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**Official Report
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Wednesday 16 October 2002

Mercredi 16 octobre 2002

Speaker
Honourable Gary Carr

Clerk
Claude L. DesRosiers

Président
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OF ONTARIO

Wednesday 16 October 2002

ASSEMBLÉE LÉGISLATIVE
DE L'ONTARIO

Mercredi 16 octobre 2002

The House met at 1845.

ORDERS OF THE DAY

GOVERNMENT EFFICIENCY ACT, 2002

LOI DE 2002 SUR
L'EFFICIENCE DU GOUVERNEMENT

Mr Turnbull moved second reading of the following bill:

Bill 179, An Act to promote government efficiency and to improve services to taxpayers by amending or repealing certain Acts and by enacting one new Act/Projet de loi 179, Loi visant à favoriser l'efficacité du gouvernement et à améliorer les services aux contribuables en modifiant ou en abrogeant certaines lois et en édictant une nouvelle loi.

Hon David Turnbull (Associate Minister of Enterprise, Opportunity and Innovation): I will be splitting my time with the member for Brampton Centre and the member for Scarborough East.

It's my pleasure to open debate on Bill 179, the Government Efficiency Act, 2002, in my capacity as Associate Minister of Enterprise, Opportunity and Innovation. The mandate of the Ministry of Enterprise, Opportunity and Innovation is to ensure Ontario's continued economic growth. This bill will help keep us on that path. It makes economic sense that any time you can cut red tape, streamline and make government more efficient and effective, it helps Ontarians prosper.

This bill is important for a number of reasons. It would repeal 15 outdated acts and amend nearly 90 others. Since 1995, our government has already repealed more than 57 outdated acts, amended more than 200 acts and eliminated more than 1,900 unnecessary regulations. That's an excellent start, but there is much, much more to be done. In fact, we've just concluded a very successful international conference on Red Tape to Smart Tape. It was an opportunity to discuss future directions for regulatory reform and removing barriers to growth. The conference brought together over 280 delegates from public and private sector institutions representing countries from around the globe. The Minister of Commerce from New Zealand, a member of the Scottish Parliament and the Secretary of the Interior for the state of Florida are just a few examples. Clearly, we're not the only ones who

recognize the connection between good government and smart, sound and efficient regulation.

We know this bill is important, because it will result in better services for Ontarians, it will result in greater efficiency for Ontario and it will modernize many outdated or even obsolete regulations and bring legislation into the 21st century. Equally as important, Bill 179 will also provide increased protection for the people of Ontario. This bill will allow protection for motorists and passengers alike who use Ontario roads. The use of reconditioned air bags being sold or installed in vehicles has been linked with serious injuries. The Ministry of Transportation would use this bill to prohibit the sale and installation of rebuilt airbags in Ontario. This amendment would protect drivers and passengers from the potential hazards that have been associated with rebuilt airbags.

But there are other measures that offer Ontarians important protections in different areas. For example, the Ministry of Consumer and Business Services would use Bill 179 to amend the Consumer Protection Act in two essential ways. The first amendment would prohibit a creditor from charging a debtor for telephone, telegram and other forms of communications costs incurred in the collection of a debt. This amendment would harmonize with the collection practices recommended in other provinces and territories. In many instances, it would prevent consumers from escalating charges that are beyond their control. The second amendment would prohibit any waiver or release of rights or benefits under the Consumer Protection Act. This would ensure that the rights of consumers under the legislation are safeguarded. It would also ensure that consumers could not be coerced into abandoning their statutory protections. It offers protection to those who need it most.

1850

Another example of Bill 179 offering protections and safeguards is an amendment by the Ministry of Natural Resources. The ministry would use Bill 179 to amend the Public Lands Act. It would clarify the ability of the court to order that a person convicted of doing work on land without a permit must rehabilitate the site in an appropriate manner. This would help ensure that land uses are consistent with the intention of the legislation and that people who violate that intention are made accountable.

Bill 179 will also protect Ontarians in the area of health care. The integrity of our health care system must be protected. The amendments in this bill would offer this assistance. For example, amendments will be made to better deter fraud and go after those who abuse our

public health system. The changes include significantly stiffer penalties and a clarification that courts can impose orders that require compensation and/or restitution.

Ontarians should be able to expect a safe environment in their daily lives. We are determined that they should not have to live in fear of violence. We've all seen the tragic stories that have resulted from domestic violence. We all must do everything we can to prevent it. Our government is using this bill to strengthen our commitment to addressing domestic violence by supporting victims and holding abusers accountable. The Domestic Violence Protection Act would be amended to help ensure that it is implemented as quickly and effectively as possible.

Bill 179 will extend protections and safeguards for Ontarians, enable ministries to streamline their operations and modernize outdated regulations. All of these are worthy goals for a modern, healthy, thriving society.

Finally, the more efficient and effective Ontario is, the fewer barriers business will have to making Ontario more attractive for investment. I am well aware that the international business community looks for efficient and effective ways to do business when they look for places to invest. We need to ensure that Ontario is always on their short list. We have an opportunity here to pass legislation that will benefit all Ontarians. We should not miss that opportunity, and I do hope that my colleagues across the floor will see the wisdom of supporting this.

Mr Joseph Spina (Brampton Centre): Bill 179, the Government Efficiency Act, 2002, demonstrates the government of Ontario's ongoing commitment to good, efficient and modern government. If passed, this bill will be the 15th government efficiency and/or red tape reduction bill passed since 1995. We're extremely proud of the fact that we have created a Red Tape Commission that reduces or eliminates red tape in the province of Ontario.

We are very proud of the legacy of this commission, because it has become, as the minister indicated at the recent Red Tape to Smart Tape conference, an example around the world of how governments can function in a far more efficient manner.

Mr John Gerretsen (Kingston and the Islands): Outside of Canada they've never even heard of this.

Mr Spina: I beg to differ with the member in the opposition. The reality is that there were 300 delegates at this conference, and the minister clearly indicated to you that people were here from Australia, Africa, Europe—

Interjections.

The Acting Speaker (Mr Michael A. Brown): Order. The member for Brampton Centre has the floor. He's the only one who has the floor. Other members will not interrupt him, or I will interrupt them.

Mr Spina: Thank you, Speaker. It's wonderful when you have the ability to have the attention of the audience. I appreciate that members of the opposition have the chance to hear what I have to say, as well as other members, as we should appreciate what they have to say when their turn comes forward.

This bill contains in excess of 400 housekeeping amendments that will help to clarify, streamline and modernize dozen of acts on behalf of 15 different ministries. From time to time, everyone needs to do a little housecleaning, in government as well as in opposition; nevertheless, as we look at it, it is housecleaning of government in general. This bill is an efficient and effective way for government to do some of that legislative housekeeping. This bill allows Ontario to tune up its legislation and ensure that our statutes meet the needs of Ontarians today, that our laws accurately reflect the changing needs of society and are consistent with shifting economic circumstances and technological development.

Some of the amendments in this bill before the House will ensure that the people of Ontario will get better service from their government while others will help the justice system function better, for example. This bill, if passed, will do these things and more.

Interjection.

Mr Spina: I would be pleased to address some of the issues around the justice system, the member from—

Mr David Caplan (Don Valley East): Don Valley East.

Mr Spina: Don Valley East. Thank you, Mr Caplan. Let's look at an example or two of the way in which Bill 179 will improve the Ontario justice system.

Firstly, the Provincial Offences Act will be amended to allow bail hearings in certain circumstances to be held by means of audio or video technology and allow search warrants to be issued by fax—of course, where the judge or the justice of the peace is convinced that the search warrant ought to be issued. Therefore, it is of great help, for example, in more rural areas where the access to a member of the judiciary is not as easily obtained.

Particularly, Speaker, I know, for example, in your own home area of Manitoulin Island, if something was to happen in a remote part of the island and they needed to get a search warrant based out of perhaps Gore Bay or the Espanola detachment through the OPP, they would be able to do it by fax. It would save a lot of time and probably assist in the delivery of justice in our province. Not only do these changes help modernize our justice system, but they have the added benefit of bringing them in line with amendments recently made to the Criminal Code of Canada.

Secondly, sometimes dated legislation makes it difficult for governments to provide citizens and businesses with appropriate levels of customer service. This bill, if passed, would make improved customer service possible in a number of ways. For example, changes contained within this bill would enable the Ontario Securities Commission to formally disseminate information by modern, electronic means. How can it be smart or efficient to have legislation on the books in Ontario that does not allow the use of electronic means of communication?

By making amendments to the Commodity Futures Act and the Securities Act, the Ontario Securities Commission—the OSC, as we know it more commonly—will be able to legitimately communicate newer, amended

notices, rules and other information to the businesses it regulates via electronic means such as Web site postings and/or e-mail. This brings this kind of activity within government into the 21st century. No longer do they have to rely solely on verbal, fax communications. We can now use Web site postings or e-mail, which as anyone knows can be done more quickly than the normal methodology, and we don't have to send anything through the courier services as well.

1900

These amendments will help ensure that in the fast-paced financial services sector the OSC, in certain circumstances, can receive information electronically, legitimately, and be acceptable to the commission, and get it into the hands of those who need it in a very timely fashion so that they can best make their decisions, for example, on the trading floor with their clients and so forth.

Some other key amendments that we are looking at implementing and adopting in this particular bill would be the definition of correctional services. This would include the operation and maintenance of places of custody for young offenders, for example. To avoid unnecessary repetitive reference to these places, security terms such as "maximum" or "medium security" will now be referred to collectively as "youth facilities."

In addition, this bill will allow us to make minor amendments to the Ministry of Correctional Services Act that allow us to provide more efficient and effective service to the young offenders. I hope I'm speaking slowly enough. I hope the member from Kingston and the Islands doesn't doze off; I know he's paying attention with great keenness.

Mr Gerretsen: I'm the only one who is.

Mr Spina: Yes, you are. Thank you. I appreciate it. You are paying attention.

Interjection.

Mr Spina: Oh, the member from Windsor, God bless you. Thank you. I really appreciate your attention.

Mrs Sandra Pupatello (Windsor West): Just because you married a Windsorite.

Mr Spina: Did you get that e-mail from Patty?

Mrs Pupatello: Yes.

Mr Spina: Good. Wasn't that funny? That's great.

The Acting Speaker: We are discussing a bill. We are not having chitchats across the floor. So if the member would like to return to the subject at hand, it would be appreciated.

Mr Spina: I'm reminded I should focus, and I'm most pleased to do so. I was speaking about amendments to the Ministry of Correctional Services Act that would allow us to provide more efficient and effective service to young offenders. Here are a couple of examples. Subject to discretionary exemptions, the ministry will no longer be required to incarcerate a young offender in a medium-security place of secure custody or in a place of open temporary detention. Instead, the ministry will now identify the place of custody and level of security that most appropriately meets the needs of the young offender

and society. I think that's only just, because I think we've seen in the past that young offenders perhaps have been placed in an institutional environment which wasn't quite appropriate. The last thing we need is for someone to become a repeat offender or a worse offender. Therefore, the ability to put these young offenders in a level of security that best meets their needs best serves that youth and best serves society. Our goal is rehabilitation.

The safety of our institutions in the communities that house them has always been a top priority for this government. That's why we've made minor amendments to the Ministry of Correctional Services Act that not only enhance the security of the institutions but enhance the safety of the neighbouring communities.

For instance, because of this bill superintendents will be authorized to conduct searches of correctional institutions and persons found within the institution, and they will be authorized to dispose of contraband, if found. The amendment also clarifies the definition of "contraband." It has been a very vague definition in the past. This clarifies it, and it will be further clarified in the regulations.

As well, all releases will now be made through temporary absence or parole, both of which have strict standards and guidelines that must be met in order for an inmate to be granted leave from the institution. The Ontario Parole and Earned Remission Board will have the authority to reconsider a parole decision where it receives new information before an inmate has been released from custody. I think that's critical, because it will better allow parole boards to retain an individual when new information has been received that would deem that person to still be an ongoing offender, and that's what we don't want to happen, to make our communities much safer places. On the other hand, if there is no new information, the parole board can make the appropriate decision whether or not to release that prisoner. The board will also be allowed to suspend parole, where there is a reasonable apprehension that the inmate is about to breach a term or condition of his or her parole, to protect persons or property. These amendments are consistent with current board policy and the board's responsibility for public safety.

Our government is not only serious about the safety and security of our correctional institutions, we are also serious about fire safety. That is why we've also amended the Fire Protection and Prevention Act to ensure that fire safety is kept up-to-date and in the best interests of protecting Ontario's citizens. Amendments include allowing the fire marshal, an assistant to the fire marshal or in fact a local fire chief to not only remove but to dispose of combustible or explosive material or anything that may constitute a fire in circumstances of immediate threat to life. This may seem like a small point, and we in the public may take it for granted and assume that if something is a threat to society, the fire chief or someone would have the right to remove it and make it less dangerous for our society. In fact, that's not the case, and

that's why this amendment is necessary for this particular bill.

There is also a provision that gives authority to the Fire Safety Commission to order the disposal of any combustible or explosive material or anything that may constitute a fire hazard. Again, we take it for granted that people in authority or people in a position such as a firefighter or a fire chief would have that authority. In fact, they don't necessarily have that authority. We want to make sure they have that clear-cut ability in law that they are able to do that to protect society.

Our government is proud of the work that's done by the office of the fire marshal, and we believe that his office plays an important role in communicating fire safety initiatives on a variety of levels. That's why, to prevent misinterpretation in the types of communications issued by the fire marshal, amendments have also been made regarding the use of the terms "directives" and "instructions." Where the term "directives" is used, strict compliance is required, no ifs, ands or buts—strict compliance. Where the term "instructions" is used, there is flexibility in the compliance. We want to be able to give people a certain amount of discretion where the opportunity avails itself.

The last area that I'll address is our front-line police officers, who keep our communities safe and secure. We here earlier today were exposed to about 150 officers who came to the Legislature to hear the introduction of a new bill by Minister Runciman, the Minister of Public Safety and Security. It's to enhance the safety of our front-line police officers in the course of their work in their cruisers when they have pulled someone over for whatever reason. We want to ensure that these officers remain safe and that the penalties for harming or endangering them become far stiffer. That is as a result of four officers, of course, who over recent years have been killed and others who have been injured in the line of their duty. Probably the best name that I can bring to mind is one the member for Sudbury has brought forward: the issue of Constable MacDonald out of Sudbury who was killed. He's an officer we should remember in the protection of front-line police officers.

1910

But we believe that part of that respect for our front-line officers comes from knowing that our police services are held to a standard of professionalism. We must be able to clearly define that level of professionalism. In keeping with recent legislative changes and current operational practices, the Police Services Act has been amended to include some of the following.

First is clarification that auxiliary members of a police force and civilian employees of the OPP are not considered members of the public for the purposes of using the public complaint process to make a complaint about another member of the police force. Complaints about a police officer or staff must be made to the chief of police or directly to the OPP commissioner. To prevent misinterpretation of the provisions regarding complaints and to make police officers, police chiefs, deputy chiefs and

police services in general more accountable, the following amendments have also been made.

A chief of police may make a complaint about the conduct of a police officer on his or her own police force. A police services board may make a complaint about the conduct of a chief or a deputy chief of police. We think this increases considerably the accountability in the police services system and helps to weed out the odd bad apple—we are humans, after all—and make sure that our front-line police officers are in fact the best that we could possibly expect from these people.

Our government has invested the last seven years in trying to make Ontario a safe place to live, work and raise a family. We feel that our policies, programs and legislative changes are helping to accomplish that goal. Cleaning up old rules that no longer pertain to a modern Ontario is all part of good government. This bill is about keeping Ontario a modern, streamlined and responsive province, with a government to match.

I encourage all members of the Legislature to support this government efficiency legislation. This bill allows Ontario to improve our customer service and achieve regulatory excellence. This bill will help Ontario to continue to be a great place for our families.

The Acting Speaker: Questions or comments?

Mr Gerretsen: This member makes it all sound great, and who isn't in favour of greater efficiency in government? I don't think anybody would argue with that. But I think if you speak to the real people out there, particularly the small business people of Ontario, you'll find out that they are more encumbered by government forms, bureaucracy and red tape now than they were seven or eight years ago. You've passed your bills, you've made some housekeeping amendments, but in actual fact you haven't done anything at all.

I was very interested in looking through this—I was going to say it's an ominous bill, but I guess it's an omnibus bill. It talks in many of these sections about increasing the fines for particular offences under a whole variety of acts. So I took the Long-Term Care Act to see exactly what kind of difference there was between what's being proposed and what's currently in the act. Under the Long-Term Care Act, a current offence is punishable by a fine up to \$5,000. What you've done in the new act—and you haven't only done it in that act, but in about 20 or 30 other acts—is increased the fine to \$25,000.

Now, that sounds wonderful, but I would like the parliamentary assistant to tell me—and you can pick any act at all to refer to in your comments—how often have people actually been charged under the offence sections of any of these acts, and how often have they been convicted? I bet you that under most of these acts there hasn't been a charge laid or a conviction obtained, because it all basically boils down to enforcement. You can have all the laws you want, you can put the penalties as high as you want, but if you don't enforce them, they're totally meaningless.

Mr Tony Martin (Sault Ste Marie): I think in looking at this bill, one has to consider a couple of things.

One is, who is bringing it to you? It's this Tory government in place at Queen's Park these days, under the aegis of delivering government services quicker and faster, creating more efficiencies and getting on with their agenda, that brought you Dudley George, that brought you Joshua Fleuelling, that brought you Kimberly Rogers.

You also have to understand that this is driven by the infamous Red Tape Commission, that very commission that brought you Walkerton by way of some of the cuts they recommended to the Ministry of the Environment, whether it was red tape or whether it was a reduction in personnel who were taken away so we could no longer, as a province, keep an eye on and perform the function that we as government have responsibility for: to make sure that those public services we all count on and need are there for us when we want them. I guess the most obvious example for everybody, particularly where the Red Tape Commission is concerned—and this bill is about red tape—is the reductions in the Ministry of the Environment and the resulting tragedy we saw at Walkerton.

So I would caution people, when this government brings something forward as big as this, that they pay close attention, that they watch for things in it that aren't going to be so good, because this government has a way of introducing initiatives that speak of efficiency. I think one has to ask when one considers the result of these efficiencies, efficient for whom? There's not a single item among the 600 pages in this bill that in any way inconveniences the corporate bums who make millions selling off public assets and loosening government control.

Mr Marcel Beaubien (Lambton-Kent-Middlesex): It's a pleasure to make a couple of comments with regard to Bill 179. I kind of agree with the member from Kingston and the Islands when he says you can have all the regulations in the world, but if you're not going to police it, it doesn't do any good. However, I totally disagree with the member from Sault Ste Marie when he talks about the infamous Red Tape Commission. He mentioned Walkerton. If I recall, there were water regulations under the Conservative government under Bill Davis, under the Liberal government under David Peterson and, I think, under the Bob Rae government also and under Mike Harris. So if we're going to be consistent, member from Kingston and member from Sault Ste Marie, yes, we can have all the regulations in the world, but if people are not doing their jobs, we can have some difficulties in the enforcement of these regulations.

Consequently, to say that the Red Tape Commission is infamous is somewhat incorrect and misleading. I think that when we look at what the Red Tape Commission has done in the past seven years—and if some of you had attended the conference a few weeks ago, I think you would have seen the merit the Red Tape Commission has had in Ontario and the respect it has, not only in the States and in Europe, but we had speakers from Africa, from Europe, American speakers, and from all over

Canada. Consequently, to say that the red tape is infamous and has not done its his job—in life we can manage risk, folks, but we cannot totally eliminate risk. If any one of you on the other side of the House thinks that through regulation and legislation you're going to eliminate all the risk, I would strongly suggest that you give your head a shake.

1920

Mr Rick Bartolucci (Sudbury): I want to comment on my friend Mr Spina and his comments. I look at Bill 179 and I see a whole lot of bills compiled into one. We've been down this road several times before with this government. You might accuse us of being a little suspect of this government, but I would say the people of Ontario are saying it's for good reason that we're suspect of this government and the way this government puts through legislation.

One of the problems I see with Bill 179, off the bat, is it gives the government the power to make more patronage appointments. It's something I have some concern about, that our party has concern about, but the people of Ontario have major concerns with regard to Bill 179 and the government's new powers to make appointments to some that we would suggest to be critical agencies or boards.

We think it should go through the normal process, the process whereby they come before a committee and we see these people the government is appointing. By and large, they are Tories, and they are Tory appointments, as one would say. We want to be able to talk to them, ensure that they are up to the job, ensure that they are going to be able to provide the efficiencies that we as Liberals would want and that the people of Ontario would want. So I guess here on this side of the House, we're reflecting the views of real Ontarians and people who have some concerns with the way this government does business, even if it purports to be more efficient.

Mr Spina: Thank you to all of the members. I'm going to try, if I have time, to address each one of them individually.

The member from Kingston and the Islands: how many charges and convictions have there been? This is part of the problem. The problem is that the definitions were so vague that when charges were laid, convictions never resulted. We have clarified the definitions so that charges can be laid, convictions can happen, and the fines will be increased as a result.

To the member from Sault Ste Marie, my friend, because I'm born and raised in the Soo—you know that, Tony—I resent the infamous red tape reference. However, I want to remind you that it was the NDP government that permitted municipalities to use private sector labs with only guidelines, no regulations, no legislation, and you grandfathered all of the individuals in the municipalities that had the authority to file the reports. What happened? There were at least 10 municipalities across this province that experienced the same problems as Walkerton. The fundamental problem was that the people in Walkerton were grandfathered, were unqualified, and

falsified records. It didn't matter how many inspectors you had; they were reading the wrong information. In other communities across this province, and I'll cite Thunder Bay as a specific example, the guidelines were followed, the medical officer of health was on the job, and they shut the system down before anybody got hurt.

To my friend from Lambton-Kent-Middlesex, thank you very much for your comments.

To my colleague from Sudbury, I don't know where you're getting this idea of patronage appointments. That's the privilege of the Liberals if I've ever seen it, and I want to remind you that you have—

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

Mr Caplan: It's wonderful to see the last member—obviously he had a lot more to say.

Interjection.

Mr Caplan: I'm sorry, Speaker. I seek unanimous consent to stand down the official opposition leadoff hour.

The Acting Speaker: Agreed? Agreed.

Mr Caplan: I regret that I only have 20 minutes. This is a very large bill, and there are some good elements in the bill. I just want to be clear about that. It's not all good public policy.

Mr Gerretsen: What page are you talking about?

Mr Caplan: What are some of the good ones? I'll get to those. I want to be fair in my comments that there are some housekeeping matters, there is some renaming to reflect other pieces of legislation that have been changed, both federally and provincially. That's all fair and that's all good public policy and much-needed work. It does need to be done and codified and that's fine. But there are some other elements in the bill, and there are also some things which do not show up in Bill 179 and really should, and I want to talk about those as well.

Mr Spina: Oh, amendments, good.

Mr Caplan: Oh yes, we're going to have plenty of amendments, I say to the parliamentary assistant. One of the areas in the bill that I think is very positive is the one that was highlighted by the parliamentary assistant when he talked about increasing fines in the area of long-term care. It's fine to increase the fines. One of the difficulties, however, that historically all governments have had is enforcing the existing laws on the books. It would be very interesting to see whether the government would accept amendments that would give some real teeth to the rules, to the regulations, to the laws which are currently on the books.

My friend from Kingston and the Islands asked a very good question in the question and comments portion of the debate when he asked how many charges were ever laid, how many convictions there have ever been. The answer, quite frankly, is zero. It hasn't been done, in part because of the cuts to ministry staff but also because there has been some vague wording. But without enforcement, you can have whatever laws you want to pass; it's absolutely meaningless.

There are some areas in the bill that I would support, and I think all members should support. But overall, I would have to say that I am opposed to Bill 179 because it contains amendments that will reinforce the Conservative agenda to two main things. One is to move Ontario closer to two-tier health care. I know that's not surprising to members of this Legislature. We have two-tier Tony Clement as our health minister, we have a Premier who, when seeking the leadership of the Progressive Conservative Party, said that he was not opposed to two-tier health care. There are amendments in Bill 179 which take us closer to that. We know that is, in fact, the real agenda of the Harris-Eves government, has been from day one, and this moves it quite a bit closer.

The other aspect I find very troubling is that Bill 179 will ensure that important information is kept out of public hands. This is a recurring theme that we're seeing as well, where the Harris-Eves government has tried to hide many of their own practices. Of course, through the tireless work of people like our deputy leader, the member for Windsor West, and some of the other members of the Liberal caucus, we're able to expose matters like a \$10-million tax break for sports teams here in Ontario. When they're confronted with it, of course, there's shock, horror and complete denial, but it keeps it out of public hands through these order-in-council processes. In fact, Bill 179 will further tighten up the public's ability to know what is going on in government. I think that is very wrong, for the important reasons that we in the official opposition have exposed over the course of the last two or three weeks.

I'd like to speak in my time—limited time, I might add—about some of the amendments which I think should be in a bill like this but are not here. Let me talk about the amendments proposed by the Ministry of Culture in one of the sections of the Ontario Heritage Act, schedule F. It would allow municipalities to make laws to protect heritage properties, generally a very good thing. But how about an amendment to the Municipal Act that would let municipalities protect affordable housing from conversion and demolition? What a radical notion. In fact, we have had that, on the books of the province of Ontario, wiped out by government legislation in the past.

1930

I want to make note of my colleague from St Paul's, Michael Bryant, who brought forward a private bill on behalf of the city of Toronto. He took action, working with the city while the Harris-Eves government has sat by and done nothing. Michael Bryant, working with the city of Toronto, brought forward a bill. It's called Bill Pr22. It's a private bill. The government process for private bills is a little bit different from normal legislation. A private bill goes to something called the private bills committee, as did Bill Pr22. Bill Pr22 was approved by the private bills and regulations committee. But what happened on the way to the Legislature? Premier Harris and Premier Eves blocked that legislation from coming forward, even though it had the stamp of approval of a legislative committee of duly elected members appointed

by each of the caucuses, supported, not unanimously, I would add, by that committee. It is, in my mind and in my recollection, the only time a bill that has been approved by the private bills committee has not been passed by the Legislature. I stand to be corrected if any member of the government could tell me of another case.

Clearly, a measure supported by a legislative committee that has been blocked by the government could appear in a bill like Bill 179. I know I can count on my friend Mr Wood from London for his support in this matter. I know he takes the role of parliamentary committees very seriously.

More importantly, the government could write in the change in Bill Pr22. Cities have been crying for this ability for years. I've met with officials in Toronto, Hamilton, Ottawa and Kitchener who want desperately to protect the affordable rental housing stock, but they don't have the authority or the power to do it. The Harris-Eves government could have given them this power, but instead, as usual, they've chosen to do nothing to protect what little affordable housing we have now.

How about this radical suggestion for a bill like Bill 179? We could make some real changes to the Ontario Municipal Board. Instead of tinkering with the appeal times for minor issues, as proposed in Bill 179, you could do some really significant things, like the ones proposed by Dalton McGuinty, the things that Dalton McGuinty will do when he is Premier. That could be done in a bill like Bill 179. You could, I say to the government members, implement our plan in which we propose to do some major things to drastically overhaul the Ontario Municipal Board. I'll give you some examples of what those legislative actions could do.

They could require that the Ontario Municipal Board give greater weight to municipal official plans in its decisions. It's pretty radical, wouldn't you say, that local decisions made by duly elected local councillors, supported by their local communities, have some real weight? What a radical concept. Right now we've got an Ontario Municipal Board acting like an ad hoc provincial policy-maker. It's not surprising, given the fact that we have a government which is adrift—they have no idea of what they want to do or where they want to go—that we have this board making it up as they go along.

Our other reforms: greater weight will be given to official plans so that years of consultation and work on these plans are not routinely thrown out by Ontario Municipal Board decisions. Municipal boundaries would be given stronger protection so that developers could not redraw municipal boundaries. In fact, we would ensure that years of consultation and work on municipal plans would not be ignored by OMB decision-makers. Why don't you change that in one of your omnibus bills like Bill 179?

How about eliminating the role of patronage that is played in OMB appointments? Under a Dalton McGuinty Liberal government, OMB appointments are no longer made exclusively by the Premier and cabinet. They would be made by stakeholders from the Association of

Municipalities of Ontario, from the development sector, from communities that have an interest in making sure that we have competent, qualified individuals, regardless of their party stripe.

Mr Bob Wood (London West): Special interest groups.

Mr Caplan: That's right, cities are special interest groups. That's right. Instead, the member from London West wants to put his special privileged friends on government boards and commissions. We know that's the modus operandi of the Harris-Eves government. They do more and more for their friends and less and less for people like you and me. That is the way they operate, and it is shameful and disgusting.

We could also lengthen the board members' terms and, in fact, we will do that. We could ensure that the OMB will be impartial and its board members will have that expertise. That kind of change would be very welcome in Bill 179. In fact, in our plan for the OMB we're going to give them clear planning rules. The OMB rulings should be consistent with provincial policy statements, yet under the current rules the Ontario Municipal Board need only have regard to provincial policy rules—what few rules there are.

OMB decisions would be consistent with the province's priorities on issues like the preservation of farmland, the protection of natural wetlands in environmentally sensitive areas, the availability and protection of affordable housing stock and the need for transportation infrastructure. These are just a few of the areas in which the province has an interest in ensuring that the Ontario Municipal Board has and makes its decisions with regard to. But they don't right now. It seems to me that that would be a perfect subject for a bill like this.

We could give municipalities more time to make decisions on complex development applications. In fact, under a Dalton McGuinty government, that would happen. It could happen in Bill 179, but it's not going to. It will happen under a McGuinty government. Timelines that currently allow developers to appeal directly to the OMB 90 days after filing development applications will be significantly extended, and they should be. If you have two-tier, or a local and a regional government, you can't even schedule matters to be heard, let alone debated, within 90 days. This government should know that. There are many former municipal councillors, mayors and other people who have expertise in these matters sitting on those benches, and they should know better, but for some reason, are quite silent and not prepared to do anything.

I know councils would appreciate this kind of change. In fact, I think even developers would appreciate the change if it meant they could negotiate a fair timeline, a fair process for developments to go through. Under a McGuinty government, that's going to happen. Once again, it seems like a good idea for one of the little housekeeping items that could be in one of the 270 pages of Bill 179 but is mysteriously not here.

How about this, another radical idea? Let's take decision-making power away from the OMB on minor issues like the size of your neighbour's shed or the length of the driveway or the speed bumps on the road. Those kinds of issues can be decided at the local level. Large, complex, broader planning decisions should be at the OMB. That kind of decision could be in Bill 179, that kind of notion. In fact, under a McGuinty government, it will be.

So if you want to tinker, I say to government members, why not tinker with an institution like the Ontario Municipal Board and make a real difference to the quality of life here in Ontario? These reforms would be timely. I have agreement from a number of individuals—David Crombie, Frances Lankin, Anne Golden, the city of Kingston, Durham region—about the need for OMB reform. I could go on and I could read into the record what many of these folks had to say.

1940

Let me shift gears a little bit and talk about some of the frustrations as to what is not in the bill. In the Liberal caucus, my colleagues and I have a major problem with the amendment as it relates to the Independent Health Facilities Act. This bill removes the cap on the price of an independent health facility. The owner can offer for sale their IHF licence, their independent health facility licence. The cap was intended originally, Speaker—and you would know this because you were around at the time when that legislation passed; in fact I see some other members who were here too. It was intended to provide a market to develop around the licensed nature of a facility. The removal of the cap on independent health facilities would create a for-profit bias, since IHF or independent health facility operators wishing to transfer their licences would have the opportunity to sell them to the highest bidder.

What does this mean for the people of Ontario? We have to remember how these things came about. An independent health facility is a health facility in which one or more members of the public receive services for which facility fees are charged or paid. There are about 1,000 specialized IHFs in the province of Ontario. Most of these independent health facilities provide imaging and other diagnostic tests. Others provide treatment and surgical services that were historically performed only in hospitals.

The Independent Health Facilities Act was introduced in 1989 under the Peterson government, under one of the finest health ministers we ever had in this province. You agree with me, Speaker.

Interjection: Who was that?

Mr Caplan: Who was that?

The IHFA specified the licensing, funding and quality assurance requirements of facilities providing medical procedures traditionally performed in public hospitals. The main purpose of the bill was to ensure that independent health clinics were properly regulated to ensure the public good was served as these facilities expanded across Ontario. For example, the IHFA clearly stated a

preference in law for non-profit Canadian companies to provide health care in independent health facilities. This was to prevent a US-style takeover of the provisions of health care in Ontario.

Another way the original act set out to protect the public good was by creating this cap that I spoke about earlier on the price at which a facility owner could offer the sale of the licence. Under the former cap, the operator could only offer to sell their licence for an amount equivalent to 104% of income arising from the services rendered in a one-year period. The cap was put in place to prevent a commodity market for these licences. We've seen this happen for taxicab licences, we've seen it happen for a lot of other things, and the fear at the time was that this market would be created.

Well, Bill 179 removes that cap, so what do you think is going to happen: US-style two-tier health care coming to Ontario under the guise of government efficiency. Be very concerned, I say to the people of Ontario.

The Harris-Eves Tories moved quickly to dismantle the key protective sections of the Independent Health Facilities Act. As a part of the first ominous bill or omnibus bill, Bill 26, introduced in 1995—the bully bill, say my colleagues—the Harris-Eves government amended the Independent Health Facilities Act to remove the non-profit Canadian preference. I see the Minister of Health and Long-term Care here; maybe he'll explain why they did that. I doubt it.

Specific amendments contained in Bill 26 allowed the Ministry of Health to bring clinics that provided uninsured services into the Independent Health Facilities Act. At the time, back in 1995, Liberal members pointed this out and they predicted that the Harris-Eves government had a secret agenda to license clinics in Ontario to provide some services that the health care system would pay for and some services that people would pay for out of their own pockets.

The amendments contained in this legislation are the next shoe to drop. It could reasonably be characterized as the Eves government's next step toward a two-tier, for-profit, American-style health care system.

The Eves government, in Bill 179, is removing a specific section of the Independent Health Facilities Act that was created to prevent a market to develop around the licensed nature of a facility. Although licence transfers will still have to be approved by the Minister of Health, the removal of the cap will create a for-profit bias since operators wishing to transfer the licences will have the opportunity to sell to the highest bidder.

This spring the government announced opening the market to MRI and CT clinics. The pattern is clear: two-tier health care by stealth. Through so-called housekeeping, through so-called red tape reduction, it's coming to Ontario. I tell you this: the official opposition, the Ontario Liberals, Dalton McGuinty and the people of Ontario will not stand for this. So I must tell you, I'm not going to support this bill unless those sections specifically are removed.

The Acting Speaker: Questions or comments?

Mr Howard Hampton (Kenora-Rainy River): One thing is clear from the comments of my colleague from the Liberal Party, and that is that the government's red tape bills have very little to do with red tape and a great deal to do with, in effect, opening up parts of our health care system, our education system and, as we saw in earlier red tape bills, opening up protections of workers' health and safety, opening all these things up to private sector corporations.

I wish that when the government brought forward this legislation they had the courage and the decency to put a title on the bill that actually reflects what they're doing, because what they're doing is taking areas of social activity, areas of economic activity that require government oversight—where, for example, injured workers require, need, the assistance of government to ensure that health and safety rules and regulations are enforced, where valuable public services need the oversight of government to ensure that the public interest is protected, rather than simply catering to a special interest private benefit, I wish the government at least had the decency to just come forward and say that this is not about red tape; this is about taking things that have previously been considered to be important socially or important economically or important for workers' health and safety and now turning it over to private sector companies, which will be more interested in making a profit from it than they will be in protecting the health and safety or other interests.

Mr Wood: I'd like to focus on one aspect of the member's speech, and that is where he raised the question of what he claimed to be patronage in the making of government appointments. I'd like to share with him what the record is. Of course, every non-judicial appointment is subject to review by the government agencies committee of this Legislature. In other words, his party and the third party have the right to designate any of these appointments for review. Let's take a look at the record. They review 7% of those appointments and, of those 7%, they agree with perhaps a third of those. So it's fairly clear that the two opposition parties themselves are prepared to acquiesce or agree with about 95% of the appointments we make.

The criteria are quite straight forward: the appointees must be competent, they must have views that are mainstream in relation to government policy for the area in which they work and they can have no conflict of interest. I would suggest to the House that there are very few appointments, indeed if any, that do not meet those criteria. If you don't want to accept my view, take a look at the opposition's view of these appointments. They obviously support them.

Now, the opposition claims they have a better idea. They want to appoint special interest groups. They want to have special interest groups make appointments to the OMB. I am astounded by such a suggestion. How they could possibly think the public interest would be protected by having special interest groups make appointments to public regulatory bodies is absolutely amazing

to me. I hope they will promote that policy among the general public in the election, because it's certainly not going to help them. The public will understand the implications of that proposal quite quickly.

1950

Mr Dwight Duncan (Windsor-St Clair): I'm pleased to join the debate on this so-called red tape bill and to applaud my colleague from Don Valley East, Mr Caplan, for what I thought were wise words.

When we started to delve into this bill, we realized yet again that red tape goes well beyond dealing with legislation. I should say that members of this party and the government party actually travelled and found out how other governments and Parliaments deal with real regulation and real red tape. They do it in open forums, with committees of the Legislature, not by so-called Red Tape Commissions that are appointed by the government. I believe that Frank Sheehan, a former member, is paid \$500 a day to do that behind closed doors.

My colleague reviewed some of the issues in this bill and why it is important to have scrutiny of regulation. This government, more than any other government, has used something called Henry VIII clauses in their legislation. That is, they write regulation-granting powers into bills so they don't have to come back to the Legislature. They try to keep things secret, like they did for the cut to the employer health tax for pro hockey and pro basketball teams. They do their level best to keep that underground. I challenge them to change the process, to reappoint a committee on regulations, a committee of this House that is dominated by the government, to take these things from behind closed doors and do away with the patronage nature of the chairmanship of it. Do what they do in England, Wales, Scotland, Ottawa, Australia and New Zealand in terms of regulation and changing regulation: take it out of partisan hands and put it under public scrutiny.

Mr Martin: I want to commend the member for Don Valley East as well for pointing to the significant number of missed opportunities this government has had in bringing this bill forward. They've missed opportunity after opportunity over the last seven years to make improvements in the public life of this province, that would actually benefit most of the people, in their very narrow focus to cater to an elite.

This bill amends more than 400 items in 15 ministerial statutes and repeals 15 acts. The minister, Mr Flaherty, had said in this Legislature that we'll see outdated, outmoded and unnecessary regulations eliminated or replaced with "thoughtful, needful, smart tape," he calls it. But it is more far-reaching than that. When the minister talks about efficiency, one has to ask the question, particularly when considering this government's track record, efficient for whom? For whom is this going to work? We know what our past experience has been.

There is not a single item among the 600 pages that in any way inconveniences those friends and benefactors of the government who make millions from selling off public assets and loosening government control. This legis-

lation shows that this government is indeed an activist government. It actively protects the rights and privileges of the wealthy few. It actively avoids sticking up for citizens in this province who need their help the most. When the minister says he's cutting red tape, we have to look closely at what he's cutting and whom he's cutting, because our experience has not been very positive.

The Acting Speaker: Response?

Mr Caplan: I want to thank the members for Kenora-Rainy River, London West, Windsor-St Clair and Sault Ste Marie for their comments. I wasn't able to touch on one area of the legislation that I did want to highlight and bring to the attention of the Legislature: that Bill 179 makes a specific amendment to both the Securities Act and the Commodity Futures Act that will keep important information out of the hands of the public. It will restrict access, through freedom-of-information requests, into the dealings of the Ontario Securities Commission. You might want to ask yourselves why we have a former investment banker, now the Premier, who wants to restrict public access to information in matters as they relate to Bill 179. It's a very good question.

I wanted to take up the challenge of the member for London West. We in the official opposition would like to have more committee time to query government appointments, and we would also like to see greater balance to be able to do it. What happens routinely in this, and it's a practical matter at the committee level, is that the government members come with their rubber stamp. They don't really care about what the qualifications are. Some of the people my colleague read into the record earlier today, they just come and rubber-stamp them and away they go. It's out of sight, out of mind. We would welcome expanded hearings, we would welcome a more balanced approach—

Interjection.

Mr Caplan: And I'm glad that we have finally converted the member for London West to our way of thinking. I wish there were more progressive members on the government bench who are willing to take a reasonable, democratic view of the way this place works—I do note that the member for London West cares about democratic reform—the way this legislation works and the undemocratic nature of time allocation and the government rubber-stamping committee.

The Acting Speaker: Further debate?

Mr Martin: I appreciate the opportunity to lead off on this bill tonight for our caucus and to say on behalf of our leader, Howard Hampton, who will be the Premier of this province after the next election, that we won't be bringing in this kind of legislation that privileges the few and whacks and attacks the many. We will be a government that will consider the public good, that will look at legislation that will serve the most number of people, that will be supportive of the kind of Ontario we had up until 1995, that took a dramatic right turn and that we need to return to.

This bill needs to be looked at from a number of different perspectives. One of them, to start off with, is

the fact that it is yet another omnibus bill from this government. We know what the previous omnibus bills that this government has delivered have given us, and I'll talk about that for a few minutes. We also need to recognize that it was the inception of the infamous Red Tape Commission that delivered to us Walkerton and, I dare say, a number of other, maybe not quite so tragic outcomes in this province. But that has resulted in some very difficult times for many, many working men and women across this province as this government, with its Red Tape Commission, did not understand that red tape is also some of the regulation and health and safety standards that have been put in place in this province over a long number of years as a result of some very tragic accidents and happenings in communities, in workplaces and in homes across this province that cause men and women of goodwill to come together around a table, no matter what political stripe, to decide to do some things that were necessary in order to make sure those things didn't happen again. This government has a short memory. It seems not to understand the wider ramifications of not having those kinds of standards and regulations in place and has therefore and thereby gone ahead and suggested cuts that have become the order of the day that are not serving us well in the province.

Before I speak further about the Red Tape Commission, we need to expose the thin substance of that committee and the rather questionable base upon which it makes decisions and gets its power and whom it in fact serves in the long run.

This is an omnibus bill. This is it here. It was delivered to us a couple of weeks ago in the Legislature and I dare say that it won't be long, probably two or three days, before this bill—and look at the size it—will be time-allocated in this place, rammed through the House, and become the order of the day. But we have this opportunity tonight, and hopefully for another couple of days at least, to speak to it. It's an omnibus bill, a big bill that covers, as I've said previously here tonight, some 400 items in statutes of 15 ministries, and repeals 15 acts. It's of some substance, and people need to pay attention to it and understand what it does and, maybe even more important, what it doesn't do. Again here in the House we have another missed opportunity by this government to actually do something worthwhile.

2000

It's an omnibus bill, probably in keeping with the direction and tenor and tone of—just to talk about two of them that this government has delivered—omnibus bills. There's the infamous Bill 160 that has given us central control now of the education system in the province, has taken literally billions of dollars out of the education system, has literally hammered the education workers in this province who work so hard, who try so hard to apply the learning that they got in terms of going to university and teachers' college, as well as those teachers' assistants who went to college, and all the other people who work in the education system who, over a large number of years have committed themselves, night and day, blood,

sweat and tears, on behalf of those students they love simply to be now taken for granted, hammered, in many cases simply dismissed by this government as not really being important.

They attempt to, as our leader said here this evening—Howard Hampton, who will be the next Premier of this province—turn absolutely everything of a public nature in this province over to the private sector because they believe, ideologically and in a very narrow way, a very simplistic way, that if you just turn everything that is done in this province of a public nature, whether it's education or health care or the protection of our environment or the managing of our natural resources, over to the private sector, it will be done better, there will be more accountability, there will be more responsibility, and all of us will be served better.

We're beginning to see that that in fact is not the case. In the education system, and starting off with Bill 160, we saw control slowly but surely removed. We saw money and resources pulled out. We saw an attack of education workers by, first of all, labelling them simply unions or union members or union workers. It's too bad this government doesn't hold in the same regard those very dedicated, hard-working men and women across this province, for some of us our family members or neighbours or friends, people we go to church with on Sunday, that they don't see them in the light in which they need to be seen, you know: men and women who simply want to serve their community, simply want to serve the students that come to school every day.

My father was a custodian in a school. I remember him getting up before everybody else in the morning and being at that school every morning up in Wawa, where it was 40 below zero on many a day. He'd be there to make sure that the school was warm, that the school was clean, that there was somebody there to meet the students and the teachers when they came in, to assure them that they were safe in coming to that place. He was but one of so many dedicated, hardworking individuals across this province who simply wanted to serve, who wanted to do a good job, and yes, be paid for that good work so that they, in turn, could look after their children and their families and contribute in the communities that they lived in in that very positive way.

But this government, in its narrow approach to life in general and in public, beginning with the omnibus bill, Bill 160, took that all away.

I simply want to say sometimes that I wish we in this province could get back to a time when teachers taught, could just teach, could just focus on going to school and teaching. Children going to school could be children, could enjoy the experience, could go to school knowing that they were going to be led by personnel, whether it was the cleaning staff or the library staff or the teaching staff, who simply loved being there, loved their job, loved the children and wanted to contribute. But that's not the way it is any more in this province, and you don't have to talk to too many or go too far before you begin to realize the very sad circumstance that now exists out

there in most jurisdictions, and it started with the omnibus bill, Bill 160.

I want to talk for a few minutes about another omnibus bill in the same ilk as this Bill 179 that we're debating here tonight, and that's the megacity bill, the bill that we all remember here because some of us sat through the night as our party, led again by our leader, Howard Hampton, attempted, by way of introducing names of streets in the Legislature, to simply make the government and the people of Ontario who were going to have to wear whatever ensued because of that bill to sit up and take notice that there was something really fundamental and important happening here that needed to be taken more seriously, that needed to be respected more than was happening.

We needed to understand that once we'd done this, it would be like scrambling the egg—it's difficult to unscramble; that once we followed through on the recommendations and the requirements and the legislation and the regulation of the megacity bill and we put all those communities together, we would then wear whatever it was that ensued.

We know, all of us, particularly some of the members of my own caucus here—Marilyn Churley, Rosario Marchese and Michael Prue are dealing with the result of that amalgamation, probably more than anybody. The member from Beaches-East York, who was the mayor of East York at one point and then became a councillor with the new megacity, knows the disaster that that has become, the difficulties that have ensued, the lack of money and resources there to do the kinds of things that municipalities, city government, knows it needs to do if Toronto is going to continue to be the pride of this country and the envy of many other countries, and they can't do it.

With the provisions that were in that bill and what they're called to do and the lack of resources and the downloading by this government on municipalities now, it's very, very difficult, and you're beginning to see the results of it. All you have to do is walk or drive around Toronto these days and see how it's beginning to fray at the edges. As a matter of fact, there was an article in the New York Times just recently indicating that Toronto is not the Toronto of 10 or 15 years ago, but is a different Toronto now. Seven years of missed opportunity, that's what they say. Seven years of misplaced, misspent resource and priority. That's what the megacity omnibus bill gave us and that, I dare say, once we look more closely at this Bill 179, is some of what we'll get there, too: regulation, new legislation that will favour the elite few, that will push us more and more to a jurisdiction that is not respectful of its workers, of organized labour, that doesn't understand the responsibility it has now given to municipalities without the resources to deliver, that doesn't seem to care that the education system is coming apart at the seams and that is not able to protect its natural resources.

As a matter of fact, it has killed people because it isn't monitoring the water system that we all for so long in this country took for granted. Who would have ever thought

five or 10 or 15 years ago that we would have to worry about the water we drank? We would simply go to the tap and we knew it was clean. As a matter of fact, some of it was coming directly out of our lakes without any purification or filtration, we were that confident that it was clean. But in the last seven years, we've lost confidence in our ability to deliver that very essential and needed commodity for ourselves and for each other.

Can you imagine 10 or 15 years ago anybody in Canada thinking that we'd all be drinking bottled water? I think if I ever said that to people up in Wawa where I grew up, they'd laugh at me. "Bottled water? What are you, crazy?" The only time we drank bottled water was if we were out on a camping trip and we had a bottle, usually an empty Coke bottle or something, and we needed to dip it into the lake or the river that we were paddling in or swimming in to take a drink. That was the only bottled water we ever experienced. But now across this province, people more and more don't trust the water that comes out of their taps and they're spending hard-earned money to buy bottles of water, which in some instances are being imported from other jurisdictions in this country and from outside this country.

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That's the state of things in Ontario today and that's what's being delivered to us, because we get these huge omnibus bills that nobody, particularly those who don't do this on a regular basis, can understand. We, in our limited opportunity here—we usually get a couple of days. Some people ask, "Why do you bring on the shenanigans?" that you see here from time to time. I remind you of the nights that we sat here naming city streets to bring attention to the fact that there was something important happening.

At the end of the day, what is delivered through this legislation affects every community across this province, affects every family in every community across this province, every person in every family in every community in some serious and significant ways. In a few minutes, I'll go through some of the areas where that's going to happen with this bill, but for the moment I want to focus for a second, just so people understand, on the fact that this is another in a series of omnibus bills this government puts together from work done by the infamous Red Tape Commission to deliver to this House to be pushed through at a great rate of speed, usually at the end of a session and time-allocated, only to then have it discovered later on what it in fact is meant to do. It's always, always in keeping with the very narrow agenda of the government, which is to reduce government, turn as much as we can of the public services that we've all come to expect and count on in this province over to the private sector and cut taxes. I dare say to you that it doesn't and hasn't served us well.

I just want to talk for a few minutes, then, about the Red Tape Commission. It's one of a number of agencies, organizations or bodies this government has put together over the last seven years of missed opportunity in the province. It's an organization the ilk of—you'll remem-

ber the crime commission. A picture, at one point, was circulated around the province of three or four of the Tory members in black jackets and leather gloves and dark glasses standing outside some public building. You know: they were going to protect us from everything that was nasty and evil in this province. They were going to fix the police system. They were going to fix the criminal justice system. They were going to fix the corrections system. They were going to make sure that all of us were protected in ways that, they were suggesting by that, the public service wasn't able to do, wasn't up to and wasn't perhaps resourced effectively to do.

Well, I want us to ask the question, where are they today? Where is the crime commission? We don't hear much from them. I think one or two of them may even have not run in the last election, or lost. One of them, Mr Wood, is here, or he was here earlier; he's around—is in the House often, a lot, participating in the debates in this place, and he attends with me at the committee on agencies, boards and commissions and actually does a good job there. But as far as his role as one of the crime commissioners in the province goes, I'm not sure what happened. Maybe he could get up in his two minutes' response to my speech and let us know what happened to the now infamous crime commission that used to be in place.

I'm not sure where that came from. I'm not sure who dreamt that up. I'm not sure who gave them the power to do what they did. I'm not sure if they ever did anything, if they ever made a report. I'm not sure even where they got the money they got to travel the province and do some of the consultations they did. I don't know. Those are some of the things that you would think, given that in this place we're all about accountability and people knowing what we're doing and seeing through and answering to the electorate, to the taxpayer, the government would have been a bit more forthright in telling us how that particular commission was funded and empowered and what it was empowered to do and in fact, at the end of the day, what it really did. It probably did some things, probably some insidious little things that now permeate and perk through some of the areas of public service like police and corrections and so on. It probably did; I'm not quite sure.

But it was born in the same way, in the pumpkin patch somewhere, that the Red Tape Commission was. It causes me to question anything they would produce, anything they would bring forward, because, as the member from Windsor-St Clair said a few minutes ago, when, over the years, there was something of importance that the government of the province wanted to do in the area of challenging the delivery of public services or regulations or changing those, they would put together an all-party committee that was accountable, that operated within the rules and regulations of the House, that had been passed by all of us and evolved and developed over the years. But no, these commissions just sprout out, like bad weeds in your garden, from this government.

Another of those commissions, if you remember, was the gas-busters. Remember the gas-busters? The Associate Minister of Health and Long-Term Care was a charter member of the gas-busters.

Interjection.

Mr Martin: Yes. You were a charter member of the gas-busters. I remember the picture that was taken of you and a couple of your colleagues standing in front of a gas station, saying, like, "We will not allow these big, bad gas companies to gouge us any more. We're going to stop it."

Mr Duncan: Did they stop it?

Mr Martin: No. People across the province are wondering, what happened to the gas-busters? Where did the gas-busters go? We're paying, in Sault Ste Marie now, depending on the day, anywhere between 77 cents and 78 cents a litre for gasoline. We want the gas-busters up to the Soo. We want you to come up to the Soo, visit with Mayor Roswell, go out and—I did just a couple of weeks ago—enjoy his hot tub. But tell us how it is that the gas-busters are going to deal with the fact that gasoline prices are just going through the roof up our way. You add the gasoline prices to the increases in natural gas for heating, to the cost now of hydroelectricity, and you guys are breaking us. You're driving us into the poorhouse up there.

If the gas-busters, again born in the pumpkin patch somewhere—nobody knows who is responsible or, if they get themselves in trouble, who to point a finger at, who gives them their marching orders. Nobody knows who funds them as they travel the province checking things out and consulting. Where the gas-busters are concerned, I don't know what they did. Did you do a report? Was there anything concrete that came out of that except maybe a good photo op? That was it. A good photo op.

Sometimes I wish the Red Tape Commission had been as effective as the gas-busters and the crime commission and that we wouldn't have heard much from them, because I'll tell you, what they've done is destroying this province, it really is, some serious malfeasance going down—I use that word because the other words I would use wouldn't be parliamentary or acceptable here—but some serious stuff going down in this province under the rubric of the Red Tape Commission and so on.

Mr Hampton: Gas pains and red tape.

Mr Martin: Gas pains and red tape. That's right.

People out there have to understand that the Red Tape Commission, with all of the serious stuff they've brought forward by way of recommendations still operating out there, paying their Chair \$500 a day when they meet—and I'm not sure what the other members get. As a matter of fact, I'm not even sure who's on that Red Tape Commission any more. I know that Frank Sheehan—who isn't here any more, was a member, is still the Chair of that commission and a very active fellow, I might suggest—has had a major hand in putting this together.

I think it's important for people to know that that commission is not a standing committee of this Legislature. We're not sure who gives them their power, who

empowers them. We're not sure who has given the green light to go ahead. Maybe it was a walkaround by some of the ministers one day when the Premier wasn't around or there was a new Premier being appointed or something. I'm not quite sure who allocated the money that's going to the Red Tape Commission, but I suggest it might be something worth looking into.

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Two of the members of the Red Tape Commission—is it only two or are there more? There are two co-chairs; one is Frank Sheehan and one is Steve Gilchrist. I should have known he would be the co-chair of that organization. There's a busy fellow who seldom makes many mistakes, from what I understand. That he would be responsible for some of what is coming down by way of these red tape omnibus bills in this Legislature should surprise no one.

But the question people need to ask is, by whose authority does this commission operate? It certainly isn't one made up of members of the opposition in partnership with the government. The other question people need to ask is, by whose authority are they spending the money they're spending? I don't know if it shows up in estimates or if it comes before the public accounts committee; I'm not sure about that. I would guess it probably doesn't, just as the money the gas-busters spent and the money the crime commission spent didn't come before those committees. It's not only unfortunate, but I think it's something we should be challenging more aggressively and diligently here because of what's coming down by way of the bills that are materializing from the Red Tape Commission.

As I said, I wouldn't be so worried if the Red Tape Commission was as ineffectual and useless as the crime commission and the gas-busters have been, but that's not the case. They have done and are doing some things in this province we should all be very concerned and worried about, contributing, as I said a few minutes ago, to the seven years of lost opportunity we've been through in this province.

Let's look for a minute at this bill, because time's rolling on. The bill amends more than 400 items in 15 ministry statutes and repeals 15 acts. That's a lot of work, a lot of change, a huge amount of change to the way we do business in this province. We're going to do this probably in about a week in this place, all told, when you put it all together. It may stretch over a couple of weeks or three weeks before it's actually done, but when you add it all up, second reading and hopefully a little bit in committee, then back for third reading and probably no debate there, we'll be lucky if we get a week on this very substantial and big bill.

The minister, Mr Flaherty, says the legislation will see that outdated, outmoded and unnecessary regulation is eliminated or replaced with thoughtful, needful smart tape. That's what they did to the Ministry of the Environment, which resulted in Walkerton. That's what happened. But it's more far-reaching than that. This bill goes even further than the last red tape bills. When the minis-

ter, Mr Flaherty, talks about efficiency, one has to ask the question, because of their track record and because of what we've seen happen as a result of other bills they brought forward under the aegis of red tape and efficiency, when the ministry talks about efficiency, efficiency for whom?

That's the first question, and look at that really closely. There's not a single item among these 600 pages that in any way inconveniences the corporate bums who make millions off of selling off public assets and loosening government control. Not an item. Nothing. There's no red tape there, obviously, in this province, and we don't in any way want to put anything in place that might challenge or get in the way of, for example, a Canadian Enron, a Bre-X, all those nasty things we're beginning to see happen now as a result of corporate greed in this country and across North America.

This legislation shows that this government is in fact an activist government, but not in the way we often expect or see activist governments operate. This government actively protects the rights and privileges of the wealthy few, and it actively avoids sticking up for the citizens in this province who need our help the most. I'll get into that in a few minutes, but that's really important.

Government, in my view, has no more fundamental responsibility than to look after those in its jurisdiction who are most at risk and most vulnerable. It has fallen down consistently, time and time again. We have gone through seven of probably the most economically positive years in the province in a long time, and yet we have more people struggling under the weight of poverty. We've seen government services cut dramatically and drastically.

I came here 12 years ago. You would see from time to time the odd person sleeping on the street, but now—I walked through city hall the other night and I was tripping over people every five yards. That's what this province has come to in the seven lost-opportunity years under this government. So this government actively avoids sticking up for the citizens in this province who need our help the most.

When Mr Flaherty, the minister, says he's cutting red tape, we have to look closely at what in fact he's cutting. For example, this legislation restricts the right to strike and to bargain. Can you imagine? Can you imagine in the year 2002 in Canada, in Ontario, a government that would bring in legislation to restrict the right to strike and to bargain, to get in the way of what is a creature of the private sector, unions rising up? Poland was probably the most dramatic example, against Communism, to challenge the new industrial regime that came in, to make sure workers were treated with respect and dignity, and that health and safety was dealt with effectively, in a way that could be challenged and implemented.

We now have a province that is bringing forth legislation in this province tonight that is going to restrict the rights of workers to strike and to bargain. When we talked about this five years ago, saying this government was going to turn us into a right-to-work state, copying

some of the very right-wing states in the United States, people said, "No, we'd never go there. That would never happen, not in Ontario, not in 2001 or 2002." But here we are tonight looking at that.

This proposed act will reintroduce the Labour Relations Amendment Act. The Labour Relations Amendment Act affected residential construction in the city of Toronto and the regional municipalities around it. Many of you will remember the debate we had when that act was brought through, the back-and-forth and the very difficult circumstances it imposed on some working men and women in this province. It prohibited strikes outside a 46-day window from May 1 until June 15. Every three years you could strike, but only for 46 days. Try selling that to Buzz Hargrove. Try telling Buzz Hargrove in his dealings with GM, Chrysler and Ford—he has just got these really wonderful, very positive agreements with them, good for the workers, good for the companies—try telling him and his workers they can only strike for 46 days every three years. Talk about an incursion into free collective bargaining.

The Labour Relations Amendment Act provisions expired on April 30, 2002, by virtue of the sunset clause.

Mr Garry J. Guzzo (Ottawa West-Nepean): How did you vote on the social contract?

Mr Martin: I voted for it. Let me tell you, I sat here until after the long weekend in August, debating, talking and working with those men and women to try to come up with something that would deal with the circumstances we were facing as a government at that point in time. We were not in a time of great economic largesse and excess. We were struggling with probably the biggest recession to hit Ontario in a long period of time. Contrary to your understanding of what we tried to do as a government, we did try to manage the finances of this province and we did try to sit down and talk with men and women working across this province to come up with a deal. It certainly wasn't perfect.

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Mr Guzzo: You tripled the debt.

Mr Martin: Yes, we tripled the debt trying to keep services—

The Acting Speaker: Order. The member for Ottawa West-Nepean should know that the member for Sault Ste Marie has the floor. It is a solo, not a duet.

The member for Sault Ste Marie.

Mr Martin: Thank you very much, Speaker.

But the member from Ottawa obviously doesn't understand. I guess at that time you were doing quite well, thank you very much, weren't you?

In Ontario from 1990 to 1995, with the recession that was blowing—and it wasn't an Ontario recession; it was a global recession—we had to provide services and opportunities for the men and women who, when times are good, work in this province and pay taxes and expected that government would deliver those services when times were difficult, and those services cost money. There's no way around that.

People have to get their heads out of the sand. This government has to understand that if you're going to provide services for people and if people want services, you've got to pay for them. In difficult economic times, it means you've got to go to the bank every now and again and get some money so that you can continue to do that, knowing that this province has the industrial strength to work its way through that and pay it back after the recession is over.

This government, when it came in in 1995, instead of moving directly to pay down the deficit and the debt, decided to go on a spending spree themselves and gave out tax breaks to all their friends and benefactors and all the big corporations and businesses that paid their way to this place. And what happened?

Ms Marilyn Mushynski (Scarborough Centre): And created all kinds of jobs.

Mr Martin: Well, what happened? The deficit went up; the debt went up. You've got no ground to stand on, member from Ottawa West-Nepean, no ground to stand on at all. The debt and the deficit may have tripled under us; they've doubled under you from where we had it. You're not paying down the debt. It took you four or five years to even get close to cutting the deficit, because you wanted to deliver on your tax break. That's spending public money as well and that's what you're about.

So this government now, with this bill, is coming forward and saying it wants to restrict the right to strike and to bargain. The Labour Relations Amendment Act provisions expired on April 30, 2002, by virtue of the sunset clause. Now this act will reintroduce those measures with a new sunset clause of April 30, 2005. The Ministry of Labour proudly brags that this legislation will minimize the risk of consecutive strikes, such as those that paralyzed the industry for five months in 1998. Strikes are bad for business, they say, and this government has acted to protect business as it has since 1995. None of us should be surprised that this government will act to protect business and the interests of business. I don't think that business is bad, but it doesn't need the protection of government in the way this government has tried to implement its agenda.

It's a bit of a stretch to pretend that this is house-keeping, though. Restricting the right to strike is not cutting red tape. That's not cutting red tape; that's cutting into the very fabric of the way we ensure that everybody benefits from the work they do and the wealth that is generated by the contribution we all make by virtue of that work in this province.

There's a lot of downloading in this bill as well. We know all about downloading. You talk to any municipality across this province and they'll tell you that they're struggling because of the downloading of responsibility, without the money, that has happened. School boards are the same: they'll tell you that what they've been given to deliver by way of new standards in place now is almost impossible with the funding formula that was put in place. With the downloading that this government en-

forces, or puts on people, never are there the attendant resources that are required.

The ministry of community and social services gives up control over children's aid society bylaws. The Chair of Management Board gives up power to regulate lobbyist fees. Amendments to the Algonquin Forestry Authority Act allow the forestry authority itself, rather than the LGIC, to make decisions on contractors. This is more like telling the fox to make the rules for the henhouse. That is what this is: turning over to the private sector, those who stand to gain, control over the regulations that they have to live by. It's a little bit like having the accountants in Enron audit as well as give financial advice. It's the same kind of thing. It leads to the same end and will get us in trouble if we continue down that road.

The Forest Fires Prevention Act would be amended to broaden the ability of the minister to enter into alternative delivery of fire management services; in other words, contracting out. Where we have, in this province, a fire-fighting operation that is the envy of many jurisdictions in the world, that this summer alone sent literally hundreds of men and women into the United States to fight fires, we now want to change that. We don't think it's good enough. We think it's too expensive. We think that it's probably inefficient or something. When you have a fire and you call one of your contracting companies out to fight it, and they have paid their workers beyond what they've gotten in the contract, do you think they are going to continue fighting the fires? I don't think so.

One of my colleagues shared a story of a bizarre nature that happened when he was staying in a hotel in Mexico. There was a fire and they called the fire department. The fire department came because they were a volunteer operation there, but they couldn't turn on the fire hydrant because the fire hydrant was owned by a private company and the fire department had to have a contract with the private company to use the water from the fire hydrant. That's the kind of complication and idiotic scenario we'll get ourselves into if we head down this road.

Public services should be delivered by public servants, should be paid for by the public through the taxes they pay because it is more efficient and costs less. We see that in our health care system. Anybody who has studied what they are doing in the United States will tell you that it costs literally thousands of dollars more per person, per year to deliver the kind of health care, private-sector-driven, given in the United States compared to what we do here in Canada under the health system we have in place.

The Conservatives show that they are an activist government in this legislation. There is far more in here than simply cutting red tape. This legislation is quite activist when it comes to going after people whose bank accounts are running low. We are talking about working men and women here; we are talking about people of modest income. They are not going after the companies and big

corporations, because their bank accounts never run low. Say what you like, but that's the case. We are talking here about helping those big, poor banks that are having a difficult time, I guess, collecting or dealing with ordinary men and women who in the very difficult times we have now, particularly in northern Ontario, making ends meet, to make sure that if their bank account runs low, there is somebody knocking at their door—not that your bank account runs out or that you bounce a rubber cheque, but if your bank account runs low. In fact, if you bounce a cheque, you can lose your driver's licence. That does a lot to somebody who makes their living driving a truck or a taxi or whatever. If your bank account runs low—if you inadvertently passed a cheque without enough money to meet it in your bank—the bank doesn't just call you up anymore and say, "Mr Martin, we have a cheque here but we don't have quite enough money in your account. If you promise to come in in a few days, we'll just process it and everything will be cool." No. Under this red tape legislation, the government will be able to pull your driver's licence. If you happen to be a truck driver or a taxi driver, you're up the creek because you have no income coming in in order to go to the bank and make good on the cheque and get your affairs back in order again. It doesn't make much sense to me, but that's where this government wants to go.

The act is being amended to clarify that the minister may cancel a driver's licence or vehicle permit for a dishonoured payment: that is a bounced cheque not rectified on the driver- or vehicle-related fee. This may make it easier to collect fees, but the Highway 407 situation causes some concern. The ministry is required to cancel permits if tolls are not paid to the private owner.

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Understand this: this government, in taking power in 1995, took one of the assets that the province, our government, built and invested in in order to provide more transportation and a source of income for the government so that we could build more roads, and turned it over to the private sector. The private sector is making a killing—if you were here earlier today you would have heard the member from Scarborough-Agincourt talk about just how much money—under the leadership of Al Leach. The private sector company that now owns the 407 is making a bag of money. They're making a pile of money. This company is not poor. This company could, in fact, if it wanted, implement some of their own systems to try and collect on some of the fines to people who get themselves into difficulty on that 407 highway. But no. This government not only turned the asset over and allowed them free will to raise the rates as much as they want, to make as much money as they could possibly make, they're now going to become the collection agency for them. Can you imagine? This government, which doesn't believe in government, wants to cut government and doesn't believe that government should be in the faces of people, is now going to lend itself to this new private corporation that runs the 407 in order to collect on bad accounts, cancel permits if tolls are not

paid to the private owner. These amendments will add another irritant for the drivers. Where this road was put in place to relieve road rage and get people off some of the highways out there, you're going to have a whole whack of pretty angry drivers out there now. Another way to take their money and put it in somebody else's pocket, that's what this is about.

When it comes to squeezing money out of ordinary citizens or helping their friends in the construction industry, or making it easier for the wealthy few who want to buy up everything the people of this province built up publicly, in order to make private profits, this is indeed an activist government and nowhere reflected more readily than in this Bill 179 that we're dealing with here tonight.

I have a vision, though, for a very different kind of government, a government led by Howard Hampton as the Premier, a government that does not always act for the benefit of the people who already have most of the money and most of power in this province—

Hon Doug Galt (Minister without Portfolio): You're having a nightmare.

Mr Martin: They said that about Mike Harris in 1995. We went into the election in 1995 and nobody knew who Mike Harris was, nobody knew who Doug Galt was, nobody knew who Dan Newman was. You guys came from third. When you do the math on the numbers of seats that we had in 1995 and the size of your caucus, and you compare it to what we have now in the size of this House, it's not that much different, and you guys won government in 1995. Nobody knew who Mike Harris was. You guys brought out the Common Sense Revolution about six months before the election and everybody laughed, including myself.

Interjection.

Mr Martin: A year before the election. We all laughed, we thought you were crazy. We thought Mike Harris had already begun to drink the Kool-Aid. We thought he was wacko to be suggesting the things that he had in that, that the people wouldn't buy it. But they did and they elected you guys. We have just as much chance of being the government after the election that you will call within the next year or so. We really do.

We're going to be working hard. We're going to be putting programs and platforms out there that we think the people will be attracted to, particularly after the last seven years of missed opportunity that we've had in this province. I think they'll like it, they'll like us, and they'll certainly like Howard. They like what he's doing on hydro up in my community, in Wawa—Mr Newman knows—in Hamilton and Welland. They love what he's doing on hydro, because they know their bills are going up as a direct consequence of the deregulation and the privatization of that whole system. They like him, they like our leader, they like what he has to say, they like his sense of commitment and his power. They believe him when he says things. He said he was going to do this, and he's going to do it.

Mr Guzzo: Win 12 seats for us, will you?

Mr Martin: We'll win more than that; we'll win more than 12 seats. We'll be the government after this next election.

Mr Guzzo: We had to change the rules to make you a party, remember?

Mr Martin: And we thank you for that. Thank you very, very much. Do you want me to get down on my knees, or what? Thanks. We appreciate that, and I think that because of that we've done a really good job here in opposition. We've held you to account. We've been a very effective opposition over here. The hydro campaign has been over the top, successful for us, because it's in keeping with what we believe. We believe that public services should be in public hands. We believe that hydro is a fundamental, essential ingredient to any good economy that we will have; it gives us an advantage.

Howard Hampton, our leader, the next Premier of the province, is leading that campaign, just as Mike Harris, in 1995, led the Common Sense Revolution—

Interjections.

The Acting Speaker: Order. The member for Scarborough Centre needs to come to order. I'm sorry to interrupt the member for Sault Ste Marie.

Mr Martin: I'm touching some raw nerves over there—

The Acting Speaker: The member for Sault Ste Marie should be reminded that he should address his remarks through the chair.

Mr Martin: My neighbour and colleague from Algoma-Manitoulin, thank you very much.

Yes, we have every opportunity, the same as every party in this precinct, to be the government after the next election. When you look over the last 10 years, we had a majority Liberal government, we had a majority NDP government and we had a majority Conservative government. People are willing to vote for those things that they think will affect them most directly, pocketbook issues we call them: a re-regulation of hydro and not turning it over to the private sector—they like that—taking back those pieces of the health care system that have been privatized and contracted out by this government, a lifting of the very difficult load that has been put on the education system. That's what we're promising, and I think people will like it; a government that does not always act for the benefit of the people who already have most of the money and most of the power in the province.

Why can't a government protect the interests of those who need support the most? Why can't they do that? I don't know. I notice, for example, that this Government Efficiency Act amends the Ontario Disability Support Program Act.

The Minister of Community, Family and Children's Services was here a little while ago. I wish she was still here. They're going to, in this bill, amend that act. But these amendments are in fact genuine housekeeping items; there's nothing in here to correct the shortcomings of the ODSP, nothing that speaks to the need of people struggling with disabilities in this province for a modest increase in their income. There is nothing here to help

people struggling to get by on the proceeds of ODSP. People with disabilities are being forced to live in poverty. Disabled people who are unable to work rely on the Ontario disability support program almost totally, and they're being forced to live significantly below the poverty line. This government could do something about that. They really could. The minister, who just walked in, could, by virtue of her power, bring in a change tomorrow that would give a very modest increase to people with disabilities in this province.

I brought in a private member's bill last June. They whipped their government around. Three of their members actually had the courage to stand up and say, "Yes, what Tony wants to do is right. It's morally and ethically the right thing to do." A modest increase based on the cost of living that would be automatic every April 1 each year—who could speak against that? The member from Ottawa West-Nepean, could you speak against that?—a modest increase for the disabled in the province, who haven't had an increase since we were government, in about 1993-94, and with the cost of living that's probably gone up somewhere between 10% and 15% since then. They're living in poverty, big time poverty.

The government has a fundamental responsibility to look after the most vulnerable people in our society. I've said that probably two or three times tonight, and you'll hear me saying it as long as I'm in this place.

Interjections.

Mr Martin: Five times?

Hon Dan Newman (Associate Minister of Health and Long-Term Care): Six times.

Mr Martin: Six times, OK. Right now, we're failing them. We're not doing that; we're not living up to that responsibility. Last year, this government released their vision statement for people with disabilities. With it, they profess to be the champions for the disabled. The vision's a good one. Mr Jackson delivered it; a good vision. It states that they believe that the dignity and worth of all Ontarians should be respected and valued. Who could argue with that? They believed people with disabilities have the right "to participate fully in every aspect of life in our province." I have to tell you, for anybody who has experienced it or knows anything about it, it's hard to participate fully when you're living in poverty. As a matter of fact, I suggest to you it's impossible.

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These are great words, but they are just that, words. Today as I stand here those words ring very empty for 192,000 disabled citizens of Ontario and their families, friends and caregivers. For them, this vision statement is nothing more than a slap in the face. They see little dignity in being forced to live below the poverty line. They find it impossible to participate fully in every aspect of life when they don't have enough money for the very basics: food, clothing, transportation or even many of the medications or supplies they need. Any of you who knows somebody who is disabled will know there's a whole array of costs for those folks that go beyond food, clothing and shelter. There are all kinds of devices they

need, all kinds of assistance they need, special diets they have to have or they get allergies etc, and the list goes on. Anybody in this place who has spent any time in their constituency office and has met with the disabled, either individually or as a group, will know of what I speak.

The cost to them of participating in community is huge. The opportunity is minimal. A single person living on ODSP receives a maximum of \$930 a month, a yearly income of \$11,160. According to Statistics Canada, this is significantly below the poverty line. Particularly for those living in our urban centres—those of you who live in Toronto will understand this—it is very expensive these days and getting more expensive with each day that goes by. They would need an additional \$7,211 per year—imagine, they are below the poverty line by \$7,211—just to reach the poverty line, and that's just the poverty line. That's the line where you can afford the very basics. That's not a line that gives you the opportunity to participate fully in your community.

There is no protection for them in Mr Flaherty's efficiency bill. No one in this government acted to protect these people the way construction bosses and privatization tycoons were protected, not even close. The provisions that are in this bill that make it easier for those who already have to get more are humungous, while there is very little in this bill for those who need it the most.

I ask that every member of the government imagine trying to survive on \$11,160 a year. For all of us, the lowest salary in this place is \$82,000 a year. It's a lot of money. Some of us make \$90,000 or \$100,000 a year. Just imagine for a second going home and telling your wife and kids, "Got some bad news here to deliver. We've been cut back. We're going to make \$11,160 a year." How do you do that? That probably wouldn't even pay the mortgage for a year on most of the homes many of us live in, never mind pay for the food and the clothing and the school supplies, the opportunity to play hockey and be in music or to swim, all of those things that cost money nowadays. More and more, that is costing money because there are now fees for everything. Where a lot of that used to be covered out of the tax base and provided as a service to communities, it is not being provided anymore because communities just can't afford it because they've been downloaded on by this government. No one, in my view, deserves to live like that.

The cut of 22% that was made in June 1995 to welfare people was scandalous. It was morally and ethically wrong, and I am on record here tonight to say we would change that if we were the government and will change it when we are.

Since then, since people living on disability benefits have not had an increase since the Conservative government took office in 1995, the cost of living has gone up by 12.8%. This means that not only have they not had an increase, but \$11,160 is worth \$1,500 less than it was in 1995—and the circumstance goes on.

I've proposed legislation that would index ODSP to the cost of living so that every April 1 people with disabilities would get the increase they desperately need

to maintain their income level. My bill proposes to stop people with disabilities from falling further into poverty, but I notice, sadly, that Mr Flaherty and his colleagues did not include this in their Government Efficiency Act. That would have been a good move, a class act, but we've come to not expect that from this government.

The Labour Relations Amendment Act protects construction tycoons from losing profits during a strike. That legislation is included in this proposed act, but Bill 118, which would provide people living with disabilities a modest increase in benefits, is not included. I can't imagine a more damning example of who this government protects and who it is willing to attack.

In the last 25 seconds I have here tonight, I would appeal, plead, beg the government to stop the clawback of the child tax benefit supplement. That's \$100 to \$200 which could go to very needy families in this province and relieve them of some of the struggles they confront every day. That would be a nice amendment, a nice addition, to this bill that, up to this point and in its present form, does not serve them very well.

The Acting Speaker: Questions or comments?

Mr Steve Peters (Elgin-Middlesex-London): I want to commend the member from Sault Ste Marie for his comments this evening, and in particular his passion for persons who live their lives with a disability in this province. Having served 14 months as a critic for disabilities issues on behalf of Dalton McGuinty and the Ontario Liberal Party, I saw and learned first hand the various barriers that persons with disabilities face in this province. I commend him for his advocacy. I commend him more for his advocacy for seeing an increase for those individuals who live on the ODSP.

We've seen no increase in those pensions. We know that he put forth a private member's bill to try to see that increase put in place. We saw the reaction from this government. But certainly we've witnessed individuals all across this province who have taken up that torch Mr Martin has put forward in trying to persuade this government to do something.

I pay tribute to an individual from London, a gentleman by the name of Mr Jim Kramer, who has waged a constant e-mail barrage at this ministry and at the minister in particular. I don't know if anybody from the ministry has responded yet. I know that at least a week ago, almost four weeks' or three-and-a-half weeks' worth of e-mails to the minister's office had gone unanswered. I think that's not acceptable. No matter whether we correspond by telephone, e-mail or formal letter, it should be responded to.

So I commend the member for his efforts. We know this is a piece of legislation that's moving us closer to two-tier health care. It's also moving us away from keeping important information in public hands.

The Acting Speaker: Questions or comments?

The member for Sault Ste Marie has two minutes to respond.

Mr Martin: It's the first time I've seen the government caucus dumbstruck, but I dare say they will be

thunderstruck come the next election if they don't pay attention to some of what we're saying over here regarding some of the legislation that they're bringing forward these days.

Our caucus will not be able to support this bill, for a number of the reasons that I laid out here tonight. I've offered some suggestions, though, as to some things they might do that would bring us closer to maybe being able to at least take a look at it. We'll be calling for it to go out to public hearings, of course. We'll want full debate in the Legislature on it because it is a very substantial and lengthy bill, an omnibus bill, that is driven by the Red Tape Commission. We need public scrutiny and public accountability where it's concerned.

2100

I talked to you tonight about some of the things this government could do to lift some of the burden or red tape that some of our more needy citizens are confronting every day as they go about their lives. I particularly mentioned the travail, the difficulty, the challenge of those who live with disability in this province, 192,000 of them, who haven't had an increase in their income since the early 1990s. I also suggested that the members across the way pay close attention to the inquest that's going on right now in Sudbury over the death of one Kimberly Rogers and to listen as people talk about the effect of changes in legislation and approach in regulation where people on welfare are concerned, particularly the issue of people who collect social assistance also being able to take out student loans so they can in fact better themselves and get on with their lives and contribute in their communities in the way we know they have the potential to and want to.

The Acting Speaker: Further debate?

Mr Beaubien: It's a pleasure to speak tonight on Bill 179, the Government Efficiency Act, 2002.

One comment I would like to make, after listening intently to the member from Sault Ste Marie—and he was somewhat insinuating that the government members were not listening. I think every one of us was listening quite intently. He mentioned the fact that he was walking around Toronto city hall not too long ago and he had to step over homeless people every five yards. I don't know if he was alluding to the fact that when they were in government he was walking over homeless people every 10 yards. I would strongly suggest that whether you have homeless people every five or 10 yards, it is not really acceptable. One homeless person is probably too many. I don't know whether he makes a distinction between one or 100 or 50 or 25 or whatever it is, but I sort of missed the point there as to what he was trying to convey to us.

If this bill passed, it would clarify, streamline and update dozens of acts of 15 different ministries. The bill would repeal 15 outdated acts and amend nearly 90 others. This government has already repealed more than 57 outdated acts, amended more than 200 acts and eliminated more than 1,900 unnecessary regulations since 1995. I'll get to the gist of the bill in more detail a bit later on. That is a record to be proud of. It just makes

sense to have our statutes and regulations conform to the realities of the day.

This bill would provide uniformity and clarification in numerous areas that are currently inconsistent and unclear. I think it's always somewhat important that as a government we are and should be consistent, that we should be fair, that we should be clear. There are a multitude of housekeeping amendments that would clear up many of these inconsistencies.

For instance, the Ministry of Citizenship would amend the Human Rights Code to change the name of the Board of Inquiry to the Ontario Human Rights Tribunal. I don't know what the impact is going to be on the constituents of Lambton-Kent-Middlesex and of Ontario, but I'm sure it's not going to be very severe. The intent of the change is to clarify the nature and role of the Board of Inquiry. As it stands, the board not only undertakes inquiries; it also renders decisions. The new name would give the public a clearer picture of its purpose.

Another example of the type of housekeeping matters this bill would carry forward can be found in amendments by the Ministry of Culture. The ministry would amend the Public Libraries Act to delete references to improvement districts that no longer exist. It would delete distinctions in the act between library boards in large and small municipalities. Each board would now be composed of at least five persons, and no upper limit on board size will be stipulated by the act. It would also harmonize the privacy provisions of the Public Libraries Act to make them consistent with the privacy provisions of the Municipal Freedom of Information and Protection of Privacy Act. These amendments would clarify that the right of a person to inspect a library board's records under the Public Libraries Act is subject to the same exceptions set out in the Municipal Act. So when we talk about consistency, that's what this bill is all about. Part of the bill certainly is about bringing consistency into our regulations and legislation.

Bill 179 would also afford the Ministry of Finance the opportunity to make changes in the 1994 Credit Unions and Caisses Populaires Act. The ministry would amend the act to establish a consistent definition of the term "special resolution" and the consequential use of that definition in various sections of the act. It would standardize the requirements for special votes. The ministry would also amend the Credit Unions and Caisses Populaires Act to modernize the way in which notice of meetings considering the expulsion of members is given. Another amendment that the Ministry of Finance would make to the Credit Unions and Caisses Populaires Act would be to clarify the confidentiality expectations to which directors, officers, members and staff of the credit unions are expected to adhere. I'm sure that the member for Sault Ste Marie would not have any great difficulty in making sure that privacy issues are properly handled by government agencies or private agencies. Clarification and consistency: that's what Bill 179 is all about.

The Ministry of Consumer and Business Services would make amendments to the Land Registration Re-

form Act. The amendment would facilitate the filing of standard terms of agreements, which would be referenced in subsequent registrations. This will result in reduced paperwork and the streamlining of procedures for registering interests at land registry offices. If the government efficiency Bill 179 is passed, amendments to the Land Titles Act will similarly streamline procedures for registering interests such as deeds or mortgages by allowing the electronic filing of statements.

I'm sure that the member from Sault Ste Marie will recall that not too long ago there was talk that small registry offices in rural and northern Ontario would be closed in the mornings. I found that appalling, because there was a backlog in some of the large registry offices. I realize that some of the large registry offices in urban centres do have Teranet, do have the electronic filing that maybe small, rural and northern communities do not have. However, we have provided a service in the rural and, I'm sure, northern communities quite efficiently. Just because the large urban centres have the Teranet system or the information technology system, it doesn't mean that we should short-circuit the smaller municipalities.

This proposed amendment supports the general movement under the act away from the filing of affidavit evidence to statements in the registration of instruments such as mortgages or easements.

The people of Ontario deserve legislation that is relevant, current and up to date. Bill 179 would help bring our legislation in line with modern technological developments. I know sometimes it's somewhat difficult to accept change. I know I look in the mirror every morning and there's one hair missing and there's another grey one; it's not very easy to accept, but I have to accept it because that's reality. To the member for Sault Ste Marie, I know you're somewhat too young to be there yet, but you will get there. If you live long enough, I'm sure you will get there.

As another example, the Provincial Offences Act would be amended to allow bail hearings in certain circumstances to be held by means of audio or video technology and to allow search warrants to be issued by fax. Some communities in rural and northern Ontario probably don't have those facilities, but there are many municipalities in urban areas that probably do have these facilities. It's more cost-efficient. I guess justice might be rendered more quickly. I don't know the case, but we have to recognize the fact that modern technology is here, and is here to stay. The sooner we recognize that, the quicker we'll be able to accept this bill. Not only will these changes help modernize our justice system, but they would also have the added benefit of bringing it in line with amendments made to the Criminal Code of Canada.

2110

Also, I would like to point out that this bill will prohibit the sale and installation of rebuilt air bags in Ontario. It's interesting that the member for Sault Ste. Marie spoke for 60 minutes. He pointed out some pitfalls.

I'm sure that with any bill there are always pitfalls, but there are some concerns. If you look at what occurred in Quebec in the past year with regard to rebuilt air bags, there have been some sad consequences. There have been various injuries. I think there has even been death caused by rebuilt air bags. This bill would make sure that car repair shops do not use this type of equipment when they're working on your car, or one of your constituents' cars, or one of my constituents' cars.

This bill would also amend a number of health statutes. It will deter fraud and go after those who abuse our public health care system. I'm sure you would not have any problem with that, that anybody who abused or fraudulently used the system should be dealt with. If you have problems with that, I'm sure your constituents may have to disagree with you on that.

Mr Martin: Throw them all in jail.

Mr Beaubien: The changes include significantly stiffer penalties and a clarification that courts can impose orders that require compensation and/or restitution. The member from Sault Ste. Marie says, "Throw them in jail." I don't think there's anything to be gained there if it's a minor offence, but I think reimbursing the system is fair and equitable and consistent to the taxpayers of Ontario.

This bill will also amend—this is one you should listen to—the Domestic Violence Protection Act. It will strengthen the government's commitment to addressing domestic violence, supporting victims and holding abusers accountable. I'm sure that as responsible taxpayers in Ontario—anyone who abuses anyone else should be dealt with because the fact that you abuse somebody is certainly not acceptable. It's certainly not acceptable to the members on this side of the House. I'm sure you're not suggesting it is acceptable to your people.

There is another one I would like to touch on which this bill would deal with. It would clarify farm vehicle signage requirements. Maybe in Sault Ste Marie you don't have too many farm vehicles, although I'm sure you have a few. In my riding, farm vehicles are a very important part of our economic activity. As we're all aware, farm vehicles are supposed to have slow-moving-vehicle signs, but there are no limits attached to a slow-moving-vehicle sign, so you can move at five kilometres an hour or you can move at 80 kilometres an hour. What is acceptable? This bill would amend the Highway Traffic Act to specifically set the speed limit at 40 kilometres per hour. I think 40 kilometres an hour is somewhat acceptable on a vehicle that has a slow-moving-vehicle sign on it. It will give some guidance and some direction to some people.

Another one I would like to touch upon, because this has impacted constituents in my riding in the past month where two individuals lost their lives, is improving safety at rail crossings. We have the community of Watford-Warwick, where about a month ago two individuals lost their lives. This railroad crossing is on a remote, not very well travelled road. There is no stop sign. There are no signals. In the past five years, four individuals have lost

their lives. The municipality could not get the federal government to act in a timely manner, so in a responsible manner, the council of that community decided it would place stop signs to at least forewarn the people that there is some danger.

Now, you're going to say, "Well, people can still go through the stop sign and hit the train or get hit by the train." That's true. I believe we can never eliminate all risk, but we can manage risk, and this is what the community of Watford-Warwick has done. They have worked with the best solution they could come up with and they're managing this particular risk at this railroad crossing.

Another issue I would like to point out that this bill will deal with is proposed amendments to the Ambulance Services Collective Bargaining Act. I don't think the member from Sault Ste Marie touched on this. I want to point out that this bill would ensure consistency for conciliation officers in carrying out their duties under both this legislation and the Labour Relations Act, 1995, by ensuring that any confidential information shared by the parties with the conciliator in the course of negotiating an essential ambulance services agreement is protected. I'm sure that paramedics and ambulance operators in your riding would not have too much difficulty in accepting this change provided by Bill 179.

Ontarians deserve legislation that is clear and concise. They deserve legislation that makes their life easier, not more difficult. Bill 179 would help Ontarians in their daily lives. It would remove much uncertainty, confusion and indecision about the mounds of paperwork government has demanded from them in the past.

We talk about mounds of paperwork. I'm sure that when any member in this House talks about paperwork, about red tape to their constituents—I don't hear too often that it's easy to do business with the government. I would say the large majority of the constituents I talk to are always complaining, and rightly so, how difficult it is, how burdening it is to do business with the government, whether it's the Ministry of Labour, the Ministry of Health or whatever ministry you want.

When we look at the red tape bills that have been introduced in the past, along with this particular bill, yes, there are always pitfalls. I have yet to see any perfect legislation that has ever been submitted by any government, in this province, in this country or probably on the face of the earth. But it is about trying to make things easier for people to do business with the government.

For these reasons, I will be supporting Bill 179.

The Acting Speaker: Questions or comments?

Mr James J. Bradley (St Catharines): This is one of those bills that has some supportable parts to it. Unfortunately, being an omnibus bill, there's so much in it that is not supportable that we're not in a position to do that.

One of the areas I'm very concerned about is the area that will make it easier for the privatization of health care in Ontario. We saw an example of this, I thought, at the Sunnybrook hospital, where a good decision was made in principle; that is, the decision to increase the amount of

radiation treatment available. But instead of simply providing additional funding to Sunnybrook hospital, a public institution, it was given to a private individual to run it. That same money could have been used for that purpose. Now we will have MRI clinics and CAT scan clinics and so on that will in effect be run by the private sector.

I think there is a solution to it outside of that. If that were the only solution, the government might be able to hang its hat on it. The problem is that isn't the only solution. The solution is to provide additional funding that you're going to have to pay the private sector anyway, provide that to public institutions so they can operate their MRIs or their CAT scans or other equipment on a more frequent basis so they can have additional equipment.

As well, I'm concerned that there are some areas of the bill that want to give further cover to the government to not reveal information to which the public is entitled. I think my colleague for Don Valley East noted that—this was in the field of the Ontario Securities Commission, for instance—there should be as much information as possible made public. I'm in the middle of a fight with the Ministry of the Environment right now, where I've tried to get 400 pages of information on the Kyoto accord and they won't give it to me. They simply will not pass it along to me. So I think anything that prevents that from happening is not helping.

2120

Mr Martin: I want to suggest, in starting, that it was good to hear from the member for Lambton-Kent-Middlesex, given the silence across the way after I spent an hour sharing with the folks some thoughts I had on this bill. However, he did not clear up for me any of the lost opportunity that happened over the last seven years, nor did he clear up for me what happened to the gas-busters or the crime commission.

Mr Bradley: Gas-busters?

Mr Martin: Yes. I don't know where that went. But he did talk about fraud. Fraud is a popular topic for the members across the way. They don't like fraud except if it's fraud at the corporate level or somebody is defrauding on their taxes if they're a business. That's not such bad fraud. That's kind of simple fraud.

Where it comes to ordinary men and women or poor people trying to access the resources they need, if they make a mistake or, in the example of this government, the government decides that they want to create some fraud, they change the rules such that what used to be the way you did things all of a sudden becomes not the way, and you break the rules and it becomes fraud. Then all of a sudden you find yourself on the slippery slope and you're into the criminal justice system. I think anything that would do that to people is wrong.

I'm not sure where this bill will lead us, because once this government gets on that track, there's no end to it. For example, this government made it illegal for people collecting social assistance to also take out a loan to go to school. If you do that, you end up in the criminal justice

system. That wasn't the case seven years ago, but it is now, and Kimberly Rogers died because she didn't understand that.

Mr John O'Toole (Durham): I'm very pleased to respond to the member from Lambton-Kent-Middlesex. As always, he has made a very enthusiastic and, I might say, comprehensive comment with respect to Bill 179.

As a member of the Red Tape Commission, I know the infinite amount of work that has gone into it by the member from Lambton-Kent-Middlesex as well as myself and of course Gary Stewart from Peterborough and Mr Spina. A lot of members on this side take great issue with eliminating barriers to opportunity. That's really what this business bill is all about.

The bill contains, as the member said, 400 amendments to clarify, streamline and update some 15 different ministry statutes. The bill would repeal 15 outdated acts and amend nearly 90 others.

We must constantly ensure that our Legislature reflects the changes needed in society and takes advantage of technology—it's improving our quality of life—and update outmoded regulations; sunset many of the regulations; eliminate unnecessary legislation and regulations.

We've said for a long time that we've been over-regulated and overgoverned, and this government has taken some action, not just in this bill, but in previous amendments to regulations as well. An example I'm particularly enthusiastic about is that the bill will prohibit the sale and installation of rebuilt air bags in Ontario. Having worked in the auto industry for over 30 years, I can tell you that safety in our automobiles is a prime concern of our Minister of Transportation, the Honourable Norm Sterling. He's an engineer and lawyer. Quite honestly, the potential sale of defective air bags is just one example where this will prohibit this practice.

More important, I think, is amending the Provincial Offences Act, which would allow audio and video technology for remands. It's another example of putting public safety first.

Mr Peters: As has been said, there are a number of amendments to a number of pieces of legislation in this bill before us tonight. I want to talk to you on a couple of them. One is the Ontario Heritage Act. There are a number of amendments here that are a step in the right direction but the act should undergo a thorough review. It hasn't had a thorough review since 1974.

If this government really wanted to do something to preserve the heritage of this province, instead of saying a municipality "may" establish a heritage committee, they would amend this law, this proposed bill, to say that municipalities should establish, "shall" establish, a heritage committee. That would be a very positive step toward the preservation of heritage in this province.

There are also amendments dealing with the archaeological sites in this province, and I think it's very

important that we do what we can to stop pirates from raiding and destroying and stealing our valuable heritage resources. It's one thing to include in this act changes to the archaeological sites preservation, but you don't put any teeth to it. You've gutted the Ministry of Culture. The regional archaeologists in this province are almost non-existent now. If you really want to do something to preserve the heritage of this province and put some teeth in the Ontario Heritage Act, put the resources into the Ministry of Culture to ensure that archaeologists in this province have the resources to ensure that our valuable archaeological resources are not being lost.

Another section of this legislation that really disturbs me is the amendment that would allow for a school board to go down to a total of five members. We've seen what has happened all across this province with the reduction in the number of school boards and the loss of rural voice. If you allow a school board to go to five members, rural Ontario is going to be shut out further. As it stands right now, in Elgin county we have two representatives on the Thames Valley board, which is dominated by the city of London. Rural Ontario is losing its voice, and with this legislation it's going to be hurt more.

The Acting Speaker: Response?

Mr Beaubien: I would like to thank the members from St Catharines, Sault Ste Marie, Durham and Elgin-Middlesex-London for their comments.

However, there's one comment I would certainly like to respond to from the member for St Catharines. He mentioned Sunnybrook hospital. Sunnybrook hospital is very close to our family's heart because our son was involved in a very serious car accident on March 21 of this year. I personally spent two months at Sunnybrook hospital and I must admit that I have nothing but the highest accolades to direct toward the professional staff, the nurses, the cleaning staff and all the people who work in that facility, because our son received the best of care at that hospital.

I also had the opportunity to do an awful lot of walking during those two months and I did talk to an awful lot of people—not just one; more than one—who received treatment at the cancer care clinic, and not one person ever mentioned to me that it was operated by a private operator. They said they were just happy and fortunate and appreciative of the fact that they were being looked after from a health care point of view.

I take this opportunity tonight to thank all the people who make Sunnybrook hospital the facility it is. I can tell you, member from St Catharines, that the Beaubien family is bloody well appreciative of the care our son received at the hospital.

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

The House adjourned at 2129.

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

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David Christopherson, Monte Kwinter,
John O'Toole, Gerry Phillips,
Rob Sampson, Joseph Spina
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James J. Bradley, Leona Dombrowsky, Michael Gravelle,
Bert Johnson, Tony Martin, Frank Mazzilli,
Wayne Wettlaufer, Bob Wood
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Justice and Social Policy / Justice et affaires sociales

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Vice-Chair / Vice-Président: AL McDonald
Toby Barrett, Marcel Beaubien, Michael Bryant,
Garry J. Guzzo, Ernie Hardeman,
Peter Kormos, AL McDonald, Lyn McLeod
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Margaret Marland, Bart Maves,
Julia Munro, Marilyn Mushinski,
Michael Prue, Joseph N. Tascona
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Bruce Crozier, John Gerretsen,
Steve Gilchrist, Raminder Gill,
John Hastings, Shelley Martel,
AL McDonald, Richard Patten,
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**Regulations and private bills /
Règlements et projets de loi d'intérêt privé**

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Vice-Chair / Vice-Président: Garfield Dunlop
Gilles Bisson, Claudette Boyer, Garfield Dunlop,
Raminder Gill, Pat Hoy, Morley Kells, Rosario Marchese, Ted
McMeekin, Bill Murdoch, Wayne Wettlaufer
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CONTENTS

Wednesday 16 October 2002

SECOND READINGS

Government Efficiency Act, 2002,

Bill 179, *Mr Flaherty*

Mr Turnbull	2157
Mr Spina	2158, 2161
Mr Gerretsen	2160
Mr Martin	2160, 2165, 2166, 2174, 2177
Mr Beaubien	2161, 2175, 2178
Mr Bartolucci	2161
Mr Caplan	2162, 2166
Mr Hampton	2165
Mr Wood	2165
Mr Duncan	2165
Mr Peters	2174, 2178
Mr Bradley	2177
Mr O'Toole	2178
Debate deemed adjourned	2178

TABLE DES MATIÈRES

Mercredi 16 octobre 2002

Loi de 2002 sur l'efficience

du gouvernement , projet de loi 179, <i>M. Flaherty</i>	
Débat présumé ajourné	2178