financial assistance in the not-too-distant future to rural municipalities, rural businesses and others, which are telling me and undoubtedly are telling members of the government caucus that without this kind of assistance they will not be able to meet the new standard and the new tests being imposed by, among other provincial government regulations, the about-to-be-passed Bill 81?

**Hon Mr Coburn:** As I have indicated, as we go through some of these challenges we face as a society, we want to be able to work with our stakeholders to determine what some of the solutions are. Yes, there are some challenges. There are financial challenges and challenges to our environment, and these are some of the things we'll have to come to grips with. That is one of the reasons we have in the enabling legislation that over the five-year period we'll be phasing out septage.

One of the things I think is important is that in the breadth and width of this great province we have, we're not going to have those facilities on every doorstep. That's for certain. That, of course, will bring challenges as well. Some municipalities are addressing that, in

anticipation of the environmental concerns they have in their own jurisdictions, to upgrade their sewage treatment plants. That is part of the solution. We'll work with our stakeholders over the next five years. I'm sure that the solutions will unfold as they have in the past and that we'll be able to work with our stakeholders. Will that involve some financial commitment? It may and it may not. We'll have to see how new technology helps us in that respect.

1530

## ROYAL WINTER FAIR

**Mr John O'Toole (Durham):** My question is also to the Minister of Agriculture, Food and Rural Affairs. As you know, the Royal Agricultural Winter Fair is going on in Toronto. I'd like to take this time to say that Don Rickard, who is one of my constituents and a very well respected Durham family farm businessman, is the president of the fair this year. Everyone knows how important the fair is to agriculture. Some have called it the Olympics of agriculture.

Minister, could you expand on the role your ministry will play at this year's Royal Winter Fair?

**Hon Brian Coburn (Minister of Agriculture, Food and Rural Affairs):** I thank the member from Durham for the question.

Certainly the Royal Winter Fair is the pinnacle, the Grey Cup or the Stanley Cup, of fairs in this great country. It is certainly a badge of honour when over the course of the summer you are a competitor, whether it's with livestock or whatever, at various fairs across Ontario, indeed across the country, and that culminates in displaying your championship livestock at the Royal Winter Fair.

One of the things that's important about the Royal Winter Fair is that it gives an opportunity for those who have not been raised in a rural or a farm environment to go down there and understand more about agriculture, more about livestock, more about some of the things we're doing in rural Ontario to work with the environment. Our ministry has a very wide-ranging display down there, educational components that talk about Bill 81, that talk about life sciences, that talk about food safety and in terms of crops and soil, the advances we have made in technology as well. It's an educational experience.

## PETITIONS

### CRUELTY TO ANIMALS

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

"To the provincial Legislature of Ontario:

"Whereas puppy mills and other cruel animal breeding activities are unregulated and unlicensed in the province of Ontario;

"Whereas the Ontario SPCA needs more power to inspect and control animal kennels or breeders;

"Whereas Ontario consumers have no way of knowing if the animals they purchase as pets have been abused;

"Whereas there are no provincial penalties to punish people guilty of abusing animals that are bred and sold to unsuspecting consumers;

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

"That the province of Ontario pass legislation" proposed by MPP Mike Colle "that outlaws puppy mills and other cruel animal breeding activities and that strengthens the powers of the Ontario SPCA to establish a provincial registry of kennels and breeders subject to SPCA inspection, and to allow the SPCA to impose fines and jail terms on those found guilty of perpetrating cruelty to animals for the purpose of selling these animals to an unsuspecting public."

I affix my signature. I am in complete agreement with this petition supporting Mike Colle's private member's bill.

#### ADOPTION DISCLOSURE

**Ms Marilyn Churley (Toronto-Danforth):** I have more petitions in support of Bill 77, my adoption disclosure reform bill. It reads:

"To the Legislative Assembly of Ontario:

"Whereas in Ontario, adopted adults are denied a right available to non-adoptees, that is, the unrestricted right to identifying information concerning their family of origin;

"Whereas Canada has ratified standards of civil and human rights in the Charter of Rights and Freedoms, the UN Declaration of Human Rights and the UN Convention on the Rights of the Child;

"Whereas these rights are denied to persons affected by the secrecy provisions in the adoption sections of the Child and Family Services Act and other acts of the province of Ontario;

"Whereas research in other jurisdictions has demonstrated that disclosure does not cause harm, that access to such information is beneficial to adult adoptees, adoptive parents and birth parents, and that birth parents rarely requested or were promised anonymity;

"We, the undersigned, petition the Legislature of Ontario to enact revision of the Child and Family Services Act and other acts to permit adult adoptees unrestricted access to full personal identifying birth information; permit birth parents, grandparents and siblings access to the adopted person's amended birth certificate when the adopted person reaches age 18; permit adoptive parents unrestricted access to identifying birth information of their minor children; allow adopted persons and birth relatives to file a contact veto restricting contact by the searching party; replace mandatory reunion counselling with optional counselling."

I am in complete agreement with this, and I will affix my signature.

#### POST-SECONDARY EDUCATION

**Mr John Hastings (Etobicoke North):** I have a petition regarding Saving for Our Children's Future Act, 2001, and it reads as follows:

"To the Legislative Assembly of Ontario:

"Whereas post-secondary education is very important in the development of young adults, to the betterment of society and the economic future of our province; and

"Whereas the continuing challenge and cost of education facing families in Ontario in the 21st century is ever increasing; and

"Whereas the cost of post-secondary education in Ontario requires a combination of government and individual financial support; and

"Whereas the tax credit proposed in Bill 4, Saving for our Children's Future, 2001, will effectively and beneficially encourage families to save for their children's education; and

"Whereas the large majority of children and families with a registered education savings plan do not apply for OSAP, thereby freeing millions of dollars for other OSAP students;

"Therefore, we, the undersigned, hereby respectfully petition the Legislature of Ontario to act quickly to pass Bill 4, Saving for our Children's Future, 2001, and thereby extend the opportunity of post-secondary education to thousands of children."

I affix my signature with pride to this petition.

#### PROTECTION OF MINORS

**Mr Dave Levac (Brant):** "To the Legislative Assembly of Ontario:

"Whereas there is currently no law regulating the sale of CDs and tapes in Ontario,

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

"That a law be put in place requiring merchants to abide by the age guidelines on CDs and tapes when selling to minors (similar to those that restrict the admittance to movies deemed inappropriate for children under a stated age)."

I sign my name to this petition.

#### HIGHWAY 407

**Mr John O'Toole (Durham):** It's my pleasure to present a petition on behalf of my constituents in the riding of Durham, specifically Philip and Robert Brown, among thousands of others.

"To the Legislative Assembly of Ontario:

"Whereas the province of Ontario has proposed the extension of Highway 407 into Durham region and the proposed routing, designated as the technically preferred

route, will dissect the property of Kedron Dells Golf Course Ltd in Oshawa”—actually, it’s in my riding,

“Whereas such routing will destroy completely five holes and severely impact two additional holes, effectively destroying the golf course as a viable and vibrant public golf course,

“We, the undersigned, respectfully petition the Legislative Assembly of Ontario to change this routing to one of the other identified alternate routes, thus preserving this highly regarded, public facility patronized annually by thousands of” my constituents and “residents of Durham region and the GTA.”

I’m pleased to endorse this on behalf of this small family business.

### COMMUNITY CARE ACCESS CENTRES CENTRES D’ACCÈS AUX SOINS COMMUNAUTAIRES

**M<sup>me</sup> Claudette Boyer (Ottawa-Vanier)** : “Whereas the Mike Harris government promised to institute patient-based budgeting for health care services in the 1995 Common Sense Revolution;

« Attendu que les Centres d’accès aux soins communautaires doivent maintenant collectivement faire face à un manque à gagner de 175 \$ millions en raison d’un gel de leur financement par le gouvernement provincial ;

“Whereas due to this funding shortfall, CCACs have cut back on home care services affecting many sick and elderly Ontarians;

« Attendu que ces réductions dans les services ont principalement été effectuées dans les services d’auxiliaires familiales, ce qui oblige les Ontariens et Ontariennes à recourir à des établissements de soins de longue durée plus coûteux ou à retourner à l’hôpital ;

“We, the undersigned, petition the Legislative Assembly of Ontario to immediately institute real patient-based budgeting for health care services, including home care, so as to ensure that working families in Ontario can access the health care services they need.”

J’appose ma signature à cette pétition.

1540

### AUDIOLOGY SERVICES

**The Acting Speaker (Mr Michael A. Brown)**: The member for Ancaster-Dundas-Flamborough-Aldershot.

**Mr Ted McMeekin (Ancaster-Dundas-Flamborough-Aldershot)**: Thank you for getting the name correct, Speaker. That’s very good.

I have 1,000 signatures here, and have been asked by the following communities: Fenelon Falls, Omemee, Sebright, Burnt River, Sturgeon Falls, Bobcaygeon, Kinmount, Lindsay, Oshawa, Oakwood, Janetville, Enterprise, Mount Forest and Fergus—they’ve all asked me, on this side of the House, to present this petition.

“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.”

### CRUELTY TO ANIMALS

**The Acting Speaker (Mr Michael A. Brown)**: Petitions?

**Ms Marilyn Mushinski (Scarborough Centre)**: Excuse me.

**The Acting Speaker**: The member for Scarborough Centre.

**Ms Mushinski**: I know I’m short in stature, Mr Speaker, but I really am standing up.

I have a petition addressed to the Legislative Assembly of Ontario, which reads as follows:

“Whereas the Criminal Code of Canada considers animal cruelty to be a property offence; and

“Whereas those who commit crimes against animals currently face light sentences upon conviction; and

“Whereas those who operate puppy mills should, upon conviction, face sentences that are appropriate for the torture and inhumane treatment they have inflicted on puppies under their so-called care;

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

“That the Ontario provincial government petition the federal government to move forward with amendments to the cruelty of animal provisions in the Criminal Code as soon as possible.”

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

### COMMUNITY CARE ACCESS CENTRES

**Mr David Caplan (Don Valley East)**: I have a petition entitled, “Community Care Access Centres—Thaw the Freeze.” It is to the Legislative Assembly of Ontario.

“Whereas the Mike Harris government promised to institute so-called ‘patient-based budgeting’ for health care services in the 1995 Common Sense Revolution;

“Whereas community care access centres are reporting a funding shortfall of \$175 million due to a funding rollback by the Mike Harris government;

"Whereas Ontarians depend upon community care access centres to assist in services affecting many sick and elderly Ontarians;

"Whereas cutbacks to home care are forcing patients to stay in hospital longer or to be placed in long-term-care facilities, both of which are much more costly than providing home care;

"Therefore, be it resolved that we, the undersigned, petition the Ontario Legislature to demand the Mike Harris government move immediately to lift the home care funding freeze in order to allow community care access centres to provide services based on patient need."

I have affixed my signature to this petition.

#### LONDON HEALTH SCIENCES CENTRE

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

"Whereas the London Health Sciences Centre is a world-class academic health sciences centre serving people throughout southwestern Ontario; and

"Whereas the Ministry of Health has forced the London Health Sciences Centre to find \$17 million in annual savings by 2005; and

"Whereas the London Health Sciences Centre has agreed to cut 18 programs in order to satisfy directions from the provincial Ministry of Health; and

"Whereas these cuts will put the health of the people of southwestern Ontario, and particularly children, at risk; and

"Whereas these cuts will diminish the London Health Sciences Centre's standing as a regional health care resource; and

"Whereas these cuts will worsen the continuing physician shortages in the region;

"Therefore, be it resolved that we, the undersigned, petition the Ontario Legislature to demand that the Mike Harris government take immediate action to ensure that these important health services are maintained so that the health and safety of people throughout southwestern Ontario," such as London, Strathroy, St Thomas, Woodstock and Stratford, "are not put at risk."

I'm in full agreement and have affixed my signature hereto.

#### ADOPTION DISCLOSURE

**Mr Rosario Marchese (Trinity-Spadina):** I have a petition, which reads:

"Whereas in Ontario, adopted adults are denied a right available to non-adoptees, that is, the unrestricted right to identifying information concerning their family of origin;

"Whereas Canada has ratified standards of civil and human rights in the Charter of Rights and Freedoms, the UN Declaration of Human Rights and the UN Convention on the Rights of the Child;

"Whereas these rights are denied to persons affected by the secrecy provisions in the adoption sections of the

Child and Family Services Act and other acts of the province of Ontario;

"Whereas research in other jurisdictions has demonstrated that disclosure does not cause harm, that access to such information is beneficial to adult adoptees, adoptive parents and birth parents, and that birth parents rarely requested or were promised anonymity;

"We, the undersigned, petition the Legislature of Ontario to enact revision of the Child and Family Services Act and other acts to permit adults adoptees unrestricted access to full personal identifying birth information; permit birth parents, grandparents and siblings access to the adopted person's amended birth certificate when the adopted person reaches age 18; permit adoptive parents unrestricted access to identifying birth information of their minor children; allow adopted persons and birth relatives to file a contact veto restricting contact by the searching party; replace mandatory reunion counselling with optional counselling."

I support this petition.

#### EDUCATION FUNDING

**Mr David Caplan (Don Valley East):** I have a petition. Actually it's an older one but it's certainly germane. It reads:

"To the Legislative Assembly of Ontario:

"Whereas we believe that all education resources should be directed to our public schools, not private schools;

"Whereas Mike Harris has been attacking public education for six years, chopping \$1.8 billion from the classroom and now wants to pay parents to leave public education for private schools;

"Whereas we believe that a voucher plan for private schools is wrong, unfair and steals money from public education;

"Whereas we believe that these funds being invested in private schools would be better spent on rebuilding public education through such measures as bringing class sizes down to 20 students per class in the early years;

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

"Do not turn your back on Ontario's working families. Fight Mike Harris's voucher system for private schools; fight for smaller class sizes;" and last and most important, "fight for public education."

I'm proud to put my name on this petition.

#### ORDERS OF THE DAY

##### MUNICIPAL ACT, 2001

##### LOI DE 2001 SUR LES MUNICIPALITÉS

Resuming the debate adjourned on October 31, 2001, on the motion for second reading of Bill 111, An Act to revise the Municipal Act and to amend or repeal other

Acts in relation to municipalities / Projet de loi 111, Loi révisant la Loi sur les municipalités et modifiant ou abrogeant d'autres lois en ce qui concerne les municipalités.

**The Acting Speaker (Mr Michael A. Brown):** Pursuant to the order of the House dated November 6, 2001, I'm now required to put the question.

Mr Hodgson has moved second reading of Bill 111, An Act to revise the Municipal Act and to amend or repeal other Acts in relation to municipalities. Is it the pleasure of the House that the motion carry?

All in favour will say "aye."

All opposed will say "nay."

In my opinion, the ayes have it.

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

*The division bells rang from 1548 to 1553.*

**The Acting Speaker:** Those in favour will please stand one at a time until recognized by the Clerk.

#### Ayes

|                    |                    |                     |
|--------------------|--------------------|---------------------|
| Arnott, Ted        | Hastings, John     | Ouellette, Jerry J. |
| Baird, John R.     | Hodgson, Chris     | Runciman, Robert W. |
| Barrett, Toby      | Hudak, Tim         | Sampson, Rob        |
| Beaubien, Marcel   | Jackson, Cameron   | Snobelen, John      |
| Chudleigh, Ted     | Johns, Helen       | Spina, Joseph       |
| Clark, Brad        | Kells, Morley      | Sterling, Norman W. |
| Clement, Tony      | Klees, Frank       | Stewart, R. Gary    |
| Coburn, Brian      | Marland, Margaret  | Stockwell, Chris    |
| Cunningham, Dianne | Martiniuk, Gerry   | Tasca, Joseph N.    |
| Dunlop, Garfield   | Maves, Bart        | Tilson, David       |
| Ecker, Janet       | Mazzilli, Frank    | Tsubouchi, David H. |
| Elliott, Brenda    | Miller, Norm       | Turnbull, David     |
| Flaherty, Jim      | Molinari, Tina R.  | Wettlaufer, Wayne   |
| Galt, Doug         | Munro, Julia       | Wilson, Jim         |
| Gilchrist, Steve   | Mushinski, Marilyn | Witmer, Elizabeth   |
| Gill, Raminder     | Newman, Dan        | Wood, Bob           |
| Guzzo, Garry J.    | O'Toole, John      | Young, David        |
| Hardeman, Ernie    |                    |                     |

**The Acting Speaker:** All those opposed will please rise one at a time until recognized by the Clerk.

#### Nays

|                      |                    |                    |
|----------------------|--------------------|--------------------|
| Agostino, Dominic    | Dombrowsky, Leona  | McMeekin, Ted      |
| Bartolucci, Rick     | Duncan, Dwight     | Parsons, Ernie     |
| Bountrigianni, Marie | Hampton, Howard    | Patten, Richard    |
| Boyer, Claudette     | Kennedy, Gerard    | Peters, Steve      |
| Bradley, James J.    | Kormos, Peter      | Phillips, Gerry    |
| Caplan, David        | Kwinter, Monte     | Prue, Michael      |
| Churley, Marilyn     | Lalonde, Jean-Marc | Pupatello, Sandra  |
| Colle, Mike          | Levac, David       | Ramsay, David      |
| Conway, Sean G.      | Marchese, Rosario  | Ruprecht, Tony     |
| Cordiano, Joseph     | Martin, Tony       | Smitherman, George |
| Di Cocco, Caroline   | McLeod, Lyn        |                    |

**Clerk of the House (Mr Claude L. DesRosiers):** The ayes are 52; the nays are 32.

**The Acting Speaker:** I declare the motion carried.

Pursuant to the same order of the House, the bill is referred to the standing committee on general government.

## REMEDIES FOR ORGANIZED CRIME AND OTHER UNLAWFUL ACTIVITIES ACT, 2001

### LOI DE 2001 SUR LES RECOURS POUR CRIME ORGANISÉ ET AUTRES ACTIVITÉS ILLÉGALES

Resuming the debate adjourned on November 1, 2001, on the motion for third reading of Bill 30, An Act to provide civil remedies for organized crime and other unlawful activities / Projet de loi 30, Loi prévoyant des recours civils pour crime organisé et autres activités illégales.

**The Acting Speaker (Mr Michael A. Brown):** The member for Niagara Centre has the floor. I think we'll wait just a few seconds and allow the traffic to clear.

Member for Niagara Centre.

**Mr Peter Kormos (Niagara Centre):** Thank you kindly, Speaker. You might recall that last Thursday I began what we call the leadoff: my response, on behalf of the New Democrats, to the government's proposal of this bill. I have an hour. I can't believe I've used 40 minutes of it; I only have 20 minutes left today.

I did get distracted from time to time during my comments to the House last Thursday because I was reflecting on where our respective caucuses stood with respect to this bill. Clearly the government is going to vote for Bill 30. I understand that. It's the government's bill. It's part of their so-called law-and-order package where they're going to get tough on crime, going to get tough on terrorists, going to get tough on kids with green hair and earrings in their nose who try to run a squeegee over your windshield, among other things.

I indicated to you last Thursday and I indicate to you again, indicate to you very clearly and unequivocally, that we in the New Democratic Party are opposed to Bill 30. We will be voting against it. We see it not just as seriously flawed legislation, but bad legislation. I want to explain to you why New Democrats are not going to get sucked into supporting this bill by the government.

Look, I've listened carefully to the government's arguments and the government's best efforts to justify Bill 30. I've listened carefully. I've reflected on those arguments put forward very ably by the parliamentary assistant, from time to time assisted by the incredibly capable staff at the Ministry of the Attorney General. He knows exactly who I'm speaking of, and I'm confident he'll convey to them my comments about them.

But for the life of me, I cannot understand why anybody—any thinking person, any careful person, any cautious person—would support this bill that puts innocent people at risk, puts their assets, their property, their home, their bank account, their car, their furniture, their clothing, spare change underneath the La-Z-Boy in the living room, puts that at risk. Nobody in this Legislature rejects the proposition that organized crime should be fought. I'm going to put to you, quite frankly, though, that you fight organized crime by having well-resourced police departments, by having well-resourced



prosecutorial offices, like crown attorneys' offices, and by having a criminal justice system that's adequately staffed from beginning to end, including appropriate numbers of judges in courtrooms to hear trials and by the participation of a skilled defence bar, skilled defence lawyers, who are an integral part of a well-running criminal justice system. That's how you fight organized crime.

**1600**

Indeed, in terms of seizing the proceeds of crime, in terms of seizing the profits derived or obtained as a result of crime, the Criminal Code of Canada has very clear provisions for doing precisely that. The Criminal Code of Canada has clear provisions that have been utilized. During the course of committee hearings on this bill's predecessor, we heard from, among others, the chief of police of Niagara Regional Police Service, who indicated that police service has had experience using the Criminal Code provisions.

The important part about the Criminal Code provisions is that they require that somebody be guilty of a crime, which means having been proven guilty beyond a reasonable doubt, before the state can go in and seize assets.

I listened in dismay to the speaker for the official opposition. They are, it appears, supporting this legislation. It appears the Liberal caucus is supporting this government bill. I heard the first speaker, the leadoff speaker for the official opposition, the Liberal Party, say—I'm paraphrasing; no two ways about it—"Oh, let's not be too worried about the fact that Bill 30, this Ontario government bill, doesn't require the same high standard of proof beyond a reasonable doubt." It merely requires that a person be perceived to have committed a crime on the basis of the balance of probabilities, the civil test, the mere balance of probabilities.

The Liberal Party spokesperson, in the course of the debate on third reading, said, "Oh, well, we can live with the lower standard, because after all it doesn't involve people going to jail; it just involves their assets"—their home, what modest savings they might have acquired over the course of a lifetime of working, their car, the bicycle in the garage, all the way down, as I say, to the loose change you're inclined to leave behind underneath the La-Z-Boy.

I'm sorry. In fact, I'm not sorry at all. I make no apologies for saying that when the state is going to intrude into people's homes and put people's belongings, people's personal property at risk of being seized, then the standard the state should have to meet to do that should be the same rigorous standard we use to determine guilt of criminal offences, and that is proof beyond a reasonable doubt, which is the standard required by the Criminal Code provisions.

Some police participants in the hearings said, "Oh, yes, the police would love to see the government bill." I understand that. It would make it much easier for them to seize assets, but it would similarly be much easier for the police if, oh, there weren't a requirement that they

provide an accused person who is detained with access to counsel. That would make the police job much easier. The rate at which they'd receive confessions would be much higher if police weren't compelled, as they are and as they do, to advise people of their right to retain and instruct counsel and to have a lawyer present.

Police work would be so much easier if warrantless searches were the norm and they could enter a home at any time, anywhere, anyplace, without a search warrant and conduct a search looking for evidence of criminal activity. The job of the police would be much easier. I understand that and I understand the interest, as expressed by police officers, to that end. But we have a justice system that is as passionate about protecting the innocent as it is about prosecuting the guilty. That justice system is something that should be of high value to all of us.

What this government really should be doing, if it wants to see organized crime stripped of the profits of organized crime, is giving crown attorneys' offices and police forces, like the Niagara Regional Police Service, adequate resources to comply with the more rigorous standards contained in the Criminal Code for seizure of property that flows from the commission of crime or property that's used in the commission of a crime.

One of the things we learned during the hearings was that Ontario is the province least likely to use the Criminal Code provisions on seizure of proceeds of crime. In other words, this government hasn't been encouraging or facilitating the utilization of the existing Criminal Code statutes that permit police and prosecutors to seize proceeds of crime, yet they want to introduce a bill with a standard so low that innocent people and their property and their assets are put at risk.

Let's understand that for this government's Bill 30 to take effect, not only does a person not have to be convicted, like they do under the Criminal Code, but it doesn't even matter if they were acquitted, found not guilty. Do you understand what's happening here? This government says, "We don't care whether a court found you not guilty. We still don't like you and we're going to mobilize all of the incredible resources that we can muster to haul you back into a court using this lower standard, mere balance of probabilities, to strip you of your assets, to wipe you out, wipe you clean, to leave you destitute and bankrupt."

This government's Bill 30 doesn't require a person to be convicted, doesn't even care if the person has been found not guilty, doesn't even require a person to be charged. This government is setting itself up as judge and jury and is, in the course of doing that—and, I put to you, others who support this bill join them—circumventing the high standards that have been developed in our criminal justice system, in our criminal law, high standards designed to protect the innocent. This government is tossing them away. It's clear this government doesn't care. It doesn't care about protecting the innocent, because Bill 30 is all about exposing the innocent to incredible risk.

I don't need to raise incidents of wrongful conviction. Even in the criminal justice system, with its high standard of proof beyond a reasonable doubt, we regrettably and tragically have been confronted—now it seems like it's been almost annually—with serious cases of wrongful conviction, even with that incredibly high standard. If people can be convicted of murder, as we've discovered they have been, receiving life sentences, with the high Criminal Code standard of proof beyond a reasonable doubt, just imagine how devastating Bill 30, with its mere balance of probabilities, will be.

The parliamentary assistant might stand up and say, "Oh, don't worry. Trust us. Trust the state." I don't care whether it's a Conservative government, I don't care whether it's a Liberal government, I don't care if it's an NDP government, I don't care if it's a Green government—take your choice—the state can become incredibly vindictive at times, incredibly careless in how it utilizes the power available to it, and it has huge resources to access. What does the little person do who is confronted by an army of lawyers from the crown law office over on Bay Street, the Attorney General's office, an army of lawyers with—

1610

**Mr David Caplan (Don Valley East):** On a point of order, Mr Speaker: This is an excellent speech and I'm just wondering if we have a quorum in the chamber to listen to it.

**The Acting Speaker:** Is a quorum present?

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

*The Acting Speaker ordered the bells rung.*

**Clerk Assistant:** A quorum is now present, Speaker.

**The Acting Speaker:** Thank you. The member for Niagara Centre.

**Mr Kormos:** We in the New Democratic Party take our responsibility to protect the public from dangerous legislation, bad legislation, very seriously. That's the role, that's the function of opposition.

One of the things that guides point out to visitors to the chamber here at Queen's Park is the two—they're not quite sculptures; they're the fixtures on the wall. The one there for the government to observe is an owl. That is designed to prevail upon the government to use wisdom. The one that faces the opposition benches is an eagle, and that encourages opposition members to be watchful and vigilant and to be brave, the way an eagle is when it's sitting up in its lair, in its nest, with eagle eyes scrutinizing the landscape around it. So that eagle that faces opposition members reminds opposition members—that's why it's there, just like the owl.

It's interesting. A whole lot of government members are seeing the owl for the first time, the owl that's there to remind them to use wisdom. I have no doubt they are seeing it for the first time.

**Interjection:** We're working on it.

**Mr Kormos:** They're working on their wisdom, as one prominent Tory member just commented.

We make no apologies for being vigilant. We know there's incredible pressure on opposition parties to support this kind of legislation because, after all, if you don't support a Tory law-and-order bill, you must be with the bad guys; you must be for the criminals. If you don't support this incredibly dangerous and flawed Bill 30 that's entitled remedies for organized crime, somehow you must be for organized crime. That's a silly argument. It's not a valid one and it should carry no weight. Quite frankly, it's a waste of the breath used to utter it.

I have great confidence in the opposition parties' ability to work together to defeat Bill 30 and similar bad pieces of legislation. I was encouraged by what the member for Hamilton East said about Bill 30. The member for Hamilton East said, "This bill today"—referring to Bill 30—"is nothing more than simply another exercise in Tory public relations stunts." I was encouraged when the member for St Paul's, in speaking about Bill 30, said, "Our concern with this bill is that it is neither effective, nor will it stand the test of time for the reasons I want to speak to." I was encouraged by that because I thought that meant there would be a solid opposition to the legislation and that opposition parties would be vigilant, as the eagle is there to remind them to be.

I now find the official opposition supporting the government's proposition in Bill 30, and I think I understand why: again, being in a somewhat uncomfortable position in terms of risking having the finger pointed at you and hearing, "Well, if you're not with the Tories, then you must be with organized crime." I reject that. We in the New Democratic Party have bigger shoulders than that. We will not support this bill because it very simply, very clearly and specifically utilizes the civil standard of proof and the balance of probabilities as compared to proof beyond a reasonable doubt to effectively establish that people have committed a crime for the purpose of seizing their assets and their property.

The other observation you'll recall that Howard Hampton made during second reading on this bill—and I should indicate that Rosario Marchese, the member for Trinity-Spadina, wants to speak to this bill, the member for Beaches-East York wants to speak to this bill, the member for Toronto-Danforth certainly wants to speak to this bill, and the member for Sault Ste Marie has concerns about the bill that he wants to put on the record, as well as the member for Timmins-James Bay and my colleague Mr Christopherson from Hamilton. If I've omitted any member of my caucus, I apologize to them.

This is serious stuff. We will not collaborate with the government to accelerate passage of their bills that reflect their very partisan, ideological agenda. It's not our job to facilitate the government's doing what it's doing, especially when we disagree as profoundly as we do with what the government is doing. I see absolutely no reason why every member of my caucus, the New Democratic Party caucus, shouldn't have an opportunity to address this bill, Bill 30, and any other bill before the House, for that matter.

I find it remarkable that in Bill 30 the parliamentary assistant defends the reference to any crime in any book as being the mere proof on balance of probabilities, one that can trigger the forfeiture/seizure provisions ranging from, obviously, federal legislation, the Criminal Code, through to provincial legislation, through to municipal bylaws. Yet yesterday, during the course of some interesting committee discussion around Bill 69, he defended Bill 69's restricted list of offences, saying, "Were it full, it would be overly broad." Check the Hansard, but the parliamentary assistant isn't jumping out of his skin protesting at my suggestion that those were the words he used, so I suspect I'm pretty darned close to it.

That dangerous legislation puts innocent people at risk and doesn't create a new concept because the ability to seize the assets of organized crime, proceeds of crime and assets used in the commission of crime already exists under the Criminal Code. This is all about this government's sabre-rattling and its effort to look tough on law and order when in fact they have a pathetic record when it comes to victims, victims' rights and justice for the innocent here in Ontario.

1620

**The Acting Speaker:** Questions, comments?

**Mr David Tilson (Dufferin-Peel-Wellington-Grey):**

I'd like to comment to the critic of the New Democratic caucus. I will say he gave a very fine speech. I will say as well that he sticks to his guns; he's consistent. It's just that we disagree with him. The consistency of his position is with respect to this test: the test of beyond a reasonable doubt versus the balance of probabilities, and that's been expressed very well by my friend for the New Democratic caucus. I'm going to repeat what we've been saying in the committee and what we've been saying in second reading: the beyond-a-reasonable-doubt test is used in criminal legislation. This is not criminal legislation; this is legislation where the focus is on property, not on the individual. In criminal legislation, of course, it's on the individual. If the proceeds of unlawful activity are harboured in the hand of an accomplice, for example, they are not beyond the reach of this draft legislation.

It's not new, as I've indicated before. There are other countries around the world that have used this. Both the federal and state governments in the United States have used these tests—the balance-of-probabilities test or tests similar to it—Australia, South Africa. There already is provincial legislation, for example, where assets have been seized on the balance of probabilities: the Game and Fish Act. If you're fishing or hunting illegally in this province—

**Mr Kormos:** Balance of probabilities under the Game and Fish Act?

**Mr Tilson:** Well, I'll tell you, the gun, the fishing tackle, the boat, the car: my understanding is that those could be seized on the balance of probabilities, not on the beyond-a-reasonable-doubt test.

**Mr James J. Bradley (St Catharines):** One of my concerns about the original bill, which was referred to as Bill 155—that's a bill that expired because it was not

carried forward from the order paper from the last session—is that there was what we call the J. Edgar Hoover clause in that bill. That was a matter of some considerable concern to people who had the first look at that piece of legislation. This bill at least has been altered to remove that particular clause. I consider that to be a major amendment that was made to Bill 155, because the J. Edgar Hoover clause would have permitted the collection of personal information, including health records, without any court or other supervision. I think whenever you are getting into this field of giving more powers to the police—and indeed we have to do that from time to time—you want to have that court or some other kind of supervision to ensure that that would not be abused. One of the pieces of encouragement that I saw, going from Bill 155 to Bill 30, was the removal of that particular clause.

I think the member in his remarks has shared with members of the House and the public his concerns about the provisions of this bill and how they might be misused. When we're passing legislation, we always have to try to interpret how people might use that legislation for things other than we had anticipated when the legislation came before us. I want to thank him for bringing that to our attention.

**Mr Gerry Martiniuk (Cambridge):** I listened with interest to the comments of the member for Niagara Centre and in some respects he's right: we're dealing with organized crime and terrorism. Since September 11, that has been brought home to North America, and we've got to balance rights and freedoms against security. It's all right to talk about getting sufficient resources and that will solve the problem. The fact is, we've always had organized crime.

When my friend from Niagara was with the Bob Rae government, he was Solicitor General, if I recall. He had the opportunity to solve the problems of organized crime in Ontario and he did not. One of the problems is that the police do not have the tools. When we're talking about making it easier for the police, we're talking about the security of the citizens of the province of Ontario. Sometimes I think that people speak against this bill trying to make it easier for the defence lawyers. I think, quite frankly, the criminal bar has it too easy in this country. There are too many archaic safeguards that are no longer necessary.

But the point is that we should be concerned with the security of the people of Ontario and the drug trade in particular. This is what organized crime lives on. It is a dreadful trade which causes irreparable harm, not just to our young people but to their families. This bill will attempt to correct that and I believe the government is on the right path.

**Mr Michael Prue (Beaches-East York):** Very briefly, I agree with what the previous speaker said in terms of organized crime. Organized crime is, of itself, a scourge on our communities. Organized crime has existed probably since times ancient in terms of people who are willing to take advantage, people who are

willing to prey upon those who are weak or upon their weaknesses. There is no doubt that society needs to protect itself from those who would do exactly that.

The question of this legislation though—and we keep coming back to it, at least in our party—is, what legislative and legal tools do we need to fight organized crime? Do we need the tools of better police? Of course we do. Do we need the tools of better resources? Of course we do. Do we need tools that presently exist in the Criminal Code? Yes, we do. Do we need a public that is ever more vigilant and needs to be educated about all of those things that organized crime does? The answer again is yes.

Do we need legislation that runs contrary, in my view and in the view of many civil libertarians, to the rights of the individual and their property, the right to full court redress, the right to be presumed innocent until proven guilty? Those are the hallmarks of what has made Canadian society, in fact all of British heritage, from whence we get our legislation and our Criminal Code—what has made this a most remarkable country. To put that at risk is something that I think needs a great deal more thought than what has been put into this bill. I hope to have a chance perhaps later today to speak to that and I will be outlining why I think this bill has gone just a little too far.

**The Acting Speaker:** Response?

**Mr Kormos:** As to being Solicitor General—

**Mr Bradley:** I didn't know that.

**Mr Kormos:** Yes. Heck, I had a short enough cabinet career with the two cabinet positions I held. If you make it three, it will impress them even more. It will reduce it to a matter of mere days instead of even weeks or months.

**Mr Tilson:** I remember seeing your picture.

**Mr Kormos:** Yeah.

The issue here is the fact that the Criminal Code provides for forfeiture or seizure by police and prosecutors, but it holds that prosecutor to the high standard. Listen carefully to what the parliamentary assistant to the Attorney General had to say. First of all, please understand that even a provincial offences prosecution requires proof beyond a reasonable doubt. Even if you're prosecuted under the Game and Fish Act, or any piece of provincial legislation, the prosecutor has to prove you guilty beyond a reasonable doubt.

You're talking here about crime and criminals. The mantra that the Attorney General's parliamentary assistant repeats is designed to somehow protect them, as if it were some sort of amulet, from the charter challenges that are inevitably going to flow to this. The argument is going to be made very strongly that what the provincial government is doing is intruding on federal jurisdiction, constitutional jurisdiction, over the criminal law. I think they are. Mr Borovoy from the Canadian Civil Liberties Association thinks they are too. But we'll let judges down the road decide that, should this bill pass.

The parliamentary assistant thinks it's protecting itself from that constitutional challenge by saying, "This is about property." No. It's about your effort to label this

government as law and order, when the government in fact has a pathetic record when it comes to victims and the Victims' Bill of Rights, and when it comes to passing bill after bill after bill with fancy-sounding titles but legislation that will never be utilized or invoked.

1630

**The Acting Speaker:** Further debate?

**Mr Doug Galt (Northumberland):** I was listening a few minutes ago to the member from Niagara Centre and some of his comments. For me to say I'm surprised at the negative response toward this bill—it's certainly not surprising, but it is disappointing. I say it's not surprising, because he has taken the position, as have those in his party, of objecting to anything and everything the government does. They being in opposition, I can understand that. But I would think that on this particular bill, the prevention of profit from crime, he would have been able to see the light and would have understood and might have been supportive of it.

This bill talks about protection by the province. It's the province that has to go in and obtain support and get those dollars for the victim.

It was worked on. It wasn't just something the government dreamed up. We had the Information and Privacy Commissioner, Dr Ann Cavoukian. We've arrived at a proper balance here. It's going on in so many other countries.

As I say, I'm disappointed. Fair criticism that they might have used on our government is, why didn't this happen sooner? I think that could have been a fair criticism of a bill such as this. It is in other countries. Granted, it's not in other provinces, but it certainly is in many other countries. If they wanted to criticize the government, I would have thought that might have been a fair direction.

But here we are. Bill 30 is before us, the Remedies for Organized Crime and Other Unlawful Activities Act. This bill, if passed, would allow the province—and I underline "the province"—to ask the courts—again we have another protection, the courts—to freeze, seize and forfeit to the crown the proceeds of unlawful activity as well as assets that could be used as instruments or tools in the commission of future unlawful activity.

When you mention those words, it sort of comes to my mind: "Why not earlier?" as I mentioned. It just makes so much sense that this needs to be in place.

The second point in this bill is that it would allow the province to take to court two or more people who conspire to engage in activities that would harm the public.

Third, and most importantly, it would enable victims of unlawful activities that lead to forfeitures to claim compensation against those forfeited proceeds.

This indeed is in place in many jurisdictions, and we certainly need it here, especially to recognize those who suffer from the criminal activity of others who really couldn't care less. I think there's an awful lot of protection in this for those who commit crimes. Some would argue that maybe we don't need that much in there, but it is in there, and that's why I have difficulty and am

disappointed in the comments made by the previous speaker.

This proposed legislation would focus on property—the proceeds and the assets—not the individual, and I think that's important. The civil actions under this legislation would be entirely different from criminal prosecution. In fact, Ontario will continue to vigorously investigate and prosecute organized crime figures in our criminal courts.

In the budget, our government committed some \$6 million annually for police and dedicated crown attorneys to enhance the comprehensive, multi-pronged approach to combat organized crime. When charges are laid, dedicated crown attorneys will prosecute those cases. With the civil legislation under debate today, our government recognizes that Ontario would be breaking new ground in Canada if this were passed.

Similar measures have been introduced in a number of other countries, including our neighbours to the south—the United States—Australia, Ireland and South Africa, to name a few. In each of these countries the authorities have successfully used civil law to seize the proceeds of unlawful activities and hit the corrupt organizations behind these activities where it really hurts, right in the wallet. When it comes to money, organized crime really sits up and takes notice. Our legislation would achieve that same objective. In fact, Ontario would improve on the legislation in these other jurisdictions with its innovative proposal to compensate victims.

However, we've balanced those objectives with protection of individual rights and privacy. For example, if this legislation is passed, no action could be taken without authorization from a court. Each step, from the initial freezing and seizing of assets to the forfeiture, would require the province to successfully argue its case in court, again giving organized crime an awful lot of protection, maybe more than it really deserves.

The basic standard of proof for civil forfeitures would be the balance of probabilities, the same standard that has always been used in our civil courts. As long as there has been common law, property disputes have been adjudicated with the balance of probabilities standard. If passed, this legislation would rest on the same firm legal foundation that has always existed in the province of Ontario.

As another safeguard, the burden of proof would rest on the province, not on the defendant. There would be no reverse onus. The province would have to prove its case.

The court would also protect the interests of people who legitimately own property or a share of property that has an unlawful origin. This provision could protect people who may not have known about the origins of the property or couldn't reasonably have suspected that the property was the proceeds of an unlawful activity. They would not lose the value of their investment.

Personal information would be protected, and I think that's pretty important here. The Ministry of the Attorney General worked with the Information and Privacy Commissioner, Dr Ann Cavoukian, to develop legislation

that would strike the proper balance between the interests of the province and the protection of personal privacy. Dr Cavoukian wrote a letter to the Deputy Attorney General in which she said, "I am satisfied that these concerns have now been addressed." Here is a neutral third party, a very intelligent individual with a very responsible role, supporting our legislation.

If Bill 30 is passed, the mutual objectives would indeed be met. Investigators would have access to the information they need, and the privacy of individuals would indeed be protected. The bill would establish an independent gatekeeper or reviewing authority who would screen all the personal information. There would also be specific criteria governing disclosure of this information. If the personal information meets the criteria, the gatekeeper would pass it on to the Attorney General.

Personal health information, such as medical files, would be disclosed only through court proceedings. The province would have to prove in court that the health information was indeed necessary and relevant to the case.

As I said, civil asset forfeiture legislation has been used successfully in a number of countries. We heard about these successes from experts who spoke at the Ontario government's organized crime summit in August last year. They were frank about what works and what doesn't work.

The committee hearings during the last session of this Legislature also heard from several witnesses with expertise in this particular area. They talked about the prevalence of organized crime and the role of civil forfeiture in countering these unlawful activities.

#### 1640

It's clear to our government that no one jurisdiction has a perfect solution for Ontario, because each jurisdiction has its own unique problems arising from unlawful activities, as well as its own constitution and legal environment.

That said, it's also clear that civil asset forfeiture has an important role to play. Several countries have passed civil forfeiture legislation. Civil asset forfeiture could play a similar role here in Ontario. It would help prevent the proceeds of unlawful activity being used to fund more unlawful activity and creating even more victims. In other words, it would help restrict the financial capital that's available for organized crime. It would also help prevent Ontario from becoming a safe haven for unlawful assets, particularly as other countries develop this type of legislation.

Most importantly, Bill 30 would compensate direct to victims of unlawful activity.

Ontario has jurisdiction over property rights and clearly has the constitutional power to enact civil forfeiture legislation. By passing Bill 30, Ontario would be a leader in this country in protecting the public from further victimization. We would also be leaders in disrupting and disabling corrupt organizations in Canada, and in helping victims.

This bill is consistent with our government's activity by bringing in another law-and-order bill. Our government has had a whole series of very positive actions to protect the security of the residents of Ontario. We've introduced several bills along this line through our six and half years in government. We've hired more police. We hired approximately 1,000 police between three and four years ago to service Ontario. We've promoted security in our communities and in our schools, particularly with the Safe Schools Act we brought in.

Our Premier, Mike Harris, was very prompt in responding to the difficulties in the country following the September 11 terrorist attacks in New York and in Washington. We responded by helping some of the families in our country who had victims in those incidents to get down to New York and to Washington. We've brought in all kinds of training programs for our police and our firefighters, equipping our police. We are indeed responding.

As I say, this Bill 30 responds to another area of law and order in the province and I look forward to its speedy passage. I urge all members to support this bill.

**The Acting Speaker:** Questions or comments?

**Mr Bradley:** The member has outlined the reasons for the bill and I think there are a lot of compelling reasons to find support for very much of what is contained in the bill, because I think everybody recognizes that organized crime is a problem. We would all like it to go away and it isn't going to go away easily. What police forces complain about is that they don't have the tools with which to deal with crime in any jurisdiction, and that as soon as the police force acquires new equipment or additional people or new ways of dealing with crime, we find out that those who are involved in organized crime take another step ahead.

One of the ways they're able to do that is by utilizing, as the member has appropriately pointed out, the funds that are derived from crime. The only way you can get at them with the use of this money—I would call it a misuse of this money—is to seize those assets.

The member has pointed out as well that there are safeguards in the legislation. I remember that in Bill 155, as I mentioned earlier in response to the member for Niagara Centre, we didn't have the kind of safeguards we'd like to see. There was the J. Edgar Hoover clause in there that allowed people to deal with a lot of personal and health information.

The member has pointed out that the negotiations that went on with the Information and Privacy Commissioner were such that the bill was able to be amended to avoid those offensive parts. It's not that the government put them in to be particularly mean-spirited or anything of that nature; they wanted to have the bill as comprehensive as possible, but have made the concession in this field, from Bill 155 to Bill 30, that makes the bill much more supportable than it would have been without that concession having been made. The member clarified that for the House.

**Mr Prue:** I must commend the previous speaker, who spoke of all the reasons we need to curtail organized crime. He spoke about what the government of Ontario, governments in Canada, governments of other jurisdictions around the world are doing to stop organized crime and to seize the proceeds of organized crime. I would have no difficulty with that were there to be what I consider to be a proper test of how that is seized. We have legislation currently in effect in the Criminal Code of Canada, and the people whose property is seized must first be convicted.

The reason I think many people, particularly those involved in civil liberties, find this legislation to have gone too far, and some even consider it offensive, is that under this act the offence is committed—offences under this act—even if the person is not charged, even if the person is not convicted, even if the charges are withdrawn. My reading of the act, and if I get a chance to speak to it I want to speak to that section, is that even if a person is found not guilty by reason of insanity, his stuff can still be seized; at least that's my reading of that. I would suggest that's the part that is offensive, not all the other things that are being talked about.

Of course society has to protect itself from organized crime. Of course we have to put in as many roadblocks as we can to motorcycle gangs and to ethnic and other groups that have come from other parts of the world in order to prey here in Canada, and particularly in Ontario. We need to do everything within our power, but in the end we need to do that and protect the civil liberties of those who are innocent. I think that's the failing of the act. That's what we need to address our minds to. We can all agree organized crime is bad. The question is, does this act do the right thing.

**Mr Tilson:** The member for Northumberland gave an excellent summary of what the government is trying to do with this legislation. I will say that as to this bill, we had extensive hearings on its predecessor, which has been referred to as Bill 155. We had a number of people from the United States and Ontario come and talk to us about the serious increase in organized crime. Although the bill refers to assets from unlawful activity, the focus is with respect to organized crime, but could apply to any form of unlawful activity.

To talk a little bit further about what the member for Northumberland has said, one of the representatives we had was a police officer who was the deputy commissioner of the Office of Provincial Commanders, Investigations/Organized Crime. His name was Vaughn Collins. He appeared before the justice committee on February 21 and said:

“Over the past 15 years there has been a dramatic increase in the number of established criminal organizations in Canada. Their primary goal is the acquisition of wealth and the pursuit of power. Organized crime activities affect the lives of all Canadians, socially and economically. The average citizen would probably identify the crimes of drug trafficking and illegal gaming as associated with organized crime groups. Today, organized

crime groups are involved in a wide range of criminal activities which include money laundering, prostitution, illegal immigration, alcohol, tobacco and weapons smuggling, securities fraud, credit card fraud, document fraud and telemarketing, to name a few.”

This problem is widespread. What the government is trying to do is to make it much more difficult for those involved in these activities.

**1650**

**The Acting Speaker:** Response, the member for Northumberland.

**Mr Galt:** I appreciate the comments particularly from the member for St Catharines and also the member for Dufferin-Peel-Wellington-Grey. However, maybe I could just make a few comments about the member for Beaches-East York, who is concerned and talked about the proper test that would be present in this legislation, or at least it would guarantee a proper test, a proper challenge, whatever, for the individual in court. I draw to his attention that it's the province that's going to court. It's not some fly-by-night individual who would be doing this and trying to work it through the courts. The courts are there as a protective step.

There's also the fact that this legislation not only has been reviewed but we've worked with the Information and Privacy Commissioner to ensure that there would be a proper balance here. I hope that the member for Beaches-East York would recognize the kind of work that has gone into this to get a balance.

We've copied from a lot of other jurisdictions, a lot of other countries and how they brought in their legislation. We've also added to it the fact that the victim could receive some of the funds and some of the assets presently held by organized crime that would be challenged by the province for them.

As mentioned by the member for St Catharines, some of those dollars could be used to help equip some of our police forces. Sometimes there's a lack of tools to be able to go out and fight organized crime. Rather than leaving all those assets with the criminals so they can attack more victims, this legislation would allow some of those assets and dollars to go to the police force so they would have the tools to fight organized crime.

**The Acting Speaker:** Further debate?

**Mr Bradley:** This is a piece of legislation that I've had a chance to intervene in on a couple of occasions with responses. This is a piece of legislation that when you initially see it, if you're a civil libertarian, you're going to be quite concerned about it because you see the opportunity for people in authority to abuse the provisions of this legislation. I don't think people have that intention.

What militates in favour of supporting the principle of this legislation is the fact that we have a genuine problem throughout the world with organized crime. There is nobody in this House who is in favour of organized crime. There are people who are going to have different things to say about this bill, but even those who oppose

the bill are not in favour of organized crime or soft on crime.

I think the bill does allow us to take a step forward in terms of seizing the assets of those who are involved in those crimes. We always hear about money laundering. We always hear about the use of funds which are derived from criminal purposes for perpetrating even more criminal acts on a society. That is why I think we need this kind of legislation, at the least, to deal with this problem.

There was in Bill 155, which I've described previously to the House, a provision that was characterized, I don't know by whom, as the J. Edgar Hoover clause. J. Edgar Hoover, as most people know, was the former head of the FBI in the United States and considered to be a person interested in personal information and health information on people who had oversight over J. Edgar Hoover himself. So there was a concern with that provision in the legislation that it could be misused. Indeed, the Information and Privacy Commissioner expressed her concern, and I think a genuine one, about that clause. By the way, I should note that this bill has been announced at least four times. When it came back to the Legislature in the form of Bill 30, that provision had been removed. That was one which caused a good deal of angst on this side of the House.

My understanding is that the Liberal critic, Mr Bryant, has proposed further amendments to the legislation, and I hope the government is prepared to accept those amendments.

I always think that bills can be improved. I know that governments are reluctant to accept amendments that they feel significantly weaken or alter their legislation. Nevertheless, in this case I think they would be wise to look very carefully at the amendments proposed by the opposition and perhaps incorporate them into the legislation to make it more palatable to those who have concerns about civil liberties. I think that's a large section of people in the country. There's no question that it is popular to be in favour of this kind of legislation. Where the popularity diminishes is if somebody misuses a provision within it and then holds accountable those who have been in favour of this legislation. So that's a dilemma that members who are in the House have when dealing with the specific provisions of this act.

Many of us have expressed support for a bill because there's clearly an established link between organized crime and terrorism. We see terrorism as a major threat to our country and to countries around the world today. That has been recognized by Canada through United Nations General Assembly resolutions. Bill 30 would permit the seizure of assets of organized crime and terrorists alike, hitting them in the pocketbook as recommended by CSIS and other security experts.

Let's focus a bit on that because we've had an example recently of a major terrorist act with consequences which probably no one in this House or around the world contemplated, except those who were planning the act of terrorism. We have noted in news stories since—and heaven knows the news outlets have been

preoccupied with doing their investigative reporting on this, because they're certainly not doing investigative reporting on this government at this time, so they must be preoccupied with something else, and probably justifiably so. But what we have discovered in these investigations is that there is a direct link between the money we see—illegal money in many cases—and the ability of terrorists to carry out their act. Now governments are looking, I think with a good deal of interest, at how they can possibly cut off those sources.

Some countries have been more successful than others. I think all countries are now evolving toward a position where they want to cut off that source, because terrorists—for instance, in this particular case in New York and in Washington—needed the money to purchase equipment, needed the money to take lessons in flying, needed the money to pass their secrets back and forth, required funds to purchase airline tickets. In other words, there's a myriad of reasons that they had out there for acquiring funds. Now, as the FBI and CSIS and Interpol and so on look around the world, they're seeing that money was moving from one place to another, and there's a good chance that the movement of that money enhanced the opportunity of terrorists to carry out their acts which we all condemn. So this legislation probably has even more meaning today, after September 11, than it would have had previous to that. Not that organized crime by itself did not deserve legislation of this kind, but it's even more compelling when you look at the unfortunate circumstances we faced.

Ontario has lost over \$1 billion to organized crime since 1995, when this government took office, and we're falling behind in the fight against organized crime. I think most people would concede that, unfortunately. This bill I think is a step in the right direction, particularly if the bill is amended as we in the official opposition would like it to be amended.

One of the things the member for Niagara Centre dwelled on for some period of time, and I guess those of us in the opposition are more inclined to look at these matters of resources than those on the government side: I think you're going to have to hire an army of forensic accountants and prosecutors to enforce the bill or it will simply be a piece of paper that one can wave at election time. It won't have the kind of force and value we would like it to have. So it's going to require an investment in forensic accountants and prosecutors.

This allows me to deal with one of my favourite issues, and that is when you say, "Where are you going to get the money for this?" I've got a place to find it. I would recommend that the provincial Treasurer of this province, now known as the Minister of Finance, abandon the tax cut for corporations, that \$2.2-billion tax cut for corporations, or the income tax cuts we all like to get.

1700

**Hon R. Gary Stewart (Minister without Portfolio):**  
Government advertising.

**Mr Bradley:** Government advertising, I think, is another place. I always appreciate getting help anywhere I can, even from unusual places.

I think it's about \$945 million in personal income tax cuts. You can estimate from \$300 million to \$500 million that's going to vouchers or tax credits for people who will have their children in private schools. That's where we can get the money. I know the government doesn't want to slash other areas to find the resources for this legislation's implementation. I know the government doesn't want to run a deficit. I think the days of deficit financing are somewhat behind us right across the country. In fact, right across North America and the world we see much more fiscal accountability. I think we saw a movement around the world well away from fiscal accountability—in other words, balancing the books—to a position where we have that to be the norm today. I can understand the government saying: "We don't want to go into a deficit position. We don't want to have to cut health care, education and environmental protection to find the money for the resources to implement this bill."

My positive solution is that we abandon government advertising, which is \$235 million since this government has been in power, and that we forgo the tax cut to the corporations, which is \$2.2 billion and would put us 25% below adjacent American jurisdictions. We're already very competitive. We shouldn't be uncompetitive; we're very competitive. I'm prepared to give up my income tax cut to ensure that we have the necessary forensic accountants and the prosecutors to enforce this bill. It has good potential, but it will not be appropriately implemented without those resources.

We find that the Harris government, until very recently when we had some anti-terrorist announcements made, had committed only \$4 million to fight organized crime, when I think there's an admission that organized crime costs our country some \$7 billion a year.

It's always interesting to follow the path of these pieces of legislation. This one has been announced several times. The initiative was first announced in the Toronto Sun in May 2000. I can certainly understand why it would be in the Toronto Sun. I won't go into that in great detail, but it was announced then. Attorney General Flaherty, as he was then, attended four summits on organized crime, in Vancouver, New Jersey, Delaware and Washington. In August 2000, then Attorney General Flaherty hosted a summit on organized crime in Toronto, and the government introduced this bill in the fall of 2000, only to let it die on the order paper. So it has had some history before it actually reached the House in its present form.

We have concerns—and I think they are significant concerns—that the bill is overly broad in its provisions, potentially capturing activities that have nothing to do with organized crime. That's why we're introducing some amendments to narrow the scope of the bill's application. We think it should be applied to organized crime, but several members of the House who have spoken have mentioned instances where it could be



applied where I think the average citizen is going to be highly annoyed and agitated.

There are already significant powers of seizure available to the crown under the Criminal Code. In committee hearings, Professor Margaret Beare of Osgoode Hall Law School said, "Ontario is the province that tends to use" the existing power of seizure "less than some of the other provinces."

I think there has been a major change made from Bill 150 to Bill 30. I think there are other changes that could improve the bill. There's no question in my mind, and I'm sure in my colleagues' minds, of the need for this legislation and I want to see this legislation passed, if we can, during the fall session of the Legislature, with appropriate input. But I think it's needed.

I think it's unfortunate and unfair that our police forces that are battling organized crime find themselves sometimes with one hand tied behind their back because they don't have all the tools that they would need. Probably focusing in the public mind more than anything has been the utilization of illegal funds, funds derived from crime, for the purposes of perpetrating upon the population of the United States and some other countries acts of terrorism that have a damaging effect on our society.

So I believe that this bill is worthy of some support and I hope it can be improved as we have asked. We certainly support the crackdown on crime and its causes, and we will, as a vigilant opposition should, be watching to see in the subsequent budgets brought forward by the government where the funds are that are devoted to the implementation of this legislation. Because it's not easy. I think people should never assume that it's easy for our police forces to deal with highly sophisticated international syndicates of crime that have lots of money and can hire the best of people, albeit with illegal money, to carry out that which they want to have carried out. So we've got to have our police with the opportunity to combat this organized crime.

There are a number of ways we can do that—certainly the provision of the necessary number of police officers and equipment on the front line to deal with it. That's outside the parameters of this bill, but it's in addition to this bill. Having police officers there to be able to respond in a timely fashion to crimes that are committed is something that everybody in our community, and I'm sure every community across this province, would want to have. So any additional tool that we can give to our police forces to combat organized crime, to combat serious crime, without intruding unnecessarily on the rights of individuals, is a piece of legislation that is worthy of serious consideration and of support.

I know that we will hear further from those who are in the legal profession. We have some members of this House—I'm not one of them—who happen to be lawyers. We have a member who has served on the bench as a judge who would have some background knowledge on this. We have members of the Legislature who have served in—I can think of at least one who has served on a

police force. So we have some input from people who are on the direct line of the prosecution and of the enforcement of laws and dealing with the court system. The parliamentary assistant—who I think should be a minister in this government, is certainly capable of being a minister; I know he won't put this in his campaign literature—has pointed out how this bill can be applied in a manner that (a) will deal with organized crime, but (b) will not be utilized against people for unnecessary reasons.

Our media and our bar, as they call it, the lawyers, are going to be vigilant as to how this is applied. If it's misapplied, I can be assured, I believe, that members of the legal profession, members of the judiciary and those who are in the news media will be quick to draw it to the attention of the governing party and of members of the Legislature, so that if there are further amendments that are required to the legislation, those amendments can be made.

I think we have a situation where those of us in the opposition, at least in the official opposition, see enough in this bill which combats organized crime to be able to support the legislation. We hope not only will the amendments be made but we hope the government will give a commitment to monitor this bill to see how it's being applied and to see if it is in any way being abused, because whenever we abuse these powers we have some problems.

Because there's an oversight—and the parliamentary assistant has mentioned this, there is a judicial oversight—I think some of the angst is removed. There's both a judicial and another oversight with this legislation. For instance, when you're asking for wiretaps at any time or you're asking for seizure of goods or you're asking for intrusion into someone's home setting, it is always much more acceptable if you have a court or a judge ruling on that application by the enforcement personnel, because without that there is a potential for abuse. With that oversight, we see that potential very drastically reduced. I think that's what's happened with this bill.

So I conclude my remarks on this legislation and hope that the necessary changes can be made and that the final bill that we see implemented will be a bill which overwhelmingly in this province will be supported and which will have the effect of dealing with proceeds of crime being used by those who perpetrate the crimes and that we can seize those proceeds and ensure that they aren't to be used for the benefit of those who are engaged in criminal activity.

1710

**The Acting Speaker:** Questions, comments?

**Mr Prue:** I listened to the member for St Catharines and I thank him for his opening statement. Those of us who are critical of some aspects of the bill, in particular sections 16, 17 and 18—that's the only part of which I am personally critical. The rest of the bill is absolutely fine. The member for St Catharines went on to say, though, that none of us here in this House are soft on crime, and I thank him for that, because I would hate for

anyone in this House or anyone watching this on television to think that I have ever been or would ever be soft on crime.

We need in this country to take a far more serious view of criminal activity than we have in the past. We need to take a far more serious view on terrorism than our country has done in the past. Again, I go back to those provisions of sections 16, 17 and 18, which civil libertarians find offensive or somewhat offensive. It's because it establishes a lower test for the finding of guilt and therefore a lower test on how property can be seized. I give but one example, because the member for St Catharines talked about terrorism. Terrorists take many forms but one of the forms that one sees most often today in the newspapers is when a person is accused under the Immigration Act of being a terrorist or being involved in terrorist activities or where a person has profited a terrorist group.

For a person under the Immigration Act, what is necessary is for a certificate to be issued. I know this, having been a former counsel to the Minister of Immigration for 14 years. A certificate is signed by the Minister of Immigration and by the Minister of Justice. The certificate therefore exists and there is literally no defence for the person who is so named, because they will never know the sources. That same person, not knowing the sources, would then be a terrorist subject to deportation and could have his assets seized and would never know the reason why. People have to start thinking that maybe this—

**The Acting Speaker:** Thank you. Questions or comments?

**Mr Tilson:** To the comments made by the member for St Catharines, he did refer to a number of amendments that were put forward by the Liberal caucus, their very able critic, Mr Bryant, the member for St Paul's. I believe there are four amendments and we've rejected those amendments. There are at least two, quite frankly, that we rejected because we believe, with legal counsel, that they extended into the federal jurisdiction. They may have been admirable amendments, but we didn't feel that it was within the jurisdiction of the province to pass what Mr Bryant was suggesting. So that was the reason why, and I think that was supported by the New Democratic caucus as well.

However, I am pleased that the Liberal caucus is supporting this legislation. The member for St Catharines talked about how, by a gigantic coincidence and it's unfortunate we have to talk about September 11, it does cover that. We refer to the bill as "proceeds from organized crime," but it's not that. If you look at sections 2 and 3, I believe, we talk about "proceeds of unlawful activity," which would proceed into the area of terrorist activity that he spoke of. If it's established through the police, the gatekeeper and finally the Attorney General that you can take an action to the courts, unlawful activity that is undertaken by people who are conducting terrorist activity, the assets could indeed be seized.

With respect to the proceeds, and the member for St Catharines referred to the proceeds, people from other jurisdictions who have this legislation already came to us and talked about that. There were some of the American jurisdictions. If assets, and it could be cars, it could be money, it could anything, were not—those proceeds could be used by the police or other law enforcement agencies to fight crime.

**Mr Caplan:** I want to congratulate the member for St Catharines on his remarks in relation to Bill 30. While I was here, I was in the west gallery, and I want to introduce to the House Judy Codd, who happens to be a trustee here in the city of Toronto, her daughter Beckie, and Joyce Ma. They are here with Judy on Take Our Kids to Work Day.

*Applause.*

**Mr Caplan:** Thank you. Many of the members would remember that Beckie was one of our pages here last year. She made a comment to me. She said, "Wasn't this bill debated at a previous time?" I said, "You must be referring to Bill 155, which was introduced by then-Attorney General Jim Flaherty. It was a similar draft to this bill, except some of the offensive sections that were in that bill have been left out, Beckie, in Bill 30." The infamous J. Edgar Hoover clause is one example. The sweeping powers to seize health records have also been removed.

Bill 30, while it's not a perfect piece of legislation, is certainly palatable, is much more acceptable. While Liberals have introduced amendments to the bill that unfortunately have been rejected by the government, we feel there is sufficient merit to support Bill 30. I think the member for St Catharines very ably laid out our concerns and what areas we support.

I wanted to bring that to your attention. Once again, I congratulate the member for St Catharines on his remarks.

**Mr Jean-Marc Lalonde (Glengarry-Prescott-Russell):** I have to congratulate the member for St Catharines for his knowledge and also his comprehension of the importance of that piece of land. As a former Minister of the Environment, he's definitely aware of the importance of such a piece of land.

When I looked at a map that shows the distance of this Oak Ridges moraine area land, it starts off east of Northumberland, which is the riding of Dr Galt, the member for Northumberland, and it goes right down to Dufferin, which is, to me, approximately 125 kilometres long. So I see the importance, especially when it comes time to recognize what we have in there at the present time. All the people of this huge city of Toronto like to go outside on a weekend and take a walk on this very important piece of land, which is the Oak Ridges moraine.

Once again, we have decided that we will support it, but not without coming up with some amendments to it.

1720

**The Acting Speaker:** Response?

**Mr Bradley:** I appreciate the remarks from all the members. It's nice that there's the flexibility in this House that we can provide input even on speeches that were made previous to this afternoon. That is, I think, one of the encouraging things. I appreciate all the comments that have been made.

I want to say that this is not the kind of bill that a lot of people approach with enthusiasm. I think it's the kind of bill you look at and say is necessary. It's probably something we wish we didn't have to implement. We probably wish there wasn't the threat from organized crime. We probably wish people did not use the money they derive from those crimes to perpetrate further crimes and that it wouldn't be necessary to seize assets from people.

But that's not the world in which we live. We live in a very difficult world, particularly today, as we recognize. So when I hear members of the Legislature speaking about this bill, I'm not unmindful of the fact that most members of this Legislature would wish this legislation wasn't required and would want to be careful in how it is applied.

I find it unfortunate that the legislation has not been amended by the amendments proposed by Michael Bryant, the Liberal critic. Nevertheless, it is the prerogative of the government to either accept those amendments or not accept them. One would hope that upon passage of this bill the government will monitor its effect and, if it deems it appropriate, may well wish to accept at least a couple of the amendments that have been put forward by Mr Bryant and bring the legislation back and improve it from its present state.

**The Acting Speaker:** Further debate?

**Mr Rosario Marchese (Trinity-Spadina):** It's good to have these opportunities to speak on these bills.

It's always good to see David across from me. He's here all the time—it's amazing—and a few other members: Dunlop as well, and Gill, always here. It's good to see them in this House. I want to tell the citizens of Ontario that a couple of members are always here, whether they're on duty or not. Mr Tilson is always here. I think he's here because he supports me for leader, I presume, of the Conservative Party. Is that it? But I'm afraid I just can't do that.

I'm speaking against Bill 30. Our critic has spoken against it.

**Mr Garfield Dunlop (Simcoe North):** Come on. We're counting on you.

**Mr Marchese:** I know. Every time they introduce a bill having to do with crime, these Conservative members just expect the opposition parties—at least the Liberals are obliging you—

**Mr Dwight Duncan (Windsor-St Clair):** On a point of order, Mr Speaker: The member is always worth listening to, and I note there may not be quorum.

**The Acting Speaker:** Is there a quorum present?

**Clerk Assistant:** A quorum is not present, Speaker.

*The Acting Speaker ordered the bells rung.*

**Clerk Assistant:** A quorum is now present, Speaker.

**The Acting Speaker:** Quorum being present, the member for Trinity-Spadina.

**Mr Marchese:** Thank you, Speaker. And I thank my Liberal colleague for calling the Conservative caucus to come and pay attention because they get paid the big bucks to do that.

**Mr Jerry J. Ouellette (Oshawa):** Because your members won't come to listen.

**Mr Marchese:** My members don't have to listen to what I have to say. It's you who have to listen to what I've got to say because we're debating your bill, not mine. When we debate your bills, it's up to you to listen to the opposition to determine whether or not there are things—

*Interjections.*

**Mr Marchese:** They're not happy.

**The Acting Speaker:** Order. The member for Trinity-Spadina has the floor. He is the only one permitted to speak. The member for Trinity-Spadina.

**Mr Marchese:** Thank you again, Speaker.

I have 17 minutes to chat with you briefly about this particular bill. I would say to the citizens of Ontario that it's now 5:25 of the clock, we are on live and we are discussing Bill 30, a bill called "organized crime." That's the way it's listed here.

Of course, those of you who faithfully follow this political channel will remember that this government had introduced a similar bill a while ago, with a great deal of fanfare, you understand: the gongs, the cymbals. Every time they introduce a bill connected to issues of crime there is always fanfare. There is always a trail of people with cymbals just cheering the government on. You will remember that this bill, introduced in a previous life, was killed by this government in the last session. Lo and behold, they introduce it again in this session, again with fanfare and cymbals and press conferences, talking to you, Ontario citizens, about how tough this government is on crime. That's what they're good at. They're good at putting together press conferences reminding you that this is the only government that cares about dealing with issues of crime.

*Interjection.*

**Mr Marchese:** My buddy from Ottawa West will understand what I'm talking about when I'm about to criticize his colleagues, because a couple of weeks ago the member for Ottawa West had a bill before this House urging his government members, and the opposition parties, to support him in his efforts—and we did—to, in London, go after the pedophiles who not only assaulted but humiliated and destroyed the lives of so many young people, now much older. Through his efforts we have a bill that hopefully will be debated and, once and for all, we hopefully will get people—

*Interjection.*

**Mr Marchese:** You're right. When we were in government we didn't do what Mr Guzzo from Ottawa West is hoping to get us to do at the moment. You're right, some of the Conservatives who were talking about this. I am happy to report that some of the Conservative

members have supported Mr Guzzo's bill, at least getting it to committee for debate. We'll see what happens to that bill. But I congratulate him, because the member for Ottawa West said, "We have to go after the pedophiles—past, present and future."

He made reference that day to the fact that this government, oh yes, has been so tough on the squeegee kids. Do you remember, member for Ottawa West, you said that? I agree with you because I too in this House have said, "Oh yes, you've been tough on crime. Where have you been tough on crime? You went after squeegee kids a couple of years ago." That's the extent of your toughness. That's the extent of how powerful you people are. You went after harmless little individuals who were on the street corners of Spadina and King and Bathurst cleaning the windshields of your cars and mine, and you were so effective in going after them and clearing them off the streets—

**Mr John Hastings (Etobicoke North):** Threatening people.

**Mr Marchese:**—so that Mel Lastman could be happy with you in his efforts to clean the streets of these people. Oh boy, John, were you tough in doing that.

**Mr Hastings:** It's OK to threaten people in this society, is it? It's OK to threaten people?

1730

**Mr Marchese:** We're debating the bill. I'm not sure what it is that you think I've said that isn't part of this bill.

**Mr Hastings:** You leave things out, that's why.

**Mr Marchese:** I'm saying to you, Speaker, and through you to them—because they're attentive, you will understand. Oh yes, they can be tough on harmless individuals trying to make a buck, trying to clean your windshields. You did that well. Now there are no squeegee kids, of course; they're finding different ways of making a buck.

You will recall, and perhaps former Judge Guzzo will agree with me as well, that yes, you introduced a Victims' Bill of Rights, and we've spoken about that particular bill in this House. You were going to give rights to victims and for that very reason you brought forth a bill in this place a couple of years ago that said victims have rights, and it's only in the bill and the title of the bill, that's all. The rights you gave victims were a couple of pages of the Victims' Bill of Rights, with a title that says, "You victims, we feel for you. We're going to give you rights." They just put it in the title of the bill and that's the extent of it. Mr Dunlop, you understand what I'm saying. It's really funny, right?

This is how strong and powerful they are, giving victims rights only on paper and only in the title of the bill. When we've had victims like Linda Even and Karen Vanscoy using your bill, the Victims' Bill of Rights, to go to court to seek redress—because they understood through you that they had inherent rights that were contained within that bill; that they could go to the courts, seek redress and find satisfaction because you had given them rights in that bill. They took it to court feeling

very confident that you were going to be tough on those criminals and you were going to be on the right side of that fence by giving victims power they so richly deserve. So they take it to court and those poor victims, those two women, realized in the course of those events that they had no rights. Judge Day ruled against the victims saying, "Sorry, this bill has no rights inherent or contained within it."

Your lawyers, your very lawyers of the Ministry of the Attorney General, went in front of the judge and argued there were no rights in the bill. But you so smugly paraded the bill, making it appear that you had given someone something that was not contained in the bill. Oh yes, you're so tough on crime and so tough on criminals, but where it really matters, you're not there.

Yes, your corrections minister has introduced grooming techniques or methodologies and/or grooming exercises. I'm not sure quite what to call it. So your corrections minister is going to get into those jails and he's going to be tough on those criminals. What has he instituted to get tough in corrections? He's going to make sure their hair is combed, presumably, and that maybe they're shaven cleanly or perhaps wear a nice white T-shirt or a white shirt, I'm not quite sure; or maybe make sure that their toenails are clipped properly, and let's not forget the fingernails. Right? Oh yes. Oh boy, is this government ever so tough on criminals. They're talking about grooming. I don't know how you guys could stand upright, Tory members, and say, "We're going to be tough on crime."

**Mr Hastings:** We were and are.

**Mr Marchese:** John Hastings from Etobicoke Centre—

**Mr Hastings:** Yes, way out in Mars.

**Mr Marchese:** Somewhere out there in Etobicoke. It's not far from me. You're still in the city of Toronto. This is what they propose by way of being tough on crime. Do you remember the gun law? You were going to prohibit anyone under 18 from having a toy gun. But anyone over 18—

**Mr Dunlop:** C-68?

**Mr Marchese:** Yes, that was a Liberal study that you guys adopted. I understand. But you guys liked the bill because you wanted to be tough on crime. So toy guns were to be prohibited for young people below the age of 18, but those over 18 could presumably legally get them and pass them on to somebody else.

Peter Kormos said, "Look, we've got to toughen this up. If you're going to be tough on crime and if you believe toy guns are dangerous, you've got to make sure they're illegal for all. You've got to ban them for all, young and old." You just eliminated kiddies' having them, but what prevents some Conservative individual or whoever saying, "This is just a toy gun. I'm going to buy it for my little grandchild or somebody else," and just passing it on? Unintentionally, perhaps; not intentionally, I would assume. That's the extent of your legislation regarding being tough on crime.

I give you this, people watching, good Ontarians all: see, you get a context of what it is that these Conservatives present to you by way of how tough they are on crime. When it comes to being tough on crime, Peter Kormos, my buddy and colleague from Niagara Centre, has often attacked this government for not putting enough money into the police force, where properly our resources need to be put. If you don't have enough police men and women in our streets of Ontario to protect Ontarians from crime—from break and enter, from all types of fraudulent activity that the police do not have the time to pursue because they don't have the resources—if you don't put the resources to fund—John, nice to see you—to make sure that the police men and women have the money to do their job, if you don't do that, you're not being tough on crime.

How often, good citizens, have we reminded you that under the NDP's regime we had 1,000 more police men and women in the streets than these people do in a good economy. For the last six years, we've had 1,000 fewer police men and women in the streets of Ontario, and that in a good economy. If this government cannot put the money into essential services when there is money, what can we expect of them when there is little money? This recession is here, it's going to stay for a while; it always does. It stayed when we were in power as New Democrats; it's going to stay with you in spite of the fact that interest rates are so very low. In spite of the interest rates being so very low and in spite of the fact that you people have introduced these fiscal policies to give billions of dollars away to high-income earners—your buddies, mostly—we have a recession.

You have not been able to prevent the recession from coming. Mike Harris, who claimed he was going to make this economy recession-proof, has not been able to do it. That's why he's leaving. He's departing in a jiffy to get out of here because he knows, when the recession comes, it will not be pleasant. Mike decided that he's had six good years, and good years in opposition, that he will not be able to withstand the pressure of the recession, that he might, as a result of his policies, lead us into complete economic disarray, and he doesn't want to be left there driving the limousine. He wants to leave it for somebody else to take care of that worn-out jalopy. That's why he's leaving.

*Interjections.*

**Mr Marchese:** Speaker, I say to you, man oh man, do they whine. I have never seen so many government members whine as this Tory bunch. I used to remember Gary Carr in this place in opposition, Minister Stockwell when he was here and Mike Harris, just attacking Bob Rae for daring to say that the federal Conservative government, followed by the federal Liberal government, had not put in their fair share of the transfer payments to Ontario. We were in a recession. We were hoping the Conservative government at the time—Mulroney you will remember—and the Liberals who followed—M. Chrétien et al—we were expecting some charity from them, that they would flow some dollars—

1740

**The Acting Speaker:** The member would know he's maybe straying a bit afield from Bill 30. I know he's about to tie it all together, but I would appreciate it if he did that shortly.

**Mr Martiniuk:** He doesn't even know what bill that is.

**Mr Marchese:** I know some of them are very sensitive when I talk about Liberals. They don't mind when I talk about Tories. I understand that. I want to be fair. We didn't get our fair share. Now they whine about how the federal Liberal government isn't giving them any money to deal with issues of crime, with issues of our health care system and our educational system. They claim—all right, Speaker, I know you're bored of the topic.

This bill doesn't get to the heart of the problem. We need more judges. We need more lawyers—who are plea-bargaining with judges because there are not enough crown attorneys to deal with the issues that come before them. They have to plea-bargain and get those issues out of the way as fast as they can. They shouldn't be plea-bargaining because we don't have enough. They should not be plea-bargaining on issues of serious crime. They are doing it because they don't have enough crown attorneys and they need to move that on. So many of those issues are not dealt with. Those of you who are lawyers on that bench know that.

This particular bill will ensnare possibly innocent victims—and we are worried—because the Criminal Code has a threshold that is higher than the civil code you want to apply to these so-called potential criminals. The Criminal Code has a higher threshold. What is that? You prosecute on the basis of reasonable doubt. What this bill does is potentially prosecute people on the basis of probability, on the basis of mere probability, not beyond reasonable doubt. There is a 95% potential that people will be convicted on the basis of that higher threshold. The Criminal Code exists to deal with the issues you want to deal with. What do you do? You present a bill that will not do it, and that in fact may capture and snare innocent victims.

You, Speaker, ought to be concerned. We are concerned about that. We are saying we don't want innocent victims to be captured by this law. The Criminal Code exists to do that. We say, use that higher threshold of reasonable doubt; don't use the civil code of probability, because you're likely to punish people who are innocent. You're likely to take the property of individuals who are innocent.

We say to you, good citizens, these Tories are not tough on crime. All they do is present bills in this place with titles that say, "We're dealing with crime," and that's the extent of their agenda on these issues. It's just so—it's almost criminal. One gets filled with tears talking about it. It is criminal that they could present such bills, which will hurt innocent people. It's for that reason that New Democrats will oppose this bill and vote against it.

**The Acting Speaker:** Questions and comments?

**Mr Dunlop:** I have to say that every time the member from Trinity-Spadina stands up, it is entertaining. We on this side of the House enjoy your comments. We don't always agree with what you're saying. What disappointed me was, watching the World Series game the other night, I noticed the winners of the Emmy Awards along the bottom of the screen. Rosario—I'm sorry, the member—didn't win an Emmy. I was sure he would win one, because the entertainment from the member from Trinity-Spadina is better than you see on a lot of TV programs. I appreciate him here in the House.

A couple of quick comments, Mr Speaker. His comments about the squeegee bill—I know he hates the squeegee bill. I would suggest, from this side of the House, that a great private member's bill to introduce would be one to take the squeegee bill away. I'd like to see the support for that. I'd like to see what's so terrible about this bill. I've heard nothing but good about it. I don't see people harassing people on the streets, so possibly, as a suggestion, you could bring in a bill to reintroduce the squeegees on to the streets of Ontario.

The second comment you made was something about a gun bill, and you kept pointing at us.

**Interjection:** Which bill was he talking about?

**Mr Dunlop:** I think he must be talking about Bill C-68, which is a federal bill. I agree, and I think everyone in this House probably agrees, that there has probably been no more disastrous bill in the history of this country than Bill C-68. I forget the man responsible for it, but I think his name might have been Rock. I don't know if it was Allan Rock or not, but I think he promised it would cost something like \$60 million a year to implement this program. With the events that are happening in Miramichi right now in New Brunswick, I think we're up to \$700 million now, and it still isn't implemented. And guess what? The criminals still have the guns. All the hunters and so on are registering and they're making sure that everything is up to par as far as registration goes, but the criminals still get their guns.

I hope everyone supports this valuable piece of legislation.

**Mr Duncan:** I'm pleased to respond to my colleague from Trinity-Spadina. First of all, I know his party is not supporting this bill. He put their arguments well. We have decided to support the bill and I personally have voted in favour of the bill, because since the introduction of Bill 155 in the previous session, the government got rid of the so-called J. Edgar Hoover clause.

I think all of us are cognizant when we introduce initiatives of this nature that there are always questions around civil liberties and how bills like this will impact on those. On balance, I feel the bill is a good step forward. We proposed a number of amendments, most of which were not taken up; however, the bill itself remains fundamentally strong.

The New Democrats, in my mind, are not cognizant of the realities of September 11. That is another thing that has changed the dynamic on debates about this and many

other things. I believe that given the climate, given the need to deal not only with organized crime but with terrorism—by the way, there are the links between organized crime and terrorism—it's incumbent upon us in this assembly to accept this bill, given the flaws we have pointed out in committee and given that the government would not accept our amendments. I think it's important at this time especially that we do this.

We also need to keep in mind, as the war against terrorism proceeds and eventually the forces of goodness triumph over evil, not only here but around the world, that we review these types of provisions from time to time to ensure that the very basic civil liberties we have come to expect as a society continue to be respected.

While not perfect, the bill represents an important step forward. I was pleased to vote for it on second reading, and I'm pleased to vote for it in support on third reading.

**Mr Prue:** I listened, at least for the last part, to my distinguished colleague from Trinity-Spadina, and I agree with the members opposite that he is quite an entertaining and brilliant speaker. He's even better on television than he is in person. He captures the entire screen.

What he said in a nutshell, and what was important and has not been dealt with in this bill or in this House or in any way I have seen at all in this Parliament for many years, was that we are woefully underfunding our judges, our system of justice. We are woefully underfunding the number of crown prosecutors. It takes years to get something before the courts. We have a system that allows for plea bargaining and delays, which allows people to get off. It allows the innocent to be caused a lot of problems and it allows the guilty occasionally to get off, because the delays are innumerable.

We have a problem where there aren't as many police officers in this province as there were only five years ago, even though many people will tell you that criminal activity in certain spheres is up, particularly violent activity.

The immigration department, which is largely a federal responsibility but for which this province does have jurisdiction under the BNA Act and has done absolutely nothing in its whole history—it's the only province in Canada that has not signed an accord. They have cut back the number of immigration officials, the number of people who look for illegal immigrants and those who may be involved in terrorism, and they have not spent sufficient money on CSIS.

With the greatest respect to my Liberal colleague over there who said the NDP does not understand the forces of September 11, the federal Liberals and the Conservatives before them in Ottawa had never understood one iota of what terrorism was in this country and what was happening in the immigration department and what was happening with people who were coming here with fraudulent claims and no identification whatsoever. They have never understood and it's about time they understood—

**The Acting Speaker:** Thank you. Questions, comments?

1750

**Mr Tilson:** I enjoy coming to this place for a number of reasons, but one of the many reasons is to listen to the member for Trinity-Spadina. In my riding, from time to time, as in most of our ridings, we have something called a fundraiser, where we try to raise funds for our various political parties. We're always looking for speakers to come to our ridings, people who are controversial, who are very flamboyant. I would love for the member for Trinity-Spadina to come to a Conservative fundraiser in my riding. I don't know whether he'll come or not, but he's such an outstanding, colourful fellow. I don't know whether he'd come or not, but I will say that.

He talked about a number of things. He went down the list from squeegee kids to the Day case—or what is called the Day case; it's after a judge, actually—he talked about grooming of criminals, he talked about toy guns. “We need more lawyers,” he said. “We need more lawyers.”

**Mr Kormos:** What did Shakespeare say about lawyers?

**Mr Tilson:** That's right. The member for Niagara Centre said, “Listen to what Shakespeare said,” and that's true. But the member for Trinity-Spadina said we need more lawyers. One point I would like to make is that it is interesting that he should raise that issue, particularly with the topic of Askoving, which has become part of language, which developed, I think, with the Liberals. I won't refer to the former Liberal Attorney General. But it did move over when you people, the New Democrats, were in office, and the problem became far worse when you were in office. I will say that the number of crown attorneys, since we have taken office, has doubled, since 1989.

**The Acting Speaker:** Response? The member for Trinity-Spadina.

**Mr Marchese:** Thank you, Speaker. You're so charming.

I just want to thank my friends and enemies, and I've got a few Conservative friends from time to time. They are kind to me and I'm glad they find me entertaining. I'm here to please them too. Mostly I'm here to please Ontarians, but if in the process you were pleased and entertained, God bless; I'm happy. If the member for Dufferin-Peel wants me to go to his riding, to his fundraiser, I want to share in the profits, because at our fundraisers we only charge \$25. I know that at his fundraisers it's probably \$200 and up. I want the proceeds.

Member for Ottawa West, if you're having a fundraiser and you want me to speak, I'll share the proceeds with you as well, as long as you give me the liberty to speak on whatever issues, particularly on issues of crime-related bills, please.

I've said here in this place that what we need is for this government to commit itself to dealing with issues of crime, but in a serious way. Peter Kormos, from Niagara Centre, has often said we have 1,000 fewer police men and women now than we did in 1992, and that's wrong. They can't do the job of following up on issues of break-

and-enters; they can't. They don't have the money and/or the resources to do it.

We need crown prosecutors, I said, member for Dufferin-Peel. That's what we need, and that's why: because there are so few of them, they're plea bargaining—on issues of real crime, plea bargaining. As the member from Niagara Centre said, it's not right. And we need more judges to deal with the issues that come before them, not fewer of them. You people, in a good economy, haven't done that.

This bill, which uses the civil court's threshold of balance of probabilities, will ensnare innocent victims. That's wrong. This bill, that says, “An offence may be found to have been committed even if a person has not been charged,” is wrong, and it will ensnare innocent victims.

**The Acting Speaker:** Further debate?

**Mr Prue:** I rise—and I understand that I may not have very much time until 6 o'clock—to speak against the bill.

*Interjections.*

**Mr Prue:** Are you calling a quorum?

*Interjections.*

**Mr Prue:** I'm rising to speak against the bill. I'm rising because I find particularly objectionable sections 16, 17 and 18 of the bill. I rise because I think this is an assault on our civil liberties, that this country was founded on the rights of individuals to be presumed innocent until found guilty. The people in this country have always had the right to collect their own property and to hold on to that property, unless it was justifiably taken away by a court of law.

We have many remedies in this country, and the best one of all is the Criminal Code. The Criminal Code has been developed in Canada since Confederation, even prior to Confederation, and clearly sets out the rights of the accused, clearly sets out the right to be presumed innocent and clearly sets out the remedy in law that the state can take away those rights and incarcerate them. It clearly takes away when people can have their rights taken away.

*Interjection.*

**Mr Prue:** The people opposite are worried about organized crime and about terrorism, just as I am. I have told you time after time when I've been standing up here talking that we all have to be vigilant against organized crime. Organized crime is a terrible thing in all of its forms, no matter how it exists. We have to fight them. We have to fight them to the best of our ability, and the best of our ability is to do that which the state has the authority to do and which only the state can do: the authority to have sufficient police officers to investigate, the authority to have sufficient judges to sit in judgment, the authority to have crown prosecutors who are properly trained to present the evidence. That is where the authority should be vested. If the authority is properly vested there and if there are sufficient resources, then we do not need these other tools. With the greatest of respect, we will not have the need for them. To take the unprecedented step that is being set out here in sections 16,

17 and 18 is to potentially deny innocent people their right to own property, potentially to have them have that property taken away without sufficient cause, and that is the reason I am standing here.

Much has been said in the last few days about terrorism and if anyone—everyone; I don't want to say I'm special in any way. September 11 had the profound effect on every person on the face of this planet who cares about innocent victims. It has had a profound effect on every person who abhors terrorism, who abhors violence and who saw what happened to those innocent people in New York City, in Washington and on the plane that was diverted. Everybody has seen that and everybody is opposed to that. Any thinking, caring, sensible person is opposed to that.

Terrorists have been added to this bill, and that's a good thing, but how does one determine who is a terrorist? How is one a terrorist? The only part of any act of the federal government of this country that I am aware of that deals with terrorism, that actually can name a person to be a terrorist, is the immigration legislation, which sets out very clearly the authority of the state to deny entry to

a terrorist. That used to be in section 19. I'm not sure that it still is, because I've been out of that business for a while. Also, under section 27 it determined how to get rid of a person who was a terrorist. It was one of the prohibited classes.

To be a terrorist was very simple. All it required was for the Minister of Immigration, along with the Minister of Justice, to sign an affidavit, a certificate that the person was so named. That person was then a terrorist. They had the right to present evidence before a judge, but they never got to know the full case before them, and still to this day do not have the right to know the full case before them. They are hauled before a judge who will set out that they are terrorists and they are offered an opportunity to explain their circumstances and are given counsel, without ever knowing the full case. In the end, and I—

**The Acting Speaker:** I apologize to the member. You will pick up the debate when this order is called again.

It being 6 of the clock, this House stands adjourned until 6:45 of the clock this evening.

*The House adjourned at 1800.*

*Evening meeting reported in volume B.*



**LEGISLATIVE ASSEMBLY OF ONTARIO**  
**ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO**

Lieutenant Governor / Lieutenante-gouverneure: Hon / L'hon Hilary M. Weston

Speaker / Président: Hon / L'hon Gary Carr

Clerk / Greffier: Claude L. DesRosiers

Clerk Assistant / Greffière adjointe: Deborah Deller

Clerks at the Table / Greffiers parlementaires: Todd Decker, Lisa Freedman

Sergeant-at-Arms / Sergent d'armes: Dennis Clark

| Constituency<br>Circonscription                           | Member/Party<br>Député(e) / Parti                                                                                                                                                                  | Constituency<br>Circonscription                    | Member/Party<br>Député(e) / Parti                                                                                                                                                                                                                       |
|-----------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Algoma-Manitoulin                                         | Brown, Michael A. (L)                                                                                                                                                                              | Halton                                             | Chudleigh, Ted (PC)                                                                                                                                                                                                                                     |
| Ancaster-Dundas-<br>Flamborough-Aldershot                 | McMeekin, Ted (L)                                                                                                                                                                                  | Hamilton East / -Est                               | Agostino, Dominic (L)                                                                                                                                                                                                                                   |
| Barrie-Simcoe-Bradford                                    | Tascona, Joseph N. (PC)                                                                                                                                                                            | Hamilton Mountain                                  | Bountrogianni, Marie (L)                                                                                                                                                                                                                                |
| Beaches-East York                                         | Lankin, Frances (ND)                                                                                                                                                                               | Hamilton West / -Ouest                             | Christopherson, David (ND)                                                                                                                                                                                                                              |
| Bramalea-Gore-Malton-<br>Springdale                       | Gill, Raminder (PC)                                                                                                                                                                                | Hastings-Frontenac-<br>Lennox and Addington        | Dombrowsky, Leona (L)                                                                                                                                                                                                                                   |
| Brampton Centre / -Centre                                 | Spina, Joseph (PC)                                                                                                                                                                                 | Huron-Bruce                                        | <b>Johns, Hon / L'hon Helen</b> (PC) Minister<br>without Portfolio (Health and Long-Term<br>Care) / ministre sans portefeuille (Santé<br>et Soins de longue durée)                                                                                      |
| Brampton West-Mississauga /<br>Brampton-Ouest-Mississauga | <b>Clement, Hon / L'hon Tony</b> (PC)<br>Minister of Health and Long-Term<br>Care / ministre de la Santé et des<br>Soins de longue durée                                                           | Kenora-Rainy River                                 | Hampton, Howard (ND) Leader of the<br>New Democratic Party / chef du Nouveau<br>Parti démocratique                                                                                                                                                      |
| Brant                                                     | Levac, Dave (L)                                                                                                                                                                                    | Kingston and the Islands /<br>Kingston et les îles | Gerretsen, John (L)                                                                                                                                                                                                                                     |
| Bruce-Grey-Owen Sound                                     | Murdoch, Bill (PC)                                                                                                                                                                                 | Kitchener Centre / -Centre                         | Wettlaufer, Wayne (PC)                                                                                                                                                                                                                                  |
| Burlington                                                | <b>Jackson, Hon / L'hon Cameron</b> (PC)<br>Minister of Citizenship, minister<br>responsible for seniors / ministre des<br>Affaires civiques, ministre délégué aux<br>Affaires des personnes âgées | Kitchener-Waterloo                                 | <b>Witmer, Hon / L'hon Elizabeth</b> (PC)<br>Minister of the Environment /<br>ministre de l'Environnement                                                                                                                                               |
| Cambridge                                                 | Martiniuk, Gerry (PC)                                                                                                                                                                              | Lambton-Kent-Middlesex                             | Beaubien, Marcel (PC)                                                                                                                                                                                                                                   |
| Chatham-Kent Essex                                        | Hoy, Pat (L)                                                                                                                                                                                       | Lanark-Carleton                                    | <b>Sterling, Hon / L'hon Norman W.</b> (PC)<br>Minister of Consumer and Business<br>Services / ministre des Services aux<br>consommateurs et aux entreprises                                                                                            |
| Davenport                                                 | Ruprecht, Tony (L)                                                                                                                                                                                 | Leeds-Grenville                                    | <b>Runciman, Hon / L'hon Robert W.</b><br>(PC) Minister of Economic Development<br>and Trade / ministre du Développement<br>économique et du Commerce                                                                                                   |
| Don Valley East / -Est                                    | Caplan, David (L)                                                                                                                                                                                  | London North Centre /<br>London-Centre-Nord        | <b>Cunningham, Hon / L'hon Dianne</b> (PC)<br>Minister of Training, Colleges and<br>Universities, minister responsible for<br>women's issues / ministre de la<br>Formation et des Collèges et Universités,<br>ministre déléguée à la Condition féminine |
| Don Valley West / -Ouest                                  | <b>Turnbull, Hon / L'hon David</b> (PC)<br>Solicitor General / solliciteur général                                                                                                                 | London West / -Ouest                               | Wood, Bob (PC)                                                                                                                                                                                                                                          |
| Dufferin-Peel-<br>Wellington-Grey                         | Tilson, David (PC)                                                                                                                                                                                 | London-Fanshawe                                    | Mazzilli, Frank (PC)                                                                                                                                                                                                                                    |
| Durham                                                    | O'Toole, John R. (PC)                                                                                                                                                                              | Markham                                            | <b>Tsubouchi, Hon / L'hon David H.</b> (PC)<br>Chair of the Management Board of<br>Cabinet / président du Conseil de gestion<br>du gouvernement                                                                                                         |
| Eglinton-Lawrence                                         | Colle, Mike (L)                                                                                                                                                                                    | Mississauga Centre / -Centre                       | <b>Sampson, Hon / L'hon Rob</b> (PC)<br>Minister of Correctional Services /<br>ministre des Services correctionnels                                                                                                                                     |
| Elgin-Middlesex-London                                    | Peters, Steve (L)                                                                                                                                                                                  | Mississauga East / -Est                            | DeFaria, Carl (PC)                                                                                                                                                                                                                                      |
| Erie-Lincoln                                              | <b>Hudak, Hon / L'hon Tim</b> (PC)<br>Minister of Tourism, Culture and<br>Recreation / ministre du Tourisme,<br>de la Culture et des Loisirs                                                       | Mississauga South / -Sud                           | Marland, Margaret (PC)                                                                                                                                                                                                                                  |
| Essex                                                     | Crozier, Bruce (L)                                                                                                                                                                                 | Mississauga West / -Ouest                          | <b>Snobelen, Hon / L'hon John</b> (PC)<br>Minister of Natural Resources /<br>ministre des Richesses naturelles                                                                                                                                          |
| Etobicoke Centre / -Centre                                | <b>Stockwell, Hon / L'hon Chris</b> (PC)<br>Minister of Labour / ministre du Travail                                                                                                               |                                                    |                                                                                                                                                                                                                                                         |
| Etobicoke North / -Nord                                   | Hastings, John (PC)                                                                                                                                                                                |                                                    |                                                                                                                                                                                                                                                         |
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| Guelph-Wellington                                         | <b>Elliott, Hon / L'hon Brenda</b> (PC)<br>Minister of Intergovernmental<br>Affairs / ministre des Affaires<br>intergouvernementales                                                               |                                                    |                                                                                                                                                                                                                                                         |
| Haldimand-Norfolk-Brant                                   | Barrett, Toby (PC)                                                                                                                                                                                 |                                                    |                                                                                                                                                                                                                                                         |
| Haliburton-Victoria-Brock                                 | <b>Hodgson, Hon / L'hon Chris</b> (PC)<br>Minister of Municipal Affairs and<br>Housing / ministre des Affaires<br>municipales et du Logement                                                       |                                                    |                                                                                                                                                                                                                                                         |

| Constituency<br>Circonscription          | Member/Party<br>Député(e) / Parti                                                                                                                                                                                                                                                                            | Constituency<br>Circonscription                               | Member/Party<br>Député(e) / Parti                                                                                                                                |
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| Nepean-Carleton                          | <b>Baird, Hon / L'hon John R.</b> (PC)<br>Minister of Community and Social Services, minister responsible for children, minister responsible for francophone affairs / ministre des Services sociaux et communautaires, ministre délégué au dossier de l'Enfance, ministre délégué aux Affaires francophones | Scarborough East / -Est<br>Scarborough Southwest / -Sud-Ouest | Gilchrist, Steve (PC)<br><b>Newman, Hon / L'hon Dan</b> (PC)<br>Minister of Northern Development and Mines / ministre du Développement du Nord et des Mines      |
| Niagara Centre / -Centre                 | Kormos, Peter (ND)                                                                                                                                                                                                                                                                                           | Scarborough-Agincourt                                         | Phillips, Gerry (L)                                                                                                                                              |
| Niagara Falls                            | Maves, Bart (PC)                                                                                                                                                                                                                                                                                             | Scarborough-Rouge River                                       | Curling, Alvin (L)                                                                                                                                               |
| Nickel Belt                              | Martel, Shelley (ND)                                                                                                                                                                                                                                                                                         | Simcoe North / -Nord                                          | Dunlop, Garfield (PC)                                                                                                                                            |
| Nipissing                                | <b>Harris, Hon / L'hon Michael D.</b> (PC)<br>Premier and President of the Executive Council / premier ministre et président du Conseil exécutif                                                                                                                                                             | Simcoe-Grey                                                   | <b>Wilson, Hon / L'hon Jim</b> (PC) Minister of Energy, Science and Technology / ministre de l'Énergie, des Sciences et de la Technologie                        |
| Northumberland                           | Galt, Doug (PC)                                                                                                                                                                                                                                                                                              | St Catharines                                                 | Bradley, James J. (L)                                                                                                                                            |
| Oak Ridges                               | <b>Klees, Hon / L'hon Frank</b> (PC)<br>Minister without Portfolio, chief government whip, deputy government House leader / ministre sans portefeuille, whip en chef du gouvernement, leader parlementaire adjoint                                                                                           | St Paul's                                                     | Bryant, Michael (L)                                                                                                                                              |
| Oakville                                 | <b>Carr, Hon / L'hon Gary</b> (PC)<br>Speaker / Président                                                                                                                                                                                                                                                    | Stoney Creek                                                  | <b>Clark, Hon / L'hon Brad</b> (PC)<br>Minister of Transportation / ministre des Transports                                                                      |
| Oshawa                                   | Ouellette, Jerry J. (PC)                                                                                                                                                                                                                                                                                     | Stormont-Dundas-Charlottenburgh                               | Cleary, John C. (L)                                                                                                                                              |
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| Ottawa-Orléans                           | <b>Coburn, Hon / L'hon Brian</b> (PC)<br>Minister of Agriculture, Food and Rural Affairs / ministre de l'Agriculture, de l'Alimentation et des Affaires rurales                                                                                                                                              | Thornhill                                                     | Molinari, Tina R. (PC)                                                                                                                                           |
| Ottawa South / -Sud                      | McGuinty, Dalton (L) Leader of the Opposition / chef de l'opposition                                                                                                                                                                                                                                         | Thunder Bay-Atikokan                                          | McLeod, Lyn (L)                                                                                                                                                  |
| Ottawa West-Nepean / Ottawa-Ouest-Nepean | Guzzo, Garry J. (PC)                                                                                                                                                                                                                                                                                         | Thunder Bay-Superior North / -Nord                            | Gravelle, Michael (L)                                                                                                                                            |
| Ottawa-Vanier                            | Boyer, Claudette (Ind)                                                                                                                                                                                                                                                                                       | Timiskaming-Cochrane                                          | Ramsay, David (L)                                                                                                                                                |
| Oxford                                   | Hardeman, Ernie (PC)                                                                                                                                                                                                                                                                                         | Timmins-James Bay / Timmins-Baie James                        | Bisson, Gilles (ND)                                                                                                                                              |
| Parkdale-High Park                       | Kennedy, Gerard (L)                                                                                                                                                                                                                                                                                          | Toronto Centre-Rosedale / Toronto-Centre-Rosedale             | Smitherman, George (L)                                                                                                                                           |
| Parry Sound-Muskoka                      | Miller, Norm (PC)                                                                                                                                                                                                                                                                                            | Toronto-Danforth                                              | Churley, Marilyn (ND)                                                                                                                                            |
| Perth-Middlesex                          | Johnson, Bert (PC)                                                                                                                                                                                                                                                                                           | Trinity-Spadina                                               | Marchese, Rosario (ND)                                                                                                                                           |
| Peterborough                             | Stewart, R. Gary (PC)                                                                                                                                                                                                                                                                                        | Waterloo-Wellington                                           | Arnott, Ted (PC)                                                                                                                                                 |
| Pickering-Ajax-Uxbridge                  | <b>Ecker, Hon / L'hon Janet</b> (PC)<br>Minister of Education, government House leader / ministre de l'Éducation, leader parlementaire du gouvernement                                                                                                                                                       | Whitby-Ajax                                                   | <b>Flaherty, Hon / L'hon Jim</b> (PC) Deputy Premier, Minister of Finance / vice-premier ministre, ministre des Finances                                         |
| Prince Edward-Hastings                   | Parsons, Ernie (L)                                                                                                                                                                                                                                                                                           | Willowdale                                                    | <b>Young, Hon / L'hon David</b> (PC)<br>Attorney General, minister responsible for native affairs / procureur général, ministre délégué aux Affaires autochtones |
| Renfrew-Nipissing-Pembroke               | Conway, Sean G. (L)                                                                                                                                                                                                                                                                                          | Windsor West / -Ouest                                         | Pupatello, Sandra (L)                                                                                                                                            |
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|                                          |                                                                                                                                                                                                                                                                                                              | Vaughan-King-Aurora                                           | Vacant                                                                                                                                                           |

A list arranged by members' surnames and including all responsibilities of each member appears in the first and last issues of each session and on the first Monday of each month.

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

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